

Date 15/03/2022  
Our ref: L210823

The General Manager  
Latrobe Council

Via Email: [submissions@latrobe.tas.gov.au](mailto:submissions@latrobe.tas.gov.au)

**RE: REPRESENTATION TO DRAFT LATROBE LOCAL PROVISION SCHEDULE.**

This letter is written in accordance with section 35E of the *Land Use Planning and Approvals Act* (the Act), which allows any person to make a representation to a planning authority which exhibits a draft Local Provision Schedule (LPS). Latrobe Council publicly exhibited the Latrobe Draft LPS from the 17<sup>th</sup> January 2022, to the 21<sup>st</sup> March 2022.

**Subject Site.**

Address	Current IPS Zone	Proposed LPS Zone	LPS Overlays
Lot 14, Charles Street, Squeaking Point  CT: 180271/14	Rural Living	Rural Living Zone 'A'	<ul style="list-style-type: none"> <li>• Bushfire Prone Areas Overlay</li> <li>• Port Sorell and Environs Specific Area Plan – Precinct A.</li> <li>• Priority Vegetation Area</li> </ul>



Figure 1 - Subject site location and existing zoning.

The land is located within a residential part of Squeaking Point. The site has a total area of 9ha, and currently contains an existing single dwelling. There is no agricultural use occurring on the site which has characteristics associated with a lifestyle lot or 'hobby farm'.

The draft LPS has recommended that the land be placed into the Rural Living Zone 'A', with the Port Sorell and Environs SAP transitioning from the existing Interim Scheme.

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## WOOLCOTT SURVEYS

This representation seeks to have modifications made to the Port Sorell and Environs Specific Area Plan, noting that this SAP effects a number of properties within the area. This lot is the remaining balance of land within the SAP boundaries.

In making these comments, we acknowledge that the SAP has been carried over to the LPS under schedule 6 of the Transitional Provisions. The fact sheet on Council's websites indicates that there is no ability for Council to consider changes to SAPs under the LPS process. I understand that changes can in fact be made, however the SAP would need to meet the test outlined under section 32 (4) of the *Land Use Planning and Approvals Act 1993*. Whether Council and the TPC have an appetite to look at this is unknown, however as the SAP is based on a report which is 14 years old, we request the contents of this SAP be re-examined by Council.

I also note under clause 8C of Schedule 6 of the Act, that permitted alterations can occur to Transitioning provisions which allow the SAP to function or read as intended.

With the above in mind, we wish to raise the following:

- All of the existing lots within the Moorings Drive subdivision, have been subdivided down to approximately 5000m<sup>2</sup>. The current provisions within the Rural Living Zone allow for this to occur under performance criteria clause 13.4.1 P1. The current Rural Living Zone provisions will prohibit lots from being subdivided down to this size, with a minimum lot size of 8000m<sup>2</sup> under performance criteria. We would request that the SAP looks at specific provisions which allow the remainder of the parent title to be subdivided in a similar manner to that which has already been completed. To start increasing lot sizes to nearly double would not be consistent with the existing character that is established in this part of Squeaking Point.
- Clause LAT S2.7.1.1 A1:
  - a) CT109132/1 & CT163487/2 – references to historical titles which no longer exists.
  - b) CT163587/1 – This refers to a title at 1925 Lilydale Road, Lilydale. The property is in the Launceston Municipality. It is not located in the Latrobe local government area.
- Clause LAT S2.7.1.1 A2:
  - a) A2 refers to a historical title that no longer exists.
  - b) The requirement to provide a dense vegetation buffer of not less than 50m width and height of 2m, is onerous. The agricultural zoned land to the south is class 5 land, it is not prime agricultural land. A dwelling established within the Rural Living Zone provides a requirement to provide sufficient setbacks from Agricultural land. Future dwellings can be assessed on their merits under the zone criteria. The criteria of the SAP is seeking to cover what clause 11.4.2 of A4/P4 of the zone already assesses.

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## WOOLCOTT SURVEYS

- Clause LAT S2.8.3.1 A2 refers to a title that no longer exists, notwithstanding this point, the requirement to provide this area within a single lot results in a subdivision layout that is neither practical or serves any meaningful benefit. Once again, we would request that the impact on agricultural zoned land be considered under the relevant development standards for buildings. Alternatively, a 'no build area' could be placed on title for subdivision in this area which would still achieve the desired outcomes.

It is therefore submitted that there are a number of corrections and modifications requested for the Port Sorell and Environs SAP, which applies to land at Charles Street, Squeaking Point.

We have provided two proposal plans for this land, both of which are attached to this submission.

