

From: "Phil Gartrell" <phil@ireneinc.com.au>
Sent: Tue, 3 May 2022 16:10:31 +1000
To: "hvc@huonvalley.tas.gov.au" <hvc@huonvalley.tas.gov.au>
Subject: Draft Huon Valley Local Provisions Schedule - Representation
Attachments: Representation - 20 Emma Street.pdf

Good afternoon,

Please find attached representation on behalf of our client(s) Mr. & Mrs. Port – with respect to their property at 20 Emma Street, Cygnet.

Kind regards,

Phil Gartrell
Senior Planner

ireneinc PLANNING & URBAN DESIGN

49 Tasma Street

North Hobart TAS 7001

Tel 044-888-5997

Office 6234-9281

Email phil@ireneinc.com.au

Web www.ireneinc.com.au



28th April 2022

Mr. Browne
General Manager - Huon Valley Council
40 MAIN STREET, HUONVILLE
TAS, 7109

Dear Mr. Browne

REPRESENTATION - 20 EMMA STREET, CYGNET

Ireneinc Planning & Urban Design have been engaged to prepare a representation to the Tasmanian Planning Scheme - Huon Valley Draft Local Provisions Schedules, in relation to the property at 20 Emma Street, Cygnet.

The intent of this submission is to request that the remaining portion of the property at 20 Emma Street, Cygnet be considered for rezoning to General Residential.

SITE AND SURROUNDS

The site is located at 20 Emma Street, Cygnet and has the following certificate of title:

- CT 157309/1

The site currently accommodates an existing dwelling and associated outbuildings which support limited grazing, which also crosses over into the adjoining site to the north. Access to the site is via Emma Street, with vehicle access also possible via Christina Street.

Based on aerial maps, the site has an approximate area of 4.5ha and is adjoined by existing residential land along the eastern and southern boundaries. To the north and west, the site is generally adjoined by additional rural and agricultural land.

There are small areas on the site which contain limited vegetation, with a relatively large area covered by a historical waterway/drainage area which cuts through the centre of the site from the north.

The following aerial images illustrate the site location and existing conditions.

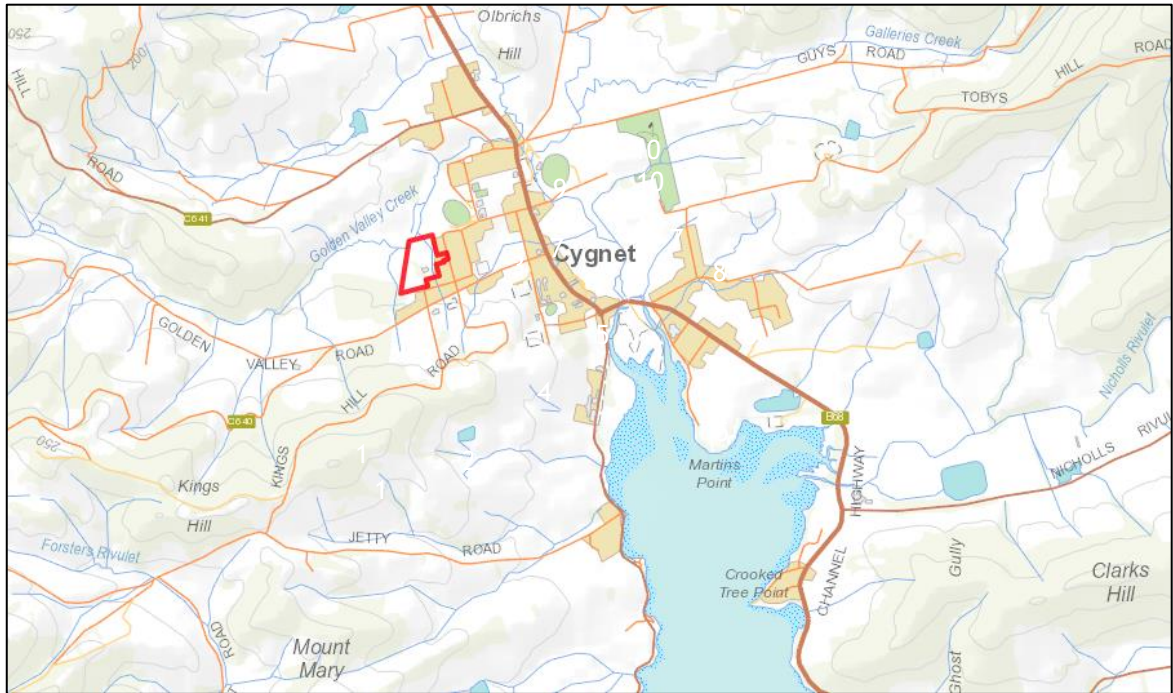


Figure 1: Locality map of the site and surrounds (www.thelist.tas.gov.au © State of Tasmania)



