

From: Rebecca Anning
Sent: Wed, 18 Mar 2020 13:22:24 +1000
To: City Planning
Subject: FW: Anonymous User completed Clarence Draft Local Provisions Schedule Online Submission Form
Attachments: Sparrow_Warren_Representation_on_CCC_draft_Local_Provisions_Schedule_15-03-2020.pdf

From: Clarence City Council <notifications@engagementhq.com>
Sent: Sunday, 15 March 2020 3:13 PM
To: City Planning <cityplanning@ccc.tas.gov.au>
Subject: Anonymous User completed Clarence Draft Local Provisions Schedule Online Submission Form

Anonymous User just submitted the survey 'Clarence Draft Local Provisions Schedule Online Submission Form' with the responses below on Clarence Draft Local Provisions Schedule Open for Submissions.

Full name

Lynne Marie Sparrow & Jonathan Brett Warren

Email adress

lynne.sparrow@gmail.com

Postal address

3 Kadina Road Cambridge Tas 7170

Submission

We make the following representation on one matter in regard to the appropriateness of the application of the 20.0 Rural Zone of the State Planning Provisions (SPP) over our property and others in the settlement at Kadina Road Cambridge. We ask that Council reconsider the proposed Rural Zone applied to the Kadina Road settlement and consider zoning the Kadina Road settlement as Rural Living as:

- Kadina Road is an exception to all other similar settlements in the Clarence Council Municipality;
- The proposed Rural Zoning is a direct translation of the current Rural Resource – a zoning that was inappropriate when applied in the 1980s; and
- Rural Zone is not the most appropriate zone for the Kadina Road settlement.

Please see the attached submission which is unsigned. I will submit a signed submission Monday 16 March 2020.

File upload

Mr Ian Nelson
General Manager
Clarence City Council
clarence@ccc.tas.gov.au

Dear Mr Nelson

**REPRESENTATION FROM LYNNE SPARROW & JONATHAN B WARREN OF 3 KADINA ROAD,
CAMBRIDGE ON THE CLARENCE CITY COUNCIL DRAFT LOCAL PROVISIONS SCHEDULE**

Thank you for the opportunity to comment on the Clarence City Council's Draft Local Provisions Schedule (LPS). We make the following representation on one matter in regard to the appropriateness of the application of the 20.0 Rural Zone of the State Planning Provisions (SPP) over our property and others in the settlement at Kadina Road Cambridge.

It appears that the proposed Rural Zone over the parcels in Kadina Road under the CCC Draft LPS is a direct translation of the Rural Resource Zone (that currently applies) as per the directions of the State Planning Provisions. The sub-division (Kadina Road settlement) was created in the early 1980s by Mr Peter McKay and (from what we understand) was zoned as Rural Resource to prevent any further sub-division. Rural Resource Zone was not a well-matched zone for such a sub-division but at that time there was no other appropriate type of zone available to disallow further sub-division – which was what Council wanted at that time.

We believe that the proposed Rural Zone is not appropriate to the character or current use that occurs in the Kadina Road settlement. Other similar settlements such as those at Dulcot, Backhouse Lane, Acton and adjacent to Cambridge village (see map below) several others have been zoned Rural Living. Kadina Road settlement is an exception – the reason for being an exception can only be explained by the direct translation of historical zoning. The proposed Rural Zone is contrary to the advice provided on the Clarence Council's website which states:

*Each council prepares a draft Local Provisions Schedule, where they must determine **the most appropriate zone** to apply to land from the available zones in the State Planning Provisions.*

We ask that Council reconsider the zoning for the Kadina Road settlement and to change the proposed zoning from Rural Zone to Rural Living Zone. We believe that Rural Living Zone is a far more appropriate zoning that better matches the purpose, lot size, character and current use of these parcels (see Table 1 below). We have noted that Rural Living Zone is relatively new and is imminently suited to the situation in Kadina Road.

The Kadina Road settlement comprises of 15 parcels – one of which is accessed from Richmond Road and one (Number 4a) which was created recently and is accessed off Kadina Road. The parcels range in size from 1ha to 8.5ha. In the past some properties have run home-based businesses including limited visitor accommodation. The majority of property owners are now retirees or work off-site and keep a few sheep, chickens and/ or horses. The properties have limited utility services as they are not connected to a sewerage system and some have only limited water, telecommunications and power connection.

