

From: Adrian Fairfield <adrian@surveyingtas.com.au>
Sent: Friday, 30 July 2021 3:13 PM
To: Development Services
Subject: PLANNING EXHIBITION REPRESENTATION
Attachments: Planning Exhibition Representation Flinders LPS 4837 Palana Road Palana.pdf; Planning Exhibition Representation Flinders LPS Killiecrankie Road Killiecrankie.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hi,

Please see attached two representations.

Regards,

Adrian Fairfield
Director & Registered Land Surveyor
0408314633 03 6331 4633



COHEN & Associates
Land & Aerial Surveyors



General Manager
Flinders Council
PO Box 40
WHITEMARK TAS 7255

Via email: development.services@flinders.tas.gov.au

30 July 2021

Dear Mr Groves,

**PLANNING EXHIBITION REPRESENTATION – DRAFT FLINDERS LOCAL PROVISIONS
SCHEDULE**

This representation is prepared on behalf of Cohen & Associates P/L for consideration within the Local Provisions Schedule for Flinders Council in relation to property at 4837 Palana Road, Palana (PID 7629434).

A subdivision for 11 lots and Balance was approved by Council on 28 October 2010 (DA24/10P). Stage 1 of the subdivision has been completed and titles issued for Lots 1, 2 and 3. Substantial commencement of the permit has therefore been undertaken. Stage 2 of the subdivision, Lots 4 and 5 is actively being completed.

The current zoning of the subject site shows that the north-eastern half is zoned Village with the remainder zoned Rural within the *Flinders Planning Scheme 1994* (updated 2000). Lots 1-11 approved under DA24/10P are wholly contained within the Village zone. It is noted part of the land subject to the subdivision (approximately 70m from frontage to Palana Road) is identified on Map 24 in the Draft Flinders Local Provisions Schedule as Low Density Residential zone with the remainder to be zoned Landscape Conservation zone. This will likely result in Lots 1, 2, 5, 6, 9 and part of Lots 10 and 11 being located within the Low Density Residential zone and Lots 3, 4, 7, 8 and part of Lots 10 and 11 being located within the Landscape Conservation zone.

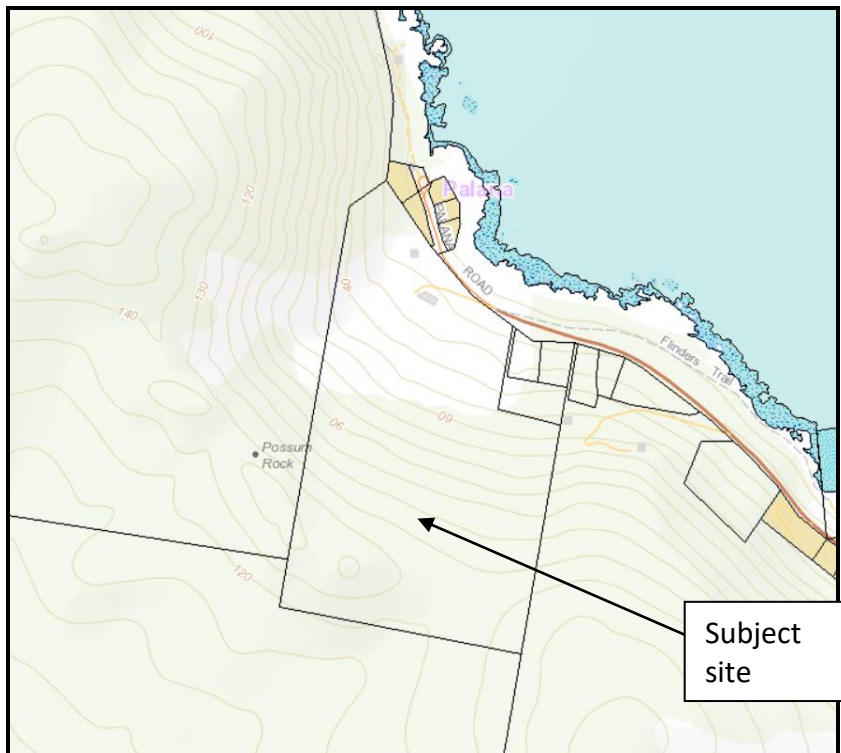


Figure 1 – Locality Plan CT164144/1 (Source: theLIST)