Figure 2: Aerial view of the site (source: www.thelist.tas.gov.au © State of Tasmania)

LAND CAPABILITY

The land capability mapping indicates that the site contains a mixture of Class 4 & 5 soils, which are suitable for grazing and a limited cropping.

A more recent mapping project has been undertaken to explore the agricultural potential of land, based on factors such as lot size, the value of the land per hectare, proximity to existing agricultural use and consideration of potential constraints such as proximity to residential land.

This mapping and analysis indicate that the site is 'potentially constrained' for agricultural use based on the size of the lot (i.e. the larger the lot, the more suitable it may be for broadscale agricultural use), and the nature/use of adjoining properties, as shown below.



Figure 3: Land potentially suitable for inclusion within the Agriculture Zone (source: www.thelist.tas.gov.au © State of Tasmania).

The site is identified as potentially constrained - criteria 3, which indicates that the site is unlikely to be suitable for agricultural use because of the relatively small lot size and proximity to residential use.

The surrounding area is comprised of a number of different zones. The immediately adjoining land to the south of the site is zoned general residential, whilst the land immediately to the west is to be transferred to the Agriculture Zone under the draft LPS. To the north, the immediately adjoining land is to be zoned Rural.

The agricultural land immediately adjacent to the site does not show evidence of substantial agricultural cultivation, rather supporting grazing, an existing dam and tracts of vegetation. This will serve as a reasonable buffer, as the position of the dam and tracts of vegetation are likely to preclude any substantial agricultural operations within approximately 160m of the site.

In addition, there is little if any potential for the site to be adhered to the adjoining title into the future, due to the existing road reserve which runs between the two properties. There are a number of other future road reserves which run along the southern and northern boundary of the subject site - presumably to allow for future connections for future residential expansion - as illustrated below.



Figure 4: Existing road reserves running along the western boundary and northern boundary to Rural and Agricultural land (source: www.thelist.tas.gov.au © State of Tasmania)

CODES AND OVERLAYS

BUSHFIRE PRONE AREAS CODE

Any planning application for subdivision would require a bushfire assessment to determine if there is any risk from bushfire and if so, whether any associated hazard management plans are required. There are also standards relating to the provision of access for emergency vehicles and lot design requirements.

The requirements are based on an assessment of the site by a suitably qualified person.

NATURAL ASSETS CODE

The existing vegetation on the site is within a biodiversity protection area and is also subject to the waterway overlay. It is noted that the waterway overlay that runs through the site is unlikely to support any substantial water volumes and is also unlikely to support any significant habitat or natural values.

The overlay to the north covers an outflow/natural drainage line from the dam on the adjoining property to the west. Therefore, appropriate stormwater management as part of any subsequent subdivision application would be sufficient to address this.

