

Tasmanian Planning Commission — Kingborough LPS Hearing

Direction 69 / Irenelnc Report — Full Transcript (Day 1 + Day 2)

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Day 1 — Day 19 of hearings

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[00:04:36] Well good morning everyone. Welcome to day 19 of the hearings for the assessment of the
[00:04:44] Kingborough draft local provision schedules referred to as the LPS. Thank you for attending
[00:04:49] and it's really nice to see so many people here and so many familiar faces from our
[00:04:55] previous hearing days so thank you for coming along.
[00:04:59] Before beginning today's hearing in recognition of the deep history and culture of this
[00:05:02] island I'd like to acknowledge and pay our respects to all Tasmanian Aboriginal people,
[00:05:08] the past and present custodians of the land upon which we meet today.
[00:05:13] The hearing is now open. My name is Nick Heath and I'll be chairing the hearings today.
[00:05:19] Together with Dan Ford and Rohan Probert we have a joint and several delegation
[00:05:23] from the Tasmanian Planning Commission to undertake these assessments.
[00:05:28] Together with us today we have our Planning Advisors Linda Grome and our Spatial Analyst
[00:05:34] Simon Gatenby and we also have Collinia Minter who you've probably met when you signed
[00:05:39] in out the front so Collinia is assisting us as well today.
[00:05:45] Just to be clear what the purpose of the hearing today and tomorrow is basically we've
[00:05:52] got two main goals over the next two days. The first one and probably the primary one
[00:05:58] is to have a presentation from the Planning Authority in relation to their response to
[00:06:05] our so-called direction 69 and I'll talk a bit more about that in a second and
[00:06:11] also the second outcome that we want to get from these two days is for us to
[00:06:17] outline the proceedings from here and how the proceedings will work from here, particularly
[00:06:23] in respect to the issues around natural justice and how landowners affected by the Planning
[00:06:28] Authority's response to our so-called direction 69 can have a say. I'll outline
[00:06:35] this process once we have concluded the Planning Authority's submissions so likely
[00:06:42] to be tomorrow if people are hanging on to hear that.
[00:06:46] So the hearing today is being recorded primarily for the benefit of delegates. Whilst ordinarily
[00:06:53] we do not make recordings available given the level of public interest in this matter
[00:06:58] the recording will be available on the Council's website until midnight on the 19th
[00:07:04] of June. The 19th of June is the date because after that we are taking a six
[00:07:10] week break mainly due to delegate availability. So 19th of June to access the proceedings
[00:07:19] from today and tomorrow on the Council website. We do remind you however of the Commission's
[00:07:25] policy that you're not permitted to make your own recordings of the hearing but it
[00:07:31] will be available publicly as I said. Whilst we are today in the hands of the Planning
[00:07:36] Authority regarding the length of their presentations. Normally we will have a break for a morning
[00:07:42] tea about half past 11, break for lunch around 1pm, return at 2 and normally we conclude

[00:07:51] our hearing days around about 4 o'clock. So for those that are listening in or are
[00:07:56] here today that will help you with your schedules hopefully. Also given it's a fairly
[00:08:01] intense day for the Planning Authority if you want to have a break at any stage
[00:08:06] just raise your hand and we'll accommodate that as well. Just some logistics around this room.
[00:08:13] It is the Kingborough Council Chamber so thank you very much to the Kingborough
[00:08:17] Council for hosting us here today. We appreciate it. In the event of an evacuation
[00:08:23] please follow the instructions of the Council Wardens. Toilets are located out the doors
[00:08:28] that you came in and at the back of the Chamber. Make sure your mobile phones too
[00:08:36] please are on silent because it will disrupt the proceedings if they're not.
[00:08:42] So as I said earlier I think it's just important we set a bit of a context for the day's
[00:08:46] presentation from the Planning Authority. As I said the Planning Authority is responding
[00:08:52] to the Commission's Direction 69 but I think it's important to understand how we
[00:08:57] got to this point today. So you may recall that on 10 October the Commission rejected
[00:09:05] the particular purpose zone, the Kingborough Bushland and Coastal Living Zone. The basis
[00:09:11] of this rejection was the lack of natural justice primarily because the PPZ was introduced
[00:09:17] in the Planning Authority Section 35F report as a response to representations received
[00:09:23] when the draft LPS was advertised. The Commission was of the view that because
[00:09:28] the PPZ was not publicly advertised and the public had not had an opportunity to
[00:09:33] comment on it then it failed the principles of natural justice and should be rejected.
[00:09:39] As a result the Commission issued Direction 69 directing the Planning Authority to review
[00:09:44] the application of the Landscape Conservation Zone throughout the Municipal Area. The
[00:09:49] direction was originally required to be responded to by the Planning Authority
[00:09:53] by 30 January 2026 but following a request from the Planning Authority this was extended
[00:10:00] until 17 March 2026 and subsequently a further four days until 20 March 2026. So the response
[00:10:10] to the direction in the form of the so-called Irene Inc report was received by the Commission
[00:10:16] on 20 March 2026 in accordance with the timeline approved by the Commission.
[00:10:24] The response is critical to the ongoing conduct of these hearings and is of great
[00:10:30] interest not only to the panel but also to the community more broadly.
[00:10:36] The panel has requested the Planning Authority to provide an in-detail presentation on
[00:10:41] the response and no doubt the panel will ask a number of questions during the process
[00:10:46] today. It's important to note that the Commission
[00:10:51] is not bound by the recommendations in the report and will make its decisions based
[00:10:57] on merit in line with the evidence presented to it and in accordance with its obligations
[00:11:02] under the Land Use Planning and Approvals Act.
[00:11:07] Today also is not an opportunity for questions from the public. This is an opportunity
[00:11:11] to listen in and gain an understanding of what the Planning Authority and the
[00:11:15] representatives from Irene Inc are proposing. The time for you to ask questions, for
[00:11:22] the public to ask questions and make submissions on those responses is when you appear
[00:11:27] before the panel at your allocated hearing date or if you're invited by the panel to
[00:11:32] come to us and make a submission. The only questions I will allow today are
[00:11:38] questions of process, not of merit. I'll talk more about the public involvement
[00:11:43] process tomorrow after we've heard the presentation from the Planning Authority today.
[00:11:48] Finally, thank you for attending today, whether in person or online. As Chair, my
[00:11:55] role is to make sure today's proceedings proceed in an orderly manner, so I ask all
[00:12:00] participants to be respectful and not interrupt others whilst they're speaking. As I said,
[00:12:06] any process questions that the public may have can be raised with me as the Chair.
[00:12:13] With those introductory remarks, really it remains for me now to hand over to the
[00:12:21] Planning Authority for them to present their response to our Direction 69. So,
[00:12:25] Planning Authority, you might commence by introducing yourselves, letting us know who

[00:12:29] you are and who's sitting with you, and then I'll let you present your case. Thank you.

[00:13:25] I'm fortunate to have our CEO with us today. I think we're doing what we do

[00:13:33] appropriate. Look, I guess, just one final point of view. We've called a sort of

[00:13:40] Q&A panel and we'll take you through, I guess, the first part of the business

[00:13:46] session and then we suspect there will be some discussion later today where we

[00:13:52] will have a Q&A panel.

[00:13:54] Thank you. As Adriaan Stander introduced, my name is Kate Heckelmann. I'm a senior planner at

[00:14:18] IRU Inc. Planning and Design and have been tasked upon being made by Council

[00:14:26] to undertake a review of the application of the Landscape Conservation Zone in the

[00:14:34] draft of the LPS. I guess, in terms of the review, we have looked at as well as

[00:15:01] a review of how Council have proposed to apply to the Zone, but also looking at the appropriate application of the Landscape Conservation Zone.

[00:15:15] We have an overview in terms of our involvement in this process.

[00:15:34] As Nick has introduced a little bit, King and Council are now ongoing.

[00:16:01] As part of this transition in the interim planning scheme, the Environmental Living Zone, which had been provided for under the interim planning scheme,

[00:16:40] as there was no directly equivalent zone provided, the Landscape Conservation Zone, however in its introduction it was a translation with prison.

[00:17:37] In terms of where everyone is at with their planning schemes, Kingborough at this point is the last local government area in Tasmania

[00:17:54] to transition to the TPS. As I mentioned before, this has been a long process that Council formally began with the TPC in 2020,

[00:18:06] with work occurring prior to that in terms of getting a version of the draft scheme to the TPC.

[00:18:15] In the context of Kingborough, the removal of the Environmental Living Zone was a significant change in that there's over 2,000 parcels of land within this local government area

[00:18:32] that are currently within the Environmental Living Zone that needed to be transitioned to a different zone.

[00:18:39] Throughout the process to date, which has involved pretty significant conversations and consideration by the TPC and by Council

[00:18:49] in terms of working through directions and modifications, as well as public exhibition, there has been significant work undertaken in these various stages,

[00:19:02] which has shaped the way that the Environmental Living Zone has been proposed to transition into the Kingborough TPS realm.

[00:19:14] As time has progressed, that consideration of the Landscape Conservation Zone and appropriate alternative zones for the Environmental Living Zone has evolved over time,

[00:19:26] which is something that we'll go through this morning in terms of looking through what that has transpired into.

[00:19:36] Nick had mentioned before that the genesis of this work has resulted as a consequence of a direction from the TPC to Council to reconsider its application,

[00:19:53] well, to no longer pursue the PPZ and to review the application of the Landscape Conservation Zone in the Kingborough area.

[00:20:04] This direction has provided Council the opportunity to consider the application of the Rural Living Zone more broadly as a particular item, I guess, in the direction

[00:20:14] and subsequent directions, acknowledging this and the high level of public interest and concern that has come from Council's proposed application of the Landscape Conservation Zone in the draft LPS.

[00:20:30] Council did resolve late last year to engage an external consultant to undertake a review of the methodology and the application of the LCZ.

[00:20:42] And I guess from that process, IRINC was engaged to undertake this detailed review and provide proposed recommendations for Council in proceeding with the Landscape Conservation Zone based on the outcomes of the review.

[00:21:00] So in this session, I guess in terms of timeframes from late December 2025, we undertook this work through a series of phases,

[00:21:13] which we'll run through with you today to show you how we got to the two outputs for this project,

[00:21:19] which included the Landscape Conservation Review and Findings Report and the Locality Baseline and Evaluation Report,

[00:21:29] which are the two documents which formed the basis and I guess the overarching components of the response to the Section 69, or not the Section 69, sorry, to the Direction 69 from the TPC.