Table 1 Summary of the differences between Rural Zone and Rural Living Zone

20.0 Rural Zone	11.0 Rural Living
Examples: rural land on hill tops, near Richmond, adjacent to the airport, Fingerpost Road, Kadina Road settlement (15 lots 1ha to 8.5ha)	Examples: Dulcot, Backhouse Lane, Acton, adjacent to Cambridge village, hills behind Risdon Vale.
To provide for a range of use or development in a rural location:	To provide for residential use or development in a rural setting where
(a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;	a) services are limited; or
(b) that requires a rural location for operational reasons;	(b) existing natural and landscape values are to be retained
(c) is compatible with agricultural use if occurring on agricultural land;	11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.
(d) minimises adverse impacts on surrounding uses.	11.1.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.
20.1.2 To minimise conversion of agricultural land for non-agricultural use.	
20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.	11.1.4 To provide for Visitor Accommodation that is compatible with residential character.
Lot size 40ha	Lot size: Zone A 1ha Zone B 2ha Zone C 5ha Zone D 10ha

While it is agreed that the land in Kadina Road is of limited agricultural use, the original reason for Council applying the Rural Zoning (to limit further subdivision) was to maintain the landscape of the hills face zone but this reason is now over-looked.

Furthermore, it is of highest concern to see that among the Permitted Uses in a Rural Zone (SPP), are the storage of liquid, solid or gas fuel depots, Resource Processing and Extractive Industries. There are no qualifications on these Use Classes and no Use Standards on Permitted Uses in the Rural Zone. That these types of Permitted Use Classes could be considered for Kadina Road is highly inappropriate. It is a matter of high concern as under the State Planning Provisions, 6.7 Permitted Use or Development, 6.7.1 A use or development must be granted a permit if: (a) the use is within a Use Class specified in the applicable Use Table as being a use which is Permitted; (b) the use or development complies with each applicable standard and does not rely on any Performance Criteria to comply with each applicable standard; There appears to be no Performance Criteria for these and other Permitted Uses in the Rural Zone (but we may be wrong on this matter).

If such a proposal for a Permitted Use was lodged, then residents will have no means of objecting to such proposals. Can Council assure the residents of Kadina Road that if such an application is submitted to Council that they will not have a Permit issued? I think not.

Discretionary Use for the Rural Zone includes Bulky Goods Sales (supplier for Extractive Industries, Resource Development, Resource processing, timber yard and rural supplies), crematoria and cemetery, custodial facility, recycling and waste depot etc. None of which could be considered on such small lot sizes.

In summary we ask that Council reconsider the proposed Rural Zone applied to the Kadina Road settlement and consider zoning the Kadina Road settlement as Rural Living as:

- Kadina Road is an exception to all other similar settlements in the Clarence Council Municipality;
- The proposed Rural Zoning is a direct translation of the current Rural Resource – a zoning that was inappropriate when applied in the 1980s; and
- Rural Zone is not the most appropriate zone for the Kadina Road settlement.

From a societal and community point of view, the new Cambridge by-pass (to Richmond) may increase the connection of Kadina Road to Cambridge village. A likely reduction in traffic along this section of Richmond Road (between the Barilla Caravan Park and Cambridge Village) and the hope for a pathway from the caravan park to the Cambridge village will certainly provide increased connection. As residents of Kadina Road, we certainly feel that we belong to the Cambridge village community and participate in events held there.

Finally, when this matter was discussed with the Clarence Planner, it was suggested that we discuss with other residents in Kadina Road. We haven't done this but feel that this matter should be brought to other residents notice in Kadina Road as they would not understand the implications of remaining as Rural Zone under the new State Planning Provisions.

