



Snug and Coningham Community Submission Kingborough LPS

Representation #122 Gavin McAuliffe and Claire Prior
A community interpretation of appropriate zonings for Snug
A formal response to the Irene Inc report

Representations: #33, 34, 35, 92, 114, **122**, 133, 155, 296, 370, and 433.

Submissions: #31, 78, 96, 107, 109, 123, 124, 128, 138, 143, 152, 155, 162, 167, 181, 184, 189, 192, 196, 198, 199, 202, 209, 211, 212, 219, 221, 225, 227, 228, 229, 246, 253, 260, 272, 276, 282, 283, 289, 290, 293, 306, 314, 318, 327, 333, 334, 338, 342, 345, 347, 362, 369, 381, 385, 405, 433, 435, 439, 459, 461, 463, 475, 516 and 520.

Caring Deeply for Country

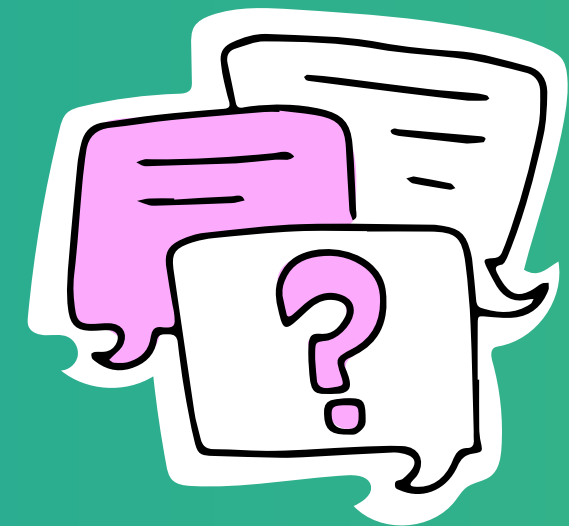
A shared commitment



- We all care deeply for country
- Protecting ongoing stewardship is vital
- Consider future generations through current zoning choices
- Fairness and evidence to inform decision-making methods
- The correct zone for Snug communities' rural residential character

Our discussion today

- Assess compliance with LUPAA and LPS requirements
- ELZ translation issues, especially to LCZ and Rural Zone
- How Rural Living Zone is the best fit for our community
- Claire and Gavin - how a Snug family cares for country



Lack of genuine community consultation



Non compliance with SCHEDULE 1 OBJECTIVES OF LUPAA

(c) to **encourage public involvement**

(e) to **promote the sharing of responsibility for... planning between the different spheres of Government, the community and industry**

- **After exhibition - 4** representations from Snug Tiers and Falls
- **After self-funded LCZ notification - 21** 'witnesses' from Snug Tiers and Falls
- **After TPC notification - 62** submissions from Snug Tiers/Falls
- A **90% to 95%** response rate **when given the opportunity**



Non consulted inputs lead to subjective process

- **Almost 80% of councils applied minimal or no LCZ** - even with similar topography and populations
- The 3 “**model councils**” are **not a representative sample**:
 - Flinders Island**: Highest % of LCZ. Unique qualities and a PPZ.
 - Hobart**: city living vs a string of rural living communities
 - Huon Valley**: Highest number of LCZ titles.LCZ rejected by the TPC for 93% of representations.
- **Tasman council - an example of a relevant model**



What this means for us:

- A biased choice of model councils affects the Irene Inc decision tree
- The review **is flawed** if it **only depends** on a **subjective** decision pathway

Strategic Intention is residential

Strategic Intent and Priority are not the same

Strategic Intent = goals over time

VS

Strategic Priority = focus areas or actions

Strategic Intention met:

“Visual evidence in aerial mapping of **existing for residential use**” and

“Known **strategic intention** for residential use”

RLZ 2 - (b) the land is in the Environmental Living Zone AND the primary strategic intention is for residential use and development in a rural setting.

Strategic Priority is residential

Strategic Priority met:

1.Focus: Currently ELZ - look at zone purpose

Zone	Environmental Living Zone (ELZ)	Rural Living Zone (RLZ)	Rural Zone (RZ)	Landscape Conservation Zone (LCZ)
Zone Purpose	Provides for residential and other uses & development in areas with natural & landscape values .	LIKE FOR LIKE TRANSLATION Purpose remains residential, with 'other' uses secondary. Natural and landscape values are retained.	NOT EQUIVALENT Purpose is to support agricultural use. Neither residential nor natural and landscape values are prioritised.	NOT EQUIVALENT Purpose is to support landscape protection. Residential as an 'other use' is limited, especially new builds.

2.Action: NO strategic planning by council = strategic priority remains residential

3. Focus: Satellite in STRLUS - consolidation or growth strategy - priority for residential growth

SRD 1.3 - Support the consolidation of existing settlements

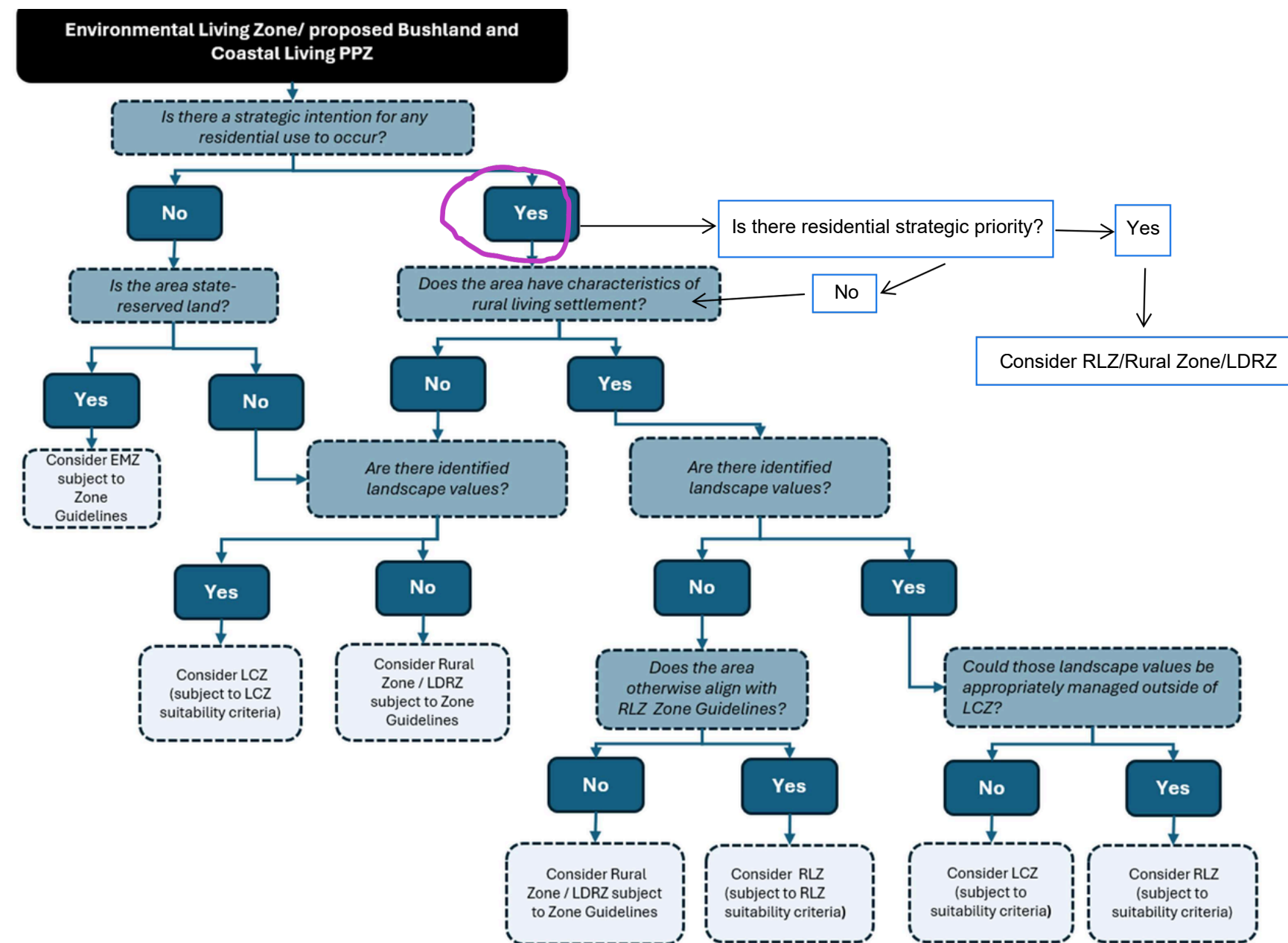
4.Action: Council Strategic priority - approved residential development applications

