

25 February 2020

Chief Executive Officer
City of Launceston
By Email: contactus@launceston.tas.gov.au

Dear Sir,

**DRAFT AMENDMENT 58 & DA0472/2019 – 40520 TASMAN HIGHWAY,
ST LEONARDS – REPRESENTATION**

6ty° Pty Ltd lodged the combined application relevant to draft amendment and permit on behalf JCBGP Pty Ltd.

We support the draft amendment as certified.

We make the following submission in relation to two conditions contained in Permit DA0472/2019 which Council proposes for the subdivision.

Condition 10(c)(i)

- The condition requires the infrastructure works associated with the subdivision to include:

An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority.

- Council's Underground Power Policy is dated 12 December 2007. It seeks the provision of underground power to new subdivisions, excluding those in the rural zone. The policy pre-dates the *Launceston Interim Planning Scheme 2015* ("Scheme") and its principles are not given effect through the Scheme provisions. There is no standard in the Scheme that requires underground electricity in new subdivisions.
- Regardless, the second principle in the Underground Power Policy states:
Underground power is not required where there is an existing overhead supply along the road alignment which is sufficient for the proposed development.
- An overhead supply is located along the roads which adjoin the site, including Tasman Highway, White Gum Rise and Magpie Crescent. The proposed subdivision roads, and associated electricity infrastructure, will extend into the site from White Gum Rise and Magpie Crescent.
- The adjoining Drivers Run subdivision to the north-east of the site involved the construction of road and overhead electricity infrastructure. White Gum Rise, Escarpment Drive and Magpie Crescent are roads that were built entirely within that subdivision. The planning permit for the subdivision (Permit DA0109/2010) was given effect, following approval by the Tasmanian Planning Commission, in 2011. The Underground Power Policy therefore pre-dated the permit. However, Permit DA0109/2010 did not require the provision of underground electricity. Overhead electricity infrastructure was instead extended into Drivers Run subdivision from the Tasman Highway.

- Specifically, Condition 19(f)(i) in Permit DA0109/2010 states:

An overhead electricity system and public street lighting scheme shall be provided to service all lots and installed to the approval of the responsible authority. Exterior lighting shall be suitably designed and shaded to minimise light pollution.

- For consistency with the second principle in the Underground Power Policy, and the electricity infrastructure required for the adjoining Drivers Run subdivision (which will be extended into the site), Condition 10(c)(i) in Permit DA0472/2019 should be amended to allow the provision of overhead reticulated electricity infrastructure.

Condition 4(b)

- The condition requires the landowner to enter into an agreement with Council's Planning Authority under Section 71 of the *Land Use Planning and Approvals Act*, which is required to confirm the following matters:

Onsite Wastewater Treatment

- Lots 1, 2 and 4 to 30 inclusive must utilise approved aerated waste water treatment systems and sub-surface irrigation land application areas to manage the disposal of domestic effluent;*
 - Installation of an approved aerated wastewater treatment system and sub-surface irrigation land application area is required for any new development and/or alterations to the existing on-site waste water management system on Lot 3;*
 - The location of the land application area for disposal of domestic effluent on all lots (1 to 30 inclusive) must achieve the minimum setbacks specified in the Geoton Landslide Risk Assessment, Preliminary Wastewater Assessment and Preliminary Stormwater Assessment dated 9 December 2019.*
- The Geoton on-site wastewater assessment referred to in the condition is a preliminary assessment for subdivision approval. Site-specific assessments for each lot will be required once the actual location and size of each residential development is known. This will include the design of an on-site wastewater system in each lot in accordance with AS/NZS 1547:2012 "On-site domestic-wastewater management". The system and land application areas required for each lot will therefore be confirmed in obtaining future building and plumbing approvals for each lot. The requirement in the condition therefore adds unnecessarily to the statutory controls that already exist.
 - In the event that Condition 4(b) in Permit DA0472/2019 is retained, it should be amended to allow the provision of alternate on-site wastewater systems, land application areas and minimum setback distances based on the findings of site-specific assessments for each lot or any advancements in the available technologies. This could be achieved with the addition of the following clause in the condition:
 - Alternate on-site wastewater systems, sub-surface irrigation land application areas may be provided with the prior written permission of Council.*

Please do not hesitate to contact me should you have any queries relating to this representation.

Yours faithfully
6ty° Pty Ltd

Objection to the application Ref: DA0472/2019, for permit application for a 30 lot rural residential application at 40520 Tasman Highway, St Leonards advertised on

The representation is against the proposal for a 30 Lot Rural Residential Application. The proposed development does not comply with the planning scheme utilised for Rural Living Zones.

The scheme requires the development meets acceptable solutions for each standard or clause of the scheme. Each acceptable solution has several performance criteria. The accepted solution is presumed to meet the associated performance criteria. At times, a developer can propose different solutions by relying on meeting associated performance criteria.

The proposal outlines 12 Clauses which relate to the subdivision application, of these 12 all require reliance on performance criteria. Each clause has a number of subclauses and only 5 of these come with accepted solutions. Thus, this representation raises a number of objections.

ROAD USE/ACCESS OBJECTIONS

CLAUSE E4.5.1 Existing Road Access and Junctions

Accepted Solution A2: “The Annual average daily traffic (AADT) of vehicle movements to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60 km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater”.

Assessment reported by the proponent (as it Relates to the White Gum Rd/ Tasman highway junction). “The TIA (Traffic Impact Assessment) identifies that, following the completion of the subsequent dwelling development, the proposed subdivision will increase traffic through the junction by 261 vehicles per day or greater than 10%”.

DIRECT OBJECTION

The reported increase is from 400 vehicle movements a day to 661 vehicle movements a day. This represents a 65.25% increase. This is well above the Accepted Solution of 10%.

The Traffic Impact Assessment (TIA) indicates assessment should occur as it relates to Safety, Capacity, Equity and Social Justice, Economic efficiency, Environment, Future development. The direct objections therefore will cluster under these headings. The objections are also clustered according to the performance criteria proposed solutions by the developer.

SAFETY

White Gum Rise/Tasman Highway

The TIA argues that safety at the Junction is satisfactory, based in part due to line of sights. The line of sight when looking towards the right (Figure 7, pg13) from White Gum Rise along the Tasman Highway is reported to be **300m**.

Objection:

300m is the longest sight for right hand turn from White Gum Rise along the Tasman Highway. However, there is a substantial valley, which means the driver cannot see cars in the valley, or cars approaching at certain closer distances. **This decreases the safety of the turn and is not mentioned.**

The line of sight required for this junction is 250 m, as noted in Figure 27 (pg 26). This figure notes the current line of sight is 320m (which is not the 300m line of sight recorded in the photograph of the intersection-figure 7 pg 13). The line of sight from the White Gum Rise to the vertex of the valley on Tasman Highway needs to be reported.

In addition, the line of sights was calculated on a high visibility day without hinderance of sun. Sunlight, during winter impacts on the line of sight when looking to the East in the morning. The reduction in this line of sight needs to be calculated during winter with sun is lower in the sky.

In addition, safety is presumed due to the number of prior crashes at the junction combined with speed; the application notes that car accidents at speed of 100km/h are severe. Because there are no recorded crashes the score is reduced to low risk. The calculation does not appear to account for:

1. the increased volume of traffic which is greater than 50% (10% increase being the maximum allowed)
2. nor near misses which many residents of Drivers Run have experienced.

Magpie crescent/Escarpment Drive:

Figure 27 (pg 26) notes the line of sight required at this junction needs to be 105m, the cited line of sight is 120m. However, there are no photo's which demonstrate where this was taken from; this needs to be clarified.

This junction also impacts on the safety of pedestrians. There was no reported count for pedestrians at this junction, there was for the Intersection of White Gum Rise and Tasman Highway. This count was zero. The count was undertaken on one day at a particular time. The count for pedestrians on Escarpment Drive would be significant as Escarpment Drive is part of a loop that is used for walking, cycling and horse riding. There is not enough information provided by the proponent to come to the conclusion that this intersection is "safe" for increase in traffic.

The issue of pedestrian, etc use is a serious concern, in that the Drivers Run has no footpaths and the roadway is used by pedestrians and is shared with cars, given the extra traffic (>50% increase), accompanied by a number of existing 'blind spots', provides further risk in regards to traffic increase.

