PLANNING APPLICATION PLA/2022/107 – VISTOR ACCOMMODATION (TWENTY UNITS) – ASSESSMENT REPORT (Ref: DOC/23/11227)

Purpose

The purpose of this report is for Council to determine a planning application submitted by 6ty Degrees for the use and development of twenty visitor accommodation units at 429 Waterhouse Road Bridport.

Background

Location

The land subject to the proposal is addressed as the following:

Subject Land	Owner	PID	Folio of the Register
Waterhouse Road Bridport	Richard Sattler	6856723	200350/1
429 Waterhouse Road Bridport	Richard Sattler	2749744	131940/1
429 Waterhouse Road Bridport	Richard Sattler	2749752	131938/1
429 Waterhouse Road Bridport	Richard Sattler	2749752	131938/2
429 Waterhouse Road Bridport	Richard Sattler	2749752	131939/1

Applicant

The applicant for the proposal is 6ty Degrees.

Planning Controls

A planning application must be considered against the planning scheme that was in effect at the point in time that the application was received as valid. The subject application was lodged and deemed valid on 10 August 2022, at which point in time the subject land was controlled by the Dorset Interim Planning Scheme 2013 that was effective from 7 February 2021 (referred to in this report as the 'Planning Scheme').

Statutory Timeframes

Date Received as Valid:

Section 54 Request for Further Information:

Section 54 Request for Additional Information satisfied:

Advertised:

Closing date for representations:

Revised plans submitted:

10 August 2022
22 August 2022
9 May 2023
13 May 2023
27 May 2023
3 July 2023

Extension of time granted:

30 June 2023 (until 22 August 2023)
Extension of time granted:

21 August 2023 (until 19 September

2023)

Decision due: 18 September 2023



Figure 1 – Aerial image illustrating subject land of the proposed visitor accommodation units (adapted from www.thelist.tas.gov.au). © State of Tasmania

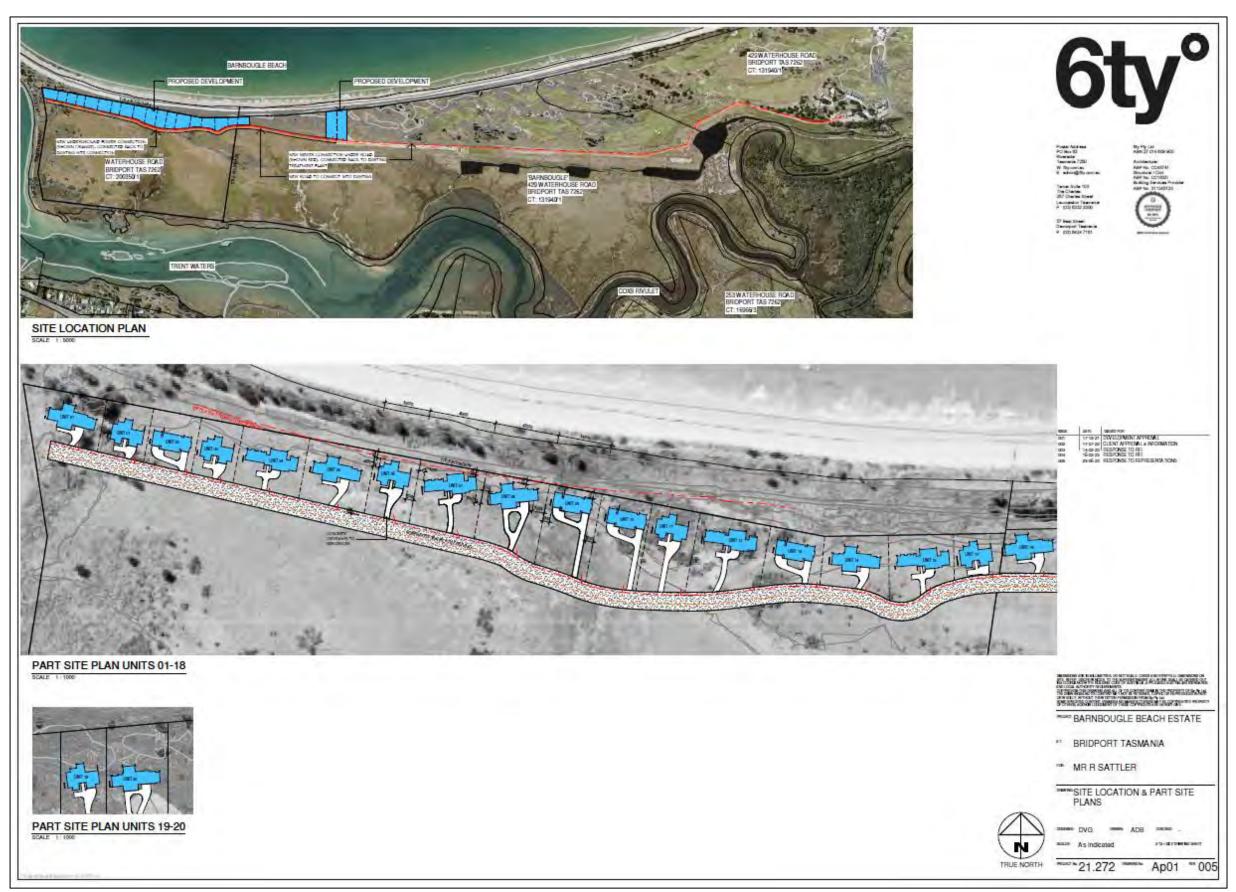


Figure 2 – Revised Site plan of proposed visitor accommodation units (source: 6ty Degrees 2023)

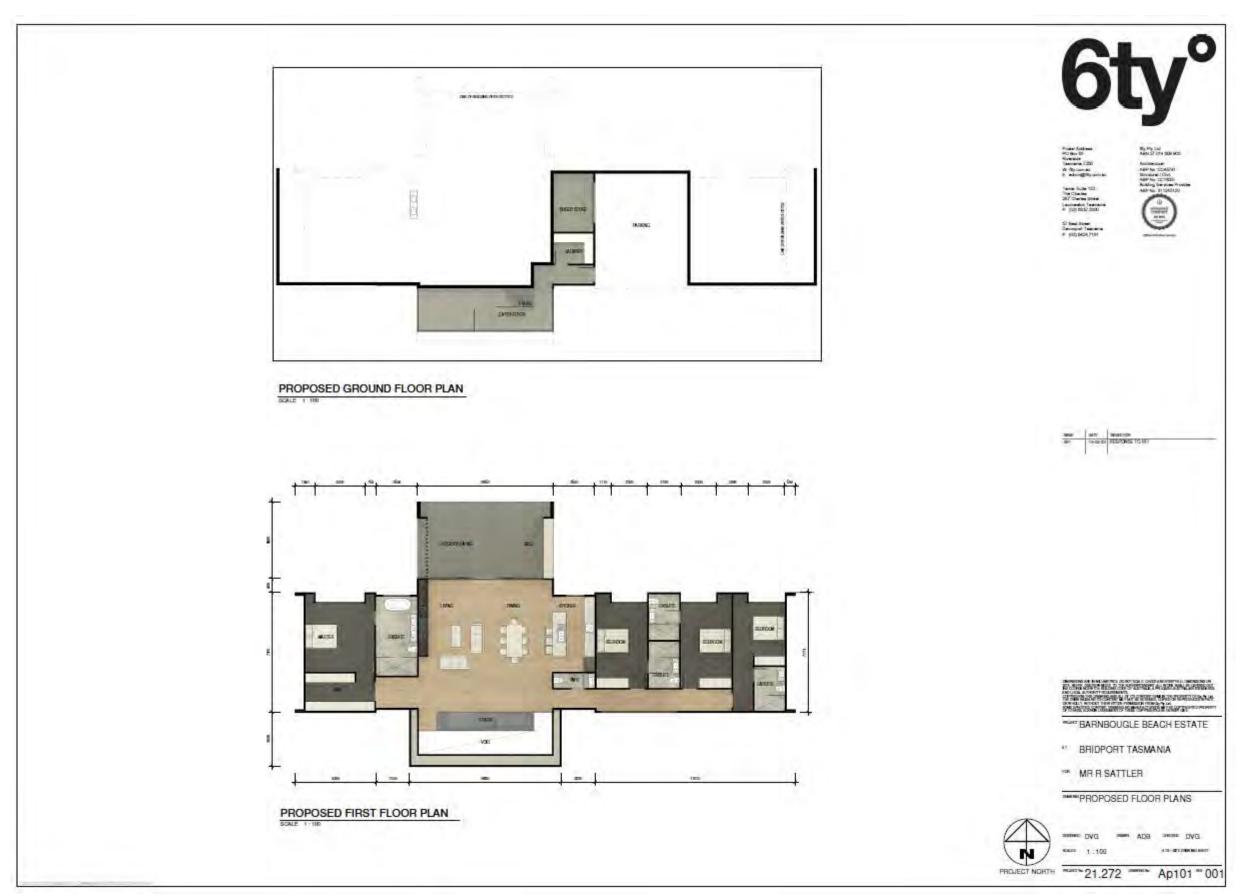


Figure 3 – Floor Plan of proposed Unit 1 (source: 6ty Degrees 2023)



Figure 4 – Floor Plan of proposed Unit 2 (source: 6ty Degrees 2023)

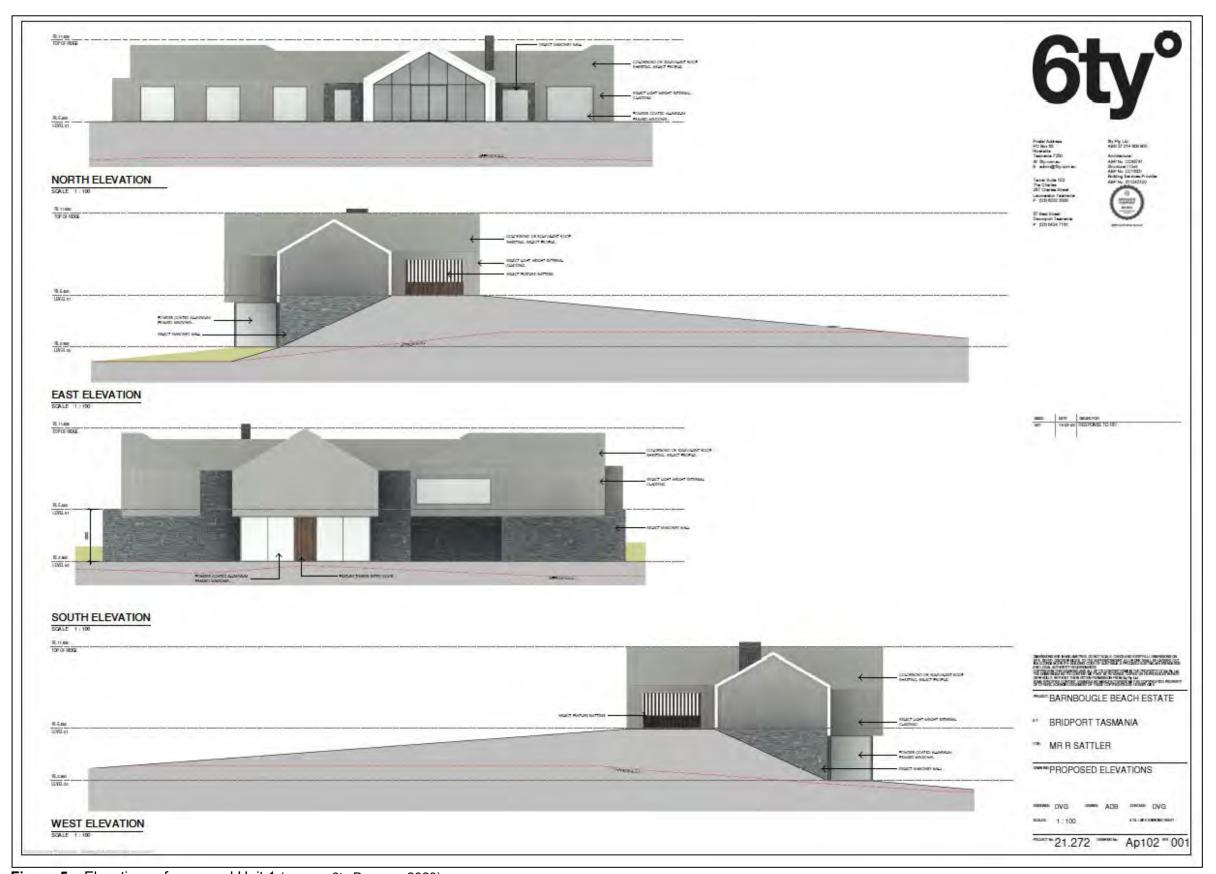


Figure 5 – Elevations of proposed Unit 1 (source: 6ty Degrees 2023)



Figure 6 – Elevations of proposed Unit 2 (source: 6ty Degrees 2023)

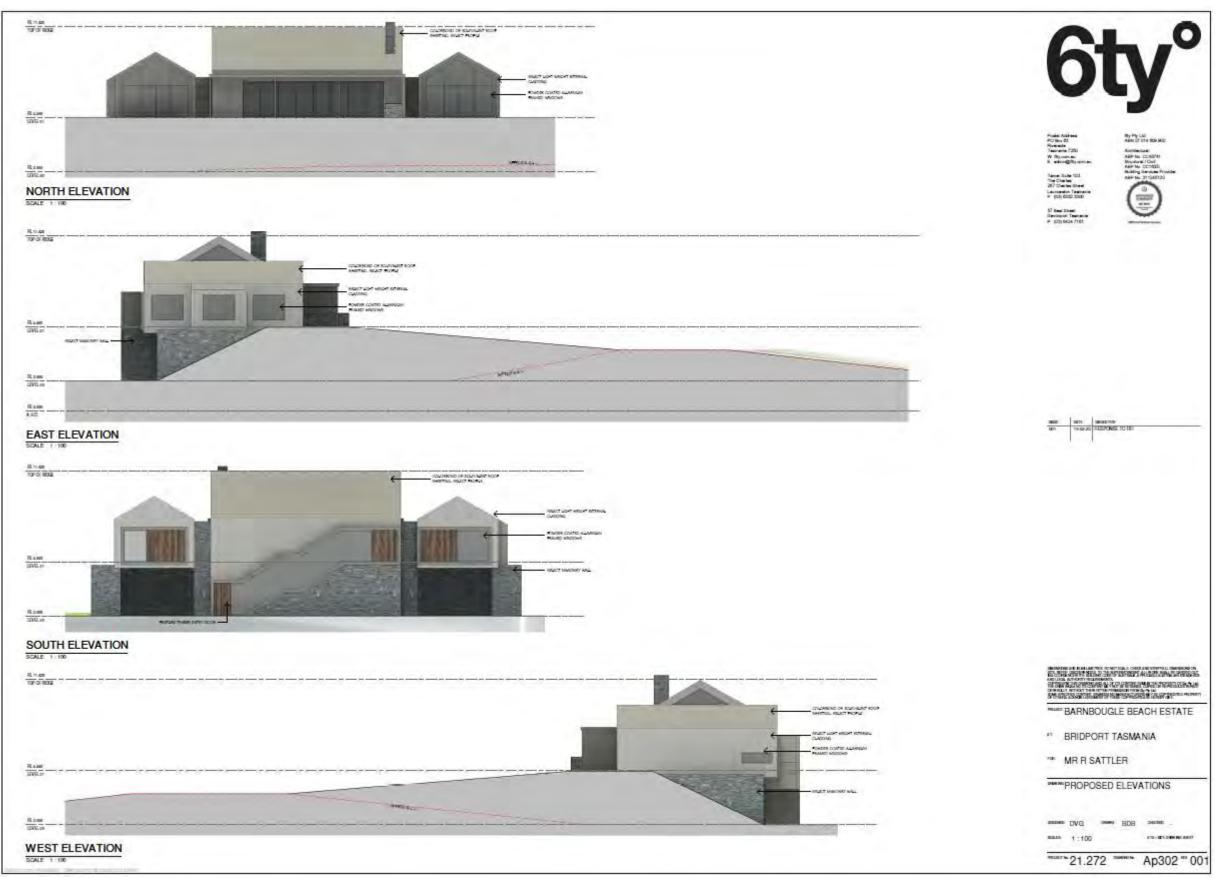


Figure 7 – Elevations of proposed Unit 3 (source:6ty Degrees 2023)



Figure 8 – Elevations of proposed Unit 5 (source6ty Degrees 2023)

The Site

The subject site is situated on land at, and directly adjacent to, "Barnbougle" 429 Waterhouse Road Bridport, separated from Bridport by Trent Water of a distance of approximately 500 metres.

The site, including all parcels relied upon for purpose of the application, has an overall area of approximately 530 hectares and abuts a Crown reservation approximately 30 metres wide along the coastal foreshore and the Trent Water foreshore. The land consists of frontal dunes, parabolic dunes, natural and modified drainage systems to wetlands and rivers.

The land's original use was for occasional sheep and cattle grazing. The existing development of the site consists of the golf course, club house with bar facilities, golf service shop, 50 seat restaurant, office and storage facilities, 22 self-contained accommodation units, a residential dwelling and golf course maintenance workshop, and 2 deluxe tourist accommodation apartments. Parts of the site remain utilised for occasional sheep and cattle grazing.

The predominant vegetation on the part of the site to which the application relates is modified agricultural land, along with communities of (ii) lowland grassy sedgeland, (ii) coastal grass and herbfield, (iii) *acacia longifolia* coastal scrub, and (iv) a coastal dune system along its northern boundary.

The remaining parcels comprises the Barnbougle Dunes Golf Course inclusive a clubhouse, a cluster of three visitor accommodation units proximate to the northern boundary and a cluster of twenty-four visitor accommodation units that are all located within the coastal dune complex, as well as pasture.

The adjoining site to the east – Lot 1 Waterhouse Road – comprises the Barnbougle Lost Farm Golf Links and associated restaurant, and further twenty-two visitor accommodation units.

Figures 8-13 below provide images of the development site when viewed from various public roads:



Figure 8 – Subject site viewed from Marilyn Drive, facing east towards the subject site (photo taken 9 August 2023).



Figure 9 – Subject site viewed from Main Street, with Trent Water in the foreground and mountains in the background (photo taken 9 August 2023).



Figure 10 – Panorama view of the subject site from Main Street, detailing adjacent port facility (photo taken 9 August 2023).



Figure 11 – Subject site viewed from Main Street, with Trent Water in the foreground and mountains in the background, facing southeast (photo taken 9 August 2023).



Figure 12 – Existing vehicle access onto Waterhouse Road (photo taken 9 August 2022).



Figure 13 – Location of proposed development in the midground viewed from the edge of the existing Barnbougle Dunes golf course and with Bridport in the background (Source: golfcoursegurus.com)

Surrounding Land

The subject land is immediately adjoined by (i) Barnbougle Beach and Anderson Bay to the north, Trent Water to the west and south, a cluster of rural living lots and agricultural operations to the south, and the Barnbougle Lost Farm Golf Links to the east.

The site is split zoned between the Rural Resource Zone and the Major Tourism Zone as shown below in Figure 14. Seventeen of the proposed units would be solely located within the Rural Resource Zone and two would be solely located within the Major Tourism Zone. One unit would be located within both zones.

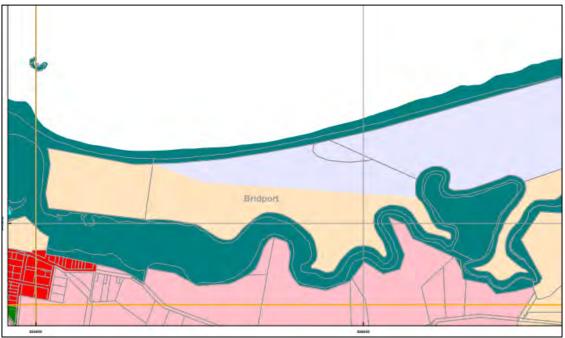


Figure 14 – Zone Map depicting the extent of the rural resource zone (light brown) and the major tourism zone (light grey) upon the subject site (source: Dorset Interim Planning Scheme 2013)

Consultation with State Government & Other Authorities

TasNetworks

The proposal was referred to TasNetworks in accordance with section 44L of the *Electricity Supply Industry Act 1995* on 12 May 2023

TasNetworks undertook its assessment of the application and advised Council on 8 June 2023 that:

Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

The standard arrangements will apply for connection to the electricity network. For further information, please refer to TasNetworks' website: New electricity connections - TasNetworks.

This advice, as required under section 44M(2) of the *Electricity Supply Industry Act 1995*, was provided to the applicant within 5 business days of having received TasNetworks notice.

Officer's Comments

Details of Proposal

The proposal seeks planning approval for the use and development of twenty (20) visitor accommodation units. Development associated with this proposal includes: i) internal access roads, ii) associated fill and earthworks, and iii) subsequent removal of native vegetation within the development area. The proposal originally referenced the alignment of a potential powerline across Trent Water. Whilst this component of the proposal does not require planning approval,

revised plans were submitted following concern raised during the public exhibition period that shows a realigned powerline travelling eastward towards the existing development at Barnbougle Dunes.

There would be fourteen (14) detached four-bedroom units and six (6) detached three-bedroom units.

Each unit would be two-storey, with habitable rooms on the first floor whilst laundry, entry foyer, buggy store area, and undercover area for vehicle parking would be situated on the ground floor.

The units would have a variable boundary setback, with the closest being at least 3 metres from the northern boundary. Due to the alignment of the property boundaries, the proposal notes that units would nonetheless be situated at least 10 metres from the front of the primary dune. The units would each have a building heights ranging between 9-11 metres above existing ground level.

The roofs would be primarily be open gable in style and clad in colourbond or equivalent roof sheeting (colours TBD), walls constructed with a mix of select light weight external cladding (colours TBD), timber features, and masonry walls along the ground floors.

Vehicle Access and Car Parking

The proposal would utilise an existing vehicle access used for the existing Barnbougle Dunes gold course facility, and continue to extend this access westwards along an unmade agricultural track to the location of the proposed units.

Each unit would be provided with one undercover vehicle parking space beneath the respective first floor.

The proposed internal vehicle access and parking spaces would be constructed of compacted gravel, with each connecting 'driveway' being constructed of concrete.

Stormwater would be managed onsite whilst wastewater would be directed to the east towards the existing Barnbougle Dunes treatment plant.

No upgrades to the existing crossover onto Waterhouse Road is proposed.

PLANNING ASSESSMENT

The proposal must be considered against the provisions of the LUPA Act. It must also be considered against pertinent State Policies and the provisions of the Dorset Interim Planning Scheme 2013, including all applicable Planning Directives. A response to the relevant provisions is provided below.

Land Use Planning and Approvals Act 1993

It is a requirement that use and development proposals that fall within the ambit of consideration of the LUPA Act must act to further the objectives set out in Schedule 1 of the Act.

Objectives stipulated under Schedule 1 of the LUPA Act are as follows:

PART 1 – Objectives of the Resource Management and Planning System of Tasmania

- (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;
- (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.

Town Planner's Response:

The Planning Scheme, furthers the above objectives through virtue of section 20(1) of the former provisions of the LUPA Act. As such, if the proposal is deemed to comply with all applicable standards of the Planning Scheme, the proposal is thereby considered to seek to further the objectives of the Act.

PART 2 - Objectives of the Planning Process Established by this Act 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 secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania; 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
- 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.

Town Planner's Response:

The Planning Scheme furthers the above objectives through virtue of s20(1) of the former provisions of the LUPA Act. As such, if the proposal is deemed to comply with all applicable standards of the Planning Scheme, the proposal is thereby considered to seek to further the objectives of the Act.

State Policies

State Policies are made under the *State Policies and Projects Act 1993* to articulate the Tasmanian Government's strategic policy direction on matters of State significance such as sustainable development of natural and physical resources, land use planning, land management, environmental management and environment protection. They are:

'a guide to councils and government authorities in the development of their legislation and planning schemes [and] not to be used as a test of individual development in the assessment as to whether or not a development application should be approved or refused'.¹

All State Policies currently in force are the following:

- 1) State Policy on the Protection of Agricultural Land 2009;
- 2) State Coastal Policy 1996;
- 3) State Policy on Water Quality Management 1997; and
- 4) National Environment Protection Measures (NEPMs).

The Planning Scheme is consistent with all State Policies through virtue of s20(1) of the former provisions of the *LUPA Act*. As such, if the proposal is deemed to comply with all applicable standards of the Planning Scheme, the proposal is thereby considered to comply with the principles of all relevant State Policies.

Representations

Council received nine (9) representations, each objecting to the proposal. Key concerns expressed by the representations, and the Town Planner's response to these, are provided in the following:

Issue 1

Concern regarding the location of proposed overhead power line crossing Trent Water and the potential impacts on birds and vegetation clearance within both Trent Water and Edward Street.

Town Planner Response

The advertised plans detailed the alignment of an overhead power connection crossing the Trent Water and connecting to existing infrastructure within Edward Street. Whilst the powerlines do not require planning approval in accordance with the *Electricity Supply Industry Act 1995* and thereby do not strictly form part of the planning application, the applicant has agreed to redirect the proposed

¹ WJ Manning and The Friends of Four Mile Creek Bushcare Group Inc AND Break O'Day Council and Morris Nunn & Associates obo R Bejah [2006] TASRMPAT 26 (14 Feb 2006).

powerline eastward, and run it underground, so as to connect to existing electricity infrastructure at Barnbougle. The applicant has submitted revised plans that have been integrated into the planning application and detail the revised alignment of an underground power connection heading eastward as shown in Figure 15 below. Upon receipt of these revised plans, a copy of the revised site plan was supplied to all representors for their consideration.



Figure 15 – Revised Site Plan Ap01 Rev 005, dated 23/06/23, showing an underground power connection heading east towards the existing electrical infrastructure at Barnbougle Dunes (source: 6ty Degrees 2023).

The revised underground power connection would appropriately address the concerns raised by representors relating to the original alignment of the powerlines originally. As such, it is appropriate for any endorsed site plan to be in accordance with the revised plans shown above. Doing so will reinforce this revised powerline design and alignment.

Issue 2 Proximity of the western most units to the artificial roost structure used by white-bellied sea eagles.

Town Planner Response

The Forest Practices Authority, in collaboration with NRE Tas, provides Fauna Technical notes relating to the management of impacts upon eagles within Tasmania (Fauna Technical Note No. 1) in relation to forestry operations (i.e. browsing management, planting, planned burns, etc). These techniques are focused upon managing the risk of disturbance to breeding birds through limiting the proximity and timing of works around known nest sites and by providing buffers of one kilometre within line of sight of the nest where possible. The two nearest known eagle nests are both approximately 1.3km southwest of the nearest proposed visitor accommodation unit, located along the Brid River and within proximity to the Brid River weir, and are home to white-bellied sea eagles. There are no management techniques provided by the FPA in relation to managing eagle hunting grounds.



Figure 16 – Aerial imagery showing the location of known eagle nests, the location of the proposed development, and the distance between (adapted from www.thelist.tas.gov.au). \odot State of Tasmania

As shown with the photos provided by representors, the identified artificial roost (located within the adjacent coastal reserve) is a perch used by local white-bellied sea eagles to survey the estuary for food, rather than a nest.



Figure 17 – Artificial Roost referenced within the submitted representations (source: J Jennings 2023)

The trigger for consideration under the Biodiversity Code is the clearance or disturbance of native vegetation. The proposal does not propose to remove any native vegetation within the estuary nor within the coastal reserves, but instead proposes to remove vegetation primarily associated with modified agricultural land and a small area of vegetation transitioning into *Acacia longifolia* coastal scrub and Lowland grassy sedgeland. The removal of the identified vegetation would not unduly compromise the representation of white-bellied sea eagles within the bioregion as the removal of the vegetation in-and-of-itself would not affect the feeding habits of the eagles.

The siting of the development, while in close proximity to the artificial roost, would similarly not unreasonably disturb nearby habitat or vegetation in a manner that would compromise the number of white-bellied sea eagles within the bioregion, given the proven ability for birds to adapt and coexist with development as is the case currently along the southern side of the estuary. Notwithstanding, measures can be taken to ensure that the siting of the development assists the protection of biodiversity within Trent Water by (i) minimising emission of direct light to the estuary and coastal reserves and (ii) the installation of native vegetation landscaping within and throughout the development area, the proposal would not unreasonably disturb adjacent habitat nor compromise the numbers of white-belied sea eagles.

Finally, the developer has offered to erect dead stag trees along the southern boundary of F/R 200350/1 to provide for alternate perches. While no such offsets are considered necessary, such an action would nonetheless be consistent with the purpose of the Biodiversity Code and the applicant is highly encouraged to erect these stag trees accordingly.

Issue 3

Concern that information contained within the application is misleading on the basis that the buildings ought be classified as dwellings which changes the requirements for building height and the subsequent and associated impacts relating to visual impacts of the proposed development.

Town Planner Response

The application is applying for the construction of twenty visitor accommodation units. Under the planning scheme, visitor accommodation units are distinctly different from dwellings. In this respect, the Tribunal noted in Stornoway Projects Pty Ltd v Northern Midlands Council and J F Welsford and M A Brink² that, 'reference to a dwelling is a reference to a place in which someone resides and the term is not used in connection with places of accommodation that provide for so called "short stays" with regularly changing occupancies. To dwell connotes a degree of permanency. It is a place where one resides (a residence).'

The proposal does not contemplate permanent residency of the units, which means that units are not considered dwellings for the purposes of the planning assessment. To reinforce this visitor accommodation use, any planning permit would include a condition stipulating the maximum number of days in a year that the same person could stay within each unit. Any proposed change to residential use would require further discretionary planning approval. It is noted, however, that use of the site for multiple dwellings is prohibited within the applicable zoning.

Issue 4

Visual impacts associated with the size and scale of the buildings, particularly when viewed from dwellings along Edward Street and Main Street Bridport.

Town Planner Response

Consideration of the visual appearance of the proposal in relation to the local area is considered further on in this report. Within that assessment it is noted that visual appearance is given most relevance where viewed from a public road rather than a private property and that, with the introduction of conditions relating to (i) the preparation and implementation of a landscaping plan using individuals representative of local vegetation communities and (ii) the inclusion of schedule of colours and finishes that uses muted and non-reflective colours compatible with the local landscape, the visual appearance of the use would be in broad harmony with that of the local area.

² [2014] TASRMPAT 29 at [12]

Issue 5

Accuracy of the location of buildings relative to the coastal reserve boundary.

Town Planner Response

The boundaries as shown within the submitted plans appears to be adapted from the cadastre data available from the LIST. This data possesses a horizontal accuracy of 5 metres. Accordingly, it is appropriate that the developer verify the location of the property boundaries by way of a check survey, and revise plans as necessary, prior to the commencement of any works. Doing so will ensure that the recommendations stipulated by the Coastal Erosion and Inundation Risk Assessment Report (Burbury Consulting 2023) – particularly in relation to being setback behind the toe of the rear of the primary dune – are complied with. This will also be critical to ensure that any bushfire hazard management areas required by the subsequently building approval process occur solely within the bounds of the property.

Issue 6 Removal of native vegetation along the sensitive dune system.

Town Planner Response

As noted above, the removal of vegetation would primarily be limited to modified agricultural land with some removal of non-threatened native vegetation. The proposed development and bushfire hazard management areas would be located to the rear of the primary dune (the hind dune) and as such not affect the most sensitive components of the dune system (i.e. the incipient dune, the primary dune, and the estuary proper). Instead, the development would be located within the backdune which is tolerant to disturbance and is the most suitable part of the coastal system for development.³ Subject to conditions relating to the preparation and implementation of a landscaping plan using individuals representative of local vegetation communities throughout the development area, native vegetation would be established in a targeted manner and continue to provide for fauna movements along the coastline.

Issue 7

Location of habitable buildings within an area identified at risk of coastal erosion, inundation and tidal storm surge.

Town Planner Response

Consideration of the location of the proposed buildings in relation to the Flood Prone Areas Code and Coastal Code is provided further on in this report. Subject to conditions imposing the recommendations provided by Burbury Consulting within the Coastal Erosion and Inundation Risk Assessment Report (2023), such as the raising of the ground level across the development site and the raising of the ground level of the habitable buildings, the proposal would achieve a low risk profile to life, property and the environment and thereby demonstrate compliance with the applicable standards.

³ I McHarg, *Design with Nature*, 1969, p.15.

Issue 8

Promotion of urban sprawl.

Town Planner Response

Consideration of whether the proposal is urban sprawl or not is irrelevant to the planning assessment process. However, as noted throughout this report, the proposal demonstrates compliance with all applicable standards of the Rural Resource Zone and the various Codes, including the Coastal Code. Accordingly the proposal must be considered as appropriate for a rural and coastal location as contemplated by the planning scheme.

Issue 9

Potential impacts on the proposed port redevelopment.

Town Planner Response

The representor refers to the Bridport Foreshore Master Plan (prepared by Burbury Consulting, dated January 2022) which investigates the viability of a new port entrance adjacent to the subject site. While not relevant to the planning assessment, the proposed units would be wholly located within the bounds of F/R 6856723 Waterhouse Road Bridport whereas the proposed new port entrance would be solely located within the adjoining coastal reserve. If constructed, the Coastal Inundation and Erosion Risk Assessment Report notes that the new port entrance would prove beneficial to the overall coastal risk profile for the units.

Issue 10

Potential impact on aboriginal heritage.

Town Planner Response

Aboriginal heritage is regulated by the *Aboriginal Heritage Act 1975* and is separate to the planning approval process. The developer is responsible for undertaking due diligence to determine whether or not the activity may impact upon Aboriginal relics by contacting Aboriginal Heritage Tasmania and undertaking any development in accordance with an Unanticipated Discovery Plan. Any planning permit ought to include an advisory note outlining the expectations of the developer is aboriginal relics are uncovered during works.

Issue 11

Waste management associated with the use of the proposed buildings.

Town Planner Response

Within the submitted plans the proposal notes that each unit would be connected to the existing wastewater system located to within the existing Barnbougle Dunes development. Plumbing approval would also be required via plumbing permit, which would assess the capacity of the existing system and its ability to accommodate additional volumes. This method ensures that wastewater does not pose a contamination risk to Trent Water.

Issue 12

Concern that the application was not made known to the public at the beginning of the statutory public exhibition period.

Town Planner Response

As with all other planning applications, this application was advertised in the Examiner, notices erected along all property boundaries of the subject site that front onto a public road, made available at Council offices at the beginning of the statutory exhibition period in accordance with the requirements of the *Land Use Planning and Approvals Act 1993*. During that period, the application was also made publically available on Councils website.

Dorset Interim Planning Scheme 2013

The land pertaining to the application is located within both the Rural Resource Zone and Major Tourism Zone of the effective planning scheme.

The application is for a Visitor Accommodation use, which is defined as:

"use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment."

Rural Resource Zone

Eighteen of the proposed visitor accommodation units would be located within the Rural Resource Zone. All units rely on access through the Rural Resource Zone between the Barnbougle Golf Course and Waterhouse Road.

The application is for visitor accommodation units which is classified as a Discretionary use within Use Table 26.2 of the Rural Resource Zone "where not for existing uses or the curtilage increases by more than 30% as at the effective date."

The ZONE PURPOSE STATEMENTS of the Rural Resource Zone are:

- 26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.
- 26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.
- 26.1.1.3 To provide for economic development that is compatible with primary industry, environmental and landscape values.
- 26.1.1.4 To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.

Town Planner's Response:

The proposal is consistent with the zone purpose statements of the zone. The proposal would provide for a tourism related use and development where the sustainable development of rural resources in the locality would not be compromised.

The applicable LOCAL AREA OBJECTIVES of the Rural Resource Zone are:

Tourism

Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.

The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.

Town Planner Response:

The proposal represents tourism facilities that capitalise on the Barnbougle Dunes tourist destination, and its integration of high amenity golf courses and visitor accommodation within the coastal landscape, in a manner where the long-term sustainability of primary industry resources is not unduly compromised. The proposal thereby would be consistent with the applicable local area objectives of the Rural Resource Zone.

The DESIRED FUTURE CHARACTER STATEMENTS of the Rural Resource Zone are:

The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.

Town Planner Response:

Performance Criteria P5 of Clause 26.3.1 requires consideration of the desired future character statements of the Rural Resource Zone and is provided further on in the report accordingly.

USE STANDARDS

26.3.1 Discretionary Uses if not a single dwelling

Objective

- a) To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.
- b) To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.
- c) To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.
- d) Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.
- Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.
- f) The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.

Acceptable Solution	Performance Criteria
A1 If for permitted or no permit required uses.	P1.1 It must be demonstrated that the use is consistent with local area objectives for the provision of non primary industry uses in the zone, if applicable; and
	P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m2 over the site.

Town Planner Response

The proposed use would not be for a business and professional services or general retail and hire use. Furthermore, the use would be consistent with the local area objectives for tourism within the Rural Resource Zone as discussed above. The proposed use demonstrates compliance with the performance criteria provided at P1.1 and P1.2 accordingly.

Acceptable Solution	Performance Criteria	
A3 If for permitted or no permit required uses.	P3 The conversion of non-prime agricultural to non-agricultural use must demonstrate that:	
	a) the amount of land converted is minimised having regard to:	
	i) existing use and development on the land; and	
	ii) surrounding use and development; and	
	iii) topographical constraints; or	
	b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:	
	 i) limitations created by any existing use and/or development surrounding the site; and 	
	ii) topographical features; and	
	iii) poor capability of the land for primary industry; or	
	c) the location of the use on the site is reasonably required for operational efficiency.	

Town Planner Response

The proposed visitor accommodation units would be located on land with a Class 7 land capability of which is considered to be non-prime agricultural land and defined as:

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

The existing vehicle access between the units and Waterhouse Road would pass through Class 4 and Class 5 land, which is also considered to be non-prime agricultural land.

The proposed use would therefore result in the conversion of non-prime agricultural land to a non-agricultural use and most demonstrate compliance with the performance criteria as a result.

The conversion of non-prime agricultural land to a visitor accommodation use would be minimised by the siting of the proposed buildings and associated

infrastructure. The buildings would be located along the northern boundary of the site where the land is considered to be unsuitable for agricultural use, and sited so that the existing areas of pasture are not unduly fragmented nor intruded upon. The units would utilise existing an vehicle access that is already in use by the Barnbougle Dunes golf course and associated visitor accommodation and would not further compromise the existing agricultural use within the subject land.

The proposed use thereby demonstrates compliance with the Performance Criteria P3 a).

Acceptable Solutions	Performance Criteria	
A4 If for permitted or no permit required uses.	P4 It must be demonstrated that:	
	a) emissions are not likely to cause an environmental nuisance; and	
	b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and	
	c) the capacity of the local road network can accommodate the traffic generated by the use.	

Town Planner Response

The EMPC Act defines an 'environmental nuisance' as:

- "(a) the emission, discharge, depositing or disturbance of a pollutant that unreasonably interferes with, or is likely to unreasonably interfere with, a person's enjoyment of the environment; and
- (b) any emission, discharge, depositing or disturbance specified in an environment protection policy to be an environmental nuisance".

With the inclusion of appropriate conditions upon any planning permit for the proposed use – and giving due consideration to the separation distances between the proposed use upon the subject land and existing uses upon surrounding land – it is considered reasonable that the proposed use would not act to introduce emissions that would likely cause an environmental nuisance nor confine or restrain primary industry uses from conducting normal operations.

In 2007, Terry Eaton prepared a Traffic Assessment for the proposed expansion of the Barnbougle Dunes Golf Links. Consideration was given to both (i) the Barnbougle Dunes Golf Course, including its associated clubhouse with bar facilities, golf service shop, restaurant (80 seats), office and storage facilities, 22 self-serviced accommodation cabins, a residential dwelling and course maintenance workshop, and (ii) the Barnbougle Lost Farm Golf Links course which also included a 20 seat conference facility, 3 villa units, a further 22 units, and a wellness centre. All use and development identified within this Traffic Assessment is currently existing. Together, the traffic assessment identified a

total of 430 vehicle trips that would be experienced by the existing vehicle access point onto Waterhouse Road.

The traffic assessment considered these vehicle movements relative to the predicted 2027 volumes of 1450 vehicles west of the Barnbougle links access and identified several recommendations including the clearing of sight distances, informational signage, and upgrading of the access junction to comply with Rural Property access standards. All recommendations were imposed via conditions and completed. The existing vehicle access has thereby been constructed to a standard capable of accommodating this volume of anticipated vehicle movements.

Since that time, Waterhouse Road has been transferred from Council to the Department of State Growth and is now a Category 5 State Road.

The applicant has identified that the existing facilities generate a daily average of 75 vehicle visitations, resulting in an estimated annual average daily traffic count of 150 trips experienced by the access point. The application also notes that:

'The primary purpose of the proposed visitor accommodation is to provide additional accommodation offerings to meet demand from existing golf tourists. Due to current high occupancy levels, guests are needing to find accommodation off-site. On this basis, the proposed visitor accommodation use is not expected to result in a material increase in traffic movements at the existing junction. Conversely, the proposed visitor accommodation use is anticipated to minimise traffic movement at the existing junction by accommodating golfers that were intending to stay at Barnbougle but were unable to due to all other onsite accommodation being occupied, leaving guest to find accommodation within Bridport and its surrounds and therefore leaving the site and returning the next day. Accordingly, the proposed visitor accommodation will absorb existing traffic movements that currently occur at the existing junction. Any incidental occupancy of the visitor accommodation is unlikely to increase the AADT traffic movements at the existing junction by more than 10% which equates to 15 additional vehicle movements per day.'

Public traffic data available on *Tasmania Traffic Data* presents two data collection points immediately to the west and east of the Barnbougle Dunes access point. Both sites collected data between the 24th and 30th of April 2021. Based off of this data, the eastern point experienced 483 AADT and the western point experienced 824 AADT in 2022, with both sites experiencing an approximate 50/50 split in east/west movements. Thereby, and after accounting for the approximate 30 AADT vehicle movements directed to the adjacent Barnbougle Road – Waterhouse Road junction, the available data suggests that the existing Barnbougle site generates approximately 311 vehicle trips entering and exiting the Barnbougle access point on an average day.

Noting again that the original traffic assessment posited a total of 430 trips - including 132 trips directly associated with the visitor accommodation on site -

being generated by the entire development, there is an approximate 120 trip 'gap' between what was anticipated and what eventualised, even with the high level of demand that Barnbougle experiences as the home of two world class golf courses.

The comments and observations made by the applicant in relation to how the units will likely be used is thereby sound, and it is reasonable to conclude that the units will predominantly act to lengthen the period of time between trips in/out of the site, rather than generate an additional 60 vehicle trips on top of those already existing. When considering the comments made by the applicant, together with the historical traffic figures for the existing development and the more contemporaneous public traffic data, it is therefore reasonable to conclude that the vast majority of vehicle movements associated with the existing visitor accommodation units have indeed absorbed and reduced vehicle trips to and from the site.

The proposal is therefore considered to not increase the annual average daily traffic movements at the existing access by more than 10% and the local road network would be capable of accommodating what little traffic is generated by the proposed use accordingly.

Acceptable Solutions	Performance Criteria	
A5 The use must:	P5 It must be demonstrated that the visual appearance of the use is	
a) be permitted or no permit required; or	consistent with the local area having regard to:	
b) be located in an existing building.	_	
	a) the impacts on skylines and ridgelines; and	
	b) visibility from public roads; and	
	c) the visual impacts of storage of materials or equipment; and	
	d) the visual impacts of vegetation clearance or retention; and	
	e) the desired future character statements.	

Town Planner Response

The proposal is a discretionary use and would include new buildings and is therefore required to demonstrate that the visual appearance of the use is consistent with the local area having regard to (a)-(e) inclusive.

An assessment of compliance with P5 requires determination as to what constitutes the 'local area'. What constitutes a 'local area' is not defined in the Scheme, however the Tribunal, in *M Drury v Hobart City Council and Ors*, noted that it 'must be sufficiently large to enable an assessment of the prevailing characteristics of the visual appearance of the area but is not so large as to dilute

that character of the area around the development alongside which the development will sit'.4

For the purposes of the planning assessment the local area is considered to be as depicted below in Figure 18. Noting that the area subject to the planning application is already significant, the local area is considered to be bound by Main Street and the Bridport Foreshore to the west, Anderson Bay to the north, the start of the Waterhouse Conservation Area (and the Waterhouse locality more broadly) to the east and Edward Street and Waterhouse Road to the south (other than where the subject site protrudes south beyond it. Enlargement of this area in any direction would unnecessarily dilute the character of the area in question.



Figure 18 – Extent of 'Local Area' for pruposes of assessment against P5 (Source: adapted from www.thelist.tas.gov.au). © State of Tasmania

The visual appearance of the local area is generally flat and low-lying, and is chiefly characterised by Trent Water (an estuary fed by the Coxs Rivulet) meandering westwards towards it mouth at Gofton Beach and into Anderson Bay. The estuary is bounded by plains and a modified coastal dune system to the north, plains utilised for residential and agricultural pursuits to the south, and the urban settlement of Bridport to the west. The Estuary runs roughly parallel to Barnbougle Beach, and at a distance of approximately 400 behind the shoreline, until the Brid River discharges into the estuary and 'pushes' the flow of Trent Water closer to the coastline resulting in a spit with a variable distance of 70-150 metres in width. At the intersection of Brid River and Trent Water, an established port facility includes a boat ramp and mooring jetty, a Huon Aquaculture trout

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⁴ [2016] TASRMPAT 18 at [38]

hatchery, as well as several large industrial scale buildings servicing Bass Strait Freight and Allan Barnett Fishing Company.

The banks of the estuary are semi-modified with historical man-made embankments along its southern edge and agricultural drains and similar improvements on both sides of the estuary and rivulet. The plains on both sides of the estuary and rivulet were historically prone to inundation, particularly prior to the redirecting of the Great Forester River through Adams Cut to the east, resulting in the area north of the estuary becoming known as 'Bar Marsh'. Native vegetation communities are relatively isolated and cling to the northern banks of the Estuary, 'Boyd's Bend' and the dune system to the north and east, containing various non-threatened vegetation communities such as 'Acacia longifolia coastal scrub', 'low land grassy sedgeland', saline sedgeland / rushland, modified coastal grass and herbfield. An area of threatened Melaleuca ericfolia swamp forest is situated at Boyd's Bend where Coxs Rivulet turns westward but would not be affected by the proposed works.

A single uninterrupted line of dunes runs parallel to Barnbougle Beach, with a height of approximately 4-6m AHD, for a length of 700m from east of the spit. From there, the dune system deepens and heightens, developing a large complex of hinddunes, until it is almost 250 metres deep and 10m high at its peak. This part of the dune system has been modified and developed into a world class golf course facility inclusive of a club house, golf service shop, 50 seat restaurant, office and storage facilities, 22 self-contained accommodation units, a residential dwelling and golf course maintenance workshop, and 2 deluxe tourist accommodation apartments (see Figures 19 and 20 below for examples of existing development within the golf course precinct). Throughout the remainder of the subject site, and to the east and south, the pastured flats are primarily utilised for grazing.



Figure 19 – Existing Visitor Accommodation Units located within coastal dune system at 429 Waterhouse Road Bridport (Source: Voyages.Golf.com)

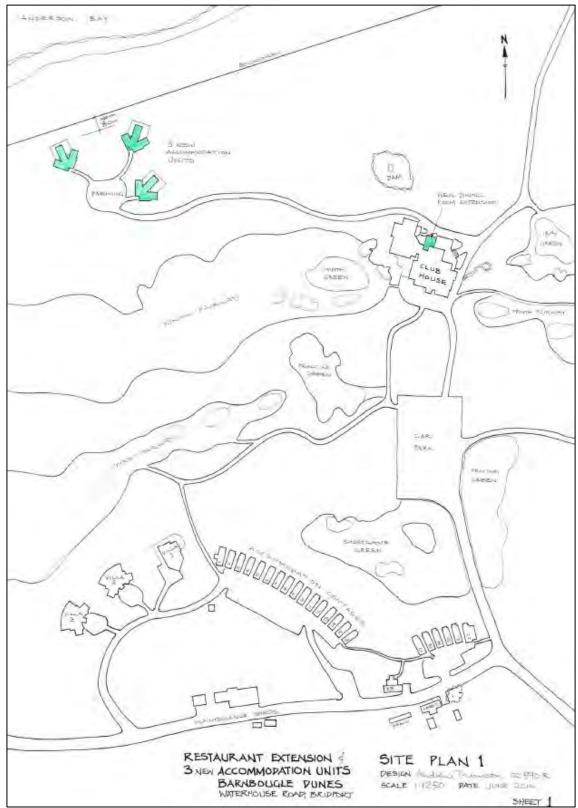


Figure 20 – Site Plan of existing visitor accommodation, club house, and wellness centre within the existing Barnbougle Dunes golf course (source: Thompson 2014)

Along the southern extent of the estuarine system, a continuous line of approximately twelve dwellings are nestled between Edward Street and the edge of Trent Water. Eight rural lifestyle lots are situated eastward of this cluster, and directly adjacent to the estuary flats for a distance of approximately 2.5 kilometres.

In Hexa Pacific Pty Ltd v Hobart City Council and Ors, the Tribunal noted that 'to be consistent it must be compatible with or in harmony with the local area' in accordance with its ordinary meaning within the Macquarie Dictionary.⁵ In this respect, the visual appearance of the proposal must therefore be compatible with, or in broad harmony with, the local area as described above.

The proposal would be visible from several public roads within the local area, notably Main Street, Edward Street, and Waterhouse Road. The proposal would also be visible from parts the urban area of Bridport. The performance criteria is silent upon whether visibility from public roads is restricted to only those within the identified local area. Taking a conservation approach, consideration has also been given to the visual appearance of the proposal when viewed from the top of Marilyn Drive. This vantage represents the clearest view of the local area and development footprint in question and is sufficiently representative of views that may be seen from other parts of Bridport's public road network. An overview of vantage points considered is shown below in Figure 21. Before proceeding, it is critical to emphasise that, as considered within *Metasite Pty Ltd obo Optus Mobile Pty Ltd v Northern Midlands Council*, a proposal can be visible and still be unobtrusive. Accordingly, being unobtrusive does not equate to a requirement that the buildings should be invisible.



Figure 21 – Vantage points representative of public views of the proposal (adapted from www.thelist.tas.gov.au). © State of Tasmania

⁵ [2020] TASRMPAT 1 at [30]



Figure 22 – Clearest view of the proposed development footprint from Edward Street (source: google maps 2023)



Figure 23 – View of location of proposed development from Waterhouse Road (photo taken 9 August 2023)

Visibility of the proposal from Edward Street is predominantly obscured and screened by the existing residential development and established trees, with views of the development footprint being limited as shown in Figure 22 above. Likewise, visibility of the proposal when viewed from Waterhouse Road is also relatively obscured and screened by the existing rural residential development,

intermittent trees and the distance between the public road and the development area as shown in Figure 23 above. When viewed from these public roads the buildings would sit above the low and flat skyline of the small dunes and sea-level horizon. However, when considered the spacing of the buildings between each other, their varied roof forms, the distance between the public roads and the buildings, and the existing residential development and vegetation in the foreground of the views from these roads, the buildings are considered to be reasonably consistent with the skyline and thereby not obtrude beyond the skyline. Together, these aspects of the view from the public roads substantially minimise any potential visual impacts.

With the introduction of conditions relating to (ii) the preparation and implementation of a landscaping plan using individuals representative of local vegetation communities; and (ii) the inclusion of schedule of colours and finishes that uses muted and non-reflective colours compatible with the local landscape, the visual appearance of the use would be in board harmony with that of the local area.



Figure 24 – View of subject site from Main Street adjacent to the car park near junction of Main Street and Frances Street (photo taken 9 August 2023)



Figure 25 – view of subject site from Main Street adjacent to the car park next to the Bowls Club (photo taken 9 August 2023)

The views of the local area and development footprint from Main Street across Trent Water, as shown in Figures 24 and 25 above, represents one of the highest amenity areas of Bridport, with (i) the Council managed foreshore park in the foreground, (ii) Trent Water, the vegetated spit and development area in the midground, and the outline of mountains in the background. Again, the distance between the proposed development and the public roads minimise much of the visual impact that may otherwise be exhibited by the development due to the juxtaposition of the flat low-lying land and the raised two storey buildings. The conditions already mentioned above relating to the landscaping surrounding the development, and the use of non-reflective materials and muted natural colours act to significantly minimise the visual impact of the proposal. However, to ensure that any residual visual impact would be minimised so as to be appropriately integrated into the rural landscape, there warrants special consideration of the interface between the westernmost buildings and the high-use and high amenity areas of Trent Water.



Figure 26 - View from Main Street showing rural landscape and port facility (source: google maps 2023)

The nearby port contains several large and bulky commercial scale buildings. When considering these structures in relation to the proposed visitor accommodation units it is clear that the size of the proposed units, being almost twelve metres above existing natural ground level in some instances, is not in and of itself a limiting factor. The port area, however, is visually buffered from the high-use public area of Trent Water by a vegetated buffer as depicted in Figure 26 above. This vegetative buffer does not entirely remove the development at the port from sight but does demonstrate how a vegetative screen can appropriately mitigate any remnant visual impacts when viewed from Main Street.

Subject to the implementation of appropriate landscaping along the western edge of the development footprint that introduces the planting of species consistent with *Acacia longifolia* coastal scrub (SAL) vegetation community for the purpose of vegetative screening, the visual impacts of the development would be suitably minimised to integrated into the rural landscape and similarly be visually consistent the local area when viewed from Main Street.



Figure 27 – View of subject site from top of Marilyn Drive (photo taken 9 August 2023)

In respect to views of the local area from Marilyn Drive it is evident that the development would be visible and that it is not reasonably practicable to 'screen' the entire development from view (see Figure 27 above). However, as noted, development can be visible whilst still demonstrating consistency with the visual appearance of the local area. As described above, the development would be accompanied by existing large scale development at the port, a row of landscaped dwellings along Edwards Street, a disused airstrip that is visually consistent with vehicle access routes and parallel to the shape and direction of the dunes, and existing visitor accommodation facilities within the larger dune system to the east and also within the subject site. While the buildings would be necessarily raised to manage flood risk, they would still be within the acceptable building height for non-residential buildings and would not impact upon any skylines or ridgelines when viewed from the elevated parts of Bridport. The aforementioned conditions relating to non-reflective exterior building materials and integrative landscaping would suitably minimise the visual impact of the proposal and ensure visual consistency with the local area.

The relevant Desired Future Character Statement requires that the visual impacts of the use and development within the rural landscape are to be minimised such that the effect is not obtrusive. As detailed above, the proposal is largely considered to visually consistent with the local area and to not be obtrusive when viewed from public roads. To ensure that the effect of the proposal is fully minimised, external lighting should be design, baffled and located so as to not cause unreasonable light emission to nearby properties.

Finally, the proposal is not located upon or adjacent any ridgeline and the removal of the identified vegetation would not cause any visual impact from any of the identified public roads subject to the implementation of the aforementioned landscaping plan.

Subject to conditions relating to (i) the preparation and implementation of a landscaping plan that integrates the buildings into the coastal and estuarine landscape and establishes a vegetation buffer along its western aspect using individuals representative of local vegetation communities, (ii) the inclusion of schedule of colours and finishes that uses muted and non-reflective colours compatible with the local landscape, and (iii) the appropriate design, siting, and baffling of all external lighting, the visual impacts of the proposal would be suitably minimised and the proposal integrated into the rural landscape. The proposed use would thereby demonstrate compliance with Performance Criteria P5 accordingly.

26.3.3 Irrigation Districts

Objective

To ensure that land within irrigation districts proclaimed under Part 9 of the Water Management Act 1999 is not converted to uses that will compromise the utilisation of water resources.

Accep	otable Solution	Performance Criteria		
,	Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.	P1 Non-agricultural uses within an irrigation district proclaimed under Part 9 of the Water Management Act 1999 must demonstrate that the current and future irrigation potential of the land is not unreasonably reduced having regard to: a) the location and amount of land to be used; and b) the operational practicalities of irrigation systems as they relate to the land; and c) any management or conservation plans for the land.		

Town Planner Response:

Whilst all proposed buildings within the Rural Resource Zone are not located within an irrigation district, the proposed visitor accommodation use nonetheless relies upon vehicle access through the Great Forester and Scottsdale Irrigation District and therefore must demonstrate compliance with performance criteria P1 of Clause 26.3.3.

Noting that the proposed development footprint is not located within the irrigation district and that the use would utilise an existing internal access that is already used for non-agricultural use, the current and future irrigation potential of the land

would not be unreasonably reduced. The proposal is therefore deemed compliant with performance criteria P1.

DEVELOPMENT STANDARDS

26.4.1 Siting, Design and Built Form

Objective

To ensure that the:

a) ability to conduct extractive industries and resource development will not be constrained

by conflict with sensitive uses; and

b) development of buildings is unobtrusive and complements the character of the landscape.

Acceptable Solution		Performance Criteria	
A1	Building height must not exceed: a) 8m for dwellings; or b) 12m for other purposes.	P2	Building height must: a) be unobtrusive and complement the character of the surrounding landscape; and b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal.

Town Planner Response

'Dwelling' is defined as:

means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.

The proposed development is for twenty visitor accommodation units and are thereby not intended for use as a self-contained residence. The proposed visitor accommodation units all have a building height of less than 12 metres (variably between 9-11 metres accordingly to the individual interaction between the building form and its associated fill). Subject to conditions relating to managing coastal inundation, all buildings would require a finished floor level greater than 3.1 metres. In some instances this will require raising of some buildings by at most 0.3 metres however all building would still remain under the 12 metre threshold.

The proposal meets A1(b) accordingly.

Acceptable Solutions	Performance Criteria		
A2.1 Buildings must be set back a minimum of: a) 50m where a non sensitive use or extension to existing sensitive use buildings is proposed; or b) 200m where a sensitive use is proposed; or c) the same as existing for replacement of an existing dwelling.	P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to: a) the topography of the land; and b) buffers created by natural or other features; and c) the location of development on adjoining lots; and d) the nature of existing and potential adjoining uses; and e) the ability to accommodate a lesser setback to the road having regard to: i) the design of the development and landscaping; and ii) the potential for future upgrading of the road; and iii) potential traffic safety hazards; and iv) appropriate noise		

Town Planner's Response

The term 'sensitive use' is defined by the Planning Scheme as:

'means a residential use or a use involving the presence of people for extended periods except in the course of their employment, such as in a caravan park, childcare centre, dwelling, hospital or school'.

attenuation.

As the Tribunal noted in Stornoway Projects Pty Ltd v Northern Midlands Council and J F Welsford and M A Brink⁶, 'reference to a dwelling is a reference to a place in which someone resides and the term is not used in connection with places of accommodation that provide for so called "short stays" with regularly changing occupancies. To dwell connotes a degree of permanency. It is a place where one resides (a residence).

Accordingly, the proposed visitor accommodation units are not considered sensitive uses.

Predominant primary industry uses in proximity to the proposed development site include (i) the Springfield Hatcheries south of Trent Water and adjacent to the existing port and (ii) sheep and cattle grazing surrounding Waterhouse Road to

⁶ [2014] TASRMPAT 29 at [12]

the east. Accordingly, it is recognised that the proposed development would not represent any greater a constraint upon surrounding agricultural land than that being presented by existing development.

The design of the development, particularly its size and orientation, would also minimise any potential traffic safety hazards as it does not propose a lesser setback to a public road.

The proposed development complies with the acceptable solutions of all other applicable development standards within the zone.

The proposal therefore demonstrates compliance with the Rural Resource zone.

MAJOR TOURISM ZONE

Two of the proposed visitor accommodation units would be fully located within the Major Tourism Zone. One unit (Unit 17) would be particularly located within the Major Tourism Zone. All units would rely on access through the Major Tourism Zone to the existing Waterhouse Road access.

The application is for visitor accommodation units which is classified as a Permitted use within Use Table 30.2 of the Major Tourism Zone.

The ZONE PURPOSE STATEMENTS of the Rural Resource Zone are:

- 30.1.1.1 To provide for major tourist sites, including those located outside activity centres.
- 30.1.1.2 To provide opportunities for use and development that complements or enhances the tourist operations in the zone.

Town Planner's Response:

The proposal is consistent with the zone purpose statements of the zone. The proposal would provide for a tourism related use and development that complements and enhances the tourist operation of the Barnbougle Dunes Golf Course.

The applicable LOCAL AREA OBJECTIVES of the Major Tourism Zone are:

Provide for certainty in the operation of and the continued investment in the Barnbougle Dune and Lost Farm golf courses and associated facilities. The allowable uses identified, together with associated development standards, provide for the specific requirements of the facilities whilst managing the interface with surrounding agricultural uses.

Town Planner Response:

The proposal represents the continued investment in the Barnbougle Dune and Lost Farm golf courses and associated facilitates, whilst managing the interface with surrounding agricultural uses, as contemplated within the Local Area Objectives.

The DESIRED FUTURE CHARACTER STATEMENTS of the Major Tourism Zone are:

Retain an appropriate level of visibility of development through unobtrusive siting and design, including materials and finishes.

<u>Town Planner Response:</u>

Visitor Accommodation is a permitted use within the Major Tourism Zone. Consideration of the Desired Future Character Statements of the zone is only relevant where a standard explicitly refers to them. No applicable performance criteria requires express consideration of the Desired Future Character Statements of the zone.

Irrespective, the proposal would not conflict with the desired future character statements of the Major Tourism Zone subject to the conditions outlined earlier on in this report relating to materials and finishes and landscaping.

USE STANDARDS

The proposed use complies with the acceptable solutions of all applicable use standards within the zone.

DEVELOPMENT STANDARDS

30.4.1 Building Design and Siting

Objective

To ensure that the design and siting of development:

- a) protects the amenity of surrounding uses; and
- b) furthers the local area objectives and desired future character statements, if any.

Acceptable Solution		Performance Criteria			
A1 Building height must not exceed 6 metres.		P2	Building height must:		
		a) respond to the site context and the local area objectives, if any, for the provision of tourist uses and development; and			
		b) protect the amenity of adjoining sensitive uses from the impacts of unreasonable overshadowing and overlooking by providing separation that is appropriate to the uses, having regard to:			
			i) the form of the building; and		
			ii) the contours or slope of the land; and		
			iii) existing screening or the ability to implement/establish screening.		

Town Planner Response

The three buildings to be constructed within the Major Tourism Zone – Unit 18, 19 and 20 – each have a maximum building height above existing natural ground level of approximately 11 metres and must therefore demonstrate compliance with Performance Criteria P2.

The design and siting of the buildings referred to above demonstrates continued high-end investment in facilities associated with the Barnbougle Dune and Lost Farm golf courses and respond to the context of the site by backfilling and reinforcing a rear portion of the dune system by up to 6 metres so that buildings can leverage the amenity of the views of Anderson Bay as seen over the dune system. Similar approaches have been taken by existing visitor accommodation development within the Barnbougle dune system further east. As a result, despite a total building height of up to 11 metres, the buildings would instead have an apparent building height of approximately 9 metres when viewed from the south and a building height of approximately 5-5.5 metres when viewed from the north (i.e. from Anderson Beach).

The building height would protect the amenity of adjoining sensitive uses from the impacts of unreasonable overshadowing and overlooking primarily through being situated approximately 850 metres from the nearest sensitive use (noting that strict interpretation of the term 'adjoining' would exclude properties south of Trent Water that do not directly border the subject site.

The proposal demonstrate compliance with P2 accordingly.

Acceptable Solution		Performance Criteria	
minimur a) 2 b) 2	e setbacks must be a m of: 10 metres; and 200m to the rural resource zone where a sensitive use s proposed.	P2	Frontage setbacks must: a) complement the character of the surrounding landscape and streetscape; and b) provide mitigation for a sensitive use to the rural resource zone; and c) respond to the site context and the local area objectives, if any, for the provision of tourist uses.

Town Planner Response

The proposed buildings are more than 2.5 kilometres from the nearest frontage (Waterhouse Road) and are not sensitive uses. In this respect it is considered that the proposal meets A2 accordingly.

Acceptable Solution		Performance Criteria	
A3	Side and rear setbacks must be a minimum of: a) 10 metres; and b) 200m to the rural resource zone where a sensitive use is proposed.	P2 Side and rear setbacks must protect the amenity of adjoining sensitive, having regard to: a) the form of the building; and b) the contours or slope of the land; and c) existing screening or the ability to implement/establish screening; and d) the impacts of overshadowing and overlooking.	

Town Planner Response

Proposed Units 19 and 20 would be 20-25 metres from the northern rear boundary and 275 metres from the nearest western side boundary, while the proposed Unit 18 – where located within the Major Tourism Zone – would be at least 10 metres from the internal western property boundary. In this respect it is considered that the proposal meets A3 accordingly.

The proposed development complies with the acceptable solutions of all other applicable development standards within the zone.

The proposal therefore demonstrates compliance with the Major Tourism zone.

Codes

E4 - ROAD AND RAILWAY ASSETS CODE

The Road and Railway Assets Code applies to use or development of land that intensifies the use of an existing access.

The proposal would intensify the existing access onto Waterhouse Road and the Road and Railway Assets Code therefore applies.

The PURPOSE of the Code is to:

- a) ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network; and
- b) maintain opportunities for future development of road and rail infrastructure; and
- c) reduce amenity conflicts between roads and railways and other use or development.

USE STANDARDS

E4.6.1 Use and road or rail infrastructure

Objective

To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.

Acceptable Solution **Performance Criteria** Α1 For roads with a speed limit of For limited access roads and roads more than 60km/h the use must with a speed limit of more than not increase the annual average 60km/h: daily traffic (AADT) movements at a) access to a category 1 road or the existing access or junction by limited access road must only be more than 10%. via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located maintain an adequate level of safety and efficiency for all road users.

Town Planner Response

The proposed use would utilise an existing vehicle access onto a section of the DSG maintained Waterhouse Road (Category 5 State Road) that has a posted speed limit of 80 km/h.

The Roads and Traffic Authority (RTA) NSW *Guide to Traffic Generating Developments* (Version 2.2) identifies a daily trip generation rate of 3 trips per unit and evening peak hour traffic generation of 0.4 trips per unit for motels (casual accommodation) assuming 100% occupancy rates. With twenty (20) units being proposed, it is projected that the proposal would ordinarily have an AADT movement generation rate of 60 trips and an evening peak hour traffic generation of 8 trips in total.

The applicant has identified that the existing facilities generate a daily average of 75 vehicle visitations, resulting in an estimated AADT traffic count of 150 trips experienced by the access point. The application also notes that:

'The primary purpose of the proposed visitor accommodation is to provide additional accommodation offerings to meet demand from existing golf tourists. Due to current high occupancy levels, guests are needing to find accommodation off-site. On this basis, the proposed visitor accommodation use is not expected to result in a material increase in traffic movements at the existing junction. Conversely, the proposed visitor accommodation use is anticipated to minimise traffic movement at the existing junction by accommodating golfers that were intending to stay at Barnbougle but were unable to due to all other onsite accommodation being occupied, leaving guest to find accommodation within Bridport and its surrounds and therefore leaving the site and returning the next day. Accordingly, the proposed visitor accommodation will absorb existing traffic movements that currently occur at the existing junction. Any incidental occupancy of the visitor accommodation is unlikely to increase the AADT traffic movements at the existing junction by more than 10% which equates to 15 additional vehicle movements per day.'

Public traffic data available on *Tasmania Traffic Data* presents two data collection points immediately to the west and east of the Barnbougle Dunes access point. Both sites collected data between the 24th and 30th of April 2021. Based off of this data, the eastern point experienced 483 AADT and the western point experienced 824 AADT in 2022, with both sites experiencing an approximate 50/50 split in east/west movements. Thereby, and after accounting for the approximate 30 AADT vehicle movements directed to the adjacent Barnbougle Road – Waterhouse Road junction, the available data suggests approximately 311 vehicle trips entering and exiting the Barnbougle Dune access point on an average day.

Noting again that the original traffic assessment posited a total of 430 trips - including 132 trips directly associated with the visitor accommodation on site - being generated by the entire development, there is an approximate 120 trip 'gap' between what was anticipated and what eventualised, even with the high level of demand that Barnbougle experiences as the home of two world class golf courses.

The comments and observations made by the applicant in relation to how the units will likely be used is thereby sound, and it is reasonable to conclude that the units will predominantly act to lengthen the period of time between trips in/out of the site, rather than generate an additional 60 vehicle trips on top of those already existing. When considering the comments made by the applicant, together with the historical traffic figures for the existing development and the more contemporaneous public traffic data, it is therefore reasonable to conclude that the vast majority of vehicle movements associated with the existing visitor accommodation units have indeed absorbed and reduced vehicle trips to and

from the site. It is therefore sensible to reduce the anticipated trips per unit down to at least 0.5-1 additional trips each, to a total of 10-20 AADT.

The proposal is therefore considered to not increase the annual average daily traffic movements at the existing access by more than 10% of the existing 311 AADT movements.

DEVELOPMENT STANDARDS

The proposal complies with all applicable development standards.