LCZ 4: The Landscape Conservation Zone **should not be applied to:**
(a) land **where the priority is for residential use** and development (**see Rural Living Zone**)

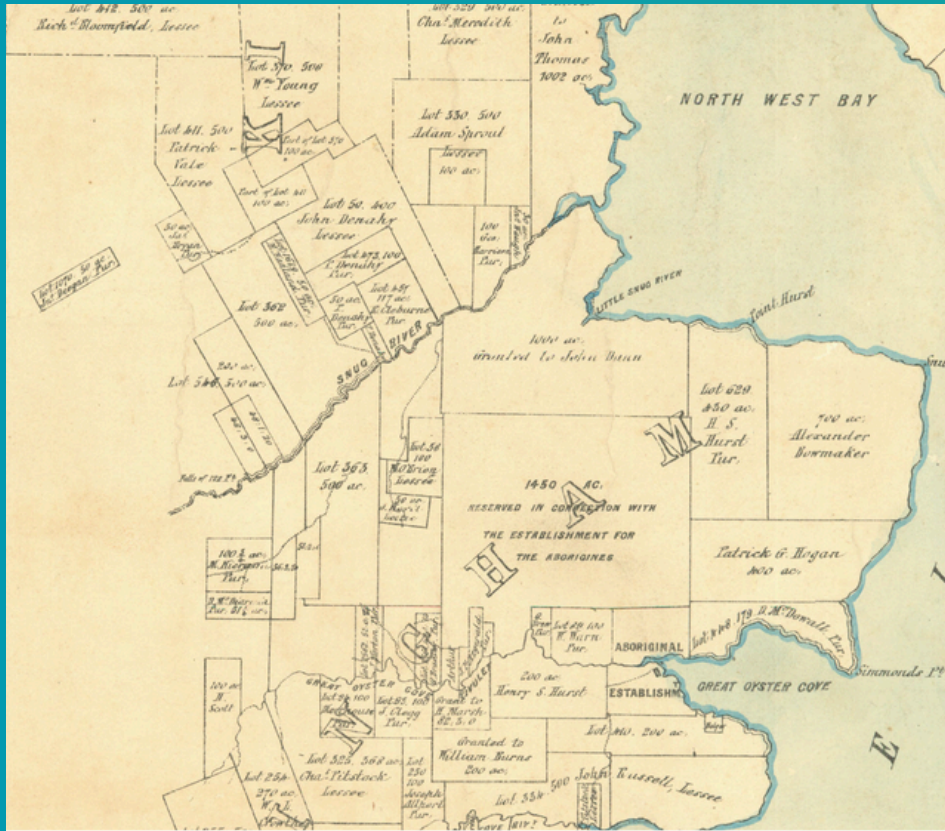
Strategic Priority - needs its own pathway

Strategic Intent and Priority are not the same

and only one is on the decision tree



Snug is already a recognised rural living settlement

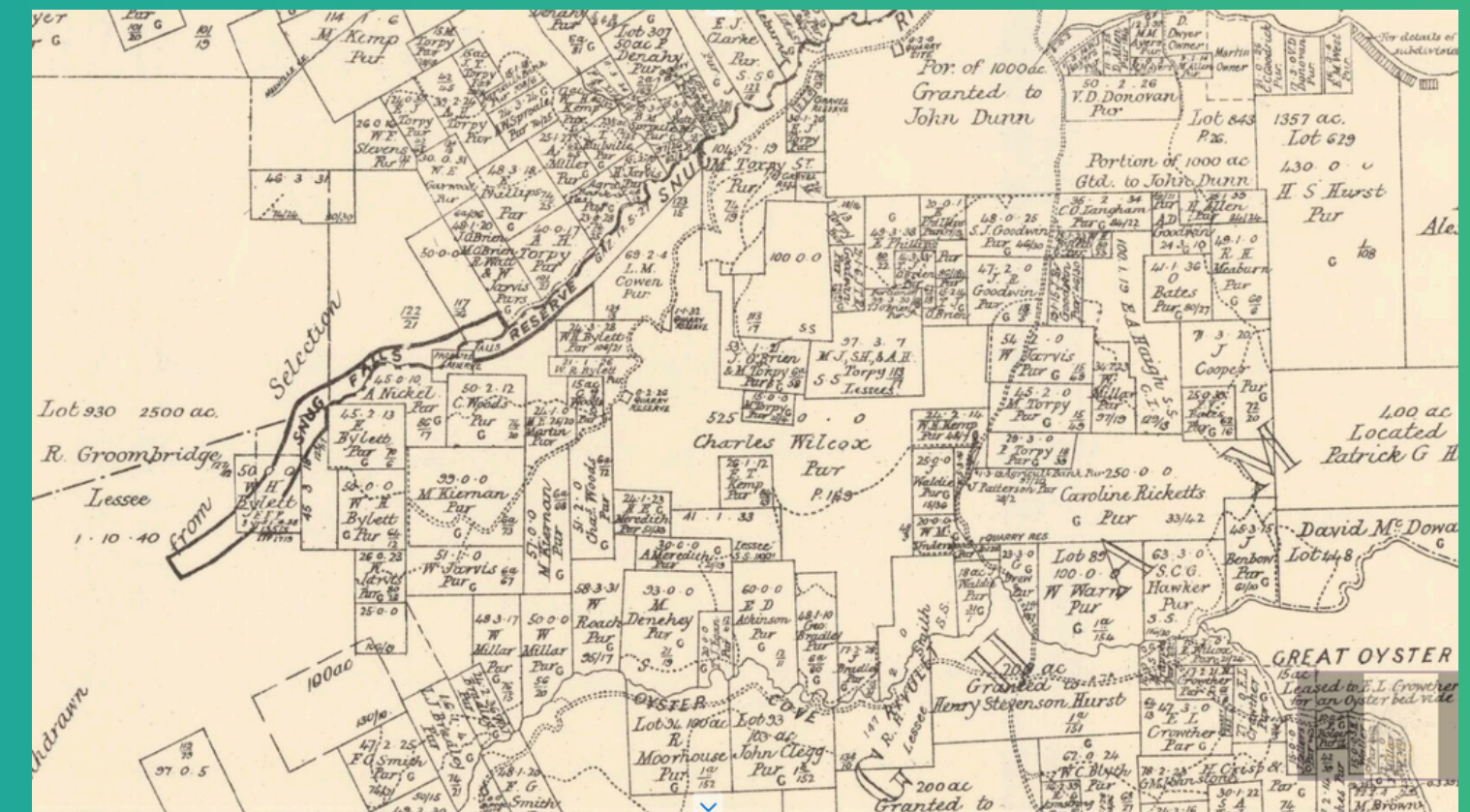


1863

In the TPS - **"settlement"** is a strategic planning concept **referring to established communities or populated areas.**

1. **STRLUS** Snug is **recognised as a minor Satellite** - settlement type
Same post code, same school, same shops, same local businesses,
same homes as other parts of Snug .

