From: Jana Rockliff
Sent: 19 Dec 2018 05:26:26 +0000
To: Planning @ Meander Valley Council
Cc: Matthias Schrepfer
Subject: Representation for Draft Meander Valley LPS
Attachments: 300957_L01_Rev1 Representation to Meander Valley LPS.PDF

Dear Sir or Madam,

Please see attached letter.

Please confirm the receipt of the representation via return email.

If you have any queries please do not hesitate to contact me.

Thanks.

Kind regards

Jana Rockliff
Project Manager

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Wednesday, 19 December 2018

Ref: 300957_L01_Rev0

The General Manager
Meander Valley Council
PO Box 102
Westbury TAS 7303
planning@meander.tas.gov.au

Dear Sir

RE: Representation to the Daft Meander Valley Local Provision Schedule

Veris was engaged by Matthias Schrepfer, property owner at Travellers Rest, to investigate the impact of the proposed rezoning of the Traveller Rest area into Landscape Conservation Zone with the Scenic Protection Code overlay and a Travellers Rest Specific Area Plan as part of the implementation of the new Tasmanian Planning Scheme.

Although the Landscape Conservation Zone does seem appropriate overall for the area there are significant changes to the current Planning Scheme which can restrict future developments significantly. Following concerns were identified:

1. Subdivision

The proposed zone prohibits any subdivision as neither the acceptable solution of 40ha nor the performance criteria of 20h can be met. Although subdivision to create a new lot is currently prohibited at Travellers Rest a subdivision which does not create a new lot (boundary adjustment) is permitted via performance criteria.

It is noted that boundary adjustments can be approved under the General Provision 7.3 however the following requirements must be met:

(a) no additional lots are created;
(b) there is only minor change to the relative size, shape and orientation of the existing lots;
(c) no setback from an existing building will be reduced below the relevant Acceptable Solution setback requirement;
(d) no frontage is reduced below the relevant Acceptable Solution minimum frontage requirement;
(e) no lot is reduced below the relevant Acceptable Solution minimum lot size unless already below the minimum lot size; and
(f) no lot boundary that aligns with a zone boundary will be changed.

If any of this requirements cannot be met the boundary adjustment is classed as a subdivision and would be therefore prohibited under the proposed planning scheme. In particular the requirements in regard to setbacks can be challenging to meet as the requirements increase significantly as stated further below in this representation. Furthermore the definition of minor changes (7.3 (b)) are relying entirely on the interpretation of the Council Planner in charge. It is therefore requested to implement a pathway into the proposed planning scheme to allow for subdivision which do not create a new lot as it is permitted under the current planning scheme.

2. Site coverage

The proposed zone limits the site coverage to 400m^2 under 22.4.1 A1. However our client would like to object to this requirement and requests to implement the current acceptable solution of 30% of the site (12.4.1.1 A1) into the Travellers Rest Specific Area Plan.

The lot sizes at Travellers Rest range from approx. 9000m^2 to 9ha with an average lot size of 2.6ha. Therefore the proposed zone will reduce the permitted site coverage of every lot at Travellers Rest in comparison to the current planning scheme requirement. Furthermore our client almost reaches the 400m^2 site coverage now and therefore every future extension will have to address the performance criteria of the proposed zone which might require expert reports to prove the fulfilment of the requirements which leads to additional effort for future development approvals.

3. Setbacks

The proposed zone increases the frontage setback requirements from 6 metres to 10 metres and the side and rear setbacks from 5 metres to 20 metres. Although the existing structures will not be impacted by this changes, new developments might be restricted as the setbacks in particular to the side and the back increase by 15 metres. The performance criteria will have to be addressed which might require expert reports to prove the fulfilment of the requirements which leads to additional effort for future development approvals.

It is also noted that even though Council is stating that they will keep supporting appropriate developments in this area, it is unknown if this might change in the future due to new personnel with different views and approaches. Although most developments will be still discretionary under the proposed planning scheme, it is relevant how many discretionary requirements need to be addressed as it requires in general more effort to argue the fulfilment of a performance criteria than complying with an acceptable solution.

4. Building height

The proposed zone decreases the permitted building height from 8 metres to 6 metres. Although the existing structures will not be impacted by this changes, new developments might be restricted. Our client is concerned that the decreased building height could have a negative impact on future developments.

In light of the above mentioned argument Matthias Schrepfer is requesting Council to amend the proposed Travellers Rest Specific Area Plan to incorporate the above mentioned requirements in its current form into the proposed planning scheme amendment.

If you have any queries please do not hesitate to contact me.

Kind regards

Jana Rockliff