

**From:** PETER ANDREW FERGUSON  
**Sent:** Tuesday, 9 April 2019 8:34 AM  
**To:** Contact Us  
**Subject:** DA104/219 195 white hills rd.

Hello,  
the new property

I am concerned about the potential hazards with  
The DA shows 4 stages in vine planting and no 3 and 4 are  
and 3 of my neighbors .The question I am asking is how council will evaluate and  
control the impact of spray misting of pesticides on our properties and the effects on surrounding pastures  
and stock.The new road and power on this property was installed in the last 6 months and the traffic and  
noise was annoying to say the least.The traffic increase on White Hills road in the last 12 months has been  
excessive,especially heavy dump trucks taking loads to the new Irrigation Dam site.I have complained about  
the poor road condition and heavy traffic to council a number of times,but it has fallen on deaf ears.Please  
advise what effect this development will have on us especially trucks and workers entering and leaving the  
property and the bio hazards.Regards Peter and Patty Ferguson..

---

**From:**  
**Sent:** Monday, 15 April 2019 9:30 AM  
**To:** Contact Us  
**Subject:** Representation for DA 0104/2019  
**Attachments:** Representation to DA0104 195 White Hills Road.pdf

To the General Manager,

Please find attached written submission for DA0104/2019 at 195 White Hills Road, White Hills.

We are available to discuss our submission at any time.

Sincerely,

Mike Dean

Belinda Powell

Please find below our submission to the development application at 195 White Hills Road, White Hills DA0104/2019.

Please also note, we also contacted the applicant to discuss our concerns however this offer was not taken up.

### **Introduction**

We are a young family located at \_\_\_\_\_ to this application and have lived here for 3 years having owned the block for over 8 years. Our reason for moving here was to enjoy the rural environment with limited scope for development and to preserve the heritage listed church that we have on our block along with the cemetery open to the public.

We will demonstrate to council in this submission that this development does not meet the criteria directed in 26.3.2 of the planning scheme that a dwelling must be 'subservient part of a Resource Development use' nor that there is an operational requirement to live on site to manage a vineyard.

We would like to restate that the zoning of this area is Rural Resource, not Rural Living. To that end we understand that council will ensure that primary resource developments, in this case a very small vineyard, are not used as a 'back door' to building developments such as a residence that would normally require the zoning to be Rural Living. This should not be a 'loop hole' to circumvent the rules and we will set out why the proposed development does that.

### **Performance Criteria Assessment**

As the application states, it 'relies on an assessment against performance criteria 26.3.2'. We will show it does not meet that criteria.

#### P1.1

##### (a) Scale of the use

The application substantially overstates the scale of the proposed vineyard both spatially and financially, seemingly to attempt to satisfy this performance criteria for a dwelling of substantial scale.

To date, only one block of vines has been planted. Council should firstly consider this application based on the primary resource that currently exists – if this application were to pass, we understand there is nothing incumbent on the applicant to actually continue to expand the vineyard into other blocks once the house is built nor to be the primary manager to the site as detailed in the application. Given the application hinges on the vineyard size, it is crucial to establish both the intentions and the ability to achieve the vineyard size as described.

The application states in the AK Consultants assessment that the vineyard is proposed to be only *five* to 12 hectares. 5ha, if that is the result, is an extremely small vineyard by any measure.

As it stands, the total operation now which has only just been planted is only 2ha in size, so the application commits only to increase this a further 3ha. That is a very small vineyard.

