

Dep 6.

Fiona Gross

From: Alison Westwood <westwood.al@gmail.com>
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To: GSBC Planning
Subject: Representation regarding Amendments 2018/07a and 2018/07b & Draft Planning Permit SA 2017/04

The General Manager
Glamorgan Spring Bay Council

By email: planning@freycinet.tas.com.au

And copies by email to:

bbie.wisby@freycinet.tas.gov.au

Jenny.woods@freycinet.tas.gov.au

Keith.breheny@freycinet.tas.gov.au

Annie.browning@freycinet.tas.gov.au

Cheryl.arnol@freycinet.tas.gov.au

Rob.churchill@freycinet.tas.gov.au

Keith.pyke@freycinet.tas.gov.au

michael.symons@freycinet.tas.gov.au

Representation concerning Glamorgan Spring Bay Interim Planning Scheme 2015 Draft Planning Scheme Amendments 2018/07a and 2018/07b & Draft Planning Permit SA 2017/04

I refer to the above draft planning scheme amendments seeking to rezone two significant parcels of land located between East Shelly Beach Road and Rheban Road from Rural Resource Zone to General Residential Zone and to the proposed subdivision of one of those 2 parcels of land into 91 lots.

By way of background, I am the owner/occupier of the property at [37 East Shelly Road](#) and my family and I will be affected the rezoning of the land and subsequent subdivision. I have had a strong connection to the area for over 40 years and I care passionately about ensuring the areas unique small scale holiday/retirement character and rural/seaside landscape is respected and maintained. In particular, the houses surrounding the proposed rezoning on East Shelly Road and Jetty Road are on very spacious allotments and I believe any future development of the land in question needs to maintain that character. I am anxious to ensure that future development of Orford proceeds in a fair and orderly manner. This representation sets out my objections to the rezoning.

Executive Summary

Of fundamental importance to the proposed rezoning is that under Regional and Local planning policies alike Orford's low growth rate strategy is to be achieved through infill of existing residential land. The rezoning is inconsistent with those policies.

There is already an extensive area of approved residential land (330 approved allotments with potential for 550) in Orford in the form of the Solis estate that should be taken into account when considering whether the rezoning of further residential land is required to meet demand pursuant to Regional planning policies. Council, the State Government and community members such as myself are all very keen to see Solis progress and it is neither desirable nor necessary for the rezoning of large areas of additional residential land to take place while the large number of residential allotments in the Solis development are still available.

Under Local planning policy, while Solis is to be promoted as one of the regions primary residential growth areas, Orford is to be supported as a smaller scale population that maintains the seaside village and holiday/retirement living qualities it possesses.

Under regional planning policies Council is obliged to carry out prudent monitoring and planning in respect to supply and demand of residential land before any further rezoning of land takes place. Further rezonings should only occur when supply drops below 15 years. This monitoring and planning should have been done and referenced in the rezoning assessment. I query whether such monitoring and planning has taken place? This issue is also dealt with in more detail below.

Even in the event that proper monitoring and planning indicated a need to rezone further residential land (which is disputed):

1. prior to rezoning any Rural Resource Land, proper consideration should be given to whether the land is suitable for its existing zoning use and the regional impacts of changing such use must be properly considered under State planning policies. In the present circumstances this has not occurred.
2. The road and bike path infrastructure on Rheban Road needs to be improved for the safety of the community before any rezoning is considered.
3. Large-scale high-density/urban residential development is not in keeping with the local character that I have elaborated on above. Further the proposed subdivision in question fails to meet the stringent performance criteria contained in the the local planning scheme. The density and layout of the subdivision are major areas of concern as detailed below.

It is concerning that Council's website has not clearly advertised the Public Exhibition period and closing date for public comment by way of representation to the General Manager. In my submission this failure in process does not lend itself to fair and orderly planning as would be expected under State planning policy.

Detailed Grounds for Objection

Expanding on the matters raised in the executive summary above, I set out below my detailed grounds for objection:

1. Key to the question of rezoning the land is that under both Regional and Local planning policy existing residential land is to be utilised before further rezoning of land takes place. *'The Southern Tasmanian Regional Land Use Strategy'* provides that Orford has a low growth rate strategy to be achieved through infill of existing residential land. Similarly, the '[o]bjectives relating to residential land uses' set out at paragraph 9.2 of the *Triabunna Orford Structure Plan* (the 'Structure Plan') specifically include to '*[p]romote infill development by utilising existing residentially zoned land before rezoning more residential land.*' In that regard, a glaring omission of the rezoning assessment is the failure to properly consider the extent of the available housing supply, particularly the extensive area of residential allotments available in the Solis estate. As to the number of lots in the Solis estate, the Structure Plan refers to 330 approved lots with potential for up to 550 lots (see Structure Plan, 'Opportunities and Constraints' under 'Orford, Strengths'). While at paragraph 8.1.3

the Planning assessment for the proposed rezoning states that the ABS 'Orford Urban Centre Locality' (UCL) does 'include the substantial number of approved lots in the Solis land' it fails to then take those lots into account in the rezoning assessment. There is merely an assumption that there is demand for housing in the Triabunna-Orford area making the development 'needed and necessary' (paragraph 8.1 Planning Report) This is a fundamental flaw in the assessment of supply and demand issues affecting the rezoning, is completely inconsistent with Regional and Local planning policy and does not represent fair and orderly planning pursuant to State planning policy guidelines.

