



5 August 2019

Mr Peter Fischer
Acting Executive Commissioner
Tasmanian Planning Commission
email: <tpc@planning.tas.gov.au>

Dear Sir,

DRAFT LOCAL PLANNING PROVISIONS - REPRESENTATION

I am writing on behalf of our clients Tony and Julie Gee to make a submission in relation to the *Tasmanian Planning Scheme - Central Coast Council Draft Local Provision Schedule* (8 June 2019), otherwise known as the draft Central Coast LPS. This submission is in relation to the proposed zoning applied to our client's property at Preservation Bay.

Our client currently owns the sites identified as:

- CT 27345/1 - 170 Preservation Drive, Preservation Bay; and
- CT 199807/1



Figure 1: Site location (source: www.thelist.tas.gov.au © the State Government of Tasmania)



Figure 2: Site detail (source: www.thelist.tas.gov.au © the State Government of Tasmania)

ZONING

According to the Central Coast Draft LPS, these sites are to be contained within the 'Rural Zone', consistent with the Tasmanian Planning Scheme. However, it is considered that the proposed zoning of the site does not take into account the existing constraints on the site, which will be outlined in detail below.

The proposed rural zoning of the sites identified above is not considered to be the best use of the land due to a number of reasons, primarily;

- Constraints presented by the proximity of existing residential zoned land to the north;
- Land capability mapping indicates the site has between Class 4 and 6 land which would limit the agricultural potential of the site;
- The site is serviced by reticulated water and sewer infrastructure and is in close proximity to existing localities such as Sulphur Creek and may be more suitable low density infill development.

Therefore, it is considered that the site may be better suited for further infill development under either the Rural Living or Low Density Residential Zones. These limitations will be discussed in further detail below.

LAND CAPABILITY & ADJOINING LAND USE

The land capability mapping available on the List indicates that the sites contain a mix of Class 4 and 6 land, as shown in figure 3.



Figure 3: Land capability mapping (source: www.thelist.tas.gov.au © the State Government of Tasmania)

An on-site investigation is currently being undertaken by Ag Logic, to provide a more detailed determination of the soil categories specific to the site.

Class 4 land is defined as follows:

Land primarily suitable for grazing but which may be used for occasional cropping. Severe limitations restrict the length of cropping phase and/or severely restrict the range of crops that could be grown. Major conservation treatments and/or careful management is required to minimise degradation.¹

The southern corner of the site is currently heavily vegetated and contains class 6 land, as identified on the State Governments LISTMap software. Class 6 land is considered unsuitable for cropping and possesses a low pastoral suitability, and is defined as follows:

Land marginally suitable for grazing because of severe limitations. This land has low productivity, high risk of erosion, low natural fertility or other limitations that severely restrict agricultural use. This land should be retained under its natural vegetation cover.²

The site is identified within an irrigation district, however the land is not identified as prime agricultural land and is serviced by existing reticulated water and sewer infrastructure. Therefore, it is not clear whether access to irrigation would be beneficial given that the current owners of the site do not have any plans to use the site for agricultural use that would benefit from access to an irrigation scheme.

¹ Grose C.J. (Ed) 1999, Land Capability Handbook. Guidelines for the Classification of Agricultural Land in Tasmania. 2nd Edition, DPIPWE, p 10.

² Grose C.J. (Ed) 1999, Land Capability Handbook. Guidelines for the Classification of Agricultural Land in Tasmania. 2nd Edition, DPIPWE, p 13.

In addition, any desire to undertake moderate to large scale cropping and cultivation on the site may be difficult to achieve partially due to the land classification. Proximity to the existing residential zoning would also restrict agricultural related operations such as cropping procedures due to potential impacts on the adjoining residential properties by way of spraying, machinery, dust and noise emissions. It is considered that the proposed zoning of our client's property should be re-evaluated and possibly considered under the revised Rural Living or Low Density Residential zones under the declared SPPs. This would allow for a more efficient utilisation of the site for additional lower density residential use and would act as a more reasonable and efficient buffer between potential Significant Agricultural land to the south.