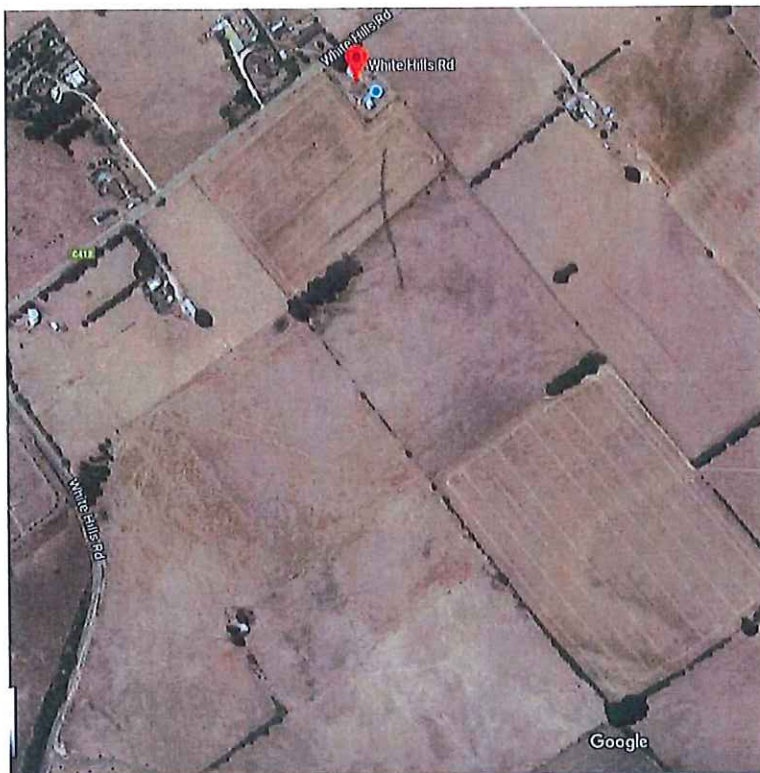
However, if these blocks were to be planted, the scale of the vineyard, in size and revenue, is substantially *less* than that stated in the application.

### *Effect of chemical spray on adjoining property*

The application includes government guidelines that recognise the effect of chemical drift onto adjoining property. Viticulture requires application of many toxic pesticides and chemicals and is highly intensive. The guidelines referenced in the application state a ***“minimum separation of 300m to adjacent property to reduce the impact of spray drift and dust generation”***. The report notes the prevailing wind is north westerly. This may be the case, but wind moves and is notoriously changeable, especially on an exposed landscape such as ours. Spraying will have to occur at set times, irrespective of wind direction, directing chemical spray onto our property. That is why such setbacks are mandated.

As guidelines referenced in the application go on to state that ***“Through the establishment of an adequately designed, implemented and maintained vegetative buffer, this minimum separation distance can be reduced to 40m.”*** There are no existing vegetative barriers to neighbouring properties including ours so a setback as per the guidelines will completely invalidate blocks 3 and 4. The picture below clearly shows the lack of vegetation around our property (marked with the red drop pin) or virtually the entire perimeter of block 3 & 4.

There are significant health hazards associated with the vineyard proposal detailed in the application and these regulations exist for a reason. It is unconscionable that council could allow our family, our neighbours and the public to be exposed to these health risks. The report completed by AK Consultants refers to these setbacks yet fails to include the design of them in proposed map setbacks – Figure 2. It’s essential that these are included to protect the safety of the 3 residential premises adjacent to block 4 as well as the 2 residences opposite 195 White Hills Road. Once included, these will show that the size of the vineyard will be impacted dramatically and as such the size of the vineyard that can be developed safely as detailed in the application is inaccurate and massively reduced. It is speculative but this may well be the reason for the consultants being advised that the vineyard may only be 5ha.



### *Economic scale*

Furthermore, revenue modelling used to support the development has been overstated grossly overstated. The average wholesale price for Tasmanian wine is \$2977 per tonne.

<https://www.wbmonline.com.au/tassie-killing-it-with-winegrapes-averaging-2977-per-tonne/>

This has been overstated by 20% 'enlarging' the scale of the operation.

Based on safety guidelines we believe Blocks 3 & 4 would not be able to be planted due to chemical drift, or as per the consultants report there may be no intention to actually plant out these blocks, and when taking into account revenue per tonne reduced to \$2977, actual revenue is

Block 1	2.475ha	\$58,944
Block 2	3.592ha	\$85,574
Total	6.067ha	\$144,518

This is of course gross revenue, not profit. "Within Tasmania, the conservative costs to manage a vineyard (not including land or establishment costs) are approximately \$15,000 per hectare"

[https://treasury.gov.au/sites/default/files/2019-03/C2016-027\\_Wine\\_Tasmania.pdf](https://treasury.gov.au/sites/default/files/2019-03/C2016-027_Wine_Tasmania.pdf)

So a *conservative* estimate is that the vineyard will produce just \$53,513 in gross profit. Even allowing for some planting in blocks 3 & 4, the figures are greatly diminished from the figures in the application and reflect a very small viticultural operation.

Both in size and revenue, this is a small-scale vineyard. Vineyards within just 2-3km are both 106ha and 46ha. This vineyard is proposed to be a *maximum* of 12ha, likely reduced to 5-6ha due to setbacks for chemical spraying regulations/commitment to a 5ha vineyard, and *currently only 2ha*.

