

**From:** Liz Smith  
**Sent:** Tue, 17 Nov 2020 14:44:54 +1100  
**To:** hvc@huonvalley.tas.gov.au  
**Subject:** PSA 2-2017 and SUB 36-2017 representation  
**Attachments:** PSA 2-2017 Representation Nov 16 2020.docx

Please would you acknowledge receipt of the attached representation that I sent at 12.30pm today.

Thank you,

Liz Smith

Please find below and attached my representation regarding PSA 2/2017 and SUB 36/2017

Regards,

Liz Smith



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Emilio Reale,  
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## **Representation on PSA 2/2017 and SUB 36/2017**

### **REZONING PARTICULAR PURPOSE TO GENERAL RESIDENTIAL - PSA 2/2017**

#### **Introduction**

The site is zoned Particular Purpose and is within the Urban Growth Boundary so rezoning for housing development was expected. The current housing demand means that consideration of the subdivision of this land is now appropriate and the issue is how best the land is used for the benefit of both the developer and the community. It is likely that the lots created through this subdivision will be advertised online and will result in new residents from other parts of Tasmania and interstate and will not enable many local residents to find housing in this development in Cygnet.

Given the characteristics of Cygnet's location, where water views are seen as adding value to housing lots, any proposed subdivision could make best use of the site to maximise the return to the developer, as well as providing a range of housing for Cygnet. The design should therefore aim to ensure that all sites take advantage of a northerly aspect as well as the southern and eastern views, integrate the natural existing topographical features of the site, such the existing watercourse, and maximise the amount of open space with water views, while minimising capital and maintenance costs per household for municipal infrastructure. These goals could be achieved using the principles of water sensitive urban design (WSUD) and this would also maximise opportunities to direct stormwater runoff into the ground rather than into a single stormwater outfall at the estuary of Agnes Rivulet in Port Cygnet. WSUD also decreases costs and carbon emissions during construction by reducing the amount of concrete involved, for example by providing gravel or grass footpaths rather than concrete footpaths.

Given that the Planning Scheme Amendment is being considered under s.43A of the *Land Use Planning and Approvals Act 1993* (LUPAA) appropriate conditions can be applied through the approval process of the draft amendment and subdivision.

#### **Attenuation zone**

On September 30 2020, PSA2/2017 was initiated by HVC on the recommendation of staff while the attenuation zone for the Cygnet sewage treatment plant was in force over part of the site.

PSA 1/2020 to reduce the attenuation zone was presented at the October 21 2020 council meeting for initiation and was approved.

This raises the questions of why the PSA for the reduction of the attenuation zone was not applied for and approved by the Tasmanian Planning Commission (TPC) before the work involved in developing PSA 2/2017 and SUB 36/2017 was undertaken. The timeframe for

approval of PSA 2/2017 must depend on the TPC approval of the change to the attenuation zone, PSA 1/2020.

There are also issues regarding the capacity of the Cygnet Sewage Treatment Plant to manage the increased flow that will take place with the projected population growth of Cygnet and whether TasWater has upgraded the treatment plant to take into consideration recent housing development in Cygnet, including this proposed subdivision.

### **Scenic Landscapes Corridor Overlay (scenic overlay)**

The site that is proposed for rezoning extends as far as the northern boundary of the property and includes 60m within the scenic overlay adjacent to the Channel Highway. The scenic overlay was put in place in the Huon Valley Interim Planning Scheme 2015 to protect the views towards Port Cygnet and ensure that this significant scenic landscape is not compromised by housing or other development.

The vista is highly valued by Cygnet residents and is attractive to visitors for whom this may be their first view of Port Cygnet if they have travelled from Huonville and continue on south along the Channel Highway. The proposed rezoning would remove the 60m of scenic overlay along the eastern end of the subdivision adjacent to the Channel Highway. Rather than reducing the scenic overlay, an extension should be considered so that housing is not immediately adjacent to the road. A buffer strip, zoned Open Space, along the road, such that residential fences are below the immediate view from the highway, would require a setback of perhaps 10 metres.

## **SUBDIVISION APPLICATION SUB 36/2017**

### **Introduction**

The layout of the subdivision is fairly standard for a greenfield site and does not appear to take into consideration the importance of the landscape to include views of Port Cygnet, and the potential for construction of a development that has special qualities that would enhance the town of Cygnet and attract residents.

There is little provision for the diverse range of housing that could be expected based on the demographic of Cygnet and the current and projected household compositions as shown in Figure 8 of the SGS Cygnet Residential Capacity and Demand Analysis (p.431 of 522). In this assessment, couple families with no children and lone person households total about 1000 at present, and are likely to be close to 1550 by 2036 if high growth continues, and represent well over half the households in the town (Fig 8).