2. Historical land grants



1940

3. Dictionary definition of Settlement (noun)

- A place where people **establish a community and live**; a populated area - from a **small cluster** of houses **to a town or village**.
- **The act of settling in an area** and establishing occupation or development.
- **The pattern or concentration of dwellings** and associated development.

Unreliable criteria = Rural Living Settlements NOT accurately identified

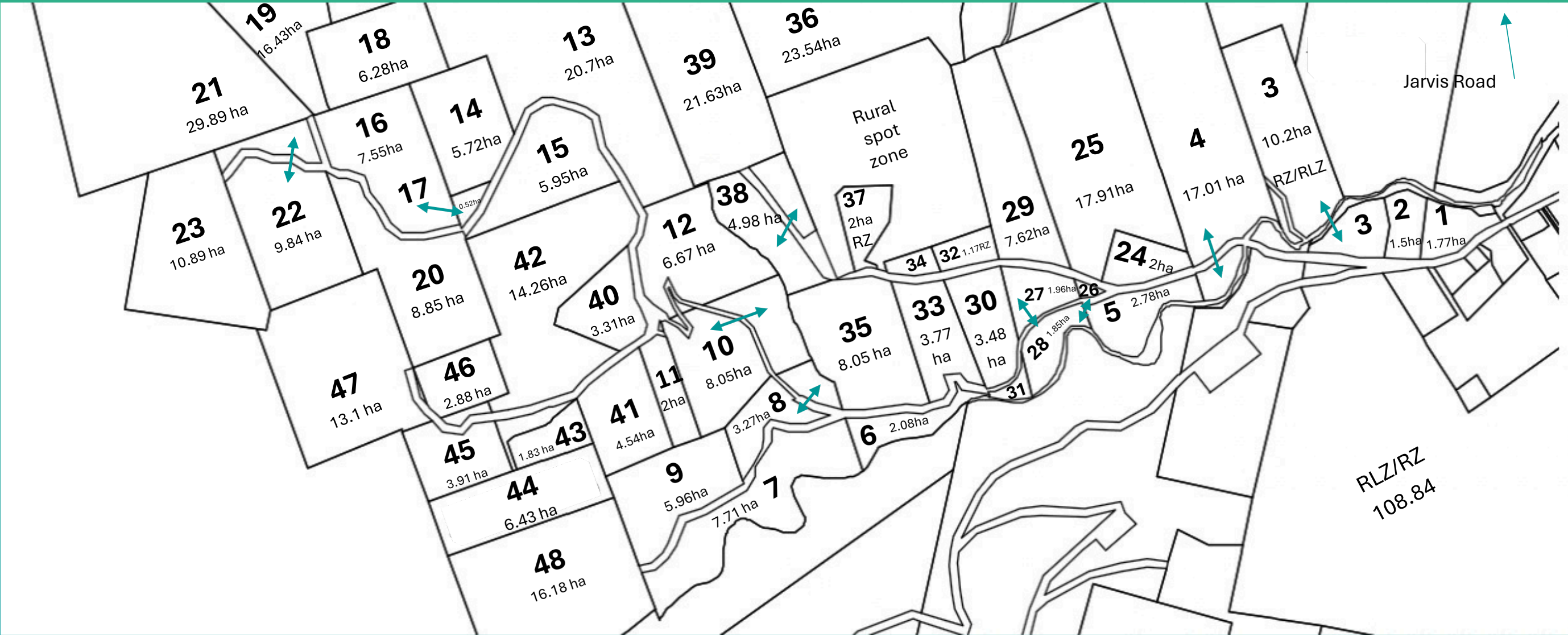
Snug Tiers, Falls and Lower Snug show a 'lack of consistent subdivision pattern with lots of the size which would contribute to a rural living settlement'.

NOT including information from ground truthed sources
NOT in any statutory document
NOT applied to the correct scale

Irene Inc definition of settlement

1. Evident subdivision pattern of **at least 10 smaller blocks generally ranging** in size **between 1-15ha** with lots contributing to **a consistent lot pattern**.
2. **Consistent pattern of detached dwellings** with associated **outbuildings**.
3. **Visual evidence** in aerial mapping of **rural activities** occurring (i.e. **cleared areas** providing for resource development/**grazing**/ hobby farming etc).