This dwelling does not satisfy the criteria that it is subservient to the purpose of the primary industry.

### (b) Complexity of the use and (c) operational requirements

Furthermore, we will also demonstrate that the proposed dwelling does not meet the above requirement. As the application states, the complexity and operational aspects of a vineyard are closely related. However, the application incorrectly attributes these operational aspects as necessary for the owner to live on site.

Vineyards are increasing around this district and of note there are three nearby vineyards that exist.

White Hills Vineyard, Blessington Road, White Hills 103ha; Glenview, Egerton Lane, White Hills, 46ha (established 2018) and Barringwood, White Hills Road, Evandale, 20ha (additional 10ha planned) established 2017.

None of these vineyards, all greater in scale than this proposal have any residence on site at all. Glenview (46ha) has a small site office from which operational duties are conducted. Barringwood has no buildings and White Hills has a few sheds.

There is no requirement to be on site overnight for a vineyard, unlike some other primary production, so operations are conducted only in the daytime. The vineyard is not in a remote location; White Hills is 14kms from the centre of Launceston, an easy 15-minute drive and little more

than 5 minutes from the residential areas of St Leonards, Youngtown or Evandale. The manager could well commute this short distance to manage what is a very small operation.

Owners of operations up to ten times the size of one listed in the development application (and fifty times the actual size of the existing operation) do not have anyone living on site proving you simply do not need to live on site to look after a vineyard.

In fact, the only vineyard comparable is Sharmans in Relbia. This vineyard is 7ha in size and owner operated by the Sharman family, hand-picking and hand pruning. Even though the zoning is Rural Living the owners do not live on site and there is no residence there. Of course, it may be convenient to live on site but 'convenience' is not the criteria, 'requirement' is and about half of all vineyards have no residence at all.

So contrary to the assertions made in the development application, there are *no* operational requirements or particular complexity of use for running a vineyard that require on site accommodation for *this* primary industry.

The building development does not meet the criteria 'complexity of use' and 'operational requirements'.

### **Summary**

This is not an application for a vineyard, but the application for construction of a dwelling relies entirely on criteria directly related to the vineyard made in the application.

We have clearly shown that the size of the vineyard, both in spatial and financial terms has been significantly overestimated. It appears this development is about building a large home on a desirable site that is not zoned Rural Living, but Rural Resource. The home is certainly not subservient to the scale of either the existing, the proposed or the likely vineyard.

Nor does the small vineyard operation require anyone to live on site. No operator exists in a Rural Resource zone in the district with a house on a vineyard even though they are up to 20 times larger. There is simply no requirement for it and to approve would set a precedent that anyone can launch a vineyard, of *any* size, on any land with Rural Resource zoning and skirt the rules established in the planning scheme.

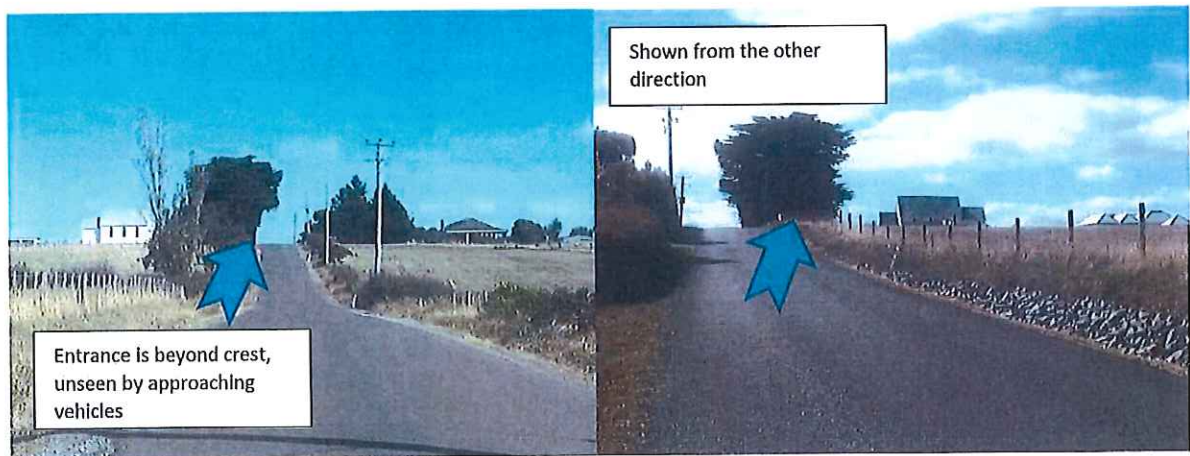
## Additional

We would also like to draw attention to the changes made to this land over the past 6 months.