Environment: The TIA notes the proposal does not have a detrimental effect in terms of Noise, Vibration and Visual impact. This is a statement with no assigned factual basis, such as a calculation of noise from the proposed increased in traffic.

There appears to be no discussion about the impact of the 65.25% increase in traffic on number 12 White Gum Rise and number 4 White Gum Rise.

12 White Gum Rise driveway is directly opposite to the proposed entry into the new subdivision. This needs to be investigated more thoroughly. Logic would indicate there will be a significant increase in noise and visual disturbance at the very least. This could therefore be a significant factor in not only the environment but **social justice**.

Future Development: There is mention in the application of a future road, as it relates to Lot 18 size. This future road, as shown in Figure 1 of the proposed subdivision (pg 3 of the Submission), connects into the proposed subdivision road. There is no account for the extra traffic this would occur into Drivers Run.

Objections to the proposed solutions for the Launceston City Interim planning scheme by the TIA for CLAUSE E4.5.1 Existing Road Access and Junctions:

Accepted Solution A2: “The Annual average daily traffic (AADT) of vehicle movements to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60 km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater”.

Performance Criteria, proposed solutions objections:

H) Any traffic impact assessment; this TIA supports the proposal on capacity and safety.

Objection:

There are a number of objections based on safety as noted above. These include:

- **increase in volume of traffic being well above the accepted solution**
- **the line of sight used**
- **the number of pedestrians reported as being zero.**

c) The nature and efficiency of the access of junction. The TIA notes it suits the nature of proposal.

Objection:

The right-hand turn from the proposed subdivision onto White Gum Rise, appears to be tight, and would not allow for heavy construction vehicles.

g) The need for the use. The TIA notes it is unavoidable for the proposal to proceed.

Objection:

This is an entirely unacceptable argument as it assumes the proposal is a “must have”. The proposal is not a must have or a ‘right ‘of the developer. The development does not meet the economic housing required for Launceston as it would not be deemed “affordable housing”. The proposal does document the development would fill a gap in the market, evening assuming this to be the case, a want is not a need.

CLAUSE: E4.6.2 Road Access and junctions-Development standards

Accepted Solution A1. “No more than one access providing both entry and exit, or two access providing separate entry and exit, to roads in an area subject to a speed limit of 60km or less.

Assessment: “The proposed subdivision will involve 27 accesses onto the new subdivision road and 3 onto the Magpie Crescent extension

Performance Criteria, proposed solutions objections

e) The need for the use; *unavoidable for the proposal to proceed.*

This is entirely unacceptable argument as it assumes the proposal is a “must have”. The proposal is not a must have as it does not meet the economic housing required for Launceston as it would not be deemed “affordable housing”.

f) Any traffic impact assessment; This TIA supports the proposal on capacity and safety.

There are a number of objections based on safety as noted above. These include:

- **increase in volume of traffic being well above the accepted solution**
- **the line of sight used**
- **the number of pedestrians reported as being zero**

General Concerns regarding the TIA.

The Traffic Impact Assessment report presumes, based on looks, the junction of White Gum Rise to Tasman Highway is in good condition. The road network around Drivers Run, according to verbal reports from council indicate the road network within Drivers Run were not built to standard. This raises concern about the quality of the roads in the network and ability to cope with a 65.25 % increase of vehicle movements per day. The poor standard of existing road infrastructure is proven by the patchwork of road repairs completed in Drivers Run. This includes a repair in the direct vicinity of the proposed entry/exit point to the development on White Gum Rise.

LOT SIZE OBJECTION:

CLAUSE 13.4 Lot sizes and dimensions: Development standards

Accepted Solution A.1.1 "Each lot, or a lot proposed in a plan of subdivision must have an area of no less than 4 ha

Assessment by proponent: Proposed lots will range between 1.02 ha and 3.85 ha

Performance Criteria, proposed solutions objections

e) The landslide hazards identified in the Landslide Risk Assessment... do not impose any restrictions on the area available for future dwelling development.

Objection:

There is a band of moderate landslide in the proposed development. Geoton (August 2019) cites Lots 6,7,8,9,10,18,20,24,25,26 (10 out the 29 new lots) "contain large areas mapped within a medium landslide hazard band and collected stormwater from these lots may need to be piped to the roadside drainage". There are additional lots with medium landslip hazard bands, however, Geoton's report suggest there may be enough land in each of these lots outside this hazard for collection of stormwater. In summary however, lots 6,7,8,9,10,13,14,17,18,20,21, 24,25,26 actually may not be able to store stormwater.

The impact of water storage AND water storage for firefighting purpose has not been accounted for by Geoton's assessment. Geoton's report outlines the perimeters of the assessment undertaken in the introduction section of Geoton's report. This does NOT include any mention of the combined risk of greater than 10,000 litre of water storage in lots containing a medium landslip area. There is no mention of combined water storage and building on medium hazard landslide areas throughout Geoton's report and the proposed development application.

The Landslide Planning Report (Dept of Premier and Cabinet, 2013) Table 5 pg 30 places Medium landslip hazard bands in proclaimed Landslip B areas. Landslip B areas have building restrictions. Under the Building Act 2000, and Building Regulations 2014 a person must not store **more than 10,000 litres of water**. The proposed development needs 10,000 litres reserved for Firefighting and at least 44,000 litres for potable water storage. The 44,000 litres has been calculated

based on the average level of daily water use in an Tasmanian household of 490 litres of water a day (<https://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/4610.0Main%20Features32016-17?opendocument&tabname=Summary&prodno=4610.0&issue=2016-17&num=&view>) for three months (90 days).

Thus the proposed development is clearly in breach of the Building Act 2000 and Building Regulations 2014 for lots with medium hazard landslip areas (lots 6,7,8,9,10,13,14,17,18,20,21, 24,25,26). This represent just under 50% of the proposed development.

j) *“The size and configuration of the proposed lots is compatible with the existing pattern of development in the surrounding rural residential area. The adjoining subdivision Drivers Run, comprises 63 lots. This includes 51 lots that are less than 2 ha in area and which have an average lot size of 1.28ha. The average lot size within the proposed subdivision is 1.25 ha, which is consistent with the adjoining rural residential subdivision”.*

Objection:

The proposed subdivision sizing in comparison to Drivers Run only utilises averages and includes an existing dwelling, Lot 3, resized to a size of 3.85ha. The size of the existing dwelling and lot severely skews averages and thus other data also need to be included for this comparison. Further statistical comparisons are required due to the differences in the number of lots between Drivers Run and the Proposed Subdivision.

	Drivers Run	Proposed Subdivision with lot 3 included	Proposed Subdivision without lot 3
Lot Numbers	63	30	29
Average lot size	1.75ha*	1.25ha	1.12ha
Median lots size	1.32 ha	1.08ha	1.08ha
Ratio of lots less than 1.1 Hectares	15 of 63 lots at less than 1.1 Ha =24%	17 of 30 lots less than 1.1 ha =57%	17 of 29 lots less than 1.1 Ha = 59%

The reported average lot sizes of Drivers Run are different to the calculation undertaken in this objection. It appears the proposal has calculated the average size of only 51 Drivers Run lots based solely on the reason these lots are less than 2ha in size. There is no reasoning for this. Drivers Run subdivision was approved on 63 lots and the average size is 1.75Ha. The exclusion of lots larger than 2ha automatically makes the comparison nature of the average lot size look favourable to the developer’s submission.

The ratio of lot sizes that are less than 1.1ha is considerably more in the proposed development.

Given the above statistics the proposed subdivision is inferior with the adjoining rural residential subdivision in size of lots.

WATER/STORMWATER:

CLAUSE 13.4.6 Discharge of stormwater-Development standards

Requirement: A1 “Each lot, or a lot proposed in a plan of subdivision including roads, must be capable of connecting to a public stormwater system”

Assessment: The proposed subdivision will involve provision of drainage infrastructure within and adjacent to the new road. This will direct surface to existing Tasman Highway culverts and the existing creek in the north-west corner of the site. These are not identified as forming part of the public stormwater system”

“It is intended that runoff water..... will be disposed on site. As identified in section 4.4 lots 6,7,8,9,10,13,14,17,18,20,21, 24,25,26 may not be able to accommodate on-site stormwater disposal. These lots would be capable of being connected to the roadside drainage”

Performance Criteria, proposed solutions objections

C: “..... the provision of open drain that will direct stormwater to the existing highway culverts will involve the formalisation of drainage”.

Objection: The Open drainage maintenance is not addressed.