E5 – FLOOD-PRONE AREAS CODE

The Flood-prone Areas Code applies to use and development of land mapped, or otherwise potentially subject to flooding at a 1% annual exceedance probability or less than the height indicated on the coastal inundation risk height map.

Flooding is defined within the Code as:

'means the situation that results when land that is usually dry is covered with water as a result of watercourses overflowing, significant overland flows or water flowing into land associated with a rising tide and/or storms, and may include a combination of these factors.'

Accordingly, the Code applies not only to riverine inundation but also coastal inundation arising from storm surge and rising tides. The proposed buildings and vehicle access would be within land identified as being subject to both riverine inundation and coastal inundation (storm surge and sea-level rise), and the Code therefore applies.

Riverine inundation is depicted within the flood-prone areas overlay as shown below in Figure 28. The area depicted is a historical overlay that, while not fully aligning with LiDAR mapping of the site, does broadly correlate to the areas depicted within the more accurate coastal inundation mapping.

A Coastal Erosion and Inundation Risk Assessment for 'Barnbougle Beach' was prepared by Burbury Consulting, dated February 2023, and submitted as part of the application. Contrary to the extent of the flood-prone areas overlay within the Planning Scheme which suggests riverine flooding over the vast majority of F/R 200350/1 and F/R 131940/1, the report instead states that:

'whilst the land is low lying it does not form part of a flood plain as the environmental flows from Coxs Rivulet is very low with the Great Forester River historically diverted to Adams Cut and the Brid River aligned to the port harbour entrance.'

These comments are supported and consideration upon inundation risks throughout this assessment is therefore focused upon the coastal inundation risk through sea level rise and storm surge.



Figure 28 – Aerial image depicting extent of applicable flood-prone areas overlay (adapted from www.thelist.tas.gov.au). © State of Tasmania

Coastal Inundation Mapping prepared by the University of Tasmania for the Department of Premier and Cabinet (Lacey 2016) is depicted below in Figure 29. This mapping depicts the extent of the projected coastal inundation at high, medium and low hazard scenarios. A breakdown of the different consequences of these hazard bands are provided below:

- The high hazard band identifies land being 'vulnerable to the highest astronomical tide now, and to inundation from mean high tide by 2050' up to a height of 1.8m AHD.
- The medium hazard band area identifies land being 'vulnerable to a 1% AEP storm event in 2050 and inundation from mean high tide by 2100' up to a height of 2.5m.
- The low hazard band area identifies land being 'vulnerable to a 1% AEP storm event in 2100' up to a height of 3.1m AHD.

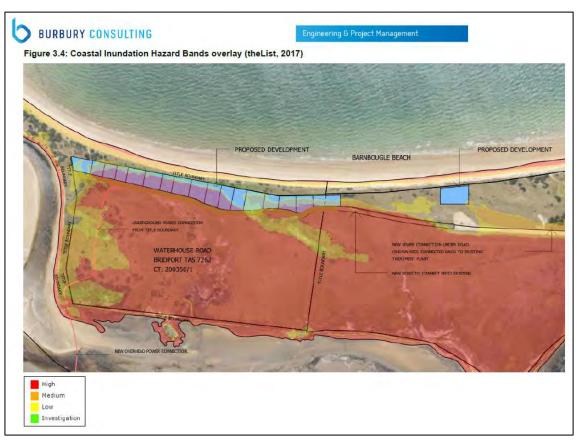


Figure 29 – Coastal Inundation overlay overlaid by proposed development area (source: Burbury Consulting 2023)

In a similar manner, the majority of these two sites are also identified as being subject to current and projected 1% AEP storm tide plus sea level rise as shown below in Figure 30 as follows:

- The area of dark Blue represents land subject to a 1%AEP storm tide 2010 up to approximately 2m AHD;
- The area of bright blue represents land subject to a 1% AEP storm tide in 2050 up to approximately 2.25m AHD;
- The area of light blue represents land subject to a 1% AEP storm tide in 2100 up to approximately 2.75m AHD.

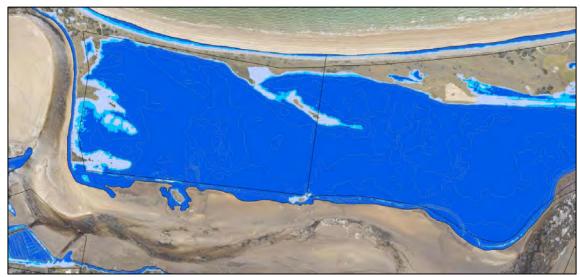


Figure 30 – Aerial image illustrating area of subject land currnetly subject to storm surge (adapted from www.thelist.tas.gov.au). © State of Tasmania

Assessment against the applicable Performance Criteria within this Code requires consideration of the Risk Assessment in E5.7. This Risk Assessment Matrix is shown below for reference.

E5.7 Risk Assessment

(a) Where an assessment of risk under the Risk Consequence and Likelihood Matrix Table for a use or development is required, it is to be classified through the determination of consequence contained in the criteria in b) together with the likelihood of flood occurrence contained in c).

Table E5.1 AS/NZS 4360:2004 Risk Consequence and Likelihood Matrix Table

Likelihood	Consequences				
	Catastrophic	Major	Moderate	Minor	Insignificant
Moderate	High	High	High	Medium	Low
Unlikely	High	Medium	Medium	Low	Low
Rare	High	Medium	Medium	Low	Low

b) Consequence Criteria

Catastrophic loss of life, loss of significant environmental values due to a pollution event where there is not likely to be recovery in the foreseeable future.

Major extensive injuries, complete structural failure of development, destruction of significant property and infrastructure, significant environmental damage requiring remediation with a long-term recovery time.

Moderate Treatment required, significant building or infrastructure damage i.e. loss of minor outbuildings such as car ports, public park shelters and the like. Replacement of significant property components such as cladding, flooring, linings, hard paved surfaces. Moderate environmental damage with a short-term natural or remedial recovery time.

Minor Medium loss – seepage, replacement of floor/window coverings, some furniture, repair of building components of outbuildings and repair and minor replacement of building components of buildings where direct access to the water is required. Minor environmental damage easily remediated.

Insignificant No injury, low loss – cleaning but no replacement of habitable building components, some repair of garden beds, gravel driveways etc. Environment can naturally withstand and recover without remediation.

Inundation of the site, but ground based access is still readily available and habitable buildings are not inundated, including incorporated garages.

c) Likelihood – Annual Exceedance Probability

1:25 (4%) Moderate

1:50 (2%) Unlikely

1:100 (1%) Rare

USE STANDARDS

E5.5.1 Use and flooding

Objective

To ensure that use does not compromise risk to human life, and that property and environmental risks are responsibly managed.

Acceptable Solution	Performance Criteria		
A1 The use must not include habitable rooms.	P1 Use including habitable rooms subject to flooding must demonstrate that the risk to life and property is mitigated to a low risk level in accordance with the risk assessment in E5.7.		

Town Planner Response

The proposed visitor accommodation use includes habitable rooms and must demonstrate that the risk to life and property is mitigated to a low risk level in accordance with the risk assessment in E5.7. In circumstances where the extent of a 1% AEP (rare) inundation event has been identified, the consequence of that inundation must be no greater than 'minor' in order to constitute a low risk:

Minor

Medium loss – seepage, replacement of floor/window coverings, some furniture, repair of building components of outbuildings and repair and minor replacement of building components of buildings where direct access to the water is required. Minor environmental damage easily remediated.

As noted above, a Coastal Erosion and Inundation Risk Assessment for 'Barnbougle Beach' was prepared by Burbury Consulting, dated February 2023, and submitted as part of the application which identifies the key risk of inundation arises from tide induced flooding (storm surge and sea level rise) arising from the tidal movements within Trent Water rather than riverine inundation. The report also acknowledges that the long term stability of the primary dune to Barnbougle Beach, which possesses a nominal 4-6m AHD height, would 'protect the development site form storm surge and inundation and therefore the risk to inundation is only through Trent Water from increase tidal conditions within the river.' Within this context, inundation would arise from the south of the units, not over and through the coastal dune system.

The majority of the abovementioned titles are identified within the high hazard coastal inundation band, with some medium and low hazard band areas also present as described and detailed earlier in this report.

In response to this context, the proposal details the introduction of fill to a minimum AHD of (i) 2 metres within the broader development footprint, inclusive of the vehicle access, (ii) 2.8 metres within the immediate land surrounding the proposed buildings, and (iii) a minimum floor level of habitable rooms of at least 3.1m AHD. Through the raising of the ground level to these AHD heights, the

vehicle access and development footprint would be raised above the projected mean high tide of 2050 whilst still enabling future adaptive responses (such as further raising of the vehicle access and broader development) between 2050 and 2100.

The Coastal Report, however, recommends that 'habitable buildings' have a minimum finished floor level of 3.1m AHD, not 'habitable rooms'. With the entry foyer, bugger store and laundry on the ground floor comprising part of the habitable building it is appropriate to require amendment elevation plans detailing these rooms possessing a finished floor level exceeding 3.1m AHD. In this way, the most conservative threshold of risk – the Low Hazard Band – will be achieved and ensure that risk to life and property is addressed at the outset of the developments lifetime.

Subject to conditions ensuring that the identified AHD levels are adhered to and stabilised as necessary, including the provision of amended plans where required, the consequence of an inundation event would be minor and the subsequent risk to property and life through the location of habitable rooms would be Low.

Acceptable Solution		Perfo	rmance Criteria
A2	Use must not be located in an area subject to a medium or high risk in accordance with the risk assessment in E5.7.	t e I	Use must demonstrate that the risk to life, property and the environment will be mitigated to a low risk level in accordance with the risk assessment in E5.7.

Town Planner Response

The proposal involves use of land identified as subject to a medium and high risk flood risk as depicted below in Figure 29 above. As noted above, the location of the proposed development is not subject to riverine inundation and focus is instead upon tidal flows.

The Coastal Erosion and Inundation Risk Assessment report submitted as part of this application details several recommendations to reduce the level of risk to the development as well as adjacent and nearby properties and thereby ensure that the risk to life, property and the environment is managed and mitigated to a low risk level. Those relating to the risk of tidal inundation from Trent Water include the following:

- 1) New access road shall be above 2.0m AHD with capacity to raise in future as adaptive means.
- 2) Existing ground level behind the dune varies across the development site from 1-2 m AHD and should be raised across the development footprint towards Trent water to be greater than RL 2.0m AHD.
- 3) Minimum ground levels surrounding buildings shall be above RL 2.8m AHD with adequate drainage away from the land.

- 4) Ensuring that minimum building floor levels of habitable buildings are at least RL 3.1m AHD
- 5) Site filling shall be controlled utilising natural sand of the existing and broader area.

The purpose of these recommendations is to bring the low lying land areas above extreme tidal inundation zones between now and 2100 and are considered appropriate to suitably mitigate the apparent and projected risk. Subject to the implementation of the above recommendations, it is considered that the likelihood of inundation would be rare and the consequence of a flood event would be minor. Therefore risk to life, property and the environment would be sufficiently mitigated to a Low risk level.

E5.6.1 Flooding and Coastal Inundation

Objective

To protect human life, property and the environment by avoiding areas subject to flooding where practicable or mitigating the adverse impacts of inundation such that risk is reduced to a low level.

Acceptable Solution		Perfor	Performance Criteria		
A1	No acceptable solution.	P1.1	It must be demonstrated that development:		
			a) where direct access to the water is not necessary to the function of the use, is located where it is subject to a low risk, in accordance with the risk assessment in E5.7 a); or		
			b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is mitigated to a medium risk level in accordance with the risk assessment in E5.7.		

- P1.2 development subject to medium risk in accordance with the risk assessment in E5.7 must demonstrate that the risk to life, property and the environment is mitigated through structural methods or site works to a low risk level in accordance with the risk assessment in E5.7.
- P1.3 Where mitigation of flood impacts is proposed or required, the application must demonstrate that:
 - a) the works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and
 - b) the works will not result in an increase in the extent of flooding on other land or increase the risk to other structures:
 - c) inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials; and
 - d) where mitigation works are proposed to be carried out outside the boundaries of the site, such works are part of an approved hazard reduction plan covering the area in which the works are proposed.

<u>Town Planner Response</u>

Direct access to the water is not necessary to the function of the visitor accommodation use and is within an area identified as a high risk to tidal inundation (storm surge and seal level rise). The proposal is therefore required to demonstrate that it is capable of mitigating flood impacts to a low risk level in a manner that would:

- a. not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and
- b. not result in an increase in the extent of flooding on other land or increase the risk to other structures;

- not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials as a result of inundation; and
- d. where mitigation works are proposed to be carried out outside the boundaries of the site, such works are part of an approved hazard reduction plan covering the area in which the works are proposed.

Subject to the land filling to 2m AHD and above, as described in response to E5.5.1, the likelihood of flooding is considered 'rare' and the consequences of inundation would be minor. The raising of the ground level of the development footprint to at least 2m AHD would ensure that the storage of materials within the building would occur above the anticipated area of inundation. Effluent is proposed to be directed to an existing private wastewater system within the Barnbougle Dunes facility to the east and would be clear of flood hazards. Further raising of the compacted gravel access to an increased AHD would be achievable in future as mean tide approaches the 1.8m AHD threshold. Similarly, the raising of the ground level surrounding the proposed units to at least 2.8m AHD would ensure that the non-habitable ground floor would have a 300mm freeboard above the 2.5m AHD threshold that would be vulnerable to a 1% AEP storm event in 2050 and inundation from mean high tide by 2100. Finally, all habitable rooms would be in exceedance of the 3.1m AHD that would be vulnerable to a 1% AEP storm event in 2100.

Filling of the identified development footprint would not impact the natural flows of Trent Water nor result in flooding to adjacent properties due to its minimal area of displacement and the distance between the development and nearby uses sensitive to coastal/riverine processes.

To ensure that the risk of inundation continues to be actively mitigated, the *Coastal Erosion and Inundation Risk Assessment* report also identifies the maintenance and monitoring of the dune system between the development and Barnbougle Beach. In particular, the report recommends that the:

- 1) Dunes are maintained to be 4-6 metres AHD in height;
- 2) Foreshore dune vegetation shall be managed and monitored as part of the development commencement and then regularly post storm events and/or at least annually; and
- 3) Property owners maintain shoreline monitoring and protection width in front of the transverse within their property boundary as a means for adaptation and protection to the foreshore against potential increased sea level.
- 4) Adequate drainage systems should be installed around the development area and waterway to collect run off

Accordingly, the risks as presented within the Coastal Report can be suitably mitigated within the bounds of the subject site alone through conditions relating to ongoing monitoring and maintenance of the dune system, including retention, protection and nurturing of vegetation thereupon, as described within the above

recommendations, to ensure that inundation risks do not intensify from the north. Where the Coastal Report has recommended monitoring beyond the bounds of the subject site is instead considered appropriate that an advisory note on any planning permit would sufficiently make it clear to the landowner of the subject land that collaboration with Property Services to monitor and address localised erosion within crown land is supported.

Subject to conditions relating to (i) the preparation, approval, and compliance with a coastal erosion hazard reduction plan that provides for ongoing mitigation of inundation risk associated with potential disturbance of the dune system, (ii) the raising of the ground level to the AHD levels as described, (iii) and the implementation of a minimum ground floor level of RL 3.1m AHD for all habitable buildings, the proposal would appropriately mitigate risk of inundation to life and development to a low risk profile.

E6 - CAR PARKING AND SUSTAINABLE TRANSPORT CODE

The Car Parking and Sustainable Transport Code applies to all use and development of land. Accordingly, the Code applies to the proposal.

The PURPOSE of the Code is to:

- a) ensure that an appropriate level of car parking facilities are provided to service new land use and development having regard to the operations on the land and the nature of the locality; and
- b) ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas; and
- c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; and
- d) ensure that parking does not adversely impact on the amenity of a locality and achieves high standards of urban design; and
- e) ensure that the design of car and bicycle parking space and access meet appropriate design standards; and
- f) provide for the implementation of parking precinct plans.

Clause E6.6.1 requires that an appropriate level of car parking is provided to service use. Acceptable Solution A1 states that:

"The number of car parking spaces will not:

- a) be less than 90% of the requirements of Table E6.1; and
- exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater; or
- c) will be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans."

Table E6.1 provides parking space requirements for 'Visitor Accommodation' as follows:

Visitor accommodation

(bed and breakfast, camping, caravan park, unit/cabin, backpacker hostel, motel, serviced apartments)

1 space per unit or 1 space per 4 beds whichever is greater

Accordingly, the amount of onsite car parking required to comply with Table E6.1 is a minimum of twenty spaces.

Each unit would be provided with at least one parking space and the proposed number of car parking spaces complies with the acceptable solution providing within E6.6.1 (Car Parking Numbers) accordingly.

Subject to conditions relating to appropriate construction and delineation of the requisite number of car parking spaces and internal vehicle aisles, the proposal is consistent with the acceptable solutions of all other applicable use and development standards of the code.

E8 - BIODIVERSITY CODE

The Biodiversity Code applies to use and development of land that (i) is within the area identified as priority habitat on the planning scheme maps; or (ii) for the removal of native vegetation.

The proposal is not within an area identified as priority habitat on the planning scheme maps, but limited removal of vegetation is proposed. The Code therefore applies.

The PURPOSE of the Code is to:

- a) protect, conserve and enhance the region's biodiversity in consideration of the extent, condition and connectivity of critical habitats and priority vegetation communities, and the number and status of vulnerable and threatened species; and
- b) ensure that development is carried out in a manner that assists the protection of biodiversity by:
 - i) minimising vegetation and habitat loss or degradation; and
 - ii) appropriately locating buildings and works; and
 - iii) offsetting the loss of vegetation through protection of other areas where appropriate.

USE STANDARDS

Not used in this Scheme.

DEVELOPMENT STANDARDS E8.6.1

Objective

To ensure that:

- a) vegetation identified as having conservation values as habitat has priority for protection and is appropriately managed to protect those values; and
- b) the representation and connectivity of vegetation communities is given appropriate protection when considering the impacts of use and development.

Acceptable Solution		Performance Criteria	
A2	Clearance or disturbance of native vegetation is in accordance with a certified Forest Practices Plan.	v tr	Clearance or disturbance of native egetation must be consistent with ne purpose of this Code and not induly
		s o	Compromise the representation of pecies or vegetation communities of significance in the bioregion aving regard to the:
		,	a. quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and
			b. means of removal; and
		•	c. value of riparian vegetation in protecting habitat values; and
		,	d. impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, in proximity to habitat or vegetation; and
		•	e. need for and adequacy of proposed vegetation or habitat management; and
		1	f. conservation outcomes and long-term security of any offset in accordance with the General Offset Principles for the RMPS, Department of Primary Industries, Parks, Water and Environment.

Town Planners Response

The proposal intends to remove native vegetation within the development footprint described more comprehensively earlier in this report.

While the majority of the site is classed under TASVEG 4.0 as modified agricultural land, there are pockets of *acacia longifolia* coastal scrub, lowland grassy sedgeland, and coastal grass and herbfield as shown in Figure 31 below.



Figure 31 – Location of TASVEG 4.0 Communities within and adjacent to development area (Source: adapted from www.thelist.tas.gov.au). © State of Tasmania

The applicant has provided the following comments:

The quality and extent of the vegetation and habitat proposed to be removed is considered to be low. There are native flora species to be removed, however they are not identified as threatened species or part of a threatened vegetation community. The coastal fauna that roam the building area will not be significantly displaced by the proposed development on the basis that they are able to continue to use the coastal reserve to the north and the pasture land to the south of the access road which transitions into the riparian area of Trent Water.

The vegetation will be removed by an excavator. The extent of the vegetation to be removed will be limited to the immediate area of each building area

The proposal will not involve removal of vegetation within the Trent Water estuary.

Areas around each building will be reinstated with vegetation to provide for privacy between buildings and to soften the development within the landscape.

No offset is necessary.

Council's Environmental Health Officer visited the site in October 2022 and noted that flora within the development area was majority weeds and sown pasture species, with no threatened flora species have been observed during inspection. Accordingly, the siting of the development would require limited vegetation

clearance within proximity to the habitat and vegetation discussed above. Minimal clearance of this habitat and vegetation would have a low potential impact risk within the context of the broader bioregion and the representation of species and vegetation communities therein. Given the nature of the proposed development, and the habitat and vegetation community it would sit within, it is considered that any offsets in accordance with the General Offset Principles for the RMPS, DPIPWE, would not be necessary to ensure that the representation of species and vegetation communities is adequately maintained within the vicinity of the proposed development.

However, the proposed development footprint of Units 1-3, inclusive of vehicle access, are mapped as being located within potential fauna habitat for the threatened Tasmanian devil, the New Holland mouse and the eastern-barred bandicoot. These mapped areas broadly correspond to the mapping of the *acacia longifolia* coastal scrub (SAL) and lowland grassy sedgeland (GSL) TASVEG communities respectively.

Barnbougle Beach to the north, directly adjacent to the proposal is also identified as being potential habitat to a wide variety of vulnerable and sensitive migratory (breeding and non-breeding) and beach-nesting shorebirds including the white-fronted tern, fairy tern and little tern (all listed as threatened species within Tasmania's *Threatened Species Protection Act 1995*) and the red knot, fairy tern, curlew sandpiper and bar-tailed godwit (all listed as threatened species within the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*).

Within approximately 500 metres of the development footprint, a variety of threatened avian species listed as threatened either under the TSP Act and/or the EPBC Act have been sighting within the past five years, including: white-bellied sea eagle(s), wedge tailed eagle(s), eastern curlew, western Alaskan bartailed godwit, hooded plover, fairy tern, great crested grebe), azure kingfisher, and white-fronted tern.



Figure 32 – Areas of Potential Fauna Habitat in Coastal Areas within and adjacent to the development area (adapted from www.thelist.tas.gov.au). © State of Tasmania

Both the coastline of Anderson Bay and Trent Water are also identified as bird breeding habitat that is recommended for avoidance, particularly during breeding season (1 Sept to 31 March). While the proposal does not propose works within these shorelines and none of the identified species were sighted during any site visits, the adjacent siting of the development does warrant further consideration of potential disturbance to these shorelines during construction and throughout the lifetime of the use. In this respect the undertaking of pre-construction surveys for the threatened species identified above, and the implementation of any requisite management/mitigation measures being undertaken, is considered appropriate. Pending any detailed recommendations in relation to the activity of construction management during the breeding seasons (1 Sept to 31 March), restrictions upon undertaking construction activities during that time is warranted to ensure that these shorelines are not unduly disturbed.

Once the units are established, however, the birdlife will be capable of adapting to the structures as can be seen along Edward Street, the Brid River Port, and the existing Barnbougle Dune golf course, and would therefore would not represent an unreasonable impact through virtue of its proximity to these natural resources. Similarly, the development represents a relevantly small development footprint within the broader context of Trent Water and the subject site and would not meaningfully diminish the capability for wildlife to traverse through the site. As detailed throughout this report, landscaping throughout the development footprint, with particular reference to the coastal dune system, would be required. Subject to these requirements more fully set out elsewhere in this report being enforced, the development would further ensure that it does not detriment nearby habitat.



Figure 33 – Bird breeding habitat recommended for avoid of disturbance during breeding season adjacent to the development area (Source: adapted from www.thelist.tas.gov.au). © State of Tasmania

With the above matters duly appraised, it is considered that the proposed development would not unreasonably compromise the representation of species or vegetation communities of significance in the bioregion. Subject to conditions relating to the undertaking of pre-construction surveys, limiting construction activities during shorebird breeding season, and minimising vegetation removal and ensuring reestablishment and ongoing maintenance of existing vegetation within the coastal dune system and throughout development area, the proposal demonstrates compliance with performance criteria P2.1 accordingly.

E9 - WATER QUALITY CODE

The Water Quality Code applies to all use and development of land within 50 metres of a wetland or watercourse.

The majority of F/R 200350/1 and F/R/ 131940/1 contains an area known as 'Bar Marsh' shown below in Figure 34, which is an area of poor drainage that has pockets of areas that holds water derived from ground water and surface water runoff and which support plants adapted to partial or full inundation.



Figure 35 – Mapped extent of 'Bars Marsh' within the subject site (adapted from www.thelist.tas.gov.au). © State of Tasmania

While the entirety of the mapped Bar Marsh area does not routinely hold water, there are sufficient areas of poor drainage in which a conservative approach to the extent of the wetland ought to be applied. The proposed works would be within and adjacent to the northern edge of Bar Marsh. Accordingly, the Code applies to the proposal.

USE STANDARDS Not used in this Scheme.

DEVELOPMENT STANDARDS

E9.6.1 Development and Construction Practices and Riparian Vegetation

Objective

To ensure that:

- c) vegetation identified as having conservation values as habitat has priority for protection and is appropriately managed to protect those values; and
- d) the representation and connectivity of vegetation communities is given appropriate protection when considering the impacts of use and development.

Acceptable Solution	Performance Criteria	
A1 Native vegetation is retained within: a. 40m of a wetland, watercourse or mean high water mark	P1 Native vegetation removal must submit a soil and water management plan to demonstrate: a) Revegetation and weed control of areas of bare soil; b) The management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and c) That disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.	

Town Planners Response

Native vegetation would be removed within 40 metres of the Bar Marsh wetland and the mean high water mark.

Subject to conditions requiring the preparation, endorsement, and compliance with a construction and environment management plan (CEMP) that demonstrates (i) how revegetation and weed control of areas of bare soil would be managed during the construction process, (ii) that any runoff would be managed so as to not increase the impacts of 1 in 5 year storm events, and (iii) that the proposal would not result in disturbance to vegetation and the ecological values of riparian vegetation in a manner that would detrimentally affect hydrological features and functions, the proposed would comply with the performance criteria accordingly.

E9.6.3 Construction of Roads

Objective

e) To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.

Acceptable Solution		Performance Criteria		
A1	A road or track does not cross, enter or drain to a watercourse or wetland.	P1	Road and private tracks constructed within 50m of a wetland or watercourse must comply with the requirements of the Wetlands and Waterways Works Manual, particularly the guidelines for siting and designing stream crossings.	

Town Planner Response

Subject to conditions requiring all works relating to the vehicle access, where within 50 metres of Trent Water and Bar Marsh, to be complaint with the Wetlands and Waterways Works Manual, the proposal would comply with the corresponding performance criteria.

E9.6.4 Access

Objective

To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.

Acceptable Solution		Performance Criteria				
A2	No acceptable solution.	P2	Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.			

Town Planners Response

The proposal involves the construction of a vehicle access within 50 metres of Bar Marsh and Trent Water.

Subject to conditions relating to the implementation of a construction and environment management plan (CEMP) and the adequate construction, maintenance and drainage of the proposed vehicle access, any proposed works would suitably prevent erosion, sedimentation and siltation of as result of runoff or degradation of path materials.

Subject to conditions relating to the adequate management of stormwater within the bounds of the property in a manner that would not involve discharge into a wetland or watercourse, the proposal meets the acceptable solutions of all other applicable standards of the Water Quality Code.

E14 - COASTAL CODE

The Coastal Code applies to all use and development of land:

- a) On land located at or below the height indicated on the coastal inundation height reference map; or
- b) on, within or adjoining the coastal dune system; or
- c) on land adjacent to or on landforms defined as vulnerable to erosion or recession in the Indicative Mapping of Tasmanian Coastal Vulnerability to Climate Change and Sea Level Rise: Explanatory Report (Sharples 2006)

The proposal is located on, within and adjoining the coastal dune system and is identified as being vulnerable to erosion/recession. Accordingly, the Code applies to the proposal.

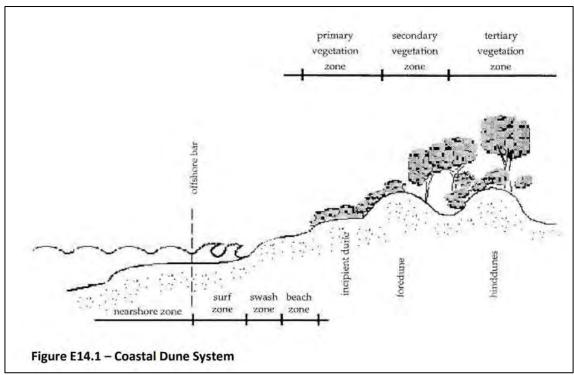


Figure 36 – Visual depiction of the Coastal Dune System (source: Dorset Interim Planning Scheme 2013)

The eighteen westernmost units would all be located at least 10 metres from the rear toe of the foredune. The two easternmost units within F/R 131940/1 would be located within the hinddunes (tertiary vegetation zone) of the dune system.

Coastal Erosion Mapping prepared by the University of Tasmania for the department of Premier and Cabinet (Lacey 2017) is depicted in Figure 37 below.

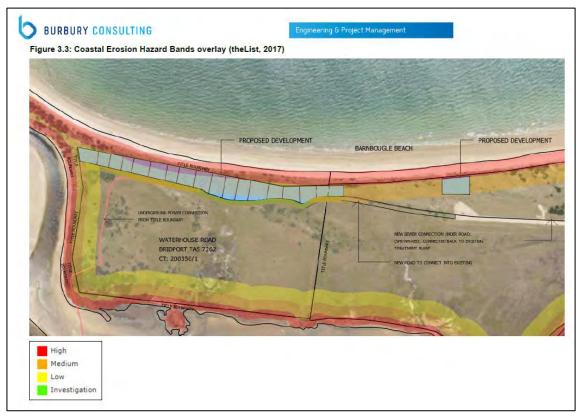


Figure 37 - Coastal Erosion Hazard Bands within the subject site (source: Burbury Consulting 2023)

This mapping depicts the potential extent of the projected erosion at high, medium and low hazard scenarios in relation to the proposed development footprint. A breakdown of the different consequences of these hazard bands for open coast soft sediment shores are provided below:

- The high hazard band identifies land that is vulnerable to storm-based erosion from two back to back one percent AEP storm events and associated slumping in open coast soft sediments shores
- The medium hazard band represents land vulnerable to recession (S3) in open coast soft sediment shores up to the likely natural recession limit or the 2100 low hazard zone line (whichever comes first)
- The low hazard band represents land vulnerable to recession (S3) in open coast soft sediment shorelines up to the likely natural recession limit.

A visual depiction of the cross-section of these generic erosion hazard bands is provided below in Figure 38 for further context.

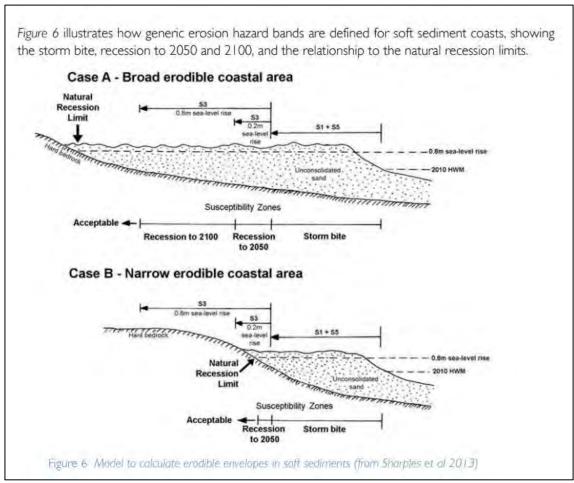


Figure 38 – Application of Erosion Hazard Bands for Soft Sediment Coasts (source: Coastal Hazards Technical Report – DPAC 2016, page 32)

In circumstances where stable dunes are present and the shore in capable of replenishing sand, lost sand from storm events is replaced by accretion in a manner that does not cause permanent sand loss or shoreline retreat (see Figure 39 below). It is in circumstances where two back to back storm events occur, thereby losing more sand than can be replenished in a short period of time, which the application of the high hazard band represents.

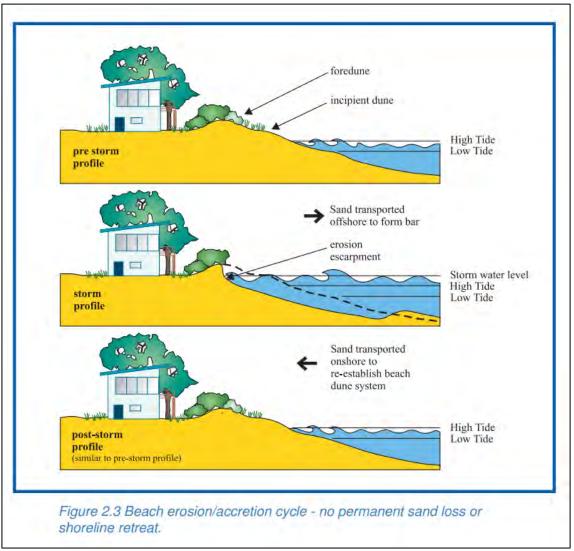


Figure 39 – Beach erosion/accretion cycle where no permanent sand loss or shoreline retreat occurs (NSW Department of Land and Water Conservation 2001)

USE STANDARDS

E14.5.1 Risk to sensitive use

Objective

To minimise risk of unnecessary loss of life or damage within the coastal environment as a result of natural coastal processes and hazards such as storm surge, erosion, landslip, littoral drift, dune mobility and sea-level rise.

Acceptable Solution		Performance Criteria	
A1	Sensitive use must not occur: a) within the surf zone, swash zone, beach berm, incipient dune or fore dune of a coastal dune system as shown in Figure E14.1; or b) on land identified as vulnerable or prone to recession.	P1.1	Sensitive use that does not require access to the coast must not be located where it is subject to a high risk, in accordance with the risk assessment in E14.7.1; and Sensitive use must mitigate the risk to life, property and the environment to a low risk level in accordance with the risk assessment in E14.7.1.

Town Planner Response

The term 'sensitive use' is defined by the Planning Scheme as:

'means a residential use or a use involving the presence of people for extended periods except in the course of their employment, such as in a caravan park, childcare centre, dwelling hospital or school'.

As the Tribunal noted in Stornoway Projects Pty Ltd v Northern Midlands Council and J F Welsford and M A Brink⁷, 'reference to a dwelling is a reference to a place in which someone resides and the term is not used in connection with places of accommodation that provide for so called "short stays" with regularly changing occupancies. To dwell connotes a degree of permanency. It is a place where one resides (a residence). A "single" dwelling is one which is separate from other dwellings, or detached.'

Accordingly, the proposed visitor accommodation units are not considered sensitive uses.

-

⁷ [2014] TASRMPAT 29 at [12]

Acc	eptable Solution	Performance Criteria	
A2	Non-sensitive use must be for: a) allowing public access to the coast, especially beaches; or b) conservation, maintenance of scenic amenity, to allow natural coastal processes to operate or conserve habitat for coastal species.	P2 Non-sensitive use must: a) not be located in an area subject to a high risk in accordance with the risk assessment in E14.7.1 and b) mitigate the risk to a low level in accordance with the risk assessment in E14.7.1.	

Town Planner Response

The proposed visitor accommodation use is a non-sensitive use and would primarily be located within an area subject to a medium hazard band for coastal erosion. Several units would also be located within an area subject to a low and high hazard band.

These generic hazard bands prepared by the Department of Premier and Cabinet represent the amount of shoreline recession that could potentially occur in response to storm bite, recession to 2050 and 2100, inclusive of projected sea level rise, until it hits the natural recession limits as depicted in Figure 38 above.

While the mapping represents these different scenarios as being a high, medium or low hazard, this does not equate to these areas possessing an equivalent low, medium or high risk in accordance with the risk assessment in E14.7.1. Instead, to consider the risk profile against this risk assessment means considering the likelihood of the event occurring against the actual consequences of the event.

As the Coastal Erosion hazard bands are generic hazard bands, and while they provide context as to the potential risk, consideration of the local context remains critical to accurately ascertaining the risk profile of erosion and recession upon the site and the development. The submitted Coastal Erosion and Inundation Risk Assessment Report details this local context, noting that:

the predominant swell is from the northwest and northeast of the site and is depth limited due to the shore profile within Anderson Bay. Waterhouse, Cape Barren and Flinders Island offer protection from longer period swell energy. The waves reduce in energy through white capping and friction against seabed, which result in losses to wave height. The site is exposed to wind waves from the Northwest quadrant. Wind waves will also be depth limited due to the shore profile and wave height limited from breaking along shorelines.

As a result of this relatively protected and low wave energy environment, and despite still being a dynamic beach that is exposed to storm wave events and sediment movement from natural littoral movements of the bay, Barnbougle Beach has maintained a stabilised shoreline and dune system for over the past 70 years since the mid-1950's, as shown in Figure 39 below, 'with localised erosion only occurring at primary dunes when vegetation is lost due to wildlife, rain and wind erosion and combined with storm bite events'.



Figure 39 – Historical Dune Profile along Barnbougle Beach proximate to the development area (source: Burbury Consulting 2023)

The report also notes that:

Sea level rise over long periods of time will result in changes to the beach levels but will allow for sediment deposition to adjust to the increased water levels and build the each profiles up consistent with the water levels. Maintaining a controlled primary dune and offset from the beach is a natural way of protecting any proposed development.

The submitted Coastal Report also refers to future planned works for a new port entrance and make it clear that such works would not adversely impact the proposal nor vice versa due to the ability to control sand transfer and the capacity to influence sand re-nourishment through a bypass.

Burbury sum up the results of this stable coastal system, stating:

'Natural processes over the last 70 years (1956-2023) have resulted in a well maintained shoreline nearby the proposed development with no signs of beach recession and a stable beach profile, well vegetated and as a result low risk of coastal erosion as long as the recommendations in s3.7 are maintained '

These recommendations are more fully set out earlier in this report and are supported.

Accordingly, the area identified for the proposed use is not at a high risk of erosion through recession or storm bite. Subject to imposing conditions relating to the monitoring and maintenance of the dune system, including retention, protection

and nurturing of vegetation thereupon, throughout the lifetime of the use, it would be capable of being carried out in a manner that mitigates the risk to a low level.

DEVELOPMENT STANDARDS

E14.6.1 Coastal Hazards

Objective

To protect life and property from unnecessary risk of loss of life or damage within the coastal environment as a result of natural coastal processes and hazards such as storm surge, erosion, landslip, littoral drift, dune mobility and sea-level rise.

Acceptable Solution		Performance Criteria	
A1	Development must not occur: (a) within the surf zone, swash zone, beach berm, incipient dune or fore dune of a coastal dune system as shown in Figure E14.1; or (b) on land identified as vulnerable or prone to recession.	P1.1	Development that does not require access to the coast must not be located where it is subject to a high risk, in accordance with the risk assessment in E14.7.1; and All development must mitigate the risk to life, property and the environment to a low risk level in accordance with the risk assessment in E14.7.1.

Town Planner Response

While the proposed development would not be located within the surf zone, swash zone, beach berm, incipient dune or a fore dune within the coastal dune system, the proposal is identified as being vulnerable to recession and must demonstrate compliance with the corresponding performance criteria accordingly.

As detailed above in response to E14.5.1, the proposed development is not located where it would be subject to a high risk in accordance with the risk assessment in E14.7.1 and so long as sand is retained in its natural form along Barnbougle Beach through continued littoral sand movement along the shore, the risk to erosion is low. Therefore, subject to conditions relating to (i) raising the ground level of the development footprint; (ii) monitoring and maintaining of the vegetation; the (iii) managing and monitoring of the foreshore dune vegetation, particularly post storm events and at least annually; and (iv) ongoing shoreline monitoring and provision of rear dune stabilisation works within the property boundary if required, the risk to life, property, and the environment would be suitably mitigated to a low risk level.

Acceptable Solution		Performance Criteria	
A2	Development must not occur on hind dunes or within 30m of the seaward edge of any coastal cliff or bluff.	P2 Development on hind dunes or within 30m of the seaward edge of any coastal cliff or bluff must avoid areas subject to natural hazards such as erosion, dune mobility, flooding and slumping, that may result from storm surge, wave action, human intervention or any other causes.	

Town Planner Response

Several units, notably the two easternmost units, can reasonably be considered to be proposed upon hind dunes and must demonstrate compliance with P2 accordingly.

As noted within the submitted report, and throughout this report, the proposed units would be located behind the primary foredune at a sufficient distance to ensure that the development sufficiently avoids natural hazards associated with natural hazards (such as erosion, dune mobility, flooding and slumping are sufficiently avoided) that may result from storm surge, wave action, human intervention or any other causes. The development located on hind dunes would not be subject to the coastal inundation as discussed earlier in this report, even without the recommended raising of the broader development footprint. Likewise the area is not at risk of coastal erosion, or associated slumping, whilst the coastal system remains allowed to carry out its natural processes such as dune adaption and shoreline replenishment through littoral drift. The identified hind dines are also not recognised as mobile and subject to conditions relating to the retention and establishment of native vegetation landscaping within the curtilage of the development, such a hazard would not be introduced.

The proposal demonstrates compliance with P2 accordingly.

E14.7.1 Risk Assessment

a) Where an assessment of risk under the risk assessment table for a use or development is required under E14.5.1 and/or E14.61, it is to be classified through the determination of consequence contained in the criteria in b) together with the likelihood of occurrence contained in c).

Table E14.1 AS/NZS 4360:2004 Risk Consequence and Likelihood

Likelihood	Consequences				
	Catastrophic	Major	Moderate	Minor	Insignificant
Moderate	High	High	High	Medium	Low
Unlikely	High	Medium	Medium	Low	Low
Rare	High	Medium	Medium	Low	Low

b)	Consequence Criteria
Catastrophic	loss of life, loss of significant environmental values due to a pollution event where there is not likely to be recovery in the foreseeable future.
Major	extensive injuries, complete structural failure of development, destruction of significant property and infrastructure, significant environmental damage requiring remediation with a long-term recovery time.
Moderate	Treatment required, significant building or infrastructure damage i.e. loss of minor outbuildings such as car ports, garages and the like. Replacement of significant property components. Moderate environmental damage with a short-term natural or remedial recovery time.
Minor	Medium loss — repair of outbuildings and repair and minor replacement of building components of buildings where direct access to the coast is required. Minor environmental damage easily remediated.
Insignificant	No injury, low loss – no replacement of habitable building components, some remediation of garden beds, gravel driveways etc. Environment can naturally withstand and recover without remediation.

c) Likelihood – Annual Exceedance Probability

1:25 (4%)Moderate

1:50(2%) Unlikely

1:100 (1%) Rare

Subject to conditions relating to managing landscaping and vegetation the proposal would meet all other applicable use and development standards of the Coastal Code.

OTHER CODES

No other Codes apply.

Recommendation

It is recommended that the proposal for the use and development of Visitor Accommodation (Twenty Units) at the subject land, be approved subject to the following conditions:

1. Basis of Approval

The use and development is approved and must be undertaken in accordance with the Endorsed Documents, except where specified otherwise in this permit and documents lodged with this application (PLA/2022/107). Any substantial variation from this application will require the further planning consent of the Council.

2. Amended Plans

Prior to the commencement of the approved works, and to the satisfaction of Council's General Manager, the responsible person must submit:

- (a) an Amended Site plan, informed by a check survey undertaken by a suitably qualified person, detailing and notating:
 - i) the number of each unit;
 - ii) the boundary setbacks of all buildings from the northern boundary;
 - iii) the boundary setback of Unit 1 from the western boundary;
 - iv) all buildings being located behind the rear toe of the primary dune:
 - v) sufficient area at the western end of the vehicle access to provide for at least a three point turn;
 - vi) new sewer connection under road connected back to the existing treatment plant;
 - vii) underground power connection to the units running eastward and connected back to existing site connection;
- (b) Amended Elevations showing:
 - viii) a minimum finished floor level for all proposed buildings at height of at least RL 3.1m AHD; and
 - ix) notated building heights above existing natural ground level and post-fill ground level; and
 - x) setbacks of all buildings from the rear toe of the primary dune; and
- (c) Amended Floor Plans clearly notating the number of the unit being depicted.

When approved by the Council's General Manager, the amended plans will be endorsed and will then form part of this permit.

3. External Appearance

(a) Prior to the commencement of building works, a printed sample and schedule of external building materials, finishes and colours, including

- details of cladding and roofing materials, must be submitted to Council's General Manager for approval.
- (b) The external building materials of all buildings and structures applying to the development must be non-reflective and of types and colours that will blend rather than contrast with the surrounding landscape.
- (c) When approved by the Council's General Manager, the schedule of will be endorsed and will then form part of this permit.

4. Site Landscaping Plan

Prior to the commencement of works, a site landscaping plan comprising native species suitably representative of local vegetation communities must be submitted to the Council's General Manager, to the satisfaction of the Council's General Manager, for approval. The plan must be prepared by a suitably qualified person, must be drawn to scale and must include the following details:

- (a) major identifying site features such as building footprints, topography, contours, drainage lines and existing vegetation;
- (b) show proposed garden areas and plantings (including a schedule of proposed trees, shrubs, and groundcover including common name, botanical name and likely size at maturity);
- (c) show all proposed garden beds, fences, retaining walls, lawn, sealed surfaces and pathways;
- (d) details of revegetation of areas of bare soil exposed due to construction activities associated with the approved works, ensuring that no declared weeds or environmental weeds or non-endemic plants with highly invasive reproductive characteristics/qualities are to be planted;
- (e) any additional stabilisation works required as a result of tree or vegetation removal; and
- (f) the planting of a continuous vegetation buffer commencing from the north-western corner of along the western boundary of F/R 200350/1 and continuing south alongside the western boundary of the title, for a length of approximately 100 metres and a depth of 3 metres, to integrate the approved development into the coastal landscape when viewed from Main Street. The vegetation buffer must comprise native individuals suitably representative of the TASVEG Community SAL 'acacia longifolia coastal scrub' and be comprised of approximately 95% coastal wattle (acacia longifolia subsq. sophorae). All individuals planted in accordance with the plan are to be continuously maintained in a healthy condition to the satisfaction of Council's General Manager. Where individuals perish within five (5) years of the commencement of the approved use, replacement individuals are to be planted in the same position and to the satisfaction of Council's General Manager.

Once approved by the Council's General Manager the plan will be endorsed and will form part of the permit.

The landscaping:

- (a) must be installed in accordance with the endorsed plan; and
- (b) must be completed during construction of the buildings and prior to the use commencing;
- (c) maintained throughout the lifetime of the development; and
- (d) must not be removed, destroyed or lopped without the written consent of the Council's General Manager.

5. Construction Environmental Management Plan

Prior to the commencement of works, a Construction Environmental Management Plan must be submitted to Council's General Manager, to the satisfaction of Council's General Manager. The plan must be prepared by a suitably qualified person(s) and must include the following details:

- a) a soil and water management plan that details how soil and water is to be managed on the site during the construction process to prevent the escape of soil and sediments from the development site, including:
 - i. the proposed location of any topsoil stockpiles;
 - ii. the erosion and sediment control practices to be used on the site or otherwise for the purpose of the use;
 - iii. revegetation of areas of bare soil, including timing of any site rehabilitation or landscaping programs;
 - iv. compliance with the requirements of the *Wetland and Waterways Works Manual* (NRE Tasmania 2003), particularly for the siting and designing of stream crossings;
- b) a weed and management and hygiene plan that details how weeds are to be managed on the site during construction works to control weed establishment and prevent weed spread, including:
 - i. control of weeds in areas of bare soil, prior to and following construction, where appropriate;
 - ii. wash-down and inspection of vehicles, machinery and boots before leaving/entering the site to avoid transporting viable plant materials or large clods of soil;
 - iii. wash-down to be conducted in accordance with the Tasmanian Weed and Disease Planning and Hygiene Guidelines (DPIPWE 2015);
- c) measures that will ensure native vegetation outside the development area is satisfactorily protected during construction works:
- d) noise mitigation measures to be implemented during construction, including traffic noise and mitigation of noise impacts to fauna; and
- e) the mitigation and management measures recommended for implementation by the pre-construction fauna survey report referred to in Condition 6 below.

When approved by the Council's General Manager, the Construction Environmental Management Plan will be endorsed will then form part of this permit.

6. Pre-construction Fauna Surveys

- (a) Prior to the commencement of works, pre-construction surveys must be undertaken by a suitably qualified person for:
 - (i) eagle nests (wedge-tailed eagle [Aquila audaz subsq. fleayi] and white-bellied sea eagle [Haliaeetus leucogaster]) within 1 km of the boundary of the subject site and on the land itself. The nest survey must be undertaken outside of eagle breeding season (July to February);
 - (ii) New Holland Mouse (Pseudomys novaehollandiae). The survey must be undertaken within potential habitat identified within the development footprint and in accordance with the Department of Natural Resources and Environment Tasmania (2022) Management and Survey Guidelines for Wild Populations of New Holland Mouse (Pseudomys novaehollandiae);
 - (iii) eastern-barred bandicoot (*Perameles gunnii gunnii*) within potential habitat identified within the development footprint;
 - (iv) Tasmanian devil dens within the identified potential habitat within the development footprint. The survey must be undertaken in accordance with the Natural and Cultural Heritage Division (2015) Survey Guidelines and Management Advice for Development Proposals that may impact on the Tasmanian devil (Sarcophilus harrisii).
 - (v) shoreline birds within 500 metres of the development area, including, but not limited to, the following:
 - i. white-fronted tern
 - ii. fairy tern;
 - iii. little tern:
 - iv. red knot;
 - v. curlew sandpiper;
 - vi. eastern curlew;
 - vii. great crested grebe;
 - viii. azure kingfisher;
 - ix. hooded plover; and
 - x. bar-tailed godwit.
- (b) Prior to the commencement of works a pre-construction fauna survey report, prepared by a suitably qualified person, must be submitted to Council's General Manager for approval that:

- (i) outlines the findings of the pre-construction surveys referred to in (a) above; and
- (ii) recommends appropriate mitigation and management measures to ensure that the proposed development will not unduly compromise the representation of species of significant within the bioregion during construction and throughout the lifetime of the development.

When approved by the Council's General Manager, the report will be endorsed and then form part of this permit.

Any mitigation and management measures identified as part of this condition must be implemented as directed in writing by Council's General Manger.

(c) Unless otherwise undertaken in accordance with the endorsed mitigation and management measures referred to in (b) above, construction activities must not occur between 1 September to 31 March, inclusive, to avoid disruption to incubation and hatching activities to nearby shorebird breeding.

7. Exterior and Security Lighting

- (a) To ensure low impact or subdued lighting is used, exterior lighting and security lighting must be designed, baffled and located in accordance with Australian Standard AS4282-1997 "Control of the obtrusive effects of outdoor lighting" such that no direct light is emitted outside the boundaries of the subject land.
- (b) Prior to commencement of works, a detailed lighting plan must be submitted to Council's General Manager, to the satisfaction of Council's General Manager, that details how lighting will comply with (a) above. When approved by the Council's General Manager, the lighting plan will be endorsed and then form part of this permit.

8. Coastal Erosion Hazard Management Plan

Prior to the commencement of works, a Coastal Erosion Hazard Management Plan must be submitted to Council's General Manager, to the satisfaction of Council's General Manager. The plan must be prepared by a suitably qualified person(s) and must detail how the coastal dune system, where within the bounds of the subject site, will be monitored and managed during the construction process and throughout the lifetime of the approved use to mitigate the risk of coastal erosion through strengthening the natural protection provided by the coastal dune system, including:

- (a) the erosion and sediment control practices to be used on the site or otherwise for the purpose of the use;
- (b) stabilisation of the coastal dune system, particularly primary dunes, through establishing and maintaining native vegetation ground cover;

- (c) revegetation of areas of bare soil, including timing of any site rehabilitation or landscaping programs; and
- (d) ongoing monitoring, including procedures, timing and reporting:
 - (i) during construction;
 - (ii) post-storm events; and
 - (iii) at least annually.

When approved by the Council's General Manager, the Coastal Erosion Hazard Management Plan will be endorsed will then form part of this permit.

9. Coastal Inundation Mitigation

Prior to the commencement of the approved use, and to the satisfaction of Council's General Manager, the following works must be undertaken and completed:

- (a) the minimum finished floor level of all habitable buildings must be greater than RL 3.1 AHD;
- (b) the minimum ground level within the curtilage of the approved units must be greater than RL 2.8 AHD;
- (c) the proposed access road, and the broader development footprint to the north of the proposed access road, must be control filled to a height greater than of RL 2.0m AHD at any point;
- (d) site filling must use natural sand from the locality that is clean and free of weeds;
- (e) building foundations must be adequate for the site conditions and include allowance for sea level rise; and
- (f) the broader area of the development footprint must well drained in a manner consistent with Condition 5 and Condition 11.

10. Construction of Unsealed Vehicle Parking and Internal Access

Prior to the commencement of the approved use, and to the satisfaction of Council's General Manager, areas set aside for the parking of vehicles, together with the aisles and access lanes, must be designed and constructed to be:

- a) provided with an impervious all weather seal of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the subgrade and vehicles which use the areas;
- b) constructed, drained and maintained in a continuously useable condition; and
- c) marked or provided with clear physical means to delineate vehicle parking spaces.

11. Stormwater Management

Storm water discharged from the impervious areas (including vehicle areas, paving and building roofed areas) of the development must be managed within the subject land so as to ensure that:

- a) flooding, erosion and environmental nuisance is minimised to the satisfaction of the Council's General Manager; and
- b) points of discharge do not give rise to pollution as defined under the *Environmental Management and Pollution Control Act 1994*.

NOTE: Pollutant includes:

- (a) a gas, liquid or solid; or
- (b) an odour; or
- (c) 5. an organism (whether alive or dead), including a virus; or
- (d) energy, including noise, radioactivity and electromagnetic radiation; or
- (e) a combination of pollutants -

that may cause environmental harm

NOTE: Pollute means:

- (a) discharge, emit, deposit or disturb pollutants; or
- (b) cause or fail to prevent the discharge, emission, depositing, disturbance or escape of pollutants

12. Native Vegetation Removal

The removal of native vegetation must be limited to occur within:

- (a) the approved development footprint; and
- (b) the adjacent curtilage of the approved buildings, only where it is directly incidental to the development approved in this permit and not otherwise restricted by any other condition within this permit.

No other native vegetation is to be felled, lopped, topped, ring-barked, uprooted, or otherwise willfully destroyed or removed, without:

- (i) the further written consent of the Council's General Manager; and
- (ii)being in accordance with a bushfire hazard management plan prepared by a certified Bushfire Hazard Practitioner.

13. Use Limitation – Visitor Accommodation

The approved visitor accommodation units must not be continuously occupied by the same person(s) for more than three months within any twelve month period and must not be considered a primary place of residence.

NOTE: For the purpose of this permit "the person responsible", depending on the context, means:

- a) The person who has and takes the benefit of this permit for the undertaking of the use or development authorised pursuant to it;
- b) The person or persons who undertake development or use pursuant to this permit; and
- c) Servants, agents and contractors, in each case of such persons.

ADVISORY NOTES

(i) Permission in Writing

Any reference to the need for Council approval of a matter or thing prescribed under the conditions pertinent to this permit requires such approval to be given in writing.

(ii) Objections to Proposal

This permit has no effect until the expiry of the period for the lodgement of an appeal against the granting of the permit or, if an appeal is lodged, until ten days after the appeal

has been determined by the Resource and Planning Stream of the Tasmanian Civil and Administrative Tribunal (TASCAT).

(iii) Appeal Provisions

Attention is directed to sections 61 and 62 of the Land Use Planning and Approvals Act 1993 (as amended) which relate to appeals. These provisions should be consulted directly, but the following provides a guide as to their content:

A planning appeal may be instituted by lodging a notice of appeal with the Resource and Planning Stream of the Tasmanian Civil and Administrative Tribunal (TASCAT).

A planning appeal may be instituted within 14 days of the date the planning authority serves notice of the decision on the applicant.

(iv) Permit Commencement

This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource and Planning Stream of the Tasmanian Civil and Administrative Tribunal (TASCAT) is abandoned or determined. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing.

(v) Period of Approval

Pursuant to Section 53(5) the Land Use Planning and Approvals Act 1993, this approval will lapse after a period of two (2) years from:

- (a) the date on which the permit is granted; or
- (b) if an appeal has been instituted against the planning authority's decision to grant the permit, the date of the determination or abandonment of the appeal,

if the use or development is not substantially commenced within that period.

(vi) TasNetworks Advice

TasNetworks advised on 8 June 2022 that:

'Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

The standard arrangements will apply for connection to the electricity network. For further information, please refer to TasNetworks' website: New electricity connections - TasNetworks.'

(vii) Other Approvals

This permit does not imply that any other approval required under any other by-law or legislation has been granted. At least the following additional approvals may be required before construction commences:

- (a) Building approval
- (b) Plumbing approval

(viii) Aboriginal Heritage

If any Aboriginal relics are uncovered during works;

a. All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,

- b. The presence of a relic is to be reported to Aboriginal Heritage Tasmania [Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au]; and
- c. the relevant approval processes will apply with state and federal government agencies.

(ix) Ongoing Coastal Monitoring

The Coastal Erosion and Inundation Risk Assessment provided as part of the application recommends that monitoring of vegetation, shoreline erosion and dune levels (primary and ridge) should be maintained to monitor seasonal and progressive changes over periods of time. It is advisable that a suitably qualified person/s be engaged on an annual basis to undertake site investigation and provide necessary advice. If any recommendations provided during this process would result in substantial variation/s to the approved development, you should contact the Council's Town Planner prior to undertaking any such works as planning approval separate of this permit may be required.

(x) Acid Sulfate Soils

The subject site is mapped as possessing a high probably of occurrence (>70%) of coastal acid sulfate soils (ASS). There is no legislation directly relevant to ASS in Tasmania, however, all persons have a general environmental duty under the Environmental Management and Pollution Control Act 1994 to take such steps as practicable or reasonable to prevent or minimise environmental harm or environmental nuisance caused, or is likely to be caused by an activity conducted by that person. NRE Tasmania have prepared the Tasmanian Acid Sulfate Soil Management Guidelines that provides technical and procedural advice to avoid environmental harm from ASS, including the preparation of an ASS Management Plan. The application is encouraged to consider the active management of ASS soils throughout the construction process.



Planning Permit Application

Please print all applicable details clearly

THE PROPOSAL Describe in full the way it is proposed to use and/or develop the land:	⇒ Provide a full description of the
,	proposed use or development, including: Building work Change of use
	Subdivision Forestry Domolition
	 Demolition Staging (if development is proposed to be carried out in stages, indicate this on the plans and describe in written material) Signage
	Other
THE LAND	
Address	Certificate of Title (include all applicable title references)
	Volume: Folio:
Land Area (m² or hectares):	
Present use of land:	 ⇒ Provide a description of the existing use of the land, for example vacant, residential, agriculture, industrial, commercial
Present use of existing building(s):	⇒ Provide a description of the use of the
	existing buildings on the land, for example dwelling, workshop, farm building, office, shop
THE APPLICANT (Note: the person to be nominated as the Appl public notification purposes and permit issue)	licant is the one whose name will appear for
Applicant's Name:	
Address:	Phone:
	Fax:
	_
	Mobile:

THE OWNER Owner's Name(s): Phone: Address: Fax: Mobile: Email: CROWN AND/OR COUNCIL CONSENT [to be completed where land in respect of the Application is (i) Crown land (within the meaning of the Crown Lands Act 1976) or (ii) owned or administered by the Crown or a Council] Owner / Administrator's Name(s): Person signing the Application: ⇒ to be completed by a person conferred the authority to ensure compliance with Section 52(1B)(a) of the Land Use Planning and Approvals Act 1993). Signature: Date: **DETAILS OF BUILDING WORK** (to be completed if Application requires building work) Value of building work: ⇒ Please tick applicable box: ☐ Estimate ☐ Contract Price Type of work: ⇒ For example, new building, alteration, addition, removal, repairs, demolition, re-erection, change of use Proposed use of building: ⇒ Describe the main use of the proposed building, for example, dwelling, workshop, farm building, office, shop Existing floor area: New / additional floor area: Proposed maximum building height above natural ground level: __m² m² Materials: structural floor: external walls: colour:____

colour:_____

roof cladding:

structural frame:

DETAILS OF OTHER WORKS

DETAILS OF STITLE WO	1110	
Vehicle Access:		
Is a new vehicle access or cro	ssover required? (if so, ensure t	his is indicated on the plans)
What would be the surfacing of	f the vehicle access?	
Car Parking:		
How many car parking spaces	are currently provided?	
How many additional car park	ng spaces would be provided?	
What would be the surfacing o	f the car parking spaces?	
Is provision made for loading a industry or storage uses)	and unloading of vehicles? (to be	e completed for retail, commercial, industrial, service
Describe any proposed earthw	orks, vegetation removal or oth	er works required as part of the use and/or development:
		-
DETAILS OF OTHER MA	TTERS	
Proposed hours of operation:	IIEKS	
Monday to Friday:	am to	pm
Saturday:	am to	 pm
-		
Sunday:	am to	pm
Provide details of any goods to	nat would be stored outside:	
Privacy Statement		
The Dorset Council is committe		acy of all individuals who have dealings with the Council
nformation that members of the	public share with the Council rer	will take the necessary steps to ensure that the persona mains confidential. How we use this information is explained at www.dorset.tas.gov.au or at the Council office.
Appointment Details		
To ensure Council's officers a	re available to assist you with th acting Regulatory Services on 6	e submission of your Application, it is advisable to 352 6500.
Date: Tir	me: Counci	l Officer:

Copyright Authority

I authorise the Council and the Crown in right of the state of Tasmania to provide to any person, for the purposes of assessment or public consultation, a partial or complete copy of documents relating to this application.

I understand that the information and materials provided with this Application may be made available to the public in electronic form on the Council's website. I understand that the Council may make such copies of the information and materials as, in its opinion, are necessary to facilitate a thorough consideration of the Application.

I declare that the information given is a true and accurate representation of the proposed use and/or development, and I am liable for the payment of

Council application processing fees even in the event of the use and/or development proposed by this Application not proceeding.

I confirm I am the copyright owner or have the authority to sign on behalf of any other person with copyright for documents relating to this Application.

I indemnify the Dorset Council for any claim or action taken against it in respect of breach of copyright in respect of any of the information or material provided.

Note: This authority is intended to cover copies made by the Crown or Council under Sections 40, 43, 49 or 183 of the Copyright Act 1968.

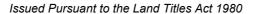
Where the applicant is NOT the owner, I hereby declare that the owner of the land to which this application relates has been notified of this application being made and the information and details supplied by me in this application are a true and accurate description of the proposal.

Applicant's Signature:	Date:	



RESULT OF SEARCH

RECORDER OF TITLES





SEARCH OF TORRENS TITLE

VOLUME	FOLIO
131938	1
EDITION	DATE OF ISSUE
7	10-Jan-2017

SEARCH DATE : 21-Dec-2021 SEARCH TIME : 03.41 PM

DESCRIPTION OF LAND

Parish of SEABROOK, Land District of DORSET

Lot 1 on Plan 131938

Being the land firstly described in Conveyance 65/7912

Derivation: Part of 1800 acres Granted to A. Stephenson & M.M.

Stephenson

Derived from A17229

SCHEDULE 1

RICHARD GEOFFREY SATTLER

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

C682077 MORTGAGE to Tasmanian Perpetual Trustees Limited

Registered 03-Jan-2006 at noon

E78950 TRANSFER of MORTGAGE C682077 to MyState Bank Limited

Registered 01-Feb-2017 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES



Issued Pursuant to the Land Titles Act 1980 Registered Number **CONVERSION PLAN** FILE NUMBER AI7229 LOCATION P.131938 GRANTEE DORSET - SEABROOK PART OF 1800A-OR-OP GTD. TO A. STEPHENSON & M.M. STEPHENSON APPROVED .5 MAY 1999 CONVERTED FROM 65/7912 (ISTLY & 2NDLY DESC.) NOT TO SCALE LENGTHS IN METRES MAPSHEET MUNICIPAL(109) CODE No. 5245 5246 ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN 6100266 6100863 DRAWN C.L. LAST UPI No. SKETCH BY WAY OF ILLUSTRATION ONLY "EXCEPTED LANDS" **BASS** (PI30I53) STRAIT (40/24 N.S.) RESERVATION 69.00 ١, CROWN 97.00ha (PI3I939) 594.45 (OLD (PI3I940) 2. 10.77ha 89-82



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME	FOLIO
131938	2
EDITION 6	DATE OF ISSUE 10-Jan-2017

SEARCH DATE : 21-Dec-2021 SEARCH TIME : 03.42 PM

DESCRIPTION OF LAND

Parish of SEABROOK, Land District of DORSET

Lot 2 on Plan 131938

Being the land secondly described in Conveyance 65/7912

Derivation: Part of 1800 acres Granted to A. Stephenson & M.M.

Stephenson

Derived from A17229

SCHEDULE 1

RICHARD GEOFFREY SATTLER

SCHEDULE 2

Reservat	ions and conditions in the Crown Grant if any
C92369	MORTGAGE to Tasmanian Trustees Limited Registered
	24-May-1999 at 12.01 PM
C524460	MORTGAGE to Tasmanian Perpetual Trustees Limited
	Registered 22-Aug-2005 at 12.02 PM
E78950	TRANSFER of MORTGAGE C524460 to MyState Bank Limited
	Registered 01-Feb-2017 at noon
E78952	TRANSFER of MORTGAGE C92369 to MyState Bank Limited
	Registered 01-Feb-2017 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES



Issued Pursuant to the Land Titles Act 1980

Registered Number **CONVERSION PLAN** FILE NUMBER AI7229 LOCATION P.131938 GRANTEE DORSET - SEABROOK PART OF 1800A-OR-OP GTD. TO A. STEPHENSON & M.M. STEPHENSON APPROVED .5 MAY 1999 CONVERTED FROM 65/7912 (ISTLY & 2NDLY DESC.) NOT TO SCALE LENGTHS IN METRES MAPSHEET MUNICIPAL(109) CODE No. 5245 5246 ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN 6100266 6100863 DRAWN C.L. LAST UPI No. SKETCH BY WAY OF ILLUSTRATION ONLY "EXCEPTED LANDS" **BASS** (PI30I53) STRAIT (40/24 N.S.) RESERVATION 69.00 ١, CROWN 97.00ha (PI3I939) 594.45 (OLD (PI3I940) 2. 10.77ha 89-82

Search Date: 21 Dec 2021 Search Time: 03:42 PM Volume Number: 131938 Revision Number: 01 Page 1 of 1



RESULT OF SEARCH

RECORDER OF TITLES





SEARCH OF TORRENS TITLE

VOLUME	FOLIO
131939	1
EDITION	DATE OF ISSUE
6	10-Jan-2017

SEARCH DATE : 21-Dec-2021 SEARCH TIME : 03.42 PM

DESCRIPTION OF LAND

Parish of SEABROOK, Land District of DORSET

Lot 1 on Plan 131939

Being the land thirdly described in Conveyance 65/7912

Derivation: Part of 1800 acres Granted to A. Stephenson & M.M.

Stephenson

Derived from A17229

SCHEDULE 1

RICHARD GEOFFREY SATTLER

SCHEDULE 2

Reservat	ions and conditions in the Crown Grant if any
16/9471	CONVEYANCE: BURDENING EASEMENT: Right of Carriage Way
	(for Edward Buse Adams and Gordon Cyril Adams) over
	the roadway purportedly surrounded by green boundary
	lines on Indenture Number 16/9471
C92369	MORTGAGE to Tasmanian Trustees Limited Registered
	24-May-1999 at 12.01 PM
C524460	MORTGAGE to Tasmanian Perpetual Trustees Limited
	Registered 22-Aug-2005 at 12.02 PM
E78950	TRANSFER of MORTGAGE C524460 to MyState Bank Limited
	Registered 01-Feb-2017 at noon
E78952	TRANSFER of MORTGAGE C92369 to MyState Bank Limited
	Registered 01-Feb-2017 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FILE NUMBER

GRANTEE

AI7229

PART OF 1800A-OR-OP GTD. TO A.STEPHENSON & M.M. STEPHENSON

FOLIO PLAN

RECORDER OF TITLES



Issued Pursuant to the Land Titles Act 1980

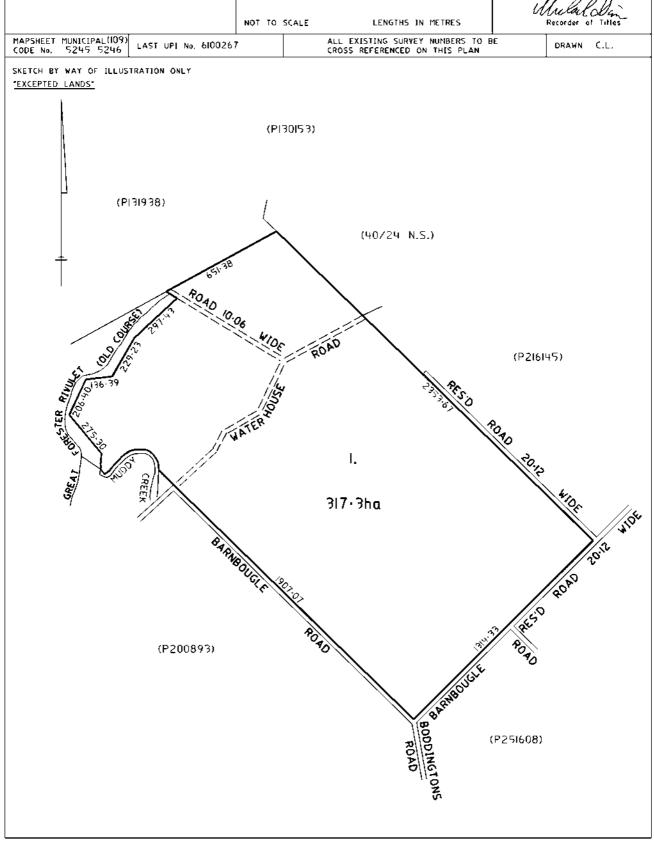
CONVERSION PLAN LOCATION

DORSET - SEABROOK

CONVERTED FROM 65/7912 (3RDLY DESC.)

