

# ***Tomakin Community Association Inc.***

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***Acting Secretary: Cindy Jagelman***

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**TO: EUROBODALLA SHIRE COUNCIL**

**RE: DEVELOPMENT PROPOSAL – BARLINGS BEACH, TOMAKIN,  
AMENDED PLANS TO SUBDIVISION OF LAND – DA 77-3-2002**

Council's General Manager, Jim Levy, informed the Public Information Forum (convened by this Association on 2<sup>nd</sup> June 2005) that, whilst Council is legally prevented from making any objection to the Development Application, *'there is nothing to prevent Council from making a submission incorporating recommendations as to matters that Council believes warrant particular attention'* and further, that Council's contract with the Developer has a *'no fetter clause'*.

Mr Levy also said that Council would be formally discussing its submission to the Department of Infrastructure, Planning and Natural Resources (DIPNR) on 14 June 2005 at the Works and Facilities Committee meeting. Mr Levy issued an invitation at the Forum for the Association to submit the concerns of ratepayers and residents so that Council could consider them when formulating its own submission to DIPNR.

The residents of Tomakin and surrounding communities do not want this development to proceed at all. Further, many Shire residents who do not live anywhere near Barlings Beach, have contacted the Association since the Public Information Forum and they have expressed their opposition to the proposed development.

Before proceeding we state the following:

- ***The proposed development is a wholly inappropriate development of coastal land.***
- We agree completely with the General Manager that this proposed development will have an impact on the entire Shire and, therefore, on all of the Councillors' constituents. ***We do not agree that it will have a beneficial impact. It will be detrimental.*** The costs to ratepayers and residents will far outweigh any potential gain. Do Councillors really believe that the Shire needs to continue to develop and increase its population in order to generate income? If so, where does the development stop – our resources are finite?
- ***This is not a development that is being undertaken to meet a demand.*** Rather, it is a development that will create a supply and then try to entice that demand. This statement is supported by the fact that the development will be staged and the commencement of each stage will be determined by market forces. Further, there is a huge number of properties for sale between Batemans Bay and Broulee so it is not as if there is a shortage of properties for people who want to move into this area south of the Clyde River.

Council is the seller of the land and undoubtedly has a conflict of interest. However, we would hope that Councillors would formulate their submission to DIPNR with the interests of their constituents taking precedence over those of the purchaser and Developer (Barlings Beach Community Pty Ltd). With this in mind, we submit the following concerns in the hope that Councillors will consider them in a genuine and impartial manner. Please note that the following does not comprise *all* of the issues and concerns of ratepayers and residents, only those that we hope Councillors may address in their submission.

### **Overall Planning**

We ask Councillors to consider their recommendations to DIPNR by assessing the full impact on their constituents of this development, **combined with**

- the 800 residential lot Rosedale development (to the rear of the Barlings Beach site); and
- any development of the Barlings Beach Caravan Park (adjacent to the Barlings Beach site); and
- the existing residential areas (Tomakin, Guerilla Bay, Rosedale, Mossy Point and Broulee).

*and* the demands that *all* of the above will place on *existing* infrastructure (water supply, water quality, sewerage, electricity, roads, etc.) – and *existing* services (emergency services, medical and hospital services, etc.).

### **Construction Traffic and Landfill**

#### **Fill**

The Developer has sought permission to fill the site to provide a new finished surface level up to 1.5m. We ask Councillors to recommend that permission not be granted.