2. Key to determining whether a rezoning should occur is the monitoring of supply of residential land (such as Solis) and planning for a 15 year supply. Paragraph 9.2 of the Structure Plan states '*[g]iven the vacant land analysis indicates there are currently many potential infill development opportunities, these rezonings may not need to occur for a number of years. Monitoring the supply of land will be an important action to ensure that any rezonings occur only when the available supply drops below 15 years.*' Further to this, the objectives relating to residential land use pursuant to paragraph 9.2.1 of the Structure Plan includes, relevantly, to '*[p]rovide enough land zoned for residential development to ensure there is a 15 year supply available that meets the projected demand.*' The Planning Report recommending the rezoning fails to take these objectives into account and is therefore flawed. Nor does it provide any monitoring evidence or reference to Council's planning in respect to 15 year residential land supply.
3. Consistent with paragraphs 1 and 2 above, the '*[o]bjectives relating to residential land uses*' pursuant to paragraph 9.2.1 of the Structure Plan include, relevantly, to '*[p]romote the Solis development as one of the primary residential growth areas*' and to '*[s]upport the development of Orford as a smaller scale residential population that maintains the seaside village and holiday/retirement living qualities it currently possesses.*' The rezoning is completely inconsistent with these key planning objectives and therefore contradicts and fails to comply with Regional planning policies.
4. Rezoning of Rural Resource Zone land to General Residential Zone land is not something Council should do lightly without adequate consideration. Rural land has the potential to create economic and employment opportunities for a region, undoubtedly much needed in the Orford-Triabunna area. The planning assessment for the rezoning assumes that the land in question has limited agricultural potential purportedly due to its 'limited' size and proximity to residential lots which would preclude intensive farming (see paragraph 1.2 and 8.1 Planning Report). It also concludes that the conversion from agricultural to non-agricultural use will have no regional impact (paragraph 8.2.4). The Planning Report fails to provide any evidence in support of the assertion as to the lands limited agricultural use, fails to give due consideration to whether any non-intensive agricultural uses such as vineyard or orchard production would be suitable and fails to consider the potential regional impacts of the change of use. As such the rezoning assessment is flawed. Under State Policies, given agricultural use has potential to create economic and employment opportunities for the area these issues should have been given due and proper consideration by Council before a change of use is made. The rezoning is therefore inconsistent with State policy and does not represent fair and orderly planning.
5. The surrounding roads around the land in question (Rheban, Jetty and East Shelly Roads) are single-carriageway lacking in either footpaths or bike paths. They already face significant congestion and speed challenges with the number of vehicles, pedestrians and bikes all using the roads. In particular there are numerous children on bikes using Rheban Road going between Spring Beach and town/Shelly Beach during busy holiday times. The situation is already dangerous and even if the rezoning of further residential land was found to be necessary pursuant to principles of Regional and Local planning policy as set out above (which is disputed) the creation of new subdivisions with single entry on to Rheban Road will only add unduly to this pressure. The rezoning therefore does not represent fair and orderly planning in accordance with State planning policies.
6. Paragraph 1.4 of the Planning Report assessing the rezoning states that Council has decided of its own motion to modify the application to include the separate large parcel of land to the west of the land the subject of the subdivision application, purportedly for the reason that the land is in the

middle of the 'future urban area'. In my submission this step is entirely premature and unwarranted in the above circumstances and does not represent fair and orderly planning.

7. Under the Structure Plan, the Settlement Policies of 'Vision East 2030' are stated to include: '*ensure large-scale residential developments are in keeping with local character and control their development through stringent performance standards*'. Of particular concern is the high density of dwellings on the proposed subdivision, with a very high yield of 14 dwellings per hectare (far higher than the residential land yield assumed in the Structure Plan of 6 dwellings per hectare). The planning assessment for the rezoning incorrectly states lot sizes range from 515 - 924m². In fact the smallest lot is 436m². Even if the rezoning of further residential land was found to be necessary pursuant to principles of Regional and Local planning policy as set out above (which is disputed), a General Residential zoning is not in keeping with local character, given the very low density residential housing on the surrounding roads (East Shelly Road and Jetty Road). The proposed zoning therefore fails to meet the objectives of Local planning policy.
8. Further to paragraph 7 above, the proposed subdivision does not accord with stringent performance criteria. For example, under the planning scheme requirements cul-de-sacs and other terminal roads are not to be created or their use in road layout is to be kept to a minimum in favour of interconnected grid-like roads. Yet in this best practice requirement has not been enforced, instead the two sides of the proposed subdivision do not connect by road. One side relies on a cul-de-sac design with a single access off Rheban Road and the other uses a loop design having a single access of Rheban Road. This layout would be a poor design outcome. Also, under planning scheme requirements internal lots are to be avoided, yet the planning assessment in fact has required the creation of 3 additional internal lots to avoid them having access from Rheban Road. Additionally, performance criteria requires that Public Open Space should be overlooked by housing and suitable for meaningful community recreational use, yet the planning assessment concedes the public open space set aside under the proposed subdivision will be useless for all but passive recreation due to the watercourse running through it. It further has limited amenity given it is only accessible through the use of right of ways and is situated to the back of allotments. It is highly concerning that the planning assessment indicates the proposed area of Public Open Space may be too large for Council to maintain, suggesting at paragraph 11.9 that it should be made smaller by the creation of additional internal lots with the recommendation that the exact size be determined after public exhibition. Not only would this result in an even larger subdivision, numerous internal lots and a reduced amount of Public Open Space, it would also run counter to fair and orderly planning process as required under State policy.
9. It is concerning that Council's website has not advertised the Public Exhibition period and closing date for public comment by way of representation to the General Manager. Council's website - where documents relating to planning issues are found- is a key way of Council to communicate this information to the public. In my submission this failure in process does not lend itself to fair and orderly planning as would be expected under State planning policy.

I respectfully request that that this representation be taken into account when deciding whether to allow the rezoning and associated subdivision planning permit. I look forward to receiving an acknowledgement of receipt of my representation.

Yours faithfully,

Alison Westwood

[37 East Shelly Road, Orford](#)

Sent from my iPad