With regard to land zoned Rural Living, the Council's Planning Report specifies the following on page 23:

While some new areas proposed to be zoned Rural Living contain land classified as prime agricultural land, agricultural use of the land is either unreasonably confined or restrained by Residential use and development or not practicably useable for agriculture due to topographic or access constraints.³

The property at Preservation bay is not identified as prime agricultural land and is considered to be potentially constrained due to the existing General Residential land to the south which would limit the extent of agricultural use of the land. Access to the site is also directly adjoining the residential zones which may further restrict heavy machinery, commercial vehicle movements and general agricultural activities. In addition to the above, a large extent of existing General Residential zoned land to the west of the site is also identified as Class 4 land, particularly the land in and around the Sulphur Creek locality. This is demonstrated in Figure 4 below.

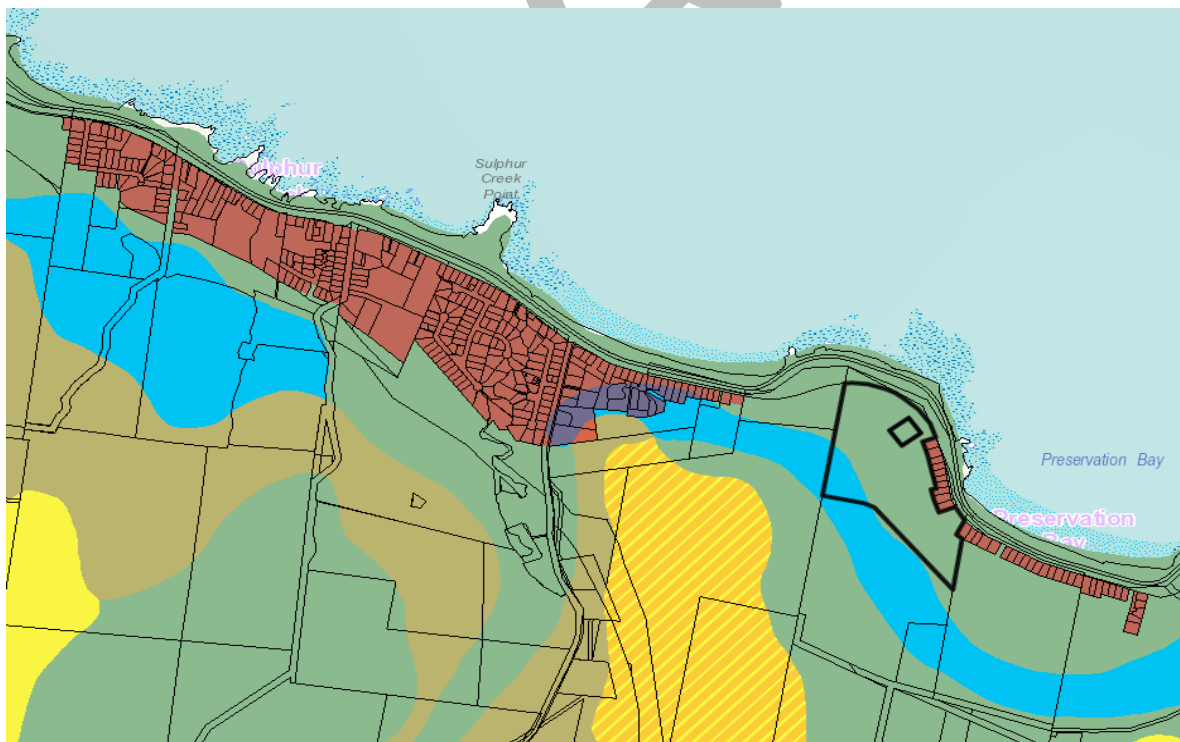


Figure 4: Extent of land capability (green areas - class 4 land) and distribution of existing General Residential zones (red areas) (source: www.thelist.tas.gov.au © the State Government of Tasmania)

³ Planning Report - Central Coast Draft Local Provisions Schedule, February 2019, p 23

The predominate spatial placement of residential land is generally restricted to the coastline and further infill development of the site would maintain consistency with this approach. The capability mapping also demonstrates a significant supply of existing Class 2 - 3 land south of the coastline and settled areas around Sulphur Creek, suggesting that re-use of the site at Preservation Bay for residential development would be unlikely to result in any significant loss of agricultural land at a local or regional level.

