

13 December 2017

General Manager  
Eurobodalla Shire Council  
PO Box 99  
Moruya NSW 2537

**SUBMISSION BY THE ROSEDALE ASSOCIATION INCORPORATED (RAI)  
PROPOSED 60 LOT - RESIDENTIAL SUBDIVISION – DA 305/18**

## **1. OVERVIEW**

The objectives of the Rosedale Association Incorporated (RAI) include:

- representing the residents and ratepayers of the Rosedale area, who are members of the Association; and
- assisting in the orderly development and progress of the area, in consultation with the Eurobodalla Shire Council and other appropriate bodies and individuals.

## **2. GENERAL COMMENTS**

We note that DA305/18 provides an alternative lot number, lot size, layout and location for the subdivision than the Stage 1 previously submitted for Lot 118 DP 755902 in Bevan Road in May 2016 (ref. DA589/16). It also differs from the Marsim Master Plan of 2008. There is no explanation for this in documentation accompanying DA305/18. Given the lack of supporting documentation provided by the applicant, our Association made four phone calls to Council during the DA's Public Exhibition period. We sought further information and clarification of key points from the developer and/or Council but were unsuccessful in our attempts. In particular, we were interested in learning:

- how the developer intends to address sensitive environmental issues at the site;
- how they intend to manage vehicular access to the development from access points to the north, south and east of the development; and
- whether Council has requested a revised Master Plan, in order to minimise the risk of a piecemeal development in the Rosedale Urban Expansion Zone (UEZ).

The RAI is of the strong view that it has been deprived of the opportunity to consider DA305/18 properly and effectively due to the lack of information provided. As a result, the DA in its submitted form should be rejected by Council.

## **3. MASTER PLAN**

The plans provided by the applicant in DA305/18 indicate that the developer is straying from the Master Plan of 2008 on several fronts. Council is adopting a narrow view by considering this, and other small DAs at different times, instead of looking broadly at development across the entire Rosedale UEZ and this developer's DAs against the Master Plan. Our view is that the Master Plan needs to be revised and updated, in order to avoid a piecemeal development within the Rosedale UEZ.

We object to the doubling of lots, the changes to the layout of the subdivision and the location of the lots in DA305/18. The minimum lot sizes are not compliant with the Master Plan and do not reflect the intent of the R2 Residential zoning which is for low density residential

development. The increased number of lots will increase the pressures on the surrounding environment, particularly the riparian zone for Saltwater Creek, which comprises category 1 and 2 watercourses. Under the requirements of the “Residential Zones Development Control Plan” there is a requirement for a 40 metre setback from the development for Category 1 and 20 metre setback for Category 2 watercourses. The development fails to fully meet these requirements and, with the lack of supporting information, it cannot be supported.

The DA also differs from the Master Plan, in terms of the road network. While the Master Plan has a central boulevard running through the development, with plans for shops, a community centre and village green, DA305/18 includes cul-de-sacs, no central boulevard and no infrastructure and services to support the anticipated population growth. This presents further argument for the Master Plan to be adhered to or updated.

We understood that Council’s desire was to achieve an average lot size of 1,200 sqm within the Rosedale UEZ to ensure that the development of the land within the UEZ would be compatible with the zoning and character of the Rosedale community (*ref. Rosedale: Bevia Rd Concept Application (MP05-0199) Response to Public Submissions*). This was strongly supported by the RAI but has not been adhered to by the developer. The increased lots, and subsequent reduction in lot sizes, contravenes the stated aim of the DCP (***Section 3 clause 3.1 Subdivision Pattern and Layout***). Performance Criteria 1 states “lot sizes and portions maintain a consistent pattern within the area”. The pattern for the Rosedale area, and the adjoining subdivision, is for larger low density lots. The increased number of lots and smaller sizes do not meet this criteria and the applicant should be directed to increase the average lot size and reduce the number of lots.

*Recommendations:*

- (i) That Council require the developer to revise and update the Master Plan.*
- (ii) That Council reject the DA and direct the developer to increase the average lot size and reduce the overall number of lots, in order to ensure that the development of land within the Rosedale UEZ is compatible with the zoning and character of the existing Rosedale community and aligns with requirements under the DCP.*

#### **4. ROADS AND TRAFFIC**

We have stated repeatedly in previous submissions regarding DAs within the Rosedale UEZ that it is critically important for Council to consider each proposal as part of a Rosedale UEZ integrated plan, even though DAs are being lodged at different times by different applicants. We have also urged Council to meet its responsibility to identify a safe and efficient road network for the combined Rosedale UEZ, which does not pose additional risk for vehicles entering and exiting Rosedale and other road users.

