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Sent: Friday, 19 May 2023 10:13 AM
To: TPC Enquiry
Subject: Houn Valley Draft Local Provisions Schedule - Representor 173

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Dear Mr Ramsay

I would like to thank you again for the opportunity to speak at the hearing yesterday.

I'm writing to you as there were a couple of points that I felt needed clarifying that I didn't get an opportunity yesterday to do due to a sense of time constraints.

Firstly, I wanted to provide you with a link to one of the documents I quoted from to assist with your review. *Providing for Housing Needs*:

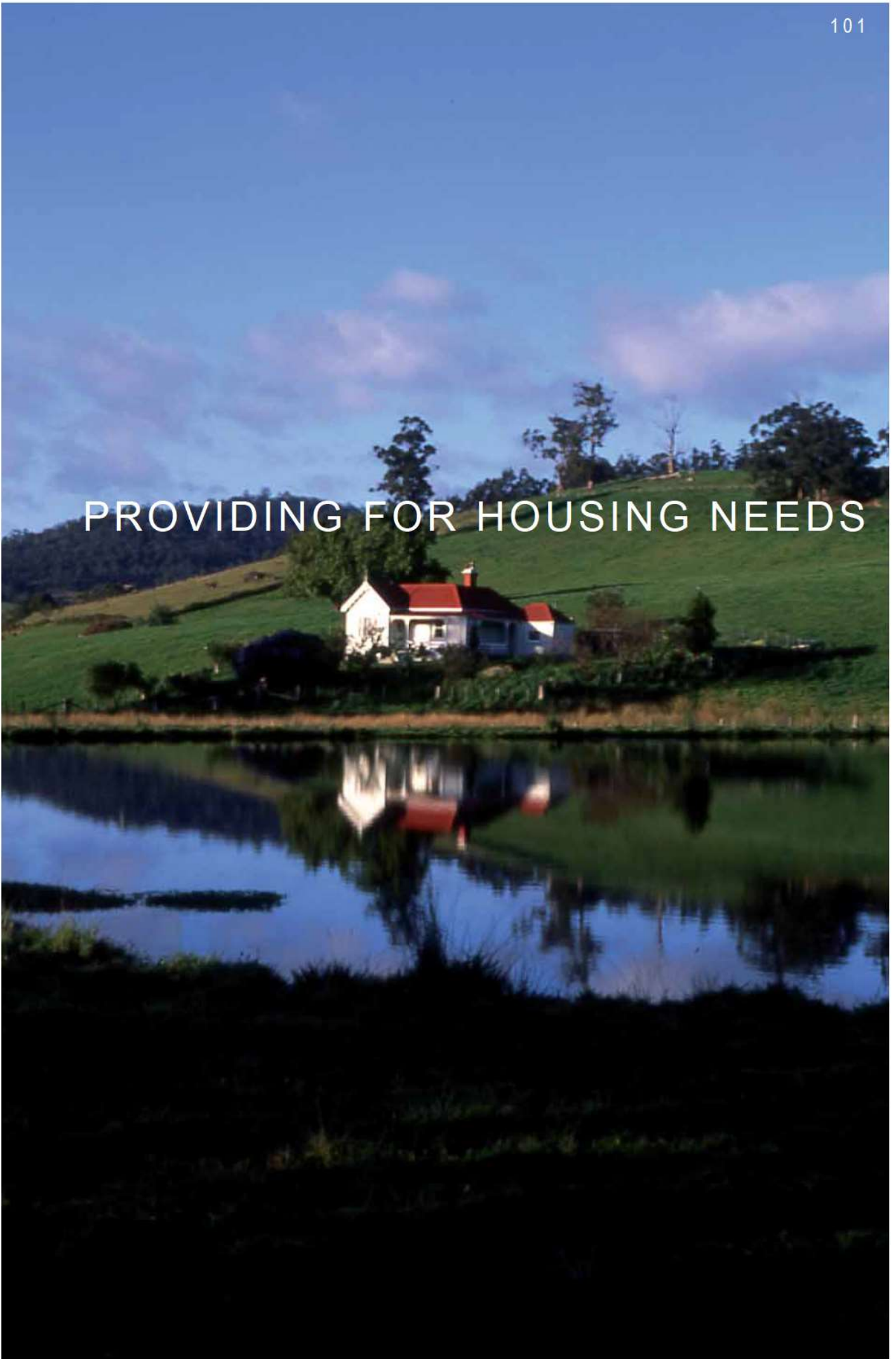
<https://www.huonvalley.tas.gov.au/wp-content/uploads/2014/10/Providing-For-Housing-Needs.pdf>