[00:21:49] So today, I guess the idea is that we'll do a detailed walkthrough of these reports in terms of how they're set up, what they're intended to do,

[00:21:59] and I guess then to walk through the outputs for the appropriate zone recommendations that were put forward as a consequence of the work package.

[00:22:14] So in going through today, just to give you I guess a little bit of an overview about how we'll break up the information that we share,

[00:22:30] we've decided that I guess to package it out into three phases, so this may kind of align with kind of breaks, but we'll just see how we go in terms of timing.

[00:22:42] For phase one, we will talk through, in terms of I guess an overview of the first report, so the LCZ Findings and Review Report really comprise two components,

[00:22:58] being our review of the methodology and intended application of the Landscape Conservation Zone, undertaken by Kingborough Council,

[00:23:08] and then moving into phase two, we will still be within the context of that Landscape Conservation Zone Review and Findings Report,

[00:23:20] but the second component of that report deals with our approach to establishing a zone suitability criteria and evaluation framework

[00:23:30] to try and build on the findings of our review of the methodology and look to create kind of a point-in-time methodology for how the Landscape Conservation Zone

[00:23:44] could be considered for the purposes of the Kingborough scheme in kind of a consistent and effective way.

[00:23:54] So that will be probably the most part of this morning in terms of working through what the findings of the report were and then also getting into how that evaluation framework has been structured

[00:24:09] and the elements that have gone into that to try and make sure that we're all across and everyone's comfortable I guess with the evaluation framework as a concept

[00:24:21] to then move into phase three, which will be then going through the second report, which is I guess the output of having undertaken that zone suitability criteria,

[00:24:36] looking at the zone suitability criteria and undertaking the evaluation framework for the whole local government area.

[00:24:45] So for the purposes of I guess going through the reports today, phase one and phase two will be quite general.

[00:24:56] When we move into phase three, the intention is to go through I guess each locality that has been identified within the report,

[00:25:06] starting I guess with the Channel region, noting that I guess we've broken the local government area into three different sub-areas.

[00:25:15] The intention today is to go through the Channel region and the Kingston and Bushland surrounds area.

[00:25:21] There is no intention today to go through the Bruny Island component and those I understand will be kind of dealt with at a later stage.

[00:25:31] Because of the issue associated with the SAPs?

[00:25:34] Yes, correct.

[00:25:36] And I guess just in terms of I guess working through timing for today, we're intending to go through the Channel region first,

[00:25:46] which is kind of tinderbox through to Gordon and then following that we would go through the Kingston and Bushland surrounds,

[00:25:54] which is kind of Kingston out to kind of Longlea effectively.

[00:26:03] So hopefully we'll be able to phase these through to align with breaks, but we'll see how we go working through.

[00:26:18] So for the overall review of methodology and zone application,

[00:26:24] we took the approach of establishing four elements to input into what we looked at in undertaking the review,

[00:26:38] which we'll run through in a little bit of detail shortly.

[00:26:42] But I guess in terms of working it through,

[00:26:44] we looked at establishing what this statutory framework is for the application of zoning in transitioning an interim scheme to a TPS scheme.

[00:26:57] And I guess part of the focus of setting up the methodology was for us taking a little bit of a step back

[00:27:05] and saying that this review possibly is not just focused on the landscape conservation zone,

[00:27:12] but is instead should be focused on the environmental living zone land and the transition of that land as a whole.

[00:27:21] And starting to think about that as I guess going back to the start of the process

[00:27:28] and working through what that transition should look like.

[00:27:32] Because I guess, and as we'll get to in this presentation,

[00:27:35] there has been an evolution of how zoning has been considered throughout the process, which has occurred to date.

[00:27:45] And I think that there was potentially when we started looking at this an emphasis on just looking at the land

[00:27:54] that was proposed to be within the landscape conservation zone at exhibition.

[00:28:00] And I guess the PPZ kind of following that.

[00:28:03] However, I guess as part of this, we found it fundamental to our review to kind of go back to the start

[00:28:10] and look at the whole extent of the zone which was being asked to be transitioned.

[00:28:16] So the environmental living zone was not a life for life transition to the landscape conservation zone.

[00:28:23] That was very clear, I think, in the background material.

[00:28:27] But that there was potentially points throughout the process where different land had been categorised differently

[00:28:34] depending on the methodology that was in place at the time.

[00:28:39] Which as we'll get to has kind of changed over time.

[00:28:43] So we took the approach of starting at first principles in terms of looking at the statutory framework

[00:28:48] that applies to the zone application as a whole.

[00:28:52] And then tried to make sure that we were looking at all of the environmental living zone land

[00:28:57] to make sure that we were being consistent in its consideration.

[00:29:02] We then looked at the zoning background in terms of the zones that are in place now.

[00:29:08] The zones that are proposed all would be available under the TPS.

[00:29:12] And did kind of a comparison of what those looked like in the context of Kingborough.

[00:29:18] There was then the most extensive bit of the report, I think,

[00:29:22] is kind of the review of the methodology and approach undertaken by council

[00:29:26] which really delved into the methodology applied through different elements and stages of the process.

[00:29:38] Which when all put together kind of made it quite clear that over time there has been a change

[00:29:44] through the way in which zoning is considered, particularly the transition of the environmental living zone

[00:29:50] through to the landscape conservation zone or to the rural living zone or to the rural zone.

[00:29:56] Because there's quite a few different permutations of how...

[00:30:00] environmental living zone could be translated in the context of this

[00:30:03] government local government area. That then led us into an analysis and

[00:30:11] findings I guess using the information that we had kind of gathered in terms of

[00:30:16] the framework the zoning background and what had kind of occurred through the

[00:30:21] process. So we'll just talk through now in a little bit more detail what

[00:30:25] each element I guess of the report in this context has looked like. This is if

[00:30:34] anyone is kind of looking through the report this is the the contents page so

[00:30:38] what the intention I guess is to kind of walk through for this element the
[00:30:44] things that have gone into the background and I guess the fundamental
[00:30:49] kind of components that the report has been and that our analysis has
[00:30:54] been undertaken based on. So for this the ground the report I guess started to
[00:31:19] look into giving an overview of the TPS in terms of where it has come from and
[00:31:26] I guess what why we're here at this point in terms of the process and
[00:31:31] started to just make sure that it was clear that the context I guess of the
[00:31:39] zoning conversation that we're having in terms of the TPS is intended to be a
[00:31:45] statewide planning scheme which all of the councils across the state have
[00:31:49] as a standard planning scheme with standard provisions and so
[00:31:54] including zoning covered under the SPP component with councils then at their
[00:32:00] own level being able to utilize those state planning provisions within the
[00:32:08] context of LPS to effectively determine how the zones in the standard state
[00:32:18] framework are applied in the local government area. So I guess it's that
[00:32:23] in terms of we then I guess looked at the roles and responsibilities of
[00:32:28] where the planning scheme process is required to be considered and I guess
[00:32:36] importantly council's role as the planning authority makes them
[00:32:40] responsible for preparing and submitting the scheme on the draft LPS to the
[00:32:44] Tasmanian Planning Commission who are responsible for assessing and improving
[00:32:48] the LPS is I guess in the role of making or I guess no sorry the roles
[00:32:58] and responsibilities I guess are also then captured with the process for
[00:33:03] making the LPS which is set out in the planning legislation however we and
[00:33:14] looking through this I guess made sure that we were just articulating where the
[00:33:20] process was at I guess in terms of recognizing that there is kind of a
[00:33:25] statutory process where steps are undertaken and for this process have
[00:33:30] been undertaken that have kind of informed the the point in time at
[00:33:37] which we were looking at undertaking our review of the scheme. The process
[00:33:42] is obviously set under the Planning Act and Kingborough are currently in the
[00:33:50] hearing stage of that process but I guess that there are quite a few stages
[00:33:55] of the process which have occurred previously which we have looked at I
[00:34:01] guess in terms of the impacts on on this component of the process. We
[00:34:06] also made sure that in looking at the report we had captured the legislative
[00:34:12] framework in which the the application of zoning is to be considered so that
[00:34:18] looks at the the planning legislation it looks at the objectives of the
[00:34:23] Planning Act. We also in terms of setting up the framework for what to
[00:34:29] look at acknowledged the the guidelines number one local provision zone and
[00:34:37] code application which throughout this work we've referred to as the zone
[00:34:41] guidelines. These set up the framework for how or part of the framework for
[00:34:48] how the application of zoning is to be considered so by going through each
[00:34:53] of the relevant provisions relating to this work we had tried to make sure
[00:35:01] that we had done an analysis of how each of these zones would interact
[00:35:10] and were intended to interact in consideration of the existing
[00:35:17] arrangements under the interim planning scheme. So it and I guess it's
[00:35:24] the zone guidelines that effectively establish the what the zones are and
[00:35:30] how they are intended to be applied within the scheme. So those become
[00:35:35] quite important as we work through not only the evaluation framework but also
[00:35:42] looking at how I guess Council had approached its methodology to actually
[00:35:51] proposing I guess the application of zones throughout the process to date.
[00:35:58] In terms of I guess the the other element of the statutory framework