The proposed road network for the development is of critical importance to the Rosedale community, given the safety risks that already exist along that dangerous stretch of George Bass Drive. Rosedale Parade and Yowani Road are the only means of vehicular access into and out of North and South Rosedale, so our members have no alternative or safer choice. Even though the speed limit between Malua Bay and Rosedale was dropped to 70 km/h, this has not eliminated the safety risk posed by vehicles exiting from Yowani Road and Rosedale Parade onto George Bass Drive.

The developer must be required to provide an appropriate traffic plan for all access points that does not pose additional risks for road users. Other than a road marked “Rosedale Access Road” that runs from east to west of the proposed Bevia Road development, there is no indication as to how this road will connect to George Bass Drive, through the Rosedale Farm subdivision. We assume it will connect via an extension to the existing Rosedale Parade, with a

roundabout installed at the dangerous intersection, as previously advised by Council. There is also no information regarding upgrades to Bevia Road to allow for vehicular access to the north and south of the proposed development. The developer should also advise if their intention remains for traffic to flow south along a redirected Bevia Road and exit onto George Bass Drive above the Tomakin Sewerage Works. We note that the plan for this southern access road was amended and incorporated into the Marsim Master Plan.

Recommendations:

(iii) That Council rejects the DA, as the developer failed to lodge traffic plans for all access points.

## 5. ENVIRONMENTAL MANAGEMENT

Concerns raised by RAI in previous submissions regarding proposed developments within the Rosedale UEZ remain valid. This includes concerns about riparian management, Endangered Ecological Communities (EEC) and the potential for the development of the site to destroy the ecological habitat values of the SEPP 14 Bevia Wetland and the Saltwater Creek chain-of-ponds and its ICOLL, with flow on effects to the Marine park and impacts on fauna. Council is aware that these waterbodies are valuable, rare, endangered and irreplaceable and need to be protected by imposing the most stringent requirements on how their catchments are managed within the Rosedale UEZ.

The Eurobodalla Local Environmental Plan 2012 (LEP 2012) sets out Council's environmental planning conditions, a number of which are applicable to DA305/18. We have already referenced Section 3 in regard to subdivision pattern and layout. **Section 6.6 Biodiversity** has a stated objective to maintain terrestrial and aquatic biodiversity, protecting native flora and fauna and ecological processes. RAI remains concerned that whilst the area identified for the development is farming land, the impacts of development in this area will be felt downstream in the Bevia wetland chain of ponds (subject of SEPP 14), Saltwater Creek and the Batemans Marine Park, which these waters feed into. On the basis of a complete lack of detail around the application, it should be assumed that these factors have not been duly considered. As a consequence, the application cannot be approved on its merits.

The stated objective in **Section 6.7 Riparian Lands and Wetlands**, is "maintaining the water quality, stability of the watercourses, aquatic and riparian habitats ecological processes". In clause 2, the LEP outlines category 1, 2 and 3 watercourses and the setbacks required for these, which in this case are watercourses category 1 (40 metre setback) and watercourse category 2 (20 metre setback). These have not been complied with in DA305/18. On this basis, the development application in its current form is non-compliant and is strongly objected to by the RAI.

**Section 6.9 Stormwater Management** states as its objective to minimise impact of urban stormwater on land adjoining downstream properties, native bushland and receiving waters. The lack of detail around the treatment of stormwater and its impacts on these areas, particularly when considered in the context of the abovementioned concerns regarding Riparian land and wetlands and biodiversity, must assume that there has been no consideration for the treatment of these issues and therefore is grounds for rejecting DA305/18.

Recommendations:

(iv) That Council reject DA305/18 based on the lack of detail regarding its management of sensitive environmental issues at the site.

## **6. POLITICAL DONATIONS / GIFTS**

RAI has made no political donations or gifts that would require a disclosure under Section 147 (5) and (6) of the *Environmental Planning and Assessment Act 1979*.

A handwritten signature in black ink, appearing to read 'David Boardman', written in a cursive style.

*David Boardman, RAI President*

*Ph: 0418 477358 or Email: davidboardman@bigpond.com*