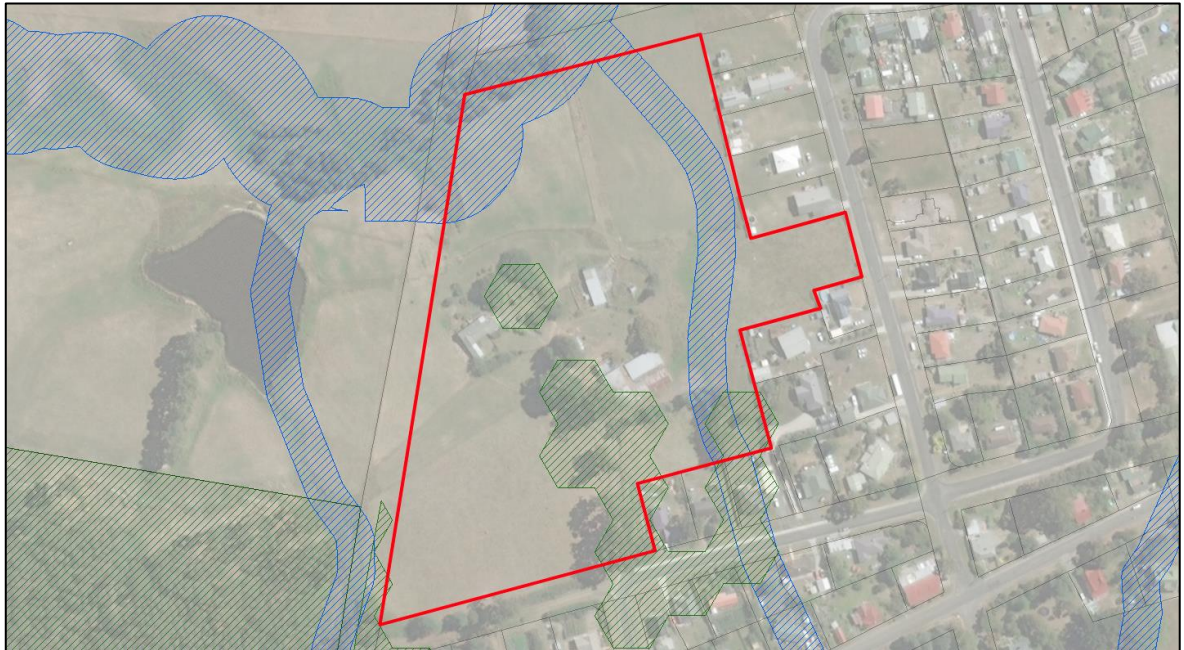


Figure 5: Biodiversity overlay and waterway overlay (source: www.thelist.tas.gov.au © State of Tasmania).

PLANNING CONTROLS

EXISTING ZONING

The site is currently dual zoned Rural Resource and General Residential.

The area of the site currently zoned General Residential totals approximately 2,500m², whilst the remaining area of the site totals approximately 4.3ha, as shown in the figure below.

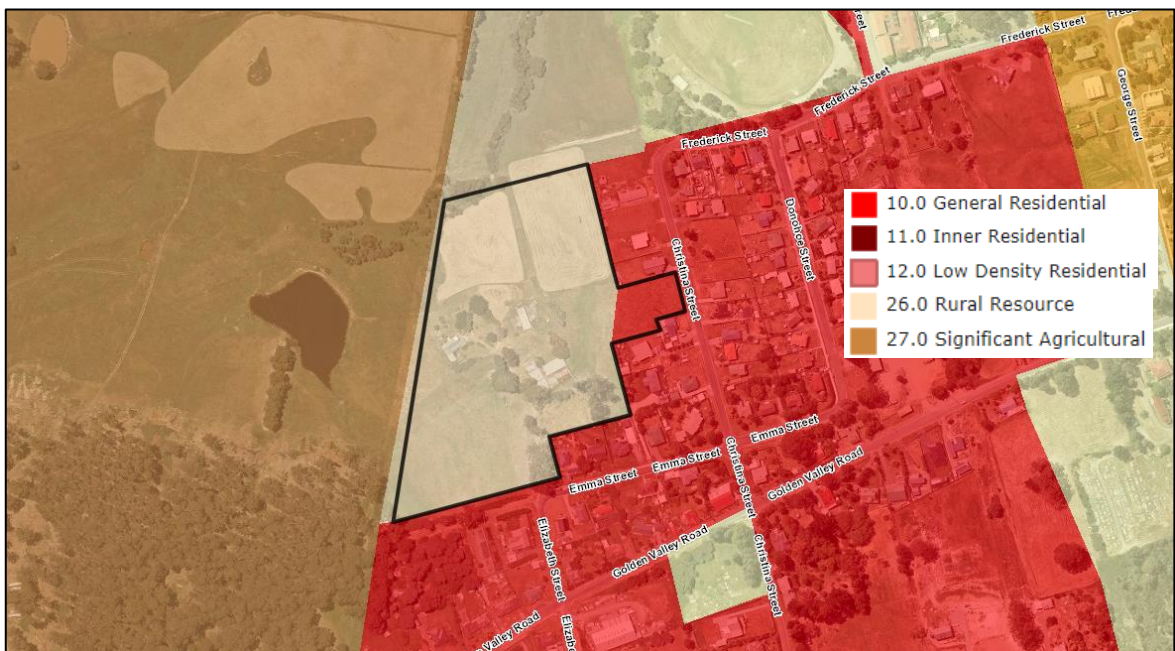


Figure 6: Zone map - Rural Resource (as indicated) General Residential (Red) (source: www.thelist.tas.gov.au © State of Tasmania)

INTENDED ZONING UNDER THE DRAFT LPS

According to the Draft Huon Valley LPS, the section of the site currently zoned General Residential will be retained, however the remaining portion is to be translated from the Rural Resource Zone, to the Rural Zone - which replaces the existing Rural Resource Zone under the Draft LPS.