CODE OVERLAYS

Under the draft Central Coast LPS, the north-eastern section of the site between the two existing General Residential zones is identified as containing priority vegetation which would be subject to the forthcoming Natural Assets Code.

Depending on the extent of the natural assets within this area, it may require management and/or retention. This may further restrict the area of the site that would be suitable for agricultural use, that being the land classified as Class 4.

This area could be better protected under a conservation covenants or Part 5 agreements, which may be easier to accommodate were the site utilised for low density residential use.

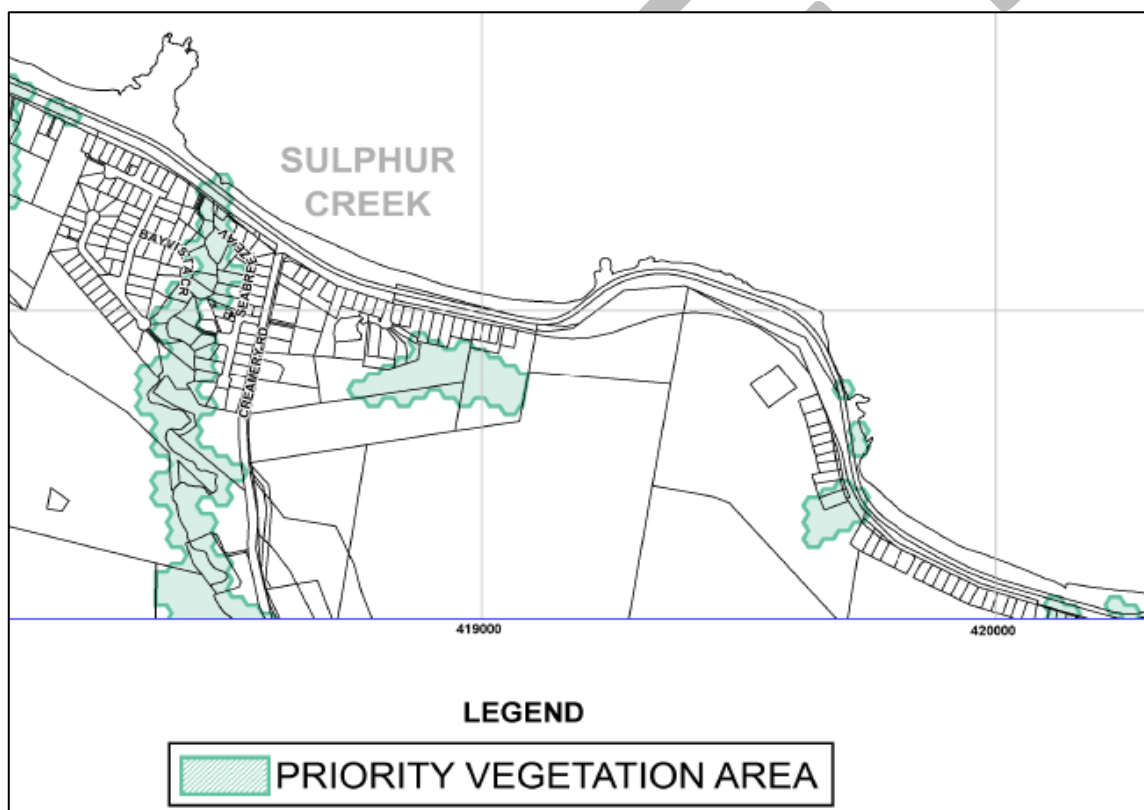


Figure 5: Natural Assets Code overlay (source: Tasmanian Planning Scheme - Draft Central Coast LPS - Natural Assets)

INFRASTRUCTURE

Although the provision of infrastructure is not necessarily considered as part of the application of the LPS, the site is currently serviced by reticulated sewer and water infrastructure and the following figures demonstrate the extent of the serviced areas. The figures indicate that the infrastructure follows existing residential development along the coastline, providing services for potential new residential developments. It is also evident that a large portion of existing Rural

Resource land which directly adjoins existing residential areas is also serviced by reticulated infrastructure.

