

Department of Communities Tasmania

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Our Reference: D21/40244/1

FLINDERS COUNCIL
DRAFT LPS
REPRESENTATION

NUMBER: 7

Mr Warren Groves
General Manager
Flinders Council
PO Box 40
WHITEMARK TAS 7255

By email: development.services@flinders.tas.gov.au

Dear Mr Groves

Subject: Planning Exhibition - draft Flinders Local Provisions Schedule

Thank you for your invitation to comment on the draft Flinders Local Provisions Schedule (LPS). Communities Tasmania has reviewed the draft LPS and supporting reports in respect of land owned by the Director of Housing.

Communities Tasmania considers the draft LPS including the zone and overlay mapping primarily a translation from the *Flinders Planning Scheme 2000 (FPS 2000)* in accordance with the Tasmanian Planning Commission's Guideline No. 1 Local Provision Schedule (LPS): zone and code application.

A detailed analysis and comparison revealed however, issues that require further consideration and discussion with Council and the Tasmanian Planning Commission. The matters are contained in detail in the attached submission.

Please do not hesitate to contact Richard Gilmour, Director – Portfolio and Supply on 03 6166 3616 or at richard.gilmour@communities.tas.gov.au who can arrange for relevant officers to respond to any of the matters raised in this submission.

Yours sincerely

Michael Pervan
Secretary

27 July 2021

Attachments:

1. Communities Tasmania submission – draft Flinders Local Provisions Schedule, 22 July 2021



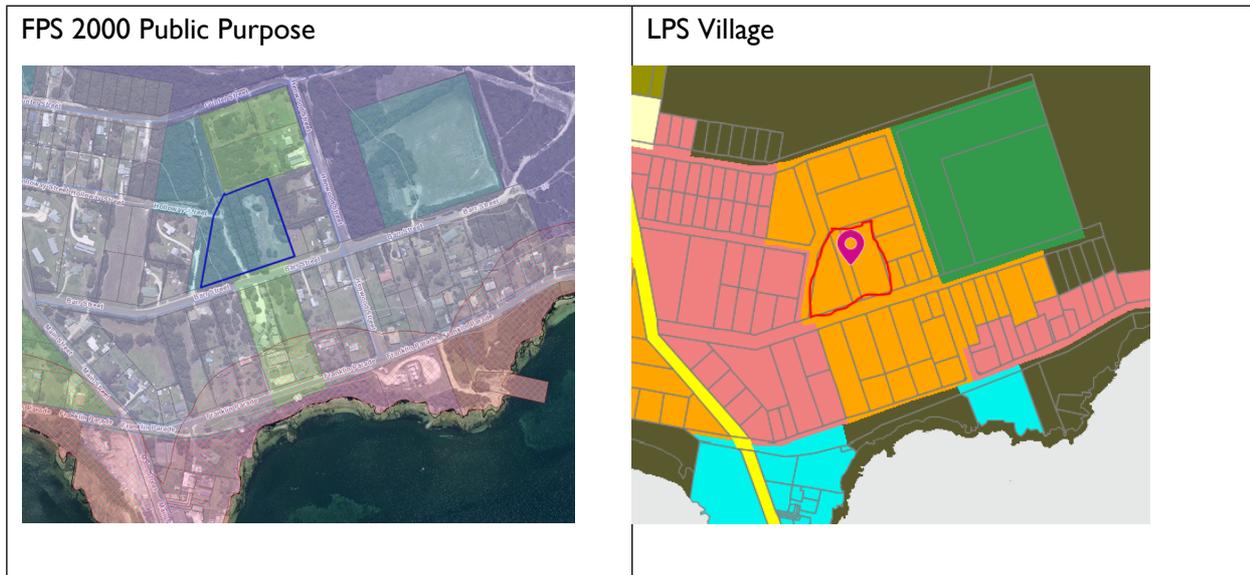
Attachment I. Communities Tasmania – ***draft*** Flinders Local Provisions Schedule

13-15 Barr Street, Lady Barron

(CT 50144/I, CT 50143/I, CT 50142/I)

Currently zoned Public Purpose under the Flinders Planning Scheme 2000 (FPS 2000), the draft Flinders Local Provisions Schedule (LPS) applies the Village Zone and the Bushfire Prone Areas overlay to this site.

Communities Tasmania supports this change as it allows for Residential use and development and associated services.