General concern: In addition, the proposed solutions do not solve the issue that numerous blocks will not accommodate on site stormwater disposal. The modelling, provided by Hydrodynamica suggests that the run-off’s can be handled by the existing open drains, however, required drainage will need stilling zones. The performance criteria do not detail how this will occur.

In relation to another clause relating water and sewage services:

Clause: 13.4.7 Water and sewage services:-Development standards

Requirement: A1 “ Each lot, or a lot proposed in a plan of subdivision must be connected to a reticulated water supply”

Assessment: The proposed subdivision will not connect to a reticulated water supply system”

Requirement A2: “Each lot, or a lot proposed in a plan of subdivision must be connected to reticulated sewage system”

Assessment: The proposed subdivision will not connect to a reticulated sewage system...

Objection: In the larger document, there is an acknowledgement of existing reticulated water system, however it is then acknowledged that Taswater does not support connection into this system. The proposal also notes this is not intended. This needs to remain throughout the planning stages.

The impact of water storage AND water storage for firefighting purpose has not been accounted for by Geoton’s assessment of landslip. Geoton’s report outlines the perimeters of the assessment undertaken in the introduction section of Geoton’s report. This does NOT include any mention of the combined risk of greater than 10,000 litre of water storage in lots containing a medium landslip area. As mentioned above, the proposed development has almost 50% of lots with a medium landslip area, and a medium hazard band is within Landslip B areas (The Landslide Planning Report, Dept of Premier and Cabinet, 2013 Table 5 pg 30).

Landslip B areas under the Building Act 2000, and Building Regulations 2014 must not store **more than 10,000 litres of water**. The proposed development needs at least **144,000** litres of stored water (potable and firefighting).

Thus the proposed development is clearly in breach of the Building Act 2000 and Building Regulations 2014 for lots with medium landslip (lots 6,7,8,9,10,13,14,17,18,20,21, 24,25,26). This represent just under 50% of the proposed development.

THREAT TO Fauna:

Clause 13.4.8: Local Natural Values: To ensure that subdivision works minimise the impact on local natural values.

Accepted Solution A1: "The subdivision does not include any road or other works."

Assessment: No significant impact on fauna.

Concern: The attached Natural values Assessment, completed by Northbarker ecosystems services in 2019 does acknowledge a number of threatened fauna. The assessment concludes the impact of the development will be negligible. The field survey was limited to a single season and appears to be based only one visit (pg 7 of the assessment).

The risk assessment appears only to be in relation to the impact of the development on vegetation/food for fauna and their potential breeding ground. It does not assess risk to foraging of the wedge tailed eagle from overhead power lines. Nor does it assess other risks, such as increase in vehicles and potential death by vehicle, to land based endangered animals such as quolls and Tasmanian Devils which inhabit the area.

Need for the subdivision: The proponent also includes an assessment by Urban Enterprises regarding the need for the development.

Concerns:

The assessment indicates a demand shortage based on the assumption of market factors including a peak sale in 2012-2015 from the Drivers Run development with associated decline in 2018. This Urban Enterprises argued demonstrated a low availability, rather than a low demand. This argument is impaired, lack of availability does not then mean there is a high demand. Further to the low availability argument, Urban Enterprises notes there is currently 7 market ready lots similar to the proposal. Three of these are on the Tasman Highway, within two kilometres of the proposal location; and one has been on the market for more than 6 months.

Demand must be assessed on other information such as housing need and population studies.

- Housing need: There is no research noted about the broader economic and property factors associated with Launceston. Undoubtedly there is a need for housing in Launceston, however the need is for affordable housing. The development will not meet this criterion.
- The assessment also raises the need for the development from discussions with Real Estate Agents. Discussions are not a scientific study, and qualitative information such as this is always skewed towards confirmatory biases and is lacking in depth of detail.

Other Assumptions:

- Age range of Drivers Run: Urban Enterprise estimated the age range of Drivers Run was young to middle age. The average age range is more likely to be middle age.
- Replicates Drivers Run. The proposed subdivision does not replicate Drivers Run. Drivers Run has a reticulated water system and the lots are larger.
- Appeal. The assessment indicated the development is an 8-minute drive to the CBD, this is not true. It is an 8 to 10-minute drive to Newstead, and 15 to 20 minutes to the CBD.
 - o The appeal of the proposed subdivision also relates to access to services. The proposed development does not acknowledge internet access as essential. The internet access currently is via fixed wireless NBN. The tower which services the area was built for approximately 60 lots. The residents of Drivers Run

experience constant NBN issues at peak times. It is exceptionally concerning that access to NBN has not been acknowledged in the application.

- The proposed development will have overhead power lines. Best practice, as demonstrated by the Victoria's Royal Commission, 2009, into Black Saturday fires, would have power lines underground for developments in bush fire prone areas.

Andrew and Karen Tuma

Launceston City Council
Planning Department
PO Box 396
Launceston Tas 7250

25/02/2020

Dear Mr Stretton (CEO)

DA0467/2019 – Letter of Concern and Objection to Proposed.

In relation to the proposed Zoning Amendment and proposed subdivision I to provide the following points of concern that I request are considered as part of the planning application process by LCC planning department and council.

As a preliminary comment, my wife and I have resided at _____, in this time I have become intimately aware of certain matters of concern that we feel must be addressed.

Proposed Rezoning

We have no objection to the rezoning of the property as advertised from Rural Resource to Rural Living.

Proposed Subdivision

We have sufficient concerns on the proposed subdivision that we object to its approval until substantial changes are undertaken to the proposed subdivision and further information is provided in the design and mitigation of our concerns.

1.0 - Traffic

The planning application DA0472/2019 indicates that all access to the proposed subdivision will use the current White Gum Rise/Tasman Hwy intersection. This proposal has been supported by a Traffic Impact Assessment by consulting engineers TCM.

While the intersection at initial consideration is no different to many similar interchanges as found throughout Tasmania's Highway system, it does have specific issues that have not been adequately addressed in the Traffic Impact Assessment report. After review of this report, we are provided with a number of concerns on issues that do not have been adequately considered.

In response, due to the following concerns we consider that the proposed subdivision should have its own access point onto the Tasman Highway at a point closer toward Launceston.

1.1.0 - Number of movements.

It is noted that there was a count of vehicles using the White gum Rise/Tasman Hwy intersection. The date of the counts being undertaken were in March 2019. The current application is some 12 months later. In March 2019 to level of occupancy in the Drivers Run subdivision has changed and will continue to change as not all allotments have been occupied. The data provided from the counts is likely inconsistent with application of known traffic movements that was multiplied with known allotments to provide a much more accurate number that relates to full occupancy in the current subdivision.

The Assessment appears to assume an approximate number of vehicle movement leaving and arriving at Drivers Run Subdivision per hour at peak time. The methodology does not appear to be supported by actuals when the "Driver Run" subdivision and in the future for the proposed subdivision are fully occupied.

1.2.0 – Sight Lines

The Traffic Impact Assessment provides comments on available sightlines for relevant vehicle movements at each intersection, these are supported by photographs.

Exiting White Gum Rise turning right onto the Tasman Hwy provides the highest risk of all movements as the vehicle crosses one lane of Highway traffic before being able to accelerate on the west bound lane toward Launceston.

The Traffic Impact Assessment notes that a sign line distance of some 250m is provided in this instance. The supporting photograph in the Traffic Impact Assessment shows a clear sign line from the intersection to the corner on the Tasman Hwy. This photograph is at the very point of entering the Tasman Hwy where there is acceptable unobstructed sight distance. The report however does not consider or mention the large metal "Driver Run" signage or the existence of the boundary fence hedging on No. 2 White Gum Rise that impedes nearly all visual sight lines of the Tasman Hwy as a vehicle is approaching the Tasman Hwy intersection.

The vehicles travelling west on the Tasman Hwy also leave a shaded area and are generally accelerating as this is a downhill section after a long sight incline after transiting a series of curves through the cutting.

While very few of the issues I have listed can be mitigated, it is disappointing that they have not been considered in the Traffic Impact Assessment where the indication is that there are no current issues that will cause greater potential with an increased traffic flow through the intersection.

I also note that the boundary hedging at the boundary fence line parallel to the Tasman Highway has grown substantially in the last 12 months since the report was undertaken. This hedging is of Cyprus or similar trees which as they grow will cause further impairment of the current poor sightlines.