Annexure 1 – Provides a SAP compliant layout which shows land along the southern boundary contained within a single lot. We don't believe this layout is a practical or suitable layout. Please note that the lot sizes are not compliant, the configuration of the lots is what is being emphasized here.

Annexure 2 – Provides a more practical layout which complements the existing character, however does not meet the requirement of S2.8.3.1 A2. Allowing lots to develop up to the southern boundary is considered a more appropriate layout.

Should you have any queries in relation to this representation, please don't hesitate to get in touch.

Kind regards  
Woolcott Surveys

James Stewart  
Senior Town Planner

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**WOOLCOTT SURVEYS**



**EAST COAST  
SURVEYING**

## Annexure 1

### **LAUNCESTON**

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### **ST HELENS**

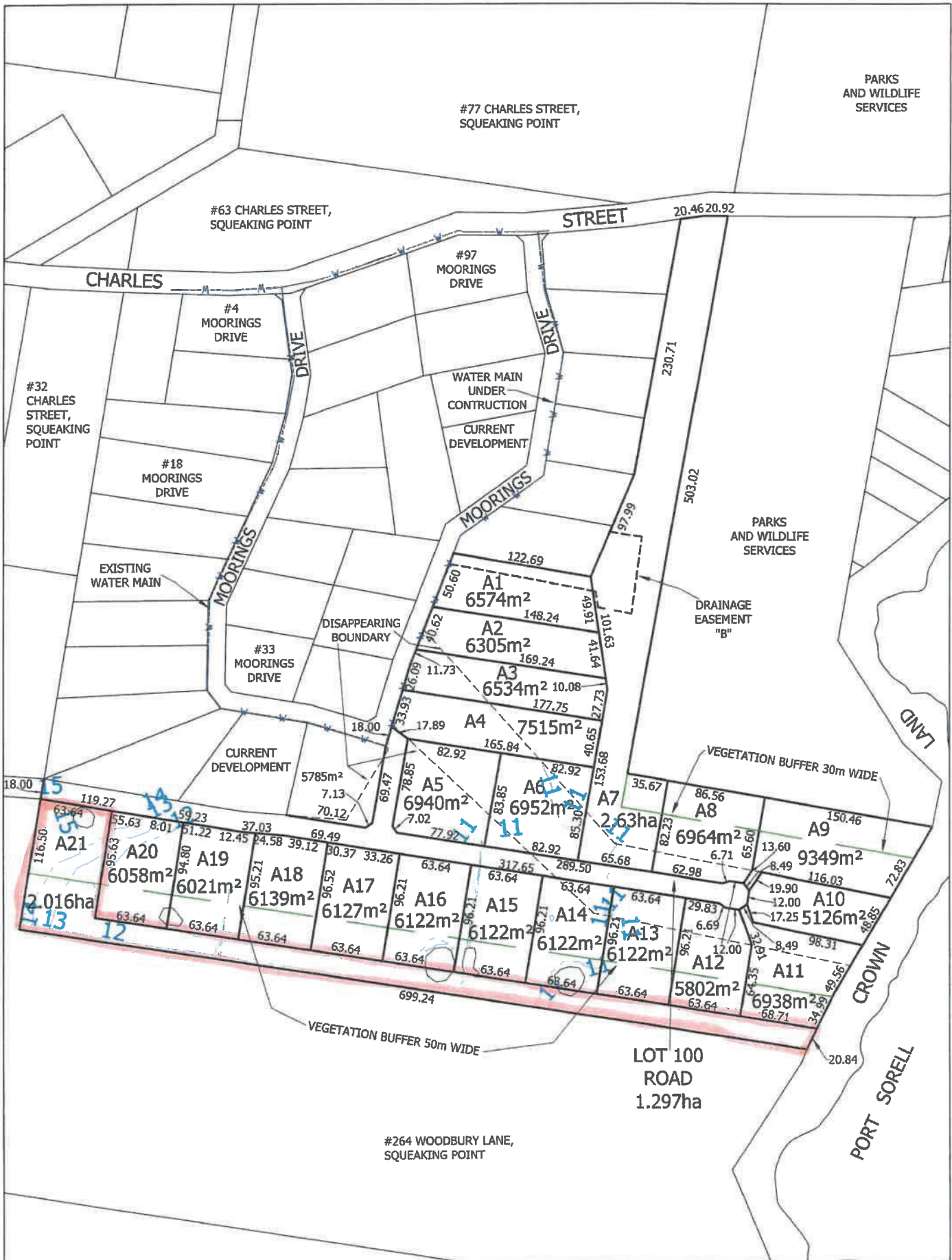
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NOTES:  
THIS PLAN HAS BEEN CREATED AS A PROPOSAL TO ACCOMPANY A DEVELOPMENT APPLICATION AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. ALL MEASUREMENTS SUBJECT TO SURVEY.