[00:36:03] that forms part of the consideration of zone applications we also looked at
[00:36:08] the regional land use strategies and council strategic plans which also form
[00:36:13] part of what must be considered in ensuring that an appropriate zone is
[00:36:17] selected in this transition process. And I guess that's probably one of the
[00:36:24] key elements to keep in mind I guess as we have as we move through this
[00:36:29] report the intention of of this process at least from my perspective
[00:36:36] anyway is that this is not a strategic planning exercise where council are
[00:36:43] undertaking significant policy changes it's an exercise of transitioning an
[00:36:51] existing statutory instrument into another statutory instrument within the
[00:36:56] parameters that are provided for for that transition to occur. So I guess
[00:37:01] I'll probably come back to that point quite a few times throughout today but
[00:37:05] there are and I guess this is this is kind of the overarching component of
[00:37:11] those but there are parameters which are in place that council need to work
[00:37:16] within in terms of determining the appropriate zoning and recommending I
[00:37:21] guess an appropriate zoning to the TPC for their consideration. And
[00:37:24] unfortunately in terms of the application well in the terms of the
[00:37:31] transition of the environmental living zone at some points in the framework
[00:37:36] that is available to council it is not overly clear what zone is appropriate
[00:37:43] in totality for some of the zones that are in place now under the
[00:37:51] interim planning scheme and I guess that's something that we have explored
[00:37:55] quite extensively throughout this report but there is definitely that
[00:37:59] tension point which comes back to how I guess the parameters that are in place
[00:38:05] need to all function together to ensure that an appropriate zone is
[00:38:09] selected for the purposes of transitioning this scheme or the
[00:38:14] interim scheme to the TPS scheme. So another critical component of our review
[00:38:45] looked at the zoning background so in terms of doing a deep dive into not
[00:38:52] only I guess the the arrangements that were intended I guess or available under
[00:38:57] the interim planning scheme but also I guess looking at that transition of
[00:39:02] the interim planning scheme to the TPS. So I guess importantly for this work
[00:39:10] the while for the most part the transition of zones is relatively
[00:39:19] straightforward in terms of there being an equivalent zone under the interim
[00:39:23] scheme to transition to. The same is not the case for the environmental
[00:39:30] living zone where as an available zone under the interim scheme it was kind of
[00:39:36] heavily used within the context of Kingborough and now not being available
[00:39:42] under the TPS resulted in without I guess a direct translation resulted in a
[00:39:50] need to do some strategic thinking in the translation of that zoned land. So
[00:40:02] in looking through the zone background section we had looked at the Kingborough
[00:40:11] interim planning scheme in terms of how the environmental living zone had
[00:40:14] been applied and how it had been utilized within the scheme and I guess
[00:40:19] took the view that this kind of formed part of the base of what needed
[00:40:27] to be considered but I guess on the basis that that zone was no longer
[00:40:31] available and intended not to be available that they're achieving all of
[00:40:38] the elements of the environmental living zone in translation was not really kind
[00:40:43] of a possible reality of what the the appropriate zoning of that land could be
[00:40:50] under the new framework. We also looked at in terms of establishing the
[00:40:57] background of the operation and the existing arrangements we looked
[00:41:01] specifically I guess at the some of the overlays and code provisions in
[00:41:06] the interim planning scheme that influenced the way particularly that
[00:41:11] landscape values and natural values are managed currently under the scheme to

[00:41:17] which formed part I guess of the the later consideration of how the
[00:41:24] environmental living zone could and should be translated into the TPS so at
[00:41:33] which included I guess the scenic protection landscapes overlay which
[00:41:38] under the interim scheme will transition effectively to the scenic
[00:41:45] protection area and then looking at the natural assets overlay which well
[00:41:53] under the interim schemes the biodiversity overlay which will
[00:41:58] transition to the natural assets and overlay code under the new scheme and
[00:42:02] looking at kind of the differences between what those mechanisms would look
[00:42:07] like from the interim scheme to the TPS to form part of I guess our
[00:42:14] broader understanding of the context I guess of the environmental living zone
[00:42:22] we also looked back at the Kingborough planning scheme 2000 to look
[00:42:26] at I guess what that land would have been previously which for the most part
[00:42:32] would have looked like the environmental management zone which
[00:42:36] again under a different planning scheme and under different arrangements we did
[00:42:40] a bit of a review about how that land was intended to to be managed and to
[00:42:45] be utilized to form part I guess of the broader consideration of how the
[00:42:52] environmental living zone ended up as it is currently in the interim
[00:42:56] planning scheme with the view that that would give us some better context
[00:43:00] for how we could transition that land within the new framework. Part of the
[00:43:07] consideration I guess in this section also looked at the Kingborough land use
[00:43:11] strategy 2019 which at the time when it was prepared formed part of the
[00:43:18] the basis and the consideration of Council's proposed zoning in in the
[00:43:23] draft LPS I guess as we kind of get to later in the report some of the
[00:43:31] components of that land use strategy are not at this stage as current as
[00:43:41] they were in 2019 given that some of the perceptions of how zones under the
[00:43:49] TPS should be utilised has evolved which we'll kind of get to in terms of
[00:43:55] the the background at the background in terms of the review of the actual I
[00:44:00] guess methodology and approach that had been undertaken by Council. So in our
[00:44:49] approach to the review we looked to do a bit of it I guess a deep dive
[00:44:57] into what has occurred
[00:45:00] date because I guess coming into to look at the process
[00:45:04] as it can and I guess the the outputs of the scheme as it stood
[00:45:08] in terms of uh... exhibition
[00:45:12] with the zones that were exhibited and where they were exhibited
[00:45:16] uh... and then the section thirty five f report post exhibition which I guess
[00:45:21] proposed some changes to
[00:45:23] particular areas of zoning and and the introduction of the
[00:45:27] PPZ
[00:45:29] uh... really
[00:45:31] uh...
[00:45:33] I guess even in those
[00:45:35] those two later components showed that there had been kind of a shift in thinking in
[00:45:39] terms of the way that zoning should be undertaken
[00:45:42] uh... however I guess for the purposes of of looking at
[00:45:45] how we'd gotten to this point
[00:45:47] uh... we undertook an exercise of going back through the the full extent
[00:45:52] uh... as far as practicable
[00:45:55] to I guess put together
[00:45:57] a timeline of how we had actually worked to or how we'd

[00:46:01] gotten to the point of
[00:46:03] what had been proposed in terms of the PPZ and also
[00:46:07] the application of the landscape conservation zone
[00:46:10] uh... and to an extent also the rural living zone
[00:46:13] uh... so what we had tried to and what we I guess had
[00:46:17] outlined in the report is
[00:46:20] uh... the stages at which
[00:46:22] the process
[00:46:24] had
[00:46:26] either an approach or a methodology outlined by council in terms of how the
[00:46:32] environmental living zone particularly was to be translated
[00:46:36] uh... and also other touch points in the process
[00:46:39] where
[00:46:40] uh... council may have been responding to either
[00:46:44] uh... its
[00:46:46] its own kind of
[00:46:47] evolution of of
[00:46:49] consideration of that zone application but also
[00:46:52] its response to
[00:46:57] directions and modifications and
[00:47:00] I guess communications from the TPC
[00:47:03] in testing council's thinking of
[00:47:05] particularly that translation of the environmental living zone
[00:47:09] so what we have tried to do in section four of the report
[00:47:13] is outline
[00:47:14] uh... the key points where
[00:47:18] we could see that the environmental living zone had been considered in some
[00:47:22] capacity
[00:47:23] uh... and then tried to make sure that we
[00:47:27] uh... captured
[00:47:28] how that had evolved
[00:47:30] I guess over time
[00:47:32] uh... and I guess in terms of looking at the
[00:47:39] the stages pre-lodgement of the LPS uh... it's very clear that there was
[00:47:47] a very conservative approach put forward in terms of the methodology for
[00:47:51] council in considering
[00:47:53] the translation of the environmental living zone
[00:47:56] uh... where
[00:47:58] there was a really high percentage I guess of properties
[00:48:01] uh... at the start of the process
[00:48:04] I think it was up to like eighty five percent
[00:48:06] were proposed to be transitioned to
[00:48:10] uh... from the landscape
[00:48:12] from the environmental living zone to the landscape conservation zone
[00:48:16] uh... at that pre-lodgement of the LPS
[00:48:19] stage
[00:48:20] uh...
[00:48:22] and that was largely based on
[00:48:26] uh...

[00:48:29] criteria which
[00:48:31] really uh...
[00:48:34] focused on rural living land
[00:48:37] uh...
[00:48:38] being very
[00:48:40] different to
[00:48:41] uh... landscape conservation zone land
[00:48:44] uh... and I guess a prioritizing of environmental living zone land
[00:48:49] having the characteristics of
[00:48:50] of what should be at that time
[00:48:52] considered to be
[00:48:53] the landscape conservation zone
[00:48:56] and kind of almost a very simple table of consideration
[00:49:00] uh... as council then moved through
[00:49:03] the lodgement
[00:49:05] of the
[00:49:06] the draft TPS
[00:49:08] to the TPC
[00:49:10] uh...
[00:49:11] we could see that in the interactions
[00:49:15] in those post-lodgement
[00:49:17] uh... interactions
[00:49:18] that there was I guess some
[00:49:21] some
[00:49:26] questions raised by the TPC
[00:49:29] in terms of
[00:49:30] how the application of the
[00:49:33] the landscape conservation zone was
[00:49:36] to be considered
[00:49:37] or should have been considered
[00:49:39] uh... and also some questions which kind of further interrogated councils
[00:49:43] I guess justification for
[00:49:45] for how they'd come to that initial
[00:49:49] view
[00:49:50] uh... with
[00:49:51] I guess linkages back to testing
[00:49:54] the zone guidelines and also the suitability of that zone in the
[00:49:58] context of the framework
[00:50:02] during that time I guess it looked at
[00:50:06] there was quite a bit of backwards and forwardsing
[00:50:13] uh... in
[00:50:14] councils thinking on
[00:50:17] the application of
[00:50:18] the landscape conservation zone
[00:50:25] so yeah as I said before I think it was eighty five percent
[00:50:28] of the over two thousand
[00:50:30] parcels of land
[00:50:32] uh... that was zoned
[00:50:34] environmental living

[00:50:35] were proposed to be transitioned to the landscape conservation zone
[00:50:40] at that lodgement point
[00:50:42] to the TPC
[00:50:44] during the process
[00:50:46] I guess of that
[00:50:49] lodgement and post-lodgement
[00:50:51] uh... this was reduced to about seventy five percent
[00:50:57] of of properties
[00:51:00] that were proposed to be included in the landscape conservation zone
[00:51:05] uh... so during this time also
[00:51:09] uh... I guess in terms of time frames
[00:51:11] we're also talking about a lodgement
[00:51:14] in twenty twenty
[00:51:15] of the planning scheme
[00:51:17] uh... with exhibition of the planning scheme occurring in twenty
[00:51:21] twenty four
[00:51:22] uh... which is I guess
[00:51:25] quite a significant period of time where
[00:51:29] amongst other things I guess it's also important to mention in terms of
[00:51:35] the broader planning scheme the landscape conservation zone and the
[00:51:39] application
[00:51:41] of it
[00:51:42] was not the kind of sole factor for the timing
[00:51:45] here
[00:51:46] but it was something that during that time which I guess we've
[00:51:49] outlined in the report
[00:51:52] there were
[00:51:54] a significant number of interactions where
[00:51:57] uh... the thinking and the methodology
[00:51:59] uh... was re-looked at for
[00:52:02] how the environmental living zone should be transitioned
[00:52:06] uh... and also how the landscape conservation zone
[00:52:08] should be applied
[00:52:27] so when I guess the scheme got to exhibition
[00:52:30] uh... there were
[00:52:37] there were
[00:52:38] around five hundred less properties proposed to be included in the
[00:52:42] landscape conservation zone than had been
[00:52:46] I guess prior to
[00:52:48] uh... the modifications and
[00:52:51] proposed by the TPC
[00:52:55] for exhibition which still I guess left a significant portion of properties
[00:52:59] within the landscape conservation zone
[00:53:02] uh... when exhibition was undertaken
[00:53:05] of the scheme
[00:53:07] in October twenty-twenty-four
[00:53:13] this had I guess the
[00:53:15] the balance of properties
[00:53:16] uh... for the landscape conservation zone the rural living zone