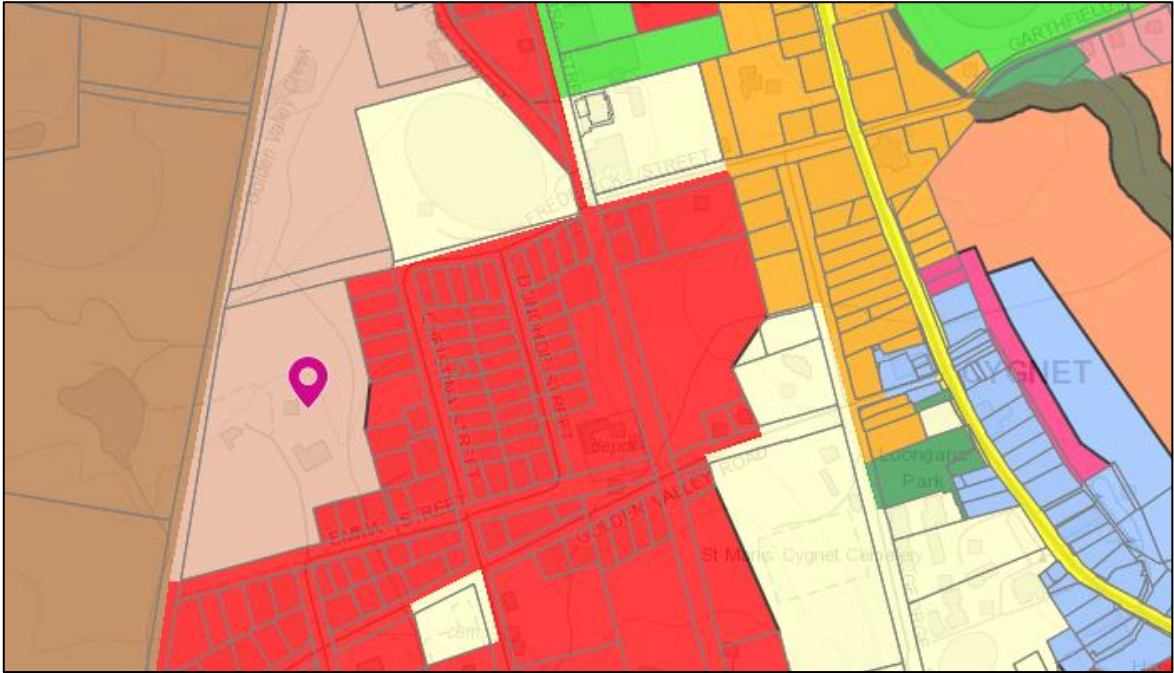


Figure 7: Zone map - Rural Resource (Light brown) General Residential (Red) (source: www.thelist.tas.gov.au © State of Tasmania)

Whilst the provision of Rural zoning between residential and agricultural land does in many instances provide a 'zone buffer' in terms of the intensity of use/development, there are already residential areas which directly adjoin agricultural zoned land to the west.

PROPOSED ZONING

Our client seeks a rezoning of the remaining portion of Rural Resource (set to become Rural) zoning, to General Residential.

As outlined further in this submission, the Cygnet Residential Demand and Supply Analysis, prepared by SGS, provides a strong basis to support rezoning the balance to General Residential.

STRATEGIC ANALYSIS

The purpose of this section is to determine the strategic feasibility of rezoning the remainder of the site to General Residential.

STATE POLICY ON PROTECTION OF AGRICULTURAL LAND

The objective of the state policy is as follows:

2. Objectives

To enable the sustainable development of agriculture by minimising:

(a) conflict with or interference from other land uses; and

(b) non-agricultural use or development on agricultural land that precludes the return of that land to agricultural use.

Whilst the provision of Rural zoning between residential and agricultural land does provide a use/development intensity buffer to some degree, as outlined above, there are already areas of residential land which directly adjoining agricultural land to the west.

The adjoining property immediately to the west of the subject site is currently zoned Significant Agriculture, which will become Agriculture under the Tasmanian Planning Scheme. Notwithstanding, there are existing physical buffers in place such as vegetation screening and a dam on the adjoining property to the west, which limits the extent of broadscale agricultural operations occurring directly adjacent to the site at 20 Emma Street.