Registered Number P.131939

APPROVED .5 MAY 1999

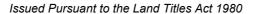


Search Time: 03:42 PM Volume Number: 131939 Page 1 of 1 Search Date: 21 Dec 2021 Revision Number: 01



RESULT OF SEARCH

RECORDER OF TITLES





SEARCH OF TORRENS TITLE

VOLUME	FOLIO
131940	1
EDITION 7	DATE OF ISSUE

SEARCH DATE : 21-Dec-2021 SEARCH TIME : 03.41 PM

DESCRIPTION OF LAND

Parish of SEABROOK, Land District of DORSET

Lot 1 on Plan 131940

Being the land fourthly described in Conveyance 65/7912

Derivation: Part of 1800 acres Granted to A. SStephenson & M.

M. Stephenson

Derived from A17229

SCHEDULE 1

RICHARD GEOFFREY SATTLER

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

C682077 MORTGAGE to Tasmanian Perpetual Trustees Limited

Registered 03-Jan-2006 at noon

E78950 TRANSFER of MORTGAGE C682077 to MyState Bank Limited

Registered 01-Feb-2017 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



GRANTEE

FOLIO PLAN

RECORDER OF TITLES



Issued Pursuant to the Land Titles Act 1980

Government

CONVERSION PLAN FILE NUMBER AI7229 LOCATION

DORSET - SEABROOK

CONVERTED FROM 65/7912 (4THLY DESC.)

NOT TO SCALE LENGTHS IN METRES P.131940

Registered Number

APPROVED 4 MAY 1999

(P200350)

PART OF 1800A-OR-OP GTD. TO A.STEPHENSON & M.M. STEPHENSON

DRAWN C.L.

MAPSHEET MUNICIPAL(109) CODE No. 5245 5246 ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN LAST UPI No. 6100265 SKETCH BY WAY OF ILLUSTRATION ONLY "EXCEPTED LANDS" STRAIT MIDE 30.48 (PI3I938) BASS RESERVATION 263.93 CROWN ١. 78.44ha

Search Time: 03:41 PM

GREAT

Volume Number: 131940

Revision Number: 01

16-29

Search Date: 21 Dec 2021



RESULT OF SEARCH

RECORDER OF TITLES





SEARCH OF TORRENS TITLE

VOLUME 200350	FOLIO 1
EDITION 4	DATE OF ISSUE 13-May-2021

SEARCH DATE : 21-Dec-2021 SEARCH TIME : 03.40 PM

DESCRIPTION OF LAND

Town of BRIDPORT
Lot 1 on Plan 200350

Derivation : Sec. N Gt. to A.W.M.Brewer

Prior CT 2064/51

SCHEDULE 1

M886340 TRANSFER to RICHARD GEOFFREY SATTLER Registered 13-May-2021 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

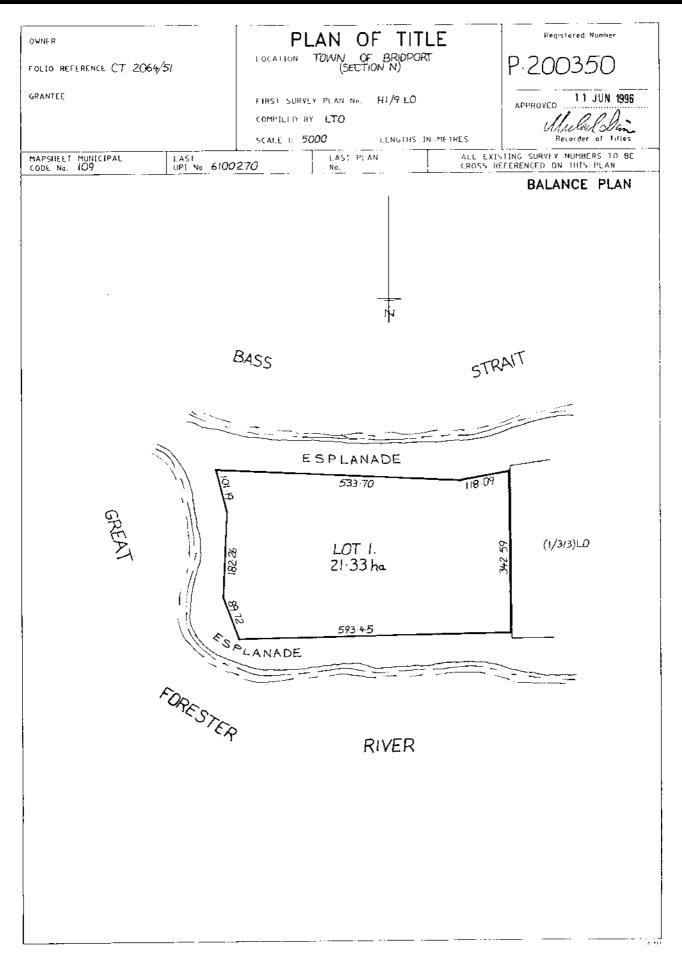


FOLIO PLAN

RECORDER OF TITLES



Issued Pursuant to the Land Titles Act 1980



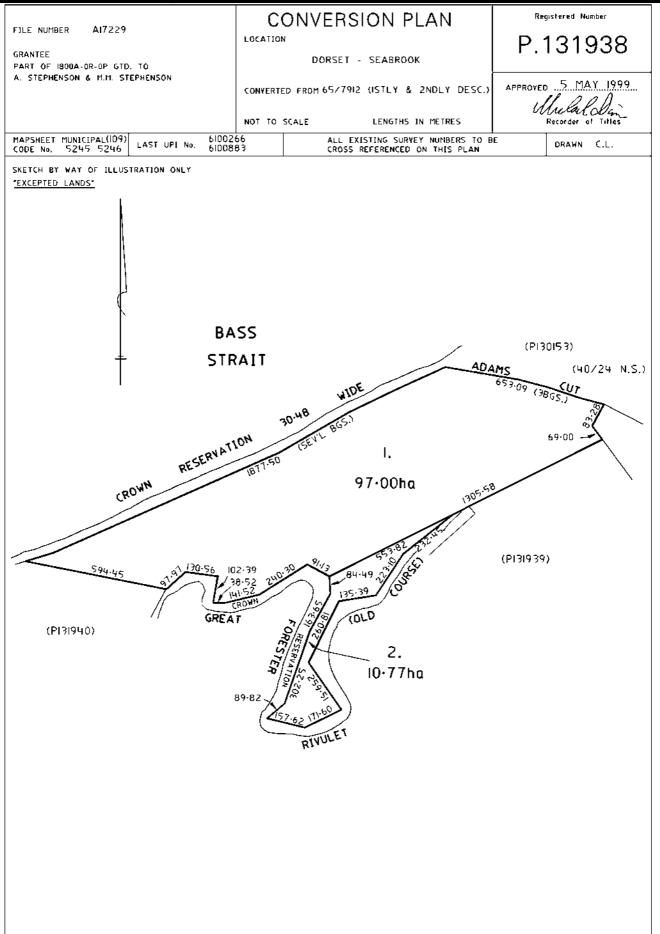


FOLIO PLAN

RECORDER OF TITLES



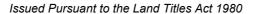
Issued Pursuant to the Land Titles Act 1980





RESULT OF SEARCH

RECORDER OF TITLES





SEARCH OF TORRENS TITLE

VOLUME 131938	FOLIO 1
EDITION	DATE OF ISSUE
7	10-Jan-2017

SEARCH DATE : 10-Aug-2022 SEARCH TIME : 02.49 PM

DESCRIPTION OF LAND

Parish of SEABROOK, Land District of DORSET

Lot 1 on Plan 131938

Being the land firstly described in Conveyance 65/7912

Derivation: Part of 1800 acres Granted to A. Stephenson & M.M.

Stephenson

Derived from A17229

SCHEDULE 1

RICHARD GEOFFREY SATTLER

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

C682077 MORTGAGE to Tasmanian Perpetual Trustees Limited

Registered 03-Jan-2006 at noon

E78950 TRANSFER of MORTGAGE C682077 to MyState Bank Limited

Registered 01-Feb-2017 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



10 August 2022

Tim Watson General Manager Dorset Council

By Email: dorset@dorset.tas.gov.au

Dear Tim,

<u>DEVELOPMENT APPLICATION - BARNBOUGLE DUNES GOLF COURSE - 429 WATERHOUSE ROAD, BRIDPORT</u>

Please find a development application enclosed for the construction and use of 20 visitor accommodation buildings on land located at 429 Waterhouse Road, Bridport ("the site" - refer to Figure 1). The purpose of this letter is to provide a description of the proposed use and development in accordance with clause 8.1.2 of the *Dorset Interim Planning Scheme 2013* ("the Scheme").

6ty Pty Ltd ABN 27 014 609 900

Postal Address
PO Box 63
Riverside
Tasmania 7250
W 6ty.com.au
E admin@6ty.com.au

Tamar Suite 103 The Charles 287 Charles Street Launceston 7250 **P** (03) 6332 3300

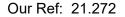
57 Best Street PO Box 1202 Devonport 7310 **P** (03) 6424 7161

Figure 1 - aerial image showing the location and spatial extent of the site.



This letter should be read in conjunction with the following development plans prepared by **6ty**° with **Project No. 21.272**:

Drawing Title	Drawing No.	Rev	Date	Issue	Issued For
Site Location and Part Site Plan	Ap01	001	17-07-22	002	Development Application
Proposed Floor Plan and Elevations	Ap101	001	17-12-21	001	Development Application
Proposed Floor Plans	Ap201	001	17-12-21	001	Development Application
Proposed Elevations	Ap202	001	17-12-21	001	Development Application





Drawing Title	Drawing No.	Rev	Date	Issue	Issued For
Proposed Floor Plans	Ap301	001	17-12-21	001	Development Application
Proposed Elevations	Ap302	001	17-12-21	001	Development Application
Proposed Floor Plans and Elevations	Ap401	001	17-12-21	001	Development Application

1 Site and Planning Overview

The following information is specific to the lot that will contain the proposed buildings.

Location	429 Waterhouse Road, Bridport			
Title Information	Volume	Folio		
	200350	1		
Property ID	6856723			
Tenure	Private Freehold			
Area	rea			
Existing Use Vacant				
Planning Instrument Break O'Day Interim Planning Scheme 2013				
Zoning	26.0 - Rural Resource			
Overlays	Flood Prone Area			
Use	Visitor Accommodation			
Development	Construction of visitor accommodation buildings			
Use Status	Discretionary			

2 Proposed Use and Development

The following table provides an assessment against clause 8.1.2 of the Scheme which specifies the minimum requirements for a valid application:

8.1.2	An application must include:	
Sub-clause	Description	Assessment
(a)	a signed application form.	The application form has been signed.
(b)	declaration of notification required under s.52 of the Act	Compliance with Section 52(1) of the Land Use Planning and Approvals Act 1993 is achieved by virtue of notifying the owner of the land of the intention to make the application.



8.1.2	An application must include:	
Sub-clause	Description	Assessment
(c)		Details of the location of the proposed use and development are provided by the development plans and information within this letter. The proposed buildings will be contained on a single lot that is located at the eastern side of the mouth of the Brid River. The proposed development will also include the extension of an existing gravel access road and provision of a new sewer line from the buildings to an existing sewer treatment system at the Barnbougle Dunes Golf Course precinct.
(d)	of title for all land to which the	A copy of the current certificate for the lot that will contain the proposed buildings and for the adjoining and adjacent lots to the east which will contain the sewer pipe and will be used to access the proposed buildings, have been provided.
(e)	a full description of the proposed use or development.	For the purposes of clause 8.2.1 of the Scheme, the proposed use and development is categorised into the Visitor Accommodation use class. In this regard, the proposed buildings will be used to offer premium accommodation to guests of Barnbougle Dunes Golf Course. Details of the proposed development are provided within the accompanying development plans.

Please do not hesitate to contact me should you have any queries on this application.

Yours faithfully 6ty° Pty Ltd

<u>George Walker</u> Director/Planning Consultant



Our Ref: 2022/107 63503 2749752 22 August 2022

6ty Pty Ltd PO Box 63 RIVERSIDE TAS 7250

ABN 68 027 137 155 3 Ellenor Street Scottsdale Tasmania PO Box 21 Scottsdale Tasmania 7260

T 03 6352 6500 **F** 03 6352 6509 **E** dorset@dorset.tas.gov.au

dorset.tas.gov.au



Dear Sir/Madam

Planning Application

Visitor Accommodation (20 Units)
At: 429 Waterhouse Road BRIDPORT

Thank you for lodging your application.

Council has 42 days to determine your application under the *Land Use Planning and Approvals Act 1993 (the Act)*. Council Officers have done a preliminary assessment of your Section 57 application and note that further information is required.

This initial assessment identified that the following additional information is required to complete the assessment and processing of your application:

SITE PLAN AND ELEVATIONS

- 1) A site plan at an acceptable scale that details:
 - i) The existing and proposed uses on the site;
 - ii) The boundaries and dimensions of the site;
 - iii) Topography including contours shows AHD levels and major site features;
 - iv) Natural drainage lines, watercourses and wetlands on or adjacent to the site;
 - v) Vegetation types and distribution including any known threatened species, and trees and vegetation to be removed;
 - vi) The location and capacity and connection point of any proposed stormwater management;
 - vii) The location of existing and proposed buildings on the site; and
 - viii)Any natural hazards that may affect use or development on the site.



2) A layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 that details:

- i) The internal layout of each proposed building;
- ii) Parking space location and layout;
- iii) Major elevations of every building to be erected;
- iv) The relationship of the elevations to existing ground level, showing any proposed cut or fill; and
- v) Materials and colours to be used on roofs and external walls.

Where necessary, the required site plan and layout plan(s) must be revised, to the satisfaction of Council's Town Planner, so as to be consistent with the additional information required and provided in accordance with the below requests.

RURAL RESOURCE ZONE

3) Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Rural Resource Zone, to satisfaction of Council's Town Planner.

MAJOR TOURISM ZONE

4) Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Major Tourism Zone, to satisfaction of Council's Town Planner.

ROAD AND RAILWAY ASSETS CODE

5) Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Road and Railway Assets Code, to satisfaction of Council's Town Planner.

Where required to demonstrate compliance with an applicable performance criteria, prepare and submit a Traffic Impact Assessment (TIA) undertaken in accordance with *Traffic Impact Assessment Guidelines*, Department of Infrastructure, Energy and Resources 2007. Australian Guidelines and Australian Standards to be used as the basis for any required road or junction design. This TIA must respond to the applicable performance criteria and be accompanied by written advice as the adequacy of the TIA from the road authority in respect of the applicable road.

ABN 68 027 137 155 3 Ellenor Street Scottsdale Tasmania PO Box 21 Scottsdale

Tasmania 7260

T 03 6352 6500 **F** 03 6352 6509 **E** dorset@dorset.tas.gov.au

dorset.tas.gov.au





FLOOD PRONE AREAS CODE

6) Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Flood Prone Areas Code, to satisfaction of Council's Town Planner.

Where required to demonstrate compliance with an applicable performance criteria, submit a Flood Impact Assessment Report prepared by a suitably qualified person that undertakes an assessment of risk in accordance with Table E5.1 AS/NZS 4360:2004 Risk Consequence and Likelihood that demonstrates compliance with the relevant performance criteria.

CAR PARKING AND SUSTAINABLE TRANSPORT CODE

7) Demonstrate compliance with all applicable acceptable solutions and/or performance criteria within the Car Parking and Sustainable Transport Code, to satisfaction of Council's Town Planner.

Provide a car parking plan drawn to scale and dimensions that details:

- i) All car spaces to be provided on the site (or being relied on as part of the development);
- ii) Access strips and manoeuvring and circulation spaces;
- iii) All access strips onto the site from the roads;
- iv) Details of the existing and proposed surface treatments for all car parking access strips and manoeuvring and circulation spaces.

BIODIVERSITY CODE

8) Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Biodiversity Code, to satisfaction of Council's Town Planner.

WATER QUALITY CODE

 Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Water Quality Code, to satisfaction of Council's Town Planner.

Where required to demonstrate compliance with the applicable performance criteria, prepare and submit a Soil and Water Management Plan prepared by a suitably qualified person that

ABN 68 027 137 155 3 Ellenor Street Scottsdale Tasmania PO Box 21 Scottsdale Tasmania 7260

T 03 6352 6500 **F** 03 6352 6509 **E** dorset@dorset.tas.gov.au

dorset.tas.gov.au





details sediment and erosion control measures on a site in response to the relevant performance criteria.

COASTAL CODE

 Demonstrate compliance with the acceptable solutions and/or performance criteria of the Coastal Code, to satisfaction of Council's Town Planner.

Where required to demonstrate compliance with an applicable performance criteria, submit a Coastal Impact Assessment Report prepared by a suitably qualified person that undertakes an assessment of risk in accordance with Table E14.1 AS/NZS 4360:2004 Risk Consequence and Likelihood that demonstrates compliance with the relevant performance criteria.

This request is made under Section 54 of *the Act* and the 42 day timeframe is stopped whilst this information is outstanding.

Please direct all additional information provided in response to this request to the Department of Development and Community Services or development@dorset.tas.gov.au

If you wish to discuss this request or any items contained within it, please contact the undersigned on 03 6352 6500.

Yours faithfully

THOMAS WAGENKNECHT

Town Planner

ABN 68 027 137 155 3 Ellenor Street Scottsdale Tasmania PO Box 21 Scottsdale Tasmania 7260

T 03 6352 6500 **F** 03 6352 6509 **E** dorset@dorset.tas.gov.au

dorset.tas.gov.au

fy

Our Ref: 21.272

Measured form and function



3 May 2023

Thomas Wagenknecht Regulatory Services Manager Department of Development and Community Services **Dorset Council**

By email: development@dorset.tas.gov.au

Dear Thomas,

6tv Ptv Ltd ABN 27 014 609 900

Postal Address PO Box 63 Riverside Tasmania 7250 W 6ty.com.au E admin@6ty.com.au

Tamar Suite 103 The Charles 287 Charles Street Launceston 7250 P (03) 6332 3300

57 Best Street Devonport 7310 P (03) 6424 7161

DEVELOPMENT APPLICATION - RESPONSE TO FURTHER INFORMATION PO Box 1202 REQUEST - DA2022/107 - 429 WATERHOUSE ROAD, BRIDPORT

I refer to your request for further information dated 22 August 2022. This letter provides information in response to the items raised within your letter.

The response should be read in conjunction with the drawings prepared by 6ty° Pty Ltd with Project No. 21.272.

Requested Item 1

Site Plan and Elevations

- 1. A site plan at an acceptable scale that details:
 - (i). The existing and proposed uses on the site;
 - (ii). The boundaries and dimensions of the site;
 - (iii). Topography including contours shows AHD levels and major site features;
 - (iv). Natural drainage lines, watercourses and wetlands on or adjacent to the site:
 - (v). Vegetation types and distribution including any known threatened species, and trees and vegetation to be removed;
 - (vi). The location and capacity and connection point of any proposed stormwater management;
 - (vii). The location of existing and proposed buildings on the site; and
 - (viii). Any natural hazards that may affect the use or development on the site.
- 2. A layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 that details:
 - The internal layout of each proposed building; (i).
 - (ii). Parking space location and layout;
 - (iii). Major elevations of every building to be erected;



- (iv). The relationship of the elevations to existing ground level, showing any proposed cut or fill; and
- (v). Materials and colours to be use on roofs and external walls.

6ty° Response

The Proposal Drawings listed in Table 1 respond to the items listed in Request Item 1. The Site Location and Part Site Plan shows the contours of the site. The contours are best read in conjunction with each of the elevation drawings which annotate the AHD level of natural ground level, finished ground level, finished floor levels and the maximum building height for each proposed building.

In addition to the Proposal Drawings, Figure 1 below provides broader context of the development site respective to Barnbougle Dunes and Waterhouse Road.

Figure 1 - aerial image showing the location of the proposed development area within the context of the site, Waterhouse Road and broader landscape features.



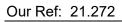
Requested Item 2

Rural Resource Zone

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Rural Resource Zone, to the satisfaction of Council's Town Planner.

6ty° Response

26.0 Rural Resource Zone



26.3 l	Jse Standards		
Stand	dard/Requirement	Assessment	Compliance
26.3.	Discretionary Uses if not a	single dwelling	
A1	If for permitted or no permit required uses.	The use is discretionary.	Relies on performance criteria.
A2	If for permitted or no permit required uses.	The provision relates to use of prime agricultural land. In this instance, land contained in the site is non-prime agricultural land and the provision is therefore not applicable to the proposal in accordance with clause 7.5.2(b) of the Scheme.	Not applicable.
A3	If for permitted or no permit required uses.	The use is discretionary.	Relies on performance criteria.
A4	If for permitted or no permit required uses.	The use is discretionary.	Relies on performance criteria.
A5	The use must:		Relies on performance criteria.
	(a) be permitted or no permit required;	The use is discretionary.	
	(b) be located in an existing building.	The proposed use will be accommodated in new buildings.	
26.3.2	2 Dwellings		
No dv	vellings are proposed.		
26.3.3	3 Irrigation Districts		
A1	Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.		Relies on Performance Criteria.



26.4	26.4 Development Standards			
Stand	lard/Requirement	Assessment	Compliance	
26.4.	Building Location and App			
A1	Building height must not exceed:			
	a) 8m for dwellings; or	The proposal does not involve dwellings.	Not applicable.	
	b) 12m for other purposes.	All proposed buildings will have a building height of less than 12m	Complies with Acceptable Solution.	
A2	Buildings must be set back a minimum of:			
	a) 50m where a non- sensitive use or extension to existing sensitive use buildings is proposed; or	be located within 50m of the northern boundary of the site and proposed visitor	Relies on Performance Criteria.	
	b) 200m where a sensitive use is proposed; or			
	c) the same as existing for replacement of an existing dwelling.			

Clause 26.3.1 Discretionary Use if not a Dwelling - Performance Criteria P1.1, P3, P4 and P5

The objective of the standard is:

- a) To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.
- b) To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.



- c) To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.
- d) Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.
- e) Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.
- The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.

Performance Criteria Assessment

Performance Criteria P1.1 Subclause Assessment It must be demonstrated that the use is consistent with local area objectives for the 26.1.2 (b)

provision of non-primary industry use in the zone, if applicable,

The applicable local area objective is clause

Clause 26.1.2 (b) relates to Tourism. It recognises that tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities. It identifies that the rural zone provides important regional and local tourist routes and destination and the continued enhancement of tourism facilities is supported where the long-term sustainability of primary industry resources is not unduly compromised.

In this instance, the proposal is for 20 visitor accommodation that will be ancillary to a significant tourist attraction of Barnbougle Dunes golf course. The proposed visitor accommodation will directly support the established use and will indirectly support other agro-tourism related activities within the municipality and region in the form of visitation to vinevards, small coastal and rural settlements and other environmental, cultural and landscape features.

With respect to the long-term sustainability of the rural land resource contained within the site. the proposed visitor accommodation use will be located on the coastal fringe which is away from the flatter parts of the site that are currently used for grazing activities. Accordingly, conversion of the land to a non-agricultural use will not unduly compromise the land resource within the site that is used for primary industry in this regard.



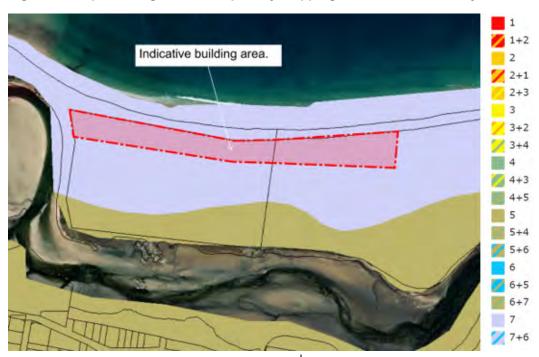
Further, the area of the site that will contain the proposed use and development is removed from higher intensity agricultural production land on the site and contiguous primary industry use to the south and east. Accordingly, the proposed use and development is not expected to unduly compromise the rural land resource within the context of the surrounding area more broadly.

Performance Criteria P3

The conversion of non-prime agricultural to non-agricultural use must demonstrate that:			
Subclause	Assessment		
a) the amount of land converted is minimised having regard to:	The proposed building area and immediately adjacent land is identified as class 7 agricultural land which is not identified as prime agricultural land (refer to Figure 2). Land adjoining the class 7 land is identified as class 5 agricultural land which is also not identified as prime agricultural land. Class 7 land is the lowest value agricultural land based on the land capability mapping system. Based on a conservative building area of 800m² for each dwelling, including road access, approximately 1.7% of the combined area of the two lots that will contain the buildings will be converted to facilitate the proposed nonagricultural use. Furthermore, existing grazing activities will continue to occur on the southern side of the access road which will be fenced.		
(i). existing use and development on the land; and	The western lot is vacant. The eastern lot forms part of the Barnbougle Dunes golf course which includes an 18 hole golf course, clubroom and restaurant and visitor accommodation. The proposed non-agricultural use will be compatible with the existing non-agricultural use on the site.		
(ii). surrounding use and development; and	The site is removed from adjoining agricultural use and development. Separation is provided by the coastline to the north and the river and tidal area to the west and south.		
(iii). topographical constraints.	The site is not affected by significant topographical constraints that would have a material impact on the existing agricultural use. In this regard, the flatter land within the site to the south of the proposed use and development will continue to be grazed.		

On balance, the amount of land contained within the site to be converted to a non-agricultural use is minimised and represents marginalised agricultural land within the context of existing use and development located on the site and surrounding use and development. The site is not affected by significant topographical constraints with the exception of the undulation of the dune system.

Figure 2 - map showing the land capability mapping of the site and nearby land.



- site is practically incapable of The proposal relies upon subclause supporting an agricultural use or being P3(a) for compliance with the included with other land for agricultural or Standard. other primary industry use, due to factors such as:

 - (i). limitations created by any existing use and/or development surrounding the site; and
 - (ii). topographical features;
 - (iii). poor capability of the land for primary industry; or
- c) the location of the use on the site is The proposal relies upon subclause reasonably required for efficiency.

operational P3(a) for compliance with the Standard.

Performance Criteria P4 It must be demonstrated that: **Subclause** Assessment

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a)	emissions	are	not	likely	to	cause	an
	environme	ntal	nuis	ance;	an	d:	

The proposed visitor accommodation use is a low impact use and is unlikely to cause any environmental nuisances that would have the ability to impact sensitive uses to the south and south-east within the settlement of Bridport due to the significant separation distance.

b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and

The proposed use will not confine or restrain surrounding primary industry uses on the basis that the nature of the proposed use is a non-sensitive use and will be removed from agricultural land that does not form part of the site.

c) the capacity of the local road network can accommodate the traffic generated by the use.

It is considered that Waterhouse Road has capacity to accommodate the traffic generated by the proposed visitor accommodation use on the basis that it satisfies clause E4.6.1 A3 which relates to vehicle movements at the existing junction from Waterhouse Road.

Performance Criteria P5

It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:

the I	ocal area having regard to:	
Sub	clause	Assessment
a)	the impacts on skylines and ridgelines;	The area of the site that will contain the proposed use and development is not located on a skyline or ridgeline.
b)	visibility from public roads; and	The proposed use and development will be setback a minimum distance of approximately 630m from Main Street to the west and 667m from Waterhouse Road to the south. These distances will assist to soften and minimise the size, scale and bulk of the development within the landscape when viewed from Waterhouse Road and Main Street along with the natural buffering provided by the undulating dune formation, retention of coastal vegetation around the perimeter of the site and the use of natural and muted external materials which will produce low reflectivity and low contrast within the landscape.
c)	the visual impacts of storage or materials or equipment; and	The proposed visitor accommodation use does not involve the storage of materials or equipment.
d)	the visual impacts of vegetation clearance or retention.	Some vegetation is proposed to be removed. The structure of the vegetation is predominately low lying coastal scrub and heath. New coastal vegetation will be planted around the buildings to soften the development.
e)	the desired future character statements.	The proposed use and development will be consistent with the desired future character



statement insofar as it will not be discordant with the existing rural landscape which includes buildings along the coastline.

Requested Item 3

Major Tourism Zone

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Major Tourism Zone, to the satisfaction of Council's Town Planner.

6ty° Response

30.0 Major Tourism Zone

30.3 l	30.3 Use Standards				
Standard/Requirement		Assessment	Compliance		
30.3. ²	If for permitted or no permit required uses.	Use of land for Visitor Accommodation is listed as a 'Permitted' use within Table 30.2.	Complies with Acceptable Solution.		

30.4	30.4 Development Standards			
Stand	dard/Requirement	Assessment	Compliance	
30.4.	1 Building Design and Siting			
A1	Building height must not exceed 6m.	Proposed Unit 19 will have a building height of 8.6m and proposed Unit 20 will have a building height of 8.975m.		
A2	Buildings must be set back a minimum of:			
	(a) 10 metres; and	Proposed Unit 19 and 20 will be setback greater than 10m from the frontage of the site.	Complies with Acceptable Solution	
	(b) 200m to the rural resource zone where a sensitive use is proposed.	The proposal does not involve a sensitive use.	Not applicable	
A3	Side and rear setbacks must be a minimum of:		Complies with	



30.4 Development Standards	30.4 Development Standards				
Standard/Requirement	Assessment	Compliance			
		Acceptable Solution			
(a) 10 metres; and	Proposed Unit 19 will be setback 21m from the northern boundary and proposed Unit 20 will be setback 26m from the northern boundary. The units will be setback greater than 10m from all other boundaries.				
(b) 200m to the rural resource zone where a sensitive use is proposed.	l ' '	Not applicable			

Clause 30.4.1 Building Design and Siting – Performance Criteria P1

The objective of the standard is:

To ensure that the design and siting of development:

- a) protects the amenity of surroundings uses; and
- b) furthers the local area objectives and desired future character statements, if any.

Performance Criteria Assessment

Performance Criteria P1				
Building height must:				
Subclause	Assessment			
(a) respond to the site context and the local area objectives, if any, for the provision of tourist uses and development; and				



that is appropriate to the uses, having regard to:

(b) protect the amenity of adjoining The adjoining property is the coastal sensitive uses from the impacts of reserve to the north which does not contain unreasonable overshadowing and sensitive uses. Accordingly, this provision overlooking by providing separation is not considered applicable to the proposal.

- (i) the form of the building;
- (ii) the contours or slope of the land; and
- (iii) existing screening or the ability implement/establish screening.

Requested Item 4

Road and Railway Assets Code

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Road and Railway Assets Code, to satisfaction of Council's Town Planner.

Where required to demonstrate compliance with an applicable performance criteria, prepare and submit a Traffic Impact Assessment (TIA) undertaken in accordance with Traffic Impact Assessment Guidelines, Department of Infrastructure, Energy and Resources 2007. Australian Guidelines and Australian Standards to be used as the basis for any required road or junction design. This TIA must respond to the applicable performance criteria and be accompanied by written advice as the adequacy of the TIA from the road authority in respect of the applicable road.

6ty° Response

E4.0 Road and Railway Assets Code

E4.6	E4.6 Use Standards			
Stand	dard/Requirement	Assessment	Compliance	
E4.6.	1 Use and Road or Rail Infra	structure		
A3	For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	Barnbougle Dunes currently generates on average ~75 vehicle visitations per day at the Waterhouse Road junction from the existing agricultural, visitor accommodation, golf course, clubroom and restaurant uses. This equates to approximately 54,740 AADT entry and exit movements at the existing	•	

E4.6 Use Standards			
Standard/Requirement	Assessment	Compliance	
	junction with Waterhouse Road.		
	1		
	proposed visitor accommodation will absorb existing traffic movements		
	that currently occur at the existing junction. Any incidental occupancy of the visitor accommodation is		
	unlikely to increase the AADT traffic movements at the existing junction by		
	more than 10% which equates to 15 additional vehicle movements per day.		



Requested Item 5

Flood Prone Areas Code

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Flood Prone Areas Code, to satisfaction of Council's Town Planner.

Where required to demonstrate compliance with an applicable performance criteria, submit a Flood Impact Assessment Report prepared by a suitably qualified person that undertakes an assessment of risk in accordance with Table E5.1 AS/NZS 4360:2004 Risk Consequence and Likelihood that demonstrates compliance with the relevant performance criteria.

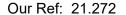
6ty° Response

The Flood Prone Areas Code has been addressed in the accompanying Coastal Erosion and Inundation Risk Assessment prepared by Burbury Consulting dated February 2023 (the **Coastal Risk Assessment**).

The Coastal Risk Assessment concluded that the proposal is able to satisfy the applicable provisions of the Flood Prone Areas Code subject to adhering to the recommendations listed in Section 5. The key recommendation relative to the Flood Prone Areas code relates to the minimum building floor levels for each building to be RL 2.8m and for all habitable buildings to be RL 3.1m AHD. Table 2 details the finished floor levels for each proposed building in response to this recommendation, noting that all buildings will be at least RL 2.8m.

Table 1 - Required and Proposed Finished Floor Levels of Habitable Buildings

Unit	Required Finished Floor Level	Proposed Finished Floor Level
01	RL 3.1m AHD	RL 6.45 AHD
02	RL 3.1m AHD	RL 6.30 AHD
03	RL 3.1m AHD	RL 6.30 AHD
04	RL 3.1m AHD	RL 6.30 AHD
05	RL 3.1m AHD	RL 6.30 AHD
06	RL 3.1m AHD	RL 6.30 AHD
07	RL 3.1m AHD	RL 6.30 AHD
08	RL 3.1m AHD	RL 6.30 AHD
09	RL 3.1m AHD	RL 6.30 AHD
10	RL 3.1m AHD	RL 6.30 AHD
11	RL 3.1m AHD	RL 8.00 AHD
12	RL 3.1m AHD	RL 7.22 AHD
13	RL 3.1m AHD	RL 8.00 AHD
14	RL 3.1m AHD	RL 8.00 AHD
15	RL 3.1m AHD	RL 8.00 AHD



Unit	Required Finished Floor Level	Proposed Finished Floor Level
16	RL 3.1m AHD	RL 7.50 AHD
17	RL 3.1m AHD	RL 7.50 AHD
18	RL 3.1m AHD	RL 7.50 AHD
19	RL 3.1m AHD	RL 12.00 AHD
20	RL 3.1m AHD	RL 12.00 AHD

Requested Item 6

Car Parking and Sustainable Transport Code

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria within the Car Parking and Sustainable Transport Code, to satisfaction of Council's Town Planner.

Provide a car parking plan drawn to scale and dimensions that details:

- (i). all car spaces to be provided on the site (or being relied on as part of the development);
- (ii). Access strips and manoeuvring and circulation spaces;
- (iii). All access strips onto the site from the roads;
- (iv). Details of the existing and proposed surface treatments for all car parking access strips and manoeuvring and circulation spaces.

6ty° Response

E6.6 Use	Standards		
Standard	/Requirement	Assessment	Compliance
E6.6.1 Ca	ar Parking Numbers		
A1	The number of car parking spaces must not be less than the requirements of:		
	(a) Table E6.1;	Table E6.1 requires 1 car parking space per unit. In this instance, each proposed visitor accommodation unit will be provided with a	with Acceptable

E6.6 Use Standards			
Standard/Requirement	Assessment	Compliance	
	minimum of 1 car parking space.		
(b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential zone).	The site is not within a parking precinct plan.	Not applicable.	

E6.7	E6.7 Development Standards			
Stand	lard/Requirement	Assessment	Compliance	
E6.7.	1 Construction of Car Parking	Spaces and Access Strips		
A1	All car parking, access strips manoeuvring and circulation spaces must be:			
	(a) formed to an adequate level and drained; and	The surface will be formed to be level that will allow for drainage off the internal road with runoff capable of being managed within the boundaries of the site.	Complies with Acceptable Solution.	
	(b) except for a single dwelling, provided with an impervious all weather seal; and	The surface will be compacted gravel and will not be provided with an all-weather seal.	Relies on Performance Criteria.	
	(c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	The surface will be compacted gravel with car parking spaces delineated by virtue of being contained under or adjacent to each individual building.	Complies with Acceptable Solution.	
E6.7.2	2 Design and Layout of Car Pa	arking		
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and	All car parking spaces will be located behind the building line relative to other buildings located on	Complies with	

E6.7	Development Standards		
Stand	lard/Requirement	Assessment	Compliance
	carports for dwellings in the General Residential Zone) must be located behind the building line; and	the site which are between the proposed building areas and the frontage of the site.	Acceptable Solution.
A2.1	Car parking and manoeuvring space must		
	(a) have a gradient of 10% or less; and	The proposed car parking areas will be located on a level benched area of the site.	Complies with Acceptable Solution.
	(b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	Vehicles are able to enter and exit the site in a forward direction.	Complies with Acceptable Solution.
	(c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and	The width of the main access will be access will be access will be approximately 8m and individual driveway accesses will have a minimum width of 3.5m car parking spaces will be a minimum of 5.4m in length and 3m in width, satisfying the requirements of Tables E6.2 and E6.3.	Complies with Acceptable Solution.
A2.2	The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.	The proposed car parking and vehicle circulation will be capable of satisfying Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.	Complies with Acceptable Solution.
E6.7.3	3 Car Parking Access, Safety	and Security	
A1	Car parking areas with greater than 20 parking spaces must be:	The proposal will be provided with less than 20 designated car parking spaces.	Not Applicable.
	a) secured and lit so unauthorised persons cannot enter; or		

E6.7 I	Development Standards		
Stand	lard/Requirement	Assessment	Compliance
	b) visible from buildings on or adjacent to the site during the times when parking occurs.		
E6.7.4	Parking for Persons with a I	Disability	
A1	All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	Any spaces for persons of a disability are capable of being located adjacent to the proposed buildings.	Complies with Acceptable Solution.
A2	Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Offstreet parking for people with disabilities.	Any spaces for persons of a disability are capable of being designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Offstreet parking for people with disabilities.	Complies with Acceptable Solution.
E6.7.6	Coading and Unloading of V	ehicles. Drop-off and Pickup	
A1	For retail, commercial, industrial, service industry or warehouse or storage uses:	The proposal is categorised into the Resource Processing Use Class and does not involve retail, commercial, industrial, service industry, warehousing or storage uses.	Not Applicable.
	(a) at least one loading bay must be provided in accordance with Table E6.4; and		
	(b) loading and bus bays and access strips must be designed in accordance with Australian Standard AS/NZS 2890.3 2002 for the type of vehicles		

E6.7 [Development Standards		
Stand	ard/Requirement	Assessment	Compliance
	that will use the site.		
E6.8.2	Parking Access, Sat	fety and Security	
A1.1	A1.1 Bicycle parking spaces for customers and visitors must:		
	(a) be accessible from a road, footpath or cycle track; and	The proposal is not required to provide bicycle parking.	Not applicable.
	(b) include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993; and	The proposal is not required to provide bicycle parking.	Not applicable.
	(c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and	The proposal is not required to provide bicycle parking.	Not applicable.
	(d) be available and adequately lit in accordance with Australian Standard AS/NZS 1158 2005 Lighting Category C2 during the times they will be used; and	The proposal is not required to provide bicycle parking.	Not applicable.
A1.2	Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	The proposal is not required to provide bicycle parking.	Not applicable.

E6.7	Development Standards		
Stand	ard/Requirement	Assessment	Compliance
A2	Bicycle parking spaces must have:		
	(a) minimum dimensions of: i. 1.7m in length; and ii. 1.2m in height; and iii. 0.7m in width at the handlebars; and	The proposal is not required to provide bicycle parking.	Not applicable.
	(b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	The proposal is not required to provide bicycle parking.	Not applicable.
E6.8.5	Pedestrian Walkways		
A1	Pedestrian access must be provided for in accordance with Table E6.5.	Car parking spaces will be located under or adjacent to each individual dwelling where there will be a minimum of a 1m wide pedestrian space between the access way and building in accordance with Table E6.5.	Complies with Acceptable Solution.

Requested Item 7

Biodiversity Code

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Biodiversity Code, to satisfaction of Council's Town Planner.

6ty° Response

E8.0 Biodiversity Code



E8.6	E8.6 Development Standards			
Stand	dard/Requirement	Assessment	Compliance	
E8.6.	1 Habitat and Vegetation Ma	nagement		
A1.1	Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan; or	The proposed development areas are not located within a priority habitat.	Not applicable.	
A1.2	Development does not clear or disturb native vegetation within areas identified as priority habitat.	areas are not located within	Not applicable.	
A2	Clearance or disturbance of native vegetation is in accordance with a certified Forest Practices Plan.	Clearance of some native vegetation is required to accommodate the proposed development. A Certified Forest Practices Plan has not been obtained for the relevant vegetation clearance.	Not applicable.	

Clause E8.6.1 Habitat and Vegetation Management - Performance Criteria -

Performance Criteria P2.1

Clearance or distribution of native vegetation must be consistent with the purpose of this Code and not unduly compromise the representation of species or vegetation communities of significance in the bioregion having regard to the:

Subclause Assessment

Preamble

A Council officer who has experience in natural values, visited the site on 19 October 2022. Whilst several native flora and fauna species were identified within the vicinity of proposed development, the general observation was that no threatened flora and fauna species were identified and the proposed development are predominately comprises weeds and sown pasture.

In this regard, TASVEG 4.0 mapping identifies the majority of the building area as modified land which reflects the modified nature of the land observed on site.

a) quality and extent of the vegetation or habitat affected by the proposal, diversity and its value as a wildlife corridor: and

The quality and extent of the vegetation and habitat proposed to be removed is including the maintenance of species considered to be low. There are native flora species which will be removed, however they are not identified as threatened species or part of a threatened vegetation community. The coastal fauna that roam the building area will not be significantly displaced by the proposed development on the basis that they are able to continue to



b) means of removal;

use the coastal reserve to the north and the pasture land to the south of the access road which transitions into the riparian area of Trent Waters.

The vegetation will be removed by an excavator. The extent of vegetation to be removed will be limited to the immediate area of each building area.

c) value of riparian vegetation in protecting habitat values;

The proposal will not involve vegetation removal within proximity to the riparian zone associated with Trent Water.

d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, in proximity to habitat or vegetation;

Impacts of siting the proposed development in proximity to vegetation and habitat will be minimised by siting buildings in individual locations which will allow vegetation between each building area to be retained.

e) need for and adequacy of proposed vegetation or habitat management;

Areas around each building will be reinstated with vegetation to provide for privacy between buildings and to soften the development within the landscape. Specific landscape or vegetation management plans are able to be produced at the building application stage to show the extent and type of vegetation and landscaping proposed around each building.

f) conservation outcomes and long-term security of any offset in accordance with General Offset Principles for the a RMPS. Industries. Parks. Water Environment.

The vegetation to be removed is not identified as threatened vegetation or part of threatened vegetation community. Department of Primary Accordingly, it is not considered necessary and to offset other vegetation for conservation purposes. Notwithstanding, there are other parts of the site that are capable of being preserved for conservation purposes if this is deemed necessary.

Clause E6.7.1 Construction of Car Parking Spaces and Access Strips -Performance Criteria P2

The objective of the standard is:

To ensure that car parking spaces and access strips are constructed to an appropriate standard.

Performance Criteria Assessment

Performance Criteria P1	
Subclause	Assessment
	The proposed access and car parking areas will be constructed with compacted gravel which will further compact through usage. While gravel allows some water permeation, drainage measures will be installed to minimise waterlogging of the road surface. In addition, the road surface is required to be raised to in accordance with the



recommendations from Burbury Consulting in response to inundation and flood hazards which will further minimise waterlogging. It will therefore be useable in all weather conditions.

Requested Item 8

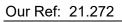
Water Quality Code

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Water Quality Code, to satisfaction of Council's Town Planner.

Where required to demonstrate compliance with the applicable performance criteria, prepare and submit a Soil and Water Management Plan prepared by a suitably qualified person that details sediment and erosion control measures on a site in response to the relevant performance criteria.

6ty° Response

E9.6 Development Standards			
Stand	dard/Requirement	Assessment	Compliance
C9.6.	1 Development and Construct	ion Practices and Riparian Vo	egetation
A1	Native vegetation is retained within:		
	(a) 40m of a wetland, watercourse or mean high water mark.	The proposal will involve some removal of native vegetation within 40m of the bar marsh wetland and the mean high water mark (refer to image below).	Relies on Performance Criteria.
	Mean High Water Coastal Flat – Bar Ma		→ 29 99 → 1



E9.6	E9.6 Development Standards			
Standard/Requirement		Assessment	Compliance	
A2	A wetland must not be filled, drained, piped or channelled.	The proposal does not involve filling, draining, piping or channelling of the bar marsh wetland. In this regard, the proposed road will be located on established pastureland (refer to images below).	with Acceptable	

Image 1 - photograph showing the area of the area of the site that will accommodate the proposed road.



Image 2 - photograph showing the area of the area of the site that will accommodate the proposed road.



A3 A watercourse must not be The proposal does not Complies filled, piped or channelled involve the filling, piping or with

E9.6	Development Standards		
Stan	dard/Requirement	Assessment	Compliance
	except to provide a culvert for access purposes.	channelling of a watercourse.	Acceptable Solution.
E9.6.	2 Water Quality Management		
A1	All stormwater must be:		
	(a) Connected to a reticulated stormwater system; or	The proposal relies on subclause (c) for compliance with the standard.	Not Applicable.
	(b) Where ground surface runoff is collected, diverted through a sediment trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or	The proposal relies on subclause (c) for compliance with the standard.	Not Applicable.
	(c) diverted to an onsite system that contains water within the site.	It is proposed to manage all stormwater runoff from rooves and vehicle hardstand on-site. In this regard, each proposed building will be provided with a rain water tank and hardstand runoff will be diverted to adjacent drains. The site has sufficient pervious surfaces and soil conditions to allow for the demands of on-site drainage. It is envisioned that onsite stormwater management is capable of being addressed under the Building Act 2016 at the time application is made for a Plumbing Permit for individual buildings.	Complies with Acceptable Solution.
A2.1	No new point source discharge directly into a wetland or watercourse.	The proposal does not involve a new point source discharge directly into the	Not Applicable.

E9.6 [Development Standards		
Stand	lard/Requirement	Assessment	Compliance
		adjacent bar marsh wetland.	
A2.2	For existing point source discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existing at the effective date.	The proposal does not involve discharge into an existing point source discharge.	Not Applicable.
E9.6.3	3 Construction of Roads		
A1	A road or track does not cross, enter or drain to a watercourse or wetland.	The proposed road will enter into the northern perimeter of the bar marsh wetland.	
E9.6.4	4 Access		
A1	No Acceptable Solution	There is not Acceptable Solution. On the other hand, the corresponding Performance Criteria deals with matters relating to new access points to wetlands and watercourses. In this instance, the access road is existing and the proposal involves the upgrading of the access road. Accordingly, the provision is not considered to be applicable to the proposal.	Not Applicable.
A2	No Acceptable Solution	There is no Acceptable Solution and the corresponding Performance Criteria deals with a matter that will be affected by the proposal.	Relies on Performance Criteria.
E9.6.5	Sediment and Erosion Cont	rol	
A1	The subdivision does not involve any works.	The proposal does not involve subdivision of land.	Not Applicable.

Performance Criteria Assessment

E9.6.1 Development and Construction Practices and Riparian Vegetation – Performance Criteria P1

Our Ref: 21.272



The objective of the standard is:

To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.

Performance Criteria Assessment

Performance Criteria P1				
Native vegetation removal must submit demonstrate:	a soil and water management plan ¹ to			
Subclause	Assessment			
(a) revegetation and weed control of areas of bare soil;	all disturbance around each building area will be reinstated with vegetation that is suitable for the purposes of providing permanent cover of exposed soil and sediments. Coastal vegetation will be reinstated around each building			

plans adopted for the golf course will be applied to the proposed development area and maintained for the duration of the use and development.

- (b) the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and
- 1. Roofed stormwater runoff will be captured in water tanks for reuse on the site.

for landscaping purposes.

impact upon the shoreline.

3. existing weed control management

maintaining

2. in this regard, the landowner is committed to managing and foreshore

vegetation between and around each proposed building and the coastal boundary pre and post development and following storm events and any other events that

dune

- 2. new silt fences will be located on the lower side of each building area. The silt fences will be supported by 1.5m star droppers at 2m centres with joints to be overlapped by 2m. The toe of each silt fence will be places in a 150mm deep by 150mm wide trench with compacted back fill for additional reinforcement.
- 3. If required, stripped topsoil or substrate material will be stockpiled for reuse around the disturbed

Page 27 of 30

¹ The soil and water management plan is considered to constitute the commitments and information provided in the response to the Performance Criteria.

Our Ref: 21.272



areas of the site. The material will be places in a location adjacent to each building area. The stockpile will be low (Max 1.5m High) and seeded if being maintained onsite for the duration of construction. Silt traps (detailed in point 1 above) will be located on the low side of the stockpile to prevent movement of sediment and erosion of the stockpile.

4. All vegetation located on the southern side of the proposed road will be retained in situ (unless required to be removed for a different purposes allowable by the Scheme) which will provide a buffer between the building areas and wetland and watercourses further south.

It is noted that the proposed development will occupy a small proportion of the site leaving a significant area to allow for absorption of water.

(c) the disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.

The vegetation to be removed within the designated building areas is remote from the watercourses that form part of the wetland system. The removal of vegetation will therefore not affect the hydrological features or functions of the wetland.

E9.6.3 Construction of Roads – Performance Criteria P1

The objective of the standard is:

To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.

Performance Criteria Assessment

Performance Criteria P1 **Subclause** Assessment Road and private tracks constructed within The Wetlands and Waterway Works 50m of a wetland or watercourse must Manual 2 is focussed on works within a comply with the requirements of the waterway or wetland. Whilst part of the road Wetlands and Waterway Works Manual, and other development areas are mapped particularly the guidelines for siting and as being within a wetland area, the location designing stream crossings. of the access road and building areas are physically located above the wetland and on existing pasture land. It is expected that the proposed construction method for the access pavement, being compacted gravel

Page **28** of **30**

² https://nre.tas.gov.au/Documents/2-Construction-of-Wetlands.pdf?



with appropriate drainage that will be located sited away from the physical parts of the wetland, will not be discordant with the purpose of the Wetlands and Waterway Works Manual. Furthermore, the proposal does not involve any stream crossings.

E9.6.4 Access – Performance Criteria P2

The objective of the standard is:

To facilitate appropriate access at suitable locations whilst maintaining the ecological, scenic and hydrological values of watercourses and wetlands.

Performance Criteria Assessment

Performance Criteria P1	
Subclause	Assessment
	The proposed access pavement will be constructed approximately 6m in width and will be at least 200mm deep. Drainage will be provided on upper and lower sides to manage stormwater runoff. Drainage will include absorption trenches with scouring control. It is noted that the road will be constructed at a level that accords with the Coastal Risk Assessment.

Requested Item 9

Coastal Code

Demonstrate compliance with the acceptable solutions and/or performance criteria of the Coastal Code, to satisfaction of Council's Town Planner.

Where required to demonstrate compliance with an applicable performance criteria, submit a Coastal Impact Assessment Report prepared by a suitably qualified person that undertakes an assessment of risk in accordance with Table E14.1 AS/NZS 4360:2004 Risk Consequence and Likelihood that demonstrates compliance with the relevant performance criteria.

6ty° Response

The Coastal Code has been addressed in the accompanying Coastal Erosion and Inundation Risk Assessment prepared by Burbury Consulting dated February 2023 (the **Coastal Risk Assessment**).

The Coastal Risk Assessment determined that the proposed use and development satisfies the Coastal Code insofar as a reduced risk level can be achieved subject to adhering to the recommendations set out in Section 5. These recommendations have been integrated into the development plans.

Page **29** of **30**



Please do not hesitate to contact me should you require any further information.

Yours faithfully

6ty° Pty Ltd

George Walker

Director/Planning Consultant

From: James Burbury

Sent: Tuesday, 2 May 2023 9:00 AM

To: George Walker

Subject: RE: PLA/2022/107 - Request for Additional Information - 6ty Degrees - Visitor

Accommodation (20 Units) - 429 Waterhouse Road Bridport

This message was sent from outside your organisation. Do not click links or open attachments unless you know the content is safe.

Hi George,

The context of that statement was due to the fact we are across works currently being explored in relation to the port entrance and noting that those works would not adversely impact the proposal nor vice versa. If a port entrance is upgraded with sand bypass facility, then sand transfer can be controlled and we have a comfort level that risk of erosion is therefore low due to capacity to influence sand renourishment through a bypass.

Without a sand bypass the site retains its natural form and as we outlined in Section 3.3 and 3.6 of the report the natural processes over the last 70 years (1956-2023) have resulted in a well maintained shoreline in the area of development with no signs of beach recession and a stable beach profile, well vegetated and as a result low risk of coastal erosion as long as the recommendations in Section 3.7 are maintained.

Regards

James Burbury Managing Director



www.burburyconsulting.com.au

This email and any attachments are confidential. If you have received this message in error, please notify us and remove it from your system.

From: George Walker

Sent: Tuesday, May 2, 2023 8:02 AM

To: James Burbury

Subject: RE: PLA/2022/107 - Request for Additional Information - 6ty Degrees - Visitor Accommodation (20 Units) -

429 Waterhouse Road Bridport

Hi James,

Any progress with this? Regards,

George

From: James Burbury
Sent: Monday, April 17, 2023 6:55 PM
To: George Walker

Subject: Re: PLA/2022/107 - Request for Additional Information - 6ty Degrees - Visitor Accommodation (20 Units) - 429 Waterhouse Road Bridport

This message was sent from outside your organisation. Do not click links or open attachments unless you know the content is safe.

Hi George,

Can'	t recall	the	context	but	will	che k	and	resi	pond	tomorro	w.

Regards

James Burbury Managing Director

www.burbury consulting.com.au

This email and any attachments are confidential. If you have received this message in error, please notify us and remove it from your system.

Sent from iPhone

u are well.
have represented to any side come additional information by Court il for Down to see
been requested to provide some additional information by Council for Barnbougle.
re your input in relation to Item 5 which is as follows:
tal Report states in response to E14.5.1 P1.2 that 'subject to future infrastructure of entrance (Bridport Foreshore Master Plan), this will provide protection, this will provide to the current proposed development, reducing the erosion risk to low.' If the new does not occur (or does not occur within a short-medium term period) will the erosiw? Or would it be raised to medium instead?
ble to provide a response to this (email is fine)?
omas Wagenknecht
dnesday, April 5, 2023 5:57 PM ge Walker
and

From: Thomas Wagenknecht

Sent: Tuesday, 9 May 2023 5:21 PM

To: 'George Walker'
Cc: Rohan Willis

Subject: FW: PLA/2022/107 - Request for Additional Information - 6ty Degrees - Visitor

Accommodation (20 Units) - 429 Waterhouse Road Bridport

Attachments: 21.272 - Revised Elevation Plans.pdf; 21.272 - Response to Council RFI - 2022-107 -

429 Waterhouse Road, Bridport - V3.pdf; 21.272 - Burbury Consulting - Additional

Advice.pdf

Hi George,

Thanks for sending through the attached revised documents and additional comments from Burbury.

I'm content that the attached and previously supplied documentation satisfies the RAI and that the application assessment timeframe can recommence in accordance with s54(2) of the LUPA Act.

As such, I will arrange for the application to commence its public advertising period this Saturday.

Kind regards,



THOMAS WAGENKNECHT |

REGULATORY SERVICES MANAGER |

P: (03) 6352 6500 | F: (03) 6352 6509

PO Box 21 Scottsdale 7260 | 3 Ellenor Street Scottsdale 7260

it's In the making

From: George Walker

Sent: Friday, 5 May 2023 3:19 PM

To: Thomas Wagenknecht

Subject: RE: PLA/2022/107 - Request for Additional Information - 6ty Degrees - Visitor Accommodation (20 Units) -

429 Waterhouse Road Bridport

Good afternoon Thomas,

I hope you are well.

Please find attached our response to Council's request for additional information.

Please let me know if anything has been missed.

Regards,

George

Original Advertised Plans



NOTICE OF PLANNING APPLICATION

LAND USE PLANNING & APPROVALS ACT 1993

In accordance with Section 57 (3) of the Land Use Planning & Approvals Act 1993 notice is hereby given that the following application has been received:

DA No: 2022/107

PROPOSAL: VISITOR ACCOMMODATION (20 UNITS)

APPLICANT: 6TY PTY LTD

LOCATION: F/R 200350/1 WATERHOUSE ROAD BRIDPORT AND 429 WATERHOUSE ROAD BRIDPORT

The application and associated plans and documents will be available for inspection at the Council Offices, 3 Ellenor Street, Scottsdale during normal office hours ending on 27/05/2023.

Further, in accordance with Section 57 (5) of the Land Use Planning & Approvals Act 1993 any persons may make representations relating to the application which was advertised in The Examiner newspaper (Local Government Notices) on 13/05/2023. Representations must be addressed to the General Manager, Dorset Council, PO Box 21, Scottsdale 7260.

If you have any queries could you please contact the Dorset Council on **03 6352 6500** during normal office hours.

John Marik GENERAL MANAGER

F/R 200350/1 Waterhouse Road Bridport and 429 Waterhouse Road Bridport (2022/107)



Original Advertised Plans



Planning Permit Application

Please print all applicable details clearly

THE PROPOSAL	
Describe in full the way it is proposed to use and/or develop the land:	 ⇒ Provide a full description of the proposed use or development, including: Building work Change of use Subdivision Forestry Demolition Staging (if development is proposed to be carried out in stages, indicate this on the plans and describe in written material) Signage Other
THE LAND	
Address	Certificate of Title (include all applicable title references) Volume: Folio:
Land Area (m² or hectares):	
Present use of land:	 ⇒ Provide a description of the existing use of the land, for example vacant, residential, agriculture, industrial, commercial
Present use of existing building(s):	⇒ Provide a description of the use of the existing buildings on the land, for example dwelling, workshop, farm building, office, shop
THE APPLICANT (Note: the person to be nominated as the Appli public notification purposes and permit issue) Applicant's Name:	icant is the one whose name will appear for
••	I pu
Address:	Phone:
	Fax:
	Mobile:
Email:	•

THE OWNER Owner's Name(s): Phone: Address: Fax: Mobile: Email: CROWN AND/OR COUNCIL CONSENT [to be completed where land in respect of the Application is (i) Crown land (within the meaning of the Crown Lands Act 1976) or (ii) owned or administered by the Crown or a Council] Owner / Administrator's Name(s): Person signing the Application: ⇒ to be completed by a person conferred the authority to ensure compliance with Section 52(1B)(a) of the Land Use Planning and Approvals Act 1993). Signature: Date: **DETAILS OF BUILDING WORK** (to be completed if Application requires building work) Value of building work: ⇒ Please tick applicable box: ☐ Estimate ☐ Contract Price Type of work: ⇒ For example, new building, alteration, addition, removal, repairs, demolition, re-erection, change of use Proposed use of building: ⇒ Describe the main use of the proposed building, for example, dwelling, workshop, farm building, office, shop Existing floor area: New / additional floor area: Proposed maximum building height above natural ground level: __m² m² Materials: structural floor: external walls: colour:____

colour:_____

roof cladding:

structural frame:

DETAILS OF OTHER WORKS

DETAILS OF STITLING	<u> </u>	
Vehicle Access:		
Is a new vehicle access or c	rossover required? (if so, ensure this is indicated o	on the plans)
What would be the surfacing	of the vehicle access?	
Car Parking:		
How many car parking space	es are currently provided?	
How many additional car par	rking spaces would be provided?	
What would be the surfacing	of the car parking spaces?	
Is provision made for loading industry or storage uses)	g and unloading of vehicles? (to be completed for re	etail, commercial, industrial, service
Describe any proposed earth	nworks, vegetation removal or other works required	d as part of the use and/or development:
DETAILS OF OTHER M.	ATTERS	
Proposed hours of operation		
Monday to Friday:	am topm	
Saturday:	am topm	
Sunday:	am topm	
Provide details of any goods	that would be stored outside:	
Unless required by law or by	tted to upholding the right to privacy of all individe a Court or tribunal, the Council will take the necesse public share with the Council remains confidentia	cessary steps to ensure that the persona
	rotection Policy which is available at www.dorset.ta	•
	are available to assist you with the submission of yntacting Regulatory Services on 6352 6500.	your Application, it is advisable to
Date:	Fime: Council Officer:	

Copyright Authority

I authorise the Council and the Crown in right of the state of Tasmania to provide to any person, for the purposes of assessment or public consultation, a partial or complete copy of documents relating to this application.

I understand that the information and materials provided with this Application may be made available to the public in electronic form on the Council's website. I understand that the Council may make such copies of the information and materials as, in its opinion, are necessary to facilitate a thorough consideration of the Application.

I declare that the information given is a true and accurate representation of the proposed use and/or development, and I am liable for the payment of

Council application processing fees even in the event of the use and/or development proposed by this Application not proceeding.

I confirm I am the copyright owner or have the authority to sign on behalf of any other person with copyright for documents relating to this Application.

I indemnify the Dorset Council for any claim or action taken against it in respect of breach of copyright in respect of any of the information or material provided.

Note: This authority is intended to cover copies made by the Crown or Council under Sections 40, 43, 49 or 183 of the Copyright Act 1968.

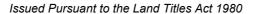
Where the applicant is NOT the owner, I hereby declare that the owner of the land to which this application relates has been notified of this application being made and the information and details supplied by me in this application are a true and accurate description of the proposal.

Applicant's Signature:	Date:	



RESULT OF SEARCH

RECORDER OF TITLES





Original Advertised Plans

	Government
SEARCH OF TORRE	NS TITLE

VOLUME	FOLIO
131938	1
EDITION	DATE OF ISSUE
7	10-Jan-2017

SEARCH DATE : 21-Dec-2021 SEARCH TIME : 03.41 PM

DESCRIPTION OF LAND

Parish of SEABROOK, Land District of DORSET

Lot 1 on Plan 131938

Being the land firstly described in Conveyance 65/7912

Derivation: Part of 1800 acres Granted to A. Stephenson & M.M.

Stephenson

Derived from A17229

SCHEDULE 1

RICHARD GEOFFREY SATTLER

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

C682077 MORTGAGE to Tasmanian Perpetual Trustees Limited

Registered 03-Jan-2006 at noon

E78950 TRANSFER of MORTGAGE C682077 to MyState Bank Limited

Registered 01-Feb-2017 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

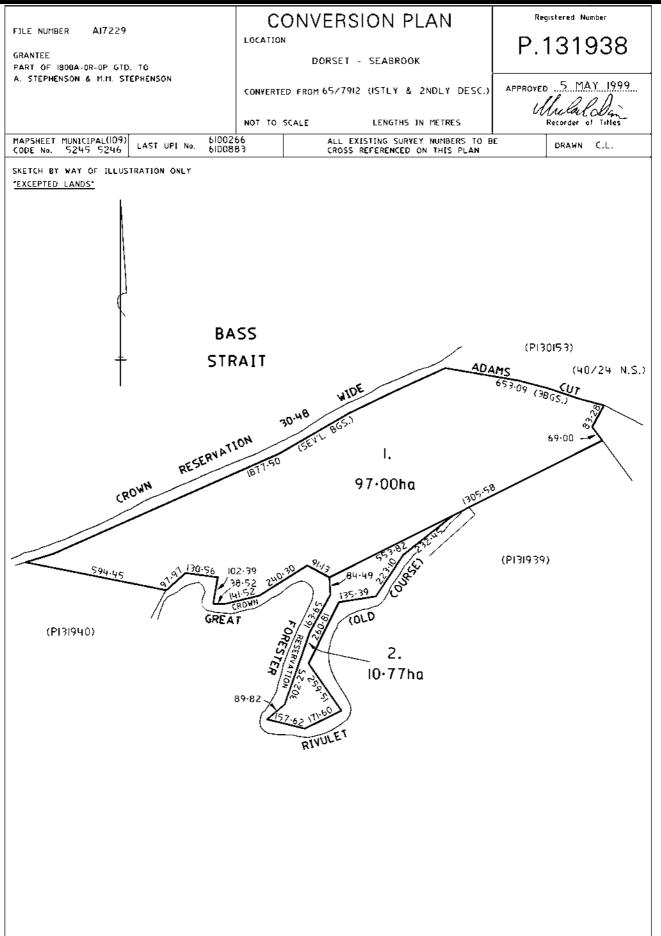


FOLIO PLAN

RECORDER OF TITLES



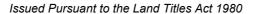
Issued Pursuant to the Land Titles Act 1980





RESULT OF SEARCH

RECORDER OF TITLES





SEARCH OF TORRENS TITLE

VOLUME	FOLIO
131938	2
EDITION	DATE OF ISSUE
6	10-Jan-2017

SEARCH DATE : 21-Dec-2021 SEARCH TIME : 03.42 PM

DESCRIPTION OF LAND

Parish of SEABROOK, Land District of DORSET

Lot 2 on Plan 131938

Being the land secondly described in Conveyance 65/7912

Derivation: Part of 1800 acres Granted to A. Stephenson & M.M.

Stephenson

Derived from A17229

SCHEDULE 1

RICHARD GEOFFREY SATTLER

SCHEDULE 2

Reservations and conditions in the Crown Grant if any		
C92369	MORTGAGE to Tasmanian Trustees Limited Registered	
	24-May-1999 at 12.01 PM	
C524460	MORTGAGE to Tasmanian Perpetual Trustees Limited	
	Registered 22-Aug-2005 at 12.02 PM	
E78950	TRANSFER of MORTGAGE C524460 to MyState Bank Limited	
	Registered 01-Feb-2017 at noon	
E78952	TRANSFER of MORTGAGE C92369 to MyState Bank Limited	
	Registered 01-Feb-2017 at noon	

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

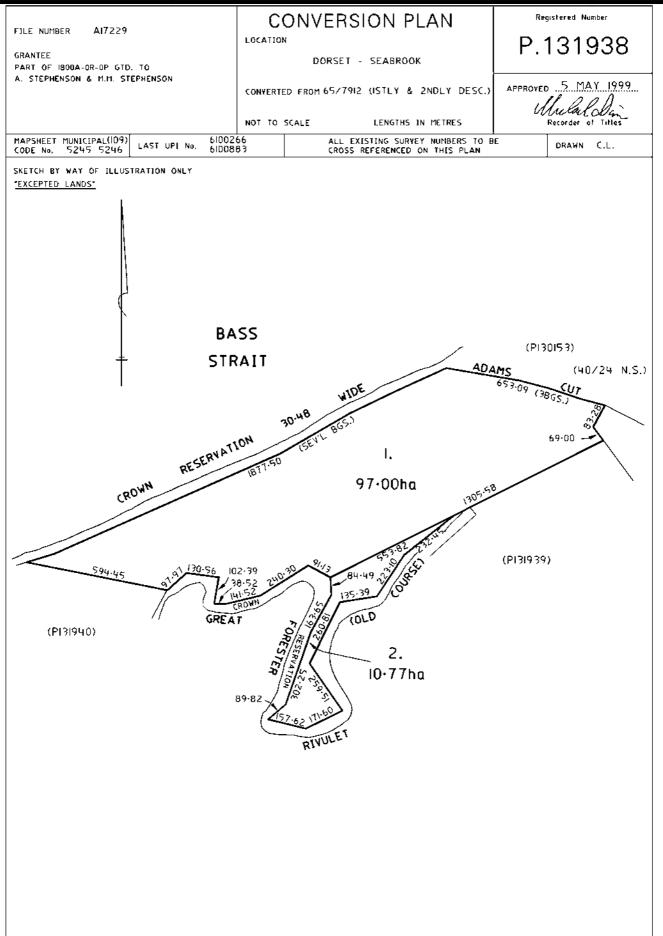


FOLIO PLAN

RECORDER OF TITLES



Issued Pursuant to the Land Titles Act 1980





RESULT OF SEARCH

RECORDER OF TITLES





SEARCH OF TORRENS TITLE

VOLUME	FOLIO
131939	1
EDITION	DATE OF ISSUE
6	10-Jan-2017

SEARCH DATE : 21-Dec-2021 SEARCH TIME : 03.42 PM

DESCRIPTION OF LAND

Parish of SEABROOK, Land District of DORSET

Lot 1 on Plan 131939

Being the land thirdly described in Conveyance 65/7912

Derivation: Part of 1800 acres Granted to A. Stephenson & M.M.