The population growth in the age range over 65 is projected to increase much more than any other category from around 700 to around 1700. This projected dramatic increase in the older demographic should be considered in the design of every subdivision in Cygnet so that the older population is not segregated to “retirement villages” rather than living in mixed residential subdivisions. The site, especially close to the Esplanade, offers great potential for mixed housing, including older people who usually want to live in smaller houses on smaller lots.

### **Housing demand and lot sizes**

Every development should provide both larger lots for families, especially those with children, and smaller lots suitable for singles and couples without children in order to encourage a diverse population. Shared spaces are likely to be more important than large private spaces in a small town such as Cygnet where the sense of community is one of the attractions. While the modelling by SGS Economics and Planning indicates ongoing demand for separate houses, this may be partly a result of the current lack of availability of other forms of housing, and may not necessarily reflect preferences, especially in these times of change.

In recent years most of the building lots in Cygnet have been around 700m<sup>2</sup> and this has enabled strata title building of two dwellings (see Lourdes Rise and Thorpe Street). This trend has been more marked on existing larger lots in Huonville. Unfortunately this often results in a large proportion of the lot being concrete to accommodate additional driveways, parking and entrances.

Many older people want to downsize and do not want a large house and garden. Many couples with no children may also prefer smaller lots with more community spaces in which to meet others and less responsibility for a large garden. A range of sizes of lots might therefore be preferable, rather than squeezing two buildings into a space designed for a single dwelling after a single lot has been bought.

It is likely that the sum of land values for smaller lots is proportionately similar to the sum of land values for large lots on the same total area. Inclusion of cluster housing within a development allows smaller lots (eg 450 - 500m<sup>2</sup>) to be grouped together with shared driveways etc so that the residents have a greater sense of community, and this also encourages the construction of smaller dwellings, say 80 – 120 m<sup>2</sup>. All dwellings should meet high standards of design and energy efficiency and, in order to develop a greater sense of community, housing could conform with modern standards while reflecting the character of older style Cygnet houses.

### **Scenic Landscapes Corridor Overlay (Scenic overlay)**

The rationale for removing 60m of the scenic overlay to the west of 7357 Channel Highway appears to be to increase the number and/or size of the proposed lots. This section of the scenic overlay was put in place to provide views towards Port Cygnet. These views would be completely blocked if three dwellings up to 8.5m high were constructed on lot 9 and lots 11 and 12, right beside the road and adjacent to 7357 Channel Highway. The traditional Cygnet cottage at 7357 Channel Highway, which is also part of the scenic and cultural landscape, would be completely obscured. This part of the subdivision does not appear to be consistent with the requirements for setbacks for the General Residential zone in the *Huon Valley Interim Planning Scheme 2015* (s.10.4.2(a)).

The view over the subdivision would be improved by ensuring that all roofs are a consistent colour, preferably green, so that the visual impact of the subdivision from the highway is minimised.

Without specific conditions in place, the lots closest to the Channel Highway could have wooden boundary fences up to 1.5m high alongside the footpath, thus obscuring the outlook from the road towards Port Cygnet. High fences would be inconsistent with the lower section of the Channel Highway (west of subdivision) where the front fences are low and do not impact on the views or the visibility of the traditional Cygnet houses.

It would be preferable to extend the scenic overlay to the whole strip between 7381 and 7357 Channel Highway, albeit at a narrower width, perhaps 10 - 15m, and this could potentially include a walkway because the road level is significantly higher than Lot 1 towards the eastern end. The whole strip could be rezoned to *Scenic Landscapes Corridor Overlay* or *Open Space*.

Such a change, or the refusal by the TPC to remove the 60m scenic overlay, would result in a somewhat smaller area for subdivision. However, by reducing the size of each lot the same number of lots could be achieved.

The fire buffer zone to the east could be rezoned to *Open Space* with potential for a scenic walkway round the southern, eastern and northern sides of the subdivision. This would also involve including a narrow strip behind lots 42-48 where a footpath could follow the line of the sewer easement.

#### **Traffic Impact Assessment (TIA)**

Lots 1 - 4 are noted in the Traffic Impact Assessment (TIA) as having entry directly on to the Channel Highway but sight distances for these lots do not appear to have been addressed. There may be some limitation of sight distance on the section of the Channel Highway where these lots are located due to a slight crest where the entrance to the rest of the subdivision is proposed. These four driveways directly on to the Channel Highway are on a stretch of road that has only eight other single entrances on the southern side between 7357 Channel Highway and Charlton Street, with just three in the section above Coad Street. In addition the driveways of lots 5 and 9 would be very close to the Channel Highway and vehicles entering or leaving those driveways could interfere with vehicles entering or leaving the subdivision, causing delays on the highway.