In addition, the land capability of the subject site is constrained, and it is unlikely that it could be reasonably returned to agricultural use, aside from its previous use for grazing small stocks of cattle/sheep.

SOUTHERN TASMANIA REGIONAL LAND USE STRATEGY 2010-2035

The STRLUS is a high-level strategic document providing objectives and regional policies to guide use and development in Southern Tasmania. It is a requirement of the *Land Use Planning and Approvals Act 1993*, that amendments demonstrate consistency with relevant state or regional policies contained within the STRLUS.

The relevant regional policies contained with the STRLUS include:

PART C - REGIONAL POLICIES

13.3 - Land Use and Transportation Integration;

This policy is relatively broad, however several key points can be drawn out, including the following:

LUTI 1.4 - *Consolidate residential development outside of Greater Hobart into key settlements where the daily and weekly needs of residents are met.*

The site is located within the Cygnet township and the site is serviced by reticulated water and sewerage. Whilst Cygnet is a small township, the town does provide a number of core services and facilities that cater for the daily and weekly needs of residents such as:

- Post Office / Petrol Stations / Service stations;
- Pharmacy;
- IGA Supermarket and Port Cygnet Grocer;
- Bank outlets;
- Several café/restaurants; and
- A number of tourist destinations

These services/facilities are akin to those found in larger settlements such as Huonville and Kingston which are in close proximity.

The proposed rezoning of the site at 20 Emma Street is consistent with the above regional policy.

19.1 - Settlement and Residential Development

The residential growth strategy identified within the STRLUS for areas considered as ‘townships’ and below (including Cygnet), is *moderate*, whilst the growth scenario is *mixed*, potentially allowing for both consolidation in some areas and growth in others.

This approach has been adopted by Council as part of their draft Local Provisions Schedule Supporting Report, which will be addressed further below.

The STRLUS specifically identifies those areas of low growth are categorised as follows:

- *Less than 10% increase in the number of potential dwellings¹*

The STRLUS acknowledges a need for greater infill development and states that areas identified with growth strategies varying from low to very low may still be suitable for growth if it can be undertaken within the existing capacity.

Existing capacity refers to several factors including the physical suitability of the site itself as well as the surrounding area to support further residential development and any additional increase in service provisions (i.e sewer and water).

As will be outlined later in this report, the STRLUS growth scenarios do not reflect the substantial increase in demand for housing, particularly over the last 5 years. As a result, there has been a demonstrated need to re-evaluate the provision of future residential land. This has been acknowledged recently, with the Minister for Planning issuing an intent to provide avenues for existing urban growth boundaries to be modified (provided certain criteria can be met).

However, Cygnet does not form part of Greater Hobart to which many of the policies apply. Whilst this necessitates more detailed local level analysis, there are still some parallels which can be drawn out of the regional policies that are relevant for residential growth across Southern Tasmanian as a whole.

For example, the STRLUS outlines the following regional policies:

¹ STRLUS 2010-2035 (Amended 2021, p: 86)

SRD 2 - Manage residential growth for Greater Hobart on a whole of settlement basis and in a manner that balances the needs for greater sustainability, housing choice and affordability.

SRD 2.8 - Aim for the residential zones in the planning scheme to encompass a 10 to 15 year supply of greenfield residential land when calculated on a whole of settlement basis for Greater Hobart.

The key point within SRD 2, is affordability. It is clear that over the last 5 years, housing demand has skyrocketed along with costs. It is now very difficult to find land and housing within Greater Hobart that is affordable, which is pushing many people out into more suburban, rural localities such as Cygnet.

As will be outlined further in this report, the demand for housing and land, along with the inflated market, requires additional residential land to be provided in areas where it is more affordable. The proposed rezoning of the balance land at 20 Emma Street will cater for this demand and requirement, which will provide greater housing choice and affordability within the existing extent of the Cygnet township.

Generally, residential growth in areas outside of the UGB are managed at a more local level, through municipal level settlement strategies, such as the Huon Valley Land Use & Development Strategy, which will be addressed below.