Stephenson

Derived from A17229

SCHEDULE 1

RICHARD GEOFFREY SATTLER

SCHEDULE 2

Reservat	ions and conditions in the Crown Grant if any
16/9471	CONVEYANCE: BURDENING EASEMENT: Right of Carriage Way
	(for Edward Buse Adams and Gordon Cyril Adams) over
	the roadway purportedly surrounded by green boundary
	lines on Indenture Number 16/9471
C92369	MORTGAGE to Tasmanian Trustees Limited Registered
	24-May-1999 at 12.01 PM
C524460	MORTGAGE to Tasmanian Perpetual Trustees Limited
	Registered 22-Aug-2005 at 12.02 PM
E78950	TRANSFER of MORTGAGE C524460 to MyState Bank Limited
	Registered 01-Feb-2017 at noon
E78952	TRANSFER of MORTGAGE C92369 to MyState Bank Limited
	Registered 01-Feb-2017 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN

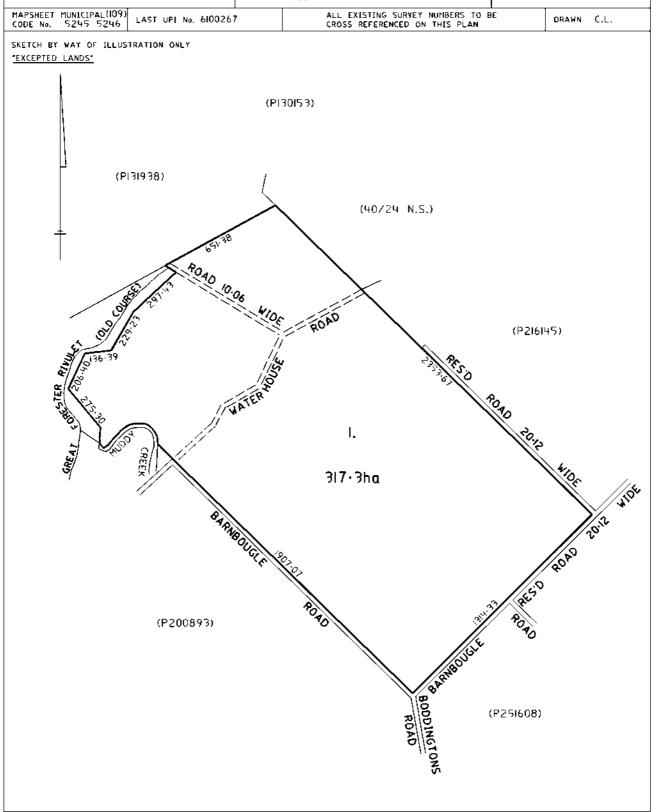
RECORDER OF TITLES



Issued Pursuant to the Land Titles Act 1980

Government

Registered Number **CONVERSION PLAN** FILE NUMBER AI7229 LOCATION P.131939 GRANTEE DORSET - SEABROOK PART OF 1800A-OR-OP GTD. TO A.STEPHENSON & M.M. STEPHENSON APPROVED .5 MAY 1999 CONVERTED FROM 65/7912 (3RDLY DESC.) NOT TO SCALE LENGTHS IN METRES MAPSHEET MUNICIPAL(109) CODE No. 5245 5246 ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN DRAWN C.L. LAST UPI No. 6100267 SKETCH BY WAY OF ILLUSTRATION ONLY "EXCEPTED LANDS"

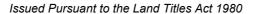


Search Time: 03:42 PM Volume Number: 131939 Page 1 of 1 Search Date: 21 Dec 2021 Revision Number: 01



RESULT OF SEARCH

RECORDER OF TITLES





SEARCH OF TORRENS TITLE

VOLUME	FOLIO
131940	1
EDITION 7	DATE OF ISSUE

SEARCH DATE : 21-Dec-2021 SEARCH TIME : 03.41 PM

DESCRIPTION OF LAND

Parish of SEABROOK, Land District of DORSET

Lot 1 on Plan 131940

Being the land fourthly described in Conveyance 65/7912

Derivation: Part of 1800 acres Granted to A. SStephenson & M.

M. Stephenson

Derived from A17229

SCHEDULE 1

RICHARD GEOFFREY SATTLER

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

C682077 MORTGAGE to Tasmanian Perpetual Trustees Limited

Registered 03-Jan-2006 at noon

E78950 TRANSFER of MORTGAGE C682077 to MyState Bank Limited

Registered 01-Feb-2017 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



GRANTEE

FOLIO PLAN

RECORDER OF TITLES



Issued Pursuant to the Land Titles Act 1980

Government

CONVERSION PLAN FILE NUMBER AI7229 LOCATION

DORSET - SEABROOK

CONVERTED FROM 65/7912 (4THLY DESC.)

NOT TO SCALE LENGTHS IN METRES P.131940

Registered Number

APPROVED 4 MAY 1999

(P200350)

PART OF 1800A-OR-OP GTD. TO A.STEPHENSON & M.M. STEPHENSON

DRAWN C.L.

MAPSHEET MUNICIPAL(109) CODE No. 5245 5246 ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN LAST UPI No. 6100265 SKETCH BY WAY OF ILLUSTRATION ONLY "EXCEPTED LANDS" STRAIT MIDE 30.48 (PI3I938) BASS RESERVATION 263.93 CROWN ١. 78.44ha

Search Time: 03:41 PM

GREAT

Volume Number: 131940

Revision Number: 01

16-29

Search Date: 21 Dec 2021



RESULT OF SEARCH

RECORDER OF TITLES





SEARCH OF TORRENS TITLE

VOLUME 200350	FOLIO 1
EDITION 4	DATE OF ISSUE 13-May-2021

SEARCH DATE : 21-Dec-2021 SEARCH TIME : 03.40 PM

DESCRIPTION OF LAND

Town of BRIDPORT
Lot 1 on Plan 200350

Derivation : Sec. N Gt. to A.W.M.Brewer

Prior CT 2064/51

SCHEDULE 1

M886340 TRANSFER to RICHARD GEOFFREY SATTLER Registered 13-May-2021 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

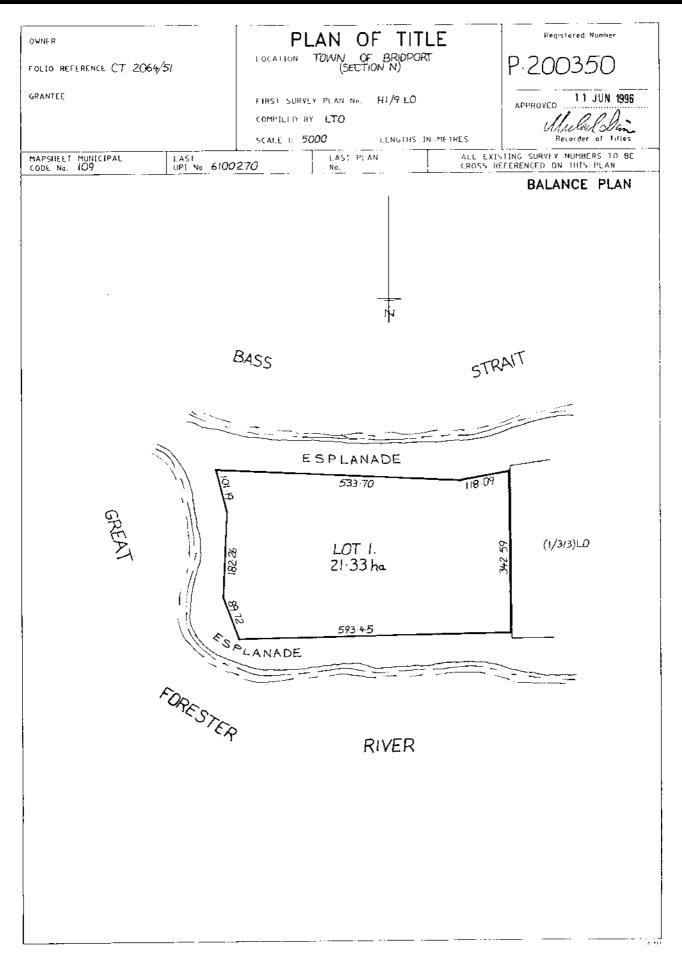


FOLIO PLAN

RECORDER OF TITLES



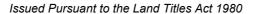
Issued Pursuant to the Land Titles Act 1980





RESULT OF SEARCH

RECORDER OF TITLES





SEARCH OF TORRENS TITLE

VOLUME 131938	FOLIO 1
EDITION	DATE OF ISSUE
7	10-Jan-2017

SEARCH DATE : 10-Aug-2022 SEARCH TIME : 02.49 PM

DESCRIPTION OF LAND

Parish of SEABROOK, Land District of DORSET

Lot 1 on Plan 131938

Being the land firstly described in Conveyance 65/7912

Derivation: Part of 1800 acres Granted to A. Stephenson & M.M.

Stephenson

Derived from A17229

SCHEDULE 1

RICHARD GEOFFREY SATTLER

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

C682077 MORTGAGE to Tasmanian Perpetual Trustees Limited

Registered 03-Jan-2006 at noon

E78950 TRANSFER of MORTGAGE C682077 to MyState Bank Limited

Registered 01-Feb-2017 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

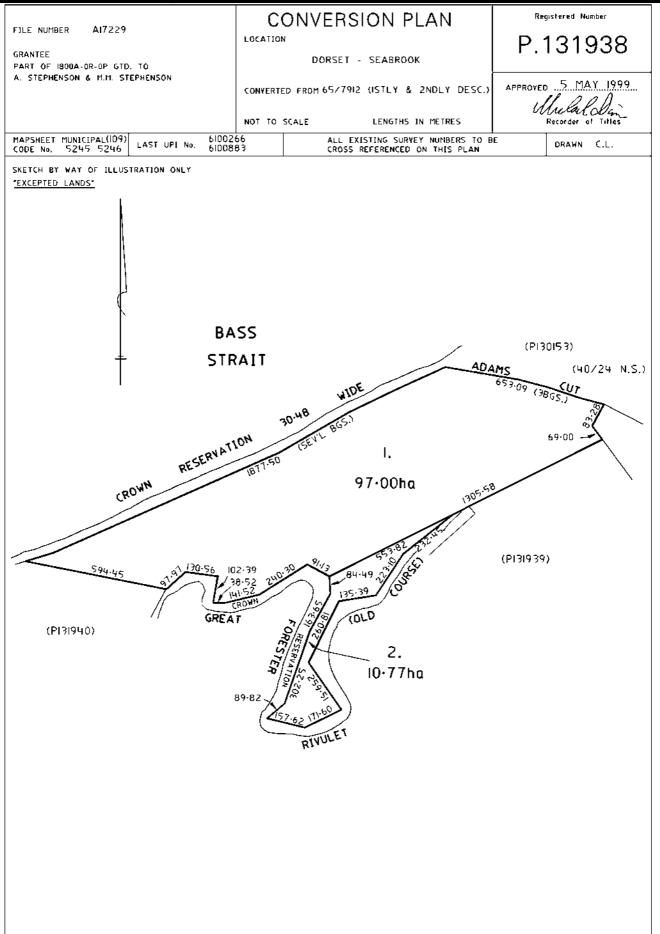


FOLIO PLAN

RECORDER OF TITLES



Issued Pursuant to the Land Titles Act 1980



Measured form and function



10 August 2022

Original Advertised Plans

Tim Watson General Manager Dorset Council

By Email: dorset@dorset.tas.gov.au

Dear Tim,

Postal

Postal Address
PO Box 63
Riverside
Tasmania 7250
W 6ty.com.au
E admin@6ty.com.au

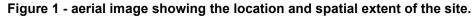
6ty Pty Ltd ABN 27 014 609 900

Tamar Suite 103 The Charles 287 Charles Street Launceston 7250 P (03) 6332 3300

57 Best Street PO Box 1202 Devonport 7310 **P** (03) 6424 7161

<u>DEVELOPMENT APPLICATION – BARNBOUGLE DUNES GOLF COURSE – 429 WATERHOUSE ROAD, BRIDPORT</u>

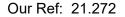
Please find a development application enclosed for the construction and use of 20 visitor accommodation buildings on land located at 429 Waterhouse Road, Bridport ("the site" - refer to Figure 1). The purpose of this letter is to provide a description of the proposed use and development in accordance with clause 8.1.2 of the *Dorset Interim Planning Scheme 2013* ("the Scheme").





This letter should be read in conjunction with the following development plans prepared by **6ty**° with **Project No. 21.272**:

Drawing Title	Drawing No.	Rev	Date	Issue	Issued For
Site Location and Part Site Plan	Ap01	001	17-07-22	002	Development Application
Proposed Floor Plan and Elevations	Ap101	001	17-12-21	001	Development Application
Proposed Floor Plans	Ap201	001	17-12-21	001	Development Application
Proposed Elevations	Ap202	001	17-12-21	001	Development Application





Drawing Title	Drawing No.	Rev	Date	Issue	Issued For
Proposed Floor Plans	Ap301	001	17-12-21	001	Development Application
Proposed Elevations	Ap302	001	17-12-21	001	Development Application
Proposed Floor Plans and Elevations	Ap401	001	17-12-21	001	Development Application

1 Site and Planning Overview

The following information is specific to the lot that will contain the proposed buildings.

Location	429 Waterhouse Road, Bridport					
Title Information	Volume	Folio				
	200350	1				
Property ID	6856723					
Tenure	Private Freehold					
Area						
Existing Use Vacant						
Planning Instrument Break O'Day Interim Planning Scheme 2013						
Zoning	26.0 - Rural Resource					
Overlays	Flood Prone Area					
Use	Visitor Accommodation					
Development Construction of visitor accommodation buildings						
Use Status	Discretionary					

2 Proposed Use and Development

The following table provides an assessment against clause 8.1.2 of the Scheme which specifies the minimum requirements for a valid application:

8.1.2	An application must include:	
Sub-clause	Description	Assessment
(a)	a signed application form.	The application form has been signed.
(b)	declaration of notification required under s.52 of the Act	Compliance with Section 52(1) of the Land Use Planning and Approvals Act 1993 is achieved by virtue of notifying the owner of the land of the intention to make the application.



8.1.2	An application must include:	
Sub-clause	Description	Assessment
(c)		Details of the location of the proposed use and development are provided by the development plans and information within this letter. The proposed buildings will be contained on a single lot that is located at the eastern side of the mouth of the Brid River. The proposed development will also include the extension of an existing gravel access road and provision of a new sewer line from the buildings to an existing sewer treatment system at the Barnbougle Dunes Golf Course precinct.
(d)	of title for all land to which the	A copy of the current certificate for the lot that will contain the proposed buildings and for the adjoining and adjacent lots to the east which will contain the sewer pipe and will be used to access the proposed buildings, have been provided.
(e)	a full description of the proposed use or development.	For the purposes of clause 8.2.1 of the Scheme, the proposed use and development is categorised into the Visitor Accommodation use class. In this regard, the proposed buildings will be used to offer premium accommodation to guests of Barnbougle Dunes Golf Course. Details of the proposed development are provided within the accompanying development plans.

Please do not hesitate to contact me should you have any queries on this application.

Yours faithfully 6ty° Pty Ltd

<u>George Walker</u> Director/Planning Consultant

Our Ref: 21.272

Measured form and function



3 May 2023

Original Advertised Plans

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Thomas Wagenknecht Regulatory Services Manager Department of Development and Community Services **Dorset Council** By email: development@dorset.tas.gov.au

Dear Thomas,

DEVELOPMENT APPLICATION - RESPONSE TO FURTHER INFORMATION PO Box 1202 REQUEST - DA2022/107 - 429 WATERHOUSE ROAD, BRIDPORT

I refer to your request for further information dated 22 August 2022. This letter provides information in response to the items raised within your letter.

The response should be read in conjunction with the drawings prepared by 6ty° Pty Ltd with Project No. 21.272.

Requested Item 1

Site Plan and Elevations

- 1. A site plan at an acceptable scale that details:
 - (i). The existing and proposed uses on the site;
 - (ii). The boundaries and dimensions of the site;
 - (iii). Topography including contours shows AHD levels and major site features;
 - (iv). Natural drainage lines, watercourses and wetlands on or adjacent to the site:
 - (v). Vegetation types and distribution including any known threatened species, and trees and vegetation to be removed;
 - (vi). The location and capacity and connection point of any proposed stormwater management;
 - (vii). The location of existing and proposed buildings on the site; and
 - (viii). Any natural hazards that may affect the use or development on the site.
- 2. A layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 that details:
 - The internal layout of each proposed building; (i).
 - (ii). Parking space location and layout;
 - (iii). Major elevations of every building to be erected;



- (iv). The relationship of the elevations to existing ground level, showing any proposed cut or fill; and
- (v). Materials and colours to be use on roofs and external walls.

6ty° Response

The Proposal Drawings listed in Table 1 respond to the items listed in Request Item 1. The Site Location and Part Site Plan shows the contours of the site. The contours are best read in conjunction with each of the elevation drawings which annotate the AHD level of natural ground level, finished ground level, finished floor levels and the maximum building height for each proposed building.

In addition to the Proposal Drawings, Figure 1 below provides broader context of the development site respective to Barnbougle Dunes and Waterhouse Road.

Figure 1 - aerial image showing the location of the proposed development area within the context of the site, Waterhouse Road and broader landscape features.



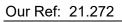
Requested Item 2

Rural Resource Zone

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Rural Resource Zone, to the satisfaction of Council's Town Planner.

6ty° Response

26.0 Rural Resource Zone





26.3	Use Standards		
Stan	dard/Requirement	Assessment	Compliance
26.3.	1 Discretionary Uses if not a	single dwelling	
A1	If for permitted or no permit required uses.	The use is discretionary.	Relies on performance criteria.
A2	If for permitted or no permit required uses.	The provision relates to use of prime agricultural land. In this instance, land contained in the site is non-prime agricultural land and the provision is therefore not applicable to the proposal in accordance with clause 7.5.2(b) of the Scheme.	Not applicable.
A3	If for permitted or no permit required uses.	The use is discretionary.	Relies on performance criteria.
A4	If for permitted or no permit required uses.	The use is discretionary.	Relies on performance criteria.
A5	The use must:		Relies on performance criteria.
	(a) be permitted or no permit required;	The use is discretionary.	
	(b) be located in an existing building.	The proposed use will be accommodated in new buildings.	
26.3.	2 Dwellings		
No d	wellings are proposed.		
26.3.	3 Irrigation Districts		
A1	Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.	Proposed visitor accommodation units 19 and 20 are located within part of the site that is subject to the Great Forester Irrigation District.	Relies on Performance Criteria.



26.4	26.4 Development Standards					
Stand	dard/Re	quirement	Assessment	Compliance		
26.4.	1 Buildin	g Location and Appe	arance			
A1	Buildin exceed	g height must not d:				
	a)	8m for dwellings; or	The proposal does not involve dwellings.	Not applicable.		
	b)	12m for other purposes.	All proposed buildings will have a building height of less than 12m	Complies with Acceptable Solution.		
A2		gs must be set back num of:				
	a)	50m where a non- sensitive use or extension to existing sensitive use buildings is proposed; or	All proposed buildings will be located within 50m of the northern boundary of the site and proposed visitor accommodation Unit 01 will be located within 50m of the western boundary.	Relies on Performance Criteria.		
	b)	200m where a sensitive use is proposed; or				
	с)	the same as existing for replacement of an existing dwelling.				

Clause 26.3.1 Discretionary Use if not a Dwelling - Performance Criteria P1.1, P3, P4 and P5

The objective of the standard is:

- a) To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.
- b) To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.



- c) To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.
- d) Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.
- e) Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.
- The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.

Performance Criteria Assessment

Performance Criteria P1.1 Subclause Assessment It must be demonstrated that the use is consistent with local area objectives for the 26.1.2 (b)

provision of non-primary industry use in the zone, if applicable,

The applicable local area objective is clause

Clause 26.1.2 (b) relates to Tourism. It recognises that tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities. It identifies that the rural zone provides important regional and local tourist routes and destination and the continued enhancement of tourism facilities is supported where the long-term sustainability of primary industry resources is not unduly compromised.

In this instance, the proposal is for 20 visitor accommodation that will be ancillary to a significant tourist attraction of Barnbougle Dunes golf course. The proposed visitor accommodation will directly support the established use and will indirectly support other agro-tourism related activities within the municipality and region in the form of visitation to vinevards, small coastal and rural settlements and other environmental, cultural and landscape features.

With respect to the long-term sustainability of the rural land resource contained within the site. the proposed visitor accommodation use will be located on the coastal fringe which is away from the flatter parts of the site that are currently used for grazing activities. Accordingly, conversion of the land to a non-agricultural use will not unduly compromise the land resource within the site that is used for primary industry in this regard.



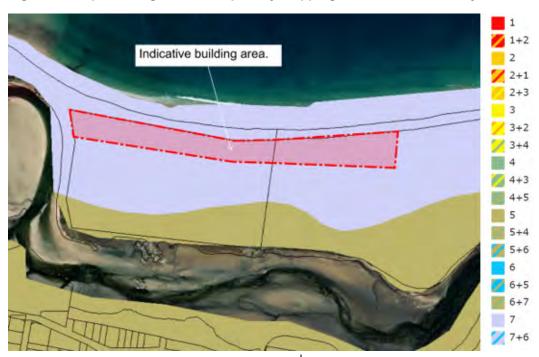
Further, the area of the site that will contain the proposed use and development is removed from higher intensity agricultural production land on the site and contiguous primary industry use to the south and east. Accordingly, the proposed use and development is not expected to unduly compromise the rural land resource within the context of the surrounding area more broadly.

Performance Criteria P3

The conversion of non-prime agricultural to non-agricultural use must demonstrate that:					
Subclause	Assessment				
a) the amount of land converted is minimised having regard to:	The proposed building area and immediately adjacent land is identified as class 7 agricultural land which is not identified as prime agricultural land (refer to Figure 2). Land adjoining the class 7 land is identified as class 5 agricultural land which is also not identified as prime agricultural land. Class 7 land is the lowest value agricultural land based on the land capability mapping system. Based on a conservative building area of 800m² for each dwelling, including road access, approximately 1.7% of the combined area of the two lots that will contain the buildings will be converted to facilitate the proposed nonagricultural use. Furthermore, existing grazing activities will continue to occur on the southern side of the access road which will be fenced.				
(i). existing use and development on the land; and	The western lot is vacant. The eastern lot forms part of the Barnbougle Dunes golf course which includes an 18 hole golf course, clubroom and restaurant and visitor accommodation. The proposed non-agricultural use will be compatible with the existing non-agricultural use on the site.				
(ii). surrounding use and development; and	The site is removed from adjoining agricultural use and development. Separation is provided by the coastline to the north and the river and tidal area to the west and south.				
(iii). topographical constraints.	The site is not affected by significant topographical constraints that would have a material impact on the existing agricultural use. In this regard, the flatter land within the site to the south of the proposed use and development will continue to be grazed.				

On balance, the amount of land contained within the site to be converted to a non-agricultural use is minimised and represents marginalised agricultural land within the context of existing use and development located on the site and surrounding use and development. The site is not affected by significant topographical constraints with the exception of the undulation of the dune system.

Figure 2 - map showing the land capability mapping of the site and nearby land.



- site is practically incapable of The proposal relies upon subclause supporting an agricultural use or being P3(a) for compliance with the included with other land for agricultural or Standard. other primary industry use, due to factors such as:

 - (i). limitations created by any existing use and/or development surrounding the site; and
 - (ii). topographical features;
 - (iii). poor capability of the land for primary industry; or
- c) the location of the use on the site is The proposal relies upon subclause reasonably required for efficiency.

operational P3(a) for compliance with the Standard.

Performance Criteria P4 It must be demonstrated that: **Subclause** Assessment

Our Ref: 21.272



a)	emissions	are	not	likely	to	cause	an
	environme	ntal	nuis	ance;	an	d:	

The proposed visitor accommodation use is a low impact use and is unlikely to cause any environmental nuisances that would have the ability to impact sensitive uses to the south and south-east within the settlement of Bridport due to the significant separation distance.

b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and

The proposed use will not confine or restrain surrounding primary industry uses on the basis that the nature of the proposed use is a non-sensitive use and will be removed from agricultural land that does not form part of the site.

c) the capacity of the local road network can accommodate the traffic generated by the use.

It is considered that Waterhouse Road has capacity to accommodate the traffic generated by the proposed visitor accommodation use on the basis that it satisfies clause E4.6.1 A3 which relates to vehicle movements at the existing junction from Waterhouse Road.

Performance Criteria P5

It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:

the I	ocal area having regard to:		
Sub	clause	Assessment	
a)	the impacts on skylines and ridgelines;	The area of the site that will contain the proposed use and development is not located on a skyline or ridgeline.	
b)	visibility from public roads; and	The proposed use and development will be setback a minimum distance of approximately 630m from Main Street to the west and 667m from Waterhouse Road to the south. These distances will assist to soften and minimise the size, scale and bulk of the development within the landscape when viewed from Waterhouse Road and Main Street along with the natural buffering provided by the undulating dune formation, retention of coastal vegetation around the perimeter of the site and the use of natural and muted external materials which will produce low reflectivity and low contrast within the landscape.	
c)	the visual impacts of storage or materials or equipment; and	The proposed visitor accommodation use does not involve the storage of materials or equipment.	
d)	the visual impacts of vegetation clearance or retention.	Some vegetation is proposed to be removed. The structure of the vegetation is predominately low lying coastal scrub and heath. New coastal vegetation will be planted around the buildings to soften the development.	
e)	the desired future character statements.	The proposed use and development will be consistent with the desired future character	



statement insofar as it will not be discordant with the existing rural landscape which includes buildings along the coastline.

Requested Item 3

Major Tourism Zone

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Major Tourism Zone, to the satisfaction of Council's Town Planner.

6ty° Response

30.0 Major Tourism Zone

30.3 l	30.3 Use Standards						
Stand	lard/Requirement	Assessment	Compliance				
30.3. ²	If for permitted or no permit required uses.	Use of land for Visitor Accommodation is listed as a 'Permitted' use within Table 30.2.	Complies with Acceptable Solution.				

30.4	30.4 Development Standards					
Stand	dard/Requirement	Assessment	Compliance			
30.4.	1 Building Design and Siting					
A1	Building height must not exceed 6m.	Proposed Unit 19 will have a building height of 8.6m and proposed Unit 20 will have a building height of 8.975m.				
A2	Buildings must be set back a minimum of:					
	(a) 10 metres; and	Proposed Unit 19 and 20 will be setback greater than 10m from the frontage of the site.	Complies with Acceptable Solution			
	(b) 200m to the rural resource zone where a sensitive use is proposed.	• •	Not applicable			
A3	Side and rear setbacks must be a minimum of:		Complies with			



30.4 Development Standards		
Standard/Requirement	Assessment	Compliance
		Acceptable Solution
(a) 10 metres; and	Proposed Unit 19 will be setback 21m from the northern boundary and proposed Unit 20 will be setback 26m from the northern boundary. The units will be setback greater than 10m from all other boundaries.	
(b) 200m to the rural resource zone where a sensitive use is proposed.	l ' '	Not applicable

Clause 30.4.1 Building Design and Siting – Performance Criteria P1

The objective of the standard is:

To ensure that the design and siting of development:

- a) protects the amenity of surroundings uses; and
- b) furthers the local area objectives and desired future character statements, if any.

Performance Criteria Assessment

Performance Criteria P1		
Building height must:		
Subclause	Assessment	
(a) respond to the site context and the local area objectives, if any, for the provision of tourist uses and development; and		



that is appropriate to the uses, having regard to:

(b) protect the amenity of adjoining The adjoining property is the coastal sensitive uses from the impacts of reserve to the north which does not contain unreasonable overshadowing and sensitive uses. Accordingly, this provision overlooking by providing separation is not considered applicable to the proposal.

- (i) the form of the building;
- (ii) the contours or slope of the land; and
- (iii) existing screening or the ability implement/establish screening.

Requested Item 4

Road and Railway Assets Code

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Road and Railway Assets Code, to satisfaction of Council's Town Planner.

Where required to demonstrate compliance with an applicable performance criteria, prepare and submit a Traffic Impact Assessment (TIA) undertaken in accordance with Traffic Impact Assessment Guidelines, Department of Infrastructure, Energy and Resources 2007. Australian Guidelines and Australian Standards to be used as the basis for any required road or junction design. This TIA must respond to the applicable performance criteria and be accompanied by written advice as the adequacy of the TIA from the road authority in respect of the applicable road.

6ty° Response

E4.0 Road and Railway Assets Code

E4.6	E4.6 Use Standards			
Stand	dard/Requirement	Assessment	Compliance	
E4.6.	1 Use and Road or Rail Infra	structure		
A3	For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	Barnbougle Dunes currently generates on average ~75 vehicle visitations per day at the Waterhouse Road junction from the existing agricultural, visitor accommodation, golf course, clubroom and restaurant uses. This equates to approximately 54,740 AADT entry and exit movements at the existing	•	

Assessment	Compliance
junction with Waterhouse Road.	
1 -	
proposed visitor accommodation will absorb	
that currently occur at the existing junction. Any incidental occupancy of the	
unlikely to increase the AADT traffic movements at	
more than 10% which equates to 15 additional	
	junction with Waterhouse Road. The primary purpose of the proposed visitor accommodation is to provide additional accommodation offerings to meet demand from existing golf tourists. Due to current high occupancy levels, guests are needing to find accommodation off-site. On this basis, the proposed visitor accommodation use is not expected to result in a material increase in traffic movements at the existing junction. Conversely, the proposed visitor accommodation use is anticipated to minimise traffic movement at the existing junction by accommodating golfers that were intending to stay at Barnbougle but were unable to due to all other onsite accommodation being occupied, leaving guests to find accommodation within Bridport and its surrounds and therefore leaving the site and returning the next day. Accordingly, the proposed visitor accommodation will absorb existing traffic movements that currently occur at the existing junction. Any incidental occupancy of the visitor accommodation is unlikely to increase the AADT traffic movements at the existing junction by more than 10% which



Requested Item 5

Flood Prone Areas Code

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Flood Prone Areas Code, to satisfaction of Council's Town Planner.

Where required to demonstrate compliance with an applicable performance criteria, submit a Flood Impact Assessment Report prepared by a suitably qualified person that undertakes an assessment of risk in accordance with Table E5.1 AS/NZS 4360:2004 Risk Consequence and Likelihood that demonstrates compliance with the relevant performance criteria.

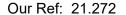
6ty° Response

The Flood Prone Areas Code has been addressed in the accompanying Coastal Erosion and Inundation Risk Assessment prepared by Burbury Consulting dated February 2023 (the **Coastal Risk Assessment**).

The Coastal Risk Assessment concluded that the proposal is able to satisfy the applicable provisions of the Flood Prone Areas Code subject to adhering to the recommendations listed in Section 5. The key recommendation relative to the Flood Prone Areas code relates to the minimum building floor levels for each building to be RL 2.8m and for all habitable buildings to be RL 3.1m AHD. Table 2 details the finished floor levels for each proposed building in response to this recommendation, noting that all buildings will be at least RL 2.8m.

Table 1 - Required and Proposed Finished Floor Levels of Habitable Buildings

Unit	Required Finished Floor Level	Proposed Finished Floor Level
01	RL 3.1m AHD	RL 6.45 AHD
02	RL 3.1m AHD	RL 6.30 AHD
03	RL 3.1m AHD	RL 6.30 AHD
04	RL 3.1m AHD	RL 6.30 AHD
05	RL 3.1m AHD	RL 6.30 AHD
06	RL 3.1m AHD	RL 6.30 AHD
07	RL 3.1m AHD	RL 6.30 AHD
08	RL 3.1m AHD	RL 6.30 AHD
09	RL 3.1m AHD	RL 6.30 AHD
10	RL 3.1m AHD	RL 6.30 AHD
11	RL 3.1m AHD	RL 8.00 AHD
12	RL 3.1m AHD	RL 7.22 AHD
13	RL 3.1m AHD	RL 8.00 AHD
14	RL 3.1m AHD	RL 8.00 AHD
15	RL 3.1m AHD	RL 8.00 AHD



Unit	Required Finished Floor Level	Proposed Finished Floor Level
16	RL 3.1m AHD	RL 7.50 AHD
17	RL 3.1m AHD	RL 7.50 AHD
18	RL 3.1m AHD	RL 7.50 AHD
19	RL 3.1m AHD	RL 12.00 AHD
20	RL 3.1m AHD	RL 12.00 AHD

Requested Item 6

Car Parking and Sustainable Transport Code

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria within the Car Parking and Sustainable Transport Code, to satisfaction of Council's Town Planner.

Provide a car parking plan drawn to scale and dimensions that details:

- (i). all car spaces to be provided on the site (or being relied on as part of the development);
- (ii). Access strips and manoeuvring and circulation spaces;
- (iii). All access strips onto the site from the roads;
- (iv). Details of the existing and proposed surface treatments for all car parking access strips and manoeuvring and circulation spaces.

6ty° Response

E6.6 Use	E6.6 Use Standards			
Standard	/Requirement	Assessment	Compliance	
E6.6.1 Ca	ar Parking Numbers			
A1	The number of car parking spaces must not be less than the requirements of:			
	(a) Table E6.1;	Table E6.1 requires 1 car parking space per unit. In this instance, each proposed visitor accommodation unit will be provided with a	with Acceptable	

E6.6 Use Standards				
Standard/Requirement	Assessment	Compliance		
	minimum of 1 car parking space.			
(b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential zone).	The site is not within a parking precinct plan.	Not applicable.		

E6.7 Development Standards			
Stand	lard/Requirement	Assessment	Compliance
E6.7.	1 Construction of Car Parking	Spaces and Access Strips	
A1	All car parking, access strips manoeuvring and circulation spaces must be:		
	(a) formed to an adequate level and drained; and	The surface will be formed to be level that will allow for drainage off the internal road with runoff capable of being managed within the boundaries of the site.	Complies with Acceptable Solution.
	(b) except for a single dwelling, provided with an impervious all weather seal; and	The surface will be compacted gravel and will not be provided with an all-weather seal.	Relies on Performance Criteria.
	(c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	The surface will be compacted gravel with car parking spaces delineated by virtue of being contained under or adjacent to each individual building.	Complies with Acceptable Solution.
E6.7.2	2 Design and Layout of Car Pa	arking	
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and	All car parking spaces will be located behind the building line relative to other buildings located on	Complies with

E6.7 Development Standards			
Stand	lard/Requirement	Assessment	Compliance
	carports for dwellings in the General Residential Zone) must be located behind the building line; and	the site which are between the proposed building areas and the frontage of the site.	Acceptable Solution.
A2.1	Car parking and manoeuvring space must		
	(a) have a gradient of 10% or less; and	The proposed car parking areas will be located on a level benched area of the site.	Complies with Acceptable Solution.
	(b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	Vehicles are able to enter and exit the site in a forward direction.	Complies with Acceptable Solution.
	(c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and	The width of the main access will be access will be access will be approximately 8m and individual driveway accesses will have a minimum width of 3.5m car parking spaces will be a minimum of 5.4m in length and 3m in width, satisfying the requirements of Tables E6.2 and E6.3.	Complies with Acceptable Solution.
A2.2	The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.	The proposed car parking and vehicle circulation will be capable of satisfying Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.	Complies with Acceptable Solution.
E6.7.3	3 Car Parking Access, Safety	and Security	
A1	Car parking areas with greater than 20 parking spaces must be:	The proposal will be provided with less than 20 designated car parking spaces.	Not Applicable.
	a) secured and lit so unauthorised persons cannot enter; or		

E6.7 I	Development Standards		
Stand	lard/Requirement	Assessment	Compliance
	b) visible from buildings on or adjacent to the site during the times when parking occurs.		
E6.7.4	Parking for Persons with a I	Disability	
A1	All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	Any spaces for persons of a disability are capable of being located adjacent to the proposed buildings.	Complies with Acceptable Solution.
A2	Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Offstreet parking for people with disabilities.	Any spaces for persons of a disability are capable of being designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Offstreet parking for people with disabilities.	Complies with Acceptable Solution.
E6.7.6	Coading and Unloading of V	ehicles. Drop-off and Pickup	
A1	For retail, commercial, industrial, service industry or warehouse or storage uses:	The proposal is categorised into the Resource Processing Use Class and does not involve retail, commercial, industrial, service industry, warehousing or storage uses.	Not Applicable.
	(a) at least one loading bay must be provided in accordance with Table E6.4; and		
	(b) loading and bus bays and access strips must be designed in accordance with Australian Standard AS/NZS 2890.3 2002 for the type of vehicles		

E6.7 [Development Standards		
Stand	ard/Requirement	Assessment	Compliance
	that will use the site.		
E6.8.2	P. Bicycle Parking Access, Saf	fety and Security	
A1.1	A1.1 Bicycle parking spaces for customers and visitors must:		
	(a) be accessible from a road, footpath or cycle track; and	The proposal is not required to provide bicycle parking.	Not applicable.
	(b) include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993; and		Not applicable.
	(c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and	The proposal is not required to provide bicycle parking.	Not applicable.
	(d) be available and adequately lit in accordance with Australian Standard AS/NZS 1158 2005 Lighting Category C2 during the times they will be used; and	The proposal is not required to provide bicycle parking.	Not applicable.
A1.2	Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	The proposal is not required to provide bicycle parking.	Not applicable.

E6.7	Development Standards		
Stand	ard/Requirement	Assessment	Compliance
A2	Bicycle parking spaces must have:		
	(a) minimum dimensions of: i. 1.7m in length; and ii. 1.2m in height; and iii. 0.7m in width at the handlebars; and	The proposal is not required to provide bicycle parking.	Not applicable.
	(b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	The proposal is not required to provide bicycle parking.	Not applicable.
E6.8.5	Pedestrian Walkways		
A1	Pedestrian access must be provided for in accordance with Table E6.5.	Car parking spaces will be located under or adjacent to each individual dwelling where there will be a minimum of a 1m wide pedestrian space between the access way and building in accordance with Table E6.5.	Complies with Acceptable Solution.

Requested Item 7

Biodiversity Code

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Biodiversity Code, to satisfaction of Council's Town Planner.

6ty° Response

E8.0 Biodiversity Code



E8.6	E8.6 Development Standards		
Stand	dard/Requirement	Assessment	Compliance
E8.6.	1 Habitat and Vegetation Ma	nagement	
A1.1	Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan; or	The proposed development areas are not located within a priority habitat.	Not applicable.
A1.2	Development does not clear or disturb native vegetation within areas identified as priority habitat.	areas are not located within	Not applicable.
A2	Clearance or disturbance of native vegetation is in accordance with a certified Forest Practices Plan.	Clearance of some native vegetation is required to accommodate the proposed development. A Certified Forest Practices Plan has not been obtained for the relevant vegetation clearance.	Not applicable.

Clause E8.6.1 Habitat and Vegetation Management - Performance Criteria -

Performance Criteria P2.1

Clearance or distribution of native vegetation must be consistent with the purpose of this Code and not unduly compromise the representation of species or vegetation communities of significance in the bioregion having regard to the:

Subclause Assessment

Preamble

A Council officer who has experience in natural values, visited the site on 19 October 2022. Whilst several native flora and fauna species were identified within the vicinity of proposed development, the general observation was that no threatened flora and fauna species were identified and the proposed development are predominately comprises weeds and sown pasture.

In this regard, TASVEG 4.0 mapping identifies the majority of the building area as modified land which reflects the modified nature of the land observed on site.

a) quality and extent of the vegetation or habitat affected by the proposal, diversity and its value as a wildlife corridor: and

The quality and extent of the vegetation and habitat proposed to be removed is including the maintenance of species considered to be low. There are native flora species which will be removed, however they are not identified as threatened species or part of a threatened vegetation community. The coastal fauna that roam the building area will not be significantly displaced by the proposed development on the basis that they are able to continue to



b) means of removal;

use the coastal reserve to the north and the pasture land to the south of the access road which transitions into the riparian area of Trent Waters.

The vegetation will be removed by an excavator. The extent of vegetation to be removed will be limited to the immediate area of each building area.

c) value of riparian vegetation in protecting habitat values;

The proposal will not involve vegetation removal within proximity to the riparian zone associated with Trent Water.

d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, in proximity to habitat or vegetation;

Impacts of siting the proposed development in proximity to vegetation and habitat will be minimised by siting buildings in individual locations which will allow vegetation between each building area to be retained.

e) need for and adequacy of proposed vegetation or habitat management;

Areas around each building will be reinstated with vegetation to provide for privacy between buildings and to soften the development within the landscape. Specific landscape or vegetation management plans are able to be produced at the building application stage to show the extent and type of vegetation and landscaping proposed around each building.

f) conservation outcomes and long-term security of any offset in accordance with General Offset Principles for the a RMPS. Industries. Parks. Water Environment.

The vegetation to be removed is not identified as threatened vegetation or part of threatened vegetation community. Department of Primary Accordingly, it is not considered necessary and to offset other vegetation for conservation purposes. Notwithstanding, there are other parts of the site that are capable of being preserved for conservation purposes if this is deemed necessary.

Clause E6.7.1 Construction of Car Parking Spaces and Access Strips -Performance Criteria P2

The objective of the standard is:

To ensure that car parking spaces and access strips are constructed to an appropriate standard.

Performance Criteria Assessment

Performance Criteria P1	
Subclause	Assessment
	The proposed access and car parking areas will be constructed with compacted gravel which will further compact through usage. While gravel allows some water permeation, drainage measures will be installed to minimise waterlogging of the road surface. In addition, the road surface is required to be raised to in accordance with the



recommendations from Burbury Consulting in response to inundation and flood hazards which will further minimise waterlogging. It will therefore be useable in all weather conditions.

Requested Item 8

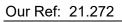
Water Quality Code

Demonstrate compliance with all applicable acceptable solutions and/or performance criteria of the Water Quality Code, to satisfaction of Council's Town Planner.

Where required to demonstrate compliance with the applicable performance criteria, prepare and submit a Soil and Water Management Plan prepared by a suitably qualified person that details sediment and erosion control measures on a site in response to the relevant performance criteria.

6ty° Response

E9.6 Development Standards			
Stand	dard/Requirement	Assessment	Compliance
C9.6.	1 Development and Construct	ion Practices and Riparian Vo	egetation
A1	Native vegetation is retained within:		
	(a) 40m of a wetland, watercourse or mean high water mark.	The proposal will involve some removal of native vegetation within 40m of the bar marsh wetland and the mean high water mark (refer to image below).	Relies on Performance Criteria.
	Mean High Water Coastal Flat – Bar Ma		→ 29 99 → 1



E9.6	E9.6 Development Standards		
Standard/Requirement		Assessment	Compliance
A2	A wetland must not be filled, drained, piped or channelled.	The proposal does not involve filling, draining, piping or channelling of the bar marsh wetland. In this regard, the proposed road will be located on established pastureland (refer to images below).	with Acceptable

Image 1 - photograph showing the area of the area of the site that will accommodate the proposed road.



Image 2 - photograph showing the area of the area of the site that will accommodate the proposed road.



A3 A watercourse must not be The proposal does not Complies filled, piped or channelled involve the filling, piping or with

E9.6	Development Standards		
Stan	dard/Requirement	Assessment	Compliance
	except to provide a culvert for access purposes.	channelling of a watercourse.	Acceptable Solution.
E9.6.	2 Water Quality Management		
A1	All stormwater must be:		
	(a) Connected to a reticulated stormwater system; or	The proposal relies on subclause (c) for compliance with the standard.	Not Applicable.
	(b) Where ground surface runoff is collected, diverted through a sediment trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or	The proposal relies on subclause (c) for compliance with the standard.	Not Applicable.
	(c) diverted to an onsite system that contains water within the site.	It is proposed to manage all stormwater runoff from rooves and vehicle hardstand on-site. In this regard, each proposed building will be provided with a rain water tank and hardstand runoff will be diverted to adjacent drains. The site has sufficient pervious surfaces and soil conditions to allow for the demands of on-site drainage. It is envisioned that onsite stormwater management is capable of being addressed under the Building Act 2016 at the time application is made for a Plumbing Permit for individual buildings.	Complies with Acceptable Solution.
A2.1	No new point source discharge directly into a wetland or watercourse.	The proposal does not involve a new point source discharge directly into the	Not Applicable.

E9.6 [Development Standards		
Stand	lard/Requirement	Assessment	Compliance
		adjacent bar marsh wetland.	
A2.2	For existing point source discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existing at the effective date.	The proposal does not involve discharge into an existing point source discharge.	Not Applicable.
E9.6.3	3 Construction of Roads		
A1	A road or track does not cross, enter or drain to a watercourse or wetland.	The proposed road will enter into the northern perimeter of the bar marsh wetland.	
E9.6.4	4 Access		
A1	No Acceptable Solution	There is not Acceptable Solution. On the other hand, the corresponding Performance Criteria deals with matters relating to new access points to wetlands and watercourses. In this instance, the access road is existing and the proposal involves the upgrading of the access road. Accordingly, the provision is not considered to be applicable to the proposal.	Not Applicable.
A2	No Acceptable Solution	There is no Acceptable Solution and the corresponding Performance Criteria deals with a matter that will be affected by the proposal.	Relies on Performance Criteria.
E9.6.5	Sediment and Erosion Cont	rol	
A1	The subdivision does not involve any works.	The proposal does not involve subdivision of land.	Not Applicable.

Performance Criteria Assessment

E9.6.1 Development and Construction Practices and Riparian Vegetation – Performance Criteria P1

Our Ref: 21.272



The objective of the standard is:

To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.

Performance Criteria Assessment

Performance Criteria P1		
Native vegetation removal must submit a soil and water management plan ¹ to demonstrate:		
Subclause	Assessment	
(a) revegetation and weed control of areas of bare soil;	all disturbance around each building area will be reinstated with vegetation that is suitable for the purposes of providing permanent cover of exposed soil and sediments. Coastal vegetation will be reinstated around each building	

plans adopted for the golf course will be applied to the proposed development area and maintained for the duration of the use and development.

- (b) the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and
- 1. Roofed stormwater runoff will be captured in water tanks for reuse on the site.

for landscaping purposes.

impact upon the shoreline.

3. existing weed control management

maintaining

2. in this regard, the landowner is committed to managing and foreshore

vegetation between and around each proposed building and the coastal boundary pre and post development and following storm events and any other events that

dune

- 2. new silt fences will be located on the lower side of each building area. The silt fences will be supported by 1.5m star droppers at 2m centres with joints to be overlapped by 2m. The toe of each silt fence will be places in a 150mm deep by 150mm wide trench with compacted back fill for additional reinforcement.
- 3. If required, stripped topsoil or substrate material will be stockpiled for reuse around the disturbed

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¹ The soil and water management plan is considered to constitute the commitments and information provided in the response to the Performance Criteria.

Our Ref: 21.272



areas of the site. The material will be places in a location adjacent to each building area. The stockpile will be low (Max 1.5m High) and seeded if being maintained onsite for the duration of construction. Silt traps (detailed in point 1 above) will be located on the low side of the stockpile to prevent movement of sediment and erosion of the stockpile.

4. All vegetation located on the southern side of the proposed road will be retained in situ (unless required to be removed for a different purposes allowable by the Scheme) which will provide a buffer between the building areas and wetland and watercourses further south.

It is noted that the proposed development will occupy a small proportion of the site leaving a significant area to allow for absorption of water.

(c) the disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.

The vegetation to be removed within the designated building areas is remote from the watercourses that form part of the wetland system. The removal of vegetation will therefore not affect the hydrological features or functions of the wetland.

E9.6.3 Construction of Roads – Performance Criteria P1

The objective of the standard is:

To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.

Performance Criteria Assessment

Performance Criteria P1 **Subclause** Assessment Road and private tracks constructed within The Wetlands and Waterway Works 50m of a wetland or watercourse must Manual 2 is focussed on works within a comply with the requirements of the waterway or wetland. Whilst part of the road Wetlands and Waterway Works Manual, and other development areas are mapped particularly the guidelines for siting and as being within a wetland area, the location designing stream crossings. of the access road and building areas are physically located above the wetland and on existing pasture land. It is expected that the proposed construction method for the access pavement, being compacted gravel

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² https://nre.tas.gov.au/Documents/2-Construction-of-Wetlands.pdf?



with appropriate drainage that will be located sited away from the physical parts of the wetland, will not be discordant with the purpose of the Wetlands and Waterway Works Manual. Furthermore, the proposal does not involve any stream crossings.

E9.6.4 Access – Performance Criteria P2

The objective of the standard is:

To facilitate appropriate access at suitable locations whilst maintaining the ecological, scenic and hydrological values of watercourses and wetlands.

Performance Criteria Assessment

Performance Criteria P1	
Subclause	Assessment
	The proposed access pavement will be constructed approximately 6m in width and will be at least 200mm deep. Drainage will be provided on upper and lower sides to manage stormwater runoff. Drainage will include absorption trenches with scouring control. It is noted that the road will be constructed at a level that accords with the Coastal Risk Assessment.

Requested Item 9

Coastal Code

Demonstrate compliance with the acceptable solutions and/or performance criteria of the Coastal Code, to satisfaction of Council's Town Planner.

Where required to demonstrate compliance with an applicable performance criteria, submit a Coastal Impact Assessment Report prepared by a suitably qualified person that undertakes an assessment of risk in accordance with Table E14.1 AS/NZS 4360:2004 Risk Consequence and Likelihood that demonstrates compliance with the relevant performance criteria.

6ty° Response

The Coastal Code has been addressed in the accompanying Coastal Erosion and Inundation Risk Assessment prepared by Burbury Consulting dated February 2023 (the **Coastal Risk Assessment**).

The Coastal Risk Assessment determined that the proposed use and development satisfies the Coastal Code insofar as a reduced risk level can be achieved subject to adhering to the recommendations set out in Section 5. These recommendations have been integrated into the development plans.

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Please do not hesitate to contact me should you require any further information.

Yours faithfully

6ty° Pty Ltd

George Walker

Director/Planning Consultant



Original Advertised Plans



PROJECT

Barnbougle Beach - Coastal Erosion and Inundation Risk Assessment

CLIENT

Richard Sattler

DATE

February 2023











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Figure 3.10 Development Proposal – Building Footprints & Roadway

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Document Status

Rev	Author	Ctatus	Approved for Issue	
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Α	K Mahendran	For Internal Review	J. Burbury	21/06/22
В	K Mahendran	For Client Issue	J. Burbury	14/12/22
0	K Mahendran	For Use	J Burbury	7/03/2023



Executive Summary 1.

Burbury Consulting were contracted by Richard Sattler to prepare a coastal erosion and inundation hazard assessment for proposed development at Barnbougle Beach. The development area consists of titles CT 200350/1 and CT 131940/1 located at Waterhouse Road and (The Site) for 20 new properties and accommodation buildings.

An application has triggered the assessment in accordance with the Dorset Council Interim Planning Scheme 2013 (the Scheme), E5 Flood Prone Areas Code and E14 Coastal Code (Code) which this report addresses. It is proposed that up to 20 accommodation buildings consisting of single and two storeys, are built on the proposed development area to fit within the natural contours of the foreshore property as well as in accordance with the recommendations on building levels and setbacks provided within this report.

A remote coastal risk assessment has been conducted based on desktop analysis of the site and localised data analysis. Assessment of the site for coastal erosion and flood (through tidal) inundation was undertaken.

The site comprises of soft sediments which are vulnerable to the risk of erosion. Although there is no evidence that the existing sand dunes (Barnbougle Dunes) are mobile, there is a risk of shoreline recession on the northern side of the Barnbougle Beach and inundation at low ground level due to sea level rise. A review of the risk as it relates to the proposed development was undertaken as well as review of the tidal inundation zones relating to sea level rise for the low lying land of the proposed development.

Mapping of the site and analysis of water levels, sea level rise and risk of erosion indicates a low risk of erosion from the seaward side through beach recession with sea level rise and storm action as well as inundation from the landward side through the low levels adjacent to Trent Water in accordance with Code E14.

Detailed terrain mapping of the site identifies that the development area is protected from the sea with the primary dune that extends up to RL 6m AHD seaward of the property boundary. The proposed buildings should be sited behind the primary dunes giving natural protection from coastal processes over time.

Burbury Consulting has conducted a risk assessment of the site by addressing performance criteria under the Codes. Erosion and Inundation risk to users of the site can be reduced for the design life of the proposed building and works provided recommendations presented within this report are adhered, to maintain a low risk level in accordance with E5.7 (Flood) and E14.7.1 (Coastal) of the planning code.





2 Introduction

Burbury Consulting was contracted by Richard Sattler to prepare a coastal (inundation and erosion) risk assessment report for proposed beach estate at the Site accordance with the drawings provided from 6ty° for the proposed development.

This report covers responses to the Dorset Interim Planning Scheme (2013) codes that apply to the development including E5 Flood Prone Areas Code and E14 Coastal Code and in response to Dorset Council's RFI on DA 2022/107.

The report identifies that the development, which has been reviewed by coastal and marine engineers, meet the Scheme's requirement in its design form and purpose usage with the recommended risk assessment, mitigation and management plans proposed.

The Proponent for the development application, Richard Sattler, proposes to accommodate single and two storeys units.

The Dorset Interim Planning Scheme provides guidance for assessment of the proposed development and site for coastal inundation and erosion which is mapped on the List.



Project Description 3.

For the purposes of reference to the coastal planning schemes codes, the following figures have been provided highlighting the zone overlays combined with the proposed building footprint for the Development Application prepared by 6ty. The planning and architectural design documents submitted as part of the project Development Application should be read in conjunction with this report and have been used for preparation of our site assessments.

The figures highlight the sitting and location of the development and building zones fall in the coastal erosion and inundation hazard zones.

The coastal hazard bands are developed from the Coastal Inundation Mapping for Tasmania (Stage 4) by the Tasmanian Department of Premier and Cabinet and included on the List as part of the mapping. Areas on the coast.

This site comes under the requirement for a more detailed assessment.

The coastal erosion bands are identified due to local assessment of foreshore erosion over time, ground conditions, geological formation and its susceptibility to erosion. For the purposes of simplified assessment, the zones are mapped in general form, requiring further assessment specific to the proposal for development.

This proposed development sits within the medium hazard band for Coastal Erosion (Figure 3.3) of the Hazard Planning Maps produced by DPAC. This risk is represented as medium due to the low lying and exposed coastline consisting of soft sand sediments and the potential for risk of natural recession due to storm actions and sea level rise.

Coastal inundation mapping is generally based on lidar data of land formations mapped to suit the risk bands determined for the region. The specific levels of inundation hazard bands relate to allowance for sea level rise, storm bite and wave run up of the site according to the ground level at a 2100-year horizon. The proposed inundation risk is generally conservative in approach to ensure that the risk of impact to habitable building remains low at 2100 period and development is not sited in areas of future risk to inundation from sea level rise.

The proposed development sits within the high hazard band for Coastal Inundation (Figure 3.4) produced by DPAC. A review of lidar data against the proposed development area indicates that the sitting of the building is behind the foreshore and primary dunes formations. In any instance new infrastructure should be constructed well behind any active dune or primary dune to minimise natural protection to coastal processes and erosion of the foreshore over time.



Figure 3.1: 6ty Development Proposal Overview to Aerial of Site (theList, 2017)





Figure 3.2 Development Proposal – Building Footprints & Roadway (refer to 6ty drawings)



Figure 3.3: Coastal Erosion Hazard Bands overlay (theList, 2017)

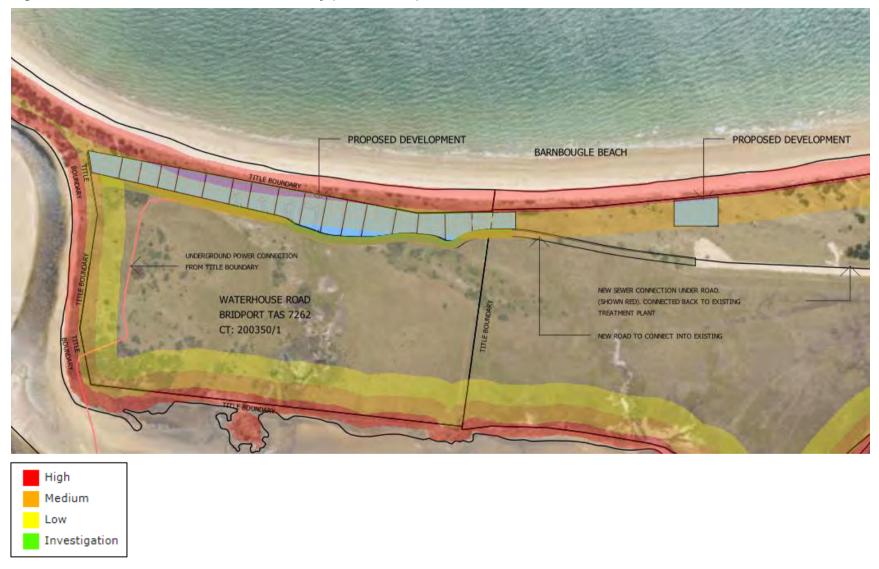
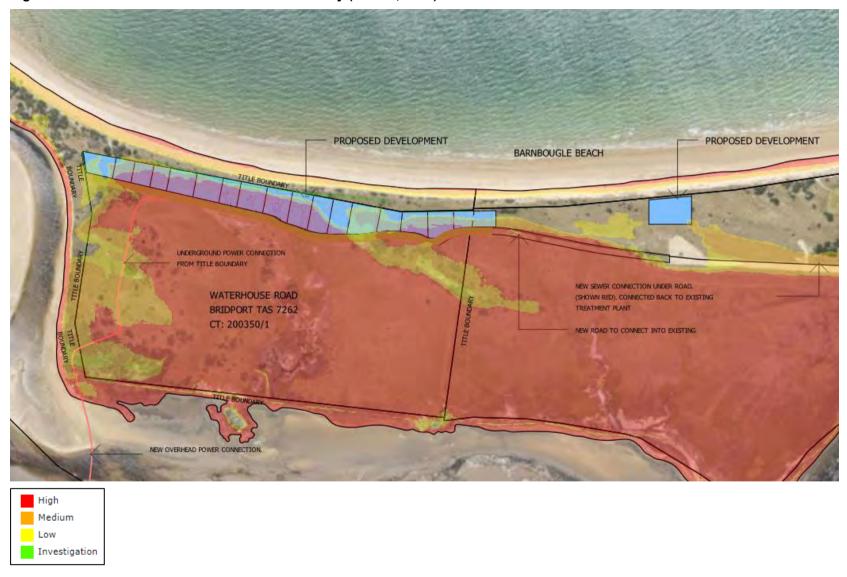


Figure 3.4: Coastal Inundation Hazard Bands overlay (theList, 2017)





3.1 **Site Features**

The site is located adjacent to the Bridport estuary with Trent Water on the southern side of the land and Barnbougle Beach to the north. To the east of the site is Barnbougle Dunes golf course and west is the spit form before the river entrance into Bridport port incorporating rock training walls.

Offshore the site is influenced by Sisters Rocks which results in formation of sand and beach profile along the foreshore of the site.

The Trent Water estuary is mixed tidal with natural water from the Brid River and Coxs Rivulet supplying fresh water into the estuary which is predominantly salt water influenced from tidal exchange to Bass Strait.

The land is low lying profile with formed drainage channels to manage the relatively flat land and coastal dunal towards Barnbougle Beach. The dune and foreshore are well vegetated representing a consistent profile along the Barnbougle Beach area.

Significant studies on the Bridport entrance have been undertaken with Water Research Laboratory (WRL) Bridport Port Improvement Study, June 1991, providing relevant source of coastal assessment of the site and beaches incorporating historical and analytical assessment over 50 years of data and records.

The WRL Report indicated that there was no evidence of changes in alignment in the beaches from 1949 to 1991 and no evidence of beach recession in that period. This has been consistent in our assessments from aerial photographs from 1956 to 2021 as depicted in Figure 3.8 below.

The Barnbougle Beach is dynamic in nature exposed to storm wave events and sediment movement from natural littoral movements of the bay. During storms and elevated water levels sediments can be eroded with wave induced currents moving sediments offshore causing short term recessions. Calmer and natural prevailing weather conditions result in onshore sediment movement (natural beach recovery) and is consistent with Barnbougle Beach with its flat and stable beach profile and long term beach alignments.

Sea level rise over long periods of time will result in changes to the beach levels but will allow or sediments deposition to adjust to the increased water levels and build the beach profiles up consistent with the water levels. Maintaining a controlled primary dune and offset from the beach is a natural way of protecting any proposed development. These offsets are consistent with the approach of the Barnbougle Beach hazards bands noted in Figure 3.3 above.

Whilst the land is low lying it does not form part of a flood plain as the environmental flows from Coxs Rivulet is very low with the Great Forrester River historically diverted to Adams Cut and the Brid River aligned to the port harbour entrance. The low natural levels from the Trent Water side are what drive the coastal inundation risks bands in Figure 3.4. The primary dune to Barnbougle Beach at nominally 6m AHD protects the development site from storm surge and inundation and therefore the risk to inundation is only through Trent Water from increased tidal conditions within the river.

The controls to reduce the risk rating on coastal erosion and inundation/flooding are the focus of this assessment.

3.2 **Existing Geology and Coastal Features**

A desktop geology review has been completed for the site based on Mineral Resources Tasmania (MRT) digital geological atlas. The site is dominated with dune sand during Holocene period.

An assessment was carried out by GHD in 2007 to assess dune mobility over the last 50 years for Barnbougle Links Golf Course to determine the likelihood of dune movement. The summary of the assessment is in the table below. There is evidence that the Ainslie Sand Formation was remobilised approximately 30,000 years ago and again within the last 200 years. The current form is stable beach and dune system well vegetated along the primary dune to the beach profiles.



More recent aerial photographs have been reviewed for the site which is presented in Section 3.5.

Figure 3.5 Development overlayed with Geological Atlas, Bridport (Minerals Resources **Tasmania**, 2022))

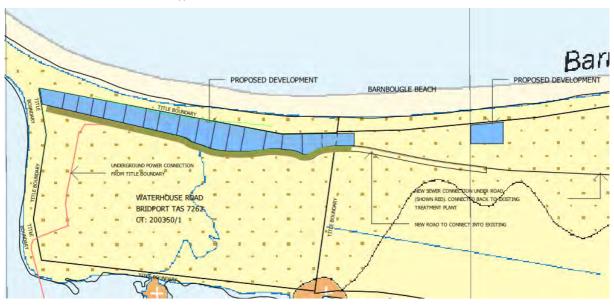


Table 3.1 Sand Formation and their ages

Formation	Age (years since initial deposition)	Features
Bowlers Lagoon Sand	Holocene (10,000 years)	Calcareous transverse dunes
Barnbougle Sand	Holocene (10,000 years)	Marine Sand
Waterhouse Sand	Holocene (10,000 years)	Parabolic dunes
Ainslie Sand	Last Glacial (40,000 years)	Longitudinal dunes and sand sheets
Rushy Lagoon Sand	Last Glacial (40,000 years)	Lunette Dunes
Stumpies Bay Sand	Last Interglacial (130,000- 112,000 years)	Marine and lagoon deposits

3.3 **Existing Coastal Features**

The site is located on the East of Anderson Bay and North of Trent Waters (Figure 3.1) with entrance to Barnbougle Beach immediately north.

The predominant swell is from the northwest and northeast and is depth limited due to the shore profile. Waterhouse, Cape Barren and Flinders Island offer protection from longer period swell energy. The waves reduce in energy through white capping and friction against seabed, will result in losses to wave height. The site is expose to wind waves from the Northwest quadrant. Wind waves will also be depth limited due to the shore profile and wave height limited from breaking along shorelines.



Figure 3.6: Aerial Locality Site



Wave modelling used on another project provides us with behaviour of wind and swell waves on the site from the two exposed zones (north west and north east). The northwest is prevailing and can be larger waves but the site is protected due to depths of the bay and Sisters Rocks (Figure 3.8).

The north east waves are similar in wave heights at the beach zone with larger energy focus just west of Adam's cut. Again the natural depths of the water between Sisters and Barnbougle Beach is a natural protection to minimise wave energy as large waves will break offshore as they are depth limited and energy is loss in the surf breaks.

Base don our observations at Barnbougle over a long period of time from Adams cut along Barnbougle Dunes and the port entrance the beach retains a stable profile with localised erosion only occurring at primary dunes when vegetation is loss due to wildlife, rain and wind erosion and combined with storm bite events.



Figure 3.7: Wave Model of NE Waves on Site

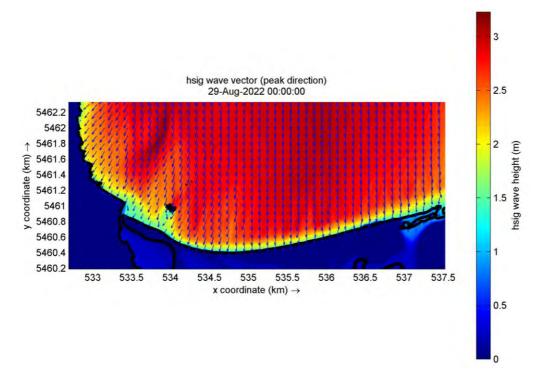
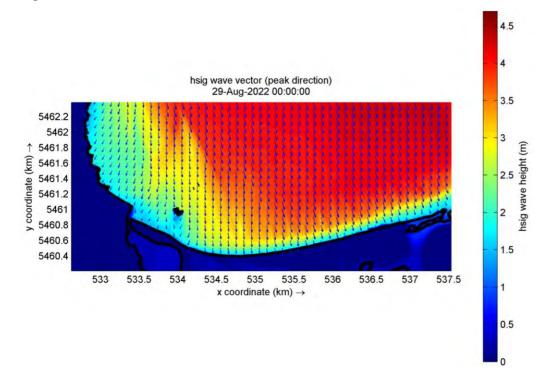


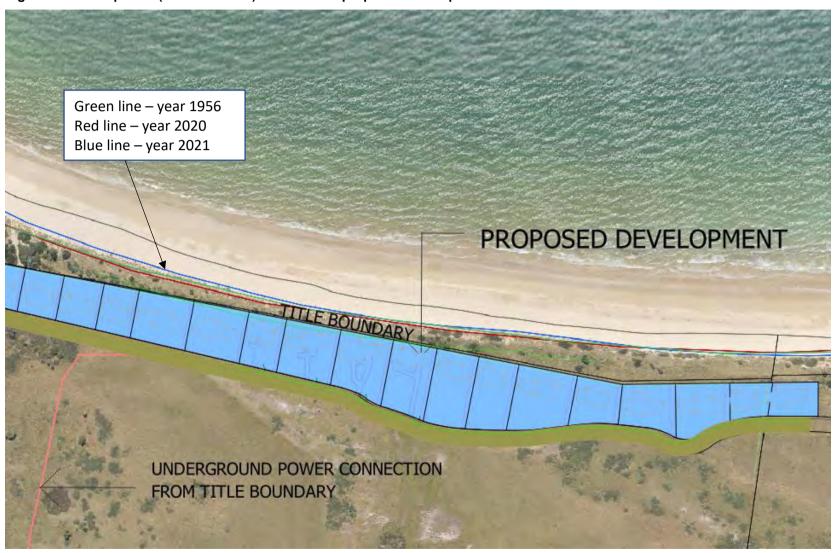
Figure 3.8: Wave Model of NW Waves on Site



CIVIL



Figure 3.9: Dune profile (Coloured Line) foreshore of proposed development





3.4 Tidal Planes and Sea Level Rise

A current, environmental flows and wave model for the site for this development is not practical for the study requirements however we have a coastal model for this area developed for another project that we can reference for coastal engineering assessment. For the purposes of assessing predicted water levels without wave influence, we have used the below publicised levels.

Table 3.2: Tidal Levels (Bureau of Meteorology, 2022) (DNRET, 2011)

	AHD, m	Chart Datum, m
Maximum High Water Recorded at Port of Low Head (storm surge)	2.80	4.82
Highest Astronomical Tide – HAT	1.62	3.64
Mean Sea Level (actual) - MSL	-0.03	1.96
Chart Datum / Lowest Astronomical Tide – LAT	-2.02	0.00
Lowest Recorded Water Level at Port of Low Head	-2.25	-0.23

The current publicised levels for predicted (DPAC, 2012) sea level rise 0.22m for the year 2050 and 0.84m for the year 2100 and has been used for the purposes of the assessment coastal vulnerability to erosion and inundation.

Table 3.3: Predicted Still Water Levels Combined Wind and Wave Levels

Tide	2021	2050	2100
Sea Level Rise Input	0m	0.22m	0.84m
LAT	-2.02m AHD	-1.80m AHD	-1.18m AHD
MSL	-0.03m AHD	0.19m AHD	0.81m AHD
НАТ	1.62m AHD	1.84m AHD	2.46m AHD
100yr ARI incl Storm Surge (max recorded tide level at Low Head)	2.80m AHD	3.02m AHD	3.64m AHD
Dorset Council Interim Planning Scheme Level 2013	1.8m AHD	2.5m AHD	3.1m AHD
Inundation Mapping Levels	High	Medium	Low

We do not have any further data to consider varying of the planning levels for predicted still water levels for this area than published by Dorset Council Interim Planning Scheme.