[00:53:21] transitioned
[00:53:22] uh... the
[00:53:24] the
[00:53:27] the representations I guess that were received as part of
[00:53:30] the the exhibition period
[00:53:32] uh... equated to around fifty-five percent of all of the representations
[00:53:36] relating to the landscape conservation zone
[00:53:39] uh... so I guess in going through and looking at those
[00:53:42] those representations
[00:53:46] there were
[00:53:48] clearly kind of
[00:53:49] significant concerns with the way in which that zone had been applied
[00:53:54] uh...
[00:53:56] and in response to that
[00:53:58] uh... as part of
[00:54:01] considering the representations
[00:54:03] uh... this is where
[00:54:05] we saw council introduce the
[00:54:08] proposed uh...
[00:54:10] Kingborough bushland and coastal living zone
[00:54:14] as a PPZ
[00:54:16] uh... as a means of addressing those concerns
[00:54:20] uh... and I guess some of the work the council had done at this point
[00:54:23] really uh...
[00:54:26] highlighted some of the tension points between
[00:54:31] the available suite of zones
[00:54:33] uh... and I guess the existing intent of the environmental living zone
[00:54:38] in
[00:54:39] applying an appropriate zone
[00:54:42] in the context of Kingborough
[00:54:44] uh... and I guess the the PPZ was
[00:54:46] intended to
[00:54:48] bridge a bit of a gap between the landscape conservation zone
[00:54:52] and the rural living zone in terms of the provisions
[00:54:55] that were proposed
[00:54:59] I guess however as we've
[00:55:01] talked through this morning already
[00:55:04] the the consideration of the PPZ was not
[00:55:07] was not continued
[00:55:08] uh... which now I guess has
[00:55:10] resulted in where we are today in terms of needing to reconsider
[00:55:14] uh... not only the application of
[00:55:19] uh... appropriate
[00:55:20] alternate zone for the land that had been proposed to be included within the
[00:55:24] PPZ
[00:55:25] uh... but also to look at
[00:55:28] I guess more broadly that application of the environmental living zone
[00:55:34] uh... so throughout
[00:55:36] I guess this process there had been various iterations of

[00:55:41] approaches to how
[00:55:43] uh... the landscape conservation zone had been considered by council
[00:55:48] as I said before it started off with a very uh...
[00:55:55] vegetation driven
[00:56:00] methodology where heavily vegetated sites were included in the landscape
[00:56:04] conservation zone
[00:56:06] uh... and
[00:56:07] where it was very clear that there was a rural living
[00:56:11] existing settlement
[00:56:13] that land was transitioned
[00:56:16] as council moved forward in considering its methodology
[00:56:20] uh... there definitely became more
[00:56:23] consideration of other elements that
[00:56:26] add to and I guess are provided for consideration in terms of
[00:56:31] uh... what is a landscape value and and how that
[00:56:35] I guess fits within the context of Kingborough
[00:56:38] uh... which we will get into I guess in terms of
[00:56:41] the balance of this presentation
[00:56:43] as it forms I guess one of the fundamental kind of
[00:56:47] pillars of what's being considered in not only our review but I guess
[00:56:52] uh...
[00:56:53] the
[00:56:54] in part
[00:56:55] the council's kind of later
[00:56:57] views of
[00:57:00] how the landscape conservation zone could be
[00:57:02] considered
[00:57:04] uh... in the context of landscape values
[00:57:21] so I guess that that component of our review really looked at
[00:57:25] uh...
[00:57:27] I guess the the
[00:57:30] the actions that had happened and also I guess the different permutations of
[00:57:34] methodology
[00:57:35] uh... so I guess as
[00:57:37] as it kind of
[00:57:38] progressed there was definitely
[00:57:41] a
[00:57:42] a change in terms of not only being more
[00:57:46] robust in in terms of looking at what
[00:57:49] uh... landscape values are
[00:57:51] uh... but also I guess the way that the zone was applied uh...
[00:57:56] did evolve
[00:57:57] uh... throughout the various stages
[00:58:00] of this process
[00:58:26] so in addition to
[00:58:29] the
[00:58:31] looking at the the process and I guess the approach that council had
[00:58:35] taken in considering
[00:58:38] transition of the environmental living zone

[00:58:42] and I guess more specifically its application of the landscape
[00:58:45] conservation zone
[00:58:46] uh... we also
[00:58:48] wanted to look at
[00:58:50] I guess not only what council had undertaken but also make sure that we
[00:58:55] uh... had considered
[00:58:58] other elements that could feed into
[00:59:01] how the zone might be appropriately applied
[00:59:05] uh... which really I guess was this kind of second section of
[00:59:08] of looking at uh...
[00:59:11] the methodology uh... and approach so we had taken
[00:59:16] uh... in this section of the report in section four two
[00:59:20] uh...
[00:59:22] an approach which looked at
[00:59:29] elements
[00:59:30] of
[00:59:32] the zone application which had been
[00:59:35] either uh...
[00:59:37] considered
[00:59:39] other local council processes
[00:59:41] uh... or through uh...
[00:59:46] uh... I guess guidance and information that had kind of
[00:59:49] uh... was available had kind of come to be kind of throughout the course of
[00:59:54] of making
[00:59:55] uh...
[00:59:56] the draft
[00:59:57] planning scheme I guess the TPS
[01:00:00] to date. So in this I guess we took the approach of wanting to make sure that we
[01:00:05] had thought about all of the additional things that kind of form part of how
[01:00:13] zone should be applied under the TPS framework, pulling out some of I guess
[01:00:19] the key learnings that we had picked up from looking at not only the
[01:00:24] process that this council had undertaken but also looking at
[01:00:28] processes that other municipalities had undertaken in applying the zoning from
[01:00:38] the suite of zones available under the TPS. So I guess this kind of focused on
[01:00:44] spatial considerations in terms of acknowledging there's relationship
[01:00:48] between and an importance to consideration of the relationship
[01:00:53] between the council area and adjacent council areas in ensuring that there is
[01:01:00] no significant adverse impacts of zoning along effectively along the borders of
[01:01:07] the council area. For Kingborough I guess that's particularly important
[01:01:10] because there are kind of three neighbouring councils which at this
[01:01:15] point in time now all have schemas within the TPS framework and making
[01:01:22] sure that there is kind of a consideration in the application of the
[01:01:26] landscape conservation zone and the transition of the environmental living
[01:01:29] zone to what's happening kind of across the boundary line which forms
[01:01:36] part I guess of what needs to be considered in applying the zoning. One
[01:01:42] of the other elements in terms of spatial considerations that we looked
[01:01:45] at was split zoning which through the course I guess of the TPS process it
[01:01:53] appears that there was I guess a reluctance to look at split zoning very
[01:01:58] early on in this process and possibly I guess was the case in other

[01:02:03] jurisdictions as well. However I guess in looking at some of the more recent
[01:02:09] processes that have now been finalised including Huon Valley Council the
[01:02:17] consideration I guess of split zoning is still I guess is a more available
[01:02:24] tool that maybe was considered at the start of the process that council
[01:02:29] had undertaken so making sure that we had looked at what had been
[01:02:37] considered previously or what has now been considered to make sure that
[01:02:42] where split zoning was to be looked at in any framework moving forward that
[01:02:48] it was done so I guess within parameters that were acceptable
[01:02:52] because I guess there's in terms of split zoning pros and cons in terms of
[01:02:59] the need and I think in terms of looking at split zoning it's one of
[01:03:07] those concepts that can be applied but it should only be applied where it
[01:03:13] appropriate to the context and I think some of what we'll get into shortly in
[01:03:17] terms of looking at things I guess in a localities based approach to zone
[01:03:25] application really kind of gives further weight to making sure that where we are
[01:03:32] looking at split zoning we're looking at it within the context of what the
[01:03:37] kind of has been accepted as as kind of some parameters for the split
[01:03:45] zoning including I guess the considerations of not only the site
[01:03:49] specifically but also kind of what's the lands used for the surrounding zone
[01:03:55] the neighboring uses and also I guess to to get into the next point of the
[01:03:59] spatial considerations is avoiding spot zoning so spot zoning I guess is one
[01:04:05] of the the other kind of spatial elements that we've had a bit of a
[01:04:08] look into in terms of I guess of the very early stages of council of
[01:04:14] this council's process for transitioning the landscape the
[01:04:19] environmental living zone to another zone under the TPS did result in quite
[01:04:26] significant fragmentation and spot zoning of parcels of land being kind
[01:04:31] of isolated and zoned as a landscape conservation zone or another zone which
[01:04:37] did not I guess create a consistent land use pattern and was something
[01:04:42] in looking through the process that had been undertaken was something that was
[01:04:47] a very clear direction in terms of where applying the landscape
[01:04:54] conservation zone or the rural living zone that spot zoning should be kind
[01:05:00] of avoided so that there aren't instances where there's isolated
[01:05:06] parcels of land that that don't I guess sit within the context of the
[01:05:12] broader zoning pattern of the land so I guess that those elements have kind of
[01:05:18] formed part of the the additional spatial considerations that we then
[01:05:23] looked to in I guess the the later stages of this process but recognizing
[01:05:28] I guess where we had started to come from and where we're at now there
[01:05:37] are definitely I guess some some components of the way in which those
[01:05:43] spatial considerations have evolved over the course of six years not only
[01:05:49] I guess in this planning scheme but also in how other planning schemes
[01:05:52] were considered which give us now I guess the benefit of hindsight in
[01:05:57] being able to ensure that those are elements that we can focus on and
[01:06:04] ensure are appropriately considered in in the context of of this zone
[01:06:10] application question I guess one of the other key elements that we wanted to
[01:06:17] really ensure that we had I guess a full handle on in moving forward with
[01:06:23] this work was landscape values identification so throughout this
[01:06:33] process and I guess the process that other councils have kind of gone through
[01:06:42] landscape values themselves are not I guess a divine term in either the
[01:06:47] SPPs or the zone guidelines the zone guidelines themselves do outline types
[01:06:54] of landscape values or landscapes that might be subject to the application of

