

12 May 2023

Mr Greg Ingham
General Manager
Glamorgan Spring Bay Council
PO Box 6

Dear Sir

Representation - SA2022/046 - 155 Rheban Road, Orford – 90 Lot Subdivision and Scheme Amendment

All Urban Planning Pty Ltd submits the following representation on behalf of Tim Burbury (61 East Shelley Beach Road) and Bob & Matthew Annells (63 East Shelley Beach Road).

It is submitted that no additional residential zoning should be approved within the Orford area until the existing water and sewer infrastructure is upgraded to cope with the increased demand for potable water, and commensurate increase in effluent volumes.

TasWater documentation and strategy¹ indicates existing non-compliances, overtopping, and only a long term strategy to address potable water requirements, and sewage management.

Projected Growth

Other water and sewerage risks for TW that require attention include insufficient system capacity to cater for projected growth. A potential major development, general residential expansion, and natural infill growth will result in challenges for TW because the systems' current loads are generally at or over the capacity of the assets.

Nothing in the short term has been identified to cope with additional loads.

These matters and the performance of the existing Orford sewage system are discussed in the representation of Sam Ibbott.

Attenuation Code

The Purpose of the Attenuation Code is twofold, to protect the amenity of sensitive uses and to minimise the likelihood for sensitive use to conflict with, interfere with, or constrain, activities which have the potential to cause emissions. In this case, it is necessary to ensure that the proposed General Residential zoning and subdivision will not interfere with or constrain the operation of the existing sewage treatment system by introducing new sensitive uses.

The proposal does not comply with the permitted Attenuation distance from the nearby sewerage treatment plant lagoons under Table C9.2 of the planning scheme. The proposed subdivision must therefore demonstrate that it satisfies the performance criteria P1 of Clause C9.6.1 of the

¹ Tas Water, Orford and Triabunna Water and Sewerage Strategy 2015-2050

Attenuation Code. All further proposals for development of the proposed lots would also be subject to discretionary assessment under Clause C9.5.2.

Given the existing sewage system has been identified by TasWater to be at capacity and inadequate to cater for future demand, it cannot be concluded that the proposal for a sensitive residential use subdivision within the attenuation area of the sewage treatment lagoons will not result in the potential for future unacceptable impacts.

It is submitted that a proper assessment under the Attenuation Code should have regard to the capacity of the existing system, its projected demands, any likely upgrades that may be required in order for the utility to function effectively, and the potential harmful emissions. These matters including the performance and future planning for the wastewater lagoons must be comprehensively addressed prior to re zoning the land or subdivision.

Based on the information provided the proposal for a sensitive use subdivision within the attenuation distance cannot be supported.

Objectives of the Act

Release of further lots that would be reliant on water and sewage systems that are already at capacity and that do not adequately assess the future operational requirements or effects from the sewage treatment plant, is not fair and orderly development.

The draft amendment does not further all the objectives set out in Schedule 1 of the Act, with specific reference to Schedule 1, Part 1 (b) & (d), and Schedule 1, Part 2 (a) & (b), as follows:

- With respect to Part 1, the Council and Commission cannot be satisfied that the draft amendment provides for the fair, orderly and sustainable use and development of the subject land given that the current water and sewage loads for Orford are generally at or over the capacity of the assets.
- The draft amendment is not considered fair in terms of its potential impact on the amenity of future residents from overtopping and upset conditions at the existing wastewater treatment lagoons or impacts from an upgraded facility into the future.
- The draft amendment is not considered to be orderly planning, as the existing sewage treatment system is reported to have insufficient capacity to accommodate demand from already approved lots and the proposal may lead to land use conflict between sensitive uses and the wastewater treatment lagoons. It may also compromise the ability to upgrade the sewage treatment system at its existing site in the future.
- The draft amendment does not represent fair an orderly development, as it may not provide healthy living standards for the future residents of the site and Orford more broadly if the above matters are not adequately resolved.

Having regard to the above the proposed rezoning and subdivision should be refused.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Frazer Read', written in a cursive style.

Frazer Read
Principal
All Urban Planning Pty Ltd