



4 July 2022

Tasmanian Planning Commission  
GPO Box 1691  
HOBART TAS 7001

By email: Anne Cunningham, Delegate Chair  
[tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

Cc: Carlton Dixon, Peter Dixon

Dear Anne

**Response submission to the TPC post hearing direction 2.8 - Draft Northern Midlands Local Provisions Schedule**

On behalf of Carlton Dixon and Peter Dixon, please find below the response submission to post hearing direction 2.8, relating to the Rural Living Zone at Sheridan Court.

In correspondence of 16 June 2022, the TPC requested the following:

*2.8 - Provide a statement that clarifies how the proposed Rural Living Zone C at Sheridan Court, Longford complies with the Northern Regional Land Use Strategy, and in particular clause D2.2.2 (page 19).*

**Response Statement:**

At section *D2.2 Rural Areas*, the NTRLUS makes specific provision for the recognition of 'rural living' opportunities as a legitimate residential choice and includes a framework of policies and actions to describe how this type of residential use and development is to be appropriately provided for. Section *D2.2.1 Productive Resource Areas* describes how resource land is protected from inappropriate pressure for large-lot residential development, by directing this use to rural residential areas.

*Section D2.2.2 Rural Residential Areas elaborates further ... "Rural Residential Areas counter residential demands for, and diverts pressure away from Productive Resource Areas by providing options for rural and environmental lifestyle preferences. As such, Rural Residential Areas have an important role in the housing market and the capacity of the region to support the settlements listed in Table E.1 Northern Tasmanian Regional Settlement Hierarchy.*

*Strategically providing for Rural Residential Areas minimises future land use conflicts and maximises infrastructure efficiencies”.*

However, in order for this re-direction of use and development pressure to effectively occur, there must actually be opportunities available in the market in suitable locations.

The NTRLUS states *“The region’s rural landscape includes land suitable for opportunities for rural residential use and development on large allotments, in preferred locations, and provide residential opportunities within a rural landscape, including where services are limited, or existing natural and landscape values are to be retained”.* (p19)

Section D2.2.2 *Rural Residential Areas* describes the policy behind how opportunities for this residential choice will be delivered and the circumstances to be analysed to guide strategic decision making in regard to appropriate locations and the nature of the ‘rural residential’ use and development that results. The NTRLUS utilises the term ‘*rural residential*’ as a neutral term, in acknowledgement of the fact that this type of residential use may reasonably occur in a number of zones available under the Tasmanian Planning Scheme, including Rural Living, Low Density Residential or Landscape Conservation Zones.

The NTRLUS states ... *“These zones will be applied to reflect:*

- *established rural residential land use patterns; or*
- *additional areas identified in local strategy,*

*that support settlements with a mix of housing options through a range of densities, to attract and retain a diverse population”.*(p19)

An established Rural Residential Area is defined as *“land with limited potential for efficient or practical agricultural or rural resource use on a commercial basis, and where the land use pattern:*

- *Is predominantly residential land use, including lifestyle blocks, hobby farms and/or low density residential subdivision; and*
- *Is characterized by fragmentation of the cadastral base and property ownership; and*
- *May include topographical constraints resulting in physical impediments to rural resource use or connectivity, including biodiversity protection and/or conservation”.*(p19)

The land use in the Northern Midlands municipal area along the northern section of Pateena Road, including Norwich Drive and Sheridan Court, has appropriately been identified as an ‘established rural residential area’ and is proposed to be zoned Rural Living Zone in the Draft LPS. It is contiguous to the adjoining Tasmanian Planning Scheme Rural Living zoning in the Pateena Road/Travellers Rest area, in the Meander Valley municipality to the north.

The NTRLUS further refines the policy around the provision of rural residential opportunities by prioritising the appropriate densification of established rural residential areas. It states...

*“Opportunities to increase the capacity of established Rural Residential Areas, where it can meet sustainability criteria will be given higher priority than their expansion”*(p19), and

*“Intensification or expansion of established Rural Residential Areas, or new Rural Residential Areas must balance a range of matters including:*

- *Impact on the agricultural and environmental values of the land and surrounding areas;*
- *Proximity to existing settlements containing social services;*
- *Land use efficiency, consolidating gaps in established rural residential land use patterns;*
- *Access to road infrastructure with capacity to support an intensified land use;*
- *On-site waste water system suitability;*
- *Impact on natural values or the potential land use limitations as a result of natural values;*
- *Impact on agricultural land and land conversion;*
- *Impact on water resources required for agricultural and environmental purposes;*
- *Consideration of natural hazard management;*
- *The housing mix available in a locality and the contribution additional rural residential land use may make in support of settlements;*
- *Potential future requirement for the land for urban purposes; and*
- *The ability to achieve positive environmental outcomes through rezoning". (p19 -20)*

In the context of the Sheridan Court/Pateena Road locality, these matters are discussed as follows:

- *Impact on the agricultural and environmental values of the land and surrounding areas.*
- *Impact on agricultural land and land conversion.*

There are 5 titles that front Sheridan Court. These are indicated below in Figure 1 in the context of the Draft LPS overlays for Scenic Protection Area, Scenic Corridor, Waterway Protection Area and the Priority Vegetation Area.