HUON VALLEY LAND USE AND DEVELOPMENT STRATEGY 2007

The Huon Valley Land Use and Development Strategy (HVLUDS 2007), outlines a number of key strategies which apply to the provision of residential land within the municipality, as follows:

Housing Needs and Settlements

- *Focus residential growth within the serviced settlements of Huonville, Cygnet, Geeveston, Dover and to a less extent Franklin and promote infill residential development to maximise the utilisation and efficiency of existing infrastructure and community services.*
- *The smaller settlements of Cygnet, Franklin, Geeveston and Dover should be able to accommodate a range of uses and forms of development provided that the physical character and amenity of these places is not adversely affected.²*

Given that a portion of the site is already zoned residential, an expansion of the zone across the remainder of the site would promote infill residential development within the township boundaries.

The site and surrounds are serviced by reticulated water and sewer infrastructure, ensuring greater utilisation of existing services.

STRATEGIC DIRECTIONS & GUIDING PRINCIPALS

The HVLUDS outlines the preferred settlement strategy for major settlements such as Cygnet and the following Outline Development Plan for Cygnet provides a local urban growth boundary for the settlement, as reproduced overleaf.

² Huon Valley Land Use & Development Strategy (GHD, 2007: p 9)

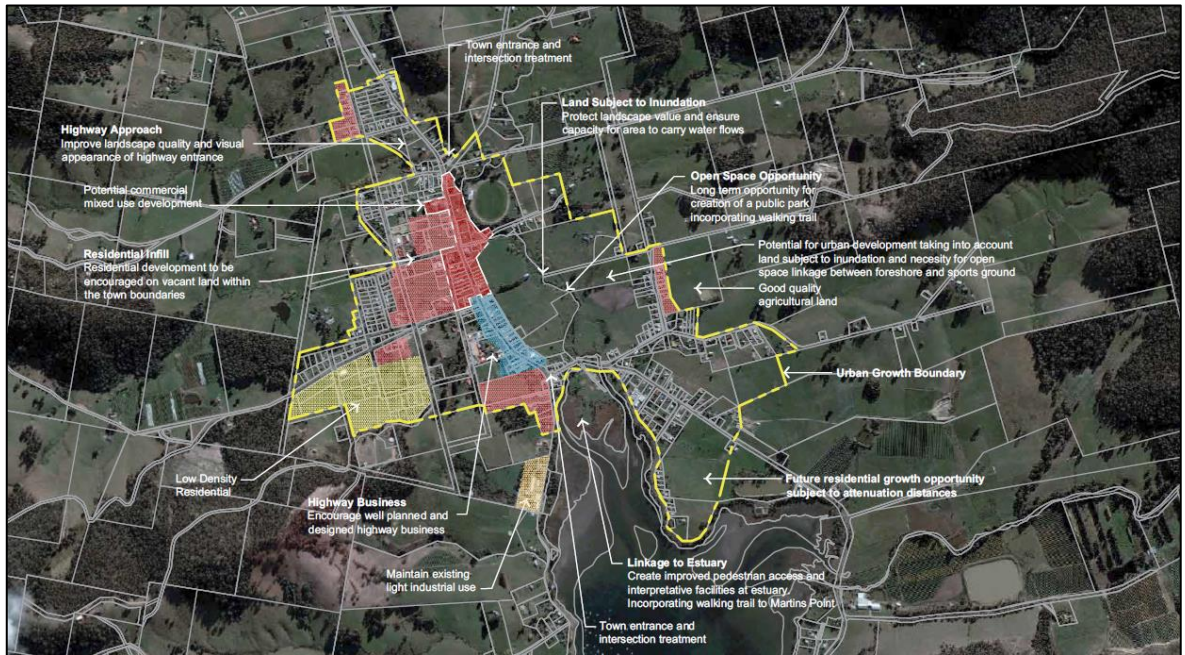


Figure 8: Outline Development Plan for Cygnet (source: HVLUDS 2007)

Whilst the UDP illustrated above does not include the site at 20 Emma Street within the extent of the local urban growth boundary, this plan was developed back in 1997, with the HVLUDS adopted in 2007.

As a result, these documents do not consider both regional population growth and variations in demand for housing and land stock which has increased substantially over the last 5-10 years. Since the UDP was prepared, there have been a number of residential subdivisions that have occurred both within and outside of the identified local UGB, specifically two large subdivisions at Silver Hill Road and Dorgan Court.

These subdivisions were acknowledged in the SGS report, which will be outlined below.

CYGNET RESIDENTIAL DEMAND AND SUPPLY ANALYSIS - SGS (2020)

The report was commissioned by Huon Valley Council to inform the development of the Draft Huon Valley LPS and outline the demand for housing within Cygnet and the existing supply of residential land.