Application of the Low Density Residential Zone – development standards

Flinders Council has translated the Residential Zone of the FPS 2000 to the Low Density Residential Zone under the State Planning Provisions (SPP)¹. Due to the unavailability of a reticulated sewage system the General Residential Zone is not considered an appropriate translation under Guideline No. 1 Local Provisions Schedule (LPS): zone and code application (Guideline No. 1). The Director of Housing properties affected are listed in Table I, below.

¹ Flinders Local Provisions Schedule Supporting Report, Flinders Council, Prepared by Town Planning Solutions, Revised April 2021, page 49.

| No. | Property Address | CT | Flinders PS Zone | LPS Zone |
|-----|---|----------|------------------|-------------------------|
| 1 | 1 FRANKLIN PARADE, LADY BARRON, TAS, 7255 | 28155/1 | Residential | Low Density Residential |
| 2 | 4 MAINWARING STREET, WHITEMARK, TAS, 7255 | 237495/1 | Residential | Low Density Residential |
| 3 | 3 MAINWARING STREET, WHITEMARK, TAS, 7255 | 237497/1 | Residential | Low Density Residential |
| 4 | 19 MAIN STREET, LADY BARRON, TAS, 7255 | 207012/5 | Residential | Low Density Residential |
| 5 | 2 MUNRO PLACE, WHITEMARK, TAS, 7255 | 27936/1 | Residential | Low Density Residential |
| 6 | 4 MUNRO PLACE, WHITEMARK, TAS, 7255 | 27936/2 | Residential | Low Density Residential |
| 7 | 12 MUNRO PLACE, WHITEMARK, TAS, 7255 | 27936/6 | Residential | Low Density Residential |
| 8 | 14 MUNRO PLACE, WHITEMARK, TAS, 7255 | 27936/7 | Residential | Low Density Residential |
| 9 | 16 MUNRO PLACE, WHITEMARK, TAS, 7255 | 27936/8 | Residential | Low Density Residential |
| 10 | 3 JAMES STREET, WHITEMARK, TAS, 7255 | 36764/1 | Residential | Low Density Residential |

Table 1. Director of Housing owned properties zoned Residential in the Flinders Planning Scheme 2000.

| Provision | FPS 2000 Residential Zone | Draft LPS Low Density Residential Zone |
|---|---|---|
| Zone Character/ Zone Purpose | 5.2.2 The Desired Zone Character and Zone Guidelines provide that a range of residential types is appropriate including single dwellings, unit developments and flats. Visitor accommodation may also be appropriate depending on impact. | To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location, or form of development. |
| Subdivision | 5.2.3 There is no absolute minimum lot size in terms of subdivision, but standards apply including the requirement that the minimum lot size is an area capable of containing a dwelling and sufficient area for satisfactory onsite effluent disposal from a dwelling that may be erected on the site. | 10.6.1 P1 Minimum lot size of 1200m ² . |
| Multiple Dwellings | 5.2.5 Residential Use or Development for Grouped Housing and Shared Accommodation is discretionary. | Discretionary Use 10.4.1 P1.2 (c) Minimum site area per dwelling of 2000m ² |

Table 2. Development Standards Comparison in the FPS 2000 and the draft LPS Low Density Residential Zone



As demonstrated in Table 2 above, the translation from the FPS 2000 Residential Zone to the Draft LPS Low Density Residential Zone is not a direct translation, and results in a marked loss of development potential in terms of Multiple Dwellings and Subdivision.

Flinders Island, due to its remote location and isolation, experiences ongoing housing affordability and availability demand. In addition, the cost of development is higher due to the need to import both building materials and labour (estimated between 25% and 30% higher than Hobart).

The application of 10.4.1 (Dwellings) and 10.6.1 (Subdivision) to the residential land on Flinders Island reduces current development potential and constrains future development in an area which is challenged by housing affordability, availability, and disadvantaged by isolation.

To remedy this inconsistency in the translation, Communities Tasmania proposes a modification of the Low Density Residential Zone provisions as they apply to Director of Housing owned land. This could be achieved by a site specific qualification.

Alternatively, if this issue is considered more broadly and a consistent approach is appropriate, another way of achieving a more direct translation would be a Specific Area Plan with spatial application limited to the land currently zoned Residential in Whitemark and Lady Barron under the FPS.

This SAP could substitute the development standards of the SPP Village Zone 12.4.1 and 12.5.1 which removes the absolute minimum site areas from the performance criteria, and replaces it with a requirement that the site area is sufficient for on-site wastewater and stormwater disposal and water supply.