One improvement would be that the proposed subdivision proponent has the large "Drivers Run" sign moved from its current location to a new location immediately before the dam wall, some short distance past the proposed new access point off White Gum Rise.

This would allow a longer period of time to see possible traffic movement approaching in a westerly direction on the Tasman Hwy by persons driving down White Gum Rise.

The final concern is that at two time of the year, the rising sun blinds the driver leaving White Gum Rise onto the Tasman Highway. Both of these times of the year, the conditions are when a vehicle is affected by internal and external fogging. At these times, I have found that the intersection is one of the more dangerous that I encounter in my extensive travels in Tasmania.

1.3.0 - White Gum Rise/Proposed access junction

The proposed roadway plan for access to the proposed subdivision is at the entry roadway that is divided with a central vegetated median strip.

Currently White Gum Rise requires a vehicle exiting the subdivision to turn left while dropping down a slight incline immediately before approaching the first median strips. This section of road has been poorly constructed and unsettles all vehicles as they pass through this section of roadway as a vehicle is required to turn while in the dip of the roadway.

As it is immediately before the proposed access road, and the interference of the visual sight lines due to the vegetation on the medial strip, and unsettled vehicle will require longer stopping distances to avoid a vehicle entering from the right.

We consider that an upgrade of this section of White Gum Rise is undertaken to remove the dip and turn situation as now occurs.

It is also noted that the location of the proposed access roadway into the new subdivision will provide very tight turning for large of articulated vehicles across the median strip. It is likely that to mitigate this issue, a section of median strip will be either removed or altered. This has not been discussed in the planning application. A change to this will alter the original design and intent of the "Driver Run" layout and its tree lined entry way. It is unacceptable that such a change could occur without consultation with the current residents of the Driver Run subdivision.

2.0 - Services

It is noted in the proposed subdivision documents that there is no planned allowance for potable water reticulation and/or connection to Taswater infrastructure. While being surprised at this obvious oversight, I assume that either from future proponent requirements or from possible conditions on the Planning Permit, potable water reticulation will occur.

I note the revised comments from Taswater on the amended submission, where certain issues and conditions are required to be considered and implemented as part of Taswater's acceptance to provide potable water reticulation to the proposed subdivision.

While we acknowledge that the current infrastructure is the concern of Taswater not Launceston City council, as residents we wish to highlight a number of issues in the current potable water reticulation that affect the majority of the "Driver Run" residents.

2.1.0 - Water Reticulation Reliability

At specific high usage times of the day the water flow and pressure provided in the existing reticulated water supply are very poor. The design of the current system servicing Driver Run subdivision does not appear to cope with peak usage of the existing subdivision. While it may be adequate to consider that 85% of the time it is adequate, it is not acceptable as a resident. This has been as much been inferred in the comments from the Taswater submission.

A further issue has been raised with both LCC and Taswater previously in that the supply is unreliable. Water is provided via a reservoir near the top of White Gum Rise, which is unfortunately lower than a number of residences. To supply adequate pressure in the main, the water supply is provided with a pressure pump system, with water being pressurised via an electric pump system. From experience and comments from Taswater, this current main supply does not appear to be a backup when there is a power cut to the subdivision. The result is that when the power is not available, the majority of the residents do not have water.

I have concerns that any further expansion of the of the potable water reticulation is provided to the proposed subdivision that the new system will be patched into the already over-stretched system.

2.2.0 - Bushfire Services – Resilience

A number of residences at Driver Run subdivision make allowance of the use of a street side fire hydrant on the water main as an integral part of the fire management/firefighting in their Bushfire Hazard management Plans. Our residence is one such property as the dwelling is within the allowable distance from a fire hydrant on the roadside water main.

Due to the issues we have noted in the previous section, a key fire fighting tool, water from the fire main, could be unavailable in the time of a bushfire that threatens the subdivision if the power fails. It is noted that Tasmania Fire Service will often use the hydrant adjacent to the Tasman Hwy to fill their firefighting appliances to fight local fires in the immediate district as it is the last available hydrant.

We have concerns that if the current design is implemented in a new potable water reticulated system, additional dwellings will be placed at risk in a bushfire emergency. It also will ensure that the members of the Tasmania Fire Service are provided the water that would be expected to be provided from a marked and serviceable hydrant that has been and will continue to be used in fire fighting activities in the immediate area and for dwellings and land between "Driver Run" subdivision and Nunamara township.

It is our strong desire that the current reservoir/pumping system is upgraded to provide a backup power system if a new or expanded potable water supply reticulation system is installed in the

proposed subdivision. This is to ensure that water is available in the potable water reticulation mains at all times to both the existing Drivers Run subdivision and the proposed adjacent subdivision when a reticulated main is provided to the proposed subdivision.

3.0 – Allotment size.

The proposed subdivision has a smaller overall average allotment size compared to the “Drivers Run” subdivision. The average allotment size also appears to be less than the minimum allotment size within the planning scheme zone.

The smaller average allotment size will substantially change the visual overview from the Tasman Highway from what is currently rural use landform to an almost residential feel. This visual impact of each of the allotment’s buildings will be increased due to the sight lines being down into the gully from the Highway. The visual outcome will be a vista of sheds and houses as per a residential extension of St Leonards or Waverly.

We expect this outcome is not the intent of the “Rural Living” zoning nor is it the intent of the original design for a “eco” subdivision as provided at “Drivers Run”. And noting that the proposed subdivision will piggyback off the “Drivers Run” subdivision framework, in that its entry is from White Gum Rise, the congested allotment size will have a detrimental affect on the “Drivers Run” subdivision original intent and values.

3.1 - Waste water management

From know outcomes with the “Drivers Run” subdivision, the operations of onsite waste-water management systems have been problematic with a number of systems failing and needing to be redesigned and constructed.

The high clay content of the subsoil, which also affects the proposed subdivision does not allow adequate deep absorption of wastewater. During winter, the ground simply becomes saturated which causes extensive surface water runoff.

The majority of the proposed allotment sizes are slightly over 1Ha on a substantial gradient that will allow for future system a failure and potential overflow onto adjoining allotments of wastewater that cannot soak into the soils.

3.2 – stormwater management

As previous noted, the soils in the immediate area of “Driver Run” and the proposed subdivision provide limited absorption when affected by a wet time period.

The design of the subdivision appears to consider that all rainfall will slowly percolate doe to the roadway and soak into the natural water course. While this may occur in a limited manner currently, the removal of vegetation and provision of catchment and concentrated overflows from tanks etc will cause adverse water transfer at ground level.

While the allotments on the higher parts of the subdivision will not be affected, those immediately below will require extensive surface stormwater management system to protect buildings. The stormwater management systems will increase to risk to properties below them as the allotments are not of sufficient area to allow this surface stormwater to be controlled in a manner that it does not affect properties on the down grade.

4.0 – Access to the “Driver Run” Conservation Reserve.

While the proposed subdivision does not state that the future residents of the proposed subdivision will have access to the existing “Private” conservation reserve, the provision of a walkway from the Subdivision to Magpie Court provides adequate intent of this future situation and expectation of the residents of the proposed subdivision.

While outside the parameters of the proposed subdivision, we must note a number of issues that will occur due to the design of the proposed subdivision.

4.1 – *Authorised Access*

The conservation reserve was originally available to residents of “Drivers Run” only, and this right is provided on the certificate of title for the Drivers Run allotments. The “cost” of each allotment included authorised access to a private conservation reserve. It would be considered questionable that what each of the residents of “Drivers Run” paid for is now made available without cost to the residents of the proposed subdivision.

As access to the reserve is restricted to authorised person, access also requires an extensive list of conditions for its use. All of these conditions are on my and the other titles and made available as a purchaser of an allotment; however, these conditions and will not be on the titles of the proposed subdivision and the documents providing its values and manner of use will not be provided to the owners of the allotment of the proposed subdivision.

This situation will clearly lead to unauthorised use and a manner of use outside of the conservation objectives of the reserve. It will also lead to unnecessary angst between the residents of the proposed subdivision and the residents of “Drivers Run”.

Additionally, the use of the reserve will likely increase to a level that has an adverse impact of the conservation outcomes and values that were proposed and agreed in its formation.

4.1 – *Enhanced Fire Risk*

Our final concern is that the majority of access will be via Magpie Crescent into the conservation reserve via the narrow unsealed access laneway. This access is the lowest point of the forested area below a number of houses in the existing subdivision. Unauthorised access and uncontrolled use will provide an increased potential for an uncontrolled wildfire that will adversely affect a number of existing allotments in “Driver Run” subdivision.