The report states that as of 2020, the overall demand for additional housing is strong, and that:

To 2036 it is estimated that there will be demand for another 524 dwellings in the Cygnet area from 2020. If it was assumed that about eighty per cent of demand would be accommodated on residential land (as opposed to lower density lifestyle area outside of the UGB), demand would be 419 dwellings.

The capacity analysis indicates that currently there is the capacity to provide another 92 to 165 new dwellings in the Cygnet urban growth boundary to 2036, and 91 to 163 new dwellings in the Cygnet urban centre locality depending on dwelling density and realisation rates.

Consequently, the report states that:

As it currently stands, there is an acute shortage to meet all demand. There is not sufficient land to meet demand for the next ten to fifteen years. As a rule of thumb, there should be approximately fifteen years of vacant supply in order to not adversely affect housing affordability and prevent land banking and/or speculative behaviour.

The historical analysis provided within the SGS report covers trends in population growth, residential land supply and subdivision approval within Cygnet. This data demonstrates that the demand for residential lots is greater, as is the overall growth rate, than what has been predicted within the STRLUS.

The report concludes that for a moderate growth scenario (1.5% increase per year) the forecast dwelling demand for Cygnet to 2036 is for 525 new dwellings. This scenario is substantially higher than what has previously been identified in the STRLUS.

Whilst there are a number of existing vacant or underutilised residential lots within the township boundary, the report indicates that even if these properties were developed, the anticipated demand over the next 10-15 years will still outweigh the current supply.

Whilst the Tasmanian Planning Commission is required to consider the STRLUS as it stands, there is a clear discord between current data supplied in the SGS report and the data used to inform the STRLUS.

The following diagram illustrates the extent of existing general residential land in the locality and an indication of how a rezoning of the site at 20 Emma Street would appear in context.

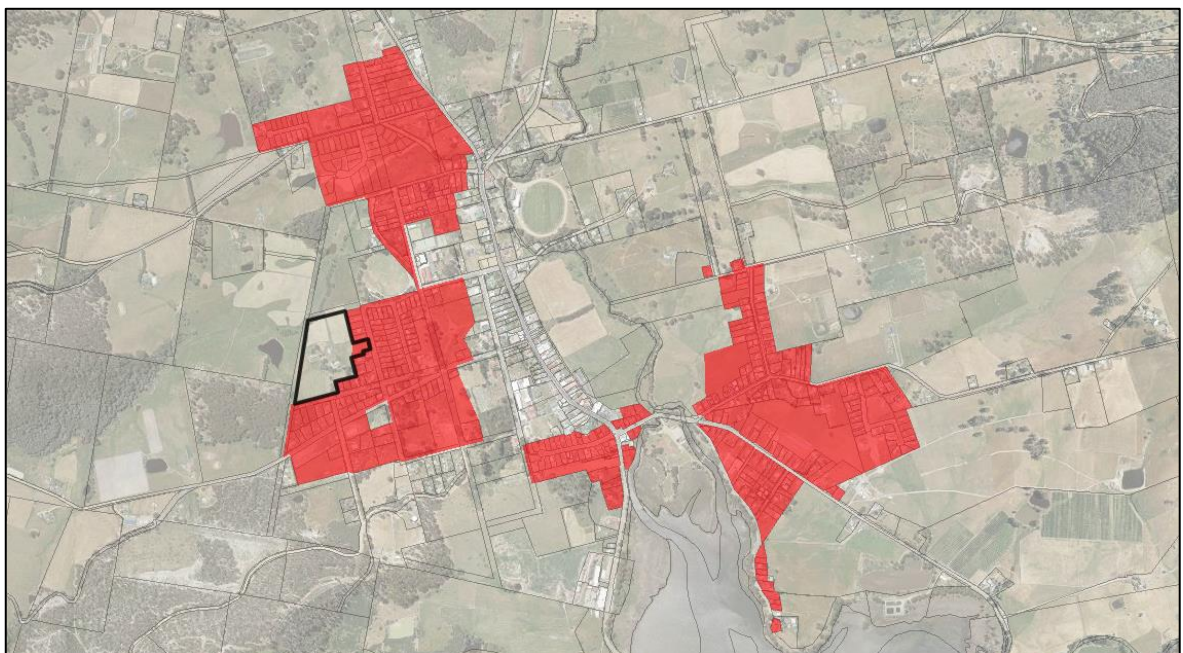


Figure 9: Existing extent of General Residential land (source: www.thelist.tas.gov.au © State of Tasmania)