3.5 **Shoreline Recession Model**

A shoreline recession or erosion model for 2022 to 2100 service life conditions has not been undertaken for this property as this requires a broader study into the adjacent properties along the beach, review of beach profiles, geotechnical assessment of the sub-surface conditions and modelling of range of parameters for sea level changes and erosion.



Site visit and aerial photograph analysis suggests that the site is stable in short and long terms of shoreline erosion and beach stability. The beach profile is flat which naturally minimises long period wave energy as large waves break offshore.

3.6 Aerial Photograph Review over time

Based on Dune Mobility Study conducted by GHD in 2007 for the Barnbougle site, it indicates that the dunes are relatively stables and have remained vegetated since some time prior to 1976 to 2001. Based on desktop review of historical imageries of the development site, there are minimal changes to the foreshore from year 1956 to 2021, refer to Figure 3.9 and has in the last 70 years retained a very stable form.

3.7 Recommended Development Controls

The risks for coastal erosion and inundation are a function of standard set backs and levels based on the levels identified through DPAC, 2012.

The mapping identified on the List and provided as overlays in Figures 3.3 and 3.4 are generated from lidar levels and standard set backs to coastal erosion bands.

An assessment of the actual coastal conditions, shoreline stability, ground and natural levels provides a more detailed review of the risks to the proposed development from coastal erosion through wave action and inundation due to sea level rise and extreme tide and water levels. The site isn't subject to river flooding only tide induced flooding (extreme tides).

A number of recommended development controls have been provided to 6ty to reduce the risk profile of the development.

These controls are aimed at reducing the risk of the development as well as adjacent and nearby properties.

Natural barriers where possible provide the best form of protection such as maintaining stable foreshore vegetation as well as limiting construction away from primary dunes.

Site filling is recommended on the development site to bring the low lying land areas above extreme tidal inundation zones. This will also reduce the risk from erosion by increasing the shoreline base.

Site filling should be undertaken using natural local sands placed in layers with compaction to minimise settlement. Natural water courses of the site should be formed with the filling to maintain the natural water courses.

The following design and construction controls should be adopted with the development to maintain a low risk level to erosion and inundation:

- Minimum building floor levels of habitable buildings shall be above RL 3.1m AHD
- Minimum ground levels surrounding buildings shall be above RL 2.8m AHD with adequate drainage away from the land.
- Adequate building foundations for the site conditions including allowance for sea level rise.
- Minimum new access road level along the southern boundary of the new properties shall be above 2.0m AHD with capacity to raise in future as adaptive means (if required).
- Buildings need to be set back behind the primary dune toe level (rear of the dune)
- · Existing dunes are 4-6m AHD in height
- Existing ground level behind the dune varies across the development site from is 1 to 2m AHD and should be raised across the development footprint towards Trent Water to be greater than RL 2.0m AHD.



- Site filling shall be controlled utilising natural sand of the existing and broader area.
- Foreshore dune vegetation shall be managed and monitored as part of the development commencement and then regularly post storm events and/or at least annually
- Property owners maintain shoreline monitoring and protection width in front of the transverse within their property boundary as a means for adaptation and protection to the foreshore against potential increased sea level.

Figure 3.10 Development Proposal - Building Footprints & Roadway





4. Assessment to Planning Code Requirement

4.1 E5 Flood Prone Areas Code

4.1.1 E5.5.1 Use and Flooding

Performance criteria requirements and responds to those applicable are referred below:

Performance Criteria	
P1 Use including habitable rooms subject to flooding must demonstrate that the risk to life and property is mitigated to a low risk level in accordance with the risk assessment in E5.7.	All habitable rooms are located at the first floor of proposed development which is above the 2100 level of 3.1m.
P2 Use must demonstrate that the risk to life, property and environment will be mitigated to a low risk level in accordance with the risk assessment in E5.7.	The proposed development at Waterhouse Road (CT: 200350/1) should be land filled to a minimum level of 2 m AHD and higher on the building platforms. The new access road and accommodation lots will be built on the land filled area and protected from tide and flood inundation reducing the risk from high to low.

4.1.2 Flooding and Coastal Inundation

CIVIL

Performance criteria requirements and responds to those applicable are referred below:

·	• •	
Performance Criteria		
P1.1 It must be demonstrated that development	nt:	
P1.1 (a) where direct access to the water is not necessary to the function of the use, is	The proposed development does not require direct access to the water.	
located where it is subjected to a low risk, in accordance with the risk assessment in E5.7	The risk for the proposed development currently falls under high risk (likelihood: moderate, consequences: moderate/ major).	
	Subject to land filled to AHD 2m and above, the likelihood and consequences risk of the development decrease to unlikely and minor. Therefore, the overall risk will reduce to low.	
	The works are well planned for the habitable level of the proposed development exceed the planning scheme requirement.	
	Filling the land will not impact natural river flows or flooding to adjacent properties due to its proximity to the coast and the estuary.	
P1.1 (b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is	Not Applicable	



	red to a medium risk level in lance with the risk assessment in E5.7		
accord must d	Development subject to medium risk in lance with the risk assessment in E5.7 lemonstrate that the risk to life, ty and the environment is mitigated	•	The risk for the proposed development currently falls under high risk (likelihood: moderate, consequences: moderate/ major).
low ris	through structural methods or site works to a low risk level in accordance with the risk assessment in E5.7	•	Subject to land filled to AHD 2m, the likelihood and consequences risk of the development decrease to unlikely and minor. Therefore, the overall risk will reduce to low.
		•	This will raise the habitable level to be above the planning scheme requirement.
	Where mitigation of flood impacts is propostrate that:	osed	d or required, the application must
with na	P1.3 (a) The works will not unduly interfere with natural coastal or water course processes through restriction or changes to	•	All works will be undertaken from the land side. No water works will be required.
flow	ses through restriction or changes to	•	Proposed development area does not required access to or from water.
		•	The raising of the land with sand filling in suitable layering will not impact natural water course or flooding.
increa	b) The works will not result in an se in the extent of flooding on other r increase the risk to other structures	•	Subject to land filled to 2m AHD, the works will not cause or increase the risk to the adjacent sites.
		•	Trent Water is tidal and not influenced by environmental flows that induce flooding and therefore flooding is only likely through increased sea levels. The Bridport Port entrance controls tidal movement.
of the	c) Inundation will not result in pollution watercourse or coast through oriate location of effluent disposal or orage of materials;	•	Adequate drainage system should be installed around the development area and waterway to collect run off and be protected from inundation and flooding of the natural grounds.
propos bound an app	d) Where mitigation works are sed to be carried out outside the aries of the site, such work are part of proved hazard reduction plan covering ea in which the works are proposed.	•	Development area (CT: 200350/1) should be control filled to a level of 2m AHD whilst maintaining the existing natural water courses. This will reduce the inundation risk rating to low without impacting on the adjacent upstream or downstream land/structures.

4.2 **E14 Coastal Code**

4.2.1 E14.5.1 Risk to sensitive use

Performance criteria requirements and responds to those applicable are referred below:



Performance Criteria	
P1.1 Sensitive use that does not require access to the coast must not be located where it is subject to a high risk in accordance with the risk assessment in E14.7.1	Not applicable.
P1.2 Sensitive use must mitigate the risk to life, property and the environment to a low risk level in accordance with the risk assessment in E14.7.1	Existing natural processes external to the proposed site may occur including increase sea level rise (nominally up to 0.84m to 2100) may result in localised erosion to the primary dunes which result in exposure of foreshore to the development
	Subject to future infrastructure of the new port entrance (Bridport Foreshore Master plan), this will provide protection to the current proposed development, reducing the erosion risk to low.

4.2.2 E14.6.1 Coastal Hazards

Performance criteria requirements and responds to those applicable are referred below:

Performance Criteria	
1 errormance Oriteria	
P1.1 Development that does not require access to the coast must not be located where is subjected to a high risk, in accordance with the risk assessment in E14.7.1	Not applicable. Current development area is subject to a medium to low risk rating (likelihood: Unlikely, consequences: major). Controlling the setbacks, levels and location behind primary dune will retain a low risk level for the development.
P1.2 All development must mitigate the risk to life, property and the environment to a low risk level in accordance with the risk assessment in E14.7.1	Existing natural processes external to the proposed site may occur including increase sea level rise (nominally up to 0.84m to 2100) may result in localised erosion to the primary dunes which result in exposure of foreshore to the development. The proposed siting allows for suitable set back from likely erosion profiles expected on Barnbougle Beach.
	The natural protection of the dune is through a stable shoreline and continued littoral sand movement along the shore which is influenced by the Bridport River cut and Sisters Rocks. As long as sand is retained in its natural form along Barnbougle Beach then the risk to erosion is low.
	The risk of the development to life, property and environment can be retained at a low risk level as long as design recommendations provided in this report are maintained.



•	P2 development on hind dunes or within 30m
	of the seaward edge of any coastal cliff or
	bluff must avoid areas subject to natural
	hazard such as erosion, dune mobility,
	flooding and slumping, which may result from
	storm surge, wave action, human
	intervention or any other causes

The proposed development should be located behind the primary dune and set back to ensure natural erosion can occur without impacting the development and buildings.

4.2.3 E14.6.3 Public Access

Performance Criteria	
P1. Public access to the coast and foreshore must not be reduced	Not applicable.

4.2.4 Landscaping and vegetation

Acceptable solution	
A1 Vegetation removal must not occur within 10m of the landward edge of the cliff or bluff	Comply, current proposed development located 15m landwards of the foredune
A2 Landscaping must not use:	Comply subject to landscaping to match existing if disturbed



5. **Assessment Summary**

The proposed development at Waterhouse Road (CT: 200350/1) has been reviewed by Burbury Consulting to assess potential impact associated with the proposal against the following planning codes:

- E5 Flood Prone Areas Code
- E14 Coastal Code

The assessment against the codes indicates a reduced risk level can be achieved with the following design and construction recommendations:

Design

- Minimum building floor levels of habitable buildings shall be above RL 3.1m AHD
- Minimum ground levels surrounding buildings shall be above RL 2.8m AHD with adequate drainage away from the land.
- Adequate building foundations for the site conditions including allowance for sea level rise.
- Minimum new access road level along the southern boundary of the new properties shall be above 2.0m AHD with capacity to raise in future as adaptive means (if required).
- Buildings need to be set back behind the primary dune toe level (rear of the dune)
- Existing dunes are 4-6m AHD in height
- Existing ground level behind the dune varies across the development site from is 1 to 2m AHD and should be raised across the development footprint towards Trent Water to be greater than RL 2.0m AHD.
- Site filling shall be controlled utilising natural sand of the existing and broader area.
- Foreshore dune vegetation shall be managed and monitored as part of the development commencement and then regularly post storm events and/or at least annually
- Property owners maintain shoreline monitoring and protection width in front of the transverse within their property boundary as a means for adaptation and protection to the foreshore against potential increased sea level.

From: James Burbury

Sent: Tuesday, 2 May 2023 9:00 AM

To: George Walker

Subject: RE: PLA/2022/107 - Request for Additional Information - 6ty Degrees - Visitor

Accommodation (20 Units) - 429 Waterhouse Road Bridport

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Hi George,

The context of that statement was due to the fact we are across works currently being explored in relation to the port entrance and noting that those works would not adversely impact the proposal nor vice versa. If a port entrance is upgraded with sand bypass facility, then sand transfer can be controlled and we have a comfort level that risk of erosion is therefore low due to capacity to influence sand renourishment through a bypass.

Without a sand bypass the site retains its natural form and as we outlined in Section 3.3 and 3.6 of the report the natural processes over the last 70 years (1956-2023) have resulted in a well maintained shoreline in the area of development with no signs of beach recession and a stable beach profile, well vegetated and as a result low risk of coastal erosion as long as the recommendations in Section 3.7 are maintained.

Regards

James Burbury Managing Director



www.burburyconsulting.com.au

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From: George Walker

Sent: Tuesday, May 2, 2023 8:02 AM

To: James Burbury

Subject: RE: PLA/2022/107 - Request for Additional Information - 6ty Degrees - Visitor Accommodation (20 Units) -

429 Waterhouse Road Bridport

Hi James,

Any progress with this? Regards,

George

From: James Burbury
Sent: Monday, April 17, 2023 6:55 PM

To: George Walker

Subject: Re: PLA/2022/107 - Request for Additional Information - 6ty Degrees - Visitor Accommodation (20 Units) - 429 Waterhouse Road Bridport

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Hi George,

Can'	t recall	the	context	but '	will	che k	and	resi	bond	tomorrow.

Regards

James Burbury Managing Director

www.burburyconsulting.com.au

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Sent from iPhone

On 17 Apr 2023, at 6:12 pm, George Walker wrote:						
Hi James,						
I hope you are well.						
We have been requested to provide some additional information by Council for Barnbougle.						
We require your input in relation to Item 5 which is as follows:						
The Coastal Report states in response to E14.5.1 P1.2 that 'subject to future infrastructure of the new port entrance (Bridport Foreshore Master Plan), this will provide protection, this will provide protection to the current proposed development, reducing the erosion risk to low.' If the new port entrance does not occur (or does not occur within a short-medium term period) will the erosion risk still be low? Or would it be raised to medium instead?						
Are you able to provide a response to this (email is fine)?						
Regards,						
George						
From: Thomas Wagenknecht Sent: Wednesday, April 5, 2023 5:57 PM To: George Walker						

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Subject: FW: PLA/2022/107 - Request for Additional Information - 6ty Degrees - Visitor

Accommodation (20 Units) - 429 Waterhouse Road Bridport

Hi George,

Cc: Rohan Willis



SITE LOCATION PLAN

SCALE 1:5000



PART SITE PLAN

SCALE 1:1000



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Architectural ABP No. CC4874f Structural / Civil ABP No. CC1633i Building Services Provider ABP No. 311245120



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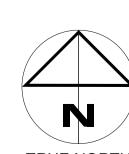
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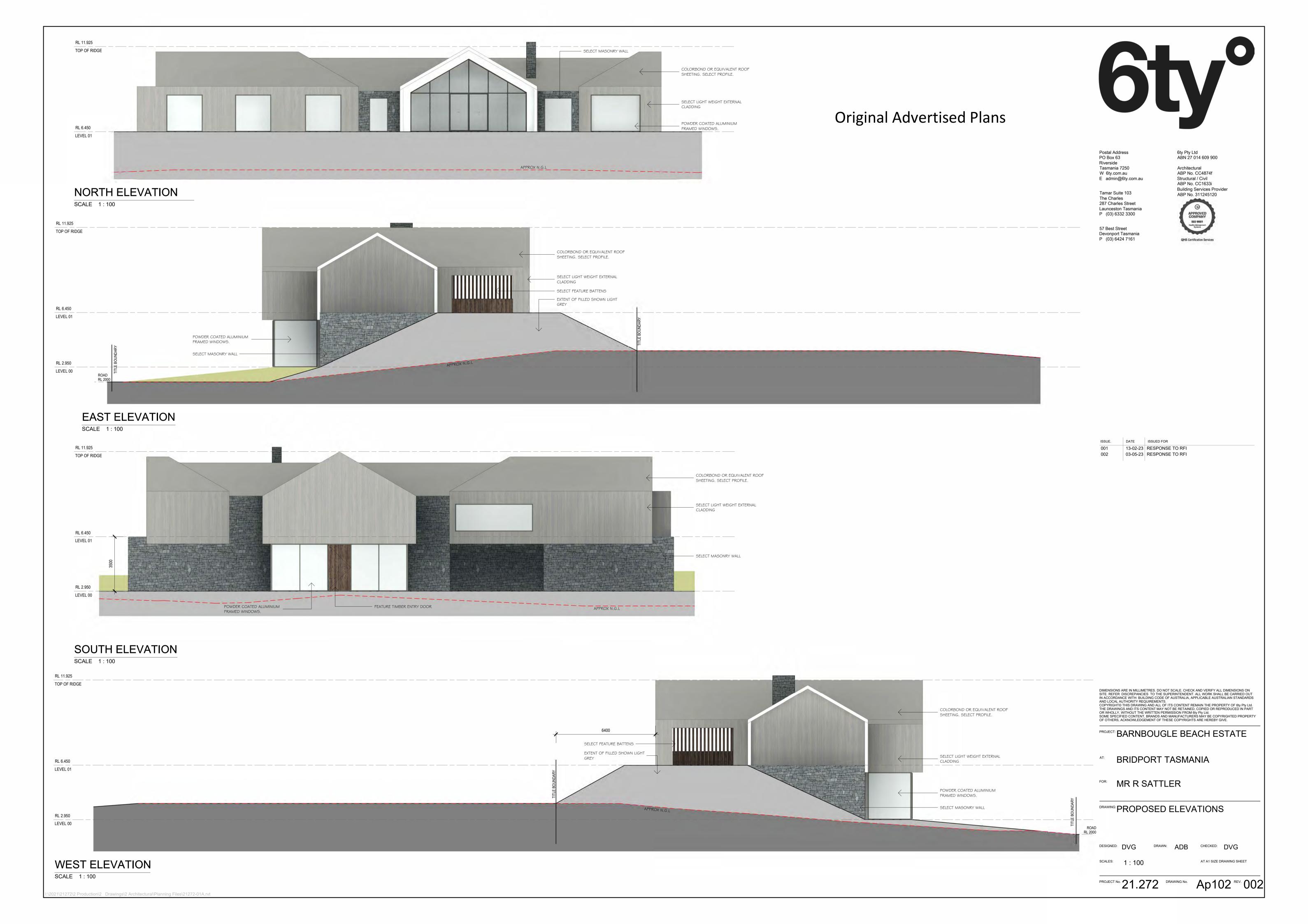
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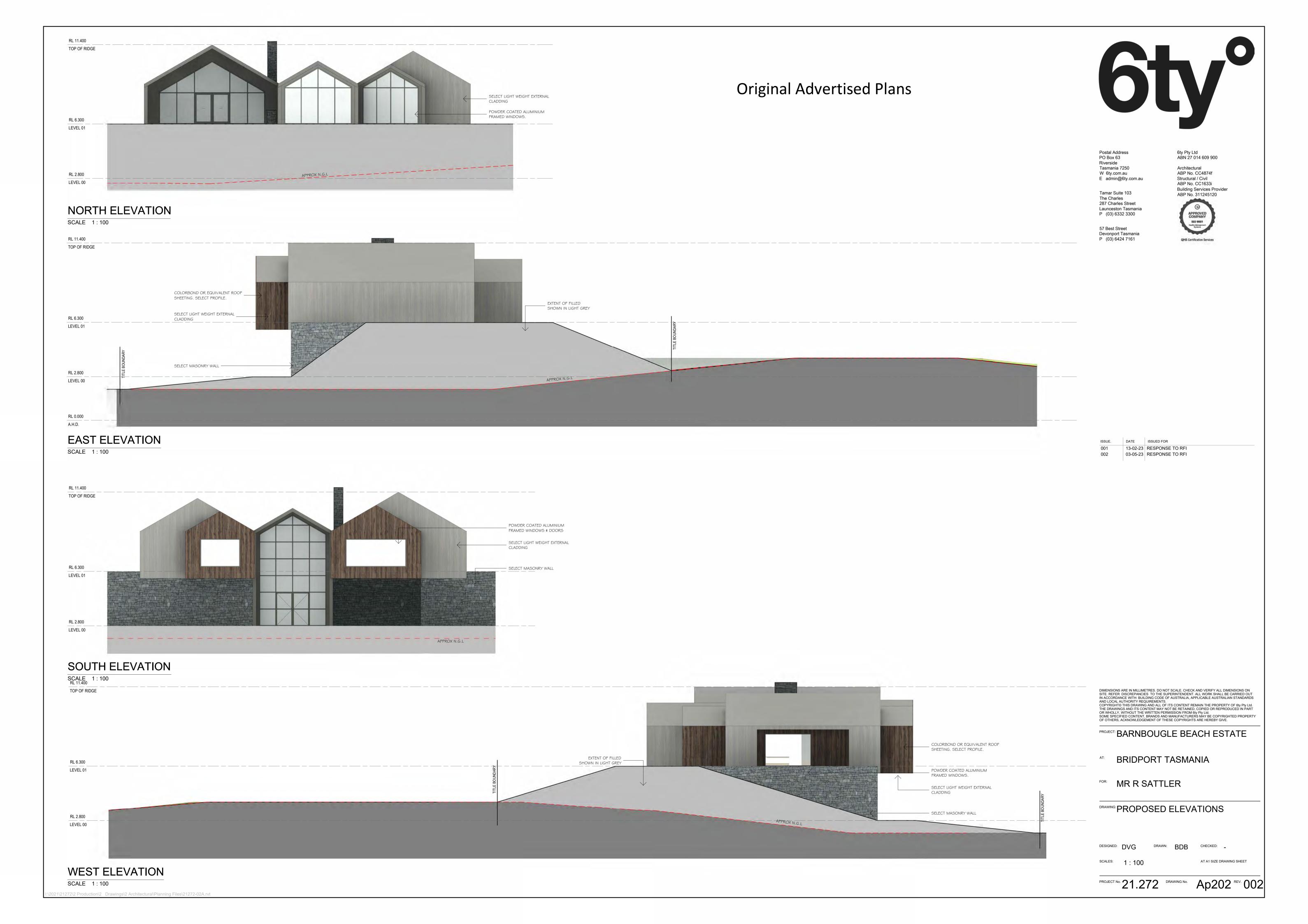
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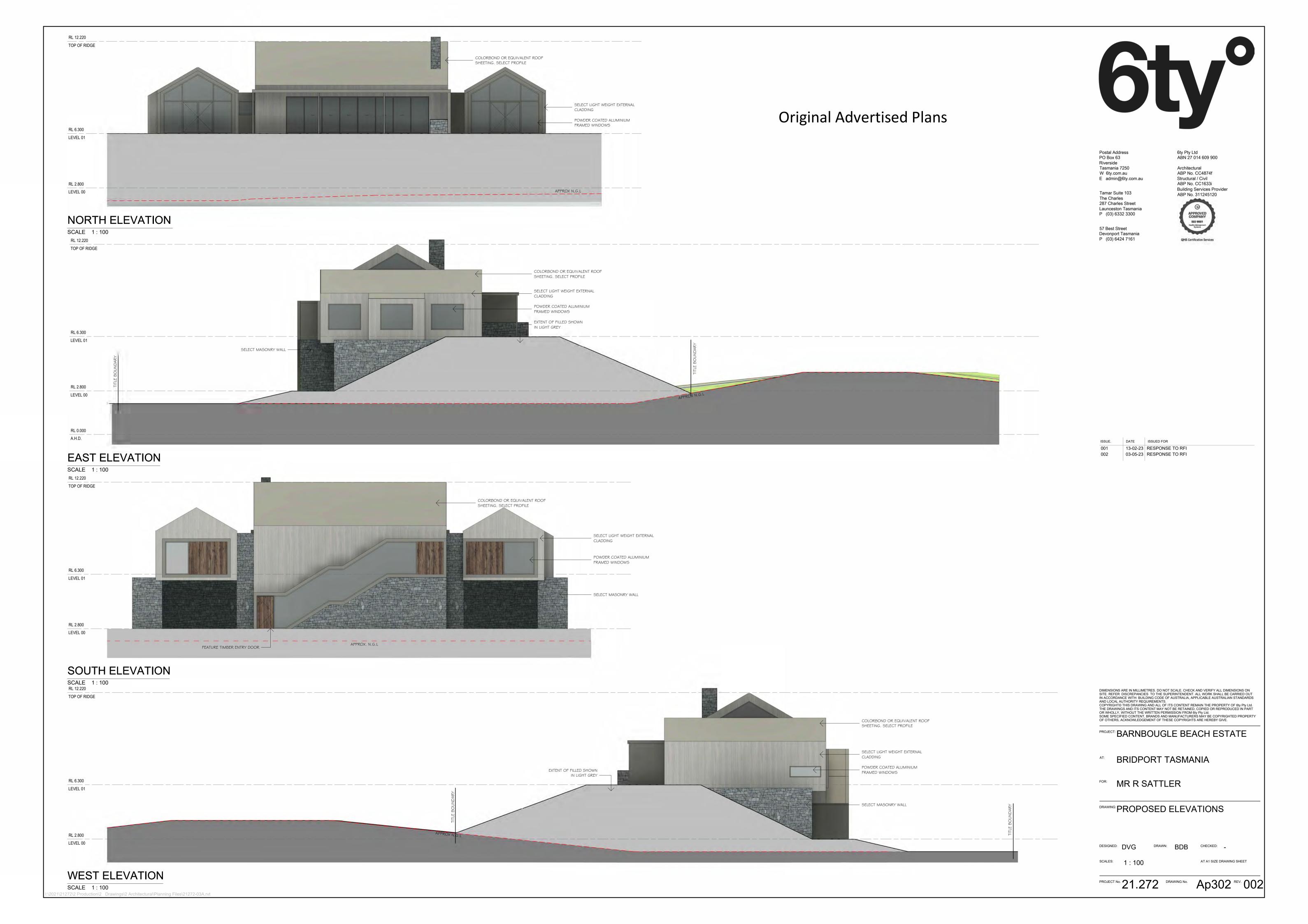
FOR: MR R SATTLER

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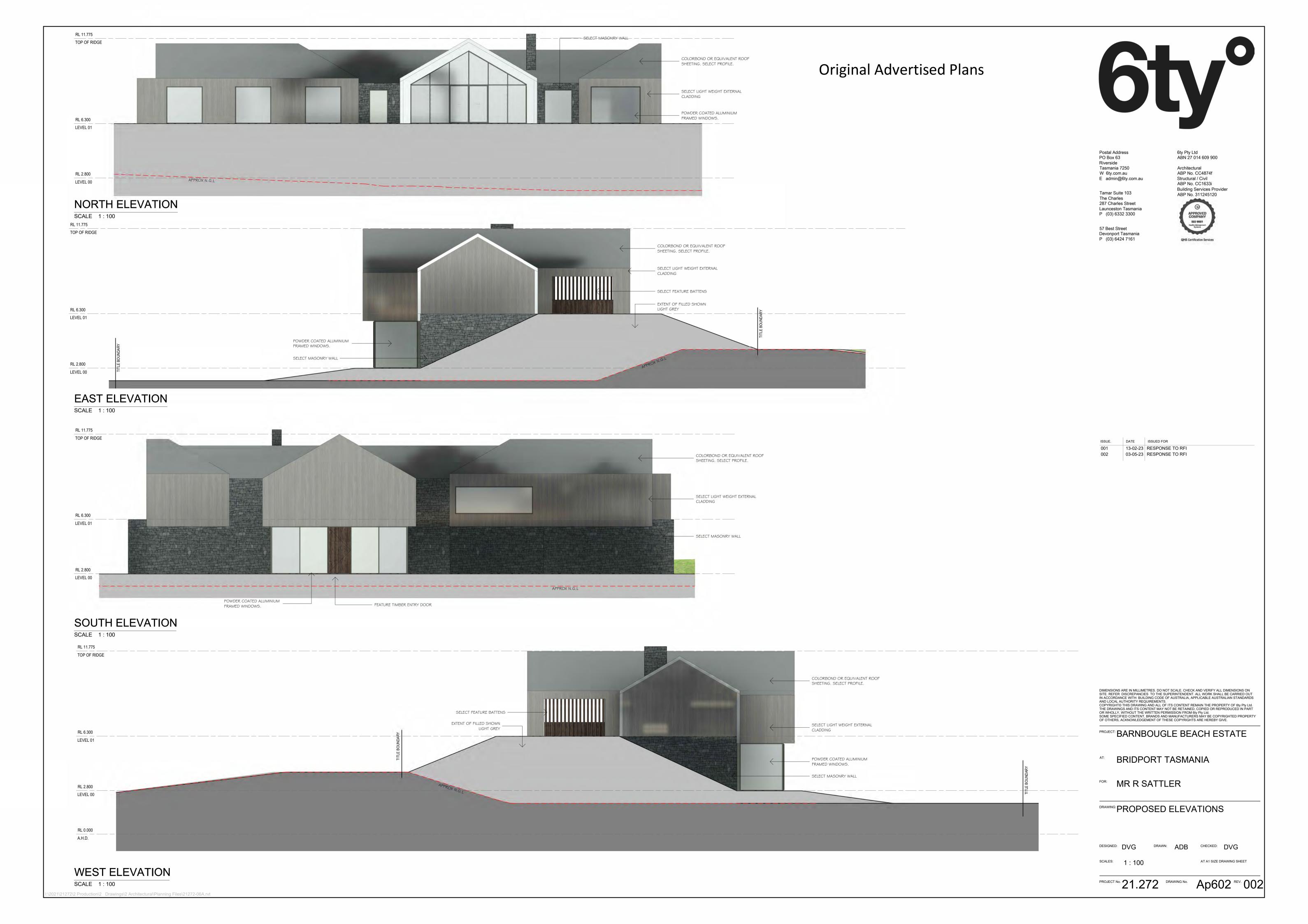


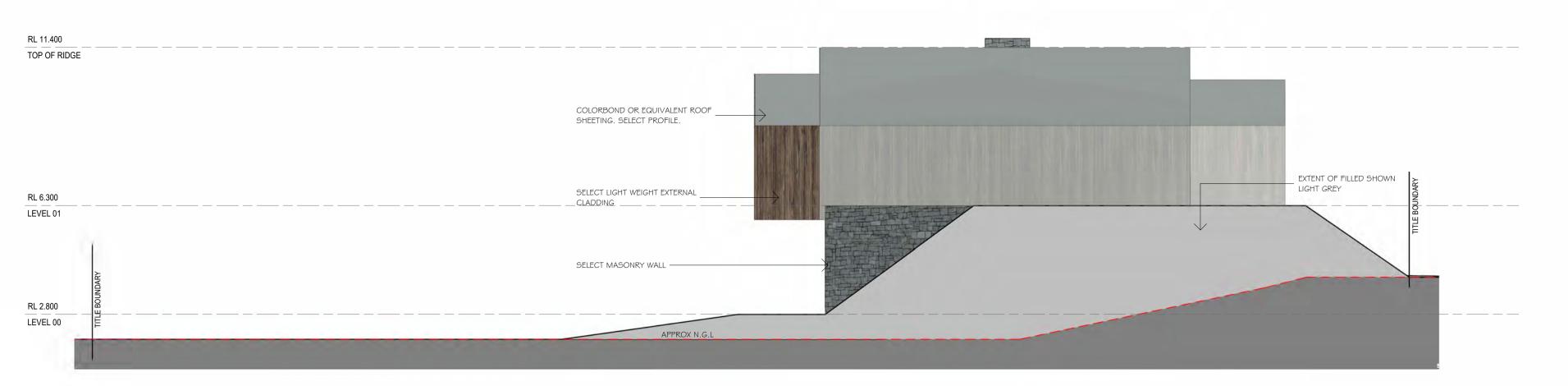




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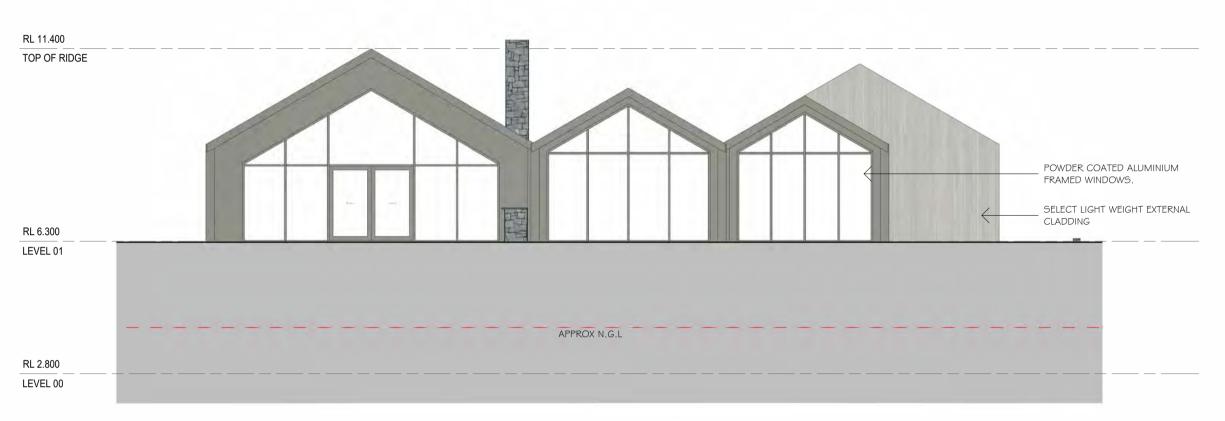






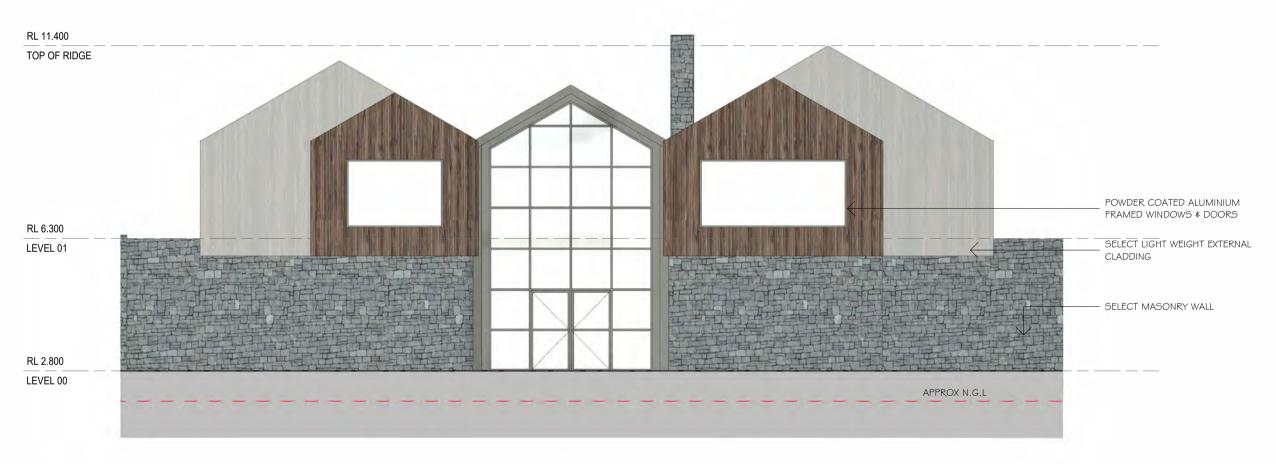
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NORTH ELEVATION

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SOUTH ELEVATION

SCALE 1:100



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FOR: MR R SATTLER

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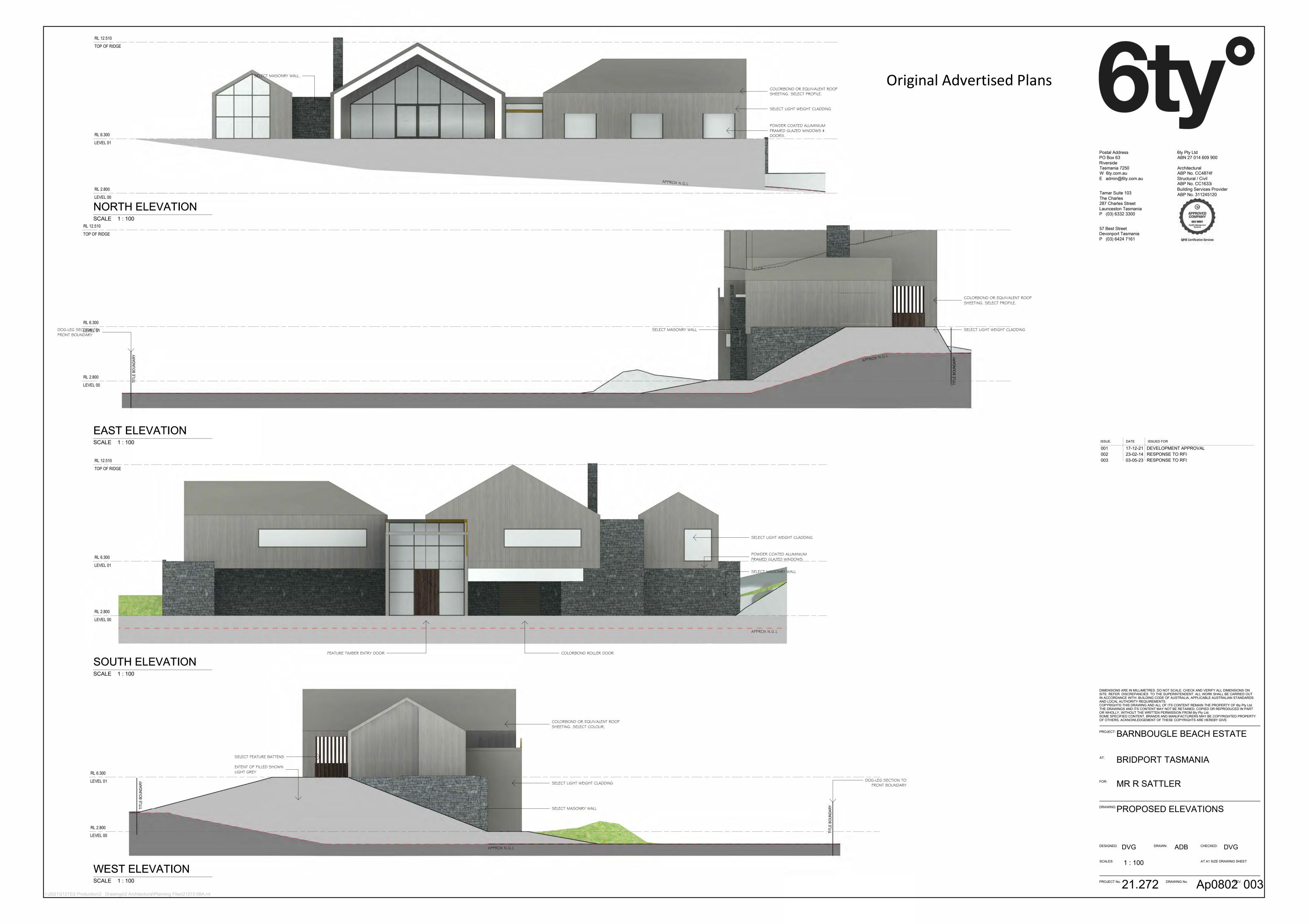
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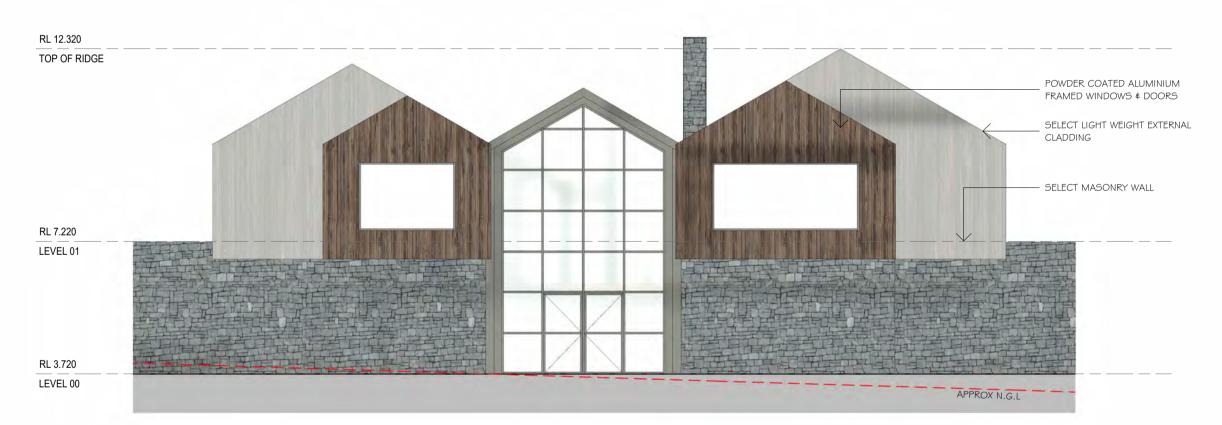
NORTH ELEVATION

SCALE 1:100



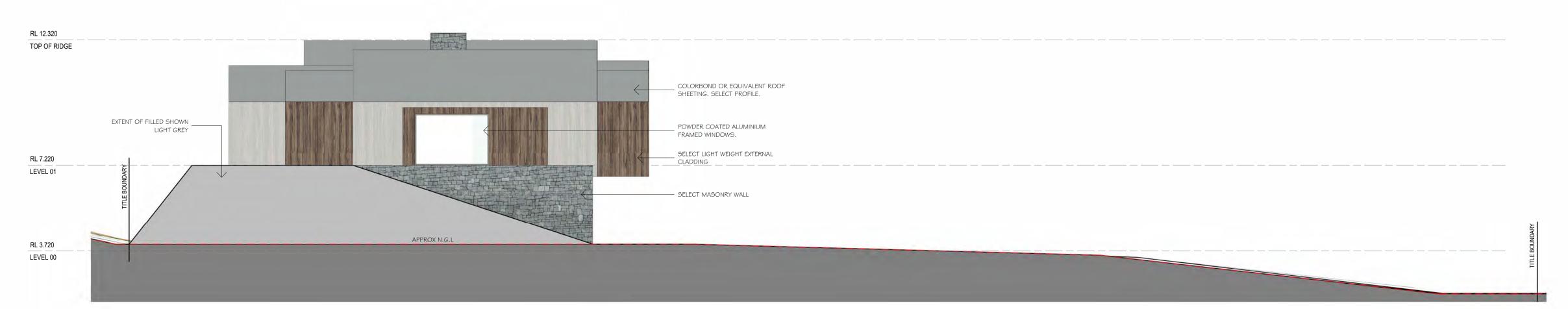
EAST ELEVATION

SCALE 1:100



SOUTH ELEVATION

SCALE 1:100



WEST ELEVATION

23-02-13 RESPONSE TO RFI 03-05-23 RESPONSE TO RFI

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PROJECT: BARNBOUGLE BEACH ESTATE

AT: BRIDPORT TASMANIA

FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

SCALES: 1:100

COLORBOND OR EQUIVALENT ROOF SHEETING. SELECT PROFILE.

- SELECT LIGHT WEIGHT CLADDING

POWDER COATED ALUMINIUM — FRAMED GLAZED WINDOWS \$

DOORS.



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Architectural ABP No. CC4874f Structural / Civil ABP No. CC1633i **Building Services Provider** ABP No. 311245120

QMS Certification Services

NORTH ELEVATION

SELECT MASONRY WALL. ----

SCALE 1:100

RL 14.210 TOP OF RIDGE

RL 8.000

LEVEL 01

RL 4.500 LEVEL 00



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PROJECT: BARNBOUGLE BEACH ESTATE

BRIDPORT TASMANIA

FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

CHECKED: DVG

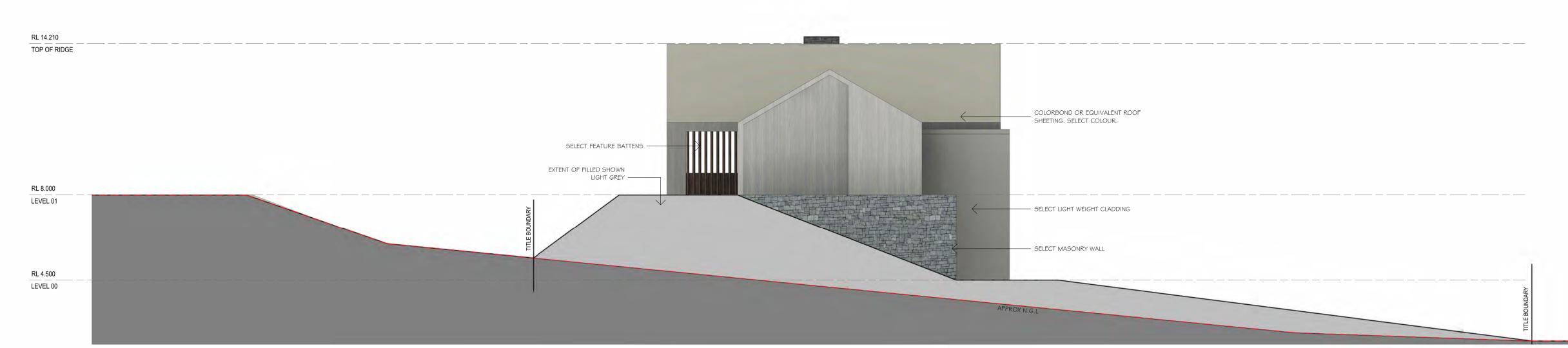
AT A1 SIZE DRAWING SHEET

EAST ELEVATION

SCALE 1:100



SOUTH ELEVATION



6ty^c

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PROJECT: BARNBOUGLE BEACH ESTATE

BRIDPORT TASMANIA

FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

DESIGNED: DVG DRAWN: ADB CHECKED: DVG

SCALES: 1:100

AT A1 SIZE DRAWING SHEET

DJECT No. **91 979** DRAWING N

Ap1303[™] 00

WEST ELEVATION

RL 13220 TOP OF RIDGE COUCHENING OR EQUIVALENT MOOP SHEETING. SELECT FRONT IE SELECT LIGHT WIGHT EXTERNAL CLADING CLADING POMISE COAFES ALLIAN NUM FRANCO MIGOLO LEVEL 01 APPECA N.G.L

Original Advertised Plans



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DATE ISSUED FOR

1 13-02-23 RESPONSE TO RFI
2 03-05-23 RESPONSE TO RFI

EAST ELEVATION

SCALE 1:100

NORTH ELEVATION

SCALE 1:100



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PROJECT: BARNBOUGLE BEACH ESTATE

BRIDPORT TASMANIA

FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

DVG S

BDB

AT A1 SIZE DRAWING SHEET

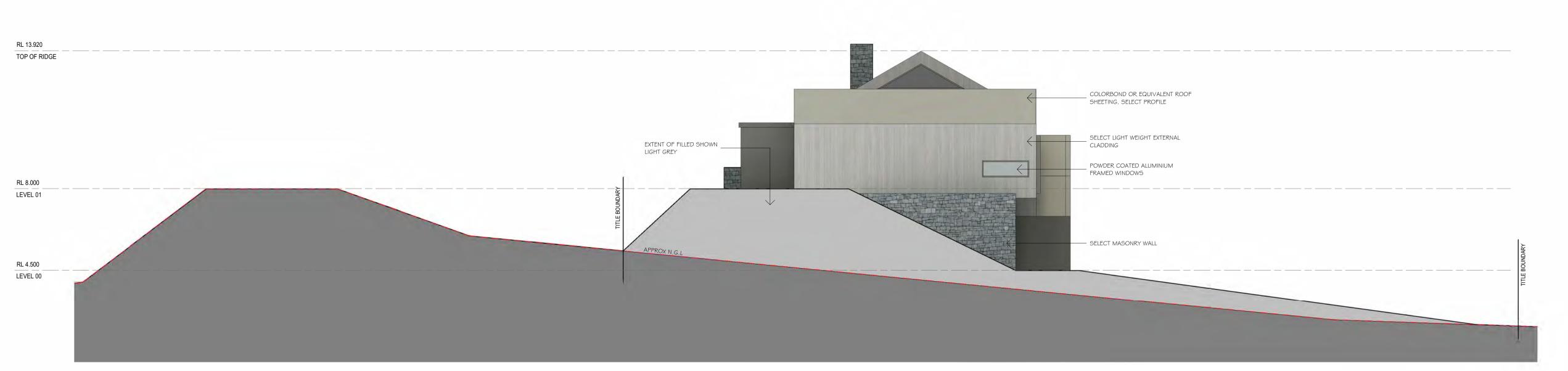
DJECT No. **91 979** DRAWING N

Ap1402[™]00

SOUTH ELEVATION

SCALE 1:100

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WEST ELEVATION

SCALE 1:100

Original Advertised Plans

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PROJECT: BARNBOUGLE BEACH ESTATE

BRIDPORT TASMANIA

FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

SCALES: 1:100

DESIGNED: DVG DRAWN: BDB CHECKED: -

AT A1 SIZE DRAWING SHEET

PROJECT No. 21.272 DRAWING No. Ap1403 001

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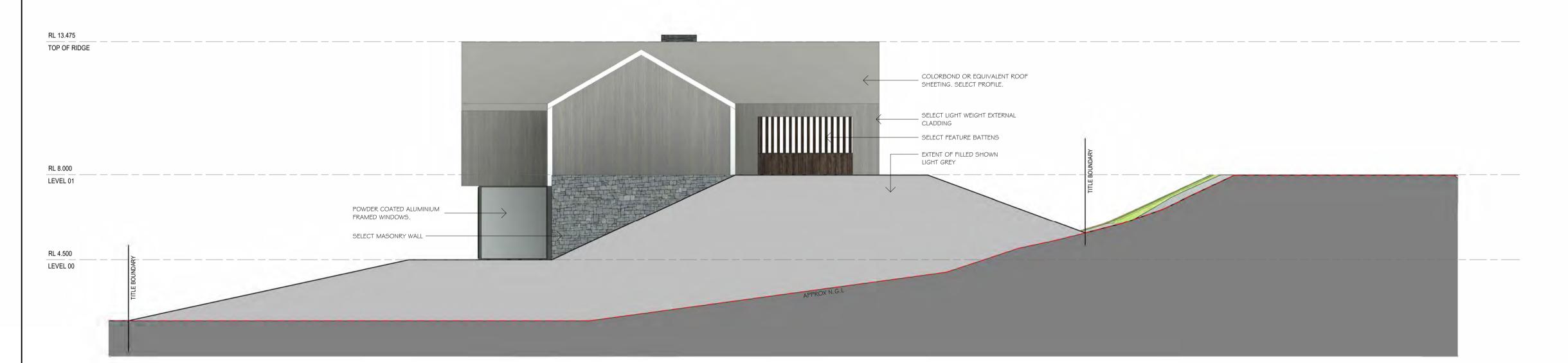
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APPROVED COMPANY
ISO 9001
Guilly Management Systems

QMS Certification Services

NORTH ELEVATION

SCALE 1:100



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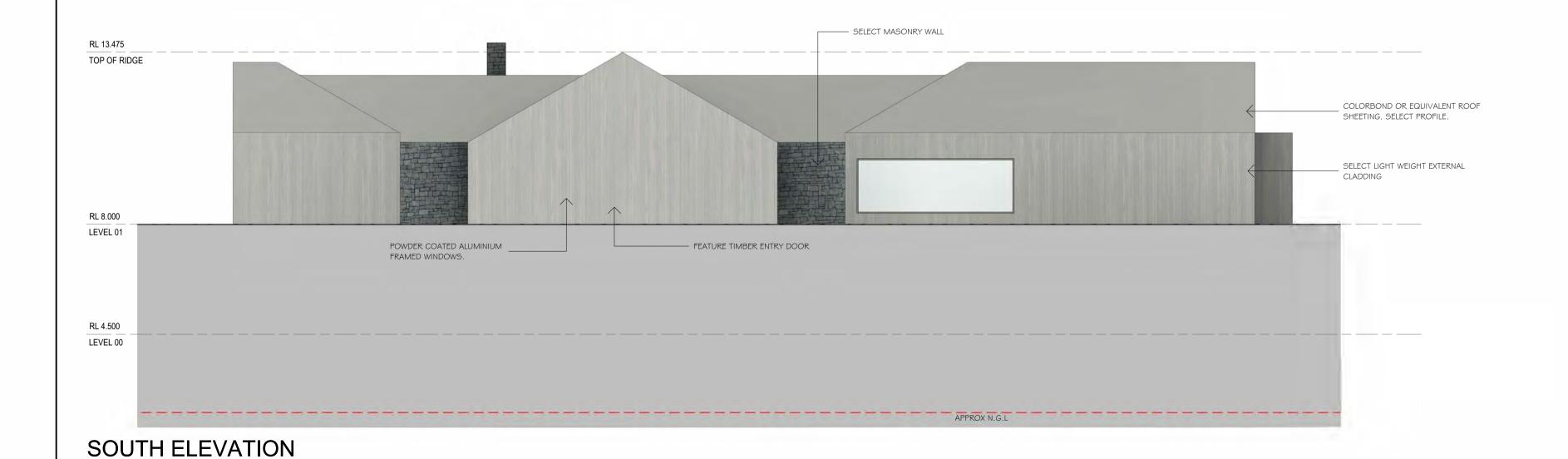
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13-02-23 RESPONSE TO RFI 03-05-23 RESPONSE TO RFI

EAST ELEVATION

SCALE 1:100

SCALE 1:100



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PROJECT: BARNBOUGLE BEACH ESTATE

AT: BRIDPORT TASMANIA

FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

GNED: DVG DRAWN: AD

B CHECKED: DVG

PROJECT No. O. A. O. TO.

SCALES: 1:100

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AT A1 SIZE DRAWING SHEET

CCT No. 21.272 DRAWIN

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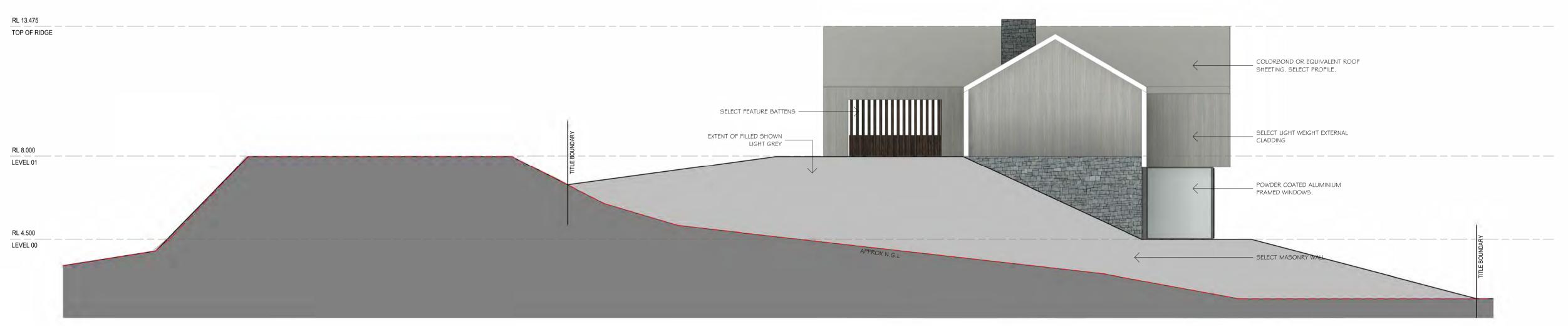
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WEST ELEVATION

SCALE 1:100

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BRIDPORT TASMANIA

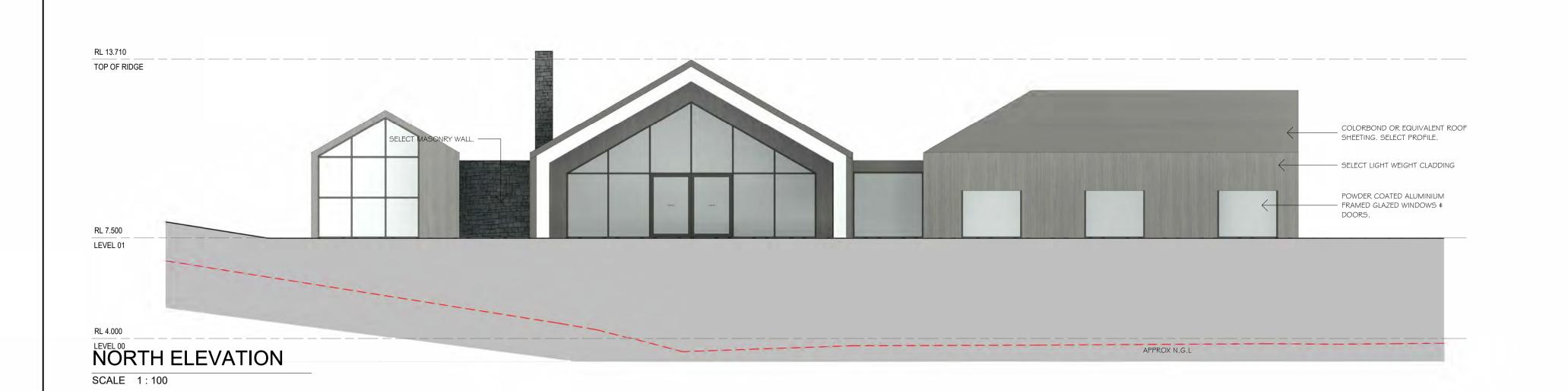
FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

DESIGNED: DVG DRAWN: ADB CHECKED: DVG

SCALES: 1:100

PROJECT No. 21.272 DRAWING No. Ap1503 001





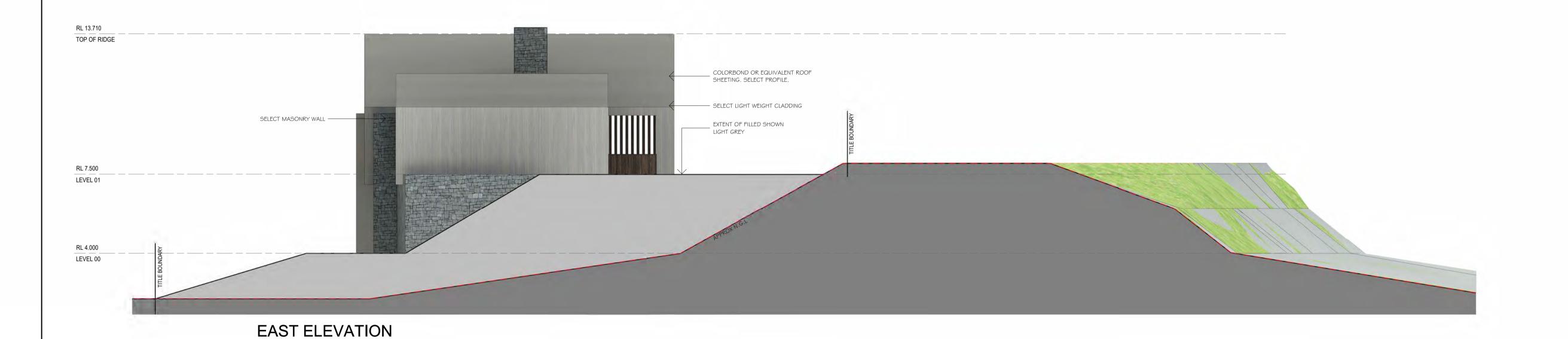
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PROJECT: BARNBOUGLE BEACH ESTATE

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FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

SIGNED: DVG DRAWN: AD

DB CHECKED: DVG

SCALES: 1:100 AT A1 SIZE DRAWING SHEET

IECT No. **91 979** DRAWING

Ap1602[™] 002





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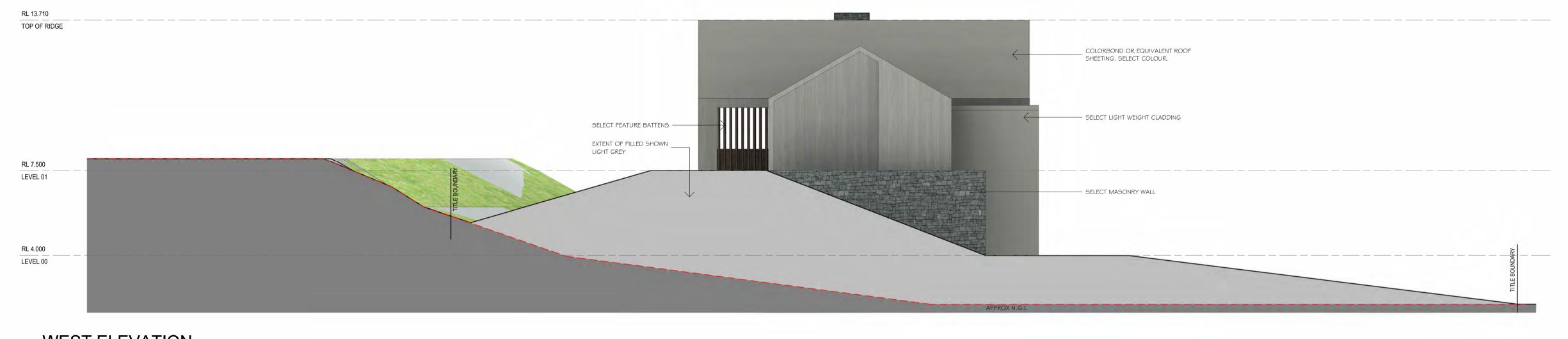
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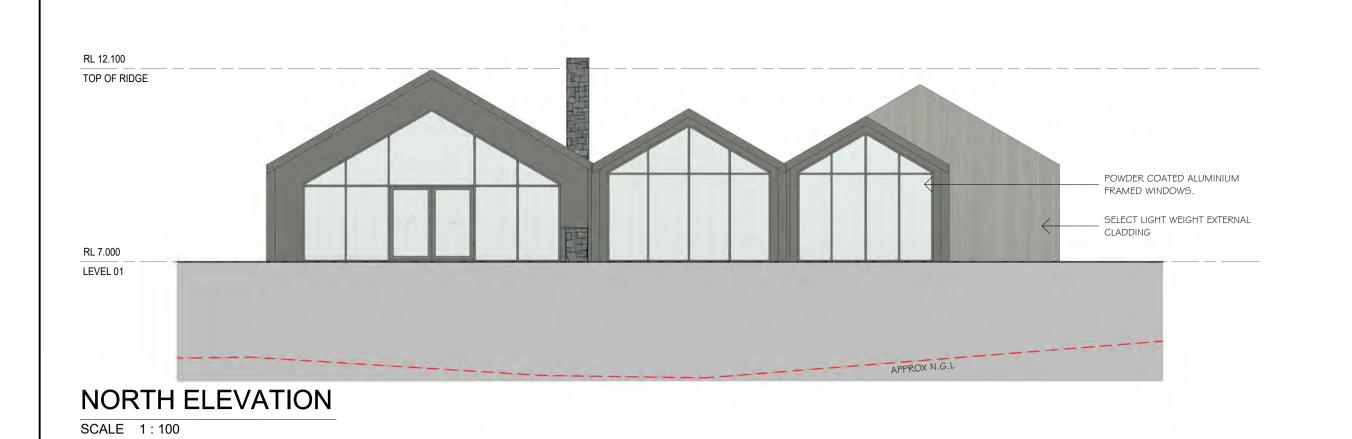
FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

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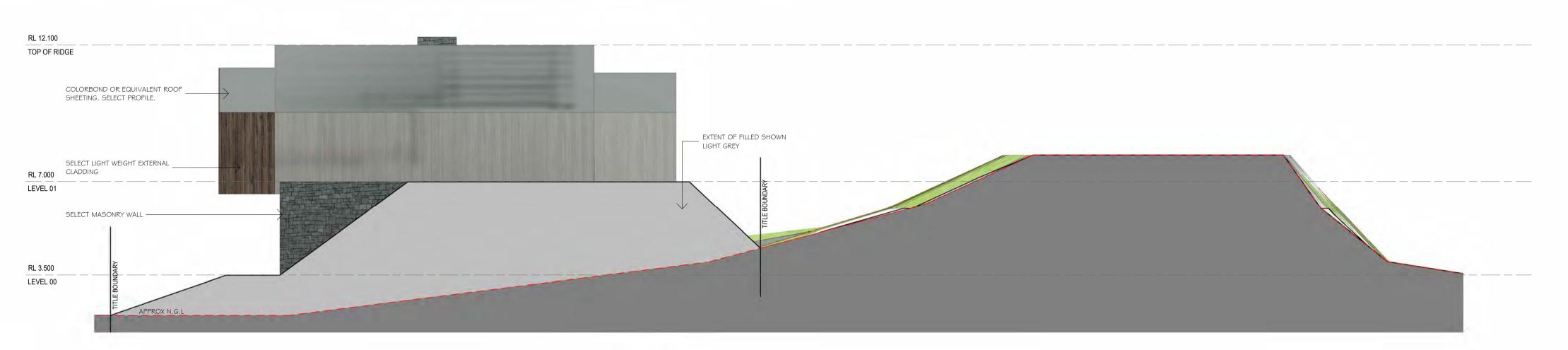
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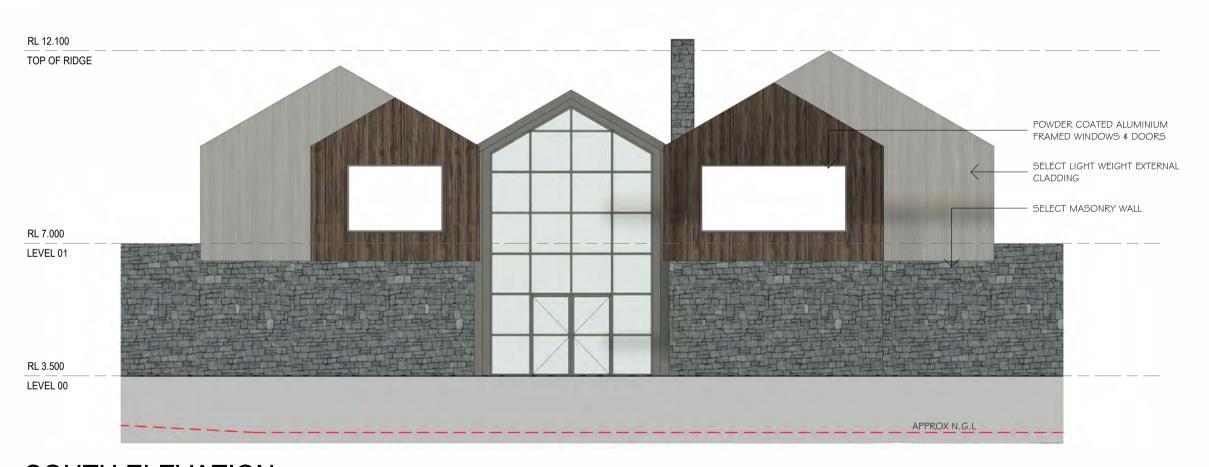
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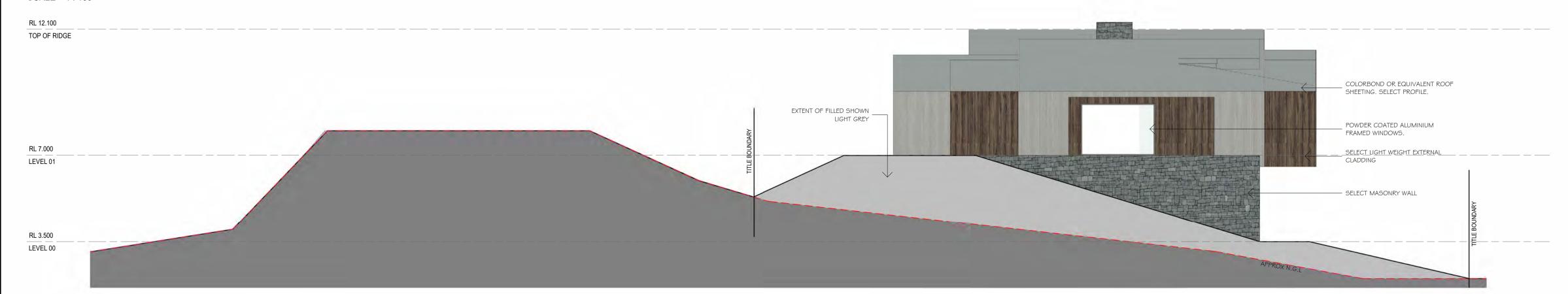
EAST ELEVATION