Snug Tiers and Falls Settlement - Lot Size Analysis



Tiers and Falls
Average lot size
10.7 ha

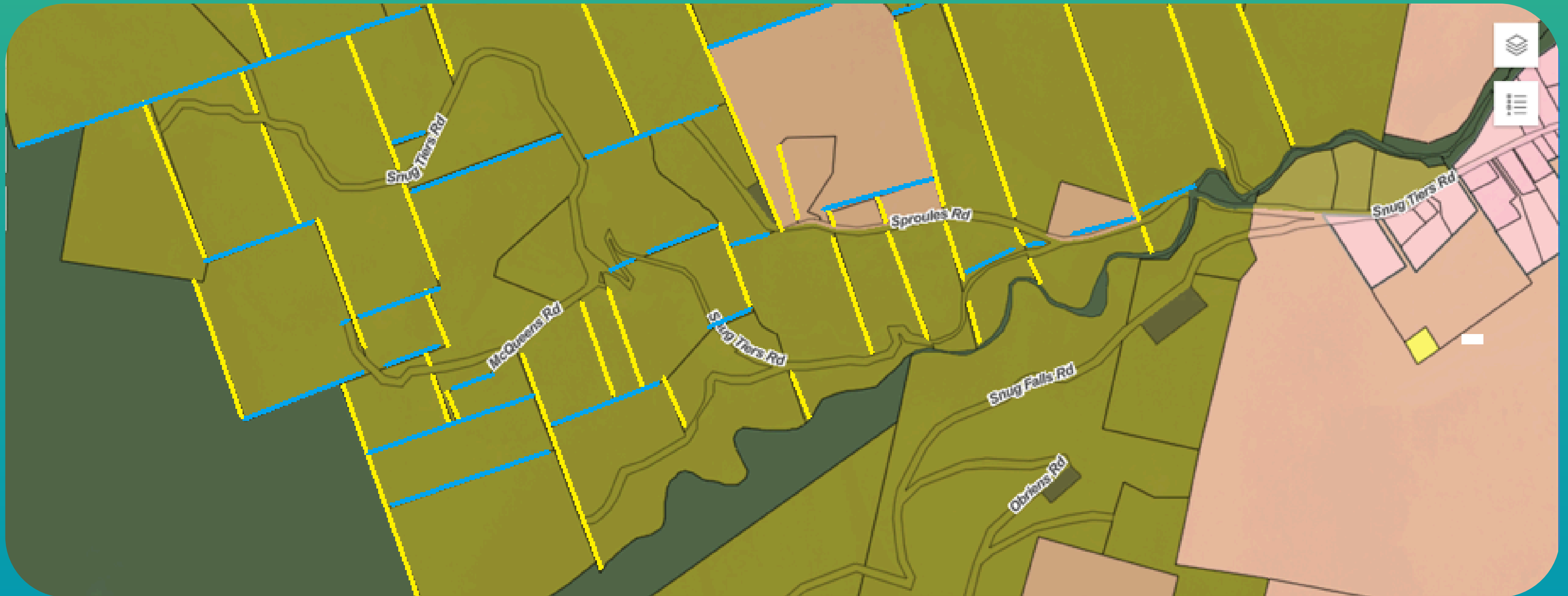
Snug Tiers
Average lot size
7.49 ha

Snug Tiers
1-15 ha
80.7%

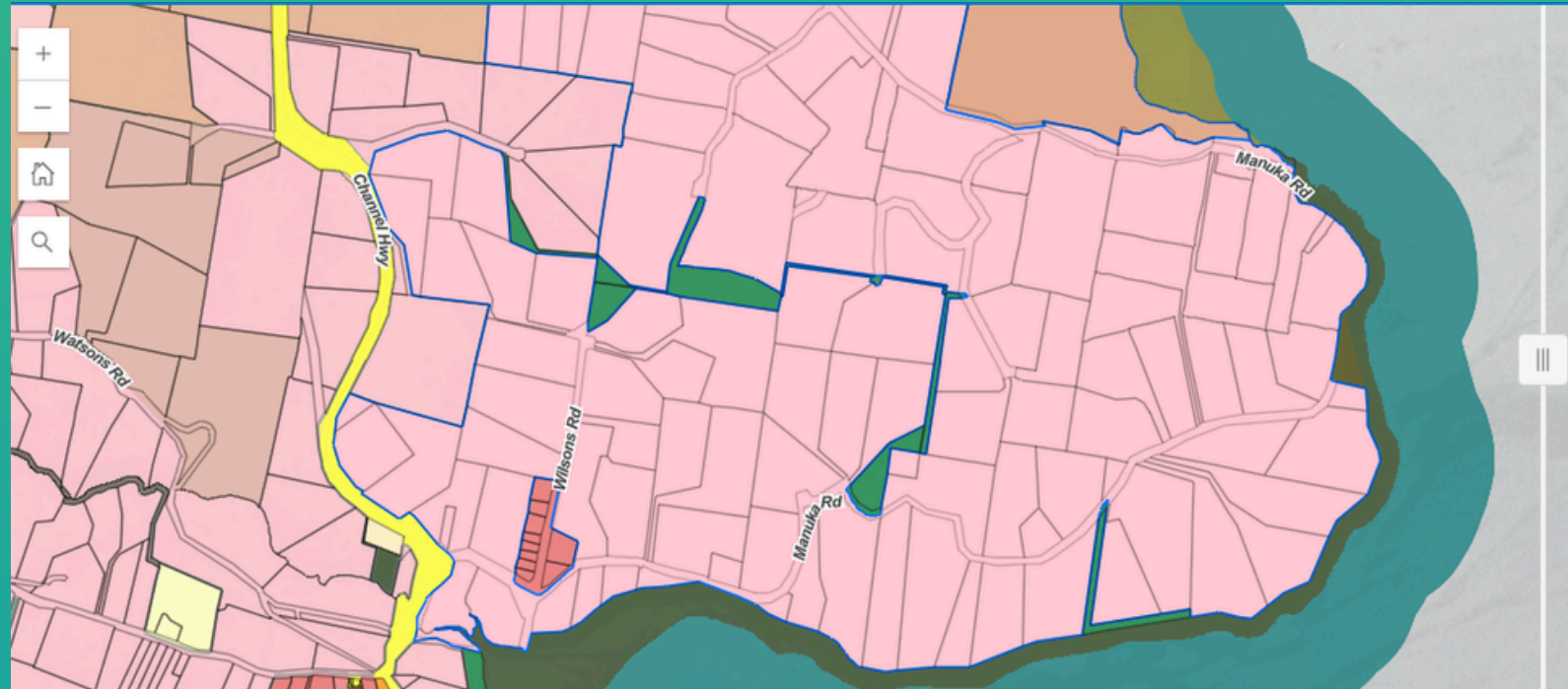
Snug Tiers
0-19.99 ha
91.7%

Snug Tiers and Falls - Consistent Settlement Patterns

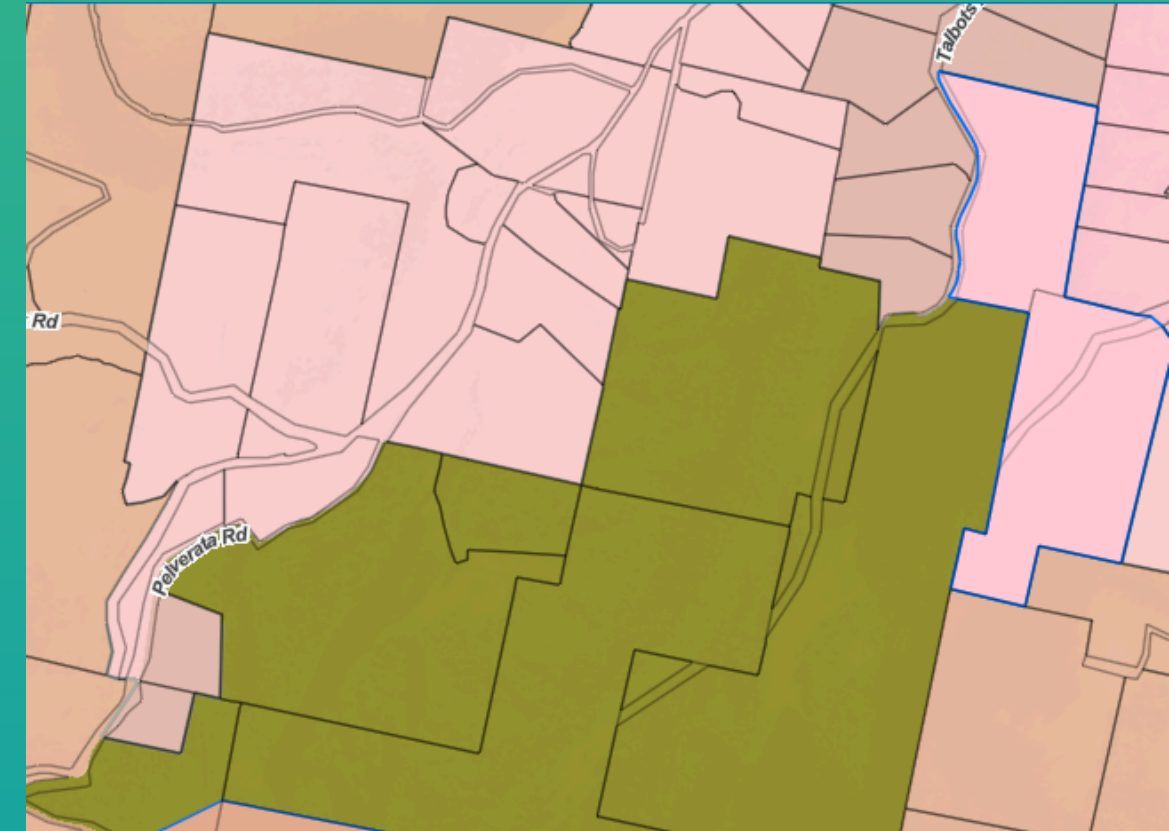
“For the majority of the locality **there is no consistent subdivision pattern...**
which would contribute to a rural living settlement.