[01:06:59] landscape conservation zone which I guess that the guidance describes as kind of
[01:07:05] large areas of native vegetation important areas of important scenic
[01:07:09] values large areas of bushland etc I guess we've also in in putting
[01:07:19] together I guess our our review of landscape values identification we
[01:07:25] looked to how other councils had described and identified and defined
[01:07:34] landscape values as a means of informing how at this point in time
[01:07:41] landscape values could be and should be considered for the purposes of
[01:07:45] Kingborough so I guess we took away kind of learnings from not only where
[01:07:52] council had started to throughout the process more completely identify and
[01:08:01] articulate what the landscape values were in Kingborough but also I guess as
[01:08:06] I just said using some of those examples and outcomes of processes of
[01:08:12] other councils like human Valley to look at how we could best consider
[01:08:22] landscape values I guess in the context of this work I guess just to note
[01:08:28] kind of again it's one of those those concepts that has evolved over
[01:08:32] time where there was I think towards the start of these processes in most
[01:08:40] planning schemes and emphasis or kind of a leaning towards the natural values
[01:08:48] that might be present within an area kind of guiding and being the the
[01:08:52] deciding factor in some instances for whether land is or isn't to be
[01:08:58] included or appropriate to be included within the landscape conservation zone
[01:09:03] this I thinking has over time matured into I guess a more comprehensive
[01:09:12] consideration of not only the natural values but also the scenic values and
[01:09:18] I guess taking away from other council processes the there's components I
[01:09:26] guess of of how those values kind of might be tied to particular places in
[01:09:32] a different in particular places that have kind of recognized in some of the
[01:09:36] other processes which in getting to I guess the the evaluation component we
[01:09:41] have looked to I guess resolve as as a key component of this work in terms of
[01:09:47] making sure that there is a clear scope of what the landscape values are
[01:09:58] local government wide level to be able to then work through how those
[01:10:04] landscape values should be considered in the context of the planning
[01:10:09] framework which I'll also kind of get to as we kind of talk through the I
[01:10:17] guess the findings of this review but I guess part of what we took away
[01:10:31] from some of the work that council had done across the course of the planning
[01:10:36] scheme process to date is a more localized consideration of the
[01:10:46] landscape values in some places so as part of I guess as an example some of
[01:10:51] the work that council had done in justifying the the PPZ there were some
[01:10:58] really helpful and I think significant elements of that work that did inform
[01:11:06] and should inform how landscape values at a regional level could be considered
[01:11:15] in the context of a smaller part of the region and and looking at kind of
[01:11:19] making a connection between the two became kind of quite an evident thing
[01:11:23] in in looking at moving forward but I guess taking some of the work that
[01:11:29] council had done and for particular places gave rise I guess to the idea
[01:11:36] that this would be kind of a helpful avenue in moving forward if it was
[01:11:42] done consistently so part I guess of the review that we have undertaken in
[01:11:48] elements in terms of looking at how landscape values had been identified
[01:11:52] how zoning had been applied we found I guess an overarching limitation which
[01:12:00] came I my view in terms of how it transpired largely from the course of
[01:12:08] the process but I think there has been kind of changes and incremental
[01:12:12] components incremental parts of places of the local government area that have
[01:12:17] been considered over time in different ways which possibly has led to an

[01:12:23] inconsistent application of zones and I guess consideration of how zoning is
[01:12:30] applied that is a result of how the process has been undertaken but
[01:12:39] definitely I guess has resulted in some areas of the local government area
[01:12:43] having very detailed information available about the landscape values
[01:12:47] whereas others are silent in terms of the commentary on why something has
[01:12:55] a landscape value and what that landscape value is which becomes a
[01:13:00] very important point I guess as we move into the key findings what we
[01:13:06] also wanted to do as part of setting up I guess the the fundamental
[01:13:10] basis of this review was to look at I guess the the environmental living zone
[01:13:16] as a whole and what the transition to alternative zones could look like so
[01:13:25] as part of this review we undertook I guess an exercise of comparing the
[01:13:33] the purpose the the use provisions the types of development and
[01:13:39] activities that could occur in the environmental living zone and also I
[01:13:46] guess the rural living zone currently under the interim planning scheme and
[01:13:50] then looked to kind of consider that against the the TPS provisions in terms
[01:13:55] of what the rural living zone looked like there and also what the landscape
[01:13:59] conservation zone looked like as a means of I guess considering what the
[01:14:07] actual impact of translating the environmental living zone could be we're
[01:14:14] considering I guess those two zones primarily as the the most likely
[01:14:21] transition points I guess throughout this work there has also been
[01:14:26] consideration of the rural zone in terms of the table of comparison we
[01:14:32] didn't include the rural zone as a comparison because I guess the
[01:14:36] provisions and the application of that zone from the consideration I guess of
[01:14:44] where this review was going was probably still reliant I guess on
[01:14:49] guideline number one being I guess the zone guidelines clearly kind of or
[01:14:58] more clearly than
[01:15:00] the environmental living zone transition to
[01:15:03] rural living or landscape conservation zone.
[01:15:06] The rural zone was kind of a clearer pathway that we didn't
[01:15:09] in terms of I guess uses explore
[01:15:11] as thoroughly I guess based on
[01:15:14] I guess at this stage of the process wanting to
[01:15:17] determine the difference in real world impact to
[01:15:23] environmental living zone that was transitioned to
[01:15:25] rural living versus landscape conservation zone and where the
[01:15:29] kind of differences and changes would be.
[01:15:33] So I guess as part of that consideration we also looked at
[01:15:44] where if you were to transition land from the
[01:15:50] environmental living zone to the landscape
[01:15:52] conservation zone for example what those
[01:15:55] provisions might start to look like for
[01:15:58] development on the ground and how the
[01:16:01] provisions of the scheme would be kind of
[01:16:03] anticipated to function. Particularly I guess
[01:16:07] looking at not just the zone provisions so we also kind of
[01:16:12] looked at throughout this process how the operation of
[01:16:17] the scheme would address and pick up things that might now
[01:16:22] be in the environmental living zone provisions that
[01:16:26] move to a different part of the scheme in terms of how

[01:16:30] they would become applicable to land particularly
[01:16:32] around I guess preservation of kind of vegetation and
[01:16:38] scenic protection and how some of those overlays and
[01:16:41] codes would kind of shape the way that things would
[01:16:45] need to be considered from a development application
[01:16:48] perspective under the new framework and I guess looked
[01:16:52] at kind of the difference between the provisions and
[01:16:54] where there were similarities between the provisions which
[01:16:59] I guess in terms of looking at the environmental
[01:17:02] living zone and the landscape conservation zone
[01:17:04] although there are definitely elements of those two zones
[01:17:09] that operate differently when considering kind of a
[01:17:14] development on the ground and how that would kind of
[01:17:17] work through the provisions of the TPS there's probably
[01:17:20] not fundamentally a significant difference in the
[01:17:23] development outcome and I guess the outputs or I guess
[01:17:27] the inputs of how you would get to being able to
[01:17:31] propose a development and have it considered on that land.
[01:17:35] There are definitely intricacies in terms of how it
[01:17:38] would be done but I guess in terms of looking at the
[01:17:40] bigger picture it's still a pathway I guess that is
[01:17:43] available and I guess we also worked through not
[01:17:52] only I guess the transition from environmental living
[01:17:54] to landscape conservation zone but also working
[01:17:57] through the transition of environmental living zone
[01:18:01] to rural living zone and what that would look like and
[01:18:05] again there are some components that are quite
[01:18:09] different but in terms of development outcomes there
[01:18:12] are still similarities between what you would see
[01:18:15] in terms of the development on the ground however I
[01:18:19] guess in the rural living zone there are definitely
[01:18:21] a few elements of provisions which would shape the way
[01:18:28] that potentially landscape values could be considered
[01:18:31] and have a different kind of interaction with I guess
[01:18:36] the protection of those values which we have
[01:18:39] explored I guess in a little bit later in terms
[01:18:41] of detail but I guess in terms of looking at those
[01:18:43] provisions to start with we wanted to make sure
[01:18:46] that we had I guess thought through the
[01:18:48] permutations of how things that are in the
[01:18:51] environmental living zone would transition into those
[01:18:56] zones as I guess the first place of going.
[01:19:02] We also I guess undertook a significant exercise of
[01:19:05] looking at the alignment with the regional
[01:19:08] land use strategy noting I guess that they're from
[01:19:14] the 2019 version of council's response to how it
[01:19:20] believed it had addressed the regional land use
[01:19:22] strategy through to the 2024 version of the
[01:19:26] supporting report there were definitely I guess some

[01:19:29] movement in terms of the way in which land had
[01:19:33] been kind of considered particularly in the context
[01:19:35] of the environmental living zone and its
[01:19:38] translation however I guess on balance there was
[01:19:44] still kind of an emphasis on land that's in the
[01:19:48] landscape conservation zone in the environmental
[01:19:51] living zone sorry transitioning to the
[01:19:53] landscape conservation zone as the first
[01:19:55] preference and only transitioning to the rural
[01:19:59] living zone I guess where it was clear that there
[01:20:03] was kind of an existing rural settlement and
[01:20:08] that there weren't significant landscape values
[01:20:11] that kind of warranted protection and I guess that
[01:20:16] kind of resonated I guess in terms of our
[01:20:19] assessment of council's response to an alignment
[01:20:22] with the regional land use strategy in terms of I
[01:20:26] guess noting that there are kind of some places
[01:20:28] where the alignment that is identified by
[01:20:35] council is not necessarily fully considered I
[01:20:48] guess in the context of maybe some of the broader
[01:20:51] elements particularly I guess in terms of the
[01:20:54] application of the rural living zone and I guess
[01:20:58] where it may be appropriate or not appropriate
[01:21:01] for that rural living zone to be to be
[01:21:03] considered which we have definitely I guess
[01:21:07] explored in terms of the way that the
[01:21:09] evaluation framework has has looked to consider
[01:21:13] the way in which the regional land use
[01:21:15] strategies reflected in in the application of
[01:21:19] not only the landscape conservation zone but
[01:21:21] also importantly in the rural living zone as I
[01:21:27] had touched on before we had also sought to
[01:21:32] look at the way in which the landscape
[01:21:37] conservation zone and I guess more broadly the
[01:21:40] transition of the environmental living zone
[01:21:43] into the TPS in other local councils had been
[01:21:46] undertaken and included within the report three
[01:21:50] examples of of the application of landscape
[01:21:55] conservation zone that have kind of shaped the
[01:21:58] way in which I guess we're currently thinking
[01:22:01] about what the landscape conservation zone is.
[01:22:03] So we took Flinders, Huon Valley and also
[01:22:06] Hobart as the three to look at.
[01:22:09] Huon Valley I guess is the one where we had
[01:22:12] the most learnings which have kind of
[01:22:15] informed how we've shaped some of the
[01:22:20] the evaluation and I guess proposed methodology
[01:22:24] for establishing a transition of the
[01:22:27] environmental living zone land in the next