Also it was mentioned by a member of the Panel that my submission included an application for my property to be zoned as Low Density Living (LDZ). My Submission was provided to Council on the 25th May 2022 and at the time of preparing my Submission my property complied with the guidelines for LDZ. By the time of the Hearings in May 2023 the definition of LDZ had changed, hence why I did not pursue that at the hearing. However this change in zoning definitions has made the process difficult due to changing parameters.

Given the above, if the Commission deems that my property would be more suitable for LDZ I would be amenable to that change and it would still comply with the strategic goals of the Huon Valley Council goals of consolidation of zoning. The points raised in my submission would also apply to the application for LDZ

Kindest regards
Gayle O'Brien

PROVIDING FOR HOUSING NEEDS



Overview

The overall population of the municipal area continues to grow, with most of the towns having residential subdivisions proposed in recent years. The municipal area has been rejuvenated in the last few years with the improved economic circumstances and many new residents coming to live in the Huon Valley. This is despite the role of small towns in servicing primary industries, and the economic connection with their hinterland, declining over past decades. Improved road access to the region has also altered local commercial activity in existing settlements, with a consequent loss of higher order businesses to Hobart. Anecdotal evidence suggests that many new residents are choosing to live in the Huon Valley for the lifestyle benefits and affordable housing that is available. This is particularly the case in areas around the main settlements of Huonville and Cygnet.

Housing has traditionally been centred on the main towns and settlements of the Huon Valley and is a reflection of many factors including limitations of transport, living in close proximity to employment, the provision of infrastructure, the availability of community facilities and the like. Much of this housing is still evident and in use for this purpose today. The housing is typically developed to urban densities and characterised by single houses. Over time this form of housing has evolved to include higher density unit development, although not to the extent seen in larger settlements around metropolitan Hobart.

At a time when the financial resources available to local government is under pressure, there is a strong argument to suggest that Council should be maximising the utilisation of existing infrastructure, or 'in-ground' investment (integrating land use and transport planning for example). However, the provision of housing based on existing settlements also has a range of other economic, social and environmental benefits, including but not limited to:

Economic

- ▶ More economic maintenance or provision of infrastructure such as roads, electricity, water, and the like;
- ▶ Reduces the cost of car travel;
- ▶ Reduces the costs associated with building.

Social

- ▶ Supports the viability of shops and other commercial activities;
- ▶ More able to support a wider range and diversity of community services;
- ▶ Fosters greater social interaction, particularly for young people and the elderly;
- ▶ Develop and maintain a sense of place and worth of community life;
- ▶ Providing a range of housing types depending on stage of life cycle.

Environmental

- ▶ Reduces the development footprint;
- ▶ Generally does not require removal of native vegetation or lead to other environmental impacts;
- ▶ Does not fetter non-residential activities;
- ▶ Allows for more efficient use of resources required to maintain human life.

Other forms of housing are evident in the municipal area and reflect the areas popularity as a coastal holiday destination, and for the last few decades as a rural lifestyle or rural residential

haven. Much of this development is located on un-serviced land apart from the provision of basic utilities.