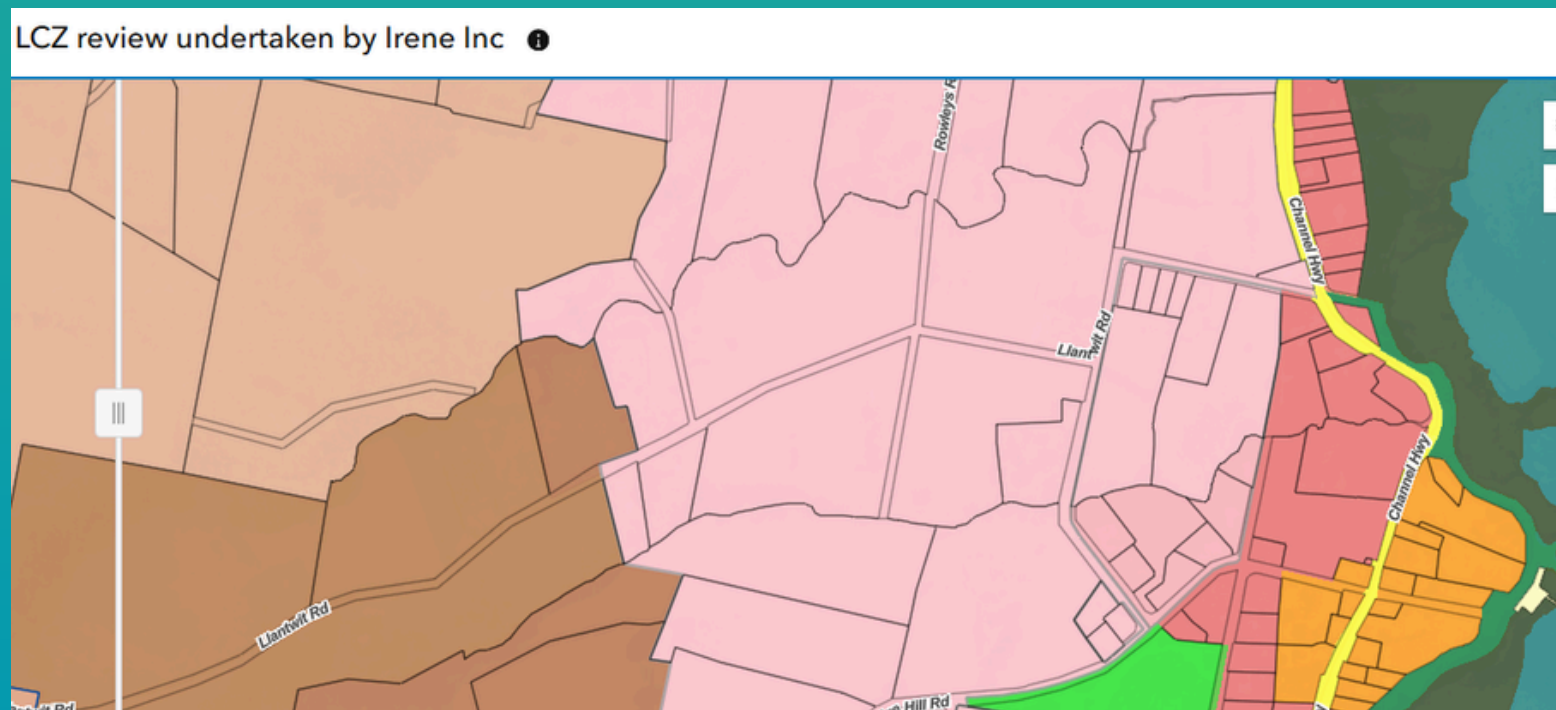
Irene Inc - Approved 'inconsistent' Settlement Patterns



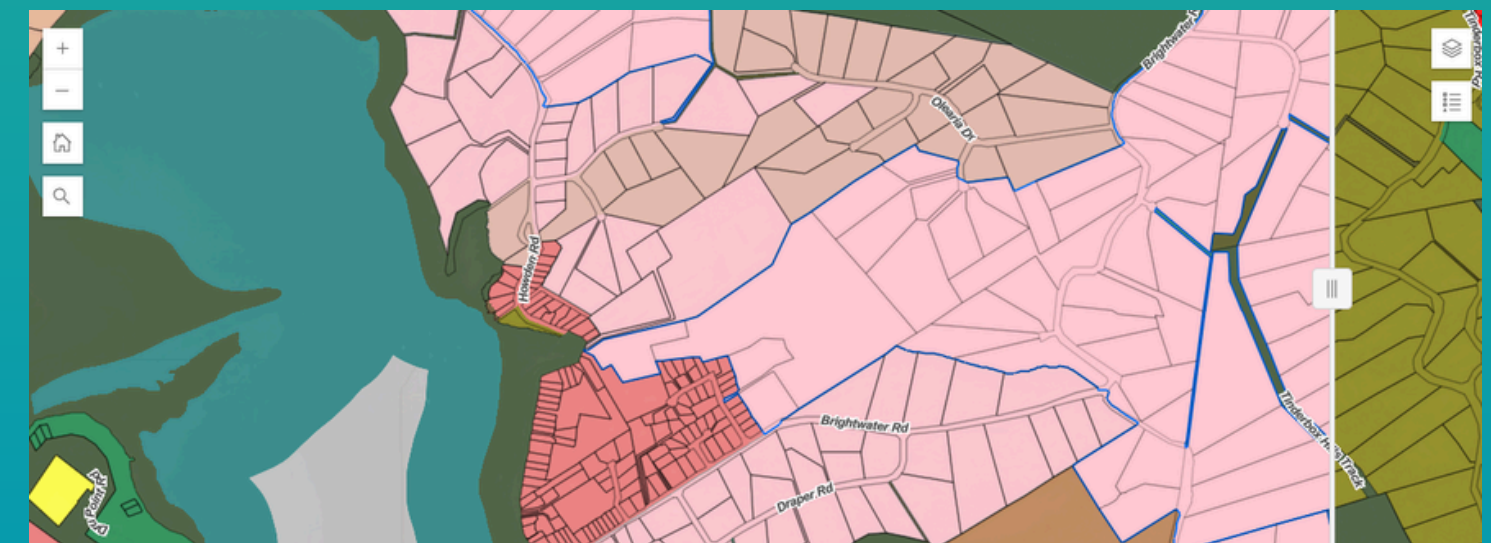
Oyster Cove - RLZ settlement pattern not consistent