[01:22:29] part of this work because I guess it was
[01:22:33] probably the the scheme that went through I
[01:22:38] guess before this scheme the most
[01:22:40] significant exercise in looking at
[01:22:44] landscape values and what those should be and
[01:22:49] how they're considered and I guess in itself
[01:22:52] had its own evolution of process in terms of
[01:22:56] process and also consideration of what
[01:23:00] landscape values were and I guess importantly
[01:23:04] which is the next part how landscape values
[01:23:08] should be considered in the context of
[01:23:11] assigning a zone which as we'll kind of get
[01:23:16] into is probably something that the
[01:23:20] methodology that we're putting forward as
[01:23:23] the recommended approach seeks to kind of
[01:23:28] decouple in some ways the identification
[01:23:30] of landscape values from that being the
[01:23:36] driving factor to the application of the
[01:23:38] landscape conservation zone and pulling I
[01:23:42] guess into that another step of
[01:23:44] considering whether those values could be
[01:23:47] appropriately managed outside of the
[01:23:51] landscape conservation zone which I
[01:23:53] think forms a kind of a crucial part of
[01:23:55] of where this proposed methodology kind
[01:23:59] of gets to but largely has been
[01:24:02] formed by the process that had been
[01:24:04] undertaken in the context of Huon
[01:24:06] Valley where there was kind of a more
[01:24:10] detailed consideration of how the
[01:24:15] particularly the rural living zone
[01:24:16] should be applied in the context of
[01:24:18] landscape values that we took many
[01:24:21] learnings from and also I guess the
[01:24:22] articulation of the landscape values
[01:24:26] themselves for the purposes of the
[01:24:28] planning scheme was another area I
[01:24:30] guess that we took a lot of
[01:24:31] learnings from from Huon on and I
[01:24:36] guess it's overall consideration of the
[01:24:38] rural living zone I guess however there
[01:24:41] was in looking at Huon it was a
[01:24:44] different driver I think of issues in
[01:24:49] terms of the application of zoning
[01:24:51] then we're potentially looking at in
[01:24:53] Kingborough where there was kind of
[01:24:56] more of an issue in terms of the
[01:24:58] transition of rural resources land and
[01:25:03] probably less so the landscape

[01:25:05] conservation zone but I think that
[01:25:06] some of the the principles and the
[01:25:08] thinking that went into how that scheme
[01:25:11] ended up being are definitely
[01:25:14] applicable for us in in looking at
[01:25:16] this work and I guess we also looked
[01:25:21] at Hobart as kind of the latest and
[01:25:23] greatest in terms of it was the last
[01:25:25] the last one through so we should
[01:25:27] have had a look at taking some
[01:25:28] learnings from that and there
[01:25:29] definitely were a few things from that
[01:25:32] process in relation to the
[01:25:33] application of the landscape
[01:25:34] conservation zone which kind of
[01:25:36] firmed up some of our thinking around
[01:25:40] preferences and I guess the approach
[01:25:42] for when and when not the zone the
[01:25:46] landscape conservation zone
[01:25:47] particularly may be appropriate and
[01:25:50] where it is not appropriate so I
[01:26:06] guess the first four chapters of that
[01:26:08] report were really our information
[01:26:11] gathering and kind of consideration
[01:26:13] of all of the statutory framework the
[01:26:17] actions and I guess methodologies that
[01:26:21] had been considered throughout the
[01:26:25] Kingborough process as well as I guess
[01:26:27] looking at all of the other influencing
[01:26:28] factors in terms of how the landscape
[01:26:33] conservation zone environmental living
[01:26:36] zone rural living zone has been or
[01:26:40] had been considered to date and I
[01:26:43] guess this next section is now looking
[01:26:45] at I guess our findings which have
[01:26:48] probably touched on a little bit as
[01:26:49] we've gone through so I'll track
[01:26:53] through this section probably
[01:26:55] relatively quickly and I guess if
[01:26:56] there's any questions as we're kind of
[01:26:58] going what we might do is take a
[01:27:00] short break so we can just give you
[01:27:02] a chance to pay yourself for the next
[01:27:05] section and when we come back if
[01:27:07] we've got any questions we'll ask you
[01:27:09] those on your first presentation we'll
[01:27:11] ask you those when we come back so
[01:27:13] we might take a break now it's 25 past 11
[01:27:16] we'll break until 20 to 12 and then

[01:27:19] come back and if we've got any
[01:27:21] questions we'll ask you then otherwise
[01:27:23] we'll whip into part two of your
[01:27:25] presentation all right thank you
[01:43:24] Welcome back, everybody, after that short break. We did indicate that we're going to ask some
[01:43:31] questions now, Planning Authority, but we've got 1,000 questions to ask, but we think it
[01:43:36] might be better if the presentation just continues, because you might answer some of those and
[01:43:44] we can ask them later on. So we'll hand back over to you. Thank you.
[01:44:14] The next bit of the presentation this morning will be getting into our findings of having
[01:44:21] undertaken a review of not only the cancer process, but of the statutory framework and
[01:44:25] all of the other elements that we thought were important to look into to inform,
[01:44:31] I guess, a pathway forward for the application of landscape conservation zone within Kingborough,
[01:44:40] and also more broadly, that translation of the environmental living zone through to the TPS.
[01:44:49] So for, I guess, ease of looking through this, in the executive summary of the findings
[01:44:58] report, these follow...
[01:45:00] dot points I guess are the key findings that we've pulled out from the report. And I guess
[01:45:06] gives kind of an overview of kind of the thinking that went into our kind of analysis
[01:45:11] and findings. For each of those we had looked at I guess identifying what we could see
[01:45:23] having occurred and taking place and also tried to, for each component, identify key
[01:45:29] observations with the idea that those key observations would inform the next tranche of our work on
[01:45:37] this project in establishing an evaluation framework for the consideration of the translation
[01:45:46] of the environmental living zone. So I guess those are the stages that we'll start to
[01:45:51] work through now in terms of the findings. So there's five of those which we'll start
[01:45:59] to work through. In terms of the first of the key findings, this is as I probably have
[01:46:12] already touched on quite a few times in the first part of this presentation, is the identified
[01:46:21] methodology evolution. So in terms of this slide I appreciate that it's probably something
[01:46:29] that's not super clear on the slide. However, the details in it probably aren't super relevant
[01:46:37] I guess to the context of this image being on the slide. But if you are looking for
[01:46:42] a version in that you can see I guess the text on that diagram or figure is on
[01:46:49] page 29 of the findings report. And I guess the inclusion of this graphic is
[01:46:57] to give a little bit of context to not only the extent of the issue that we're talking
[01:47:06] about throughout the course of today, but to also show the points in time at which
[01:47:13] zones have changed. So this figure is showing the existing parcels which are included
[01:47:21] within the zones under the interim scheme currently and then looks to throughout the
[01:47:29] process in terms of exhibition and I guess lodgement to the TPC and post-exhibition categorised
[01:47:42] where parcels of land have transitioned to in terms of zoning. So the green one
[01:47:49] in the middle is the environmental living zone and this I think provides a good graphic
[01:47:56] representation to show how land has transitioned throughout the process that has occurred
[01:48:02] to date. So you can see kind of at various points of the process there has been some
[01:48:09] portions of or parcels of land which have transitioned to rural living, which is
[01:48:15] I think the top one there, and have transitioned to other places. So while it is kind of
[01:48:22] a tricky graphic to get into the detail on, I think it just shows the overall kind
[01:48:27] of complexity of what goes into considering zone changes and what impact I guess the
[01:48:37] process has had on the existence of what is now proposed to be the landscape conservation
[01:48:43] zone. So as we kind of move through that middle green area, you can see that portions
[01:48:49] have kind of moved to the rural living and also there's kind of some really faint lines
[01:48:53] going to other zones where appropriate, but I guess that kind of pre, that post-exhibition
[01:49:03] component shows where land had been proposed to remain within the landscape conservation
[01:49:09] zone and that pink bit that kind of comes off the bottom is the land that had been

