

56 Lanes Road, Glen Huon - Hearing

Table 1 Comparison of Rural Living Zone Purpose to Rural Zone Purpose

Rural Living Zone Purpose	Rural Zone Purpose
<p>11.1.1 To provide for residential use or development in a rural setting where:</p> <ul style="list-style-type: none"> a) services are limited; or b) existing natural and landscape values are to be retained. <p>11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.</p> <p>11.1.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.</p> <p>11.1.4 To provide for Visitor Accommodation that is compatible with residential character.</p>	<p>20.1.1 To provide for a range of use or development in a rural location:</p> <ul style="list-style-type: none"> a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics; b) that requires a rural location for operational reasons; c) is compatible with agricultural use if occurring on agricultural land; d) minimises adverse impacts on surrounding uses. <p>20.1.2 To minimise conversion of agricultural land for non-agricultural use.</p> <p>20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.</p>
<p>Comment: Given the size, location, current use of the site and adjoining land, the site characteristics and use aligns with the RLZ Purpose. That being a residential use in a rural setting. Further, it is noted that the adjoining RLZ land interjects across the southern portion of the site.</p>	

Table 2 Assessment against 8A Guideline – Application of Rural Living Zone

Zone Application Guideline	Assessment
<p>RLZ 1 The Rural Living Zone should be applied to:</p> <ul style="list-style-type: none"> a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity; or b) and that is currently a Rural Living Zone within an interim planning scheme or a section 29 planning scheme, unless RLZ 4 below applies. 	<p>Complies</p> <p>(a) – site adjoins and is characterised as a rural living lot. The current and intended use is a mix between residential and lower order rural activities where residential amenity is prioritised.</p>
<p>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:</p> <ul style="list-style-type: none"> 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 	<p>Complies</p> <p>(a) – Proposed rezoning is consistent with relevant regional land use strategy.</p> <p>Refer to STRLUS assessment in Table 3</p>

<p>b) <i>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.</i></p>	
<p><i>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:</i></p> <ul style="list-style-type: none"> a) <i>a reflection of the existing pattern and density of development within the rural living area; or</i> b) <i>further strategic justification to support the chosen minimum lot sizes 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.</i> 	<p>Complies</p> <p>(a) – RLZ (A) is appropriate and a reflection of the existing pattern and density of adjoining settlement.</p> <ul style="list-style-type: none"> - the lot configuration suggests this was originally a lot which encompassed the lot to the southeast. - Rezoning provides for consolidation of existing RL community. - Leads to a more logical spatial boundary for the zone.
<p><i>RLZ 4 The Rural Living Zone should not be applied to land that:</i></p> <ul style="list-style-type: none"> a) <i>is suitable and targeted for future greenfield urban development;</i> b) <i>contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see Landscape Conservation Zone), unless the values can be appropriately managed through the application and operation of the relevant codes; or</i> c) <i>is identified in the 'Land Potentially Suitable for Agriculture Zone' available on the LIST (see Agriculture Zone), unless the Rural Living Zone can be justified in accordance 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.</i> 	<p>Complies</p> <p>(a) – site is not suitable for greenfield development</p> <p>(b) – site does not contain important landscape values that can't be managed through codes. Priority Vegetation layer is applied.</p> <p>(b) – site is not identified as LPSAZ.</p>

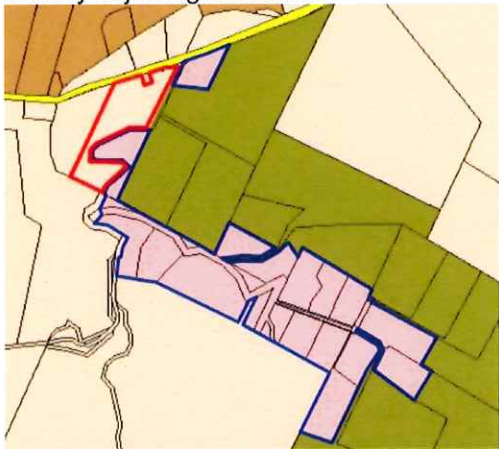
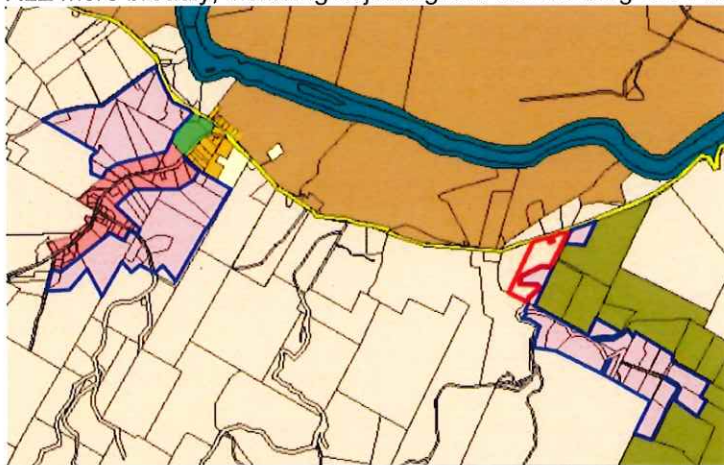
Southern Tasmania Regional Land Use Strategy (STRLUS)

Table 3 Assessment against STRLUS as required by RLZ 2 (a)

