

## Representation No 59

**From:** [Graeme Beech](#)  
**To:** [Break O Day Office Admin](#)  
**Subject:** Representation on BODC Draft Local Provisions Schedule (LPS)  
**Date:** Monday, 13 December 2021 9:32:41 PM

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### Representation on BODC Draft Local Provisions Schedule (LPS)

The BODC website promotes the following for the BODC area.

*A natural and beautiful environment that speaks to the heart.*

Furthermore, the BODC provides the following environmental aspiration and goals:

*To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.*

*We believe that this goal can only be achieved with the whole community on board... yes that includes you! The below outlines what we see to be Council's, and the Community's role, in achieving this goal.*

*Council will:*

- *be responsible in planning and management of the Break O'Day area.*
- *make good decisions about our environment and resources.*
- *balance competing needs and demands while keeping a sustainable future in mind.*

*The Community will:*

- *nurture and support a sense of community through our actions.*
- *respect and value our environment and act with the future in mind.*

In the October Council Newsletter BODC Mayor made the following statement:

*'At the end of the day we are all stewards for this beautiful area we call home and the more we know and understand about our natural values the better we can protect them'*

I believe most ratepayers would be very supportive of these aspirations and expect Council to deliver associated environmental safeguards in the planning scheme. The BODC area will come under intense development pressure in the future because of a growing population and increasing levels of tourism. If the BODC are serious about these aspirations and goals, then they will ensure that the BODC Local Provisions Schedule (LPS) is well-considered and as its highest priority and overarching principle provides processes that protect the considerable natural values of the municipality.

Critical requirements that BODC must include in the LPS to meet the environmental

aspiration advocated by Council and expected by ratepayers are detailed below.

- The prohibition of subdivision within 1km of the high-water mark along the coast outside developed areas has played a very significant role in avoiding urban sprawl and ribbon development. This prohibition must be included and strengthened within the LPS.
- Lessons are to be learnt from coastal overdevelopment on the mainland, where areas of natural vegetation have been destroyed along coastlines and hinterlands for residential subdivisions, tourism developments or industrial uses. In many cases removing the natural values that attracted people to the area. The LPS should ensure this sort of destructive development is not possible.
- To be sustainable and maintain our natural attributes and environmental advantages, developments should only be allowed in existing developed areas where services such as sewerage and water are already provided.
- Multiple dwellings and strata developments for tourism accommodation outside serviced areas, including in the Landscape Conservation Zone, should not be allowed. This is a loophole in the current planning regime that has been exploited and is contrary to the aspirations stated by Council and community expectations. It should be addressed in the LPS.
- The biodiversity overlay in the Natural Assets Code must be comprehensive and consider the importance of landscape connectivity/wildlife habitat corridors if we are to be serious about sustainability and passing on a healthy, resilient and diverse environment to future generations. The serious impacts of fragmenting natural areas are well understood.
- The LPS must include a Scenic Protection Code that protects landscape values across the municipality. Landscape values in the BODC are striking and diverse and should be preserved at the landscape scale rather than along narrow road corridors.
- There are significant areas designated as Future Potential Production Forests (FPPF) land in the BODC area. These areas should be zoned as Environmental Management given their high conservation values and, in many cases, important scenic values they provide to the BODC municipality. BODC needs to demonstrate commitment to protecting natural values as espoused by zoning accordingly.
- Wherever possible the LPS should identify the importance of retaining environmental flows into our creeks, rivers, estuaries, lakes, inlets and ocean. The LPS should ensure that these flows are not compromised by developments drawing on or polluting our precious water resources. Without environmental flows being protected, the wetland and coastal features prevalent in the BODC area will be degraded.
- Protecting our freshwater and marine assets will require the BODC to improve its proposed Stormwater Specific Area Plan (SAP). The quantity of stormwater runoff must be reduced with appropriate site based stormwater facilities. Additionally, the quality of urban stormwater flowing to waterbodies must be improved as part of a comprehensive stormwater management program. The SAP should identify important aquatic ecosystem values and apply a stormwater management system that avoids or minimises any potential ecological impacts. Through contemporary techniques such as

stormwater retention areas, overland flow should be minimised and where not possible, flows incorporated into stormwater infrastructure as part of the local treatment process.

- On some Agricultural zoned land there are areas with important landscape conservation and or scenic values that are not used for farming. These areas should be reviewed and be zoned Landscape Conservation Zone.
- Likewise large areas have been zoned Rural which are in fact environmental lifestyle areas and often have high scenic and conservation values. Industrial uses such as forestry are allowed in the Rural Zone without planning permits. Through a more thorough assessment process, the areas Council has zoned Rural that have important remaining natural attributes should also be reclassified into the more relevant and appropriate Landscape Conservation Zone. A broad-brush approach that sacrifices natural values in the future is unacceptable.

I cannot overstate the importance of the BODC taking this opportunity to strengthen the planning system so that the environmental aspirations are not merely baseless feel-good statements but actual principles and processes captured within the LPS that deliver sound environmental outcomes. The alternative is losing our environmental and landscape attributes to inappropriate development and general loss of amenity, associated social well being and social cohesion.

In the midst of a climate and biodiversity crisis, we no longer have the luxury of allowing nature to be further damaged and compromised in the name of economic growth. I expect Council to develop a contemporary and visionary LPS that achieves sustainable environmental ideals in the face of a challenging future.

Yours sincerely

Graeme Beech  
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13 December 2021