This one issue is of critical concern to the current “Driver Run” residents. We are aware that the initial Tasmania Fire Service requirements and the subsequent fire management conditions on the initial planning permit for the “Drivers Run” subdivision have not been implemented and remain unresolved. This concern by the residents has been further confirmed after an onsite review of the existing situation of the non-compliance of the approved fire management process by a senior Tasmania Fire Service officer.

We note that the main reason that the “ownership” of the conservation reserve remains in limbo is that the fire management requirements have not been provided as listed in the original planning permit issued by Launceston City Council for the “Drivers Run” subdivision.

In this instance, it is disappointing to know that the LCC Planning Department firstly failed to initially implement the fire management requirements provided in the response from Tasmania Fire Service for the original subdivision, and then did not enforce its own conditions that were on the planning permit ; and now will allow a situation that will increase the risk to the current residents of “Drivers Run” subdivision.

5.0 - Conclusion

We strongly request that the proposed subdivision is required to undertake further design and modelling to mitigate our concerns as expressed in this submission.

We recommend these comments for consideration with respect.

Andrew and Karen Tuma

Attention: Chief Executive Officer

I make the following submissions regarding DA0472/2019.

General

The proposal does not meet the following requirements:

The lots do not comply with the development standards in that they are all less than 4ha.

The lots do not connect to a reticulated water supply despite being capable of being connected.

The lots increase the traffic on White Gum Rise/Tasman Highway by more than 10% or 10 vehicle movements per day

The lots increase the traffic on White Gum Rise by more than 20% or 40 vehicle movements per day

Some lots are to be developed on areas of medium land slip risk.

Access to Infrastructure

Reticulated Water Supply

It is noted that the subdivision will not be connected to a reticulated water supply.

On 24 Dec 19 there was a significant grass fire on the subject subdivision area. TFS vehicles refilled multiple times over multiple hours at the hydrant in front of 4 White Gum Rise. The area of the fire would have blocked the proposed road from White Gum Rise into the proposed subdivision. By having only one entry and exit into Drivers Run and the new subdivision, it poses a risk during a bushfire. With the typical North Westerly winds, any fire on the proposed sub division risks my property.

7.4 Clause 13.4.7 Performance criteria states “ it must be demonstrated that the lots are in a locality where reticulated services are not available or capable of being connected” yet the response statements states “a significant upgrade of the water storage tank...extension of the reticulated system. Given the significant costs involved, the subdivision is practically incapable of being connected to the existing water supply”

The performance criteria are quite clear in stating “not available or capable” it does not say unless it has a significant costs.

If it is such an issue that Taswater are concerned about the existing pump losing power during a bushfire events and the developer is using this as a reason to not have a reticulated supply, then wouldn't this also be a concern for Council for the existing Drivers Run properties that rely on the reticulated water supply for firefighting?

By not being connected to a reticulated water supply, then the proposed subdivision is not “comparable to Drivers Run” as stated elsewhere in the document.

In regards to supply of rural residential allotments, this would make this development less attractive than allotments already available in other areas with a reticulated water supply, especially as Launceston is currently in Level 1 water restrictions due to below average rainfall.

NBN

There is no detail in any documentation regarding the NBN technology to be used and the effect of the development on NBN services for existing residents. The Drivers Run area is serviced by fixed wireless technology which is already suffering with routine slow speeds, dropouts and at times is unusable. A 50% increase of subscribers on the same sector from the Abels Hill Rd tower would render it unusable for a greater period of time. What consultation with NBN has been made by the Proposer regarding availability of further subscribers to the tower in that sector?

Objection

I therefore object to the development based on that it will not have a reticulated water supply and also the further reduction of NBN Fixed Wireless performance.

Vehicle Access

2.8 The proposed sub division development will have direct access onto White Gum Rise

Only being able to enter the new subdivision via White Gum Rise will significantly increase the traffic on White Gum Rise with during the construction of the subdivision, construction of dwellings and ongoing traffic post construction phase. Considering there is still construction and heavy vehicles delivering construction materials, to some lots in Drivers Run, sometimes many times per day to the same lot, many years after development, any increase in traffic will be felt for years just for the contraction phase.

Installation of a street light on this intersection will mean that a streetlight will shine into the 3 bedrooms on the western side of my house. Streetlights also attract wildlife and there are already significant wildlife deaths on White Gum Rise/Escarpment Drive.

Vehicles turning right out of the new development will also shine headlights into the bedrooms on the western side of my house.

The proposed development will significantly interrupt the quiet enjoyment of my property by way of vehicle traffic, noise and light.

6.5 Clause E4.5.1 A2 The annual average daily traffic of vehicle movements to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60 km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is greater

The assessment then states that on completion of subsequent dwelling development will increase traffic through the junction "by 261 vehicles or greater than 10%"

This is clearly a significant increase of vehicles using the White Gum Rise/Tasman Highway intersection. The intersection is already dangerous and in fact I have previously made contact to the Department of State Growth regarding this intersection. As it is dual width westbound, multiple cars and heavy vehicles use this as a stopping lane for extended periods such as heavy vehicle rest breaks. I have seen numerous near miss accidents occur at this intersection. Particularly at times of low sun angles and reduced visibility such as fog which is common throughout the year.

I requested that they paint a dedicated turning in and out lane from White Gum Rise. They chose not to do this but instead installed "No Stopping" signs along Tasman Highway adjacent to the intersection which has had no effect. They therefore acknowledge that cars stopping create an unsafe condition or else they would not have installed signs.

More recently I have contacted the owner of Sainty's bus service as they stop on the Tasman Highway eastbound in the left turning lane into White Gum Rise. The intersection is already dangerous and should not be subject to increased traffic by 261 vehicles per day.

These numbers are based on completion of dwelling development, so during construction of the subdivision and also construction of dwellings this is likely to be higher and consisting of more heavy vehicles. Despite what is stated in the Traffic Impact Assessment, how can an increase of 261 vpd from 400 vpd not reasonably impact the Tasman Highway/White Gum Rise intersection and the residents of White Gum Rise?

Data in the TIA only refers to crashes. I live on _____ and see the near misses daily. Traffic numbers do not allow for construction, which using the Drivers Run example, is still occurring years later.

This intersection is continuously covered with loose gravel, which as a motorbike rider is hazardous. I have contact council and the Department of State Growth previously to have it swept and there is always a pass the buck about who is responsible. Debris will be worse during the construction phase and with increased traffic.

6.5 Clause E4.5.1 A3 The annual average daily traffic of vehicle movements to and from a site, using an existing access or junction, in an area subject to a speed limit of 60 km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is greater

I object to the assessment as ultimately all lots will be exiting to the Tasman Highway utilising White Gum Rise, therefore in my opinion the total increase "with each lot generating 9 vehicle movements per day" should be 270 and therefore does not comply.

These numbers are based on completion of dwelling development, so during construction of the subdivision and also construction of dwellings this is likely to be higher and consisting of more heavy vehicles.

Even using basic numbers where Drivers Run consists of 60 lots, increasing this by 30 lots is a 50% increase in traffic

The White Gum Rise and Escarpment Drive roadways are already in poor condition as seen by the numerous potholes and repairs carried out. The road surface outside lots that are undergoing construction have deteriorated the road where there are multiple heavy vehicles using the roadway. Having all vehicles to the new subdivision enter through White Gum Rise will rapidly deteriorate the already poor condition road.

Lot 18 contains an area reserved for potential future road connection. As this appears as part of this development then vehicle movements to include any attached area should be considered.

Traffic Impact Assessment August 2019

No allowance has been made for the impact of vehicles on White Gum Rise up to the New Access Road Junction. This is the area that my lot is located on. I will be affected by all vehicles that enter and leave the proposed subdivision during construction of the sub division, construction of dwellings and then routine vehicle access.

The Traffic Impact Assessment data is also flawed as vehicle and pedestrian movements were only counted during two 1 hour time periods on a single day during morning and afternoon peak. Given that there are multiple shift workers that live in Drivers Run, this assessment is not an accurate reflection of actual vehicle movements. The fact that no pedestrians were recorded is also flawed as the whole of Drivers Run is used by pedestrians, people riding horses and people including children on bicycles. Myself and others walk their dogs daily and given there are no footpaths, any increase in traffic further exposes those people to traffic.