<p><i>19 Settlement and residential development</i></p> <p><i>19.7 Regional Policies</i></p> <p><i>SRD 1 Provide a sustainable and compact network of settlements with Greater Hobart at its core, that is capable of meeting projected demand.</i></p> <p><i>SRD 1.3 Support the consolidation of existing settlements by restricting the application of the Rural Living Zone:</i></p> <ol style="list-style-type: none"> <i>to existing rural living communities; or</i> <i>for the purposes of preparing a Local Provision Schedule, to land within an existing Environmental Living Zone in an interim planning scheme if consistent with the purpose of the Rural Living Zone.</i> <p><i>Land not currently zoned for rural living or environmental living communities may only be zoned for such use where one or more of the following applies:</i></p>	
Clause	Assessment
<p><i>a. Recognition of existing rural living communities, regardless of current zoning. Where not currently explicitly zoned for such use, existing communities may be rezoned to Rural Living provided:</i></p> <ol style="list-style-type: none"> <i>the area of the community is either substantial in size or adjoins a settlement and will not be required for any other settlement purpose; and</i> <i>only limited subdivision potential is created by rezoning.</i> 	<p>Complies.</p> <ol style="list-style-type: none"> Complies – site adjoins a rural living settlement and will not be required for any other settlement purpose. Complies – only limited subdivision potential is created by the rezoning. Site is 3.7 ha. RLZ(A) has 1ha subdivision standard. Potential for 1-2 lots in character with adjoining RLZ(A) land.
<p><i>b. Replacing land currently zoned for rural living purposes but undeveloped and better suited for alternative purposes (such as intensive agriculture with other land better suited for rural living purposes, in accordance with the following:</i></p> <ol style="list-style-type: none"> <i>the total area rezoned for rural living use does not exceed that which is back-zoned to other use;</i> <i>the land rezoned to rural living use is adjacent to an existing rural living community;</i> <i>the land rezoned to rural living use is not designated as Significant Agriculture Land on Map 5 of this Strategy;</i> 	<p>Not applicable</p> <ul style="list-style-type: none"> - Proposal does not involve replacing land currently zoned for rural living purposes with other land better suited. - Notwithstanding this, the site is adjacent to RLZ land; is not designated as Significant Agriculture; is not adjacent to UGB or identified for future urban growth; any risks and values associated with the land can be managed appropriately.

<p>(iv) <i>the land rezoned to rural living use is not adjacent to the Urban Growth Boundary for Greater Hobart or identified for future urban growth; and</i></p> <p>(v) <i>the management of risks and values on the land rezoned to rural living use is consistent with the policies in this Strategy.</i></p>	
<p>c. <i>Rezoning areas that provide for the infill or consolidation of existing rural living communities, in accordance with the following:</i></p> <p>(i) <i>the land must predominantly share common boundaries with:</i></p> <ul style="list-style-type: none"> • <i>existing Rural Living zoned land; or</i> • <i>rural living communities which comply with SRD 1.3(a);</i> <p>(ii) <i>the amount of land rezoned to rural living must not constitute a significant increase in the immediate locality;</i></p> <p>(iii) <i>development and use of the land for rural living purposes will not increase the potential for land use conflict with other uses;</i></p> <p>(iv) <i>such areas are able to be integrated with the adjacent existing rural living area by connections for pedestrian and vehicular movement. If any new roads are possible, a structure plan will be required to show how the new area will integrate with the established Rural Living zoned area;</i></p> <p>(v) <i>the land rezoned to rural living use is not designated as Significant Agricultural Land on Map 5 of this Strategy;</i></p> <p>(vi) <i>the land rezoned to rural living use is not adjacent to the Urban Growth Boundary for Greater Hobart or identified for future urban growth; and</i></p> <p>(vii) <i>the management of risks and values on the land rezoned to rural living use is consistent with the policies in this Strategy.</i></p>	<p>Complies</p> <ul style="list-style-type: none"> - Rezoning provides for consolidation of existing RL community. - Leads to a more logical spatial boundary for the zone. - Consolidating zone boundary to lot boundary, rather than road like the rest of GH. <p>(i) site shares a common boundary with existing RLZ to east.</p> <p>(ii) the amount of land proposed to RLZ is 3.7 ha. This does not constitute a significant increase in the immediate locality (see table 4 below for assessment).</p> <p>(iii) Development and use of the land for rural living purposes will not result in an increase for potential land use conflict, rather the RLZ reflects the current use occurring on the site and surrounding the site.</p> <p>(iv) The site will integrate with established RLZ land. The site has a number of frontages and will not require a new road.</p> <p>(v) The land is not designated as Significant Agricultural.</p> <p>(vi) The land is not adjacent to UGB or identified for future urban.</p> <p>(vii) any risks and values associated with the land are capable of being appropriately managed consistent with the STRLUS.</p>

Table 4 Assessment of 'amount of land rezoned to RLZ must not constitute a significant increase in the immediate locality.

Figure	Assessment
<p>Directly adjoining RLZ land</p> 	<ul style="list-style-type: none"> - Site identified in red (3.7 ha). - RLZ to east identified in blue (25.5 ha) - $3.7 / 25.5 \times 100 = 14.5\%$ <p>Rezoning site does not constitute a significant increase in the immediate locality.</p>
<p>RLZ more broadly, including adjoining and surrounding Glen Huon</p> 	<ul style="list-style-type: none"> - Adjoining RLZ (25.5 ha) - RLZ surrounding Glen Huon (47.04 ha) <ul style="list-style-type: none"> o (20.95 ha (north) + 26.09 ha (south)). - $25.5 + 47.04 = 72.54$ - $3.7 / 72.54 \times 100 = 5.1\%$ <p>Rezoning site does not constitute a significant increase in the Glen Huon locality.</p>
<p>Comment: A decision of the TPC (Brighton Interim Planning Scheme 2015 amendment RZ 2016-07 [2017] TASPComm 28 (1 August 2017)) considers that an increase in excess of 25% to be a significant increase in the land in the 'immediate locality'. Rezoning the site to RLZ does not constitute a significant increase of RLZ land in the immediate locality when considering either directly adjoining RLZ or the RLZ land within Glen Huon.</p>	