Allens Rivulet n Kaoota

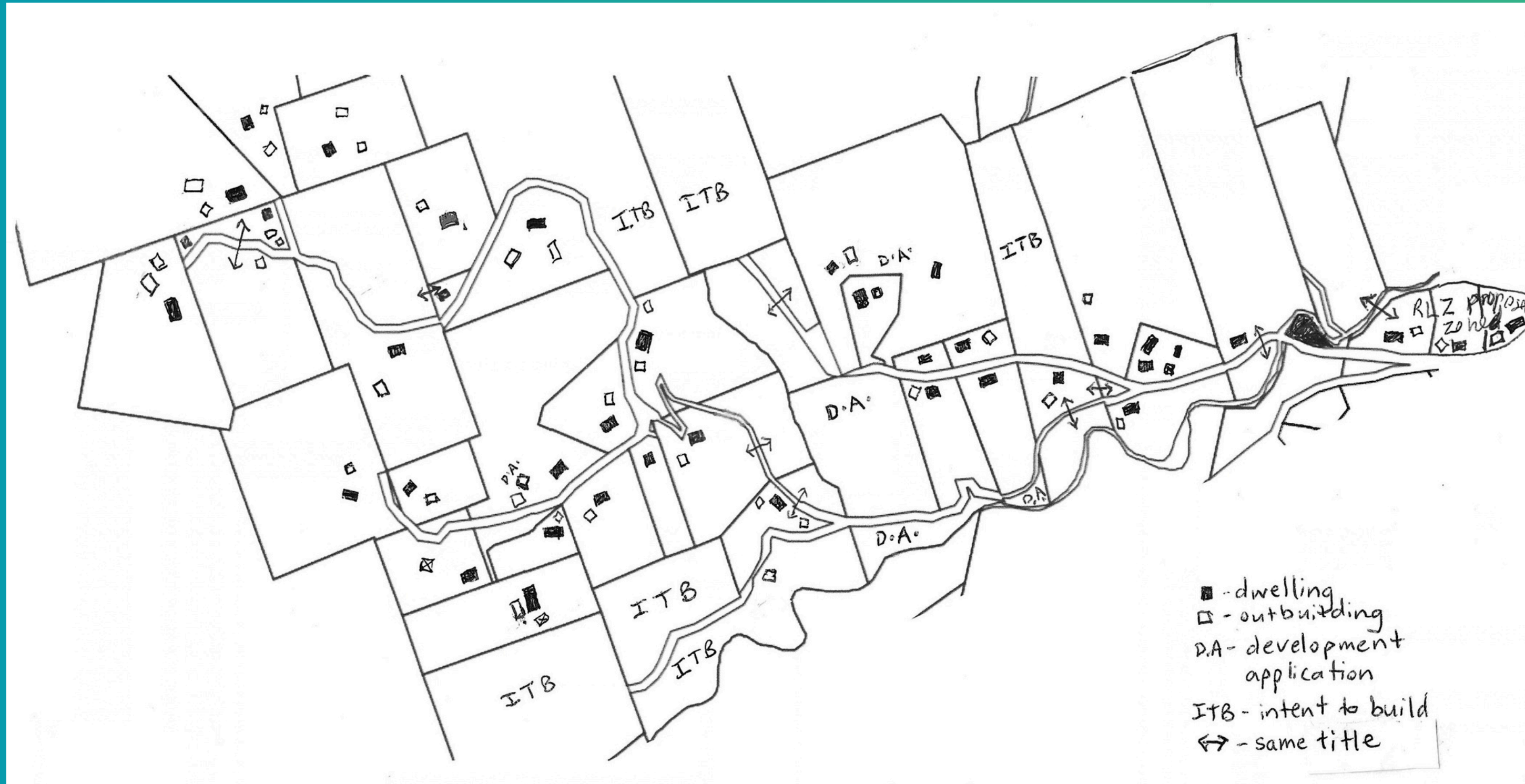


Woodbridge - RLZ settlement pattern not consistent

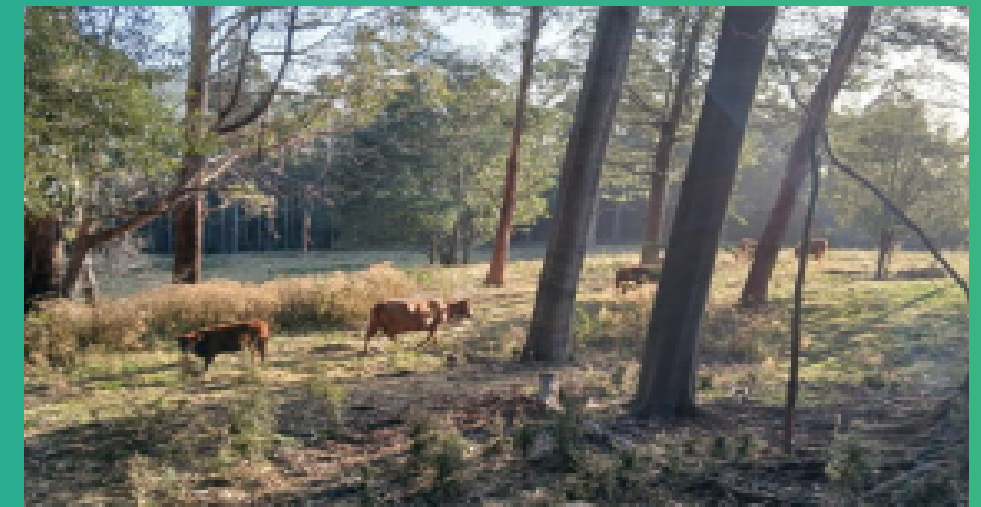


Howden - RLZ settlement pattern not consistent

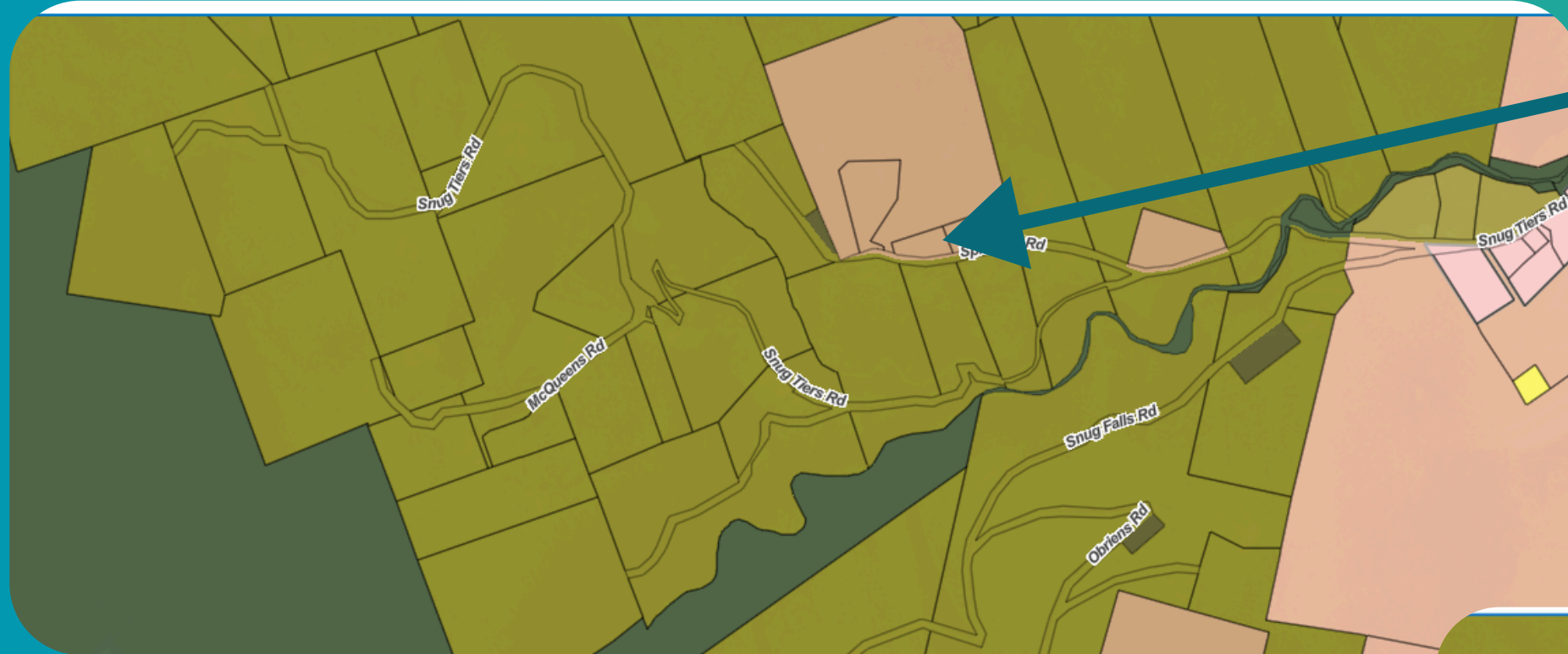
Settlement - Outbuildings & Rural Activities