5.3.2 Figure 26 The estimated 2029 AM/PM peaks data is inaccurate as it only allows for the 27 lots that are accessed from White Gum Rise. There are 3 lots that are access from Magpie Crescent, however these will still need to use the Tasman Highway/White Gum Rise intersection.

6.2 Figure 27 Tasman Hwy/White Gum Rise SISD is 250m and Available Left is 250m. This should be classed as marginal and highlighted amber? What method of measurement was used for this assessment as a plot on Google Earth indicates that this is less than 250m?

Figure 7 - Sight distance to the right is stated as 300m. The photo is not even taken from the position that a driver of a car would be located on the road. A car turning right would position on the right hand side of the lane. It is taken further East from a higher elevation which would give a measured sightline greater than actual due to the hump in the road. This can be seen in Figure 8 which shows where the photo was taken from. What height is the photo taken at? Is the photo been taken at the typical eye height of a car driver?

Figure 8 - Sight distance left is not taken from a position where a car would be positioned if it was turning left.

6.4 Section E4.5.1 Acceptable Solution A2 is not satisfied. Performance Criteria P2 is satisfied. I object to the response provided for Performance Criteria (a), (f) and (g)

(a) The increase in traffic generated by the use is “well within junction capacity”. The TIA assessment of traffic does not take into consideration the additional 3 lots accessed from Magpie Crescent. It also does not take into account the increased traffic due to construction. Simple maths say that an additional 30 lots on top of the 60 existing lots is a 50% increase in traffic which far exceeds the 20% in the acceptable solution.

(f) and (g) The need for the use “unavoidable for the proposal to proceed”. This is absolutely avoidable if the proposed subdivision had its own entrance from the Tasman Highway it would be avoided.

6.5.1 An increase of 50% traffic will have an impact on noise and pedestrian amenity. The lack of footpaths in Drivers Run require pedestrians, horses and cyclists to use the roadways.

6.5.2 The introduction of a street light will affect the use of my lot. It will also attract wildlife and create a traffic hazard.

Objection

I absolutely object to the road access to the subdivision being off the existing Tasman Highway and White Gum Rise roads. This will severely impact the enjoyment of my lot in regards to traffic, noise and unwanted light and does not meet the acceptable solution. The TIA contains inaccurate data regarding vehicle movements and available sight lines. It also creates a single point of entry for 90 lots to an area with a bushfire hazard. It also does not take into account further developments linked as demonstrated by the “potential road connection” through Lot 18.

Demand

The proposal states that there is a “low availability of rural residential stock, as opposed to a weakening of demand”.

Low availability does not mean increase in demand. Any conversations with real estate agents to support this is subjective.

2.3

The Launceston Residential Strategy 2009-2029 states that “There is a considerable shortfall in supply of rural residential allotments and some justification for zoning additional Rural Residential land in the period un to 2024” (p.51). Supply does not mean demand. There are lots west of the proposed developments (Boomer Road/Tasman Highway) that are on the market and have been for many months.

The criteria which lends support to potential rural residential development includes access to services such as reticulated water. This development does not intend to provide reticulated water.

3.2 T3

The proposal states that “there are currently no market ready lots available in ...St Leonards and Relbia”. There is Lot 2 Corner Boomers Road and Tasman Highway (7.6 acres) is currently for sale and has been on the market for some time. There is also Lot 1, 102 Station Road West, Norwood (2.3 acres) available for sale. If there is such demand, then why are these still on the market and why aren't they included in the report?

4.4.2

The report states that Drivers Runs is “Close proximity to the CBD (6.5km and 8 min drive)” when it is 9.9 km and 11 minutes). It is 8 minutes to Newstead. It is important to establish the actual times as this reports compares the proposed development to other available lots in different areas. This makes the proposed property seem much closer to the CBD than the other currently available properties.

4.5

States that Dilston and Swan Bay are 20-25 minutes however Dilston is 15km and 14 minutes and Swan Bay is 23km and 20 minutes according to Apple Maps. Swan Bay lots advertised on realestate.com.au are advertised as “15 minutes from Launceston”.

Therefore there are rural residential properties available already with a further 53 lots already approved in the Swan Bay Area.

A search of realestate.com.au shows 10 lots currently available at Sanwae Drive, Swan Bay

4.6

States that the proposal will be at a lower price per hectare than Relbia however no lot prices have been published so how can this claimed?

The proposal is not similar to Drivers Run and other developments in the Launceston area and so may be less attractive to any purchaser given that

- a) there is no reticulated water and owners will be required to install water and firefighting tanks. This additional expense should be considered when comparing
- b) 10 lots located within a medium landslide hazard band may need stormwater piped to the roadside
- c) 5 lots contain small areas within a medium landslide hazard band and “may” still be able to accomodate on site stormwater disposal
- d) 1 lot contains a spring and poor drainage area and requires a more detailed investigation prior to any development
- e) 2 lots will be subject to minor inundation should the dam break
- f) 3 lots are affected by a future road connection

Objection

I therefore object to the development based on supply or demand given the current availability of rural residential properties in the Launceston area.

I am available to discuss any of these matters on the number below.

Regards,

Daniel Warring

EJ Brown & S Tighe

28 February 2020

Executive Officer
PO Box 396
LAUNCESTON TAS 7250
contactus@launceston.tas.gov.au

Dear Sir/Madam

Reference: Planning Application DA0472/2019 - 40520 Tasman Highway, St Leonards TAS 7250

Proposed rezoning of land from Rural Resource to Rural Living and approval for a 30 lot rural living subdivision, new road, drainage and electricity infrastructure at 40520 Tasman Highway, St Leonards (CT164745/1).

We write in connection to the above planning application. We have examined the planning submission and related documentation. We wish to object to the rezoning and the 30-lot sub-division in its current submission.

Our property _____ to the subject site. From what we have read and understand, our property was not specifically discussed as part of the 6ty° Planning Submission. We are a small-scale 6.269 ha cropping farm that produces rye grass and clover hay and although we are a small producer, we are among a handful of farmers in the Launceston region who still provide high-quality small bails for horses and other small-scale livestock holders.

Our concerns about the subject site are that due to its proximity to our property this submission does not:

- Protect current farming operations,
- Minimise impacts to the water supply,
- Provide considerations to protect against contamination to dam water from onsite waste management and stormwater run-off,
- Define a solution for the southern boundary of the subject site and our property, as a buffer between agricultural activities (e.g. spraying of grass crops, livestock, vermon control and dust).
- Consider small scale farming innovation.

The area of St Leonards moving out from Launceston towards the village of Nunamara, is predominately zoned as Rural Resource (refer to map1), with only a small area zoned as Rural Residential. The protection of this area, for its agricultural diversity, visual and landscape value should be carefully considered before overpowering the area with multiple developments that isolate and restrict the use and innovation of small-scale farming and rural resource areas.



Map 1: Map of area, showing current zones.

<https://maps.thelist.tas.gov.au/listmap/app/list/map>

When preparing our representation we refer to the *Northern Tasmania Regional Land Use Plan (2018)*, *Launceston Interim Planning Scheme (2015)* and the *Land Use Planning Approvals Act 1993 (Section 33(1) and 43A(1))*. Although this proposal aligns with some criteria. There are a notable number of criteria that the subject site does not adhere to as outlined in the *Key Principle D.2.2 Rural Areas - Northern Tasmania Regional Land Use Strategy. (Page 19-20)*.

- The subject site is not completely surrounded by rural residential properties and allowing the rezoning would not be able to:
 - *mitigate potential land use conflicts.*
 - *protect farming operations from conflict with rural/environmental living residents.*
 - *prevent inappropriate fragmentation of rural land.*

- The subject site would not be able to access services (reticulated water and sewerage) and does not:
 - *minimise impacts on water supply required for agricultural and environmental purposes.*
 - *provide and maintain appropriate levels of infrastructure and services to support Rural Residential Areas.*
 - *direct new development towards settlement areas that have been identified as having spare infrastructure capacity.*
 - *ensure land use and water management policies and regulations do not unreasonably constrain the development of agriculture, agribusiness, and appropriate ecotourism and recreation opportunities in Rural Areas.*

- *Constrain the expansion of Rural Residential Areas.*
- *Identify preferred future uses of unproductive lands, recognising that some forms of agricultural production are not necessarily constrained by soil type or fertility.*
- *Support well-planned communities with good access to public transport that links residential areas to employment, facilities and services.*
- *Accommodate regional growth in locations supported by public transport and other sustainable transport choices.*
- *Respond to local and regional environmental values and avoid unsustainable impacts on the natural environment, landscape, regional ecosystems, open spaces and productive agricultural and rural land.*

Agricultural Conflict

We refer to the agriculture report prepared by AK Consulting that references the possible conflict between Rural Residential and Rural Resource properties. We have not been contacted by AK Consulting to provide information on how we use the property so the information provided in this report relating to our property, and in our opinion, is based on the author's perception.