Starting often as coastal holiday subdivisions there are a number of residential settlements comprising urban sized lots in environmentally sensitive coastal locations such as Southport, Verona Sands, Randalls Bay, Eggs and Bacon Bay, Garden Island Sands, Roaring Beach, Surveyors Bay. A number of these smaller unserviced settlements have pressing environmental and land management problems, which may constrain further development.

In recent years, demand for residential sites in rural areas with water or mountain views has grown. By virtue of the settlement pattern and its history as an orcharding area there remains a legacy of small titles or land holdings throughout the municipal area. This together with the fluctuating fortunes of the apple industry and other orcharding enterprises, and the structuring of farms generally into larger land holdings, has created opportunities for residential development unrelated to traditional agricultural uses. This has been further assisted by improvements in the road network that allow residents to commute to Hobart from much of the municipal area. The dominant form of residential development over the past decade has been associated with small rural residential lots.

For similar reasons, many former shack/holiday settlements are being redeveloped and occupied on an increasingly permanent basis. The conversion of shack leases to freehold title under the Crown Lands Shacks Categorisation Program has assisted this trend.

In the past, low-density residential subdivision has been particularly prevalent around Huonville/Ranelagh, Cygnet, and Grove/Mountain River as well as along most of the coastal roads. Consequently, the number of properties in these areas used primarily for agricultural purposes has decreased. In Grove/Mountain River, average lot sizes have fallen significantly as a result of re-subdivision for low-density residential development.

Much of the low-density residential development has occurred in environmentally or visually sensitive locations or in areas subject to natural hazard such as bushfire, flood or landslide. Many of the lots currently used for low-density residential purposes are accessed from gravel roads of an inferior standard. In some areas, log trucks hauling timber from the surrounding forests also use these roads.

Low-density residential subdivisions in these areas rely on septic tanks for waste disposal and domestic rainwater tanks and local creeks for water supply. This can lead to pollution of the environment, or residents being impacted by off site activities, for example poor water quality. Most residents have an urban lifestyle and depend on adjoining urban centres such as Hobart, Kingston and Huonville for work, commercial services, community services, and education and health facilities.

The spread from towns to rural living dilutes the spirit of both the town and country and can compromise the achievement of the objectives of both. It can also result in a significant loss of good quality agricultural land. The balance between serviced residential based on existing urban areas and unserviced rural residential development must therefore be carefully managed. Similarly the benefits or otherwise of both forms of housing need to be carefully considered and a balance found that is sustainable in its economic, social and environmental outcomes.

PROVIDING FOR HOUSING NEEDS	
Strategic Directions	Guiding Principles
<p><i>Maximise the utilisation and efficiency of existing infrastructure and community services; and promote infill development in preference to settlement expansion.</i></p> <p><i>Promote high quality residential design and residential amenity.</i></p> <p><i>Ensure that housing developments are provided for that are consistent with the strategic directions and guiding principles related to Agricultural Land and Living in the Rural Area.</i></p>	<p><i>Focus housing growth within the serviced settlements of Huonville, Cygnet, Geeveston, Dover and lesser extent Franklin.</i></p> <p><i>Promote opportunities for the provision of housing diversity within the identified serviced settlements.</i></p> <p><i>Consolidate existing un-serviced settlements subject to environmental constraints and community considerations.</i></p> <p><i>Ensure that new development is responsive to existing development and successfully integrates into settlements.</i></p> <p><i>Ensure that new development conforms to a high standard of residential design in relation to privacy, solar access, streetscape, car parking and access provision.</i></p>

Living in the Rural Area

Background

As discussed above, the Huon Valley area has experienced significant low-density residential subdivision of rural land over the last two decades. This has resulted in significant areas of rural land being converted to what is essentially residential use. Few (if any) of these lots used for rural living provide the main economic means of support to residents. It is for these reasons that the issue of living in rural areas or residential development of existing small titles needs to be considered in further detail.