These titles are bound to the north and south by rural residential land zoned Rural Living Zone. Land contained in larger titles to the east is proposed for Agriculture zoning and takes in the foothills around Mt Arnon, which is partially vegetated and subject to low level grazing. This is reflective of the topographical constraints together with a lower land capability combination of Classes 4,5 and 6. The Scenic Protection Area overlay is applied over Mt Arnon and foothills.

Land to the west on the opposite side of Pateena Road is subject to a higher degree of grazing and improved pasture and some cropping, reflective of its Class 4 land capability. Despite proximity to the South Esk River, the farming land to the east does not appear to be included in an irrigation district.



Figure 1: Draft LPS overlays in the Sheridan Court/Pateena Road locality.

There is a reasonable prospect of densification of the titles that front Sheridan Court without risk to adjoining or surrounding agricultural activities. A Rural Living C categorisation provides for sufficient area to achieve the TPS Agriculture Zone setback of 200 metres. There is only one title in the group that fronts Pateena Road that could achieve a subdivision, which has an existing dwelling in the south-eastern section, approximately 50 metres from Pateena Road.

The three larger titles have a band of Priority Vegetation Area overlay over remnant vegetation across the mid-slope. This vegetation is relatively modified and can be reasonably protected in any subdivision design with lot sizes in the order of 4 to 5 hectares, the designated lot sizes of Rural Living Zone C. Similarly, this lot size range can appropriately accommodate the Scenic Road Corridor and any on-site wastewater and drainage requirements.

Rural Living Zone C can comfortably accommodate densification in accordance with the policies of the NTRLUS described above, without risk to agriculture in the locality and the spatial and environmental values of the land.

- *Proximity to existing settlements containing social services.*

Sheridan Court is located close to the periphery of the Launceston urban area, 4 kilometres from the Travellers Rest on-ramp to the Bass Highway which provides a direct arterial route into the Launceston CBD, a total of approximately 15 minutes drive time. The closest activity centre is at Prospect Vale approximately 8 kilometres from Sheridan Court, which has a

Woolworths supermarket in a multi-retail complex. Prospect Vale also has social services such as childcare and sports facilities.

The Pateena Road locality is an unusual occurrence of an established rural residential area in close proximity to Launceston city.

- *Land use efficiency, consolidating gaps in established rural residential land use patterns.*

Densifying the Sheridan Court location does not consolidate a gap as the area is an established rural residential area under Rural Living zoning. However, maximising opportunity for densification and demonstrating appropriateness against the listed criteria, as supported by the NTRLUS policy described above, is an efficient use of land to provide for this housing choice.

- *Access to road infrastructure with capacity to support an intensified land use.*

Sheridan Court is a Council maintained road in a 15 metre width road reservation with a 30 metre diameter cul-de-sac head. The junction with Pateena Road is sealed. Rural Living Zone C would provide for a potential additional yield of 8 lots in addition to the existing 5 dwellings. Sheridan Court provides sufficient reservation to accommodate the total 7.5m pavement (5.5m width plus 1m shoulders) LGAT standard for rural unsealed roads for a capacity of 100-300 annual average daily traffic movements and a larger turning head diameter of 24 metres to provide for the bushfire access standard.

The existing Sheridan Court cul-de-sac provides an opportunity for densification, without promoting linear intensification of accesses along Pateena Road, which is collector road that has an important local function between Longford and Launceston.

- *On-site waste water system suitability.*

The capped 4hectare minimum lot size of Rural Living Zone C provides ample, unencumbered area for the on-site disposal of wastewater, without risk of impacts on adjoining properties or environmental attributes. The locality is not subject to flooding or any other environmental constraints that would preclude the management of waste water on-site.

- *Impact on natural values or the potential land use limitations as a result of natural values.*

As shown in Figure 1 above, the locality has a band of Priority Vegetation Area that crosses the three larger lots. This vegetation has been heavily modified by existing residential use with clearance of understorey and access ways.

The Priority Vegetation report identifies the community as *Eucalyptus viminalis* grassy forest and woodland (DVG) with relative reservation value and habitat for the Eastern Quoll. Whilst not a Threatened Native Vegetation Community, the modified DVG community has apparent value for retention. Due to the partial occurrence of Priority Vegetation on these properties, this can be reasonably achieved alongside densification through subdivision, and in fact, can achieve a better degree of protection through mechanisms such as Part 5 Agreements, than reliance on the TPS provisions alone.