SCALE 1:100



SOUTH ELEVATION

SCALE 1:100



WEST ELEVATION

SCALE 1:100

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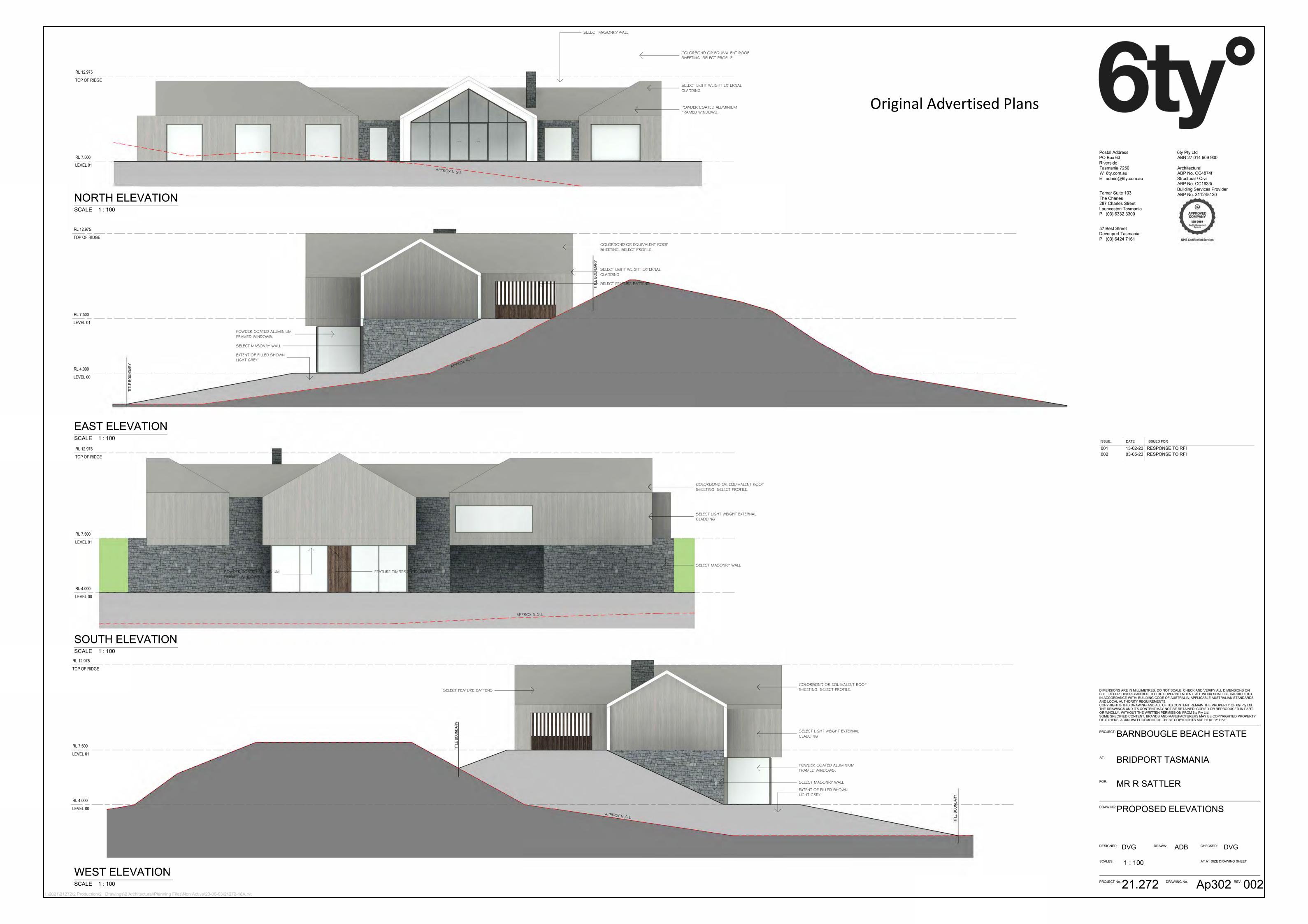
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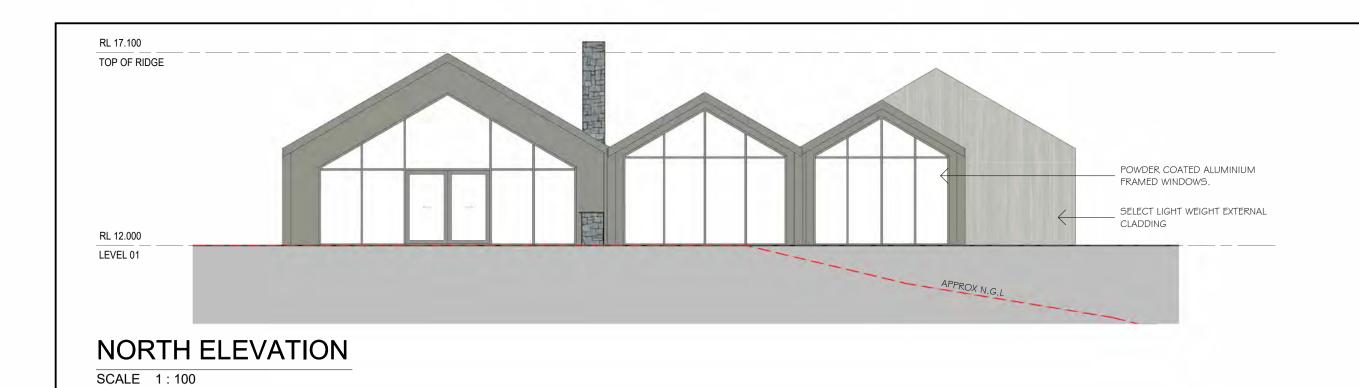
13-02-23 RESPONSE TO RFI 03-05-23 RESPONSE TO RFI

FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

SCALES: 1:100







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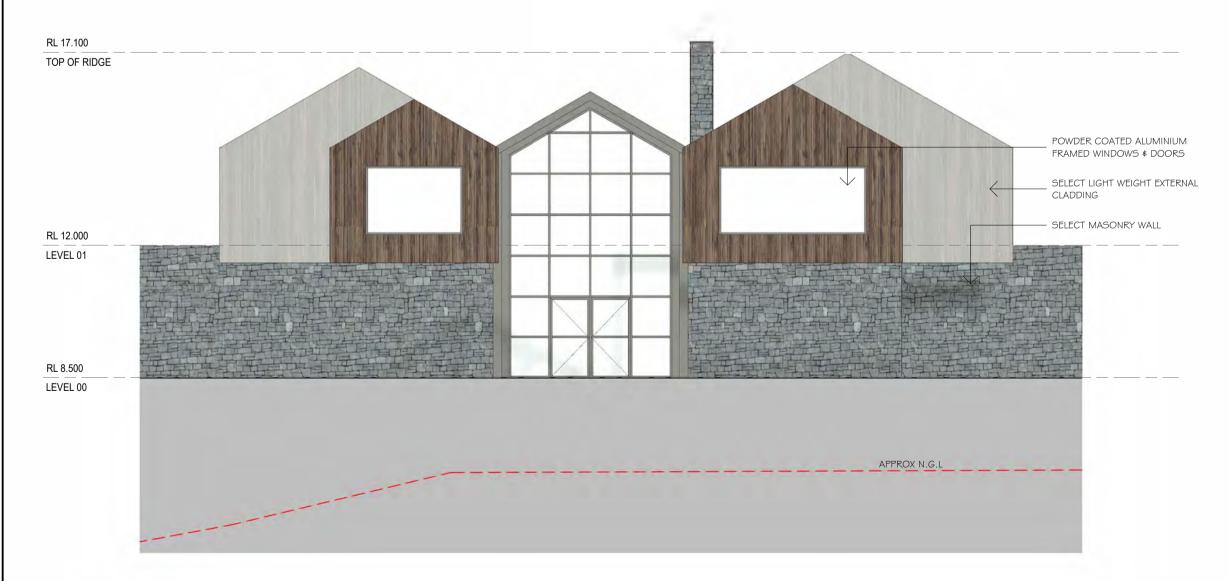
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EAST ELEVATION

SCALE 1:100



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PROJECT: BARNBOUGLE BEACH ESTATE

AT: BRIDPORT TASMANIA

13-02-23 RESPONSE TO RFI 03-05-23 RESPONSE TO RFI

FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

SCALES: 1:100

AT A1 SIZE DRAWING SHEET

DIECT No. O.A. O.T.O. DRAN

Ap1902 002

SOUTH ELEVATION



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AT: BRIDPORT TASMANIA

FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

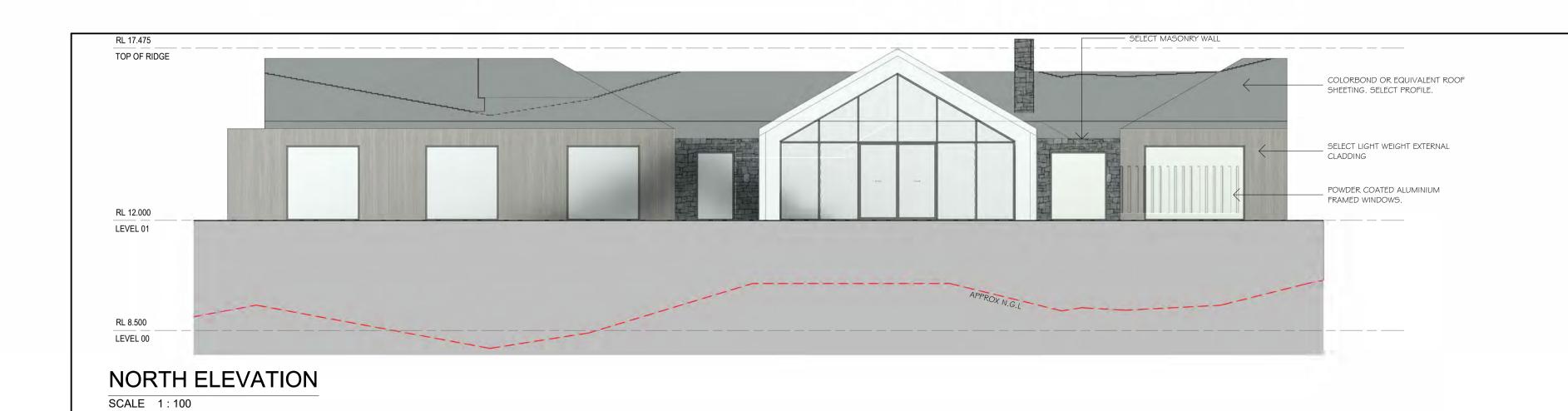
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DESIGNED: DVG DRAWN: BDB CHECKED: -

AT A1 SIZE DRAWING SHEET

DJECT No. **91 979** DRAV

Ap1903 00





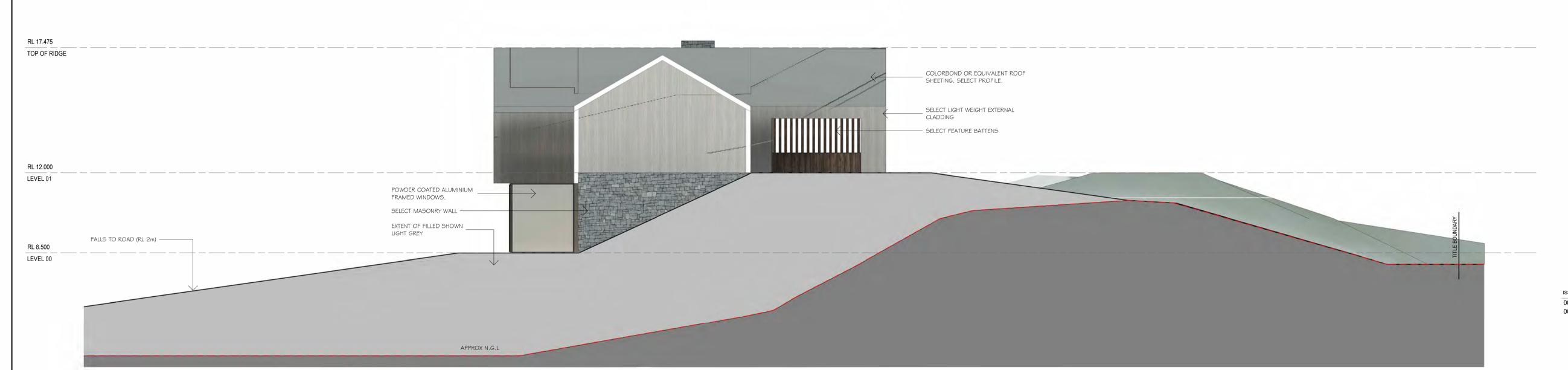
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ABP No. 311245120



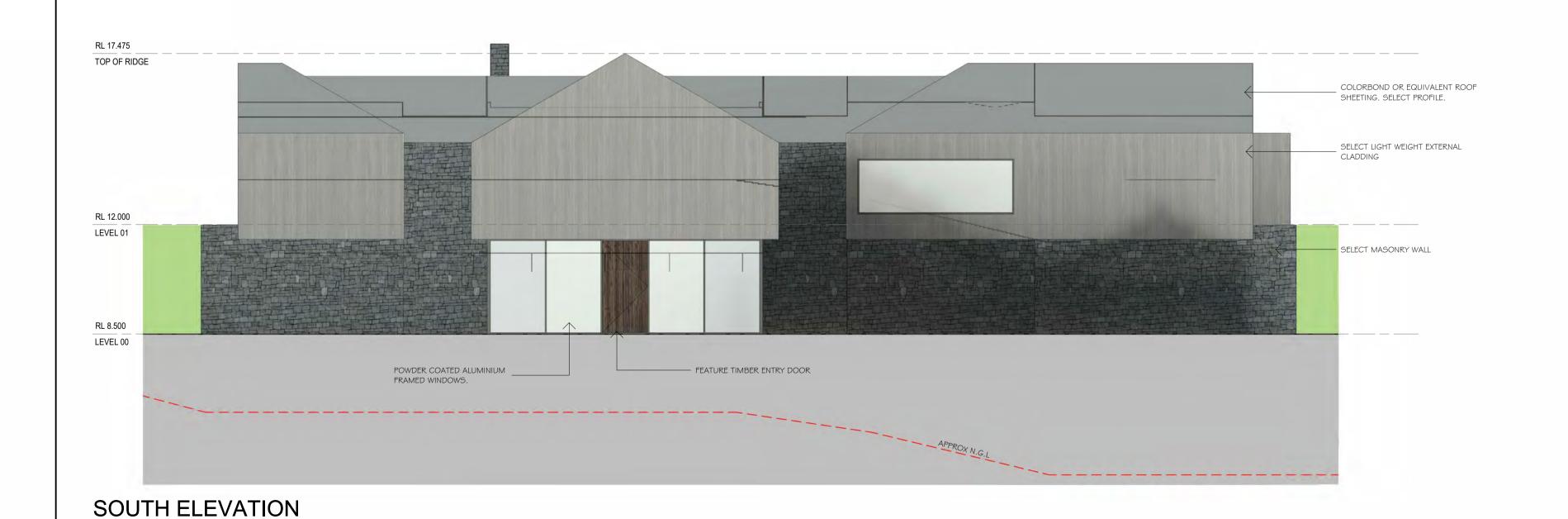


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1 13-02-23 RESPONSE TO RFI
2 03-05-23 RESPONSE TO RFI

EAST ELEVATION

SCALE 1:100



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PROJECT: BARNBOUGLE BEACH ESTATE

AT: BRIDPORT TASMANIA

FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

SCALES: 1:100

3 CHECKED: DVG

PROJECT No. O. A. O. TO DE

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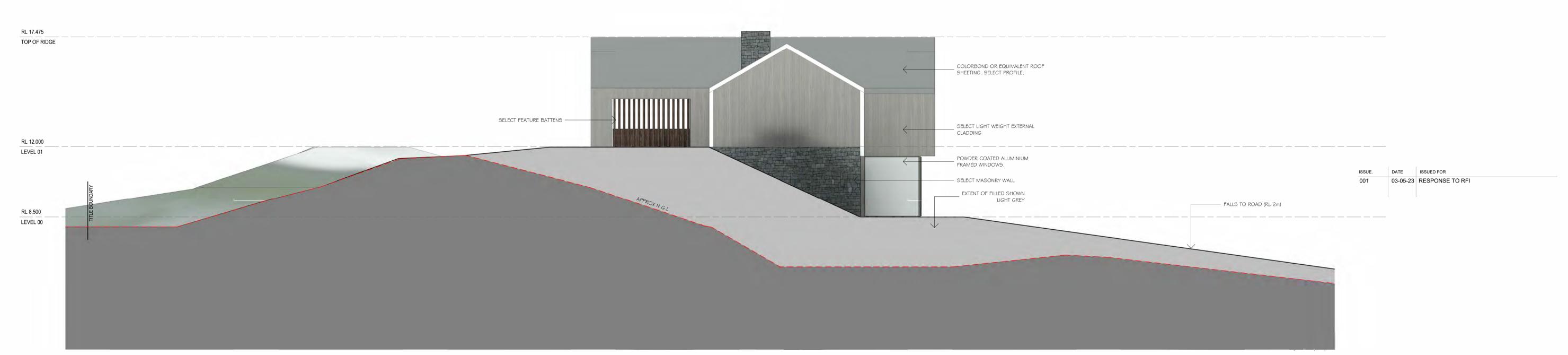
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SCALE 1:100

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PROJECT: BARNBOUGLE BEACH ESTATE

AT: BRIDPORT TASMANIA

FOR: MR R SATTLER

DRAWING: PROPOSED ELEVATIONS

DESIGNED: DVG DRAWN: ADB CHECKED: DVG

SCALES: 1:100

F/R 200350/1 Waterhouse Road Bridport and 429 Waterhouse Road Bridport (2022/107)



Site Notice – 429 Waterhouse Road BRIDPORT (2022/107)	
1 Robert Masterman	(name)
of Dorset Council do solemnly and sincerely declare that I erected the S	Site Notice(s) at the position(s) indicated on the plan above
on 12/5/2023	(date)
at 11:30 am	(time)
Signed:	











From: Jay Wilson

Sent: Friday, 26 May 2023 4:56 PM

To: General Manager

Subject: DA 22/107 Richard Sattler 20 building proposal.

Hello.

I would like to make a submission for DA 22/107 for the construction of habitation of approximately 20 habitations and associated infrastructure. I was only made aware of the develoment two days before the comments period closed via a story in the NE Advertiser. When I visited Council offices there were a couple of footprint diagrams and diagrams of the individual "visitor accommodation buildings", but no written information or a copy of the application. The DA was large in size and difficult to download. For a development of this sensitivity and significance, I would assert that Council had an ethical obligation to make sure that the community had adequate prior knowledge. This was not the case.

Preamble

Richard Sattler and The Barnbougle Dunes/Lost Farm golf developmemt have made a wonderful contribution to the Bridport community. The current developmemt has provided significant employment. Infrastructure has been constructed so that the iconic and beautiful view of the sweep of Anderson Bay from Bridport has not been impeded. Locals have been able to play golf, to have coffee or lunch and to enjoy the facilities. The natural environment has been sensitively managed. However, this development application marks an important change of circumstances. It is difficult to understand how a DA with so many complications and implications could possibly be approved without more information and major modifications and with so little prior community consultation.

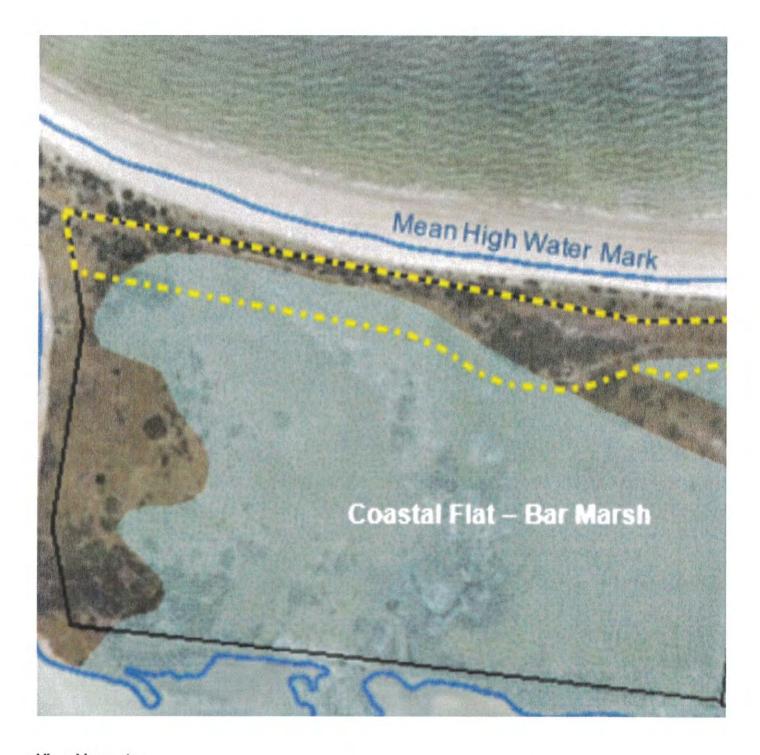
The property has rural resource zoning. The justification and evidence provided for allowing construction of relatively high densitive habitation in a rural zone isnt very convincing.

The building site is clearly at risk of coastal erosion as well as inundation, as Burbury Consulting reports and the diagrams below illustrate. This risk of building on mobile soft sediments will likely increase exponentially as the effects of sea level rise and extreme weather events become more evident. How could it possibly be either responsible or allowable to site and approve these habitations at the proposed location? The Infrastructure is at risk from both the seaward and below.



Figure 3.4: Coastal Inundation Hazard Bands overlay (tl





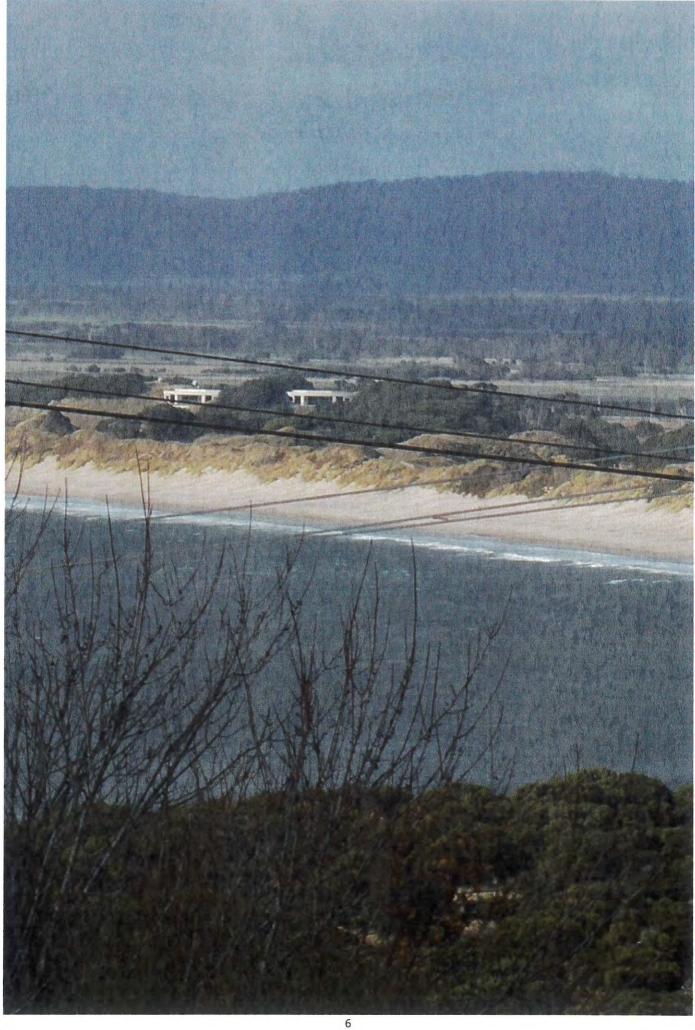
Visual impacts.

As per P5 below, the negative visual impact of removal of native vegetation is conceded. The negative visual impact of the infrastructure is conceded. The photo below clearly illustrates that the development will have a negative visual impact from the length of the Bridport township. Diagrams could have easily been generated to provide a clear understanding of the visual impact. Why were they not either required or provided? The building height, size and density of the habitations and associated infrastructure as presented will have a negative impact on the the currently unimpeded view of Anderson Bay from Bridport. Once Bridport residents realise this, it will be too late to change it if this DA is approved as presented. The habitations should, like all other previous built infrastructure at the site, be designed and sited to minimise the impact on the visual amenity from Bridport. They should be lower in height, and designed to blend into the landscape. Roads and powerlines will also have an impact that should be minimised.

Performance Criteria P5

It must be demonstrated that the visual appearance of the the local area having regard to:

Sub	clause	Assessment		
a)	the impacts on skylines and ridgelines;	The area of the proposed use a located on a skylir		
b)	visibility from public roads; and	The proposed use setback a mapproximately 630 west and 667m from the south. These soften and minimis of the developme when viewed from Main Street along provided by the unretention of coast perimeter of the sand muted extending produce low reflewithin the landscaper.		
c)	the visual impacts of storage or materials or equipment; and	The proposed vis does not involve the equipment.		
d)	the visual impacts of vegetation clearance or retention.	Some vegetation removed. The strupredominately low heath. New couplanted around the development.		
e)	the desired future character	The proposed use		



The development will clearly have a negative impact on vegetation and biodiversity. As the above photo illustrates, the existing native vegetation provides a natural corridor for native animals to move. This development will likely impede that movement. There is no diagram provided to indicate just how much of this vegetation will be removed. There is no real assurance given in respect to the presence or absence of threatened species. Sea eagles have been present in this area for a long time, but there was no mention of that in the DA. A management plan should be required.

There is undoubtedly evidence of Aboriginal Heritage at the site and a survey should be required to ensure that there are no significant impacts.

The DA should include details and prescriptions for waste management and treatment. Does it?

That's all I have time for. This is a very I hope that more appropriate structures at a more appropriate site can be identified and accomodated.

Thank you for your consideration on my comments,

Jay Wilson

Daniel and Megan Smythe

Bridport			
M:			
E: E			
26/05/2023			

Dear General Manager,

We are writing to you regarding the Development Application Number 107/2022 R Sattler Waterhouse road Bridport.

We write in connection with the above planning application. We wish to object strongly to the development of these houses/units in this location due to the proposed overhead power cable from Edward street to the Trent water, then across the water to the proposed development site.

We have reviewed the plans of the development application and we have expressed some of our concerns below.

Our biggest concern is the wildlife and bird life that will be severely affected by this development especially given how close the western end units are to the existing eagles roost area.

We believe by moving the units further east, away from the eagles roost and flight path of the many bird species and all other wildlife, would then allow for the development to obtain power from the already developed, Barnbougle Dunes and in turn create very little obstruction to wildlife and bird life.

During our 20+ years of residing at xx Edward street, growing up here and creating our own family, we have been able to enjoy the many beautiful species day in day out including the sea eagles and wedge tail eagles that visit regularly & pelicans that roost on the rivers edge. This area is a very frequent flight path and feeding ground for these animals and we are overwhelmingly concerned of the impact this cable will have on all wildlife and bird life especially given there will be a number of trees required to be removed to make way for this cable.

We strongly object to this destruction for the benefit of an "investor".

Thank you for your consideration and we look forward to your reply. Daniel and Megan Smythe

Finformed the 23/5 of a development application for 20 waterhouse 21 by bty P/L. As that could reason by apply to any one of munerous properties between Britport mid Gladstone & didn't take particular motice and now ded many other people, It was not pushed in the Agrentiser. Also, had the name Sattles or Born bough been mentlevel the reaction would have been very different.

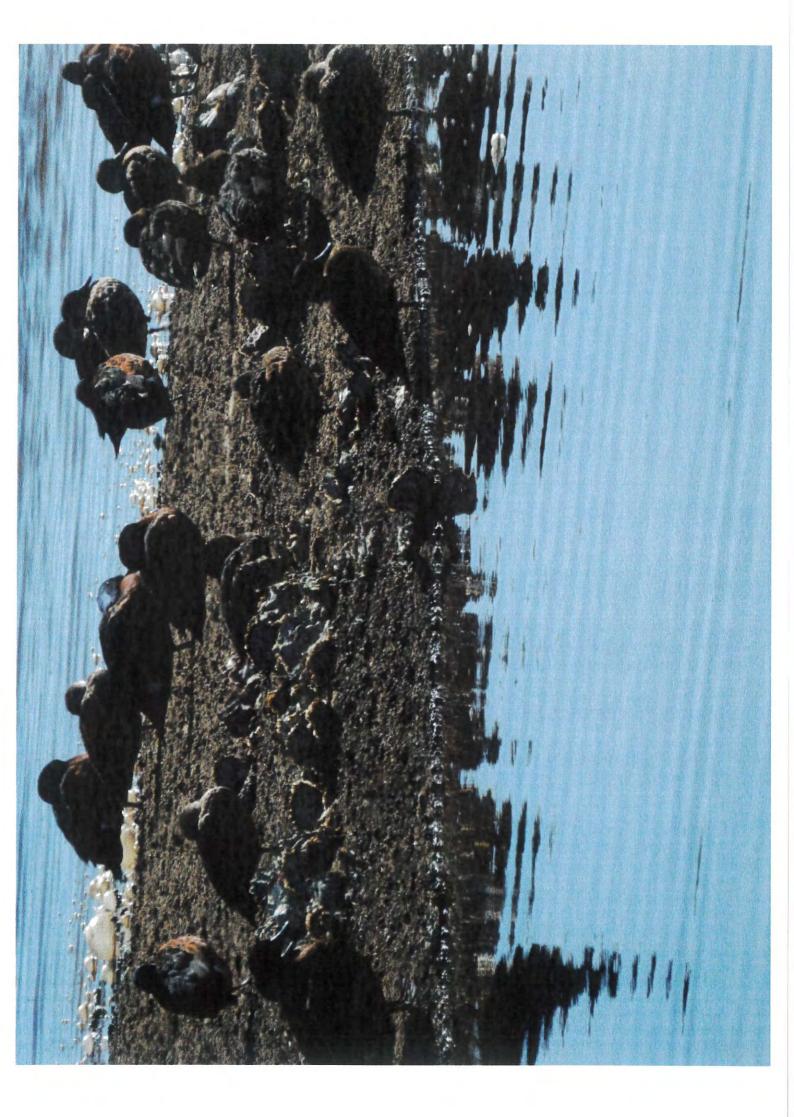
At the mornard the issue in running a High Voltage line over from hater next to my house I don't want to experience the long term effects on my health.

A few years ago, a regulent to the East of me was lined a significant amount for clearing some routs that impringed on their New dethe river. Were this proposed High Tension line to go ahead it probably man to removal of an established give of trees including black wood Eucaly pl and Tee Tree and a would lose my privacy. That would nave sovere impact or my montal stability and well being.

Trand waters is home to a profuse variety of bird life - from large raptors (soa Engles), occasional Wedge Tout Smaller ones, (Swamp brivier) Hobby's and of course Pelicans, which vary in number from 8-10 to 20-30 at various times of the year and then the oyster catchers and many other meluding Capo Barren geese, Swans, Egrets of different varieties only to mention a few. Tirrand water is a delicately balanced, and at present, Sustainable Eco System and the intrasion of a power line at right angles to the preferred flight park to must bird is lotally una creptable.

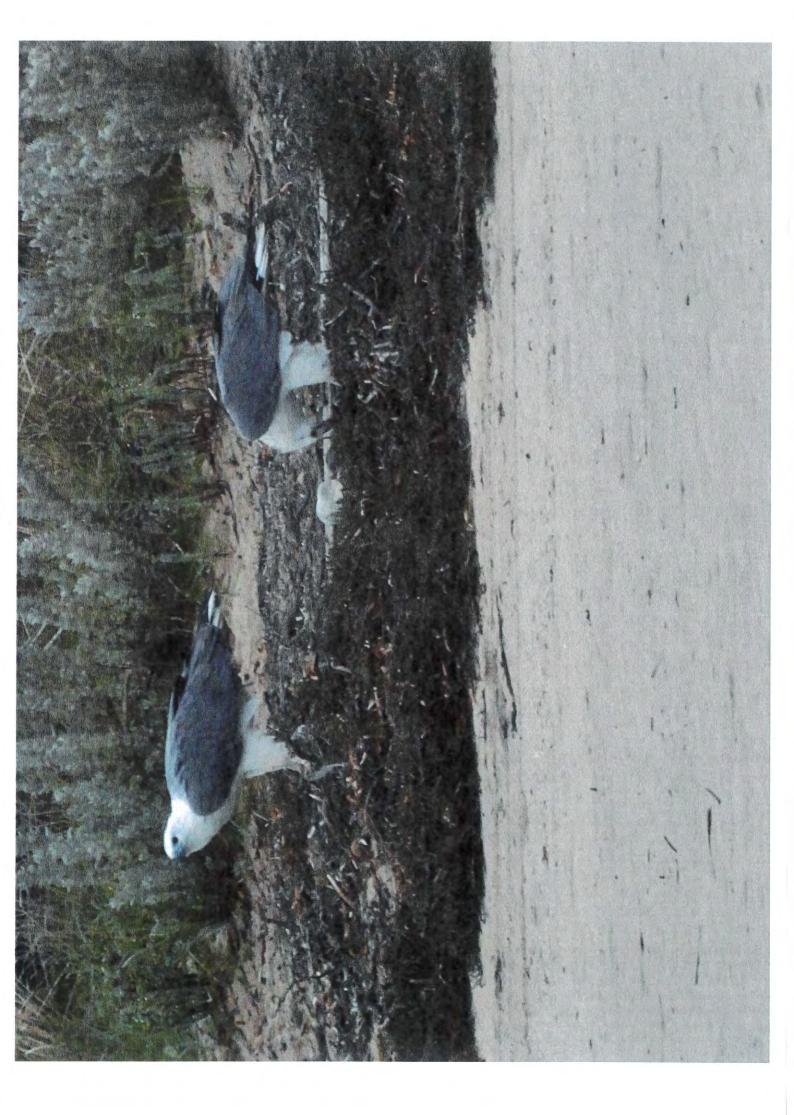
MR Sattle should buy his own transferrer & but on kn own land.

gardos Blichfelott



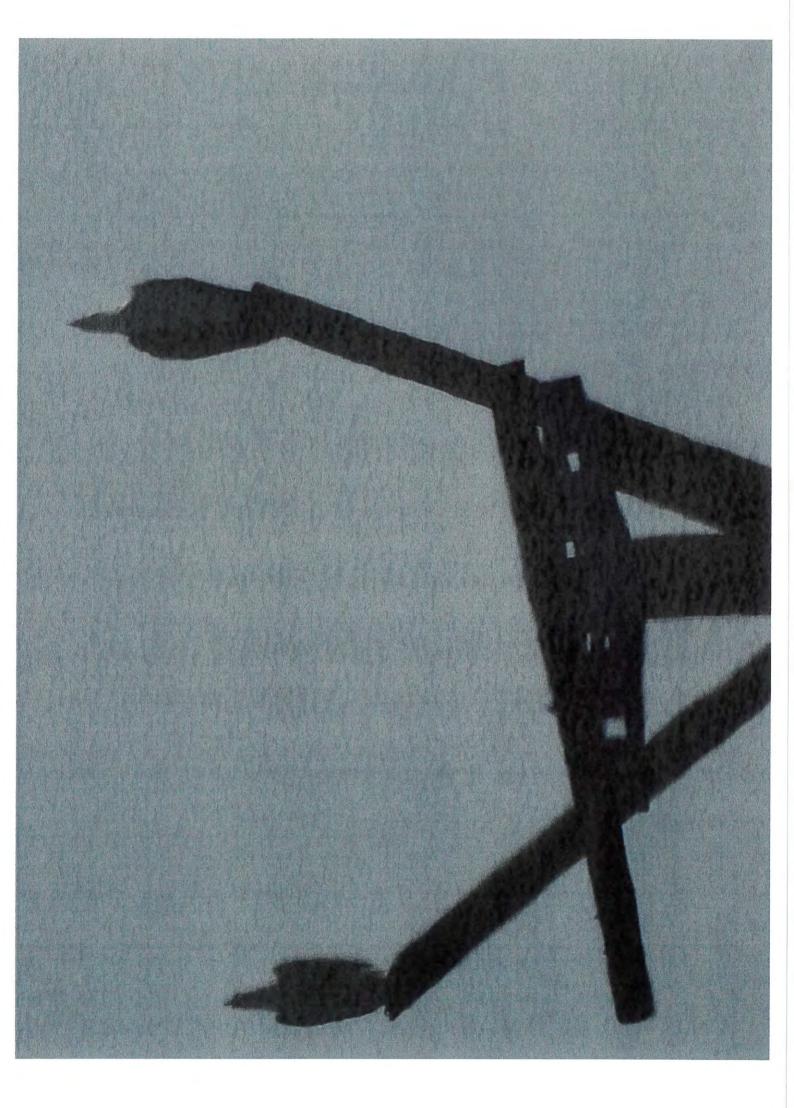


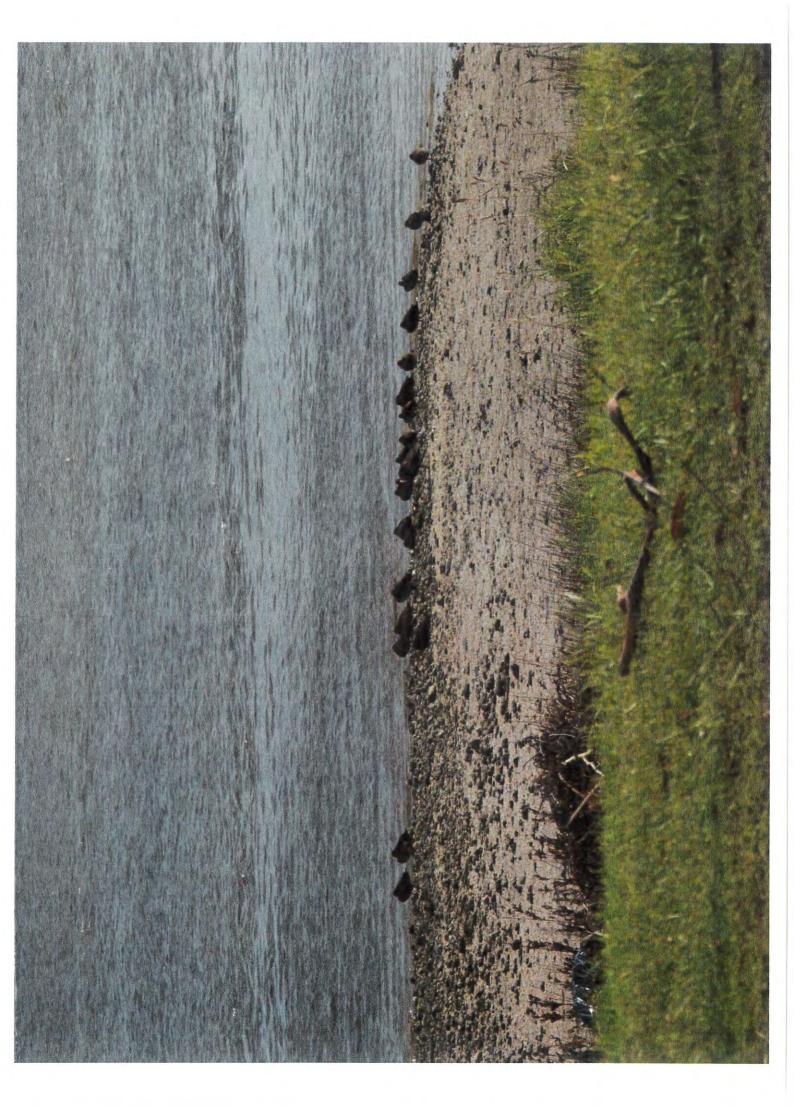


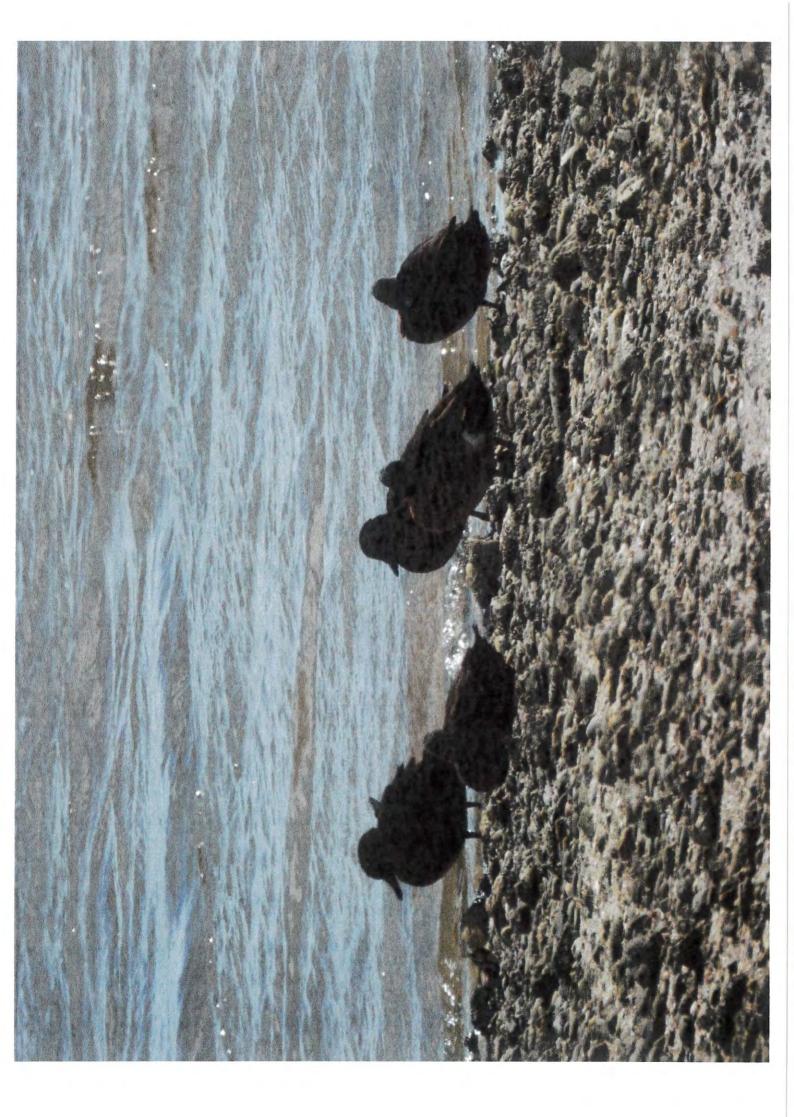


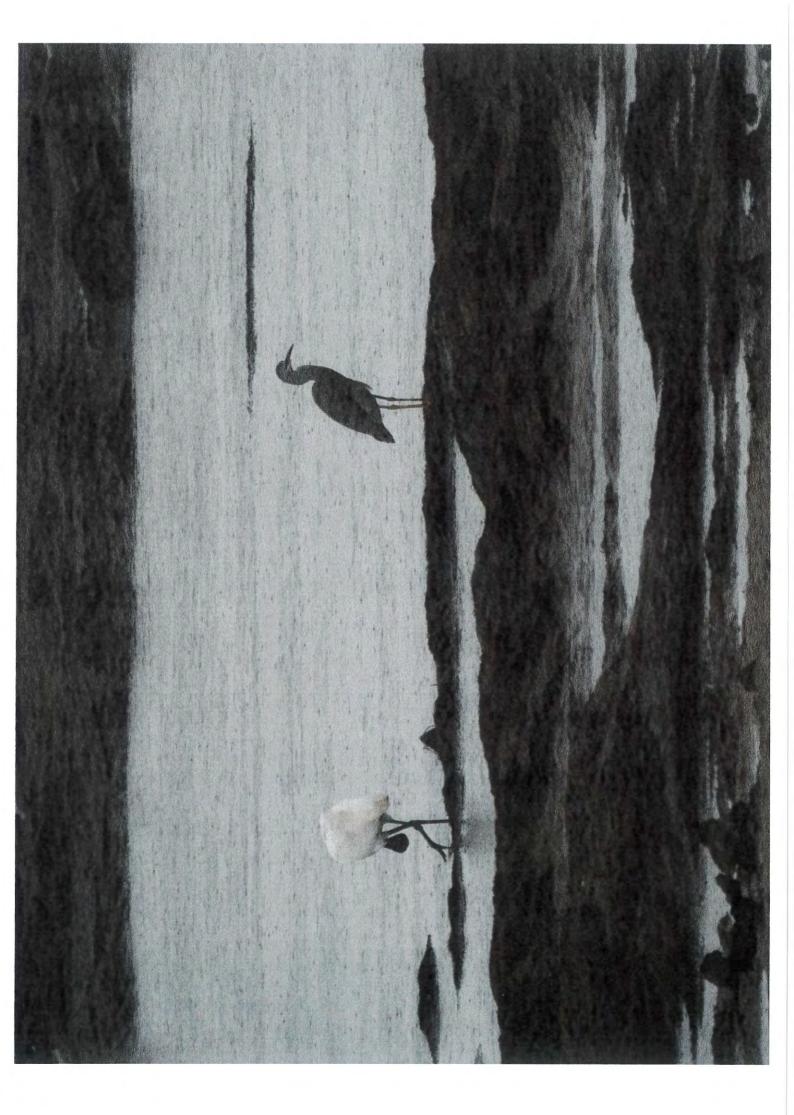


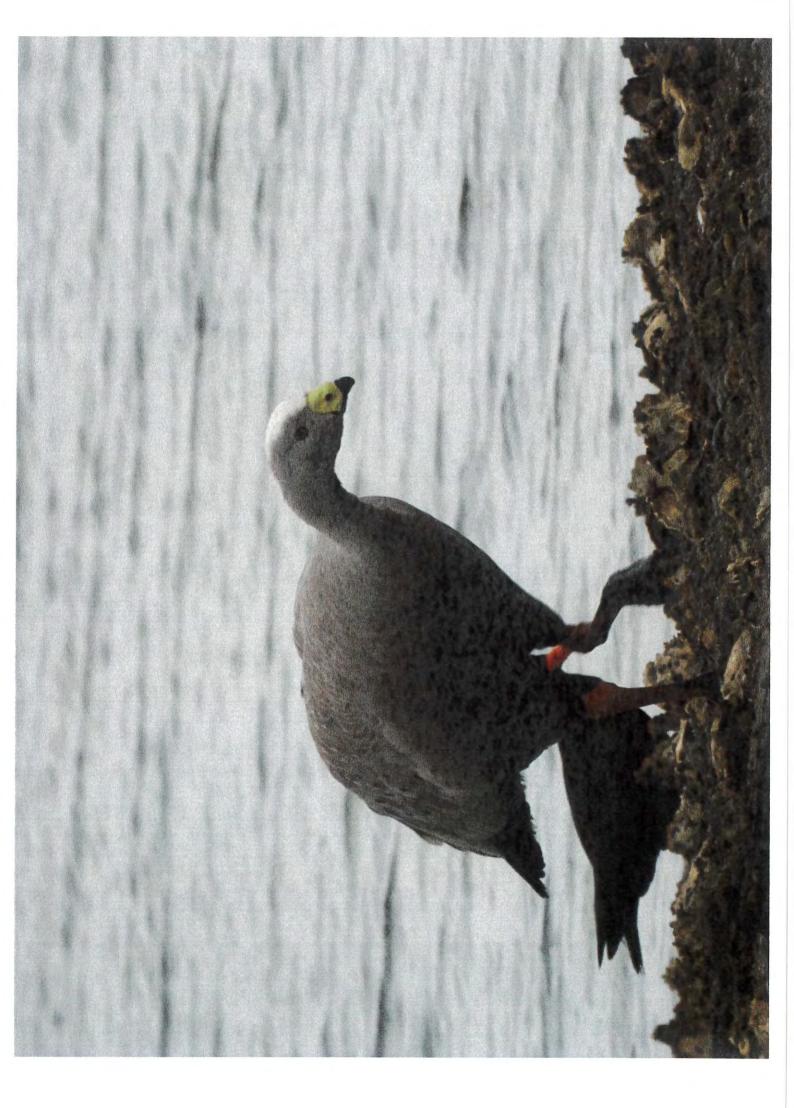




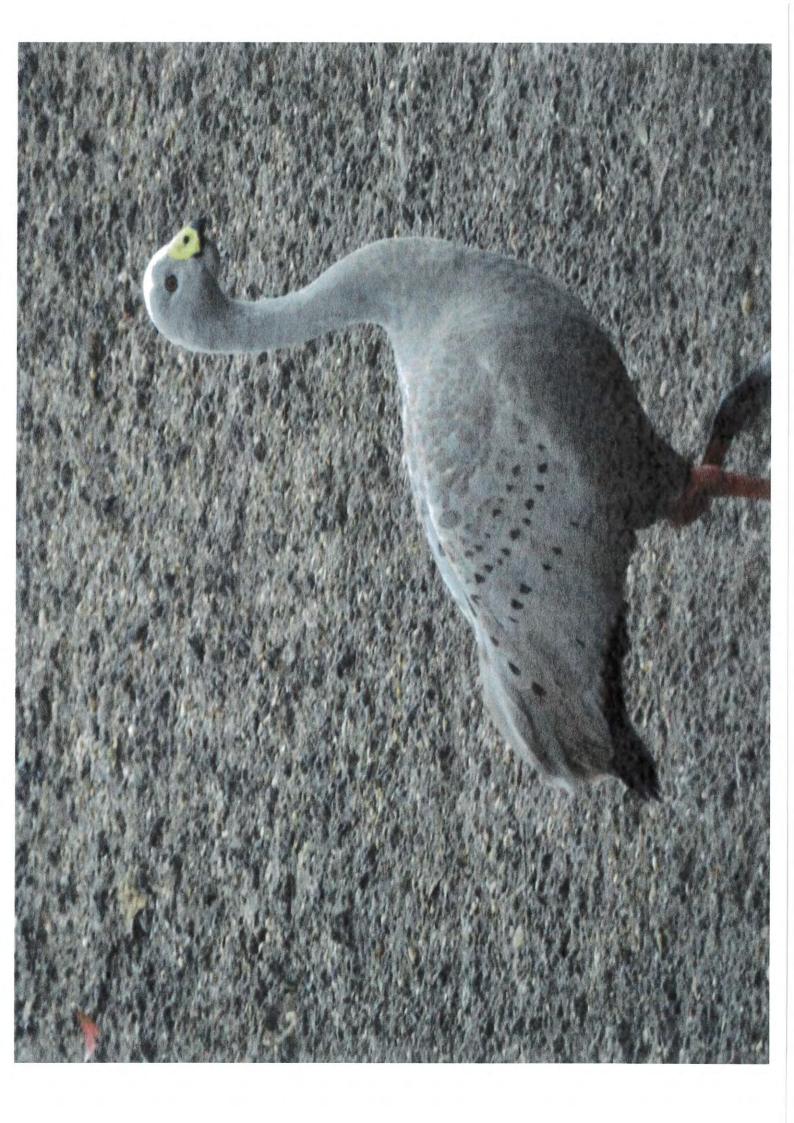




















With reference to Development Application No 2022/187 for Barnbougle.

To state that there are no environmental concerns about this development shows a lack of understanding of the of the use that fauna, and in particular birds, make of this wetland habitat.

The proposal to erect a power line across the flyway between the main part of the estuary and the upper reaches of the wetland presents a particular hazard for birds. The constant use of this connecting stretch of water by many species is a feature of their feeding habits. At low tide the upper flats are available for feeding when the main estuary sands are exposed, with birds retreating as the tide covers the shallow upper estuary.

To avail themselves of this feeding habit many species fly thorough the narrow neck of water which the overhead powerline would disrupt. No amount of flappers or other bird scaring devises would stop the birds using this route at great risk.

Birds at risk of collision are many and include Pied and Sooty Oystercatchers, Masked Lapwings, Large and Little Egrets, Spoonbills, Ducks, Swans, Cape Barren Geese, Pelicans, Cormorants and more. The local White-breasted Sea Eagles cross through this area almost daily to the roost tree provided by Mr Matthew Bayles on the spit. And many other raptors use the trees in the immediate vicinity

If the powerline can be buried for several kilometres across the development area it surely could be underground and under water from the Waterhouse Road and across this important waterway. Alternatively, a connection from Barnbougle along the proposed sewerage connection would avoid the threat to the movement of bird life in the Trent water. Though this route is longer the threat to the birds that use this habitat would be removed.

I note that a new transformer has already been placed at the planned powerline site before the application has been approved thus making a nonsense of any process of consultation as the decision must have already been made.

A proper environmental survey is need before this development goes ahead.

Peter Duckworth Bridport 7262

From:

Ken Terry

Sent:

Thursday, 25 May 2023 8:57 PM

To:

Development Applications

Subject:

Proposed Barnbougle development

Dear sirs.

I have noticed from the proposed plan published in the Northeast Advertiser that the building/units

on the western end of the proposal overlap land that is shown in the state governments "Port Redevelopment" as where the new channel to the sea would be established. This may be an oversight on the developer's part but didn't the Dorset Council vote in favour of the re-alignment of the channel earlier in the year.

The Development is welcome but it should not hinder the much need foreshore and port redevelopment.

A simple matter of moving the proposed units further to the east along the beach would see both developments possible.

Kind Regards

Ken Terry

From: Pat Child

Sent: Thursday, 25 May 2023 3:16 PM

To: Dorset Council <dorset@dorset.tas.gov.au>

Subject: Barnbougle Development

To the General Manager

We approve Richard Sattler's Barnbougle Expansion.

However we are concerned about the overhead power line from Edward St.

It would be environmentally unfriendly.

An underground line would be a more "modern " approach.

Surely moving the units further east where power power can be connected at Barnbougle, would be feasible.

From Pat and Bob Child

Bridport 7262

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Development Application 2022/107 Visitor Accommodation F/R 200350/1 WATERHOUSE ROAD BRIDPORT AND 429 WATERHOUSE ROAD BRIDPORT

Dorset Council

General Manager

I am writing to submit an objection to the above development application on the following grounds:

- 1. Impact on existing fauna in a sensitive coastal environment.
- 2. Size and scale of the buildings in the development. Visual impact on a scenic rural, coastal environment.
- 3. Accuracy of the consultants mapping of the location of the proposed buildings with reference to actual and perceived title boundaries and existing dunes and foreshore.
- 4. Removal of natural vegetation along a sensitive dune system and an area identified as of coastal fauna significance, vulnerable and endangered.
- 5. Construction of an overhead power line which will adversely impact flight paths of a large number of existing bird species as well as removing trees that are currently used by sea eagles.
- 6. Construction of buildings used for human occupation in an area identified as at risk for coastal erosion and tidal/storm inundation.

Item 1.

I have clear photographic and video evidence that the western end of the proposed development will significantly interfere with current sea eagle activities. On the accompanying maps I have identified a number of roosting and feeding sites that are used on a nearly daily basis. These sites will be very close to buildings that will have frequent human visitation creating noise, light (at dusk) and movements disturbing the eagles. Up to four Sea Eagles and one Wedgetail Eagle use these sites. Also the flight path access to these sites will be crossed by the proposed overhead power line. This line will also impact the movements of Pelicans, Egrets, Ducks, Spoonbills, Pied Oystercatchers, Swans, Cormorants and Cape Barren Geese.

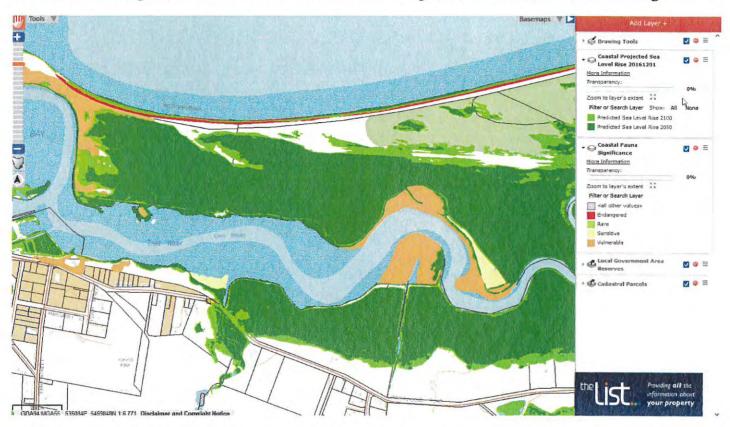




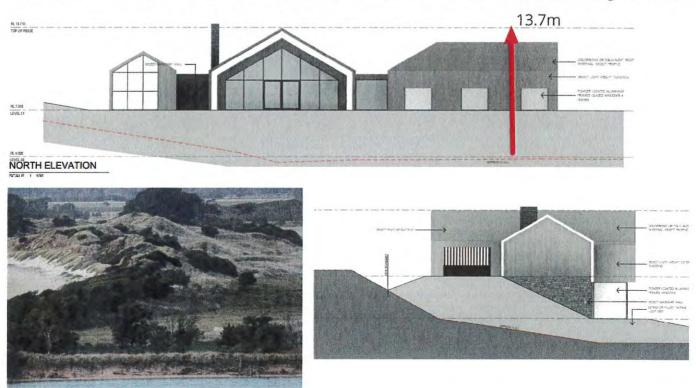


Item 2.

Some of these buildings are up to 12m in height which has been made even more intrusive because they have been raised above natural ground level to obviate the risk of flooding and inundation due to tidal/storm surge. This area has been identified as at significant risk due to climate change effects.

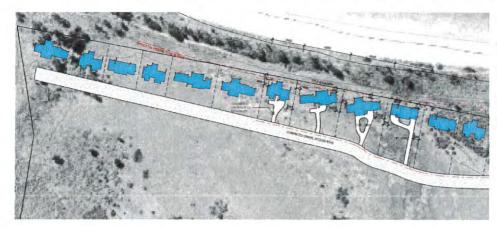


Because most of the residential areas in Bridport are elevated, these building will be clearly visible from much of the town especially in the afternoon/evening when any highly reflective surfaces will be visible. This could be reduced if the development was moved closer to the existing colf course.



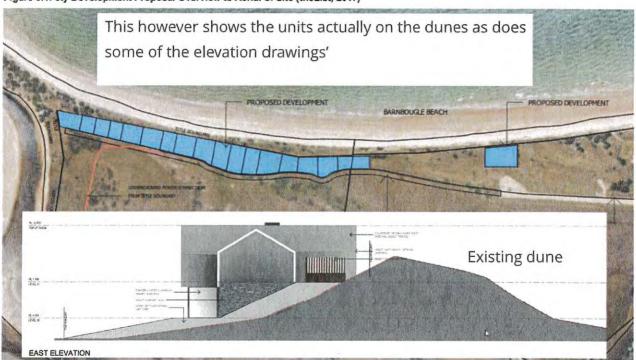
Item 3.

There is some confusion as to exactly where the buildings will be located in relation to the existing dune system and high water mark. Some diagrams show the buildings actually on the dunes and others show them well behind the dunes. It all depends on where the actual title boundary is. Buildings should not be built in a coastal reserve or on dune systems that are subject to movement.



This diagram seems to show the units well behind the dunes In some cases the buildings are said to be more than 10m behind the title boundary.

Figure 3.1: 6ty Development Proposal Overview to Aerial of Site (theList, 2017)



Although it appears that the dunes are relatively stable there has been significant changeds to these dunes in recent times including a recession of the dune face from storm actions.





Item 4.

The proponents admit that some vegetation would be removed, yet the List map overlays clearly show that this encroaches on areas that should be protected. This removal would have impacts on the fauna that occupy these zones including the Sea Eagles and Wedgetail Eagles.



Removal of any vegetation, live or dead in the area marked will impact particularly on the eagles.

Item 5.

The construction of an overhead power line will have serious impacts on the behaviour of many wet land and coastal birds that inhabit the area immediately below and adjacent to the power line. Many birds feed and rest in this area particularly at low water tides when they currently move freely in search of food. I have included some images of these birds in the actual area of concern.





This Sea Eagle is actually flying through exactly where the power line would be built.

These images were taken directly under the proposed power line location.

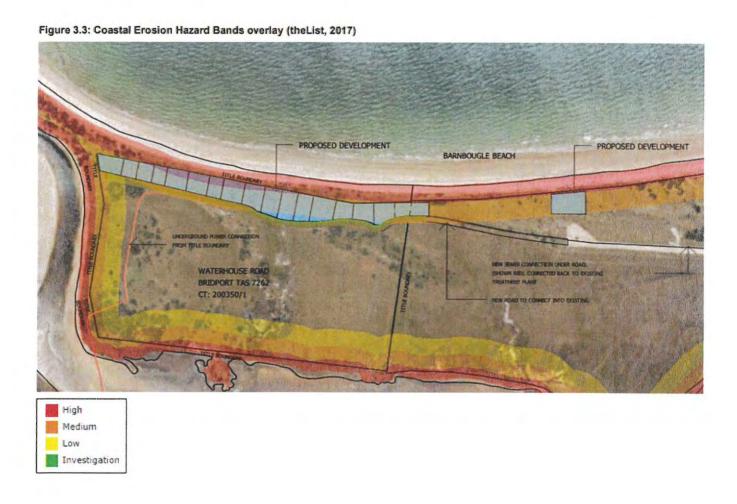






Item 6.

In light of curtrent world wide concerns regarding climate change effects, it would seem unwise to allow construction of buildings in an area already identified as having significant risks of inundation and flooding. Although the consultants have described a way of reducing any flooding that might occur in the next 25 years it will not change the fact that this area will be largely under water in the future. The consequencs of this permanent rise in water levels and water tables has not been factor into the application. It would seem a build now, leave the problems for future inhabitants to solve. The lidar overlays clearly show that this is an unsuitable site for any permanent, inhabitable constructions.



Development Application 2022/107 Visitor Accommodation F/R 200350/1 WATERHOUSE ROAD BRIDPORT AND 429 WATERHOUSE ROAD BRIDPORT

Dorset Council

General Manager

I wish to add fuirther information/questions regarding the development application. Item 6.

The consultants argue that the dune system/shoreline is regarded as" Mapping of the site and analysis of water levels, sea level rise and risk of erosion indicates a low risk of erosion from the seaward side through beach recession with sea level rise and storm action". However my research suggest there is and has been a significant erosion of the fordune system even in recent years, see photos below.







Note that these sandbags were very temporary and were washed away quite quickly.

Item 7

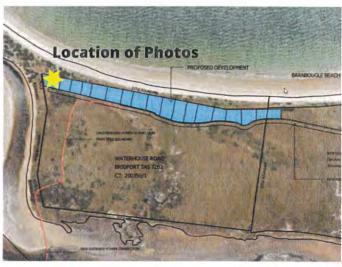
Many of the parameters regarding set backs from erosion/inundation and sensative areas and building heights relate to whether the constructions are classified as visitor accommodation or dwellings. The proposal escapes some of the more stringent controls over set backs /building heights by saying there are no dwellings.

In previous developments in Bridport, notably the Bridport Resort, by Mt Krushka on Main Street was built under the classification, visitor accomodation, since then under ne ownership the buildings are in fact now dwellings.

Is there any protection under this approval process to stop any future events that would allow these 20 premium class buildings being sold as dwellings which would then contravene existing development criteria? This would in fact could become a satellite suburb of Bridport. Item 8

In reference to the western end of this development it is stated that there are no sensitive uses that would need to be considered in the proposal. However this is mainly because it is a rather remote area from human activity and little appears to have been done to ascertain if in fact there are any sensitive uses of the land immediately adjacent to the estuary. A study of the bird life in this area would infact revel the opposite result, it is a significantly sensitive area weith regard to Sea Eagle and Wedgetail Eagle activities.







The whole of the Bar
Marsh area should be
considered a sensitive
zone since it is an
important feeding/resting
aea for numedrous bird
species. Any human
activities in this area will
impact the bird life.

Item 9.

It would seem that initially only 4 units will be built but the application, if passed would allow for construction of an additional 16 units. Have questions been asked re the capacity of the current sewerage system to cope with the extra usage?

Also it is stated that the intention is to reduce the need for golf customers to leave the site and get accomodation in Bridport. What is the reason for this, is the current golf course accomodation at capacity or is it a desire to offer more up market accomodation while leaving existing units under utilized? Maybe existing units should be upgraded rather than allowing the golf course to contribute to more urban sprawl.

After considering all aspects of this information with regard to the lack of accurate, uptodate survey location of the title boundaries, dunes and hight tide lines, a lack of a proper in depth study of the birdlife and habitat sites in this area I wish to lodge an objection to this development.

Jeff Jennings

25/05/2023

Louise Brooker Thursday, 25 May 2023 10:16 PM General Manager Development Applications Development Application 429 Waterhouse Road.

Dear General Manager,

There are three issues I have with the development at 429 Waterhouse Road.

First, I'd like to comment about the time of advertising of Development Applications in General and also of this one in particular.

This Development Application has come to my attention just a day before the end of the period when public representations could take place. Likewise for many other community members in the Village. The placement of notices could be made more public – for example in the Advertiser and the Examiner **when the D.A.** is **made public** at the beginning of the four week period NOT when there is only one day left for the public to comment. If this were done, the community might feel more like the Council cared what they think.

Secondly, I'd like to comment on the subject of building height.

If my reading of DOR-S2.0 Barnbougle Dunes and Lost Farm Specific Area Plan is correct the height of these dwellings being 12 metres contravenes the zoning specifications for this location.

If the projected height of 12metres is allowed there will be a detrimental influence on the amenity of those nearby. The statement 26.3.2 [page 25] 'No dwellings are proposed' is misleading. So also is this statement 26.4.1 "Building height must not exceed: a) 8m for dwellings" It is my opinion that these buildings are dwellings. They will have people living in them every night of the year, if we are to believe Mr.Sattler's projections.

My third issue is with the presumption that overhead power will be supplied from the southern shore of Trent Water. This might be very annoying for the people living on the edge of the Trent Water. It is my hope that TasNetworks will not agree with this idea, because it is a totally unnecessary.

This plan for power to be carried across Trent Water, appears on the drawings yet is not addressed in the development application. Considerable emphasis has been placed on not impacting the surrounding agricultural uses but no mention has been made at all of other environmental impacts. Burbury Consulting noted many times that their comments were based on desktop analysis. The observations I make here are based on local knowledge and every-day observations; observations which the bird observers in the community share with each other.

I am speaking about the very considerable bird numbers that are building in the Trent Water as it becomes more healthy. There is a serious degree of excitement amongst community members who care about this increase in Estuarine Health and biodiversity. A power line would be in a high priority bird feeding habitat. [witness at low tide]

Along with the constant surveilling of the Trent Water for food by the White Bellied Sea Eagle [which has protected status under Australia's federal Environment Protection and Biodiversity Conservation Act 1999]. there is the Australian Pelican, the Great Cormorant and just in the last year, the Royal Spoonbill. A power line across their flight paths would be deadly. Residents have noted Owls at night and the Masked Owl has been photographed in the vicinity. The Nankeen Night Heron leaves its daytime roosting spots and flies to the river to fish at dusk.

The developer should bring the power for his development from the east. The sewerage is being taken eastwards from the new development; the power should be taken underground too. Would it be too radical to put them in the same trench?

Yours respectfully,

Collette and Graeme Betts

Bridport

M:

25/05/2023

Dear General Manager,

We are writing to you in regards to the Development Application Number 107/2022 R Sattler Waterhouse road Bridport.

We wish to express our concerns of the proposed overhead power cable from Edward street to the Trent water then across the water to proposed development site.

We have resided at Edward street for over 25 years and are very concerned of the impact this cable will have on the nocturnal wildlife and bird life.

The area in question is an active flight path and feeding ground for many species including the many pelicans that roost on the river edge and the sea eagles that habitat this area.

With the removal of trees in the path of this cable we will not only loose precious canopies for the many bird species but also the nocturnal animals that are regularly spotted there.

We strongly object to this destruction for the benefit of an "investor". Our proposal to you General Manager and council is not to allow the power source run across this beautiful waterway but the power is sourced from the already developed Barnbougle Golf course.

Furthermore after studying the development application we also question the close proximity these western end units are to the existing eagles roost.

These units should be moved further east, away from these eagles and flight path of the many other bird species.

Thank you for your consideration and we look forward to your reply. Collette and Graeme Betts

Measured form and function



3 July 2023

Thomas Wagenknecht Regulatory Services Manager Dorset Council By Email:

Dear Thomas,

6ty Pty Ltd ABN 27 014 609 900

Postal Address
PO Box 63
Riverside
Tasmania 7250
W 6ty.com.au
E admin@6ty.com.au

Tamar Suite 103 The Charles 287 Charles Street Launceston 7250 P (03) 6332 3300

57 Best Street PO Box 1202 Devonport 7310 **P** (03) 6424 7161

RESPONSE TO REPRESENTATIONS - BARNBOUGLE DUNES GOLF COURSE - 429 WATERHOUSE ROAD, BRIDPORT

Thank you for providing a summary of key concerns raised by the community within the representations received during the public exhibition period for development application DA22/107.

The following table provides a summary of the key concerns raised within the representations and a response to each key concern by 6ty° in conjunction with Mr Richard Sattler.

Summary of Concern		6ty° Response
1.	Location of proposed overhead power line and the potential impacts on birds and vegetation clearance.	To eliminate all concerns raised by the community within the representations, we propose to discontinue with the current location of the overhead powerline in favour of relocating it through the Barnbougle property along the existing and proposed internal road network. To this extent, a revised site plan is enclosed showing the relocated powerline (Drawing No. Ap01 Rev 005 dated 23/06/23).
2.	Proximity of the western most units to the eagles roost structure.	It is understood that the roost structure has only recently been installed on the Public Reserve land to the west of the site. The structure is man-made and has occurred on Crown Land without acquiring the necessary approvals. Whilst the structure provides a roost for birds, including the white-bellied sea-eagle, it is not a nest. There are no observed raptors nests (including but not limited to the white-bellied sea-eagle) located on the area of the site that the buildings and works are proposed (refer to raptor nest sighting map obtained from the Department of Natural Resources and Environment Tasmania below. Note that the raptors nests and sightings are illustrated by the blue dots — it is noted that the locations in proximity to the site are sightings and not nests).

Our Ref: 21.272



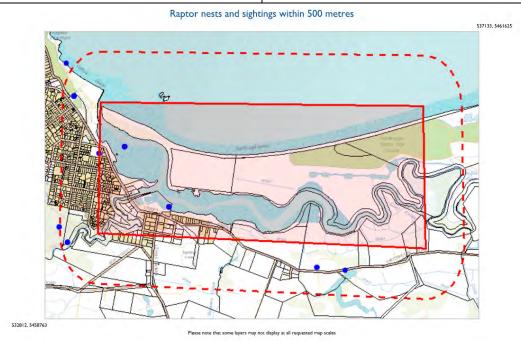
Summary of Concern

6ty° Response

It is evident that the suite of coastal birds that are observed within this area of Bridport, including the location of permanent nests, coexist with the existing human and built environment.