Residential development outside defined areas has the potential to undermine any overall residential strategies, which promote consolidation and phased extension of existing residential areas. It also has potential to weaken effectiveness of the rural strategies which aim to protect long term capacity to retain its asset base and to sustain the areas capacity for primary production. Residential or non-agricultural development also limits the long-term potential to revert the land back to agriculture - it brings in the 'last crop' syndrome – "the last crop a piece of land grows is a house.

There is extensive fragmentation of rural land within the Huon Valley in terms of subdivision and ownership - i.e. land has been extensively subdivided and many properties comprise a single title only. Multiple ownerships are not common. Where this occurs, a person may own a large area comprising numerous lots each having a separate title or with all being on the one title but capable of being issued with a separate title.

The present planning schemes do not discourage the fragmentation of land through the disposal of separate titles. In theory a person can seek to construct a house on every vacant lot in the Rural Zone.

The sale of 'surplus' land by farmers can then lead to pressure being placed on Council to issue permits because new owners buy in good faith on the basis that they could build a house. However, any attempt to restrict development potential will impact on someone - either the land owner who may 'lose' their dream to build a house on a lot purchased years ago for that purpose, or the farmer who sees their vacant titles as their 'superannuation' which can be sold off as the need arises. Alternatively development restrictions may benefit a rural enterprise by preventing encroachment of sensitive uses that could affect ongoing operations. But should it be expected that every title or every parcel have an inherent 'right' to be developed? Under some of the current planning provisions that 'right' appears to exist, but experience shows that these 'rights' should not always be allowed to be exercised due to environmental, economic or planning reasons.

The following table provides a general overview of the number of existing lots in the municipal area that could be (theoretically) developed for a new residence under the existing planning scheme controls.

LOT SIZE	Lot without a House	% of Lots in the Huon Valley	Lots where a house exists but where there are other vacant lots on the property	% of Lots in the Huon Valley
Less than 1500 m ²	233	7.5	87	7
1500m ² to 2ha	874	28	380	30
2ha to 10ha	1061	34	516	40
10ha to 80ha	905	29	287	22
80ha and over	49	1.5	9	1
Total	3122	100	1279	100

These figures were compiled in 2001 but still provide a good indication about the current situation. At that time there were at least 4,400 lots that were vacant. Bearing in mind the more recent subdivision and building activity, this number would not have changed much. In fact it may have increased slightly as newly created lots each year exceeds the number of building permits for houses.

One point to note from these figures is the large number or majority of lots that are too small for a viable agricultural enterprise on their own, and possibly too large for convenient maintenance for residential purposes. This is the result of a history of small-holdings for old orcharding activities and a tendency to over-subdivide in the rural areas.

Even taking into account the fact that many of these lots would be impractical for building a house (due to physical and access limitations), there appears to still be an ample supply of land without having to encourage further subdivision.

Related Issues

Subdivision of rural land for residential use has produced a number of issues. These include:

- Loss of better quality agricultural land. This is particularly relevant to the expansion of horticulture, the apple industry, small fruits and organic farming. The minimum viable farm size for an orchard has increased from 10 hectares to over 30 hectares over the last twenty years (HCHRP 1997). Residential development in rural areas makes it more difficult and costly for farmers to amalgamate titles to create viable holdings.