The sight distance for the entry/exit of the subdivision shown in Table 1 of the Midson traffic report (p196 of 522) states that the median traffic speed is estimated at 60km/h at the access, despite the speed limit being 50km/h. The report states that *“the available sight distance at the site’s access on Channel Highway is approximately 135metres to the east of the access and more than 250 metres to the west. The available sight distance therefore complies with the requirements of Acceptable Solution A1 of ES 6.4 of the Planning Scheme”*. Measurement of the sight distance (based on the position of the access shown on p.46 of 255 in the attachments) is **60m** to the eastern boundary of Lot 1 with about 15m to the gate of 7357 Channel Highway, not **135 m**. This distance is confirmed by the alignment with the 60m scenic overlay on the northern side of the highway, which is opposite the eastern side of the site access (shown on p. 340 of 522).

The TIA is apparently based on the understanding that the speed limit is 60km/h, although it is in fact 50km/h. This may slightly reduce the sight distance required under the Planning Scheme SISO Requirements shown in Table 1 of the TIA (p.186 of 522).

My experience as a resident of 7354 Channel Highway is that many vehicles exceed the speed limit on both entry and exit, and there are very definite “rush hours” and very quiet periods when traffic volumes are significantly different from the average. The main concern is that if a delay occurs at the access to the subdivision the number of vehicles entering town could quickly build up so that the queue reaches the blind crest outside 7357 Channel Highway, and results in rear-end collisions there.

### **Water Sensitive Urban Design**

The principles of Water Sensitive Urban Design (WSUD) are especially important in this coastal setting. The conditions proposed appear to provide no consideration of use of permeable surfaces to reduce runoff.

The proposal for SUB 36/2017 appears to be simply to purify all the runoff rather than minimising runoff by ensuring the greatest possible area of permeable surfaces within the subdivision. With the more extreme weather events that are already occurring and will increase, it is important to minimise the volumes of water that run directly into the estuary of Agnes Rivulet and Port Cygnet. Further erosion is likely to occur along the waterway, especially as sea levels rise due to accelerating effects of climate change. There is already evidence of coastal erosion at Martins Point where the footpath down to the point has been significantly undermined over the past year (personal observation).

Examples of WSUD include measures that have been undertaken in Hobart <https://www.hobartcity.com.au/Development/Planning/Water-sensitive-urban-design> and guidelines for the Derwent Estuary <https://watersource.awa.asn.au/environment/built-environment/5-innovative-water-sensitive-urban-design-initiatives/> could be applied for SUB 36/2017.

### **Advertising of PSA2/2017 and SUB 36/2017**

PSA 2/2017 and SUB 36/2017 were not included with the other planning applications on council’s website, which is where anyone wishing to inspect them would initially look. They could not be found by a search for PSA 2/2017, but only by going to the section ‘Huon Valley Interim Planning Scheme’ and looking for applications on exhibition. Several people who are familiar with searching websites have asked me how to find the advertising of PSA 2/2017 on the council’s website because it is so obscure.

The initiation of PSA 2/2017 was approved by the council at its meeting on September 30 2020 (Agenda No 17.018/20\*). Although it was clearly stated that the matter was considered as a s.43A planning scheme amendment under the former *Land Use Planning and Approvals Act (1993)*, and documentation for assessment of SUB 36/2017 was included in the 522 pages of attachments to the report, the resolution of council did not specify that the draft planning permit must also be advertised.

The resolution included as part of Agenda No 17.018/20\* was (i) *“Draft Amendment (PSA 2/2017) be publicly exhibited for a period of 28 days.”*

The public exhibition of SUB 36/2017 was not included in the recommendation or the resolution. When PSA 2/2017 was advertised in the Mercury on Saturday October 17 and Wednesday October 21, information regarding the public exhibition of SUB 36/2017 was not mentioned in the advertisements.

The application for rezoning and for a planning permit for a 61 lot subdivision was submitted under s.43A of LUPAA and the draft amendment was advertised in the Mercury under s.43F (3) *When the planning authority advertises the exhibition of the draft amendment in accordance with section 38(b), it must advertise the exhibition referred to in subsection (2).* The list of documents referred to in s.43F subsection (2) includes a copy of the permit, if a permit is granted, as it was in the case of SUB 36/2017.

The permit for SUB 36/2017 has not been advertised publicly by placing a notice on the boundary fence between Lot 1 and the Channel Highway. Since s.43F (3) does not specify that the permit must be advertised on the boundary if it has been assessed as complying with all the requirements for a permit under the relevant planning scheme, it is not clear whether such a notice was needed for compliance under s.43. However, there have been comments that people expected to see that notification and questioned why it was not there to show where the subdivision was proposed.

The advertisements in the Mercury made no reference to the permit (SUB 36/2017) and also did not make clear the closing date for representations, only the period during which the plans would be on display at the council office.

### **Conclusion**

While recognising the need for additional housing in Cygnet I would like to see the highest possible standards of design and presentation on this important site. There appears to be significant potential for improvement through consideration of modern best practice rather than simply following the subdivision and building practices of recent years.

Thank you for the opportunity to make a representation on the s.43A application for PSA 2/2017 and SUB 36/2017.

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