The proposed development will not remove, destroy or damage a raptors nest and it is expected that the use of the proposed development will continue to coexist with the local bird population in the same way that currently occurs, noting that the proposed development will be located further away from existing raptors nests that are identified within the Bridport settlement area.

Notwithstanding, the Sattler's are open to erecting dead 'stag' trees from their farm within proximity to Trent Waters to provide additional natural roosting opportunity for the local bird population if required.

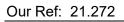


3. Information contained within the This application is misleading on the basis requirements for building height and of the Residential Use Class. the subsequent and associated impacts relating to visual impacts of the proposed development.

concern arises through categorisation of the proposed buildings into that the buildings ought be classified the Visitor Accommodation Use Class which as dwellings which changes the is distinct from a dwelling which is a sub-use

> To this extent, clause 26.4.1 A1 has two building height options for dwellings (8m) and buildings for all other purposes (12m).

> The proposed development has been accurately categorised into the Visitor Accommodation Use Class. In this regard, the proposed buildings will be used by visitors and guests of Barnbougle for short





Summary of Concern	6ty° Response
	to medium-term accommodation. Visitors and guests will be persons away from their normal place of residence and the buildings will operate on a commercial basis.
	Accordingly, the correct building height to be applied to the buildings is 12m. Buildings will have a height of less than 12m and therefore satisfy Acceptable Solution 26.4.1 A1 (b).
Visual impacts associated with the size and scale of the buildings.	expected to have a visual appearance that will be consistent with the local area. In this regard, the proposed buildings will be located along the coastal fringe of the site which forms part of the broader Barnbougle estate that contains buildings in a similar location. The visual appearance of the proposed buildings will be minimised by keeping the buildings below the maximum building height allowed by the corresponding acceptable solution (12m), using external cladding that includes a mixture of natural materials and materials with dark and muted tones which are natural recessive within the landscape and through the use of landscaping around each building area. To this extent, we would commend the
	inclusion of conditions on any permit associated with the following: • The requirement for an external material and colour schedule to be submitted to the satisfaction of Council detailing the finished external materials and surfaces to ensure they will be recessive within, and not overtly contrast with, the landscape; and
	 Preparation and submission of a detailed landscaping plan prior to the construction of respective buildings outlining the type and location of plants to be installed around each building area.
	Finally, it is observed that the site is not subject to a specific scenic management or landscape overlay that controls visual impact of use and development. Notwithstanding, the proposed buildings will be located approximately 600m from the nearest dwelling (on Edward Street) and approximately 650m from the nearest public space (on the western side of the Anderson Bay foreshore). The separation distance

Sum	mary of Concern	6ty° Response
		between the nearest dwellings and publicly accessible areas, along with the natural and muted external cladding and existing and proposed landscaping, will assist to minimise the presence of the proposed buildings within the landscape.
5.	Accuracy of the location of buildings relative to the coastal reserve boundary.	
6.	Removal of native vegetation along the sensitive dune system.	Some native vegetation will be removed within the building area of each proposed building. The coastal vegetation is currently in poor state and it is not identified as a vegetation community that is listed under the Nature Conservation Act 2002 nor does it contain any species listed under the Threatened Species Protection Act 1995.
		The poor state is due to the land being grazed over an extended period of time including up to and over the dune system located within the boundaries of the site. The Scheme allows the use of land for agriculture within the Rural Zone on an 'as of right' basis which is also reflected in other pertinent Scheme Codes by way of exemption including the Water Quality Code (clause E9.4.1 (b)) for example.
		Conversely, the proposed use and development will remove livestock from the dune system and it is proposed to reinstated disturbed areas around each building with vegetation that is suitable for the local area. Accordingly, the health and structure of the dune system is expected to be improved as a result of the proposed use and development in comparison to use of the system for livestock grazing.
		On a side note, Barnbougle is very conscious of bird and wildlife and since purchasing the complete property almost 34 years ago Barnbougle has created approximately 40 hectares of wetland and water storage areas which currently accommodate a thriving native bird population. From previously limited numbers of wedge tail eagles, there is now a thriving population. Accordingly, Barnbougle's track record is very clear with respect to environmental issues and they are conscious that the environment, location

Our Ref: 21.272

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Summary of Concern	6ty° Response
	and landscape forms part of the attraction for visitors.
Location of habitable buildings wi an area identified at risk of coa erosion, inundation and tidal st surge.	stal Assessment prepared by Burbury
	Coastal Code (E14); and
	• Flood Prone Areas Code (E5.0).
	The Assessment concluded that the proposed use and development will be acceptable under the terms of the Scheme subject to satisfying the recommenced design criteria listed under Section 5 of the Assessment. To this extent, the elevations of each proposed building have been designed to satisfy the finished floor level design criteria. Furthermore, the other design criteria will be adhered to on the basis that they will form a mandatory component of any approval of the proposed use and development.
	It is observed that the requirements of the Interim Planning Scheme differ from the requirements of the Tasmanian Planning Scheme which the current LIST mapping is incorporated into. Notwithstanding, the proposed use and development is only required to comply with the provisions of the particular planning scheme that is in effect at the time a valid application is made which, in this case, is the Dorset Interim Planning Scheme 2013.
	On this basis, subject to complying with the design criteria of the Assessment, the proposed use and development is expected to be designed to manage risks associated with coastal erosion, inundation and storm surge under the terms of the Interim Planning Scheme.
Promotion of urban sprawl and us buildings for residential purposes.	e of The proposed use and development does not promote urban sprawl of buildings for residential purposes. In this regard, the proposed use and development is categorised into the Visitor Accommodation Use Class where they will be used by visitors and guests of Barnbougle. They will form part of the Barnbougle estate which includes multiple world class golf courses and associated facilities. The proposed buildings will therefore assimilate with the established use and development of the Barnbougle estate.



Summary of Concern	6ty° Response
	It is noted that the use of land for multiple dwellings within the Rural Zone is prohibited and use and development for this purposes is therefore not allowed to occur on the site under the terms of the Interim Planning Scheme. It is therefore not possible for the proposed use and development to contribute to, or promote urban sprawl and the use of buildings for residential purposes in this regard.
9. Potential impacts on the proposed port redevelopment.	With reference to the impact below which has been extracted from the Bridpon Foreshore Master Plan (Burbury Consulting, January 2022), the proposed use and development will not impact the proposed new river mouth which is located adjacent to the western boundary of the site. The proposed use and development will be contained entirely within the private freehold title and will not encroach into the coastal reserve which is earmarked for the port redevelopment.
	Additional advice was sought by Burbury Consulting as part of the Assessment for the proposed use and development in relation to the impact the port redevelopment may have on the buildings and vice versa. It was concluded that, whilst the port redevelopment would assist to minimise impacts associated with coastal erosion at along the coastal boundary of the site, if the port redevelopment was not to proceed as detailed by the masterplan, this would not impact the proposed buildings.
OBSOLETE ENTRANCE TO BE BLOCKED RETAINED BACKWAT	-7 AHD NEW RIVER ENTRANCE &

10. Potential impact on aboriginal heritage.

GENERAL ARRANGENT & SITE PLAN

The <u>Aboriginal Heritage Act 1975</u> (**ÁHA**) does not form part of the statutory planning process. Notwithstanding, there are

PRIVATE LAND (POTENTIAL DEVELOPMENT)

BARNBOUGLE

Summary of Concern	6ty° Response
	mandatory obligations under the AHA that will need to be adhered to during works on the site. These obligations are outside the statutory planning process and will be adhered to by the contractor.
11. Waste management associated with the use of the proposed buildings.	It is proposed to dispose of sewage by a private pipe that will connect the proposed buildings to the existing wastewater treatment system on the site.

Please do not hesitate to contact me should you have any queries on this application.

Yours faithfully

6ty° Pty Ltd

<u>George Walker</u> Director/Planning Consultant

From: Anita Bourn

Sent: Thursday, 8 June 2023 5:34 PM

To: Madison Loosmore

Subject: RE: PLA/2022/107 - 6ty Pty Ltd - Visitor Accommodation Units x 20 429

Waterhouse Road, Bridport - Referral to TasNetworks Outstanding

Hi Maddie,

Thank you for your email on 26/05/2023 referring the abovementioned development.

Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

The standard arrangements will apply for connection to the electricity network. For further information, please refer to TasNetworks' website: <u>New electricity connections - TasNetworks</u>.

Kind regards,



Anita Bourn

Land Use Planner

1 – 7 Maria Street, Lenah Valley 7008 PO Box 606, Moonah TAS 7009

www.tasnetworks.com.au





From: Madison Loosmore

Sent: Friday, 26 May 2023 9:40 AM **To:** Land Use Planning TasNetworks

Subject: PLA/2022/107 - 6ty Pty Ltd - Visitor Accommodation Units x 20 429 Waterhouse Road, Bridport - Referral to

TasNetworks Outstanding

Importance: High

Good Afternoon,

Just following up on a response from the below referral from the 12th May 2023, we don't appear to have received a reply as yet.

Link:

If you have any further queries, please do not hesitate to contact me as per the below details.

Warm Regards,



Maddie Loosmore | Development Administration Officer

3 Ellenor Street (PO Box 21 Scottsdale 7260 'Like [facebook.com]' us on Facebook

it's in the making

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From: Madison Loosmore

Sent: Friday, 12 May 2023 9:43 AM

To: '

Subject: PLA/2022/107 - 6ty Pty Ltd - Visitor Accommodation Units x 20 429 Waterhouse Road, Bridport - Referral to

TasNetworks

Dear Sir/Madam,

Please find below link to planning application PLA/2022/107 (inclusive of proposed plans and planning application form) for Visitor Accommodation Units x 20 at 429 Waterhouse Road, Bridport.

If you require any more information please don't hesitate to get in touch.

Warm Regards,



Maddie Loosmore | Development Administration Officer

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57 Best Street Devonport Tasmania P (03) 6424 7161

6ty Pty Ltd ABN 27 014 609 900

Architectural ABP No. CC4874f Structural / Civil ABP No. CC1633i Building Services Provider ABP No. 311245120



QMS Certification Services

SITE LOCATION PLAN

SCALE 1:5000



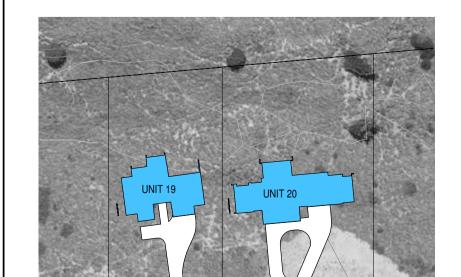
17-12-21 DEVELOPMENT APPROVAL

17-07-22 CLIENT APPROVAL & INFORMATION

14-02-23 RESPONSE TO RFI 16-02-23 RESPONSE TO RFI

23-06-23 RESPONSE TO REPRESENTATIONS

PART SITE PLAN UNITS 01-18



PART SITE PLAN UNITS 19-20

REVISED Plans Considered for Approval

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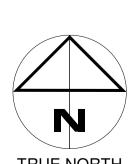
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PROJECT: BARNBOUGLE BEACH ESTATE

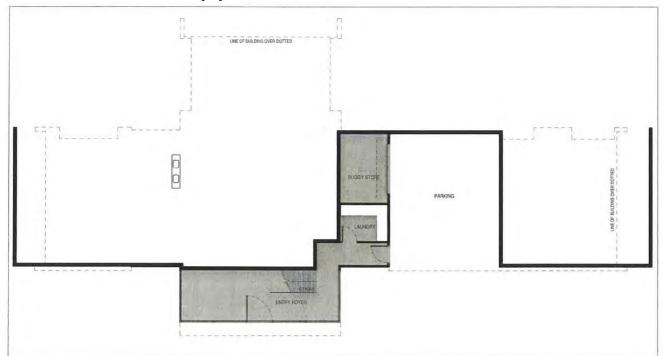
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FOR: MR R SATTLER

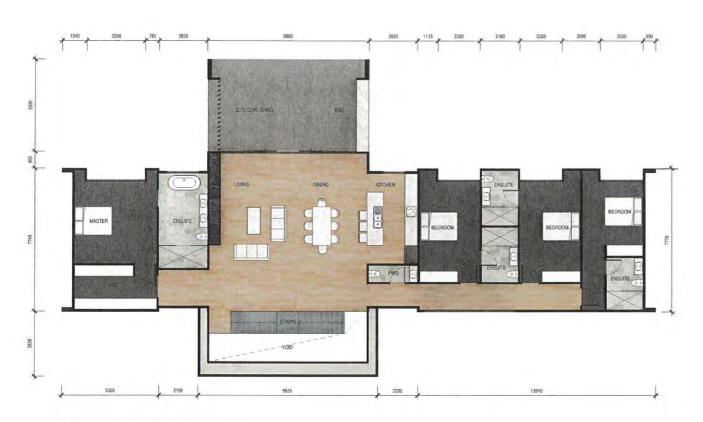
DRAWING: SITE LOCATION & PART SITE PLANS



AT A1 SIZE DRAWING SHEET



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



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PROJECT: BARNBOUGLE BEACH ESTATE

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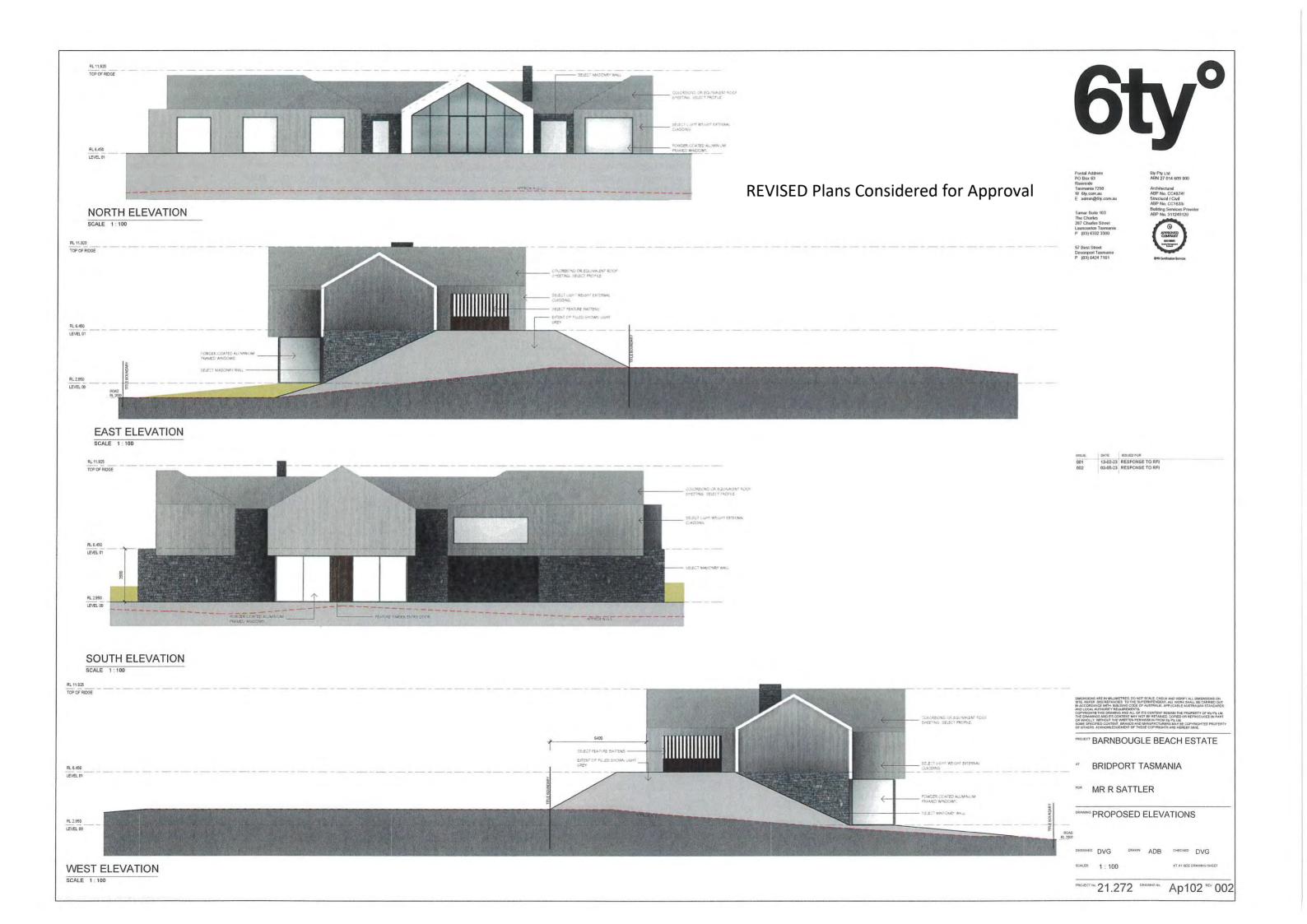
FOR MR R SATTLER

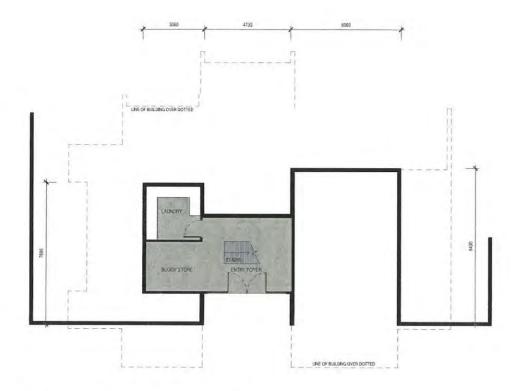
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PROJECT NORTH PROJECT No. 21.272 DRAWING No. Ap101 REV. 001





PROPOSED GROUND FLOOR PLAN





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57 Best Street Devonport Tasmania P (03) 6424 7161 6ty Pty Ltd ABN 27 014 609 900 Architectural ABP No. CC48741 Structural / Civil

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FOR: MR R SATTLER

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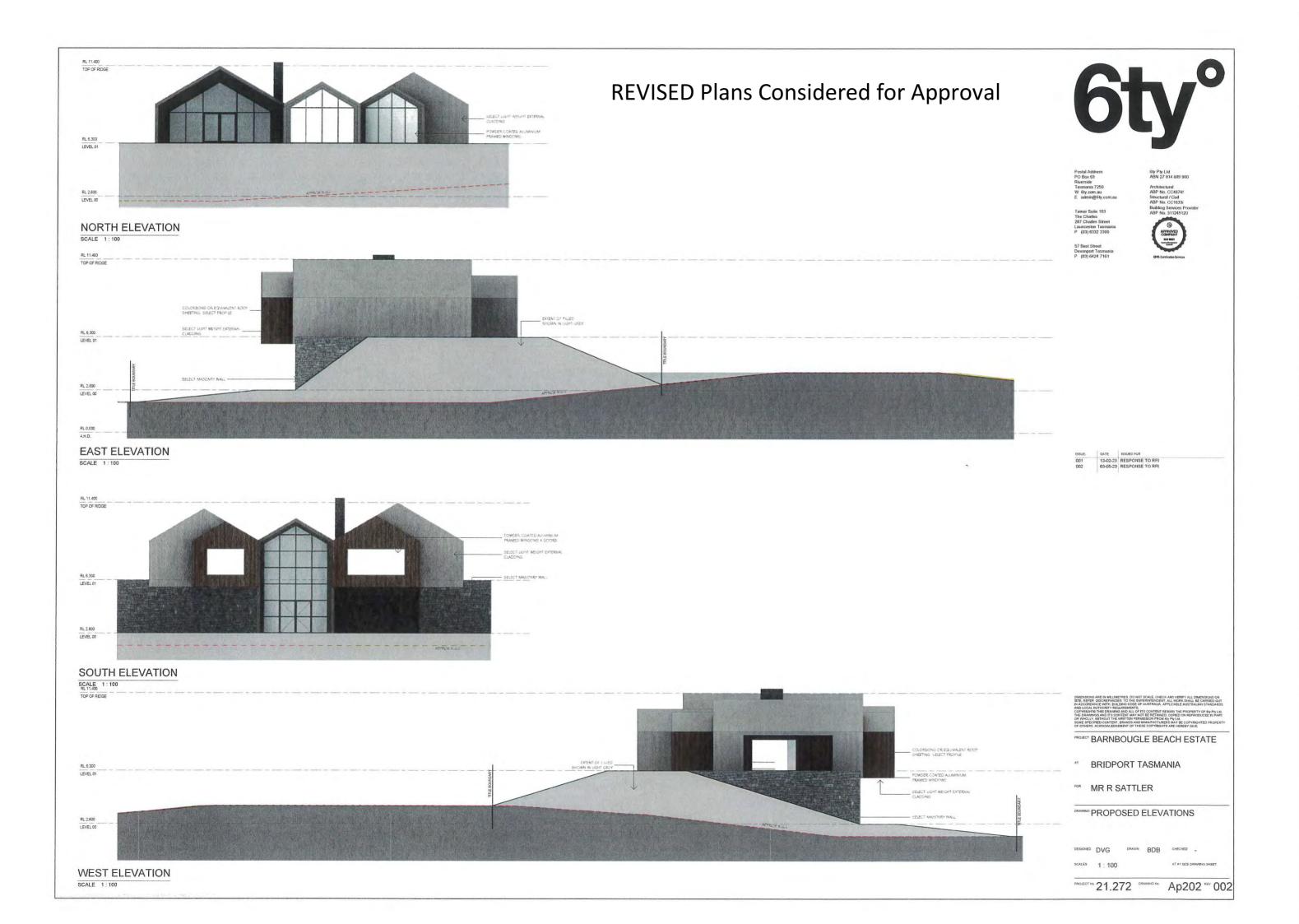


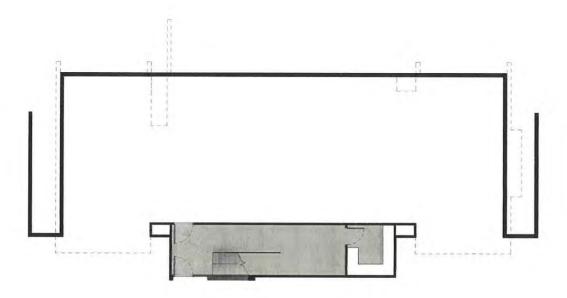
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Architectural
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Structural / Civil
ABP No. CC1633i
Building Services Prov
ABP No. 311245120

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PROJECT: BARNBOUGLE BEACH ESTATE

BRIDPORT TASMANIA

FOR: MR R SATTLER

PROPOSED FLOOR PLANS



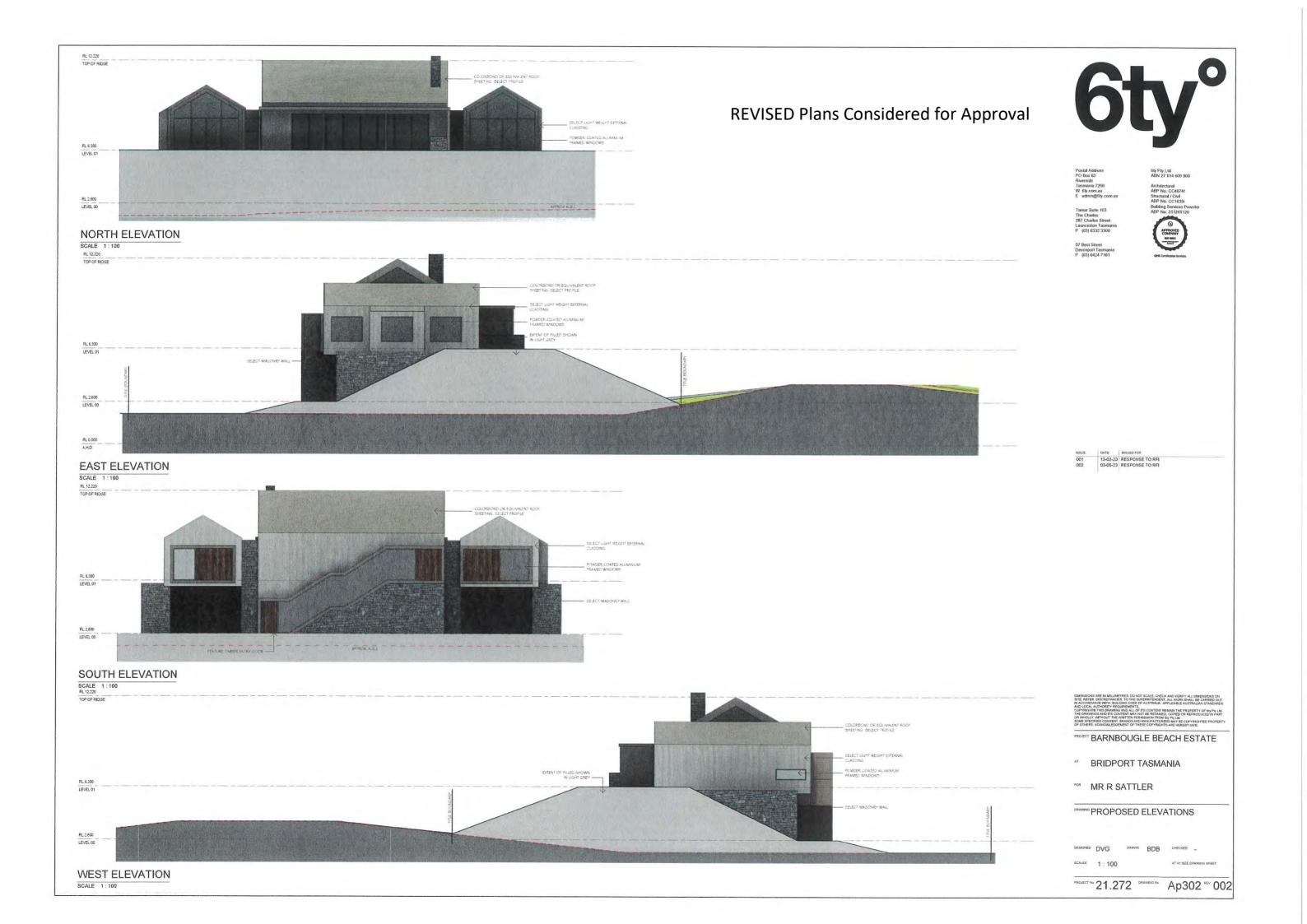
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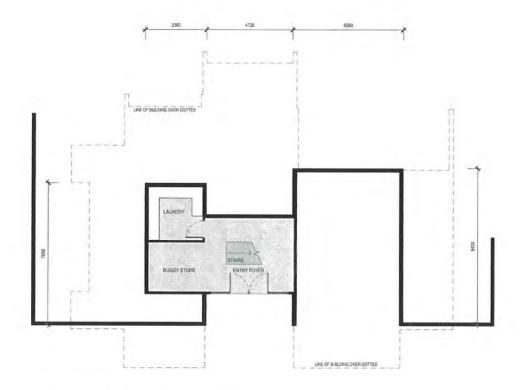
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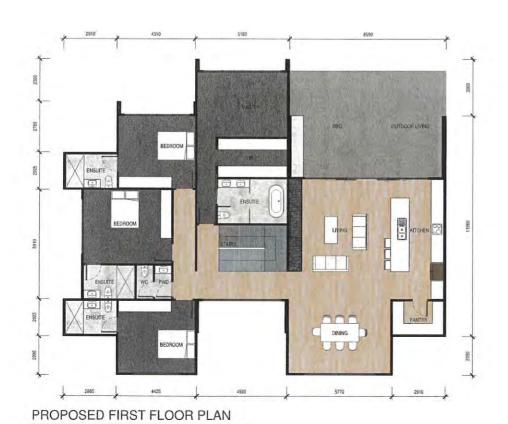
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PROJECT: BARNBOUGLE BEACH ESTATE

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MR R SATTLER

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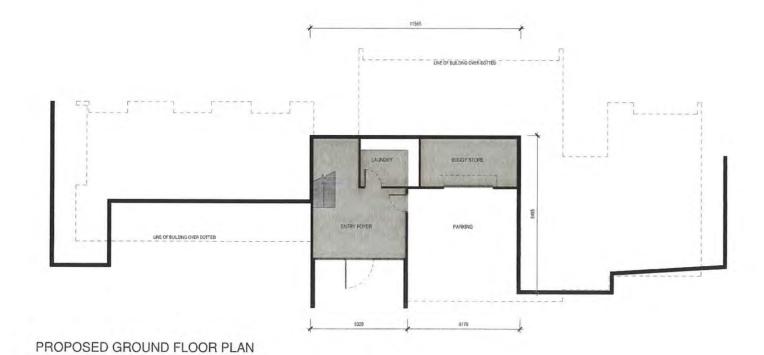
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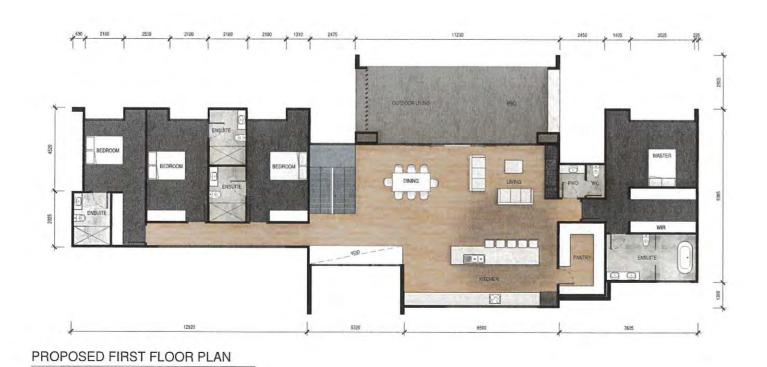
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Architectural
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Structural / Civil
ABP No. CG1633i
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PROJECT: BARNBOUGLE BEACH ESTATE

- BRIDPORT TASMANIA
- FOR: MR R SATTLER

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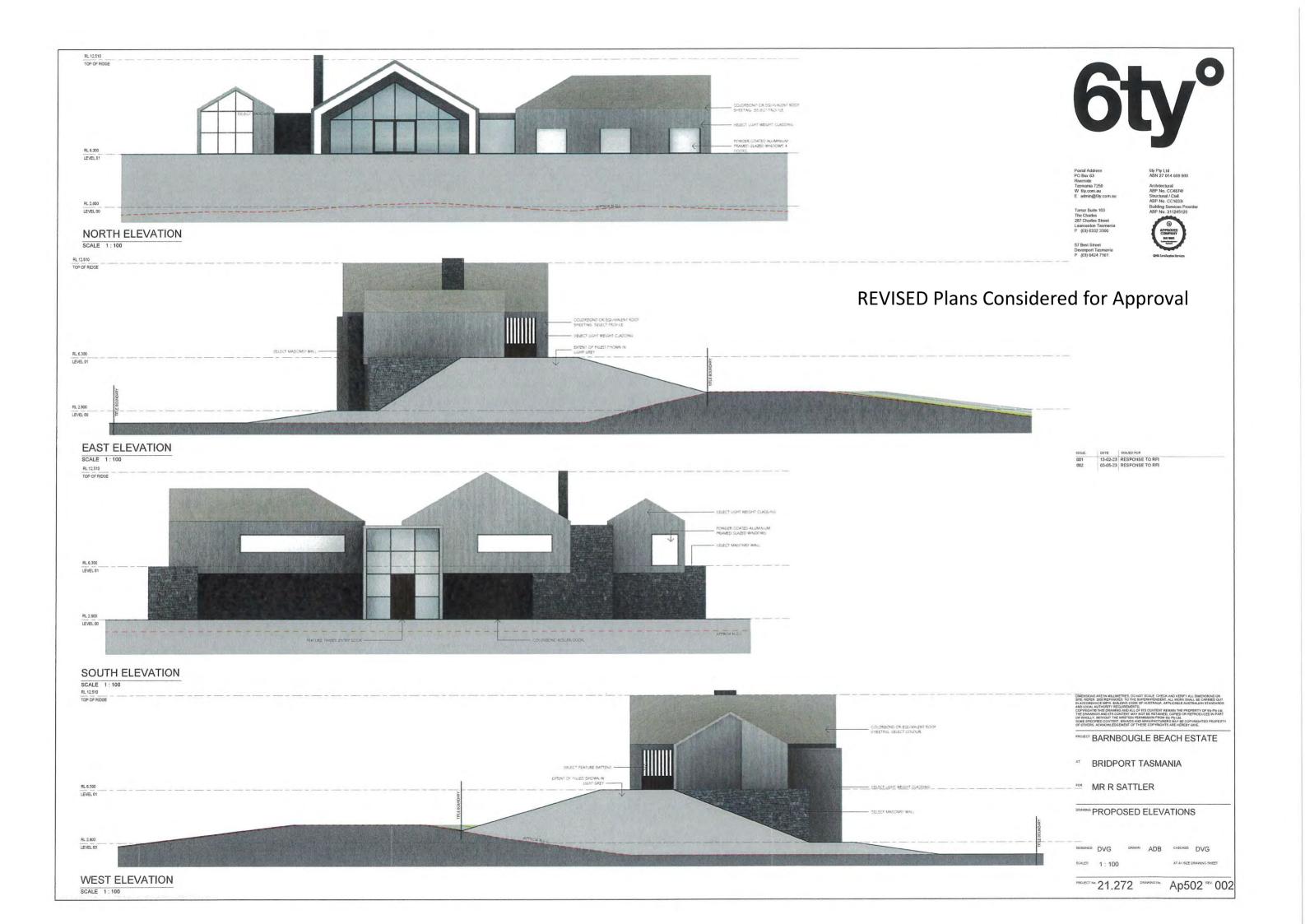
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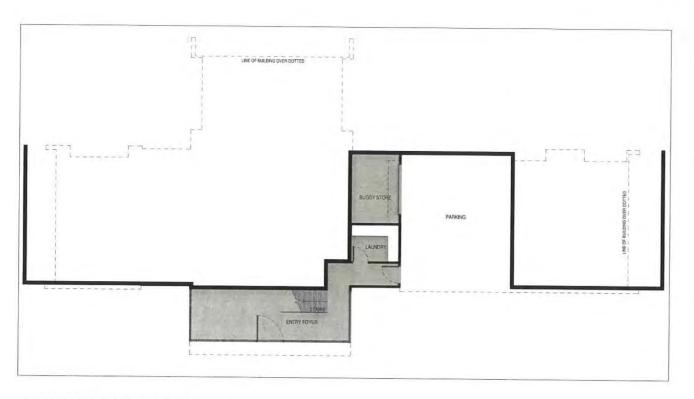
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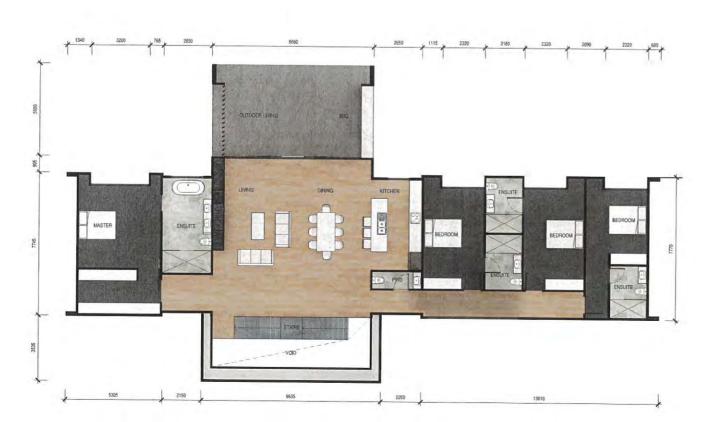
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PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

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ABP No. 311245120

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REVISED Plans Considered for Approval

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PROJECT: BARNBOUGLE BEACH ESTATE

BRIDPORT TASMANIA

FOR MR R SATTLER

PROPOSED FLOOR PLANS



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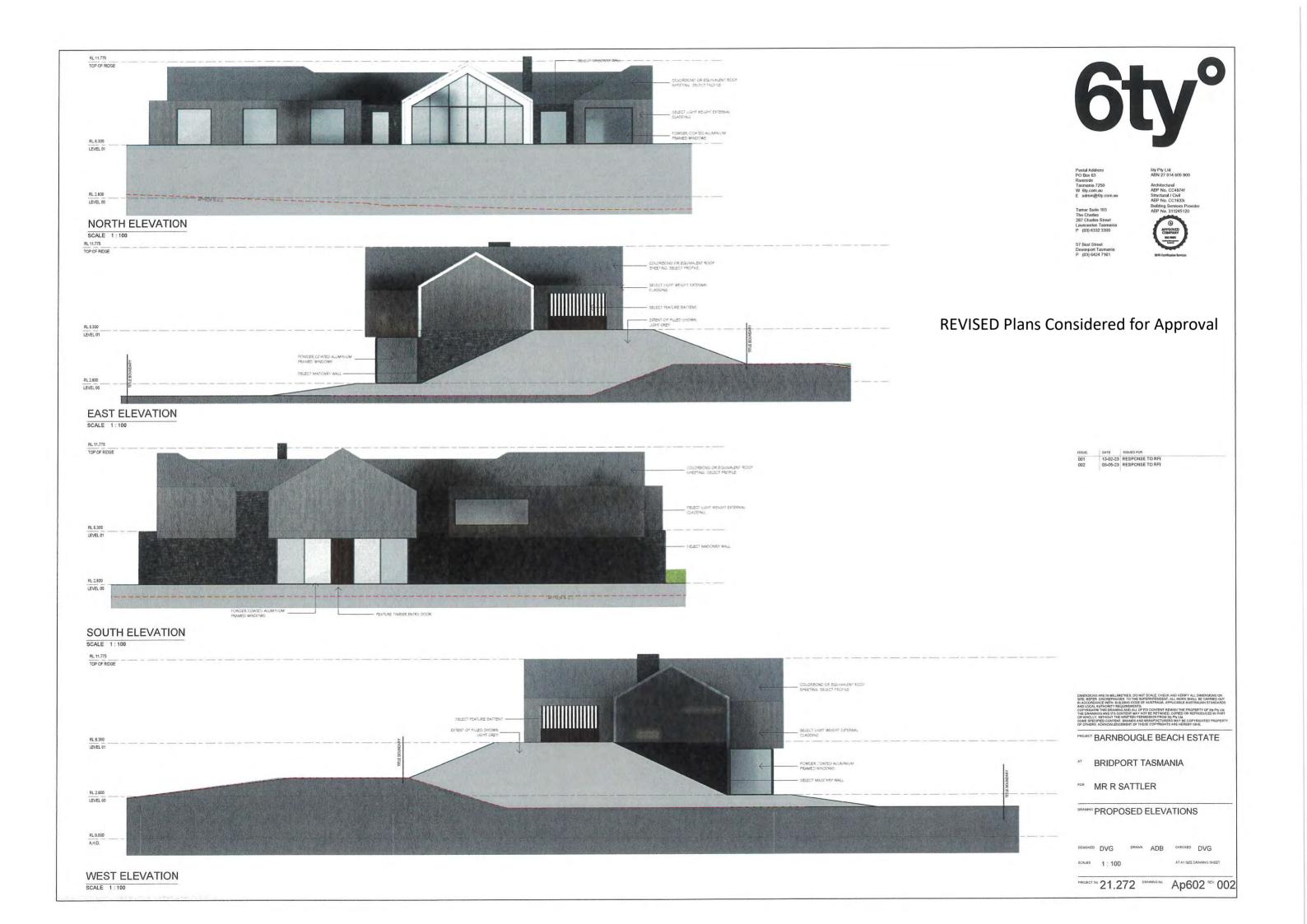
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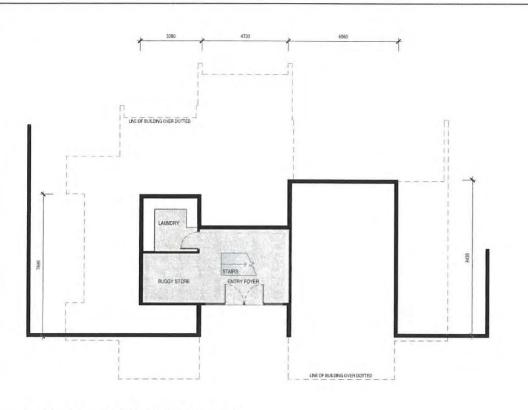
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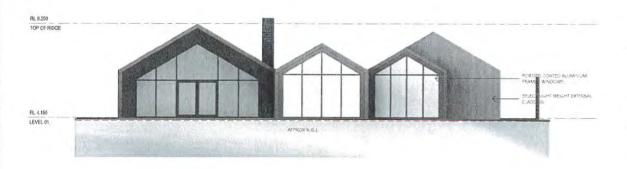




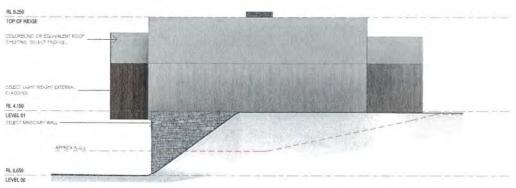


PROPOSED GROUND FLOOR PLAN

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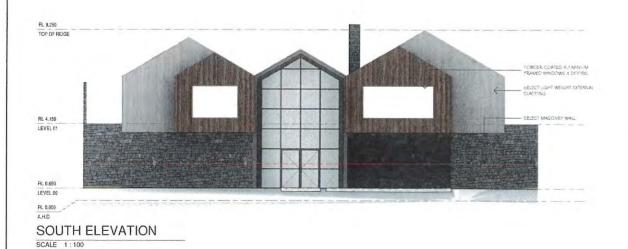
PROPOSED FIRST FLOOR PLAN



DATE ISSUED FOR 17-12-21 DEVELOPMENT APPROVAL 14-02-23 RESPONSE TO RFI

NORTH ELEVATION

SCALE 1:100



EAST ELEVATION SCALE 1:100

RL 9.250 TOP OF RIDGE

WEST ELEVATION SCALE 1:100

PROJECT: BARNBOUGLE BEACH ESTATE

BRIDPORT TASMANIA

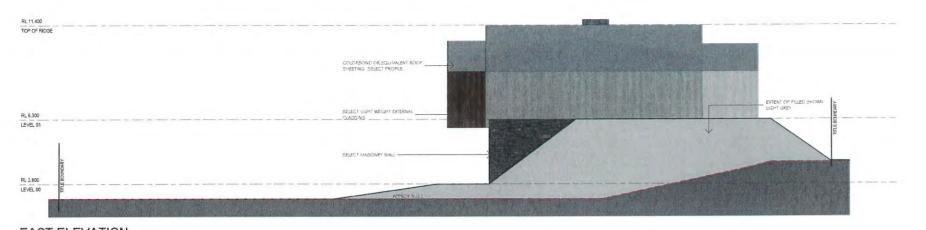
FOR: MR R SATTLER

PROPOSED FLOOR PLANS & ELEVATIONS



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PROJECT NORTH PROJECT No. 21.272 PRAVENCIANA Apo 701 EV. 002



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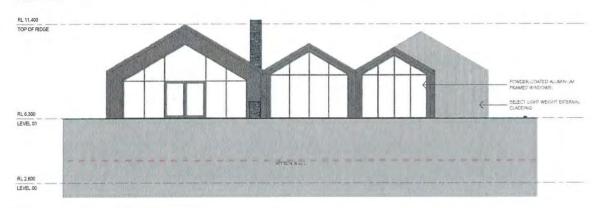
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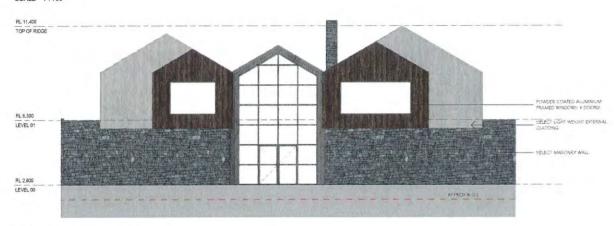
EAST ELEVATION

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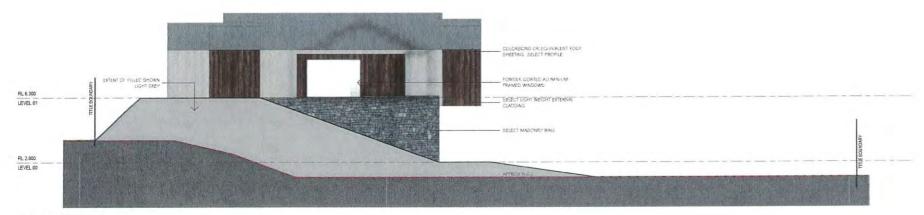
NORTH ELEVATION

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SOUTH ELEVATION

SCALE 1:10



WEST ELEVATION

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REVISED Plans Considered for Approval

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PROJECT BARNBOUGLE BEACH ESTATE

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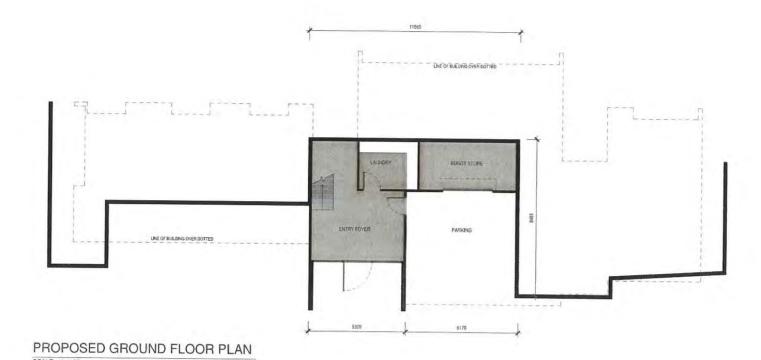
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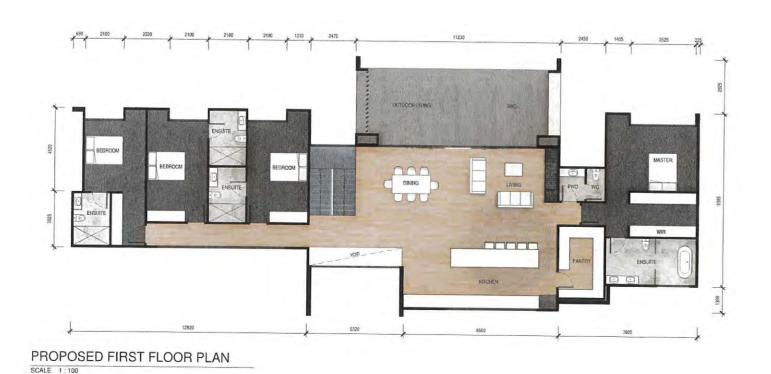
PROPOSED ELEVATIONS

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PROJECT No 21,272 DRAWING No. Ap0702 001







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57 Best Street Devonport Tasmania P (03) 6424 7161 ABN 27 014 609 960

Architectural
ABP No. CC48741
Structural / Civil
ABP No. CC1633i
Building Services Provider
ABP No. 311245120

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PROJECT BARNBOUGLE BEACH ESTATE

BRIDPORT TASMANIA

FOR: MR R SATTLER

PROPOSED FLOOR PLANS



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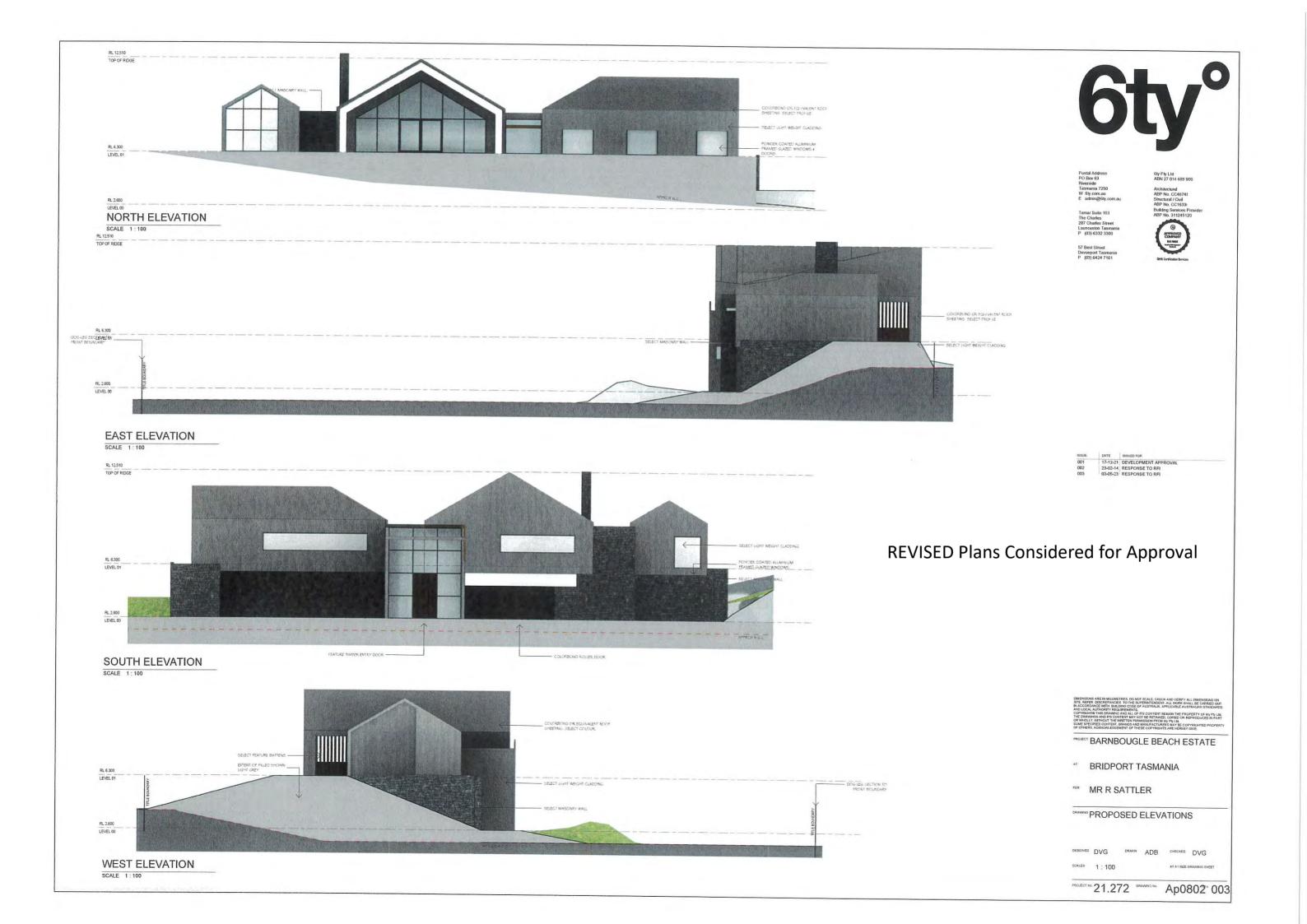
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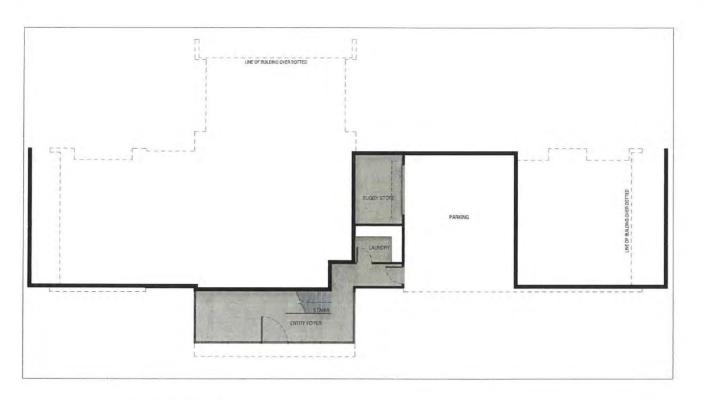
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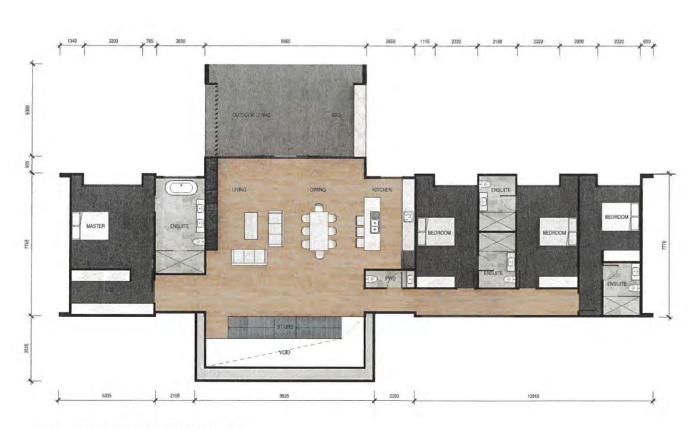
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PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN
SCALE 1:100

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Intercutural / Civial

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PROJECT: BARNBOUGLE BEACH ESTATE

AT BRIDPORT TASMANIA

FOR: MR R SATTLER

PROPOSED FLOOR PLANS



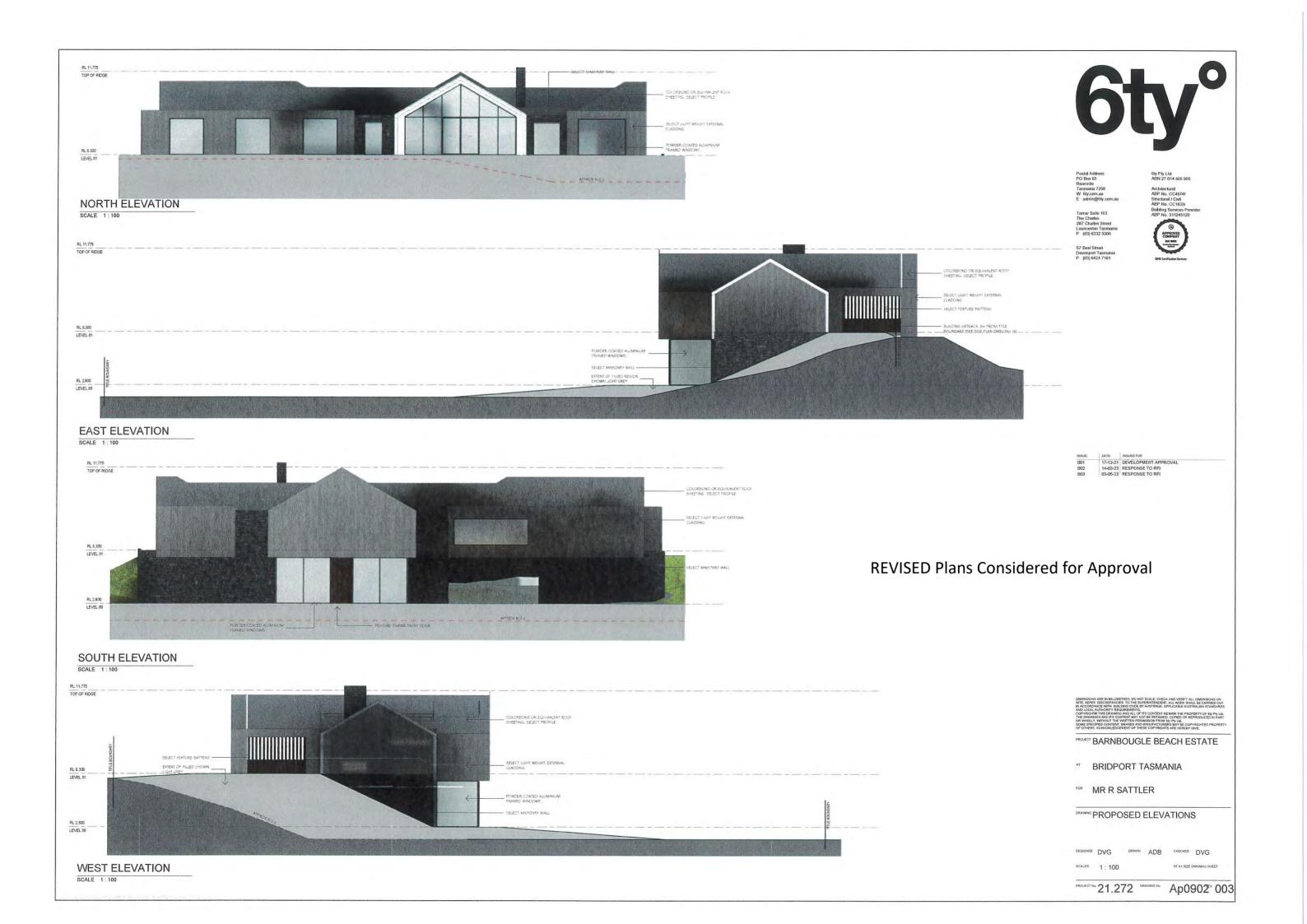
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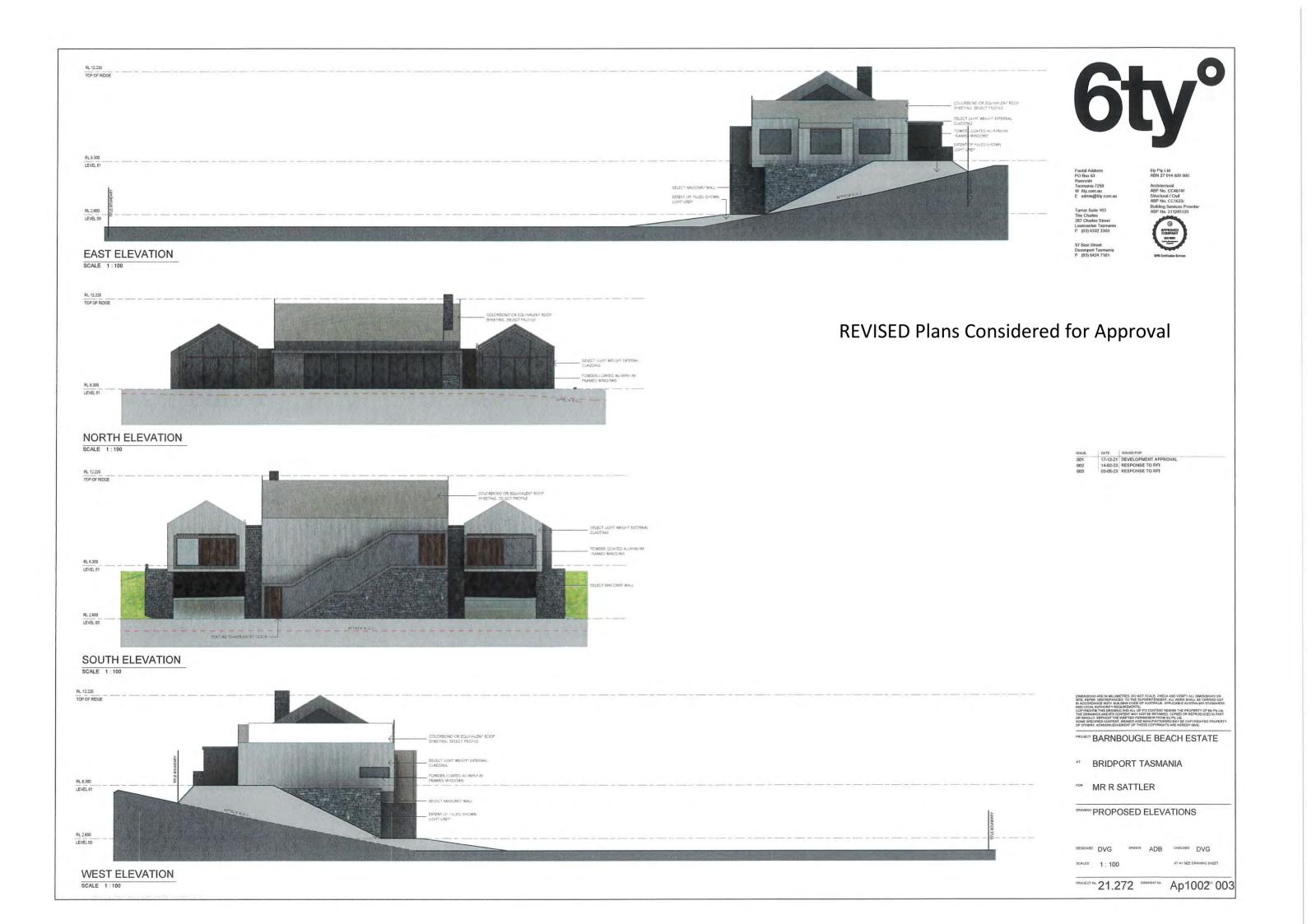
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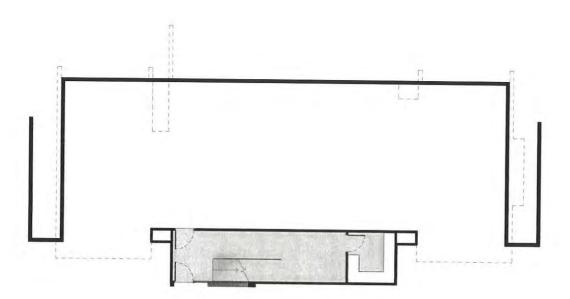
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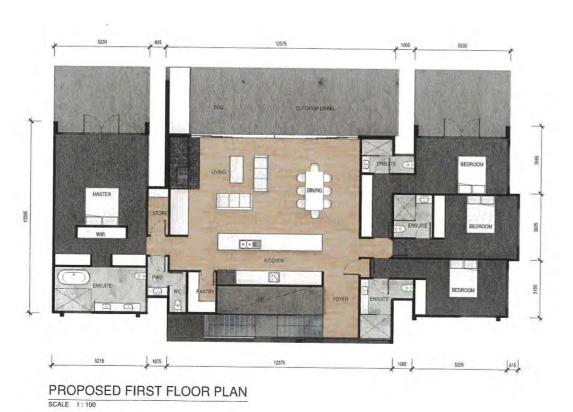








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Building Services Provider
ABP No. 311245120

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BRIDPORT TASMANIA

FOR: MR R SATTLER

PROPOSED FLOOR PLANS



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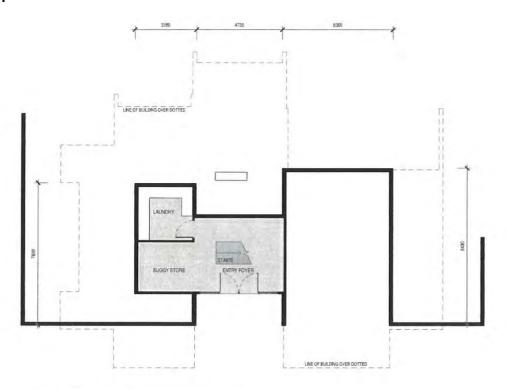
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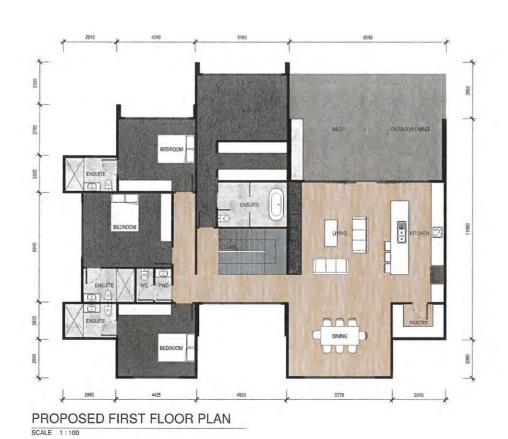
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PROPOSED GROUND FLOOR PLAN
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Architectural ABP No. CC4874f Structural / Civil ABP No. CC1633i Building Services Provider ABP No. 311245120

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PROJECT: BARNBOUGLE BEACH ESTATE

AT BRIDPORT TASMANIA

MR R SATTLER

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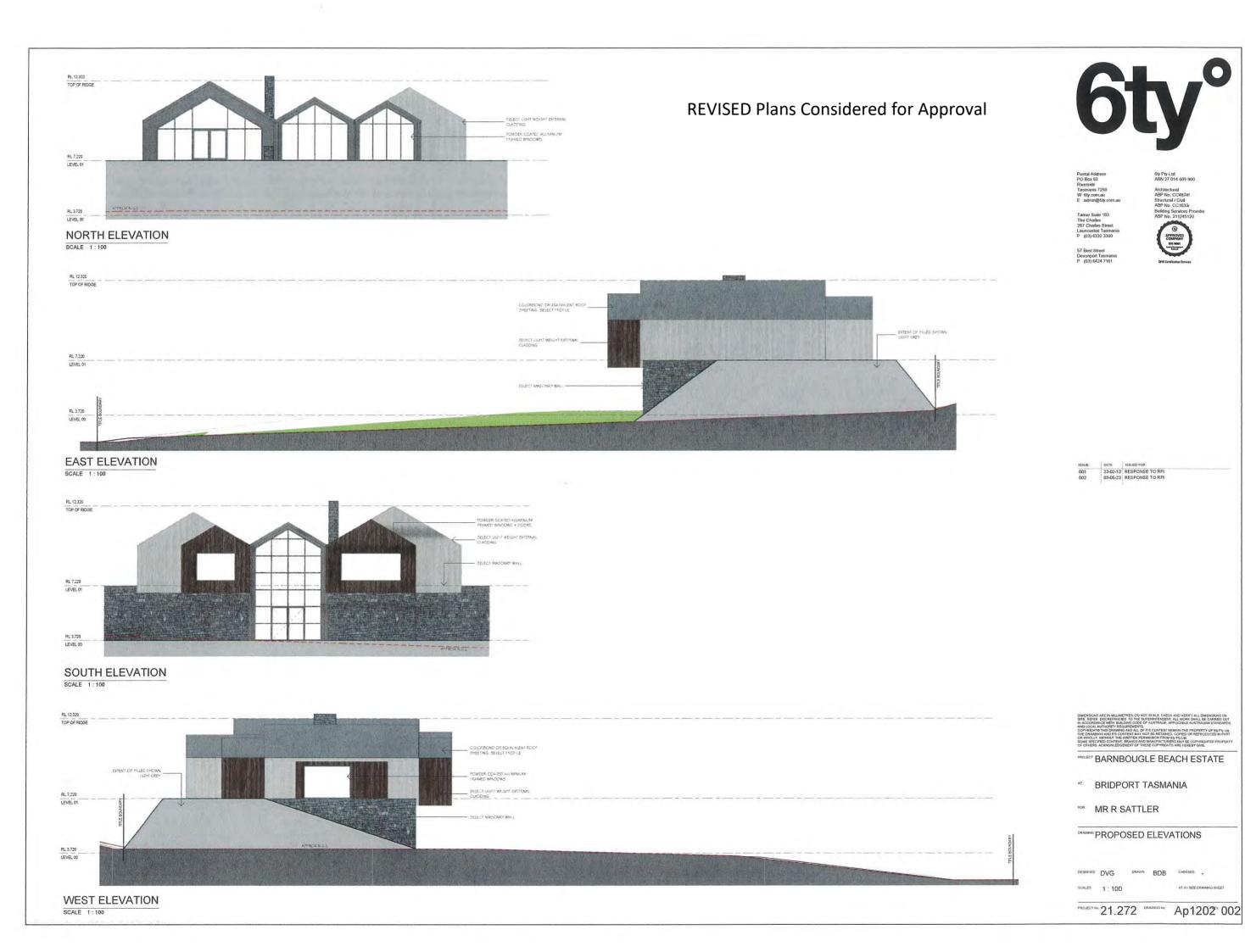