**PROPOSED 21 LOT SUBDIVISION (OPTION 2)**  
 OWNERS : MDG CONTRACTING GROUP PTY LIMITED  
 LOT 42 CHARLES STREET, SQUEAKING POINT, 7307  
 FOLIO REFERENCE: CT 167507/42



Drawn Y3/JAG  
 File name L181023\_Prop-Plan\_V3\_230919.dwg

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Job Number L181023  
 Edition 2.0  
 Sheet 1/1



**WOOLCOTT SURVEYS**



Annexure 2

**LAUNCESTON**

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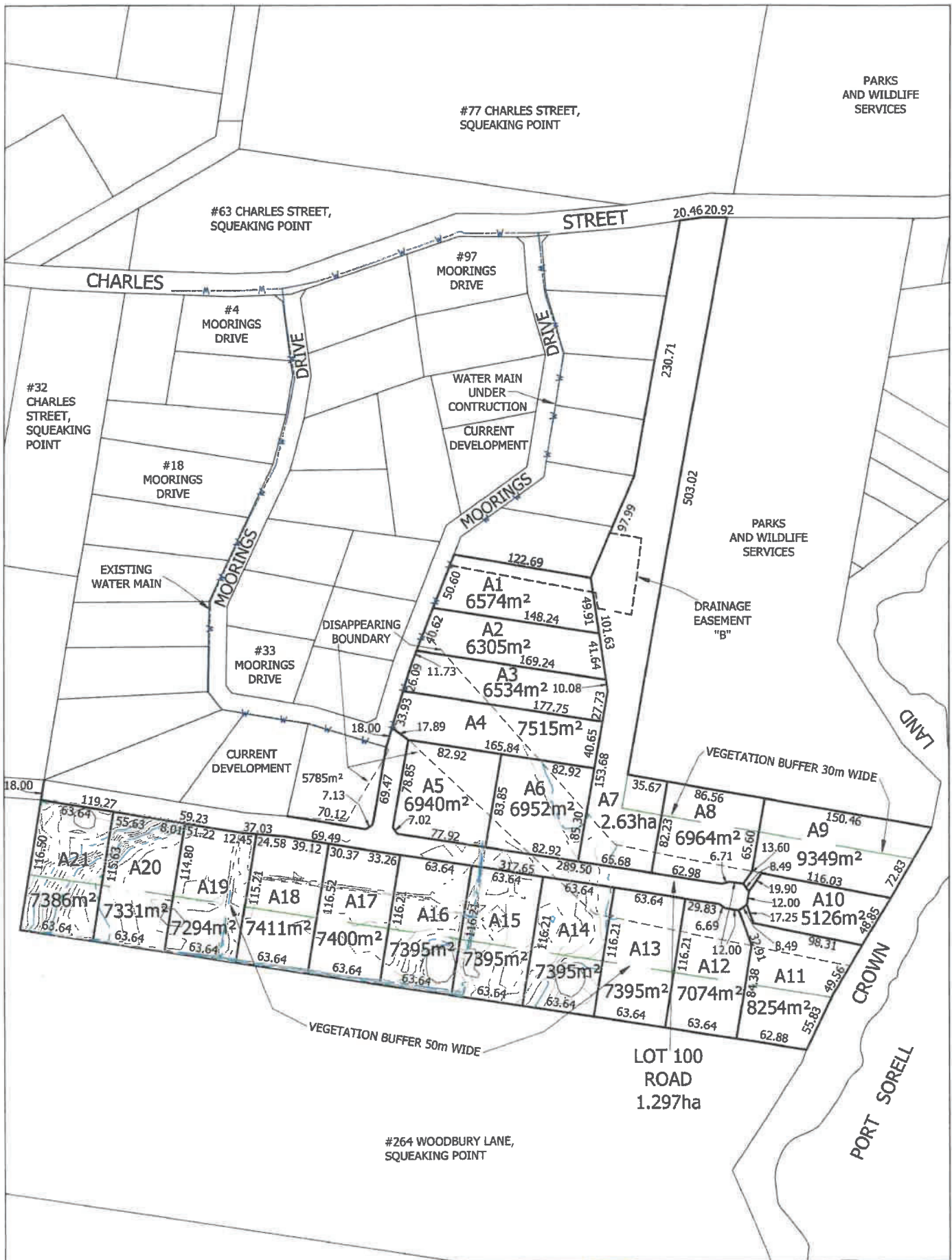
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**L181023**

Drawn	File name	Date	Scale	Edition	Sheet
YJ/JAG	L181023_prop-plan_v2_230919.dwg	23/09/19	1:3000@A3	V2.0	1/1