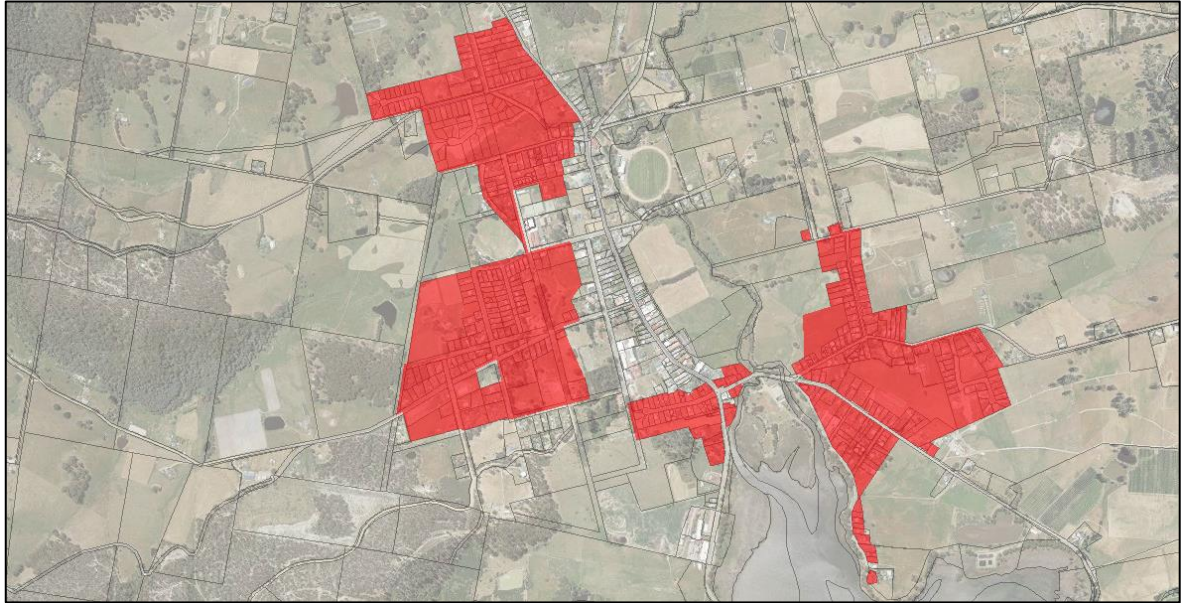


Figure 10: Existing extent of general residential land illustrating the potential expansion of general residential zoning across the site (source: www.thelist.tas.gov.au © State of Tasmania)

The rezoning of the site, in addition to the strip of existing general residential land, would have the potential to provide up to 100 lots, based on the minimum acceptable solution lot size requirement of 450m² (per lot) under the State Planning Provisions.

The provision of an internal roadway, connecting from Emma Street will reduce the lot yield, as will the final lot layout, depending on whether some lots may be larger.

If a rezoning were approved, any subsequent subdivision could occur in stages, allowing Council to approve any use/development stage by stage, if there were any doubts as to the uptake rate or consideration of other land in the township that may be earmarked for further subdivision or rezoning for residential purposes.

Even if the site at 20 Emma Street was rezoned and subdivided to create some 100 lots, at 450m² per lot - there would still be a shortfall of residential land to meet demand by 2036, according to the SGS report.

SUMMARY

Based on the analysis provided above, our client seeks consideration for the remaining portion of their property at 20 Emma Street, be rezoned to General Residential, for the following reasons:

- The most recent housing supply/demand report prepared by SGS indicates that there is a need for additional residential lots within the Cygnet township to meet higher growth scenarios, which are at odds with that presented in the STRLUS;
- A portion of the site is already zoned general residential and is earmarked to be retained as such under the draft LPS;
- The site is within the township and is serviced by reticulated water and sewer infrastructure.

Given the analysis presented in this representation and the summarised reasons above, there is a strong case for the balance land to be rezoned, to cater for the increase in housing demand across the region.

Rezoning of the balance would not constitute a substantial increase in General Residential land in the immediate locality but would provide a necessary increase in land supply. Any subsequent subdivision of the site can also be undertaken through a staged release, providing additional lots as required.



Phil Gartrell

Senior Planner

IRENEINC PLANNING & URBAN DESIGN