Rural Living Activity - what the review missed



Rural Living Activity IS NOT Rural

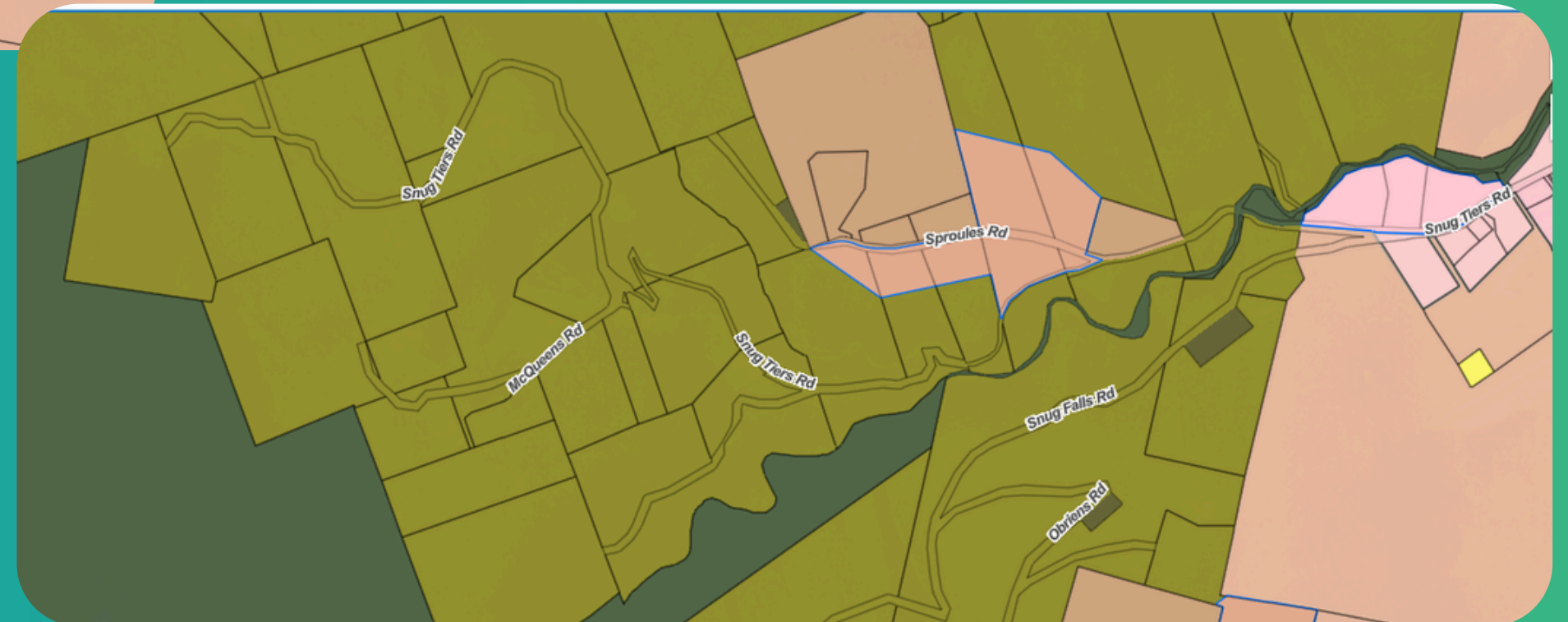


Spot zoned land at 52 Sproules Road

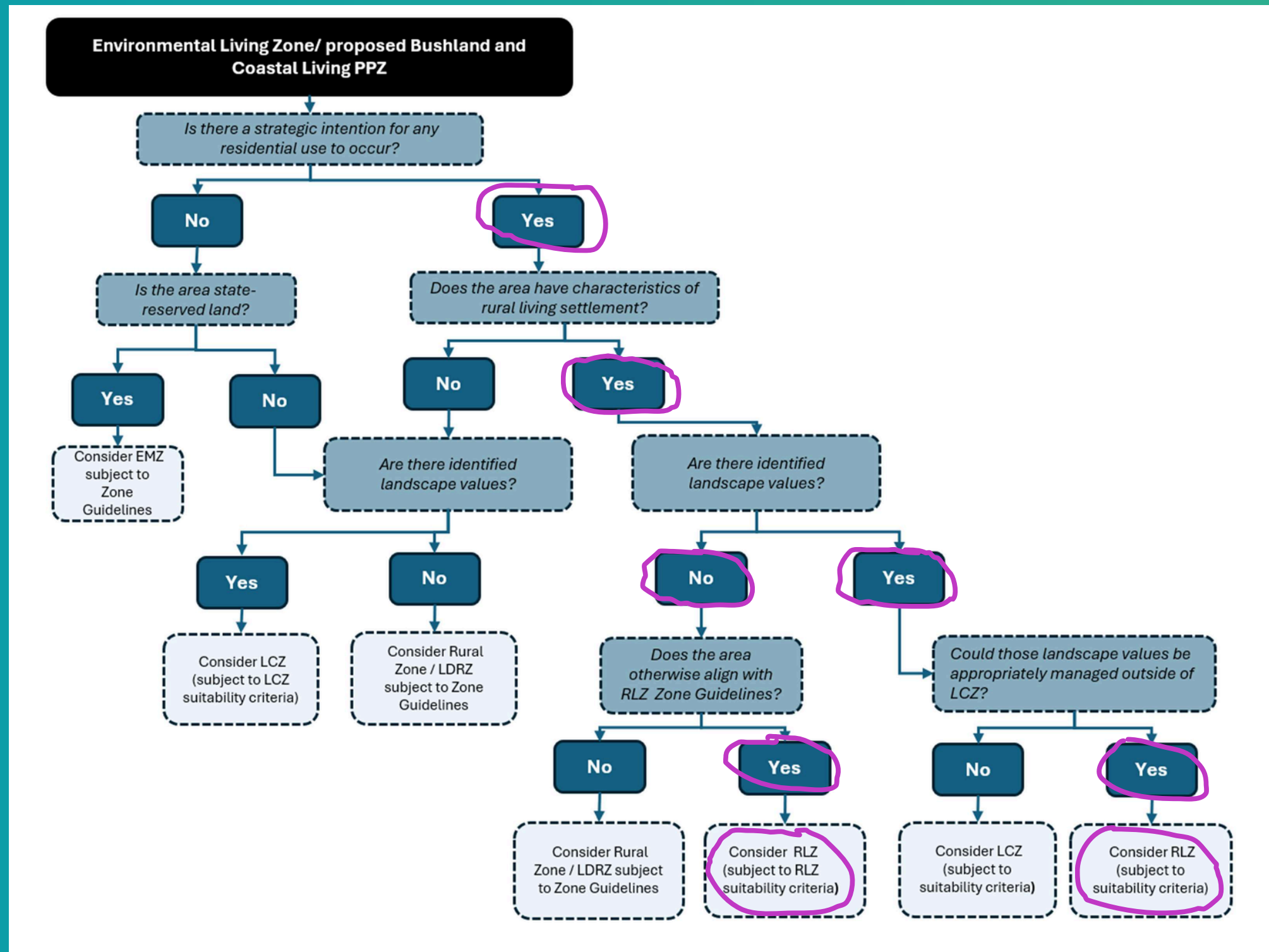
RLZ 1(a) RLZ should be applied to residential areas with larger lots used for residential and lower order rural activities, while prioritising residential amenity.

