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**From:** minreed  
**Sent:** Monday, 12 December 2016 4:25 PM  
**To:** Sorell Council  
**Cc:** Colin Reed; Kerry Vincent  
**Subject:** 43.2016.4.1 Rezoning and Subdivision 208 Bally Park Road Dodges Ferry

Hello,

This is a representation on the rezoning and subdivision at 208 Bally Park Road Dodges Ferry.

We have owned property and lived in Church Street opposite the proposed subdivision for almost 25 years.

We have several observations to make about errors in the Development Application and propose alternative conditions for the subdivision.

### **1. Zoning - maintain the zoning as Environmental Living**

The current zoning accurately describes the role the open woodland plays in this area of Dodges Ferry under the *Sorell Interim Planning Scheme 2015*:

*14.1.1.3 To provide for the management and protection of natural and landscape values, including skylines and ridgelines.*

*14.1.1.4 To protect the privacy and seclusion that residents of this zone enjoy.*

Further, rezoning to Low Density Residential would contravene the Southern Tasmanian Regional Land Use Strategy for Dodges Ferry as a dormitory suburb with a low growth strategy to be achieved via consolidation and *no additional lots created*.

This section of bushland is valuable as habitat for native flora and fauna and as a natural buffer for the surrounding residences and of immense recreational value and amenity in its current form and appearance, especially for properties on the surrounding hillsides.

### **2. Add a footway or larger section of public open space between Church St and Lyeena St**

For more than 25 years the footway between Church St and Lyeena St has been used most days by local residents as a walking and jogging track.

On the subdivision plan the footway roughly follows the boundary between Lots 1 and 2.

The footway is very clearly marked on ground and has been a long standing feature of the property as shown by the deliberate gap in the original 25+ year old fencing at the Church St and Lyeena St frontages.

Formalising the footway as part of the subdivision meets the requirements of the Sorell Interim Planning Scheme:

### *12.5.3 Ways and Public Open Space*

#### *Objective:*

*To ensure that the arrangement of ways and public open space provides for all of the following:*

- (a) the provision of safe, convenient and efficient connections for accessibility, mobility and recreational opportunities for the community;*
- (b) the adequate accommodation of pedestrian and cycling traffic;*

We often use the track ourselves and regularly see others using it and have done so most days for almost 25 years.



### **3. Include the footway between lots 5 and 6**

We agree that the proposed footway between lots 5 and 6 is an important feature of the subdivision plan as it would maintain public access from Church St to Bally Park Rd and the connecting footways to Carlton Beach.

It meets clause 12.5.3 of the Sorell Interim Planning Scheme.

### **4. Flora and Fauna Report - response missing**

The response to supporting documentation is missing, stating only “which has conceded that”

What is Council’s response to the Flora and Fauna Report by Welling?

## **5. Retain the Biodiversity Overlay to protect the native vegetation and local habitat**

We agree with the assessment by Council's NRM Facilitator that the Biodiversity Overlay be retained to protect the native vegetation and local habitat.

The established native trees and understory plants should be retained and the invasive weeds destroyed or removed as a matter of urgency.

Development of the subdivision should be done in such a way as to protect established trees and important understory plants that provide habitat for native species.

For almost 25 years we have lived directly opposite the land at 208 Bally Park Road. For most of that time the landowner slashed the block in late December every year and maintained an open grassland understory with healthy eucalyptus, banksia and native hops. The land in question and our Church St property opposite is habitat to a variety of native flora and fauna, including Spider Orchids, Black Cockatoos, Musk Lorikeets, Bandicoots, Echidnas, Pardalotes, Green and Eastern Rosellas, Ringtail Possums, Pademelon and many other native species.

Since 2013 the noxious weeds including widespread bone seed and thickets of blackberry have been allowed to proliferate, especially along the Church St roadside and at the Ridge Road end of the property, with deep pockets of bone seed now growing where there was open grassy understory between eucalypts, banksia and native hop trees. There are also several large pine trees on the site, at least one of the eucalypts has been ring barked and other native vegetation cleared in recent months.

## **6. Remove existing noxious weeds**

Since 2013 noxious weeds especially bone seed and blackberry have been allowed to proliferate, especially along the Church St roadside and at the Ridge Road end of the property, with deep thickets of bone seed now growing where there was open grassy understory between eucalypts, banksia and native hop trees. The native species are being choked by the weeds and crowded out.

As bone seed and blackberry are listed under the *Statutory Weed Management Plan* the landowner must destroy the weeds on site before any subdivision can be finalised.

[http://dpiawe.tas.gov.au/Documents/Boneseed\\_WMP\\_2011.pdf](http://dpiawe.tas.gov.au/Documents/Boneseed_WMP_2011.pdf)

## **7. Stormwater and waste water services**

The DA states that the subject property is serviced by roads and associated storm water drainage.

What are the stormwater structures servicing Church St, Lyeena St and the end of Bally Park Rd?

To our knowledge as residents of Church St for almost 25 years the only stormwater infrastructure on these streets are the graded edges of the dirt roads with no underground services.

During and after periods of heavy rain the run off lies in roadside depressions for days, sometimes weeks. There is currently water lying in ruts on two rough vehicle tracks on the 208 Bally Park Rd property between Church St and Bally Park Rd towards the Lyeena St end of the property.

We are concerned that further development of the area, especially removal of trees and vegetations and an increase in hard surfaces will increase water run off and reduce the capacity of the land area to safely cope with stormwater and environmental waste and have a detrimental impact on neighbouring properties.

## 8. Further information

We would be happy to provide photographs and further information based on our experience as long term residents of the area and as landowners of almost identical land type and native habitat.

Yours sincerely,

Melinda and Colin Reed

On 9 Dec 2016, at 10:50 AM, [minreed](#) wrote:

Hello,

I am preparing a representation regarding the rezoning and 8 lot subdivision at 208 Bally Park Road, Dodges Ferry.

I have looked at the 3 pages published on the Council website 7/12/2018 and was advised that the full file is too large to publish online.

[http://www.sorell.tas.gov.au/download/currently\\_advertised\\_applications\\_-\\_ed/43.2016.4.1-Rezoning-Subdivision-Application-208-Bally-Park-Road-Dodges-Ferry.pdf](http://www.sorell.tas.gov.au/download/currently_advertised_applications_-_ed/43.2016.4.1-Rezoning-Subdivision-Application-208-Bally-Park-Road-Dodges-Ferry.pdf)

Yesterday I read through the extensive application details at the Council offices but was told the material is copyright so Council cannot provide a photocopy of any part of it.

As the document part of a Sorell Council application process then I would expect Sorell Council holds copyright and therefore is legally free to make full or part copies available and to publish the material in any way deemed reasonable by Council.

Is there a planning law or related law determining this procedure or is it an interpretation of copyright law?

And can the full detail be made available in several parts on the council website to get around file size limitations.

The representation period closes Monday 12 Dec 4.45pm.

Cheers,  
Melinda

Melinda Reed