#### **Quantity of Fill and Truck Movements**

The Developer has said that their '*preliminary estimate on the quantity of fill required is in the order of 40,000 cubic metres*'. Based on the information contained in the Masterplan, we believe that this is likely to be a gross underestimation. In any event, using the Developer's estimate of the quantity of fill, this is likely to amount to in excess of **8,000 total truck movements** - based on those vehicles being a standard 'tip truck' with a total mass limit of 22.5 tonnes. Both the Developer and Council have indicated that they will seek approval for the construction of a temporary or permanent creek crossing for the use by construction traffic. Our concerns are that:

- The creek crossing and intersection with George Bass Drive should be permanent, otherwise it will not be available for use by Barlings Beach residents through the various stages of the development.
- How will construction traffic be *forced* to use George Bass Drive as the entry and exit point to the site and not Tomakin's Streets, given that this is going to be the 'long' way round? It is most unlikely that the trucks importing landfill will be coming from the Bateman's Bay area along George Bass Drive. They will most likely be using the Tomakin Road.
- Will Councillors consider the impact that these heavy vehicles will have on the major access roads to the site – Tomakin, George Bass Drive – and the danger that they will pose to other road users?

## **Traffic and Parking**

### **Resident Traffic**

- The Developer has made the incorrect assumption that Barlings Beach residents wishing to travel to Bateman's Bay will use the George Bass Drive exit. This will not be the case because the quickest route is through Tomakin and along Tomakin Road to the Princes Highway.
- The Developer has not considered the impact of traffic from the proposed Rosedale development, any development of the Barlings Beach Caravan Park and existing residential areas to the east of the site flowing through the Barlings Beach site and Tomakin to access Barlings Beach, Tomakin Cove and Beach, and the Tomaga River and boat ramp. We ask Councillors to give this due consideration and arrive at recommendations that will address these concerns.

### **Parking**

There is no parking *within* the proposed development, only at the eastern (Tomakin) end. Again, we ask Councillors to consider this with reference to *all* current and future development.

- A recommendation by Council to extend the car park off Red Hill Parade *is not* likely meet the needs of all of the residents, to say nothing of the tourists.
- The spillover area proposed on the grassed area across the road from the formal car park does not provide an acceptable solution. That area would become degraded in a very short space of time.
- We ask Councillors to recommend that car parking facilities be included *within* the Barlings Beach site.

### **Lots Backing Onto Bushland and Dunes**

The Masterplan (Section 5.4) admits that the Coastal Council asked for *roads to abut protected spaces rather than houses*. Despite this many lots back onto bushland or dunes.

- *Lots 38-56 should be deleted from the plan.* A large part of Lot 155 should also be deleted from the plan. They back onto bushland, and Lots 40-56 (and part of Lot 155) are either wholly or partly within the Littoral Rainforest Buffer Zone. The banksia forest is protecting the Littoral Rainforest and the development of these Lots will effectively destroy it. There is no access for Fire Control vehicles.
- *Lots 106-124 back onto the dune area and they too should be deleted from the plan.*
- The encircling 'perimeter' road will then abut these protected spaces, provide access for Fire Control vehicles and, with indents for parking on the dune side of the site, will be able to address the lack of car parking facilities.

### **Lack of Recreational Space**

- The 'open space' is not recreational space. The open spaces consist of conservation zones (which, must limit public access or they will not be conserved) and the Aboriginal Place.

- The General Manager has stated that facilities such as picnic tables, a shower/toilet block, etc. may be able to be included in the Aboriginal Place. However, the only access to the Aboriginal Place shown on the plan is a narrow Shared Zone (vehicles and pedestrian) between Lots 123/124 and Lot 125. This is very limited access and, again, there are no car parking facilities.
- Lots 126-140 should also be deleted from the plan. Coupled with the deletion of Lots 104-124, accessible recreational space and car parking facilities can be provided, whilst still preserving the conservation zones.

#### **Floor Levels and Height Restrictions**

- The Developer proposes to fill the site up to 1.5 metres and measure their building heights from that level. It is obvious that the Developer wants to gain additional height in order to gain additional water views. This does not comply with Eurobodalla Shire Council Residential Design Code and Council should reject the proposal.
- The Developer is proposing 3-storey housing, again with the obvious intent of gaining better views. This does not comply with Eurobodalla Shire Council Residential Design Code and Council should reject the proposal.

**Cindy Jagelman**

Acting Secretary

Tomakin Community Association Inc.

6<sup>th</sup> June 2005