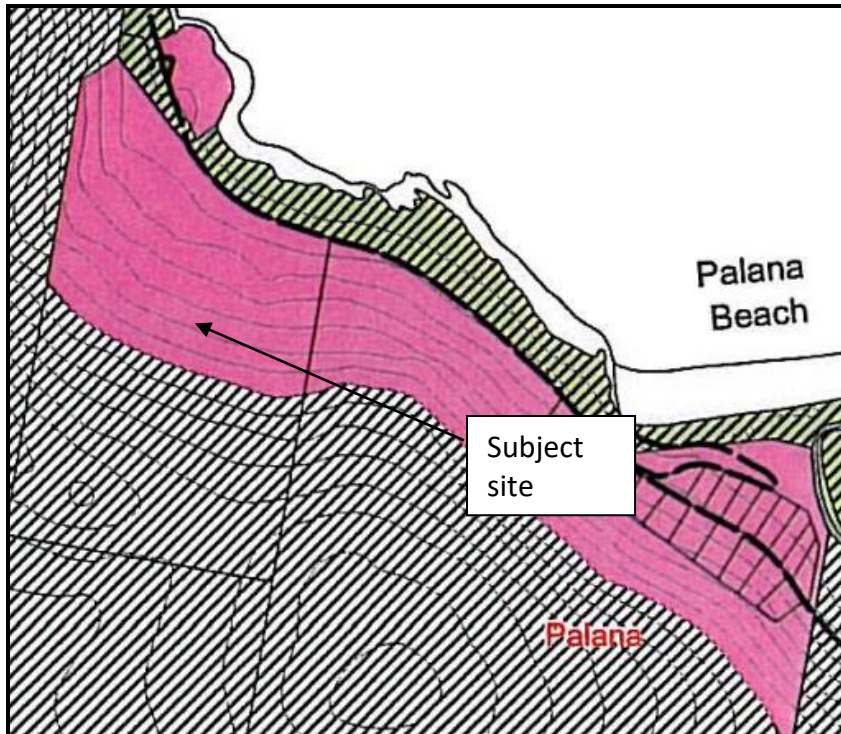


Figure 2 – Current zoning – Flinders Planning Scheme 1994 (part Village and part Rural).

(Source: <https://www.flinders.tas.gov.au/client-assets/images/Development/Downloads/Flinders%20Planning%20Scheme%20Sheet%201.pdf>)