- **Land management issues.** Low-density residential subdivisions require issues of exotic plant introduction, overstocking, unrestricted cattle access to waterways, weed management, fire management and so on, to be addressed. In many instances, residents do not have an appropriate background to make them aware of such issues or to effectively maintain their property. In areas of low-density residential development, stream water quality deterioration has been observed e.g. Mountain River. The principal forms of deterioration include increased algal growth from higher nutrient loadings (sullage, sewage, stormwater and pasture runoff) and increased erosion of banks from vegetation clearance;
- **Land use conflict with legitimate rural operations.** New residents frequently raise concerns about the use of chemicals, noisy machinery, odour from agricultural activities, visual impact, runoff, heavy vehicle movements on local roads, smoke from burning. These concerns then place constraints on to the existing nearby farms;
- **The design of low-density subdivisions in the past has been sometimes quite inappropriate to the physical characteristics of the area.** This can result in erosion, impact on water quality, loss of habitat and in the visual quality of the rural landscape. The configuration of low-density residential lots has in places resulted in unusual 'patchwork' patterns of vegetation clearing that is inconsistent with the existing landscape character of vegetation being retained on the higher and steeper hillfaces with the lower and flatter hills cleared for agricultural use;
- **Coastal areas are particularly under threat from rural-residential development due to their inherently high amenity values (i.e. views, access to water).** The clearance of coastal vegetation results in the loss of native habitat and ecological values, erosion and visual amenity;
- **Increased levels of rural-residential development places increased and more inefficient demands on Council/public infrastructure.** Traffic on roads and bridges increases beyond their inherent capacity and there are increased demands for other public services. Many existing roads servicing low-density residential lots are unsuitable for emergency access such as in the case of bushfire. There is the potential for increased risk from hazards such as bushfire, flooding and landslip.

The demand for rural living is likely to continue due to the desire of new residents to seek an alternative lifestyle in attractive environmental settings. It is therefore considered that the best approach is to manage the demand in a way that addresses as far as is practicable the above planning issues.

The Relevance of Land Use Patterns

The municipal area has a very high level of existing land fragmentation. This is in large due to the historical development of the area as an apple growing and agricultural production area. Small 10ha lots were once considered to be very viable lot sizes for apple production. Families moved into the area, purchased small lots and were able to use such small parcels to obtain its primary income from. Unfortunately due to the changing nature of market conditions, small lot sizes (particularly in terms of apple production) become less viable.

Secondly, the high level of land fragmentation is also a result of more recent market trends and demands for rural residential lifestyle opportunities. With the decline of the apple industry and the lessening attraction of farming to younger generations, many farmers within the municipal area are nearing retirement age and utilise their land resource for income in retirement. This income is often derived from the conversion of agricultural land into higher value low-density residential land by subdivision.

While this trend is typical throughout agricultural regions in Tasmania, the land use issues arising within the Huon Valley context is exacerbated by what were already high levels of land fragmentation. Or in other words, its historical patterns of small lots within a rural area. In other major agricultural producing regions in Tasmania (i.e. Southern Midlands, Meander Valley, North-West Coast) lot sizes were historically much larger and consisted of broad-acre farming. Therefore the land in these areas had an inherent greater capacity to absorb impact arising from rural residential development (i.e. larger lots to absorb fettering buffers).

Strategic Approach

In light of the new policy directions within the PAL Policy review as well as the underlying land use issues within the municipal area, it is important to adopt an approach in determining the land use policies relating to rural land that layers the agricultural potential of the land over the desirability towards rural living and associated risks and the importance of implementing a settlement strategy.

Land use planning promotes the consolidation of towns and settlements to maximise efficiencies in the use of the land as a resource. The consolidation of towns and settlements ensure that our land resources are protected for food and other raw material production, as well as:

- ▶ Minimises the costs of providing for physical infrastructure;
- ▶ Ensures accessibility to community and support services;
- ▶ Minimises reliance upon motor vehicles for transports;
- ▶ Promotes more sustainable urban development;
- ▶ Protects the visual values of the rural and natural landscape; and
- ▶ Protects residents from unnecessary exposure to natural hazards.

However, it is recognised that in contemporary society, living options outside of settlements have and continue to remain desirable, for many reasons. Indeed in recent years the municipal area has offered a rural residential lifestyle for commuters to Greater Hobart as well as for 'tree' and 'sea' changers. Moreover there are already areas within the municipal area that have either be fettered or fragmented to an extent where agricultural potential is severely constrained.

This demand for rural living is likely to continue at least in the medium term, given the desire of new residents seeking an alternative lifestyle in an attractive environmental setting. It is therefore considered that the best approach is to manage the demand in a way that addresses as far as practicable the detrimental impacts upon the Huon Valley values and long term economic potential, i.e. land that is clearly good un-fettered land should not be used for rural living purposes.