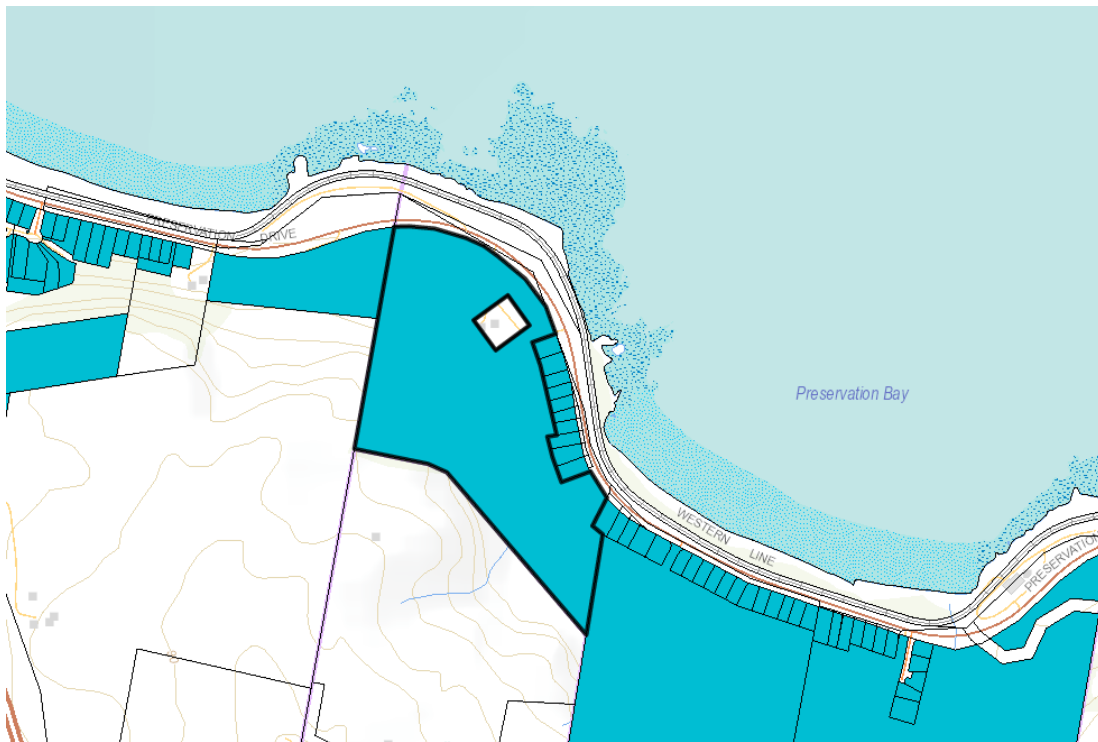


Figure 6: Water serviced land (source: www.thelist.tas.gov.au © the State Government of Tasmania)

