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**Request to Amend the Tasmanian Planning Scheme-
Glamorgan Spring Bay and Request to consider an
Application for Subdivision at 155 Rheban Road, Orford 10
March 2023**

Representation to Application No. SA 2022/046

Representation

The outcome this Representation seeks to achieve is the development and maintenance of high class, active and healthy beachside leisure living in a harmonious neighbourhood and natural environment capable of being managed in a sustainable manner.

This is a continuation of the aspirations started by those who settled the Shelly Beach area in the 1940's - 1960,s.

I would like to put on record just how difficult it is for lay members of the community to navigate their way around the State and Local Government planning and development systems. This means it is not a level playing field when it comes to community participation in the planning and development process.

From my personal research it would appear that while the Development Proposal may appear to meet the State and Glamorgan Spring Bay Local Planning Scheme objectives, it

does not always appear to be adequately informed by the Council Strategic Plan and other Council Plans.

The result is that the Development Proposal without some relevant amendments is likely to become a “missed opportunity to set a high standard of seaside living and recreation lifestyle in a natural and safe environment for children and families to live or stay away from the concrete jungle of the city”.

In the context of the above comments, the following items represent challenges for the Planning Authorities.

Lot Design

When East (circa 1940-1950) and West (circa 1950-1960) Shelly Beach were subdivided the then Spring Bay Council aspired to create a visionary beachside subdivision including foreshore vegetation and large lots of land where families could play cricket, volleyball, totem tennis, and children could ride bikes etc under parental supervision (all consistent with the GSBC current Strategic Plan’s Healthy lifestyle aspirations). As currently proposed Lots 74 & 75 which back onto number 28 East Shelly Beach Road are approximately half the size of that block, but without any public recreation space.

I object to the consistently small lot sizes rather than a range of lot sizes, however if these smaller Lot Sizes are to be applied, any ‘reasonable person’ would cater for child, family, and neighbourhood physical activity by providing a flat village green space from the 5% (or thereabouts) public open space requirement from a subdivision approval, in addition to the mandatory riparian reserves required by LUPA.

It is recommend that either some Lots are larger, or a village green (or similar) should be required by the TPC from the public open space requirement.

Waterway and Coastal Protection Code

I first moved to the East Coast in 1950 as a 5 year old and travelled daily to Orford on the school bus from Rheban. Consequently I saw both creeks that form part of this subdivision site flood the Rheban Road on a number of occasions. While rainfall on the East Coast in recent years has sometimes been sparse, interestingly, once in 100 year floods have become more frequent.

Hence, I strongly support the riparian reserves along both creeks to cater for flood events, and the maintenance of the water holes (from which I have seen water bombing helicopters refill when fighting fires at Spring Beach). In addition, the development of walking tracks and trails in these reserves is a positive step forward.

I recommend planting more appropriate endemic species along the creeks to mitigate against erosion while also providing wildlife corridors, and retaining the waters hole(s) for fire protection and slowing peak flooding during storm events.

Roads

The roads as proposed in the Traffic Plan would appear to meet the Performance Criteria – ‘cul-de-sacs are kept to an absolute minimum’ and – ‘connectivity with neighbouring road network is maximised’ – does not include the public riparian reserve along the creek between Number 22 and 24 East Shelly Beach Road.

According to the maps this would appear to be a walking and cycle connector only to the foreshore, the foreshore walking track, and beach. We fully support this approach in the interests of traffic reduction, 'hooning avoidance', and child safety in accordance with Performance Criteria .

The Development application makes reference to kerb and gutter standards. By far the majority of residents adjacent to the proposed subdivision do not want city kerb and gutter standards. They do not allow for vehicles and boats on trailers to pull off on to the nature strip, hence occupying the roadway (sometimes on both sides), creating a traffic safety hazard (especially for children on foot and/or bikes. The dish drains as used by the Mornington Peninsula Council in Victoria on their beachside subdivisions are much more flexible and appropriate for beachside living.

Ways and Public Open Space

The Objectives of this item are necessary but not sufficient. Not only must the Ways provide for pedestrian and cycle tracks and trails, but also address the open space – lot size issues outlined in Lot Design as cited above (EG. Lot size and/or village green open space for for kids to kick a footy, play cricket, bash a tennis ball etc). In addition the Open Space provided for such neighbourhood activity as required by LUPA is in addition to the required riparian reserves to cater for flooding creeks referred to in Waterway and Coastal Protection Code.

Stormwater Management Code

Recent years have seen both private lots and public authorities increase the areas of impervious surfaces

dramatically (Eg. Concrete driveways, paved decks, hardstand areas, parking and standing aprons, courtyards etc) as defined in the DA. This has led to vastly increased stormwater run-off during high rainfall events, and wasted limited rainfall into drying soil at other times.

Hence the Performance Criteria for stormwater, drainage, and disposal are probably inadequate for storm events subdivision collection for emergency use including firefighting.

In the meantime, the Acceptable Solutions cited in the DA seem overly generous given the seriousness of this issue and consideration should be given to providing incentives to reduce the areas of impervious surfaces (EG gravel rather than concrete driveways, and trees and shrubs rather than dry baked summer lawns).

Biodiversity Code

The Purpose of this Code is strongly supported in the context of continuing degradation and loss of habitat, despite the existence of the GSBC Vegetation Management Plan 2015-2019.

Reference to this document if applied to the appropriate sections of the GSB Planning Scheme would support the creation of the creek bed riparian reserves as a habitat for a number of endemic plants and animals.

Threatened Fauna sighted in the last 5 years in the vicinity of the DA site include:-

Blue-tongued lizard

Eastern –barred bandicoot

Echidna

Masked Owl

Swift Parrot

White-bellied Sea Eagle

We fully support the GSBC Vegetation General Action Plan and the Weed Action Plan

Frontage fences for dwellings

Recently there has been a trend to build front fences that are of a height and style which do not adhere to the Objective, Acceptable Solutions, or Performance Criteria of the GSB Planning Scheme.

These are unsafe (entering and exiting driveways), ugly (paling and/or iron) and leave properties open to robbery behind tall fences when there is no-one at home.

We recommend Council enforces the Planning Scheme Standards for front fences.

Orford Sewage Treatment Plant Odour Assessment (Taswater)

The Report by Dr Steve Carter dated 15 July 2018 is OK as far as it goes, however it has followed a methodology that tested for Odour arising from the Sewage Treatment Plant.

The Sewage Odour that has been complained about by East Shelly Beach residents for years and is as yet unresolved appears to arise not from the Sewage Treatment Plant to the south of Rheban Road, but from a pumping Station on the foreshore in front of number 23 East Shelly Beach Road.

There may well be illegal stormwater into the sewage system somewhere around East Shelly Beach resulting in this pump station or somewhere adjacent to it flooding after heavy rains. This needs investigation by Taswater.

In conclusion, we would like to thank you for the opportunity to submit this Representation and trust it will be given

serious consideration in the Planning and Development process by the relevant Planning Authorities.

We repeat that the intent of this Representation is not to stop development , but rather to achieve an active, healthy and harmonious community, in a safe and natural beachside neighbourhood, which makes Orford an aesthetically pleasing, environmentally sustainable, and desirable place to be. We trust that the intent of this Representation will not be lost or sidelined by the application of undue regulation, interpretation, or application of bureaucratic rules as it is unreasonable to expect lay members of the community to do any more than we have in attempting to adhere to the public response period of a Development Application.

I wish you all well with your deliberations.

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