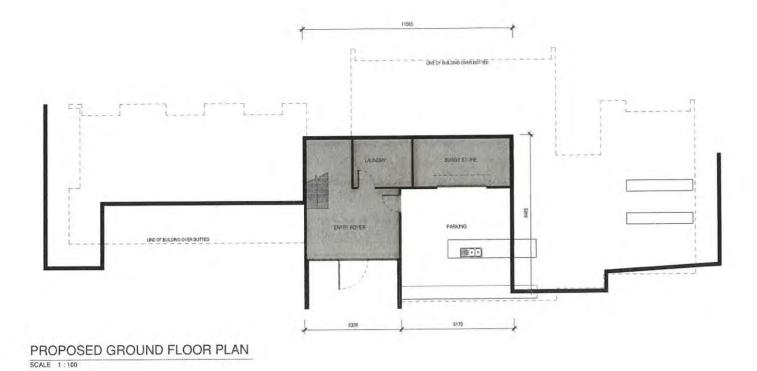
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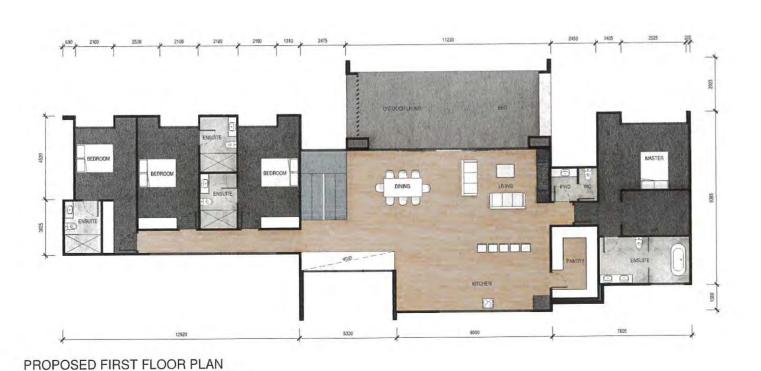
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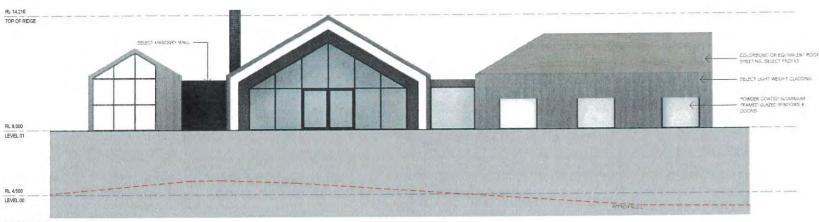
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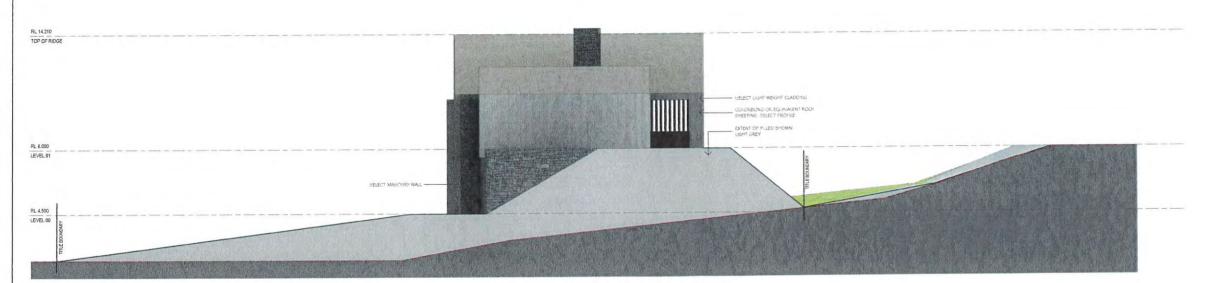
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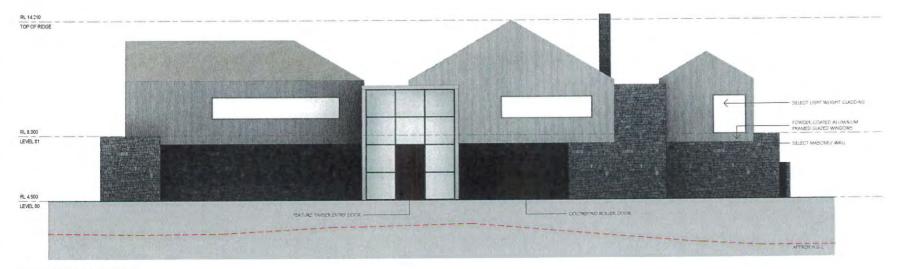
NORTH ELEVATION

SCALE 1:100



EAST ELEVATION

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SOUTH ELEVATION

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ABP No. CC4874f

Structural / Civil

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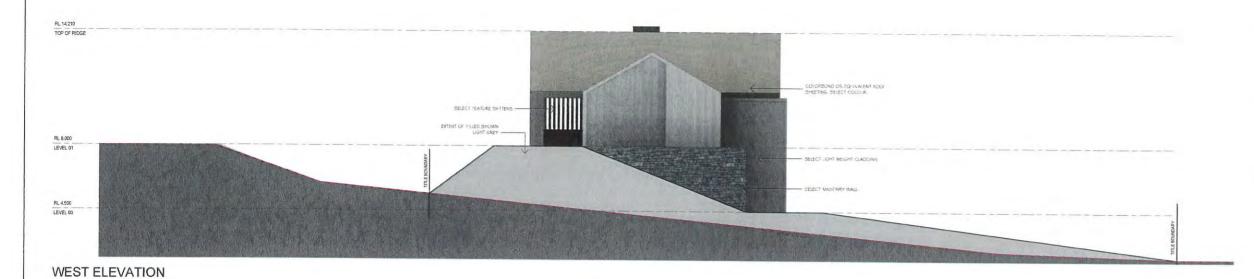
AT BRIDPORT TASMANIA

FOR MR R SATTLER

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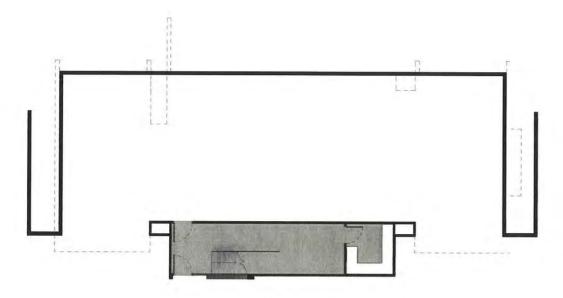
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PROPOSED GROUND FLOOR PLAN





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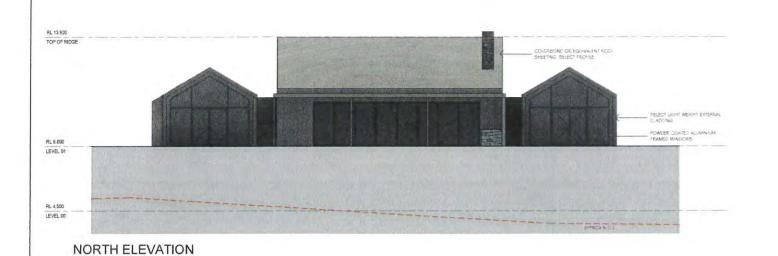
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FOR: MR R SATTLER

DRAWING PROPOSED FLOOR PLANS



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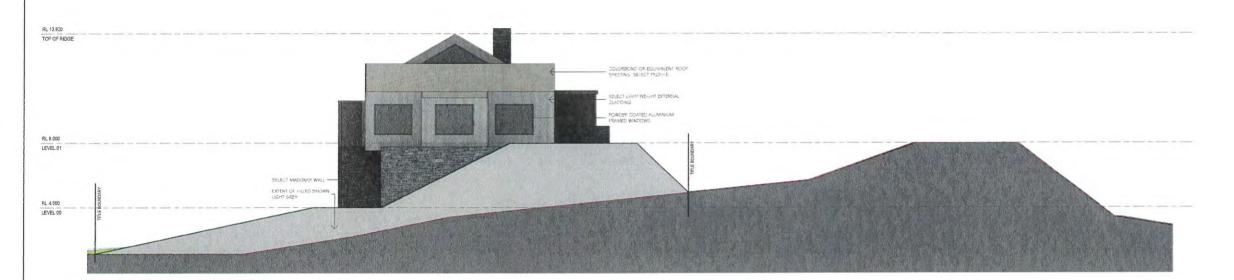
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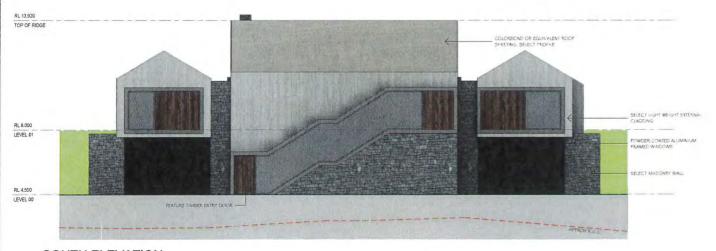
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57 Best Street Devonport Tasmania P (03) 6424 7161 Architectural
ABP No. CC48741
Structural / Ctvi
ABP No. CC16331
Building Services Provide
ABP No. 311245120

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EAST ELEVATION
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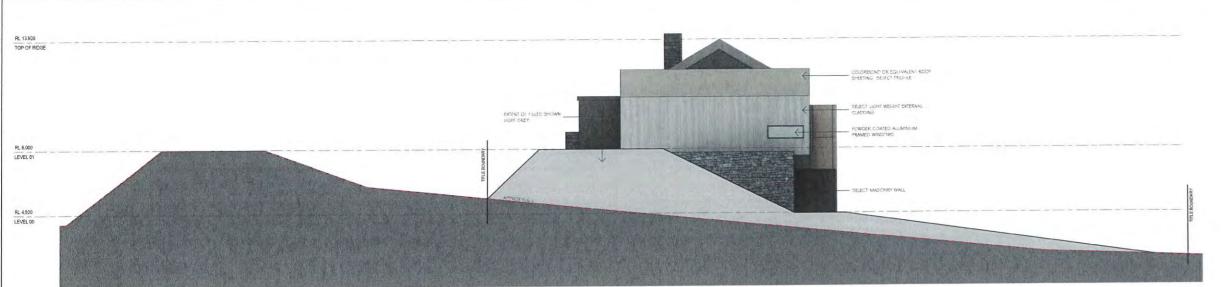


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PROJECT No. 21.272 DRAWING No. Ap1402 002



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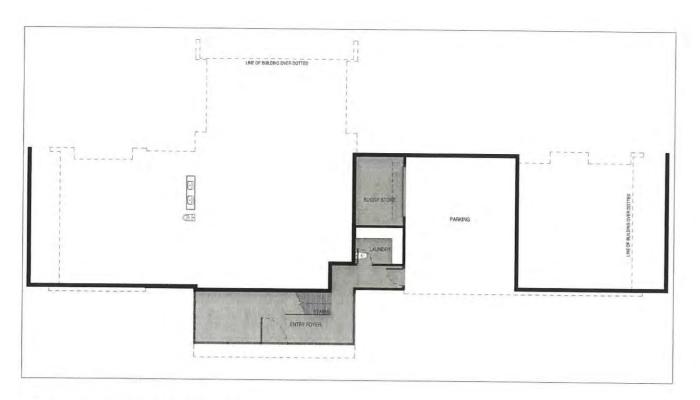
PROJECT BARNBOUGLE BEACH ESTATE

AT BRIDPORT TASMANIA

MR R SATTLER

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PROJECT No. 21.272 DRAWING No. Ap1403 001





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FOR: MR R SATTLER

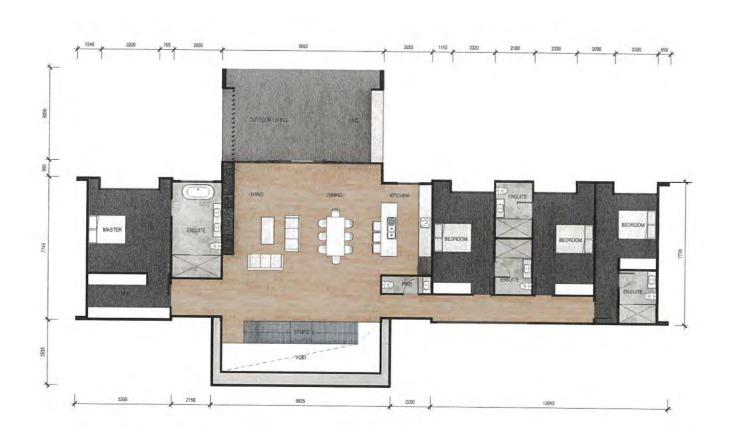
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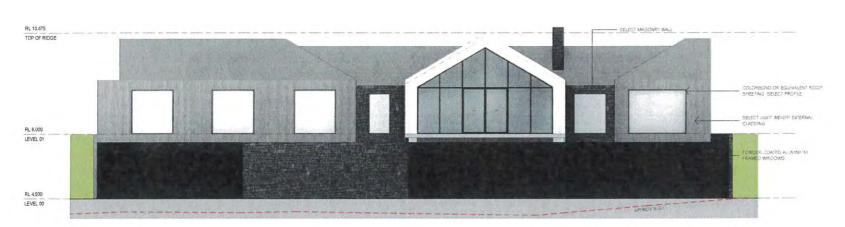


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PROPOSED GROUND FLOOR PLAN

PROPOSED FIRST FLOOR PLAN







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Tamar Suite 103 The Charles 287 Charles Street Launceston Tasman P (03) 6332 3300

57 Best Street Devonport Tasmani P (03) 6424 7161 ABN 27 014 609 90 Architectural ABP No. CC48741 Structural / Civil ABP No. CC1633i

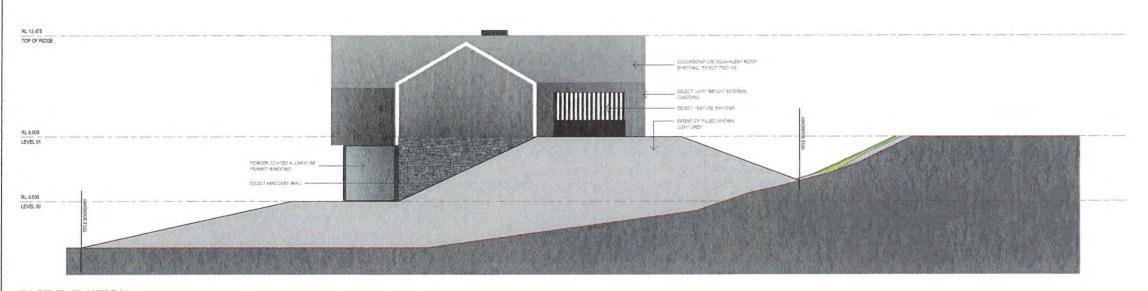
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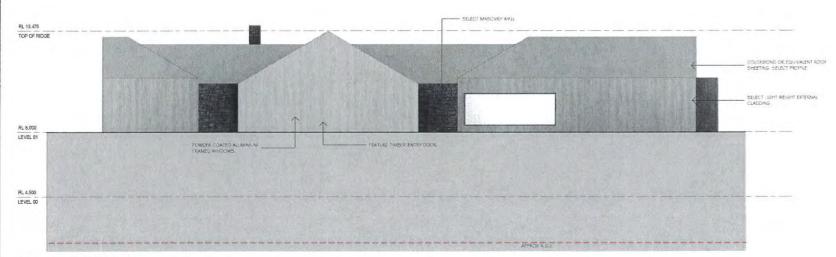
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PROJECT BARNBOUGLE BEACH ESTATE

AT BRIDPORT TASMANIA

FOR MR R SATTLER

PROPOSED ELEVATIONS

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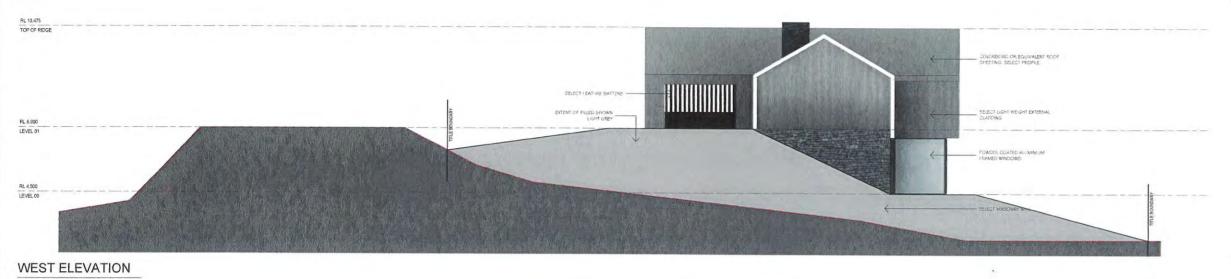


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Architectural ABP No, CC4874 Structural / Civil ABP No, CC1633 Building Services ABP No, 311245

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PROJECT BARNBOUGLE BEACH ESTATE

BRIDPORT TASMANIA

FOR MR R SATTLER

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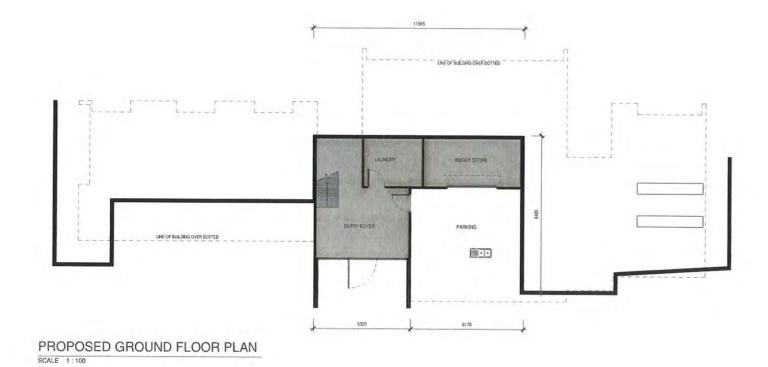
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PROPOSED FIRST FLOOR PLAN





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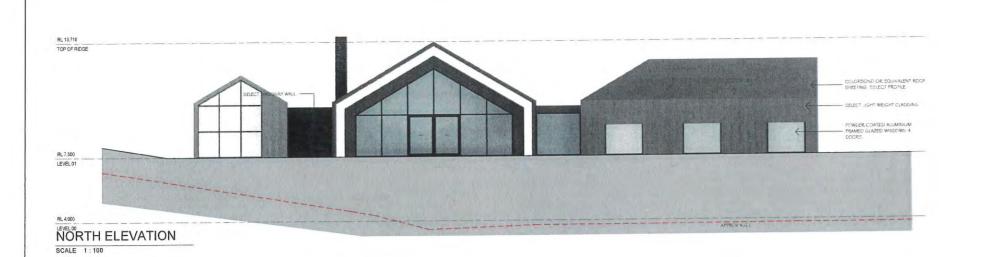
FOR: MR R SATTLER

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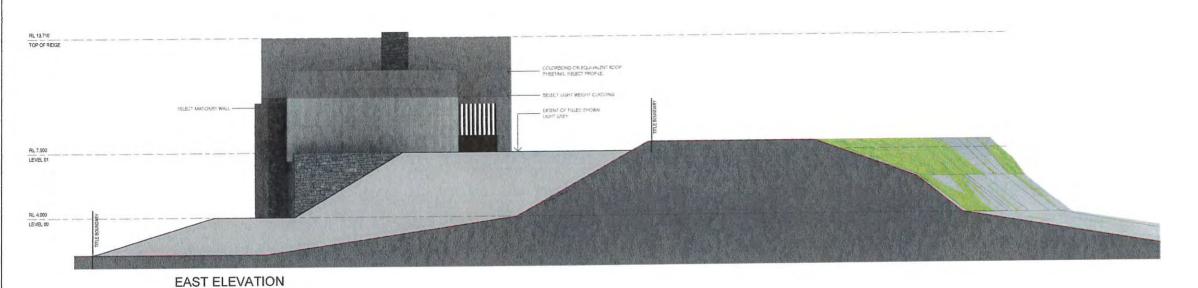
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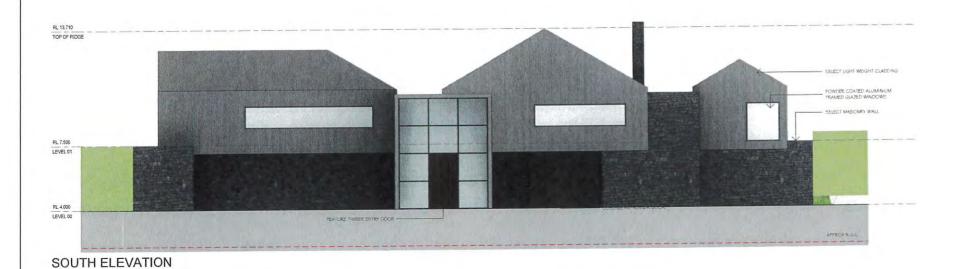
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PROJECT BARNBOUGLE BEACH ESTATE

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FOR MR R SATTLER

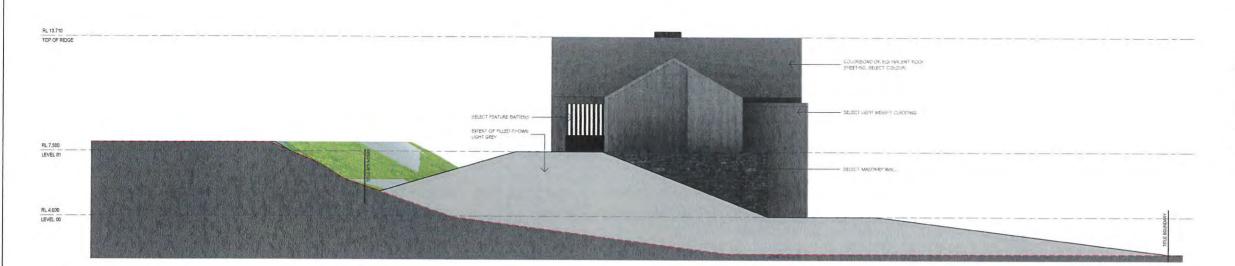
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PROJECT No. 21.272 DRAWING No. Ap1602 002

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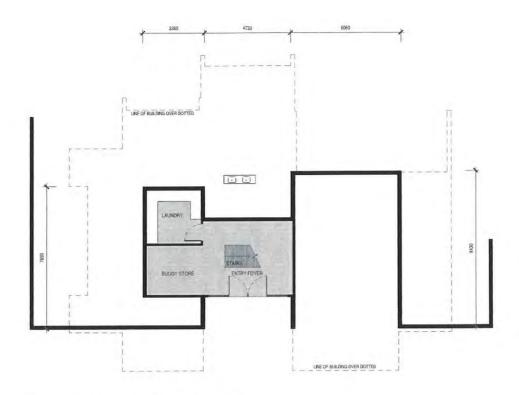
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PROPOSED GROUND FLOOR PLAN





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PROJECT: BARNBOUGLE BEACH ESTATE

AT BRIDPORT TASMANIA

FOR: MR R SATTLER

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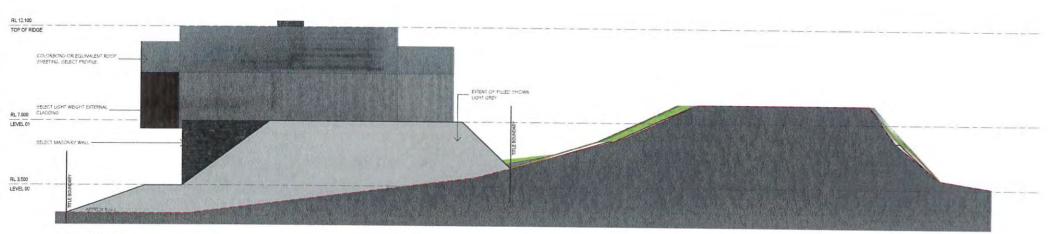
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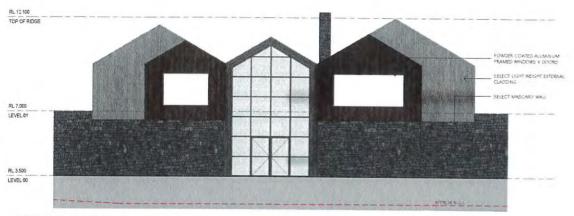
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EAST ELEVATION

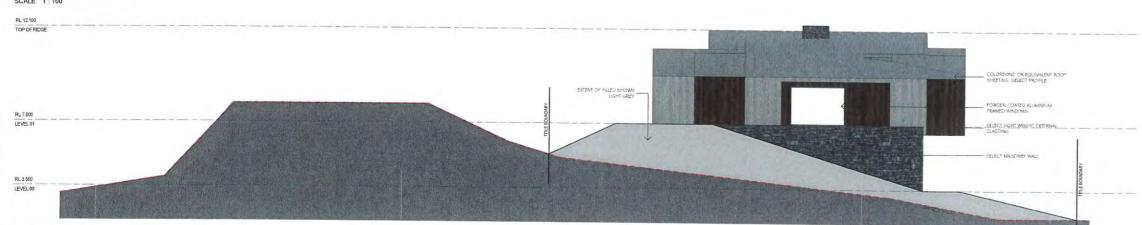
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SOUTH ELEVATION

WEST ELEVATION

SCALE 1:100



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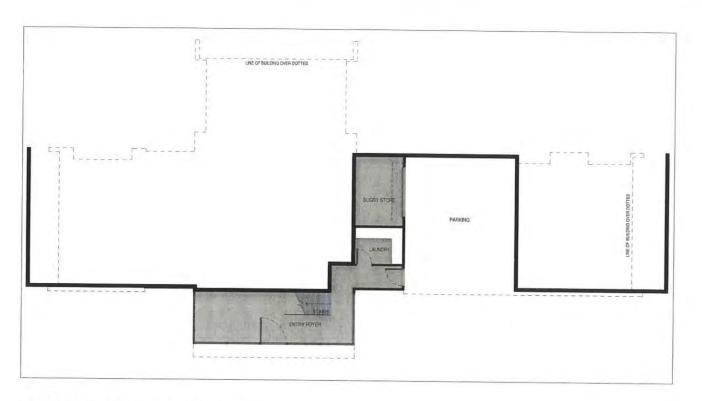
FOR MR R SATTLER

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PROJECT: BARNBOUGLE BEACH ESTATE

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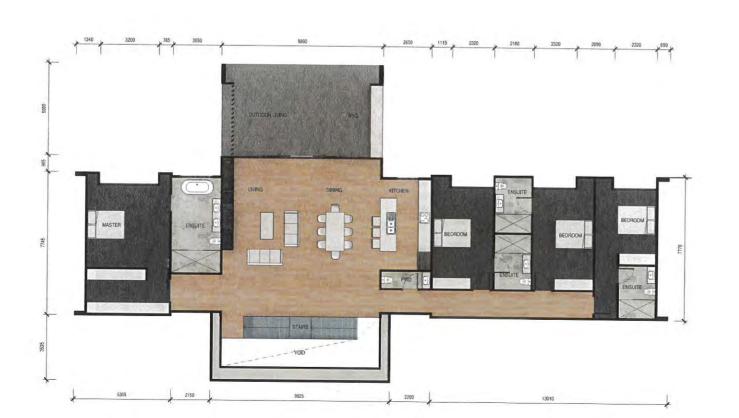
FOR: MR R SATTLER

PROPOSED FLOOR PLANS



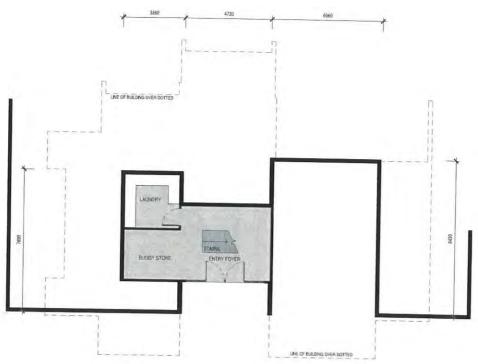
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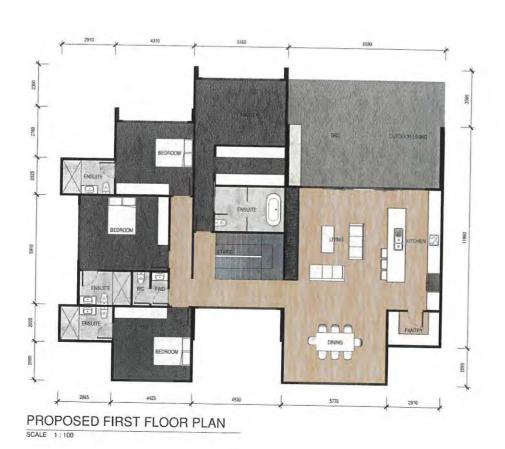


PROPOSED FIRST FLOOR PLAN





PROPOSED GROUND FLOOR PLAN
SCALE 1:100





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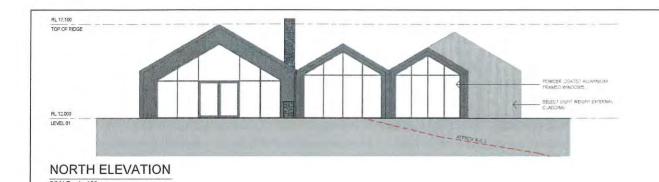


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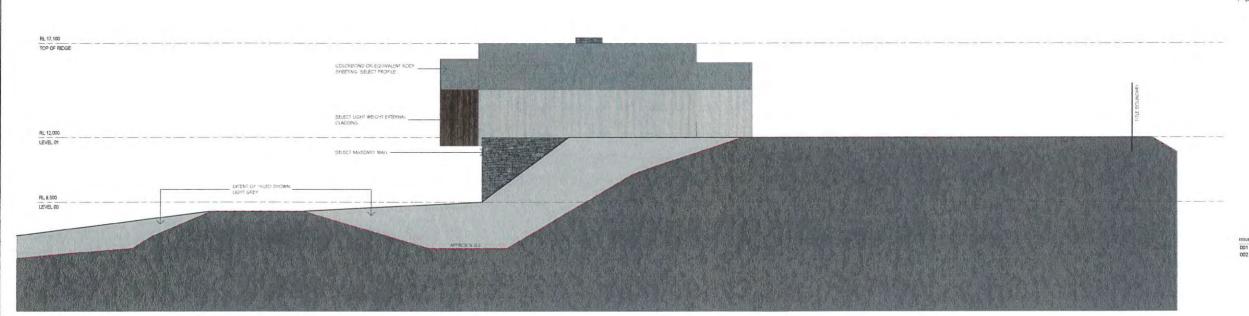
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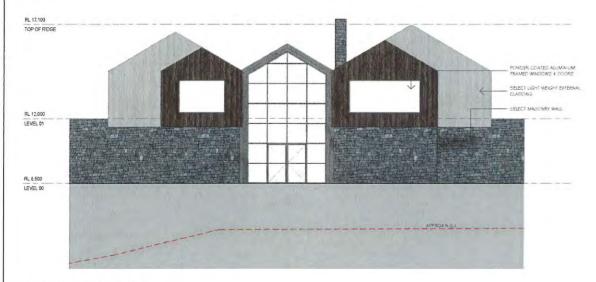
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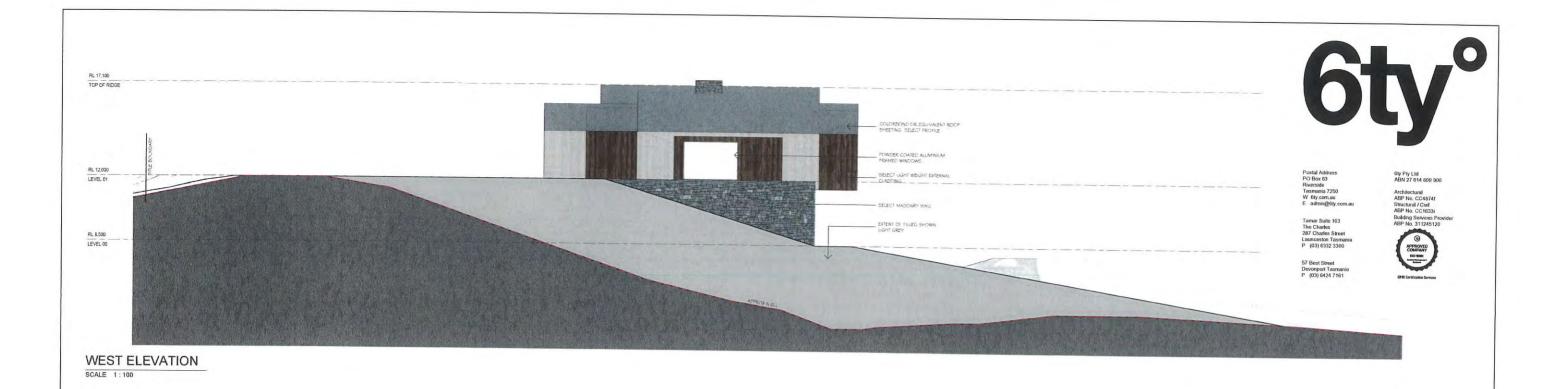
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FOR MR R SATTLER

PROPOSED ELEVATIONS

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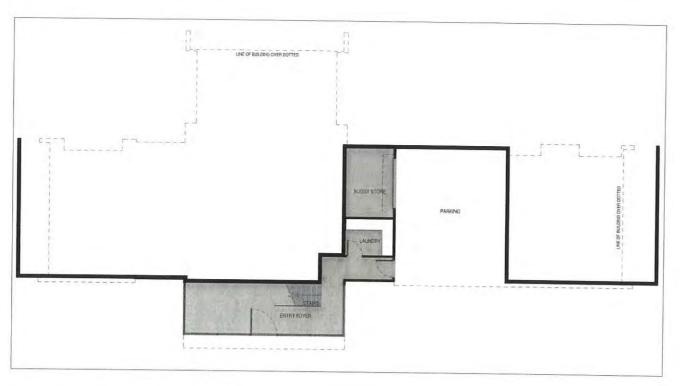
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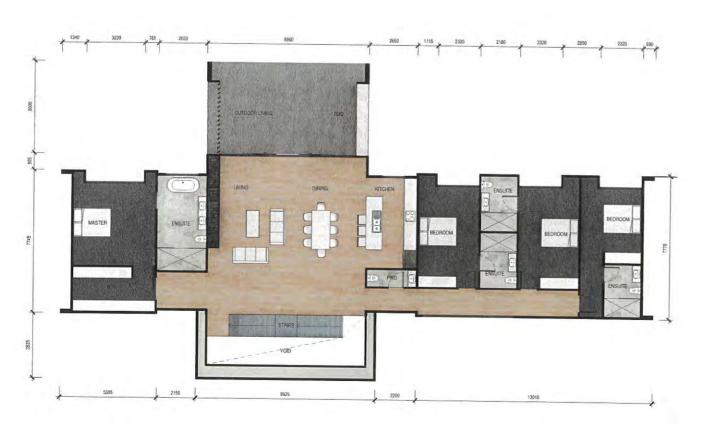
MR R SATTLER

PROPOSED ELEVATIONS

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PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

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PROJECT: BARNBOUGLE BEACH ESTATE

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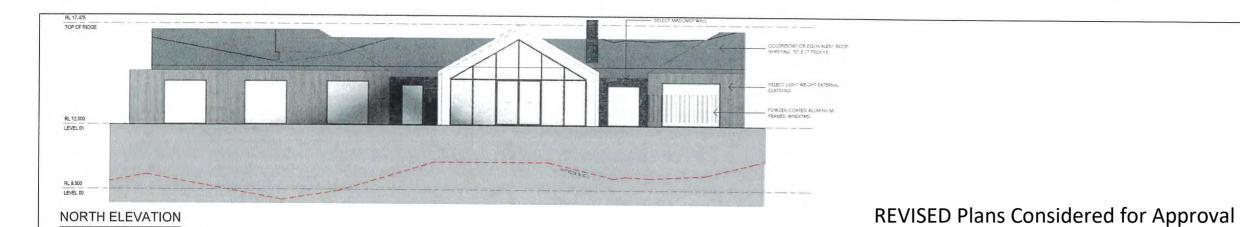


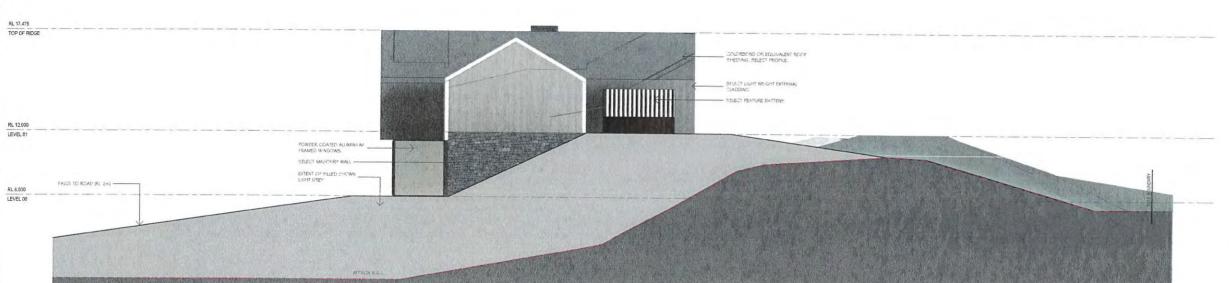
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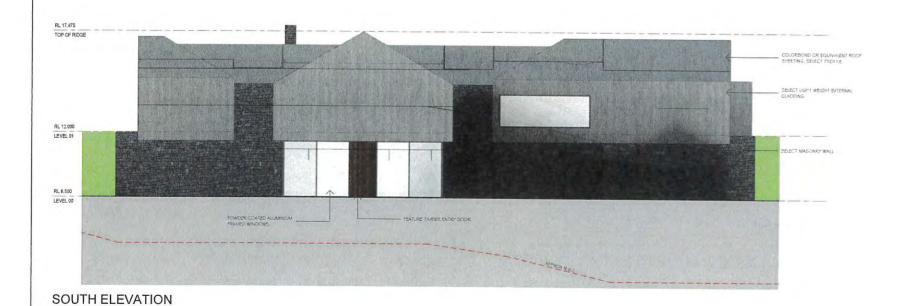


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PROJECT BARNBOUGLE BEACH ESTATE

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FOR MR R SATTLER

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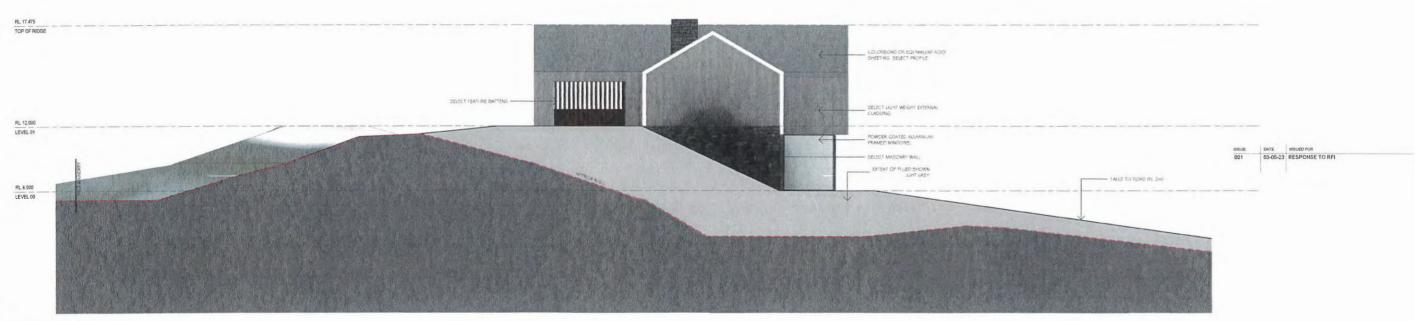


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PROJECT

Barnbougle Beach - Coastal Erosion and Inundation Risk Assessment

CLIENT

Richard Sattler

DATE

February 2023











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Figure 3.10 Development Proposal – Building Footprints & Roadway

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Document Status

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Executive Summary 1.

Burbury Consulting were contracted by Richard Sattler to prepare a coastal erosion and inundation hazard assessment for proposed development at Barnbougle Beach. The development area consists of titles CT 200350/1 and CT 131940/1 located at Waterhouse Road and (The Site) for 20 new properties and accommodation buildings.

An application has triggered the assessment in accordance with the Dorset Council Interim Planning Scheme 2013 (the Scheme), E5 Flood Prone Areas Code and E14 Coastal Code (Code) which this report addresses. It is proposed that up to 20 accommodation buildings consisting of single and two storeys, are built on the proposed development area to fit within the natural contours of the foreshore property as well as in accordance with the recommendations on building levels and setbacks provided within this report.

A remote coastal risk assessment has been conducted based on desktop analysis of the site and localised data analysis. Assessment of the site for coastal erosion and flood (through tidal) inundation was undertaken.

The site comprises of soft sediments which are vulnerable to the risk of erosion. Although there is no evidence that the existing sand dunes (Barnbougle Dunes) are mobile, there is a risk of shoreline recession on the northern side of the Barnbougle Beach and inundation at low ground level due to sea level rise. A review of the risk as it relates to the proposed development was undertaken as well as review of the tidal inundation zones relating to sea level rise for the low lying land of the proposed development.

Mapping of the site and analysis of water levels, sea level rise and risk of erosion indicates a low risk of erosion from the seaward side through beach recession with sea level rise and storm action as well as inundation from the landward side through the low levels adjacent to Trent Water in accordance with Code E14.

Detailed terrain mapping of the site identifies that the development area is protected from the sea with the primary dune that extends up to RL 6m AHD seaward of the property boundary. The proposed buildings should be sited behind the primary dunes giving natural protection from coastal processes over time.

Burbury Consulting has conducted a risk assessment of the site by addressing performance criteria under the Codes. Erosion and Inundation risk to users of the site can be reduced for the design life of the proposed building and works provided recommendations presented within this report are adhered, to maintain a low risk level in accordance with E5.7 (Flood) and E14.7.1 (Coastal) of the planning code.



2 Introduction

Burbury Consulting was contracted by Richard Sattler to prepare a coastal (inundation and erosion) risk assessment report for proposed beach estate at the Site accordance with the drawings provided from 6ty° for the proposed development.

This report covers responses to the Dorset Interim Planning Scheme (2013) codes that apply to the development including E5 Flood Prone Areas Code and E14 Coastal Code and in response to Dorset Council's RFI on DA 2022/107.

The report identifies that the development, which has been reviewed by coastal and marine engineers, meet the Scheme's requirement in its design form and purpose usage with the recommended risk assessment, mitigation and management plans proposed.

The Proponent for the development application, Richard Sattler, proposes to accommodate single and two storeys units.

The Dorset Interim Planning Scheme provides guidance for assessment of the proposed development and site for coastal inundation and erosion which is mapped on the List.

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Project Description 3.

For the purposes of reference to the coastal planning schemes codes, the following figures have been provided highlighting the zone overlays combined with the proposed building footprint for the Development Application prepared by 6ty. The planning and architectural design documents submitted as part of the project Development Application should be read in conjunction with this report and have been used for preparation of our site assessments.

The figures highlight the sitting and location of the development and building zones fall in the coastal erosion and inundation hazard zones.

The coastal hazard bands are developed from the Coastal Inundation Mapping for Tasmania (Stage 4) by the Tasmanian Department of Premier and Cabinet and included on the List as part of the mapping. Areas on the coast.

This site comes under the requirement for a more detailed assessment.

The coastal erosion bands are identified due to local assessment of foreshore erosion over time, ground conditions, geological formation and its susceptibility to erosion. For the purposes of simplified assessment, the zones are mapped in general form, requiring further assessment specific to the proposal for development.

This proposed development sits within the medium hazard band for Coastal Erosion (Figure 3.3) of the Hazard Planning Maps produced by DPAC. This risk is represented as medium due to the low lying and exposed coastline consisting of soft sand sediments and the potential for risk of natural recession due to storm actions and sea level rise.

Coastal inundation mapping is generally based on lidar data of land formations mapped to suit the risk bands determined for the region. The specific levels of inundation hazard bands relate to allowance for sea level rise, storm bite and wave run up of the site according to the ground level at a 2100-year horizon. The proposed inundation risk is generally conservative in approach to ensure that the risk of impact to habitable building remains low at 2100 period and development is not sited in areas of future risk to inundation from sea level rise.

The proposed development sits within the high hazard band for Coastal Inundation (Figure 3.4) produced by DPAC. A review of lidar data against the proposed development area indicates that the sitting of the building is behind the foreshore and primary dunes formations. In any instance new infrastructure should be constructed well behind any active dune or primary dune to minimise natural protection to coastal processes and erosion of the foreshore over time.



Figure 3.1: 6ty Development Proposal Overview to Aerial of Site (theList, 2017)





Figure 3.2 Development Proposal – Building Footprints & Roadway (refer to 6ty drawings)



Figure 3.3: Coastal Erosion Hazard Bands overlay (theList, 2017)

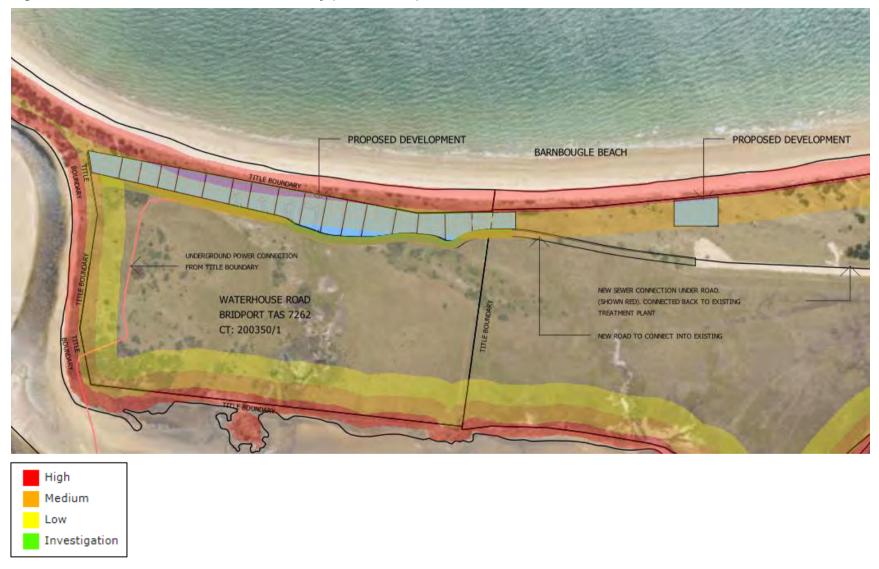
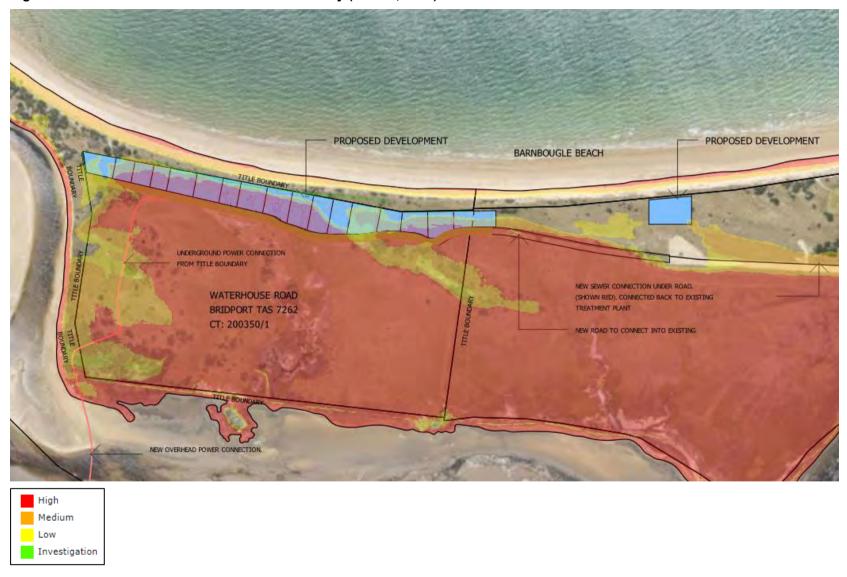


Figure 3.4: Coastal Inundation Hazard Bands overlay (theList, 2017)





3.1 **Site Features**

The site is located adjacent to the Bridport estuary with Trent Water on the southern side of the land and Barnbougle Beach to the north. To the east of the site is Barnbougle Dunes golf course and west is the spit form before the river entrance into Bridport port incorporating rock training walls.

Offshore the site is influenced by Sisters Rocks which results in formation of sand and beach profile along the foreshore of the site.

The Trent Water estuary is mixed tidal with natural water from the Brid River and Coxs Rivulet supplying fresh water into the estuary which is predominantly salt water influenced from tidal exchange to Bass Strait.

The land is low lying profile with formed drainage channels to manage the relatively flat land and coastal dunal towards Barnbougle Beach. The dune and foreshore are well vegetated representing a consistent profile along the Barnbougle Beach area.

Significant studies on the Bridport entrance have been undertaken with Water Research Laboratory (WRL) Bridport Port Improvement Study, June 1991, providing relevant source of coastal assessment of the site and beaches incorporating historical and analytical assessment over 50 years of data and records.

The WRL Report indicated that there was no evidence of changes in alignment in the beaches from 1949 to 1991 and no evidence of beach recession in that period. This has been consistent in our assessments from aerial photographs from 1956 to 2021 as depicted in Figure 3.8 below.

The Barnbougle Beach is dynamic in nature exposed to storm wave events and sediment movement from natural littoral movements of the bay. During storms and elevated water levels sediments can be eroded with wave induced currents moving sediments offshore causing short term recessions. Calmer and natural prevailing weather conditions result in onshore sediment movement (natural beach recovery) and is consistent with Barnbougle Beach with its flat and stable beach profile and long term beach alignments.

Sea level rise over long periods of time will result in changes to the beach levels but will allow or sediments deposition to adjust to the increased water levels and build the beach profiles up consistent with the water levels. Maintaining a controlled primary dune and offset from the beach is a natural way of protecting any proposed development. These offsets are consistent with the approach of the Barnbougle Beach hazards bands noted in Figure 3.3 above.

Whilst the land is low lying it does not form part of a flood plain as the environmental flows from Coxs Rivulet is very low with the Great Forrester River historically diverted to Adams Cut and the Brid River aligned to the port harbour entrance. The low natural levels from the Trent Water side are what drive the coastal inundation risks bands in Figure 3.4. The primary dune to Barnbougle Beach at nominally 6m AHD protects the development site from storm surge and inundation and therefore the risk to inundation is only through Trent Water from increased tidal conditions within the river.

The controls to reduce the risk rating on coastal erosion and inundation/flooding are the focus of this assessment.

3.2 **Existing Geology and Coastal Features**

A desktop geology review has been completed for the site based on Mineral Resources Tasmania (MRT) digital geological atlas. The site is dominated with dune sand during Holocene period.

An assessment was carried out by GHD in 2007 to assess dune mobility over the last 50 years for Barnbougle Links Golf Course to determine the likelihood of dune movement. The summary of the assessment is in the table below. There is evidence that the Ainslie Sand Formation was remobilised approximately 30,000 years ago and again within the last 200 years. The current form is stable beach and dune system well vegetated along the primary dune to the beach profiles.



More recent aerial photographs have been reviewed for the site which is presented in Section 3.5.

Figure 3.5 Development overlayed with Geological Atlas, Bridport (Minerals Resources **Tasmania**, 2022))

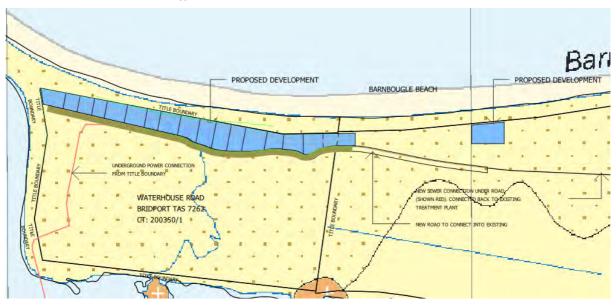


Table 3.1 Sand Formation and their ages

Formation	Age (years since initial deposition)	Features
Bowlers Lagoon Sand	Holocene (10,000 years)	Calcareous transverse dunes
Barnbougle Sand	Holocene (10,000 years)	Marine Sand
Waterhouse Sand	Holocene (10,000 years)	Parabolic dunes
Ainslie Sand	Last Glacial (40,000 years)	Longitudinal dunes and sand sheets
Rushy Lagoon Sand	Last Glacial (40,000 years)	Lunette Dunes
Stumpies Bay Sand	Last Interglacial (130,000- 112,000 years)	Marine and lagoon deposits

3.3 **Existing Coastal Features**

The site is located on the East of Anderson Bay and North of Trent Waters (Figure 3.1) with entrance to Barnbougle Beach immediately north.

The predominant swell is from the northwest and northeast and is depth limited due to the shore profile. Waterhouse, Cape Barren and Flinders Island offer protection from longer period swell energy. The waves reduce in energy through white capping and friction against seabed, will result in losses to wave height. The site is expose to wind waves from the Northwest quadrant. Wind waves will also be depth limited due to the shore profile and wave height limited from breaking along shorelines.



Figure 3.6: Aerial Locality Site

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Wave modelling used on another project provides us with behaviour of wind and swell waves on the site from the two exposed zones (north west and north east). The northwest is prevailing and can be larger waves but the site is protected due to depths of the bay and Sisters Rocks (Figure 3.8).

The north east waves are similar in wave heights at the beach zone with larger energy focus just west of Adam's cut. Again the natural depths of the water between Sisters and Barnbougle Beach is a natural protection to minimise wave energy as large waves will break offshore as they are depth limited and energy is loss in the surf breaks.

Base don our observations at Barnbougle over a long period of time from Adams cut along Barnbougle Dunes and the port entrance the beach retains a stable profile with localised erosion only occurring at primary dunes when vegetation is loss due to wildlife, rain and wind erosion and combined with storm bite events.



Figure 3.7: Wave Model of NE Waves on Site

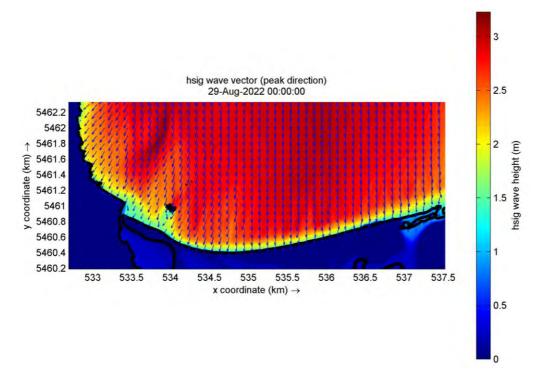
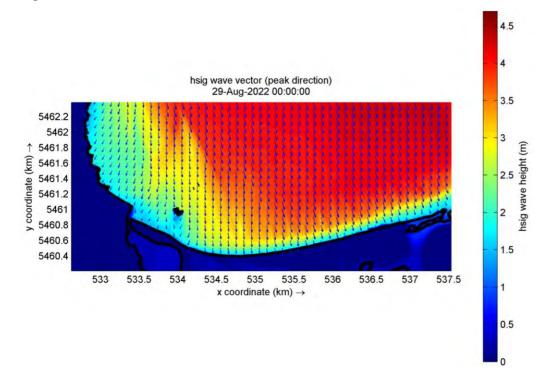


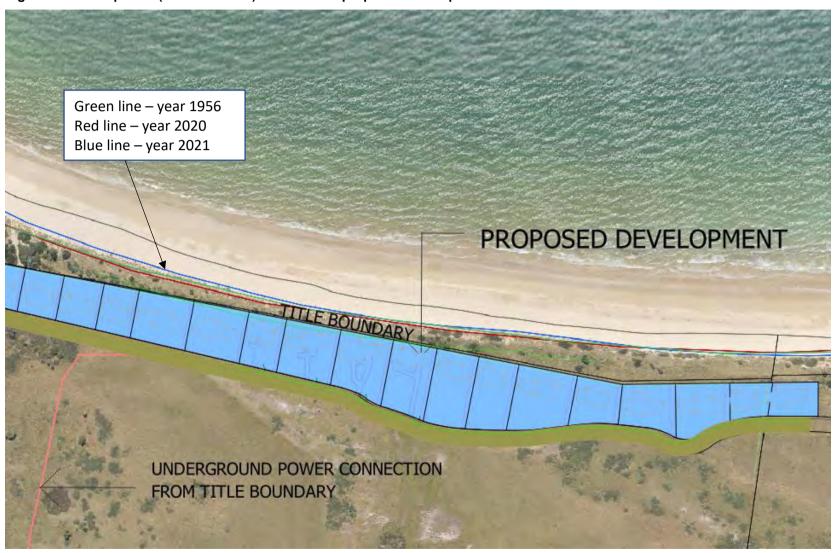
Figure 3.8: Wave Model of NW Waves on Site



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Figure 3.9: Dune profile (Coloured Line) foreshore of proposed development





3.4 Tidal Planes and Sea Level Rise

A current, environmental flows and wave model for the site for this development is not practical for the study requirements however we have a coastal model for this area developed for another project that we can reference for coastal engineering assessment. For the purposes of assessing predicted water levels without wave influence, we have used the below publicised levels.

Table 3.2: Tidal Levels (Bureau of Meteorology, 2022) (DNRET, 2011)

	AHD, m	Chart Datum, m
Maximum High Water Recorded at Port of Low Head (storm surge)	2.80	4.82
Highest Astronomical Tide – HAT	1.62	3.64
Mean Sea Level (actual) - MSL	-0.03	1.96
Chart Datum / Lowest Astronomical Tide – LAT	-2.02	0.00
Lowest Recorded Water Level at Port of Low Head	-2.25	-0.23

The current publicised levels for predicted (DPAC, 2012) sea level rise 0.22m for the year 2050 and 0.84m for the year 2100 and has been used for the purposes of the assessment coastal vulnerability to erosion and inundation.

Table 3.3: Predicted Still Water Levels Combined Wind and Wave Levels

Tide	2021	2050	2100
Sea Level Rise Input	0m	0.22m	0.84m
LAT	-2.02m AHD	-1.80m AHD	-1.18m AHD
MSL	-0.03m AHD	0.19m AHD	0.81m AHD
НАТ	1.62m AHD	1.84m AHD	2.46m AHD
100yr ARI incl Storm Surge (max recorded tide level at Low Head)	2.80m AHD	3.02m AHD	3.64m AHD
Dorset Council Interim Planning Scheme Level 2013	1.8m AHD	2.5m AHD	3.1m AHD
Inundation Mapping Levels	High	Medium	Low

We do not have any further data to consider varying of the planning levels for predicted still water levels for this area than published by Dorset Council Interim Planning Scheme.

3.5 **Shoreline Recession Model**

A shoreline recession or erosion model for 2022 to 2100 service life conditions has not been undertaken for this property as this requires a broader study into the adjacent properties along the beach, review of beach profiles, geotechnical assessment of the sub-surface conditions and modelling of range of parameters for sea level changes and erosion.



Site visit and aerial photograph analysis suggests that the site is stable in short and long terms of shoreline erosion and beach stability. The beach profile is flat which naturally minimises long period wave energy as large waves break offshore.

3.6 Aerial Photograph Review over time

Based on Dune Mobility Study conducted by GHD in 2007 for the Barnbougle site, it indicates that the dunes are relatively stables and have remained vegetated since some time prior to 1976 to 2001. Based on desktop review of historical imageries of the development site, there are minimal changes to the foreshore from year 1956 to 2021, refer to Figure 3.9 and has in the last 70 years retained a very stable form.

3.7 **Recommended Development Controls**

The risks for coastal erosion and inundation are a function of standard set backs and levels based on the levels identified through DPAC, 2012.

The mapping identified on the List and provided as overlays in Figures 3.3 and 3.4 are generated from lidar levels and standard set backs to coastal erosion bands.

An assessment of the actual coastal conditions, shoreline stability, ground and natural levels provides a more detailed review of the risks to the proposed development from coastal erosion through wave action and inundation due to sea level rise and extreme tide and water levels. The site isn't subject to river flooding only tide induced flooding (extreme tides).

A number of recommended development controls have been provided to 6ty to reduce the risk profile of the development.

These controls are aimed at reducing the risk of the development as well as adjacent and nearby properties.

Natural barriers where possible provide the best form of protection such as maintaining stable foreshore vegetation as well as limiting construction away from primary dunes.

Site filling is recommended on the development site to bring the low lying land areas above extreme tidal inundation zones. This will also reduce the risk from erosion by increasing the shoreline base.

Site filling should be undertaken using natural local sands placed in layers with compaction to minimise settlement. Natural water courses of the site should be formed with the filling to maintain the natural water courses.

The following design and construction controls should be adopted with the development to maintain a low risk level to erosion and inundation:

- Minimum building floor levels of habitable buildings shall be above RL 3.1m AHD
- Minimum ground levels surrounding buildings shall be above RL 2.8m AHD with adequate drainage away from the land.
- Adequate building foundations for the site conditions including allowance for sea level rise.
- Minimum new access road level along the southern boundary of the new properties shall be above 2.0m AHD with capacity to raise in future as adaptive means (if required).
- Buildings need to be set back behind the primary dune toe level (rear of the dune)
- Existing dunes are 4-6m AHD in height
- Existing ground level behind the dune varies across the development site from is 1 to 2m AHD and should be raised across the development footprint towards Trent Water to be greater than RL 2.0m AHD.

14



- Site filling shall be controlled utilising natural sand of the existing and broader area.
- Foreshore dune vegetation shall be managed and monitored as part of the development commencement and then regularly post storm events and/or at least annually
- Property owners maintain shoreline monitoring and protection width in front of the transverse within their property boundary as a means for adaptation and protection to the foreshore against potential increased sea level.

Figure 3.10 Development Proposal - Building Footprints & Roadway





4. Assessment to Planning Code Requirement

4.1 E5 Flood Prone Areas Code

4.1.1 E5.5.1 Use and Flooding

Performance criteria requirements and responds to those applicable are referred below:

Performance Criteria	
P1 Use including habitable rooms subject to flooding must demonstrate that the risk to life and property is mitigated to a low risk level in accordance with the risk assessment in E5.7.	All habitable rooms are located at the first floor of proposed development which is above the 2100 level of 3.1m.
P2 Use must demonstrate that the risk to life, property and environment will be mitigated to a low risk level in accordance with the risk assessment in E5.7.	The proposed development at Waterhouse Road (CT: 200350/1) should be land filled to a minimum level of 2 m AHD and higher on the building platforms. The new access road and accommodation lots will be built on the land filled area and protected from tide and flood inundation reducing the risk from high to low.

4.1.2 Flooding and Coastal Inundation

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Performance criteria requirements and responds to those applicable are referred below:

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Performance Criteria	
P1.1 It must be demonstrated that development	t:
P1.1 (a) where direct access to the water is not necessary to the function of the use, is located where it is subjected to a low risk, in accordance with the risk assessment in E5.7	The proposed development does not require direct access to the water.
	The risk for the proposed development currently falls under high risk (likelihood: moderate, consequences: moderate/ major).
	Subject to land filled to AHD 2m and above, the likelihood and consequences risk of the development decrease to unlikely and minor. Therefore, the overall risk will reduce to low.
	The works are well planned for the habitable level of the proposed development exceed the planning scheme requirement.
	Filling the land will not impact natural river flows or flooding to adjacent properties due to its proximity to the coast and the estuary.
P1.1 (b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is	Not Applicable



mitigated to a medium risk level in accordance with the risk assessment in E5.7	
P1.2 Development subject to medium risk in accordance with the risk assessment in E5.7 must demonstrate that the risk to life,	The risk for the proposed development currently falls under high risk (likelihood: moderate, consequences: moderate/ major).
property and the environment is mitigated through structural methods or site works to a low risk level in accordance with the risk assessment in E5.7	Subject to land filled to AHD 2m, the likelihood and consequences risk of the development decrease to unlikely and minor. Therefore, the overall risk will reduce to low.
	This will raise the habitable level to be above the planning scheme requirement.
P1.3 Where mitigation of flood impacts is propodemonstrate that:	osed or required, the application must
P1.3 (a) The works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow	All works will be undertaken from the land side. No water works will be required.
	Proposed development area does not required access to or from water.
	The raising of the land with sand filling in suitable layering will not impact natural water course or flooding.
P1.3 (b) The works will not result in an increase in the extent of flooding on other land or increase the risk to other structures	Subject to land filled to 2m AHD, the works will not cause or increase the risk to the adjacent sites.
	Trent Water is tidal and not influenced by environmental flows that induce flooding and therefore flooding is only likely through increased sea levels. The Bridport Port entrance controls tidal movement.
P1.3 (c) Inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials;	Adequate drainage system should be installed around the development area and waterway to collect run off and be protected from inundation and flooding of the natural grounds.
P1.3 (d) Where mitigation works are proposed to be carried out outside the boundaries of the site, such work are part of an approved hazard reduction plan covering the area in which the works are proposed.	Development area (CT: 200350/1) should be control filled to a level of 2m AHD whilst maintaining the existing natural water courses. This will reduce the inundation risk rating to low without impacting on the adjacent upstream or downstream land/structures.

4.2 **E14 Coastal Code**

4.2.1 E14.5.1 Risk to sensitive use

Performance criteria requirements and responds to those applicable are referred below:



Performance Criteria	
P1.1 Sensitive use that does not require access to the coast must not be located where it is subject to a high risk in accordance with the risk assessment in E14.7.1	Not applicable.
P1.2 Sensitive use must mitigate the risk to life, property and the environment to a low risk level in accordance with the risk assessment in E14.7.1	Existing natural processes external to the proposed site may occur including increase sea level rise (nominally up to 0.84m to 2100) may result in localised erosion to the primary dunes which result in exposure of foreshore to the development
	Subject to future infrastructure of the new port entrance (Bridport Foreshore Master plan), this will provide protection to the current proposed development, reducing the erosion risk to low.

4.2.2 E14.6.1 Coastal Hazards

Performance criteria requirements and responds to those applicable are referred below:

Performance Criteria	
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P1.1 Development that does not require access to the coast must not be located where is subjected to a high risk, in accordance with the risk assessment in E14.7.1	Not applicable. Current development area is subject to a medium to low risk rating (likelihood: Unlikely, consequences: major). Controlling the setbacks, levels and location behind primary dune will retain a low risk level for the development.
P1.2 All development must mitigate the risk to life, property and the environment to a low risk level in accordance with the risk assessment in E14.7.1	Existing natural processes external to the proposed site may occur including increase sea level rise (nominally up to 0.84m to 2100) may result in localised erosion to the primary dunes which result in exposure of foreshore to the development. The proposed siting allows for suitable set back from likely erosion profiles expected on Barnbougle Beach.
	The natural protection of the dune is through a stable shoreline and continued littoral sand movement along the shore which is influenced by the Bridport River cut and Sisters Rocks. As long as sand is retained in its natural form along Barnbougle Beach then the risk to erosion is low.
	The risk of the development to life, property and environment can be retained at a low risk level as long as design recommendations provided in this report are maintained.



•	P2 development on hind dunes or within 30m
	of the seaward edge of any coastal cliff or
	bluff must avoid areas subject to natural
	hazard such as erosion, dune mobility,
	flooding and slumping, which may result from
	storm surge, wave action, human
	intervention or any other causes

The proposed development should be located behind the primary dune and set back to ensure natural erosion can occur without impacting the development and buildings.

E14.6.3 Public Access 4.2.3

Performance Criteria	
P1. Public access to the coast and foreshore must not be reduced	Not applicable.

4.2.4 Landscaping and vegetation

Acceptable solution	
A1 Vegetation removal must not occur within 10m of the landward edge of the cliff or bluff	Comply, current proposed development located 15m landwards of the foredune
A2 Landscaping must not use:	Comply subject to landscaping to match existing if disturbed



5. **Assessment Summary**

The proposed development at Waterhouse Road (CT: 200350/1) has been reviewed by Burbury Consulting to assess potential impact associated with the proposal against the following planning codes:

- E5 Flood Prone Areas Code
- E14 Coastal Code

The assessment against the codes indicates a reduced risk level can be achieved with the following design and construction recommendations:

Design

- Minimum building floor levels of habitable buildings shall be above RL 3.1m AHD
- Minimum ground levels surrounding buildings shall be above RL 2.8m AHD with adequate drainage away from the land.
- Adequate building foundations for the site conditions including allowance for sea level rise.
- Minimum new access road level along the southern boundary of the new properties shall be above 2.0m AHD with capacity to raise in future as adaptive means (if required).
- Buildings need to be set back behind the primary dune toe level (rear of the dune)
- Existing dunes are 4-6m AHD in height
- Existing ground level behind the dune varies across the development site from is 1 to 2m AHD and should be raised across the development footprint towards Trent Water to be greater than RL 2.0m AHD.
- Site filling shall be controlled utilising natural sand of the existing and broader area.
- Foreshore dune vegetation shall be managed and monitored as part of the development commencement and then regularly post storm events and/or at least annually
- Property owners maintain shoreline monitoring and protection width in front of the transverse within their property boundary as a means for adaptation and protection to the foreshore against potential increased sea level.



Our Ref: 2022/107 63503 2749752 30 June 2023

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Dear 6ty Pty Ltd

Extension of Time Request (PLA2022/107)

Visitor Accommodation (20 Units)

429 Waterhouse Road BRIDPORT

It is acknowledged that additional time is going to be required to ensure Council can undertake satisfactory assessment of your application for the above, including a recommendation presented to Council at the Monday 21 August 2023 Council Meeting.

As such, Council must request an extension of time in accord with Section 57(6A) of the *Land Use Planning and Approvals Act 1993*. To this end, Council would request an extension of time to 22 August 2023.

Please confirm your agreement to this request for an extended period of time by signing the applicable section below.

Yours faithfully

THOMAS WAGENKNECHT Regulatory Services Manager

I,, Dorset Council for an extension of tim of the abovementioned planning appli	confirm that I agree to this request by the to the planning assessment timeframe cation.
Signature:	



Our Ref: 2022/107 63503 2749752

14 August 2023

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Dear 6ty Pty Ltd

Extension of Time Request (PLA2022/107)

Visitor Accommodation (20 Units)

429 Waterhouse Road BRIDPORT

It is acknowledged that additional time is going to be required to ensure Council can undertake satisfactory assessment of your application for the above, including a recommendation presented to Council at the Monday 18th September 2023 Council Meeting.

As such, Council must request an extension of time in accord with Section 57(6A) of the *Land Use Planning and Approvals Act 1993*. To this end, Council would request an extension of time to **Tuesday 19**th **September 2023**.

Please confirm your agreement to this request for an extended period of time by signing the applicable section below.

Yours faithfully ROHAN WILLIS Director, Community and Development

	, confirm that I agree to this request by n extension of time to the planning assessment timeframe ned planning application.
Signature:	