LCZ 4

Note: LCZ is not for large residential lots 'characterised by native vegetation cover and other landscape values.



Rural Living Settlement - new pathway



Landscape Values

What locals value is a healthy biodiverse landscape, with generations of landowners empowered and valued for their ongoing caretaker efforts.

Our land has a variety of protections under Rural Living Zone: Priority Vegetation, Scenic Protection, Bushfire Prone, Landslip Hazard and Waterway and Coastal protection overlays

“Nagging in the back of my mind is the thought that ‘everywhere is landscape.’” (Nick Heath)

“much of this land is within the Priority Vegetation and Scenic Protection Mapping which would provide for appropriate management of landscape values which also exist within this area.

We (don't) contribute to the Scenic Values

"the dominance of bushland, landform and ridgeline features...remain visually intact."

Irene Inc Review



View of Snug Tiers from Beach Rd, Snug



View of Snug Tiers from the D'Entrecasteaux Channel

Managing Risk in the Rural Living Zone

How rural landowners protect, value and maintain landscape values

- Regenerate native and priority/protected vegetation
- Maintaining pasture and fields for native animals – prevents them moving to towns
- Rehabilitate native animals injured by human activity
- Help frail and elderly neighbours to maintain their homes
- (Do working bees to) remove pest species such as Spanish heath, foxglove
- Plant bushfire low risk vegetation and use rockeries
- Remove flammable non-native plants
- Remove fallen trees or debris off roads and trails
- Clear road gutters and reduce water damage to gravel roads and thoroughfares
- Alert council when work needs to be done to maintain roads or verges
- Keep gardens, lawns and verges neat and tidy, particularly for passing visitors.

Conservation is OK, the method is not

Zone	Environmental Living Zone (ELZ)	Rural Living Zone (RLZ)	Rural Zone (RZ)	Landscape Conservation Zone (LCZ)
Zone Purpose	Provides for residential & other uses and development in areas with natural & landscape values.	LIKE FOR LIKE TRANSLATION Purpose remains residential , with 'other' uses also. Natural and landscape values are retained.	NOT EQUIVALENT Purpose is to support agricultural use. Neither residential nor natural and landscape values are prioritised	NOT EQUIVALENT Purpose is to support landscape protection. Residential as an 'other use' is limited , part. new builds.
Permit class for Single Dwelling	Permit Required	LIKE FOR LIKE TRANSLATION No Permit Required	DECREASE in Permit Class to Discretionary	DECREASE in Permit Class to Discretionary OR IMPOSITION Retro sealed plan \$60,000 for Permitted
Minimum Lot Size	Density – 10ha min per lot* * <i>Many lots are smaller than 10ha due to previous zoning:</i> i.e., Rural Residential C = 5ha	LIKE FOR LIKE TRANSLATION* Could reinstate more appropriate lot sizes lost in rezonings i.e. 1, 2 5 or 10 hectare lots	DECREASE to 40ha minimum or COMPLETE LOSS of residential subdivision	DECREASE in land use rights Extremely unlikely that ELZ lots of 10ha would meet 50ha minimum
Access and Roads	Min 40m frontage (no internal lots*). New roads discouraged. * previous zone allowed internal	LIKE FOR LIKE TRANSLATION	DECREASE in access rights OR IMPOSITION Purchase access \$60,000	DECREASE in access rights OR IMPOSITION Purchase access \$60,000
Permit class for Alterations or extensions to dwelling.	Permit Required (if meets - acceptable solutions & PC) Otherwise Discretionary	LIKE FOR LIKE TRANSLATION Permit Required unless gross floor area increases over 30%, then Discretionary	LIKE FOR LIKE TRANSLATION Permit required	DECREASE in Permit Class OR IMPOSITION Retrospective sealed plan – cost \$60,000 + Permit Required
Site Coverage and Building Heights	Max 7.5m with the potential to go to 8.5m under the PCs	LIKE FOR LIKE TRANSLATION INCREASE in total site coverage of 20m ² and L4L equivalent height	NOT EQUIVALENT No site coverage limit and Like for Like equivalent height	MIXED INCREASE in total site coverage of 20m ² and DECREASED height
Outbuilding Limits	Max 80m ² , height 6.5m, subservient to dwelling.	INCREASE in outbuilding height (2m)	NOT EQUIVALENT No site coverage limit and Like for Like equivalent height	DECREASE in outbuilding height (0.5m)
Visitor Accommodation	Permit Required , in existing building, max 160m ² . PC focus on residential amenity	LIKE FOR LIKE TRANSLATION INCREASE in max floor area of 40m ²	DECREASE in Permit Class INCREASE in max floor area of 40m ²	DECREASE in Permit Class INCREASE in max floor area of 140m ²
Natural and Landscape Values	Use and development must generally respond to natural or landscape values.	LIKE FOR LIKE TRANSLATION Discretionary use must not cause an unreasonable loss of amenity to adjacent sensitive uses (Ind values).	LIKE FOR LIKE TRANSLATION New uses support agriculture and compatible industries <u>while</u> protecting natural and landscape values.	DECREASE in Permit Class Discretionary uses must be compatible with landscape values.
Setbacks Frnt/Side	30m/30m	LOWER setback size (20/10m)	LOWER setback size (25m)	LOWER setback size (10/20m)
Environmental Controls	Focus on minimising native vegetation removal and siting within building envelopes.	LIKE FOR LIKE TRANSLATION Natural Assets Code protects l.v. while allowing for residential dev.	LIKE FOR LIKE TRANSLATION Preserve ag land and protect n.v.	NOT EQUIVALENT L.V. first. Move to control n.v. removal and siting, no building envelopes.

Rural Living Zone is the most appropriate zone

Rural Living Zone for our locality meets ALL relevant statutory documents:

1. Land Use Planning and Approvals Act 1993

- LUPAA Section 34 guidelines
- Part 1 objectives 1 and 2
- LPS zone guidelines - RLZ 1 (a), RLZ2 (b), RLZ 3 (a) + (b), RLZ 4 (b) and LCZ 4 (a)

2. **Zone purpose - like-for-like only with Rural Living Zone - 11.1.1 (a) and (b)**

3. STLRUS:

- settlement status - Satellite of greater Hobart - Growth and Consolidation strategy
- SRD 1.3 - Consolidation of existing rural living communities
- SRD 2.9 - greater mix of residences - demographics and ageing communities
- CV 4.1 - community consultation on landscape values

4. TPC Hearings:

- Rural Living Zone is the most appropriate zone for the underlying topography (disaster scenario)
- LCZ to replace ELZ has not been strategically and comprehensively justified
- The decision tree is a 'tool not a rule'
- Codes manage vegetation and landscape values - Scenic, NAC/priority veg, Waterway overlays
- Risk ratings are judgement calls

What we are asking for:

Reject the Landscape Conservation Zone for Snug

Reject Rural spot zones and split zones for Snug

- Apply Rural Living Zone C to 28 McQueens Road
- Apply Rural Living Zone A to D to the Snug Tiers Community
- Apply Rural Living Zone A to D to the Snug Falls Community
- Apply Rural Living Zone A to D for Lower Snug and Nicholls Rivulet Communities
- Consider all requests for specific subcategories