As a Rural Resource property, we do carry out agricultural activities that will interfere with the expectations of buyers purchasing a Rural Residential lifestyle property. These activities include spraying, game control, seasonal livestock, odours, dust creation and machinery operation.

"Potential for conflict between any proposed new dwellings and adjacent primary industry uses needs to also be considered. There are a range of activities associated with grazing and cropping. Learmonth et.al (2007) detail the common range of issues associated with sensitive uses such as residential use in the Rural Resource Zone which can constrain primary industry activities (see Appendix 5). Common conflict issues associated with residential use in the 'Rural Resource' Zone include spray drift from chemicals which would include fungicide, herbicide, and insecticide, noise from equipment (including shooting for game control), irrigation spray drift, odours and dust."
 Agricultural Report. (2019, pg. 7) AK Consulting.

The recommendations in the AK Consulting report, based on Western Australian Department of Health (DOH,2012) guidelines, is to minimise conflict via the management of buffer areas.

Western Australian Government. (2012). Guidelines for Separation of Agricultural Land and Residential Land Uses. Department of Health, WA.

A 50m buffer zone setback has been included in the report for Lots 28, 29 and 30. (Refer to the map on Page 16 of the Agricultural Report) However, the same condition has not be recommended for Lots 18, 20, 21 and 23, which share a boundary fence with our property.

It is our preference that the developer installs a 50m vegetative buffer zone and building exclusion zone, be added as a condition on Lots 18,20, 21 and 23 to ensure this vegetation is not removed by future property owners to mitigate conflict of agricultural activities and restrict our ability to continue farming.

Water Infrastructure and Supply

As this development will not be connected to a reticulated water supply, we have concerns that the planning submission does not consider or discuss long-term fit-for-purpose water provisions.

We do not believe there is enough data included in the submission that indicates if the catchment area can reasonably furnish ongoing water supply that meets the demands and expectations of the proposed development or discusses the ongoing costs or amenity issues for extra supply (water cartage) to meet the shortfall in periods of low rainfall and drought.

With each developed property having a minimum of 20KL, which we believe is underestimated, rainwater storage, it is concerning to us that the number of households proposed for the subject site will directly impact the water supply for agriculture and environmental purposes, as water in the catchment will be diverted to potable water storage.

Further investigation relating to the following should also be considered:

- *Average annual\monthly reliability of rainfall as sole source of domestic water.*
- *Projected annual\monthly rainfall patters and impacts on future water availability.*
- *Expected water requirements for households.*
- *Contamination risks to potable water from rural resource properties in close proximity.*
- *Possibility of using greywater as an alternate water source for use in garden areas, toilet flushing, etc.*
- *Expectations for future water supply and the cost and disruption this will incur for the new development and the community.*

Western Australia Planning Commission (2016, Pg.7) Rural Planning Guidelines (Version 3).

Discharge of Stormwater

The report provided by Geoton Pty Ltd indicates that the subject site may not be able to support suitable absorption trenches for the collection and disbursement of stormwater and may possibly be diverted to '*the natural watercourse*'. The report provided by Hydrodynamica indicates that the "*exisiting creek flows approximately 1.4km northwest to Distillery Creek. It initially passes through paddocks containing two farm dams before marking its way to a culvert near the eastern extent of Whisky Road.*"

The Sydney Catchement Authority reports, "*Greater quantities and broader variety of pollutants are generated through replacement of vegetated ground by buildings, roads and other impervious surfaces during the Rural Residential subdivision. Stormwater*

must be managed on-site to prevent these pollutants being washed into waterbodies and watercourses."

Sydney Catchment Authority. (2011, pg 73). Water Sensitive Design Guide for Rural Residential Subdivisions. Sydney Catchment Authority, NSW.

One of the recommendations of the Sydney Catchment Authority report is *"adopting stormwater treatment measurements to control and trap pollution in runoff before discharging outside the subdivision site. These include a number of measures such as grassed swales, constructed wetlands and ponds, rainwater tanks, filtration devices and others."*

The planning submission indicates that storm water run-off will be diverted to existing discharge points and the creek, passing through two farm dams, in the north-west corner. From my understanding, it has not discussed the requirements of treatment measures to control and trap pollution to protect land or groundwater contamination before discharge to the Tasman Highway culverts, into farm dams, springs, and groundwater, then onto Distillery Creek.

It is our preference that treatment measures be included as part of the submission to protect the natural watercourses, groundwater, dams and springs that will be affected by the increased contamination from the subject site.

Public Transport

A number of RLUS strategic goals are to connect community areas, including Rural Residential, with public transport networks for employment and social opportunities. The planning submission for the subject site, does not provide detail on how this development will provide for public transport to people re-locating to the area.

In a study completed by the University of Guelph, Ontario, Robert J. Patrick indicated that *"A consequence of rural residential population growth is an increasing dependence on automobile mobility and associated negative externalities such as increased greenhouse gas emissions, ground-level air emissions, road congestion, and mobility deprivation for those without access to an automobile."*

Western Geography. (2003/2004, p. 109 -131) [Re-]Designing Rural Residential Areas with Public Transit in Mind: Developing Indicators for Sustainable Transportation. Robert J. Patrick, University of Guelph, Ontario.

Currently public transport is not provided to the Driver's Run Estate and with the increase in properties and residents in the area from this proposed development, we believe it is important for a public transport plan be provided to connect these new communities with Launceston for employment opportunities and other services.

It is also a concern to us that the number of people walking and cycling along Tasman Highway has increased since the development of the Driver's Run estate. Without proper pedestrian easements or shared zones to protect people from traffic in a 100 klm, speed zone it is a safety concern that will require further consideration and planning to ensure the safety of people wanting to connect to public transport and services.

Planning Assessment - Relevant requirements of the Act
Section 32(1) of the Act

(e) must, as far as practicable, avoid the potential for land use conflicts with use and development applying to adjacent area; and

It was stated in the submission supplied by 6ty° that the area is predominately rural residential in character already. We believe, this assumption was made without consultation with any current owners of Rural Resource properties who share a boundary with the subject site and is based on the perception that these properties are already *'rural residential in character'*.

Although we are small-scale farmers in the area, we are involved in agricultural activities and there is a *potential for land use conflicts* based on the expectations of people purchasing a Rural Residential lifestyle property.

Due to the close proximity to our property, it is highly likely there will be a level of conflict for Lots 18, 20, 21 and 23 and therefore does not comply with Section 31(1)e of the Act.

Overall, we are not adverse to the progression and changes to the Launceston landscape. We do believe that it is important to protect the current activities and environmental quality of surrounding properties to the subject site. Changes such as this need to be considered carefully and should be inclusive and consult with current residents who will be affected by the approval of this submission.

Please note that our submission is in respect of the proposed development. While we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot accept any responsibility for unintentional errors or omissions and you should satisfy yourselves on any facts before reaching your decision.

We thank you for your time and we are happy to discuss our representation in person and provide more detail if required.

Yours faithfully,



Ed Brown and Sarah Tighe

Hello,

I live in Drivers Run (off Tasman Hwy). I have recently become aware of the proposed development as listed above.

I have great concern that there is only one entry (and exit) point off Tasman Hwy for the existing properties and now 30 more blocks are being added to this access.

The current arrangement is unsafe already. Trying to exit Drivers onto Tasman Hwy (which is 100km/hr zone) with either the sun in your eyes or fog on the road is dangerous, and there are a large number of trucks using the road. Adding the vehicles for another 30 residences using the one exit point will be more dangerous and frustrating, and potentially cause accidents.

In addition, in the case of a fire emergency, the existence of only one exit for evacuation is inadequate.