The existence of identified Priority Vegetation will influence the design of any subdivision and the location of future development, however does not preclude a reasonable opportunity for additional residential development.

- *Impact on water resources required for agricultural and environmental purposes.*

As described above, the land is not within an irrigation district.

Due to the topography, 22 Sheridan Court has a dam and overflow drainage line located near the western boundary of that lot at the head of a gully, that crosses the back of the two titles to the west, Pateena Road and then traverses farmland before joining the South Esk River. The drainage line is not intercepted for agricultural supply.

The requirements for setback of development to watercourses in the Natural Assets Code reasonably ensures that water quality will not be adversely affected by any future development.

- *Consideration of natural hazard management.*

The locality is mapped as Bushfire Prone Area, which is typical of all rural residential areas. In consideration of other environmental values described above, Rural Living Zone C provides for lot sizes that can reasonably protect the environmental values whilst also providing for bushfire hazard management areas, as the area is predominantly cleared. Sheridan Court has direct access to high capacity roads to the north and south for egress in the event that emergency evacuation may be necessary.

The land has a band of Low Landslip Hazard that correlates with the band of vegetation across the three larger properties of Sheridan Court. Subdivision is exempt from the Landslip Hazard Code if it does not involve significant works. Given that access driveways already exist through this mapped area on the lots, it is highly probable that a subdivision would be designed that avoided significant works for future building areas on new lots and future lots can reasonably provide for building areas outside of the mapped overlay at the Rural Living C level. This would be more difficult to achieve in other Rural Living Zone categories that enabled smaller lot sizes.

The locality is not subject to any other known natural hazards.

- *The housing mix available in a locality and the contribution additional rural residential land use may make in support of settlements.*

The Pateena Road/Norwich Drive area (including Travellers Rest to the north) is one of very few established rural residential areas on the southern periphery and in close proximity to Launceston City. Whilst there are aggregations of rural residential properties in this locality and at Travellers Rest to the north (Rural Living Zone D and Landscape Conservation Zone), there is no vacant land supply available at present due to subdivision restrictions for other strategic reasons that were considered by Meander Valley Council in the preparation of its Rural Living Amendment in 2015. The Rural Living Zone B land at Hadspen to the north-west is a longer-

term prospect that is part of the larger planned estate and will not yield a large number of lots in that longer term due to flood prone land.

It is interesting to note that properties rarely come onto the market in this locality. Perhaps this is testament to the demand for this type of lifestyle choice with a rare convenience to the city, as compared to opportunities that are available close to smaller rural settlements.

The NTRLUS supports the provision of rural residential opportunities through densification in appropriate locations as a general policy that it is a legitimate part of the housing mix for the city and for other towns and villages. Whilst Launceston city does not rely on rural residential land use as a significant population contributor, a large part of the city's attraction is that it has a range of housing choices within close proximity. The TPS recognises through the four categories of Rural Living Zone lot sizes that there is variability in how this may appropriately manifest as development in different localities.

- *Potential future requirement for the land for urban purposes.*

There is no prospect of the land being required for future urban expansion as it is incapable of being connected to services and is disconnected from the periphery of the city due to a vegetated landscape that is protected for scenic purposes.

- *The ability to achieve positive environmental outcomes through rezoning.*

As discussed above, a subdivision can provide for more secure protection of vegetated areas through Part 5 Agreements than can be achieved through the provisions of the Tasmanian Planning Scheme.

## **Conclusion**

The Sheridan Court cluster offers a rare opportunity to provide for additional rural residential lots in a modest yield that is strategically appropriate, directly supporting the policies of the NTRLUS as:

- it utilises an existing, Council maintained, public side road and therefore avoids linear development on a higher-order collector road. The road has a comfortable capacity to accommodate additional traffic load;
- there are existing smaller sized lots of approximately 2 hectares fronting Sheridan Court and Pateena Road (adjoining), such that there is a small cluster that is distinctly different to the balance of the Rural Living zoning in the locality. A modest additional yield will not compromise, or be at odds with, the rural residential character in this location;
- additional lots can be provided at a size and arrangement to accommodate visually and environmentally appropriate residential development at the Rural Living Zone C level; and
- Intensification of residential development at the Rural Living Zone C level balances the matters outlined under section D2.2.2 of the NTRLUS.

If you have any queries in regard to the submission, please do not hesitate to call me on the number provided above.

Yours sincerely

A handwritten signature in black ink that reads "J. Oliver". The signature is written in a cursive style with a large, looped initial "J" and a smaller "O" for "Oliver".

Jo Oliver  
**Director**