The application makes reference to the 'existing' road. For years before, there was only a single farm gate onto the highway and not even a pair of tyre tracks across the paddocks. The road now on the property only came into 'existence' at the time of developing this application (October 2018). This is *subsequent* to the assessment by AK Consultants for the proposed dwelling including recommended setbacks to reduce health hazards. The applicant has installed a substantially built road across the land, with a number of consequences that council should not only be aware of so at the very least that it be moved to a more suitable position. This road has been located against our boundary exposing us to significant dust (as there is no vegetative barrier) from vehicle movements, it is an unacceptable solution given the size of the property.



Furthermore, the gate entrance is hidden by the crest of the hill. Vehicles travel White Hills Road at 100km/h as well as it being a popular cycling route. The entrance of the new road on the property, means that pulling out places both users at risk and if there are to be increased vehicular access to the vineyard it is extremely dangerous to have near stationary vehicles turning in and out of the access point unseen by vehicles travelling at high speed.



The boundary runs some 200m along White Hills Road. The safest entrance would be furthest down this boundary away from the crest of the hill and reduce the likelihood of a serious accident.

---

**From:** simon.whitton  
**Sent:** Sunday, 14 April 2019 11:18 PM  
**To:** Contact Us  
**Subject:** Re: Simon Whitton Representation DA0104/2019  
**Attachments:** Simon Whitton DA0104-2019.docx

Good evening General Manager,

Please see my written representation for DA0104/2019 for your consideration.

Regards,

Simon Whitton



Simon Whitton

14<sup>th</sup> April 2019

Attn.: General Manager Launceston Council.

**Re: DA NO: DA0104/2019 Proposal - Residential – Construction of a dwelling**

Dear General Manager,

I am the owner of  
White Hills Road where the residential dwelling is proposed as detailed in DA0104/2019. I  
have viewed DA0104/2019 online on the Launceston Council website and wish to submit a written  
representation providing factual detail concerning my property to clarify the detail presented in  
DA104/2019. is the primary residence for my family.

My property has been used for cropping, fat lamb production, hay production and in  
earlier time's dairy production for well over 120 years. Since my ownership, is been  
used for grazing / fat lamb production, light cropping and hay production. During good seasons since I  
have owned it has carried over 400 ewes and lambs. will be a user  
of water provided by the North Esk Irrigation Scheme when the scheme becomes fully operational later  
this year and I plan to intensify the land use to resume cropping and/or other uses in the future.

The "range of activities" associated with grazing, hay production, and in the future cropping, on  
should be considered similar to those "commercial scale" properties to the south, east and  
south west of the proposed dwelling particularly due to the fact that my farming area is predominately  
to windward of the proposed dwelling due to the prevailing north to north-westerly wind which is  
regularly over 40 km/h and during different times of the year, particularly late winter and spring can  
reach well over 100km/h.

being described in DA0104/2019 as "hobby scale" is not accurate. is  
a small working farm conducting the same "range of activities" as other "commercial scale" boundaries.

The proposed location of the vineyard and the proposed dwelling on the subject title, as detailed in DA0104/2019 will, in my view, place restrictions on the "range of activities" and the timing of activities that I have previously been able to conduct with minimal impedance.

The proposed vineyard on the subject title is also close to my own dwelling which also should be considered due to the "range of activities" and the timing of those activities that are commonly undertaken on vineyards throughout the seasons including the application of fungicide, herbicides and insecticides. Currently when the prevailing wind is blowing above approximately 15km/h the existing vineyard on the subject title emits a very audible "low whistle" that can be heard from outside my dwelling some 300m and even further to windward as the wind blows through the hardware. I have not noticed other new vineyards nearby emitting similar noise.

My main objective in submitting a written representation to council is to provide facts, observations and concerns regarding DA0104/2019 in a fair and reasonable way. I have not had the opportunity to meet my new neighbor in person to promulgate any concerns or share what the future may look like as other neighbors have who he has visited.

I would be more than happy to meet and discuss my representation.

Yours Sincerely,

**Simon Whitton**