Approach to Zoning

The following table identifies the recommended approach to zoning ¹for land outside of the identified settlements (see Chapter 12: Settlements). Specifically, it is noted that a three tiered approach has been developed for residential development on land outside of urban areas:

¹ *Zones types are based upon the zones within the model Planning Scheme Template as required by Planning Directive No. 1.*

- ▶ Tier One: The allocation of Rural Living Zone is accordance with the criteria outlined in the table below.
- ▶ Tier Two: Areas of land that are not highly fettered but are fragmented to an extent that constrains agricultural productivity and are unlikely to be consolidated (i.e. not part of a larger agricultural holding). These areas are to be zoned as Rural Resource but identified by an overlay that allow limited residential development subject to buffer requirements, with no further subdivision.
- ▶ Tier Three: Rural areas to be zoned as Rural Resource with clear and tight limitations on residential development and subdivision less than the minimum lot size.

ZONE	WHAT TYPE OF LAND	POSSIBLE DEVELOPMENT CONTROLS
Residential	Existing development at urban/suburban densities within smaller settlements as identified within the Settlement Strategy (Chapter 12)	No further subdivision outside of Urban Growth Boundaries (UGB) for Huonville, Cygnet, Geeveston, Franklin, Dover, Ranelagh & Port Huon. Limited opportunities for further housing development (see Chapter 12)
Low Density Residential	Within boundaries of major towns where there may be constraints upon infrastructure provision but otherwise physically forms part of the town or within close proximity to major towns but where there is infrastructure provision. Areas include outskirts of Huonville & Ranelagh, Cygnet (including area south of Cygnet on Lymington Road) & Dover South. Where low density occurs outside of Urban Growth Boundaries the land must be highly fettered in terms of agricultural potential.	Minimum Lot Size of approximately 1500 square metres.
Rural Living	Highly to medium fettered land that: <ul style="list-style-type: none"> ▶ Is in proximity to a major town (i.e. within 10 kilometres); ▶ Has condition conditions for on-site servicing (i.e. soil type); ▶ Is desirable for residential living (i.e. no south facing slopes); ▶ Can ensure compliance with bushfire protection measures; ▶ Is not located directly adjacent to noxious activities or State Forest; ▶ Will not create conflict with the maintenance of threatened vegetation communities, threatened flora or habitat for threatened species; and ▶ Is not heavily at risk through landslip, erosion, flooding and storm-surge 	Minimum lot size of approximately 1.2 hectares. Where adjacent to rural resource zone a setback buffer distance will be required to ensure minimum fettering of agricultural potential. Will also require rainwater storage tanks to protect ground water resources for downstream agricultural production.
Environmental Management	All reserves, State Forests and Conservation Areas. Forested skylines and hilltops, foreshore and areas of high environmental value.	Permitted uses to relate to passive recreation or activities that require water frontage (i.e. boatsheds).
Rural Resource	All other land.	As outlined in Chapter 9: The Economy, dot points above and the table below.

LIVING IN THE RURAL AREA	
Strategic Directions	Guiding Principles
<p><i>Encourage the use of rural areas predominantly for primary production and to protect these areas from undue encroachment from non-agricultural uses</i></p>	<p><i>Identify specific areas for low-density residential or rural living development with regard to agricultural viability, existing development patterns and environmental considerations within convenient proximity to community services.</i></p> <p><i>Non agricultural related residential development will only be approved in the Rural Zone where it either:</i></p> <ul style="list-style-type: none"> ▶ <i>Relates to an extension to an existing dwelling proceeding the Planning Scheme;</i> ▶ <i>Where the dwelling is required to facilitate a rural resource use;</i> ▶ <i>Where it is demonstrated that it will not result in the fettering of existing or future agricultural activities through the achievement of recognised buffer distances; or</i> ▶ <i>Where the site is identified by an overlay as suitable for limited residential development subject to achievement of satisfactory buffer distances.</i>