[01:49:13] proposed to be included within councils, Kingborough, Bushland and coastal living
[01:49:19] PPZ zone. So I think this just provides a graphic and some context to how things
[01:49:28] have changed over time and also how the landscape conservation or the environmental
[01:49:34] living zone land sits within the context of all the other zones within the local
[01:49:38] council area. I'm sorry, I found this graphic very helpful, thank you Simon, throughout
[01:49:45] this process. However, I guess this in itself kind of shows what we had looked
[01:49:55] at I guess through our review in that there has been kind of a change over
[01:50:01] time in how environmental living zone land had been proposed to transition. So I think
[01:50:08] as I had mentioned that the draft local provision schedule for Kingborough that was submitted
[01:50:13] to the TPC in 2020 had approximately 85% of the environmental living zone land within
[01:50:23] the council area transitioning to the landscape conservation zone. By the time the scheme
[01:50:28] had been placed on public notification or public exhibition in 2024 this had been
[01:50:33] reduced to 75% and we're talking about a total of I think it's just over 2000 parcels
[01:50:39] of land and I guess there is kind of a difference in terms of talking through properties
[01:50:44] versus parcels. I think for most of our review we've tried to utilise parcels
[01:50:51] recognising that some properties are made up of multiple parcels of land but we've
[01:50:55] tried to utilise I guess a parcels based approach for calculating things in terms
[01:51:03] of quantifying changes in terms of our review. Just to mention that, so we had reduced,
[01:51:11] we had, sorry, council had reduced the LCZ to 75% with the balance of those zones
[01:51:22] that had been kind of transitioned going mostly to rural living, some to rural
[01:51:27] zone, some to open space and some to environmental management and I guess those were all intended
[01:51:33] to be undertaken in accordance with the zone guidelines and reflective I guess of the
[01:51:39] intended zone application set out in that document. Throughout the process there had
[01:51:45] been a great deal of consideration I guess afforded to how council had considered the
[01:51:50] application of landscape conservation zone which we'd touched on I guess in terms
[01:51:53] of the process that had been undertaken and I guess that also kind of carried forward
[01:51:59] into the post public exhibition consideration where again over half of the submissions
[01:52:07] that were made on the exhibited scheme were in relation to the application of the landscape
[01:52:13] conservation zone which ultimately resulted in council's proposed PPZ to I guess,
[01:52:23] look to resolve the tension points that were raised in some of the submissions in
[01:52:30] the context I guess of the framework that is available for zones. So I guess in addition
[01:52:45] to responding to advice from the TPC, the approach to the application of the transition
[01:52:50] of the environmental living zone into an alternate zone such as the landscape conservation
[01:52:56] zone or the rural living zone has also been shaped by as I spoke about before the outputs
[01:53:04] of other schemes. So in looking through this process and how everything has transpired,
[01:53:12] I have had the benefit of hindsight in looking at how things have occurred but
[01:53:18] I guess also at this point want to acknowledge that when council started this process kind
[01:53:25] of 2019, 2020 and even before that there wasn't the same bank of information and evidence
[01:53:34] to be drawing on to be making some of the conclusions and some of the recommendations
[01:53:38] that I've been able to make in this report. So I think that is something kind of to
[01:53:45] definitely I guess note in terms of the timing of this review and I guess the process
[01:53:55] and the actions that have occurred before this have really benefited I think in providing
[01:54:00] for a approach to the transition of environmental living zone land that wasn't available to
[01:54:09] council when they started this process. So it's the lessons that have been learnt
[01:54:13] over time have I guess yet have shaped this process but also I guess in reflecting
[01:54:21] on that it is clear I guess the shift in the way in which the environmental living zone
[01:54:33] land was considered and I guess to a certain extent the rural living zone land application
[01:54:42] was considered by council has changed over time and as it has changed one of the
[01:54:49] key things that we noticed was that it may not have changed consistently for all of

[01:54:58] the locality so there were points in the process where particular areas of interest
[01:55:04] were flagged that council had gone away and then done some more thinking on and
[01:55:09] provided recommendations and a preferred approach for. There were some areas where
[01:55:15] I guess that example in itself led to then some parts of the local government area being
[01:55:25] considered under the original framework or an earlier methodology than some of the
[01:55:32] ones that were more particularly targeted through further conversations and further
[01:55:36] work throughout the process and I guess in my mind that has led to what could
[01:55:42] be perceived to and I think in a practical sense in terms of what's in the scheme some
[01:55:47] inconsistencies in how some places have been zoned in the exhibited LPS and I guess
[01:55:57] also to a certain extent the fact that the PPZs have had their own kind of specific
[01:56:02] consideration and specific analysis provided within the section 35F report also kind
[01:56:10] of adds to I guess that potential for inconsistency between how a methodology was applied for
[01:56:18] the council area. So I guess our key observations in terms of this evolution was that council's
[01:56:24] approach while it had moved to a more comprehensive consideration of the application of the landscape
[01:56:30] conservation zone that there could be inconsistencies of how it had been applied across the
[01:56:35] region which in terms of the review and I guess the view of that process is possible
[01:56:45] that it has the effect of kind of undermining the overall approach because it's not consistent
[01:56:50] and it's not clear entirely at points in the process what has and hasn't been considered.
[01:56:58] So I guess to overcome this as part of our recommendations I guess from the findings
[01:57:07] of the review was that we establish a framework to be able to counter I guess and resolve
[01:57:18] that issue of inconsistency by establishing a framework to undertake a consistent assessment
[01:57:25] of and I guess apply a consistent methodology of how the environmental living zone land
[01:57:32] in Kingborough should be transitioned appropriately or could be transitioned appropriately which
[01:57:40] would provide not only for I guess consideration of the properties identified by the TPC in
[01:57:48] its direction 69 for re-looking at a preferred zoning for the land that had been proposed
[01:57:56] to be included within the PPZ but also to more broadly look at that transition of
[01:58:03] environmental living zone land and ensure that there was a consistent approach for
[01:58:07] how that was undertaken which again we had the benefit of looking at at a particular
[01:58:13] point in time but I guess that was kind of the key findings for that component.
[01:58:20] The next element I guess of our findings was the identification of landscape values
[01:58:29] and this again is one of the areas where we had in our review identified an evolution
[01:58:37] of the approach that was used to identify landscape values so where the start of I
[01:58:52] guess the planning scheme process had been undertaken to where council are at now post
[01:59:00] exhibition and post I guess the 35F consultation report there is definitely kind of a more
[01:59:08] comprehensive approach to determining and to I guess describing what landscape values
[01:59:16] are having been I guess expanded from the initial heavily focused natural values based
[01:59:26] approach which we'd seen in kind of the very early stages of the process. So one
[01:59:34] of I guess the things that we took from as a learning I guess from the work that council
[01:59:40] had done in its 35F report was and I guess based on some of the review of how Huon
[01:59:50] had approached establishing what landscape values are given there's no set definition
[02:00:00] and wanting, I guess, to make sure that it was appropriate to the context of the local
[02:00:05] government, we looked to, I guess, the way that Council had articulated the landscape
[02:00:11] values for the purposes of describing the PPZs, but also, I guess, in more broadly
[02:00:21] describing landscape values for the local government area in the 35th report. And,
[02:00:27] I guess, in looking at all of the materials available, I took the view that what
[02:00:33] Council had proposed in that 35th report provided a very strong base of what
[02:00:49] could be put forward as the landscape values for, I guess, the region in terms
[02:00:57] of the context of how it should be considered and applied within the local
[02:01:02] government area. So, the evaluation framework itself is intended to be

[02:01:12] supported by this statement as the identification of landscape values, which,
[02:01:21] I guess, appears in page five of the locality baselining report, and also
[02:01:27] kind of, it was a few places throughout. But, I guess, in identifying this as the
[02:01:35] strategic overall landscape value statement for Kingborough, we were also
[02:01:46] guided by some of the work that Council had done in specifically looking at
[02:01:52] particular areas within the region as part of responding to modifications
[02:01:58] pre-exhibition, but also in some of the work that Council had done post-
[02:02:02] exhibition in its section 35F report in describing the importance of and
[02:02:12] further articulating landscape values in a localised context, which we,
[02:02:19] in, I guess, putting forward an approach, saw a lot of value in having a
[02:02:28] overarching landscape value statement that could then be furthered by more
[02:02:36] localised consideration of landscape values that may be present in a
[02:02:40] particular area, which you'll see as we move through to phase two of this
[02:02:47] work, has really shaped the evaluation framework and, I guess, the
[02:02:54] methodology that we've put forward in looking at having, I guess, that
[02:02:59] global approach of this is the landscape values within this local
[02:03:03] government area for the purposes, I guess, of describing and moving
[02:03:09] through the planning scheme, but then also looking to consistently identify
[02:03:17] what those landscape values would look like on a localised scale, which
[02:03:25] has been, I guess, particularly important in later stages of this
[02:03:30] work that we'll get to in terms of the difference between there being
[02:03:37] landscape values and where there are landscape values and where those
[02:03:47] landscape values can be appropriately managed in the context of assigning
[02:03:52] an appropriate zone. So we felt it really necessary, I guess, to ensure
[02:03:56] that the statement about landscape values was quite clear to provide
[02:04:11] that kind of line of sight to the balance of the evaluation at that
[02:04:16] kind of finer grain detail. And I guess, in saying that, that kind
[02:04:47] of formed the basis of our key observation for that identification
[02:04:50] of landscape values was to build on the information that we now had
[02:04:54] available to us in how landscape values had been considered in other
[02:04:58] planning schemes and also, I guess, apply that two-tiered kind of
[02:05:04] thinking of identifying landscape values. So the next key finding was
[02:05:16] around looking at the rural living zone as an alternative zone. So
[02:05:22] part of, I guess, the tension point between, well, in the transition
[02:05:27] of the environmental living zone is that it doesn't have an exact
[02:05:35] transition zone for which land should go into. And the framework
[02:05:42] that's in place at the moment provides for, I guess, consideration
[02:05:46] of the environmental living zone to be transitioned into any zone
[02:05:52] within the suite of zones available under the TPS. However, I guess
[02:05:58] one of the things that we picked up in our review is that the
[02:06:04] transition of the environmental living zone to the rural living
[02:06:08] zone was not something that council considered highly appropriate
[02:06:20] in many stages of the process, which I think is also something
[02:06:26] that over time, in looking at the other planning scheme
[02:06:28] processes, probably in 2019, 2020 wasn't a very dissimilar view
[02:06:35] to that taken by some of the other local governments in trying
[02:06:39] to avoid increasing too significantly the rural living zone within
[02:06:49] the local government area. And I guess in the early stages of
[02:06:53] this, there was not a strong, from what I can see in terms