Development Standards for Dwellings

It is proposed to replace 10.4.1 PI.2:

For a site that is not capable of being connected to a full water supply service, a reticulated sewerage system and the public stormwater system, multiple dwellings must only have a site area per dwelling that is less than 2500m² if the number of dwellings:

- (a) is not out of character with the pattern of development existing on established properties in the area;
- (b) can be provided with adequate on-site wastewater disposal and water supply; and
- (c) the site area per dwelling is not less than 2000m²; and
- (d) a regulated entity has provided written advice stating that the site is unable to be connected to a full water supply service or a reticulated sewerage system, having regard to any constraints to development.

With 12.4.1 PI.2:

For a site that is not capable of being connected to a reticulated sewerage, stormwater and full water supply service, multiple dwellings must have a site area that:

- (a) is sufficient for on-site wastewater and stormwater disposal and water supply; and
- (b) a regulated entity has provided written advice stating that the site is unable to be connected to a full water supply service or a reticulated sewerage system.

Development Standards for Subdivision

It is proposed to replace I0.6.1 PI:

Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:

- (a) the relevant requirements for development of buildings on the lots;
- (b) the intended location of buildings on the lots;
- (c) the topography of the site;
- (d) adequate provision of private open space;
- (e) the pattern of development existing on established properties in the area; and
- (f) any constraints to development,

and must have an area not less than 1200m².

With I2.5.1 PI:

Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use, having regard to:

- (a) the relevant requirements for development of existing buildings on the lots;
- (b) the intended location of buildings on the lots;
- (c) the topography of the site;
- (d) the presence of any natural hazards;
- (e) adequate provision of private open space; and
- (f) the pattern of development existing on established properties in the area.

These substitutions will have the effect of:

- maintaining the current development potential of the residential areas of Whitemark and Lady Barron;
- applying standards that are in a form consistent with the SPP's;
- providing for development that will not exceed the capacity of the site and will be compatible with the density of existing development on established properties in the area; and
- ensuring standards that provide for significant social and community benefit.

The intent of this representation is to request that Flinders Council and the Tasmanian Planning Commission remove the proposed imposition on development and alter or remove the absolute limits on site areas for multiple dwellings and absolute limits of minimum lot size for subdivision proposed for the Director of Housing owned land in residential areas of Flinders Island.



The suggested SAP is one way of achieving this intent. However, if Flinders Council and the Tasmanian Planning Commission can foresee alternative pathways to achieve this aim, Communities Tasmania will look forward to discussing this matter during the hearing process.

Application of the Low Density Residential Zone – Visitor Accommodation

The increased pressure of tourism on Flinders Island also causes further constriction of the available housing for long-term residents due to the transition of properties to the short-term tourist rental and Airbnb style accommodation.

Table 5.2.5 of the FPS 2000 applies a Discretionary use classification to Guest House, Holiday Cabin/ Holiday Flat.

To maintain consistency when transitioning the existing provisions and in recognition of the housing challenges on Flinders Island it is therefore requested the use status for Visitor Accommodation be changed from Permitted to Discretionary in the Low Density Residential Zone on Flinders Island.

Subject: DPIPWE Land at Gunter and Barr Sts, Lady Barron
Attachments: Lady Barron - alternatives for Communities.docx

----- Forwarded message -----

From: **Bessell, Mary E** <mary.bessell@communities.tas.gov.au>
Date: Thu, Nov 4, 2021 at 11:43 AM
Subject: DPIPWE Land at Gunter and Barr Sts, Lady Barron
To: Mick Purves <purvesmick1@gmail.com>
Cc: Bilson, Pip <pip.bilson1@communities.tas.gov.au>

Dear Mick,

As previously discussed, DPIPWE has offered this land on Flinders Island to the Director of Housing.

Could we confirm please the development potential of this land including the proposed zoning of this land under the LPS?

Communities Tas would like to add this land to their representation regarding the draft LPS as we would like this land to be included in the Low Density Residential Zone.

This would be a logical zone application as the Flinders Planning Scheme currently zones this land as Residential.

Our housing data demonstrates there is persistent demand for housing on Lady Barron.

Please let me know if you require further information.

Kind regards,

Mary



Mary Bessell

Portfolio Planner

Portfolio and Supply

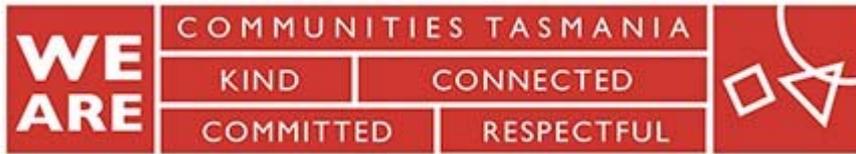
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Please note I am unavailable Wednesdays.



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