



From: Justine Brooks [REDACTED]
Sent: Monday, 6 June 2022 7:53 PM
To: Dorset Council <dorset@dorset.tas.gov.au>
Cc: David Krushka [REDACTED] Joe Krushka [REDACTED] Rohan Willis
[REDACTED] Thomas Wagenknecht [REDACTED] Tracey
Baillie [REDACTED]
Subject: Local Provision Schedule Submission - 1954 Bridport Highway, Bridport

Dear Dorset Council

Please find attached a LPS submission made on behalf of Mr David Krushka of Samell (Tas) Pty Ltd, for 1954 Bridport Highway, Bridport.

This submission is lodged concurrently with the site's rezoning application, which is to be included as supporting documentation when considering the suitability of the RURAL zone over the site.

Do not hesitate to contact me should you require additional information or further clarification on any matter contained within this documentation.

Regards,



Justine Brooks MEnvPlg GDBA GCM MPIA
Director | Planning Manager

[REDACTED]
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Our Ref: 46779JB

Your Ref: -

6th June 2022

The General Manager
Dorset Council
Po Box 21
Scottsdale TAS 7260

Via email: dorset@dorset.tas.gov.au

cc: Mr David Krushka: [REDACTED]

Dear General Manager

**Dorset Council Local Provisions Schedule (LPS) Submission
1954 Bridport Road, Bridport (CT 235494/1, PID 6856168)**

Thank you for the opportunity for to participate in the Local Provision Schedule (LPS) application process.

PDA Surveyors, Engineers and Planners have been engaged to submit this submission on behalf of Mr David Krushka, of Samell (Tas) Pty Ltd for land located at 1954 Bridport Road, Bridport (the subject site). The Dorset LPS mapping shows that the subject site is proposed to be zoned Rural Living Zone (RLZ) but our client requests that consideration be made instead for the application of the Rural Zone (RZ).

This submission is lodged concurrent with an application under Section 43A of the former provisions of the *Land Use Planning and Approvals Act 1993* which seeks to combine a Planning Scheme Amendment and Development Application. Please utilise that report for additional supporting information.

The Submission

The land owner seeks to have the Rural Zone applied because it is more conducive to the commercial activities that he seeks to operate from the site. These activities will have benefits for the broader community, including for the adjoining Bridport airstrip. In fact, due to the sites proximity to the airstrip there would be less land use conflict if the site was used and developed for non-residential given the location of the site under the airstrip flight path and the continued growth of the business demonstrated through increasing flight activity.

This submission has been prepared in accordance with guidelines for zone and code applications prepared by the Commission under Section 8A of the *Land Use Planning and Approvals Act 1993*. The applicable of the Rural Zone to the subject site is assessed within the below table (see overleaf).

HOBART:

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Zone	Zone Purpose	Zone Application Guidelines
<p>Rural</p>	<p>The purpose of the Rural Zone is:</p> <p>20.1.1 To provide for a range of use or development in a rural location:</p> <p>(a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;</p> <p>(b) that requires a rural location for operational reasons;</p> <p>(c) is compatible with agricultural use if occurring on agricultural land;</p> <p>(d) minimises adverse impacts on surrounding uses.</p> <p>20.1.2 To minimise conversion of agricultural land for non-agricultural use.</p> <p>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.</p>	<p>RZ 1- The Rural Zone should be applied to land in non-urban areas with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area, and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.</p> <p>RZ 2- The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.</p> <p>RZ 3- The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:</p> <p>(a) it can be demonstrated that the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;</p> <p>(b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;</p> <p>(c) the land is identified for the protection of a strategically important naturally occurring resource which is more appropriately located in the Rural Zone and is supported by strategic analysis;</p> <p>(d) the land is identified for a strategically important use or development that is more appropriately located in the Rural Zone and is supported by strategic analysis; or</p> <p>(e) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.</p>

Planners Response

RZ1

1954 Bridport Road is located approximately 600m outside of urban area of Bridport to the north. While it is currently zoned Rural Living under the Interim Scheme, the site is not a particularly attractive 'lifestyle lot' given its proximity to the Bridport airstrip and location under the flight path. There are no land conservation elements of significance identified on the site through the various listmap layers which would deem it more appropriate to be zoned landscape conservation.

RZ 2

The site is considered not suitable for inclusion in the Agriculture Zone, likely due to factors such as poor land capability, lack of irrigation and limitations associated with its proximity to a busy airstrip.

RZ 3

While RZ 3 is technically not applicable given the site is not identified as 'potentially suitable for Agriculture zone' this clause does provide the opportunity to highlight to the Council the strategically important use and development that is proposed for the site as part of the concurrent combined rezoning and development application.

For some years it has been identified that efficient, but small petrol station in Bridport needs to be upgraded to keep up with the demand that has expanded with the population growth of the region however it is restricted from doing so due to lack of available area. Further, it is not suitable for use by very large vehicles such as trucks, rural vehicles and RV's.

One of the proposed developments for the subject site is a 24 hour self-serve petrol station, which will also support those using the adjoining airstrip. Other plans include developing a self-storage facility which will again support the Bridport community as it will provide secure options for storage of a range of items including caravans and boats. Bridport is a popular destination for holiday makers who seek places to store their recreation related vehicles. As backyards become smaller, secure offsite storage is one of the fastest commercial sectors.

The land owner has received numerous enquiries from other commercial interest groups in regard to setting up businesses that would support the broader community, providing services and facilities that are not currently available.

Likewise, with RZ 3(e), strategic analysis has been carried out as part of the rezoning application that justifies the application of the Rural Zone to the subject site as more appropriate than the Rural Living Zone. This is further explored in the next table.

Zone	Zone Purpose	Zone Application Guidelines
Rural Living	<p>The purpose of the Rural Living Zone is:</p> <p>11.1.1 To provide for residential use or development in a rural setting where:</p> <p>(a) services are limited; or</p> <p>(b) existing natural and landscape values are to be retained.</p> <p>11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.</p> <p>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.</p> <p>11.1.4 To provide for Visitor Accommodation that is compatible with residential character.</p>	<p>RLZ 1 The Rural Living Zone should be applied to:</p> <p>(a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given t on the protection of residential amenity; or</p> <p>(b) land that is currently a Rural Living Zone within an interim planning scheme or a section 29 planning scheme,</p>
Planner Response		
<p>RLZ 1</p> <p>(a) The subject area would be difficult to categorise as a 'residential area'. There are some houses built but there is no social infrastructure to support them within close</p>		

proximity. While the dominant land development pattern is large lots with single residents, this clause emphasises that priority is to be given to residential amenity. Given the subject site shares a boundary with the Bridport airstrip, residential amenity will be impacted, particularly as the flights from the site are increasing

Based on the above considered guidelines, and the current application before Council to formally rezone the subject site to the Rural Resource Zone (under current scheme), we respectfully request that 1954 Bridport Road be zoned **Rural** through the Local Provisions Schedule transition process for the municipality of Darset.

Please do not hesitate to contact me should you require additional information or clarification on any matter contained within this correspondence.

Yours faithfully,

PDA Surveyors, Engineers & Planners

Per:



Justine Brooks

On Behalf of:
Samell (Tas) Pty. Ltd.