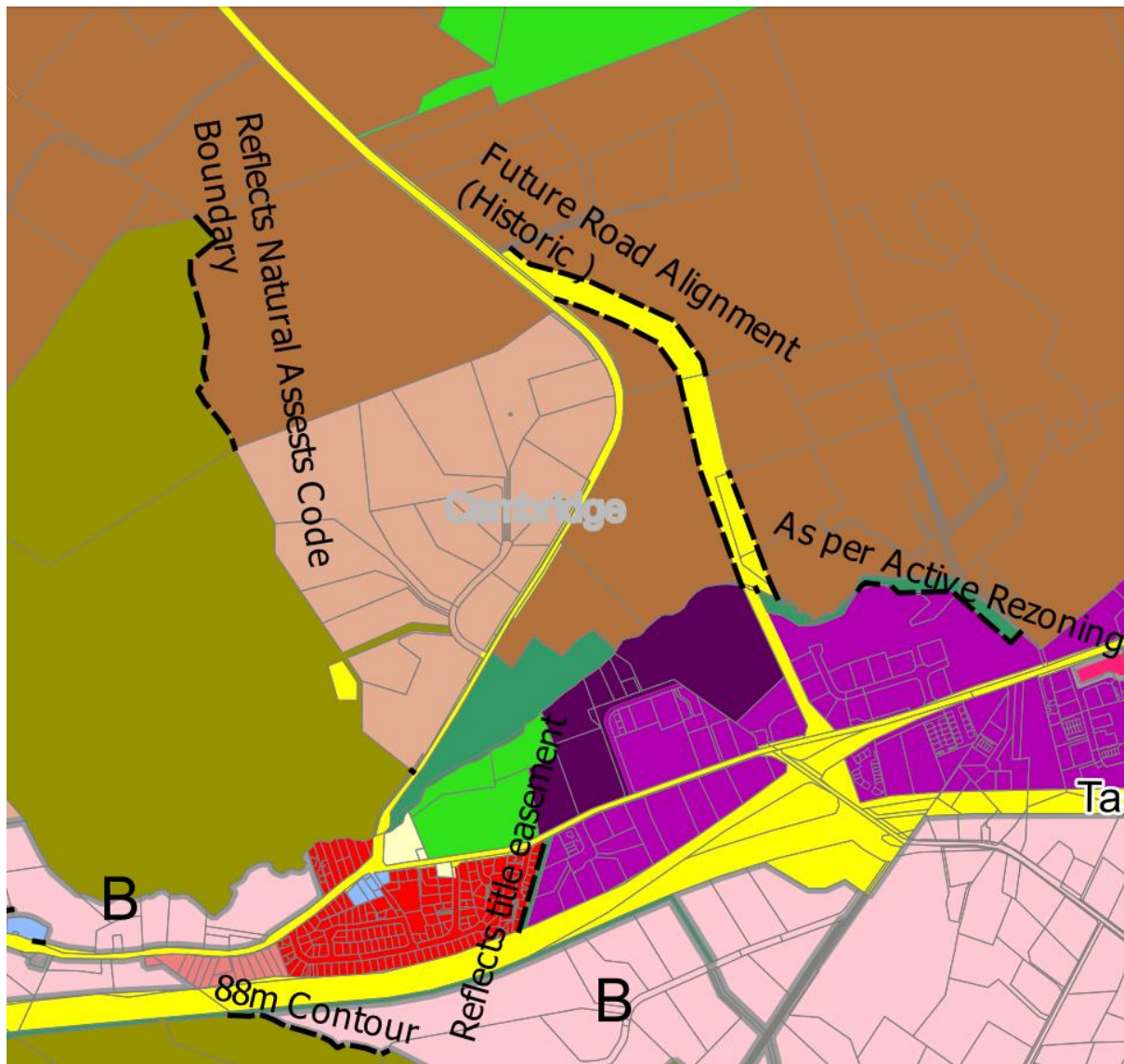
Yours sincerely

Lynne Sparrow

15 March 2020

J Brett Warren

15 March 2020



Legend			
----- Zone Boundary	Rural Living	Rural	Recreation
Land Parcel Boundary	Local Business	Agriculture	Open Space
Zones	General Business	Landscape Conservation	Future Urban
General Residential	Central Business	Environmental Management	Particular Purpose
Inner Residential	Light Industrial	Utilities	
Low Density Residential	General Industrial	Community Purpose	

----- Forwarded message -----

From: **Richard Carhart** <richard@hmval.onmicrosoft.com>

Date: Tue, Aug 27, 2019 at 10:04 AM

Subject: RE: Zoning

To: Kris Pawar <pawar@radiant2000.com>

Hi Krishna,

Thank you for your message.

As we discussed during our telephone conversation, the land use code for your property at 1169 Acton Road (PID 1761354) was previously classified as “L252 – Greenhouse/Nursery/Flowers – Part Irrigated”.

At the time of our inspection last year as part of the statutory revaluation process, it was noted that operation of the nursery appears to have ceased and the greenhouses have been substantially demolished and removed from the site. The sole business operation that was being conducted on the property was a freestanding shop, selling groceries and other convenience items.

Accordingly, the land use code has been revised to “C16 – Nursery/Roadside outlet – Retail”, which is considered to better reflect the current use of the property.

We trust the above is of assistance in addressing your query.

Regards

Richard Carhart
MRICS, AAPI CPV
Senior Valuer
LG Valuation Services Pty Ltd
Part of HMC Property Group
PO Box 1470
30 Brisbane Street
LAUNCESTON TAS 7250
Phone (Mobile): 0408 141 030
Fax: 03 6334 2180

E-mail: richard@hmval.com.au



Please consider the environment before printing this email

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you have received this transmission in error then please inform the sender immediately by return e-mail or facsimile and delete the transmission and all of its associations. Liability limited by a scheme approved under Professional Standards Legislation.