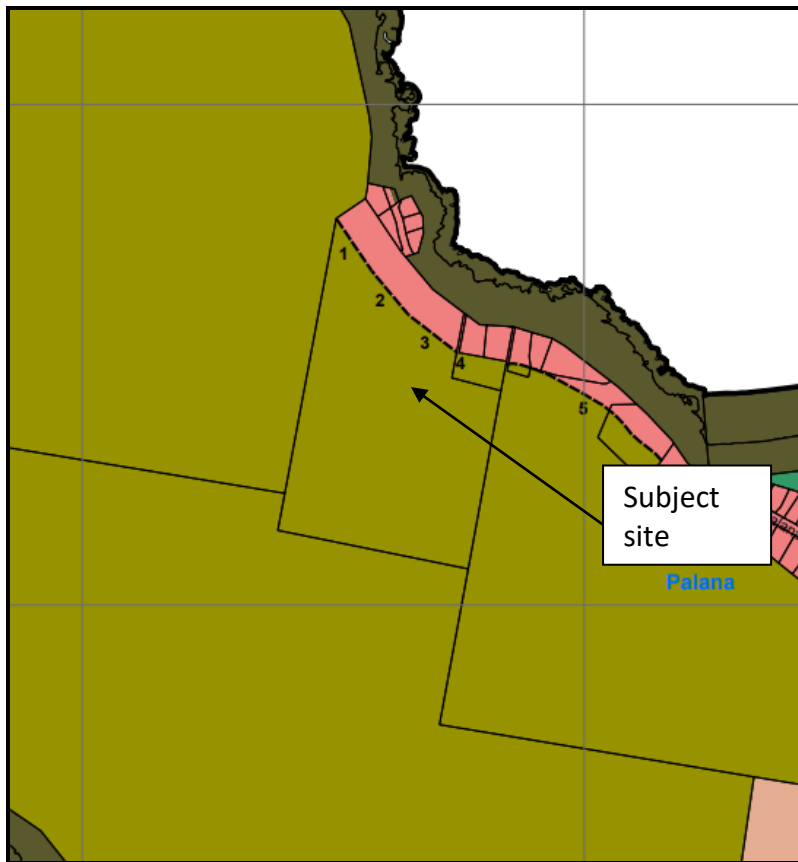


Figure 3— Proposed zoning – Tasmanian Planning Scheme – Flinders Local Provisions Schedule Map 24 (Landscape Conservation and Low Density Residential).

(Source: [TPS - FLI LPS - Zone Maps.pdf \(flinders.tas.gov.au\)](https://www.flinders.tas.gov.au/TPS-FLI-LPS-Zone-Maps.pdf))



Figure 4— Approved 2010 Subdivision Plan

The proposed zoning to Landscape Conservation of the current Village zoned approved lots 1-11 is not in accordance with Table 3 – Zone translation summary of the Flinders Local Provisions Schedule Supporting Report which translates the 2000 Scheme Village zone to Low Density Residential or Village. This is obvious even with the existing titles issued for Stage 1 where one of the three approved lots of Stage 1 is to be a different zone to the other two lots. The proposed zoning is therefore inconsistent with Guideline No. 1 for zone conversions and therefore not generally consistent with local and NTRLUS.

Whilst the Landscape Conservation Zone allows for Residential Use Class – if for a Single Dwelling as a discretionary use, the Low Density Residential Zone allows for Residential Use Class – if for a Single as a No Permit Required use and provides for other Residential land uses as discretionary including multiple dwellings. The Village Zone of the *Flinders Planning Scheme 1994* (updated 2000) allows for a house (Residential) as a permitted (with planning permit) use. A basic comparison table is provided below in relation to the current Village zoned lots.

Comparison Table for Consideration of approved Lots 1-11 within current Village zone

Planning Scheme	Village (current Scheme)	1994	Landscape Conservation (Tasmanian Planning Scheme)	Low Density Residential (Tasmanian Planning Scheme)
Use	Single Dwelling – permitted Grouped Housing – discretionary	– –	Single Dwelling – discretionary Multiple Dwelling – prohibited	Single Dwelling – No Permit Required Multiple Dwelling – Discretionary
Height	8.0m		6.0m (Acceptable Solution)	8.5m (Acceptable Solution)
Setbacks	BCA & Building Regs 1994		Front – 10m (AS) Side/Rear – 20m (AS)	Front – 8.0m (AS) Side/Rear – 5.0m (AS)
Subdivision	No minimum lot size however consideration of onsite wastewater required Min. Frontage – 3.6m		Min. Lot size – 50ha (AS), 20ha (PC) Min. Frontage – 40m	Min. Lot size – 1500m ² Contains a 10 x 15m rectangle Min. Frontage – 20m

It is therefore requested that all 11 approved residential lots (Lots 1-11 approved of DA 24/10P) be wholly contained within the Low Density Residential zone with the balance lot being contained within the Landscape Conservation Zone and the zone transition to be along the southwestern interface of smaller lots with the balance lot. The portion of the subject site currently zoned Village, particularly to follow the lot boundaries of Lots 1-11 should all be changed to Low Density Residential Zoning in the Tasmanian Planning Scheme – Flinders to ensure consistency with Guideline No. 1 (Guideline No. 1 Local Provisions Schedule (LPS): zone and code application made under section 8A of the Act).



Therefore, we respectfully request further consideration of the future of this parcel of land through this process.

Kind Regards,

A handwritten signature in dark ink, appearing to read 'R Green', is shown on a light blue rectangular background.

Rebecca Green

Senior Planning Consultant & Accredited Bushfire Hazard Assessor
m. 0409 284422
e. admin@rgassociates.com.au