

**SUBMISSION OPPOSING PROPOSED REZONING AND SUBDIVISION
AT 155 RHEBAN ROAD**

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Introduction.

I am a resident of East Shelly beach with a background in engineering, education and agriculture.

I am a strong supporter of appropriate development.

The development application before us is not appropriate for this site for many reasons.

However, my principal interest and cause for concern in this case is stormwater and this appeal will focus on that.

With the proposed density of the subdivision, stormwater can not be controlled to anything like current levels, no matter what processes are put in place.

Massive beach erosion and fouled water will be the inevitable result. The only solution will be a lower density land development with much reduced area of paved surface.

I believe the contents of the consultants' reports support my position.

None of my comments below should be interpreted as personal criticism of Council staff.

What follows should be read while referring to the following section of the minutes of:

ORDINARY COUNCIL MEETING
AGENDA
TUESDAY 28 MARCH 2023 2:00 PM
Council Chambers, Triabunna

4 PLANNING AUTHORITY SECTION 13 4.1 Draft Amendment AM2023-01 – Tasmanian Planning Scheme - Glamorgan Spring Bay– Rezone 155 Rheban Road, Orford & 90-lot subdivision..... 14

Basis for appeal.

1 Storm water as a condition of approval

The recommendation from Council in its Conclusion states:

The assessment of the subdivision identified the application complies with the requirements for the Scheme and can be considered for approval subject to conditions.

(Page 19)

A major issue here is that stormwater design is relegated to a condition of approval. That is, the developer is not required to submit a final plan for storm water until after the DA is approved but before sealing by council.

A summary of the conditions is found on page 20:

Conditions 11 to 16 relate to management of environmental matters that result from the subdivision; and Conditions 17 to 44 deal with engineering requirements, access, parking, stormwater, maintaining water quality and construction matters for the proposal.

In particular and relevant to my opposing this development is also found on page 20:

32. The developer must provide an amended Stormwater Management Report. The report must be in accordance with the recommendations and procedures contained in the Australian Rainfall and Runoff 2019 Guidelines, and in particular Book 6, Chapter 7: Safety in Design Criteria and Book 9, Chapter 6: Modelling Approaches, is to be submitted. The report, and any associated designs, must clearly show that the conditions of this permit are met by the proposed design.

The design, preparation, submission and acceptance of a stormwater design should be a precondition of the development application. Its design should be signed off by all authorities prior to the approval of this development application. However that is not currently the case. It is a condition to be completed after approval and prior to sealing of the application. This is totally unsatisfactory and should not be accepted. If this is allowed, there will be no recourse should the system fail to perform as The Tasmanian planning Commission will no longer be involved.

2. Storm water runoff volumes

The conditions are very specific in addressing runoff allowances.

c) Designs shall ensure that net discharge of stormwater does not exceed predevelopment levels 1% flooding (Item 31, page 24)

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Why should we be concerned?

The runoff figures are dealt with in reports by Flussig and Aldanmark. For the total catchment of 243 hectares Flussig concludes (page 11) that the post development model does increase the accumulative net discharge, amounting to additional tonnes of water per second flowing over the beach.

Putting the total 243 hectare catchment to one side, consider the 10 hectare site alone through the eyes of a farmer.

It's currently grass. An intense rain event initiates the following. Rainfall initially soaks into the soil to reach field capacity. Surface runoff follows. Rain event ceases. Field capacity is reached once more and subsurface drainage resumes. We can see how this would result in a gradual process. But consider that paddock paved with roads, footpaths, houses, driveways etc. No time to reach soil field capacity. It all happens in an instant to produce flash flooding.

This is important. We must consider flow rates as well as water volumes.

This fact is conceded in the drawings. The water capacity of the culverts under East Shelly road has been doubled.

Consider this. 25mm of rain on 10 Ha produces 2500 cubic metres, or 2,500,000 litres. That's the volume of water of an Olympic swimming pool, pouring off what will basically be a 10 hectare concrete slab.

It's not rocket science. To contain runoff to 1% of pre development levels will be impossible with a fully paved high density subdivision.

3. Compliance with accepted standards

(a) The Tasmanian Coastal Works Manual

Environment Management

11. All work must be generally in compliance with the Tasmanian Coastal Works Manual
https://nre.tas.gov.au/Documents/Tasmanian_Coastal_Works_Manual.pdf (page 21)

The image below is from that manual. It shows what not to do. This is a photo of mild erosion. But with forecast flows over East Shelly Beach we will see a canyon.

Figure 1.1: A bioretention swale for stormwater control at a residential development in the City of Hobart.



(b) Water Sensitive Urban Design Principles

33. Water Sensitive Urban Design Principles must be incorporated into the development. These Principles will be in accordance with, and meet the treatment targets specified within, the Water Sensitive Urban Design Procedures for Stormwater Management in Southern Tasmania and to the satisfaction of the Council's General Manager. (Item 33 page 25)

The wording of the above is very loose to say the least. ***“Incorporated into”*** is a lot different to ***“must comply with”***. ***“to the satisfaction of the Council's General Manager.”*** is a loophole one could drive a bus through. This is frightening. That all of the above can be left as a condition of the development application, in the hands of the general manager, after the development application has been approved is simply appalling.

Water Sensitive Urban Design is a very extensive volume of developing knowledge. The use of things such as bioretention swales will need to be considered: In fact, without features such as bioretention swales, sediment basins, sand filters or constructed wetlands, this development simply cannot proceed if these benchmarks are to be compiled with.

4. Future council control in lieu of developer

“Alternatively, the developer may, at the discretion of Council's General Manager, make a financial contribution to Glamorgan Spring Bay Council for the provision of stormwater treatment downstream of the proposed subdivision. The value of the contribution must be equal to the cost of implementing on site treatment to meet the targets, or as otherwise agreed by Council's General Manager. Where partial

treatment is provided on site a proportional contribution may be considered. The contribution must be paid prior to sealing the Final Plan of Survey.
(Item 33, paragraph 2, page 25.)

At the council's discretion the developer may pay a fee to the council to allow it to install appropriate treatment for storm water "downstream from the site".

This is totally unacceptable on two counts.

Firstly, we don't know what advice or mechanism will be used to establish a fair and equitable sum of money to be transferred to council to pay for this scheme.

Secondly, should there be a shortfall the ratepayers will effectively pay that shortfall. We need to be mindful of the ill fated Prosser Raw Water Scheme in considering this option.

Thirdly, it is proposed that infrastructure will be built downstream from the site. There is little space below the site to install this infrastructure, apart from a creek bed.

This is a recipe for disaster.

Despite the skill sets and best intentions of all involved, we will inevitably end up with storm water problems producing eroded beaches and fouled water in our much loved bay.

Summary

To summarise, we are being asked to approve of this development without the the storm water design complete and the construction entity undecided.

My concern is that the set regulatory targets can not and will not be met.

We will be left with an inadequate storm water system, eroded beach and fouled water.

The solution lies in a lower density development.

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