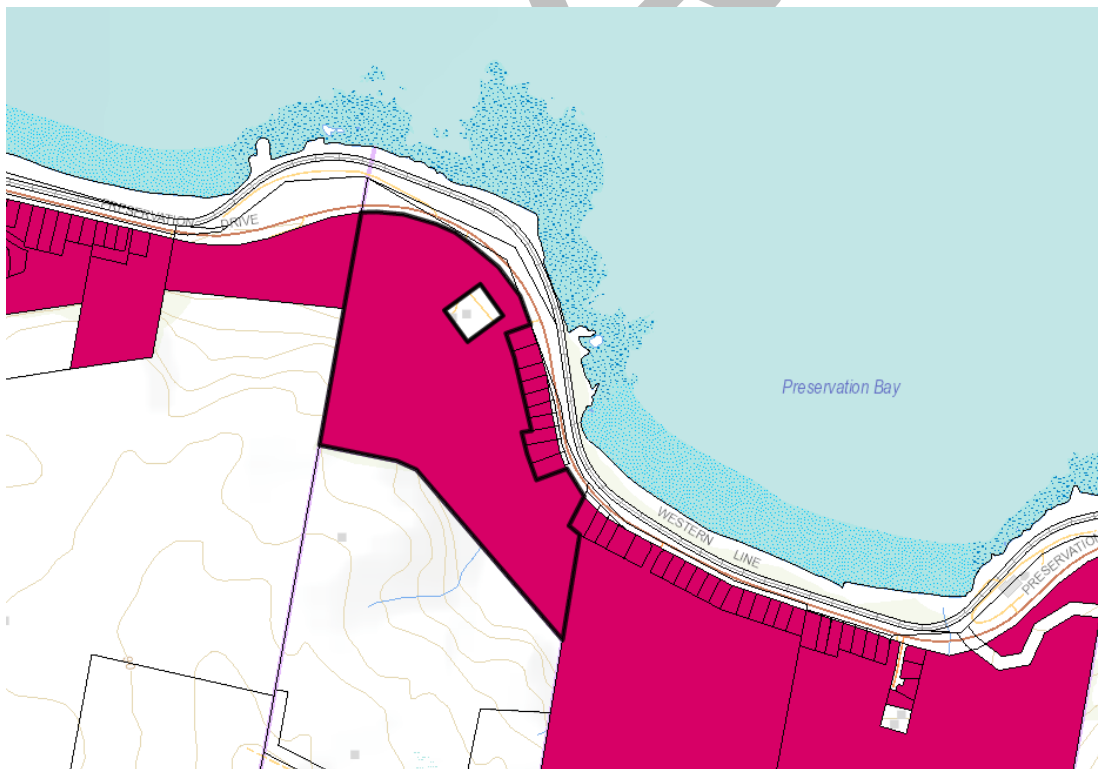


Figure 7: Sewer serviced land (source: www.thelist.tas.gov.au © the State Government of Tasmania)

SUMMARY

It is our view that the site is not ideally suited for rural resource use and development and that the proposed zoning under the Draft Central Coast LPS would result in an inefficient use of the land, particularly given the following:

- Proximity to existing residential properties within the General Residential Zone;
- Land capability limits the extent of agricultural activities; and
- The site is serviced by reticulated water and sewer infrastructure and is in close proximity to existing localities such as Sulphur Creek and may be more suitable for low density infill development.

Although the site is within an irrigation district, the adjoining general residential area and land capability is likely to significantly restrict the feasibility of undertaking any moderate to large scale cropping activities that would benefit from access to the irrigation scheme. There are also a number of ways in which additional residential lots could be provided on the site whilst retaining a portion of the site for grazing purposes or to act as a buffer from existing Rural Resource land to the south, which is to be potentially rezoned to Agricultural under the Draft Central Coast LPS.

In addition, Council's planning report acknowledges that there is a shortage of residential land within proximity to existing settlements, stating that:

The shortage of residential land has and will force residential development further from the urban area and its associated regional services and employment opportunities, which only increases carbon emissions from the increased number and length of car journeys.⁴

On this basis, the availability of infrastructure on the site, proximity to existing general residential land and nearby access to existing localities such as Penguin and Sulphur Creek would certainly support further infill development on the site, either for Rural Living or Low Density Residential.

If you would like further information please do not hesitate to contact me on 6234 9281.

Yours sincerely



Phil Gartrell

Planner
IRENEINC PLANNING

⁴ Planning Report - Central Coast Draft Local Provisions Schedule, February 2019, p 5