

To whom it may concern,

I would like to apply to have my two blocks at Clarence Point zoned as Rural Living Zone B under the new scheme that is being proposed and rolled out.

The address of these blocks are;

- 69 Clarence Point Road, Clarence Point. 7.047ha.
- Lot 32 Clarence Point Road, Clarence Point. 7.702ha.

My reasoning from this comes from **Section 8A guideline No. 1- Local Provisions Schedule.**

11.0 Rural living zone.

RLZ 2 The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:

(a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; or

(b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater.

RLZ 3 The differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on :

(a) a reflection of the existing pattern and density of development within the rural living area;

In regard to RLZ 2 (a) - In my opinion Lot 32 has no difference from 69 Clarence Point or the multiple titles to the south and east that are both larger and smaller in size with the same land lay/quality. These are all zoned Rural Living with multiple smaller blocks for dwellings.

In regard to RLZ 2 (b) – Both lot 32 and 69 Clarence are too small to be able to make a living from farming, however if a more correct zoning was applied it would allow for a rural residential development and hobby farm. (a house to be built on lot 32)

In regard to RLZ 3 (a) I believe both my properties should be zoned rural living zone b. As the property's that line Clarence Point Road to the south of my own are made up of multiple smaller dwellings, these dwellings all undertake hobby farming to some description. As both my properties are under the minimum 10ha sizing as per Rural living zone c this prevents any changes or future development to accommodate the need for smaller hobby farms. Due to the rural zone on lot 32, I cannot build and the potential to sell is largely lowered. Nor can I create any new titles on either block to fit in with the smaller rural hobby farm community.

Thank you very much for any consideration of the above and I look forward to hearing your response.

Regards,

Joshua Piscioneri.

From: George Walker <gwalker@6ty.com.au>
Sent: Wednesday, 16 June 2021 8:21 AM
To: Michelle Riley
Cc: joshua piscioneri
Subject: I2021163370 - Supplementary Submission to Draft LPS - J. Piscioneri Good
Attachments: 21.189 - Supplementary Submission to West Tamar LPS - June 2021.pdf

SynergySoft: I2021163370

Good morning Michelle,

Further to our previous conversations, please find the supplementary submission attached.

Please let me know if you have any questions.

Regards,

George



George Walker

Director | Planning Consultant

Measured form and function

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16 June 2021

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Dear Rolph,

REPRESENTATION TO THE DRAFT WEST TAMAR LOCAL PROVISIONS SCHEDULE

6ty° Pty Ltd has been engaged by **Josh Piscioneri** to prepare a supplementary submission to the draft West Tamar Local Provisions Schedule (LPS) in accordance with section 35E(1) of the *Land Use Planning and Approvals Act 1993* (the LUPA Act).

This representation is guided by section 35E(3)(b) of the Act. To this effect, it is submitted that the LPS should assign land identified by Certificate of Title Volume 109831 Folio 32 to Rural Living Zone C instead of Rural. Further to this, this submission also seeks to remove the previous request to alter the zoning class of the adjoining lot to the south-east identified by Certificate of Title Volume 103347 Folio 31 from Rural Living B.

1. Background

The site is addressed as Clarence Point Road, Clarence Point which is comprised in Certificate of Title Volume 109831 Folio 32 (refer to Figure 1). It is located on the north-western side of Clarence Point Road and has frontage to Greens Beach Road along its north-western boundary.

Figure 1 - aerial view of Certificate of Title Volume 109831 Folio 32 within the context of its surrounding area.



The site is located on the periphery of an established Rural Living settlement area. It has an area of approximately 7.67ha and shares a similar shape, size and

orientation with adjoining and adjacent lots to the north-east and south-west. Land to the north-east is zoned Rural and land to the south-west is zoned Rural Living.

2. Strategic Rationale

Zone application guideline RLZ 2 of the *Section 8A Guideline No. 1 - Local Provisions Schedule (LPS)*: zone and code application document states:

The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:

- (a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; or*
- (b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater.*

Upon review of the LPS, it appears that the Rural Living zone has been applied to existing Rural Living Areas (currently zoned under the *West Tamar Interim Planning Scheme 2013*) in accordance with zone application guideline RLZ 1 (a) and RLZ 3 (a). The concern with this methodology is that by applying the Rural Living zone 'like-for-like' with respect to the different minimum lot sizes detailed in Table 11.1 of the Tasmanian Planning Scheme (TPS), it does not enable significant future growth of Rural Living zoned land within the municipal area by way of consolidation.