Could there be a second entry/ exit point serving the new subdivision closer to Abels Hill Road? It would alleviate the pressure on the one exit point (and make it more pleasant for the people living in the houses opposite the subdivision entry)

Many thanks
Meg Simpson

Chief Executive Officer
City of Launceston
PO Box 396
LAUNCESTON TAS 7250

28 February 2020

Dear Sir,

Representation - Draft Amendment 58, DA0472/2019

I act on behalf of Mr Clifford Partridge and Mrs Moira Partridge, who own and occupy property at _____ and provide the following representation to the currently advertised Draft Amendment 58 and DA0472/2019 for a Section 43a Application for combined rezone and subsequent development of a 30 lot subdivision and roads.

My clients are not against the rezone application for the subject site but have some concerns and queries in relation to the proposed subdivision of the subject site.

Validity of Application

It is unclear whether land owner consent was provided together with the application, as required under Section 43D of the Land Use Planning and Approvals Act 1993 and perhaps clarification of whether this was provided could be made.

It appears also from the Site Stormwater Drainage Path Alignment that the indicative drain section concludes at the boundary of an adjacent property (22 Whisky Road, St Leonards) and query whether any works are proposed within the adjacent property due to the concentration of stormwater that appears to be directed towards this adjacent property, and if so, why this adjacent property was not included within the application.

Visual Impact

My client's own property that is adjacent to a proposed road which will serve Lot 4, Lot 5 and Lot 11 from _____. Concerns are raised in relation to the visual impact of overhead power lines that may be caused upon the amenity of my clients. My clients wish to request the developer to consider underground power within this road connection if it is not already intended to do so. We ask that further consideration to be made to my client's concerns.

Fencing

My client's land adjoins eight of the proposed lots on the north-western portion of the proposed subdivision. My client's request that there be no restrictive covenants placed upon future titles of these lots, which provide that the *Boundary Fences Act 1908* cannot be

further considered. My clients understand that fencing along this boundary will be a significant cost to them if they cannot be assisted financially by future lot owners under the Act.

Water Supply

My clients are concerned that in the event of a bushfire, 10,000l water tank per dwelling will not adequately provide sufficient water in the event of a fire attack. Without the provision of fire hydrants within the proposed subdivision, reliance upon static water supply is necessary and although the minimum requirement is only 10,000l it is recognised that lots, particularly those eight lots adjacent to my clients land in the forest vegetation setting may cause greater risk to my clients property due to inefficient water supply. We request that consideration be further made that a Part V Agreement (*Land Use Planning and Approvals Act 1993*) or a covenant be placed on at least these eight adjacent lots to be provided with at least 20,000l for firefighting purposes or the provision of fire hydrants throughout the subdivision be made.

We wish to also raise concerns that the proposal is not compliant with Performance Criteria 1 of Clause 13.4.7. It is recognised throughout the application that the subdivision is within the character and context and thereby considered an extension of the Drivers Run subdivision. Drivers Run is a locality in which reticulated water services are available. Although necessary to require a significant upgrade to the water storage tank to the east of White Gum Rise, or the provision of a new tank together with the extension of the reticulated system, the subdivision is capable of being connected.

As determined within a recent RMPAT decision (*6ty Pty Ltd v Northern Midlands Council (2019) TASRMPAT 29*), and should be a requirement of the proposed subdivision, as the site is within a locality where reticulated services are available, the question of whether reticulated water services are capable of being connected to the lots should be considered as whether they are reasonably capable of being connected. Whether a service is reasonably capable of being connected to the lots will depend on the existing location of services which may be extended, the engineering issues involved in extending the services, and the cost of doing so.

The advice of TasWater and the costs involved to upgrade and extend the existing reticulated water supply does not raise any unusual engineering issues. The topography is not unusual and does not prevent supply. The concern from TasWater in relation to the existing pump station at the Distillery Creek water treatment plant, is not unusual, in that during power outages, it is typical that water supply is affected during a bushfire. This is not a stand-alone event. Contingencies in the event of power failure is a general concern that needs further consideration of TasWater and is not isolated to this proposal alone. If that were the case, then all land is not capable of being connected due to the risk of a power outage in the event of a bushfire event. Therefore, reticulated water supply should be connected to the subdivision and the Amended SPAN (highlighted in RED) as included must

be conditioned on any approval. It is unclear by the draft permit, whether this is to be required or not.

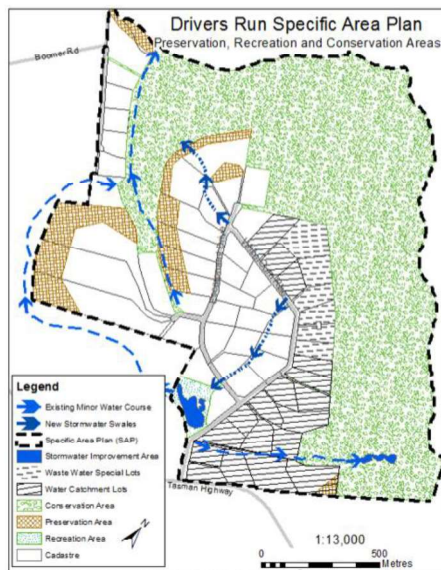
Bushfire Assessment

Further to my client's concerns in relation to water supply in the event of a bushfire, my clients are further concerned in relation to bushfire management and mitigation. The submitted Bushfire Report and Hazard Management Plan by Northbarker Ecosystem Services indicates that the proposal is compliant with Table E1: Standards for Roads. This requires that a dead-end or cul-de-sac roads have a turning circle with a minimum 12m outer radius. The proposed subdivision plan appears to not provide such turning circles within the cul-de-sacs, and further clarification is required. Should the proposal rely upon a performance criteria, the advice of TFS would be required of the Planning Authority.

We also note that the plan provided at Appendix E indicating the bushfire hazard management plan and onsite wastewater management areas, differs to Figure 3: Lot layout, access and Hazard Management Area and Bushfire Hazard Management Plan – BAL 19, contained within the Bushfire Report and Hazard Management Plan, particularly Lots 13 to 16.

On-site Wastewater Management

My client's are concerned in relation to the systems proposed, noting that a number of existing AWTS systems and other systems within the Drivers Run subdivision are experiencing operating concerns and consider that the proposed lot sizes may not be sufficient to adequately accommodate a future dwelling, bushfire hazard management areas and onsite wastewater management infrastructure. It is also noted that the drainage lines as provided in F5.2 of the *Launceston Interim Planning Scheme 2015* do not appear to have been considered throughout the application, given that an existing minor water course appears to traverse Lots 10-18 where or near an indicative wastewater management area is shown.



Drivers Run Specific Area Plan

The application considers that the subdivision and rezone is similar in context and therefore an extension of the existing Drivers Run subdivision, why then does the Council/application not consider the application of the Drivers Run Specific Area Plan as being applicable to the proposed development as well?

Other Issues with Drivers Run Subdivision

It is noted that a footpath is proposed between Lots 5 and Lots 10/12. The current status of the "Reserve" (Lot 1 Escarpment Drive, St Leonards) is unknown, and should pedestrian access be provided to Magpie Crescent, it is considered that like many existing residents in the Drivers Run subdivision, access to the "Reserve" will be further intensified as informal public open space. Council is encouraged to review the status of the land, given the land ownership issues, inadequate fire management practices and general public liability of this portion of land. It is encouraged that Council consider taking over control and ownership of this area as dedicated Public Open Space, given the intensification of the residential use of the area.

The nomenclature status of the Drivers Run subdivision with an extra 30 residential lots, should be considered by Council, to separately name this subdivision/locality as "Drivers Run" officially, as a place, rather than a part of St Leonards. Already the subdivision is informally known as "Drivers Run", and with 90 odd houses (including the proposed 30 lots), it in itself could be considered a hamlet.

The *Survey Co-ordination Act 1944* provides that a location such as Drivers Run could be included under the definition of a place. Part 2 of the Tasmanian Place Naming Guidelines



provides in the first instance that an individual contact the relevant authority for undertaking the appropriate community consultation (as per 2.2) and for developing a formal naming proposal. In this instance the local government authority is the relevant authority and this letter of representation should be considered by the individual (my clients) as a direct request for consideration and further assessment by the Nomenclature Office. Could Council please further consider the place naming to "Drivers Run" as an official place of identification for the existing and proposed subdivision?

We ask that Council consider the concerns above when making any further decision in relation to the proposed rezone and subdivision at 40520 Tasman Highway, St Leonards.

Kind Regards,

A handwritten signature in black ink that reads "R Green". The signature is written in a cursive style and is set against a light blue rectangular background.

Rebecca Green