In this regard, many of the existing lots that will be assigned to the Rural Living zone in any category are already equal to or less than the minimum lot size specified in Table 11.1 or allowable under clause 11.5.1 P1 of the TPS. Accordingly, there will be limited opportunity for existing Rural Living zoned land to be further subdivided. Assigning the site to Rural Living Zone C will provide an additional vacant Rural Living zoned lot that is capable of being developed in accordance with the relevant planning controls of the TPS.

On this basis, it is contended that application of Rural Living Zone C to the site will be consistent with RLZ 3 (a) in terms of being compatible with the existing pattern and density of development within the surrounding area and will allow future additional rural living use and development. With respect to RLZ 2 (a), it is contended that assigning the site to Rural Living C will be consistent with the Northern Regional Land Use Strategy 2018 ("the Strategy").

Section D2.2.2 of the Strategy provides guiding principles with respect to Rural Residential Areas within the region. The Strategy recognises that rural residential areas reduces pressure away from urban expansion into productive resource areas by providing options for rural and environmental lifestyle preferences. The Strategy prefers that demand for rural residential areas be met through the intensification of existing rural residential areas as opposed to greenfield development where it can meet sustainability criteria. The following table identifies the sustainability criteria prescribed by the Strategy and provides a response against each criteria.

Intensification must balance a range of matters including:	
Criteria	Response
1. Impact on the agricultural and environmental values of the land and surrounding areas.	<i>The site is located on the periphery of an established Rural Living settlement area and comprises cleared land with some native vegetation cover. The cleared land is capable of containing a building area on the site without the need to remove additional vegetation.</i>
2. Proximity to existing settlements containing social services.	<i>The site adjoins an existing Rural Living settlement area and is in proximity to Beauty Point and Beaconsfield which comprise a mixture of social and community services.</i>
3. Land use efficiency, consolidating gaps in established rural residential land use patterns.	<i>Assigning the site to Rural Living Zone C qualifies as efficient land use. It will directly align with the guiding principles of the Strategy through the expansion of an existing Rural Living settlement area of which there is a zoning gap between the Rural Living zoned land located on the western side of Clarence Point Road up to Bevic Road to the north.</i>
4. Access to road infrastructure with capacity to support an intensified land use.	<i>Clarence Point Road is a local road under the authority of Council. The site is large enough to contain on-site services without impact on adjoining and adjacent land.</i>
5. On-site wastewater system suitability.	<i>Lot sizes and density for future subdivision will be guided by their ability to accommodate an on-site wastewater management system which is required to be demonstrated by clause 11.5.3 P2 of the Tasmanian Planning Scheme - State Planning Provisions. The site has sufficient area to accommodate an on-site wastewater management system.</i>
6. Impact on agricultural land and land conversion.	<i>The site is identified as being potentially constrained for agricultural use in accordance with the Land Potentially Suitable for the Agriculture Zone mapping layer of the LIST.</i>
7. Impact on water resources required for agricultural and environmental purposes.	<i>Application of Rural Living Zone C will not impact water resources required for agricultural and environmental purposes.</i>
8. Consideration of natural hazard management.	<i>The site is located within a bushfire-prone area. Matters relating to management of this natural hazard can be addressed at the development</i>

Intensification must balance a range of matters including:	
Criteria	Response
	<i>application for a future subdivision under clause C13.0 of the Tasmanian Planning Scheme - State Planning Provisions.</i>
9. Existing land supply within the region.	<i>Rural Living zoned land is not subject to the same supply and demand principles as other higher density residential zones. It is a lifestyle zone that is influenced by supply rather than demand. That is, supply is typically taken up quickly where it is available. Notwithstanding, assigning the site to Rural Living Zone C will produce a maximum of one (1) additional lot if developed in conjunction with the adjoining lot to the south-east (under the same ownership) which will not disrupt regional land supply dynamics.</i>
10. Potential future requirement for the land for urban purposes.	<i>The potential future requirement for the site to be utilised for urban purposes is considered low given its isolation from town and village centres.</i>
11. The ability to achieve positive environmental outcomes through rezoning.	<i>Positive environmental outcomes will be realised by intensification of an established Rural Living zone settlement area which is removed from land that comprises significant agricultural and environmental values. Intensification or consolidation of the Rural Living Zone will reduce pressure away from the need for urban expansion into productive resource areas.</i>

On this basis, it is contended that application of Rural Living Zone C to the site will be consistent with RLZ 2 (a) and RLZ 3 (b) insofar as it will be consistent with the Strategy.

Please do not hesitate to contact me should you require any further information or wish to discuss any of the matters raised above.

Yours faithfully

6ty° Pty Ltd



George Walker
Director/Planning Consultant