[02:06:57] of council's perspective, there was not a strong desire for
[02:07:00] environmental living zone land to be transitioned to rural living
[02:07:03] zone land on the basis that at that time council viewed them
[02:07:08] as being very disparate and very different outcomes in terms
[02:07:12] of land use functions that could occur, which I guess in
[02:07:18] terms of the way in which the rural living zone was applied
[02:07:23] by council throughout the process, the earliest stages of
[02:07:26] the process, I get heavily restricted the application of
[02:07:29] the rural living zone land, the rural living zone to
[02:07:33] environmental living zone land, which I guess now we kind of
[02:07:37] look back at as probably quite a highly conservative approach
[02:07:40] to the transitioning of environmental living zone land,
[02:07:46] which comes back to, I guess, some of the, I guess,
[02:07:50] starts to kind of talk to some of the tension points
[02:07:52] between being able to get from environmental living zone
[02:07:57] land to another zone in terms of how the other zones
[02:08:03] are set out in the framework which is available.
[02:08:07] But council definitely had, I guess, a very kind of narrow
[02:08:12] scope of where it would support and consider rural living
[02:08:18] zone land in those earlier stages of transitioning
[02:08:23] the environmental living zone.
[02:08:25] And again, this I don't think was particularly dissimilar
[02:08:29] to any other councils or many other councils quite early on
[02:08:33] in the process.
[02:08:34] This is, I guess, something in terms of its appropriateness,
[02:08:38] I think, has evolved through the passage of the TPS
[02:08:44] processes, particularly as we kind of saw and I guess
[02:08:49] evidenced in terms of Huon and how that kind of
[02:08:54] consideration has kind of shaped the way that we now
[02:08:57] might look at whether or not the rural living zone
[02:09:01] or how the rural living zone could be an appropriate
[02:09:05] alternative to the landscape conservation zone
[02:09:09] in the context of an environmental living zone.
[02:09:16] So I guess in the context of Huon, there was some
[02:09:20] approaches which started to consider that rural living
[02:09:28] zone may be appropriate in terms of transition
[02:09:30] where the existing settlement pattern displayed
[02:09:33] characteristics that were similar to rural living
[02:09:36] in terms of lot size and density.
[02:09:38] And the transition would result in kind of similar
[02:09:41] allowable lot sizes being applied.
[02:09:43] So some of those learnings have definitely informed
[02:09:47] some of the overarching considerations that have
[02:09:54] gone into the evaluation framework.
[02:09:58] And I get that Huon also started to look at the
[02:10:01] concept of whether or not an area which has
[02:10:06] landscape values could still be appropriately
[02:10:10] managed by the provisions of the rural living
[02:10:15] zone and the other elements of the planning

[02:10:18] scheme to provide for, I guess, consideration
[02:10:22] of those landscape values.
[02:10:29] And I guess the intensity and change that would be
[02:10:32] provided for in that zone in consideration, I guess,
[02:10:35] of the landscape values that are actually in the place,
[02:10:39] which I think furthered the thinking from where
[02:10:45] Kingborough had started this process, which was
[02:10:49] much more of a there are natural values when
[02:10:52] landscape values present, the land should
[02:10:54] transition to a landscape conservation zone.
[02:10:57] I think the Huon process, I guess, gave rise and
[02:11:01] gave, I guess, furthered the process or furthered
[02:11:10] the thinking about how the ELZ could be
[02:11:14] transitioned and the appropriate considerations
[02:11:19] that should be going around how rural living zone
[02:11:22] land could be considered in that transition,
[02:11:27] which has again formed part of our consideration
[02:11:34] in terms of recommendations.
[02:11:38] This, which better I'm talking about, sorry.
[02:11:53] And I guess the Huon scheme also looked at that
[02:11:55] interaction between the regional land use strategy
[02:11:59] and the application of the rural living zone,
[02:12:05] which was something I think that was furthered
[02:12:07] from maybe the thinking that had gone into
[02:12:09] the Kingborough approach to having a view
[02:12:15] that the regional land use strategy stopped
[02:12:19] or did not, I guess, consider appropriate
[02:12:23] the transition of environmental living zone land
[02:12:25] to rural living.
[02:12:28] I think that the Huon process provided for
[02:12:32] more appropriate pathways of considering where
[02:12:38] it is appropriate in the context of the
[02:12:42] regional land use strategy and I guess also
[02:12:44] where in a way that it wouldn't conflict
[02:12:47] with the regional land use strategy,
[02:12:49] which I guess is an important part of how
[02:12:51] this has also transpired.
[02:12:54] And I guess a key element of the consideration
[02:13:07] of the rural living zone as an appropriate,
[02:13:11] or yeah, as an appropriate alternate zone
[02:13:13] to the environmental living zone is around
[02:13:16] that appropriate management of landscape values.
[02:13:20] So in looking through where council had started
[02:13:24] in considering the rural living zone,
[02:13:30] there had been kind of, I guess, a thinking
[02:13:34] that at a really high level that there are
[02:13:36] landscape values, they need to be protected,
[02:13:38] it should be the landscape conservation zone
[02:13:41] that does that.

[02:13:43] I guess in going back through the guideline
[02:13:45] and the zone guidelines particularly
[02:13:48] and looking through how the components
[02:13:53] of the purpose and the application
[02:13:56] of both the landscape conservation
[02:13:57] and environmental living zone,
[02:14:01] and the landscape conservation zone would function.
[02:14:06] There is, I think, some capacity for
[02:14:08] the rural living zone to be more broadly
[02:14:11] considered as an appropriate zone,
[02:14:15] but only where landscape values that are present
[02:14:19] can be demonstrated as being appropriately managed.
[02:14:23] I guess this appropriately managed concept
[02:14:25] is something that we then further explore
[02:14:29] in the report, but effectively we looked
[02:14:33] at where the allowable minimum lot size
[02:14:40] was consistent with, and I guess
[02:14:42] didn't provide for further subdivision,
[02:14:45] well, not didn't provide for further subdivision,
[02:14:48] limited or didn't provide for further subdivision,
[02:14:51] that it may be appropriate for land
[02:14:54] within the environmental living zone
[02:14:56] to transition to the rural living zone.
[02:15:00] noting I guess that
[02:15:02] as we kind of talk through each of these there is
[02:15:06] quite a few different
[02:15:10] elements that will contribute to whether or not the rural living zone is
[02:15:14] appropriate or the landscape conservation zone or another zone is
[02:15:17] appropriate
[02:15:18] which is kind of where we get to in terms of the decision tree but in
[02:15:21] talking through them I guess on an individual basis
[02:15:26] it's possible that where no further subdivision was
[02:15:30] capable
[02:15:32] that the rural living zone
[02:15:35] would potentially be
[02:15:37] an appropriate zone
[02:15:40] for some of the transition to ELZ so
[02:15:43] this also I guess then
[02:15:46] showed us that if
[02:15:49] the land
[02:15:51] in its size and its current parcel was
[02:15:56] greater than some of I guess the minimum lot areas that would be provided for in the
[02:15:59] rural living zone
[02:16:00] and could potentially
[02:16:02] result in
[02:16:04] the subdivision or I guess
[02:16:08] the intensification of
[02:16:11] housing or residential uses within that area that maybe that's telling us
[02:16:15] that the

[02:16:16] the rural living zone is not appropriate in the transition of that
[02:16:19] environmental living zone land
[02:16:21] which we'll get into it in a little bit more detail
[02:16:30] as we kind of move through but I guess the alignment of that
[02:16:33] goes back to
[02:16:35] the zone guidelines and
[02:16:37] what it is
[02:16:38] it's starting to
[02:16:40] talk to, or not starting to, what it's talking to in terms of
[02:16:45] transitioning environmental living zone land
[02:17:14] so I guess
[02:17:15] to probably just reiterate that in terms of the zone guidelines it's
[02:17:21] RL4B in the zone guidelines that talks to and I guess establishes
[02:17:28] that
[02:17:31] the rural living zone should not be applied to land that contains landscape
[02:17:34] values that are identified for protection and conservation such as bushland areas
[02:17:40] and areas of large native vegetation
[02:17:43] unless the values can be appropriately managed so I guess in terms of
[02:17:47] looking through this
[02:17:50] that unless the values can be appropriately managed
[02:17:53] is
[02:17:54] I guess the concept that
[02:17:57] we have
[02:17:59] delved into further in considering the application of the rural living zone
[02:18:04] because I guess there was
[02:18:07] in what council had
[02:18:09] undertaken to date
[02:18:11] justification in a lot of the reports that talked to
[02:18:17] the rural living zone not being appropriate because it wouldn't provide
[02:18:20] the same level of controls
[02:18:22] for the protection of landscape values as was present in
[02:18:26] the environmental living zone currently
[02:18:30] and I guess there was this
[02:18:34] I took away from the work council had done a perception of a need
[02:18:39] an intention for there to be
[02:18:41] a like for like protection
[02:18:43] of the landscape values
[02:18:45] in order for
[02:18:46] the
[02:18:48] rule living zone to be appropriate
[02:18:50] uh... however I guess in going back to
[02:18:53] what the guidelines telling us
[02:18:55] it's talking about the appropriate management of the landscape values not
[02:18:59] the ultimate protection
[02:19:01] uh... and
[02:19:03] I think that those two things probably are
[02:19:06] slightly different in terms of how we've now
[02:19:09] we've shaped an approach to looking at the zoning
[02:19:13] of the land I guess in terms of

[02:19:15] the recommendations
[02:19:18] and I guess we've
[02:19:19] in looking at this we've
[02:19:21] looked at the appropriate management
[02:19:24] uh... via not only the provisions of the code itself but also the other
[02:19:28] mechanisms of the planning scheme and the other codes and provisions that
[02:19:32] would interact with
[02:19:34] uh... and contribute to or take away from the ability to protect landscape
[02:19:39] values in a particular area
[02:19:43] so
[02:19:47] there is definitely I guess in terms of looking at the rule living zone
[02:19:50] a distinction between
[02:19:53] uh...
[02:19:54] the way in which landscape values are to be
[02:19:57] managed and considered and retained
[02:20:00] uh... however in looking through
[02:20:02] the provisions
[02:20:04] uh...
[02:20:06] in some instances I guess there are
[02:20:09] definitely ways in which
[02:20:11] you would get to a similar development outcome depending on the
[02:20:15] landscape values that are present
[02:20:18] in the rural zone
[02:20:19] and the landscape conservation zone
[02:20:23] based on
[02:20:25] the other overlays and provisions which will also exist in the scheme
[02:20:34] so in considering I guess the standards
[02:20:36] and the intention of the rule living zone when compared to the landscape
[02:20:39] conservation zone
[02:20:42] it's uh... I guess in terms of what we've documented in the report it's reasonable to consider that
[02:20:47] there are certain landscape values that could be managed in some way
[02:20:53] by the rule living zone provisions
[02:20:55] uh... given
[02:20:57] the intensity of uses that are allowable
[02:21:00] uh... the limited
[02:21:01] no permit required
[02:21:03] uh... and permitted uses
[02:21:05] uh... and also I guess consideration of the zone purchase statements
[02:21:10] uh... that uh...
[02:21:13] it's possible to get to a point where in some instances
[02:21:19] those considerations as well as other mechanisms of the scheme including the
[02:21:23] existence of
[02:21:25] the landscape
[02:21:26] uh... the scenic protection area code the natural assets code
[02:21:29] uh... could also be mechanisms to appropriately manage those values
[02:21:33] uh...
[02:21:35] so in re-looking at council's
[02:21:38] approach uh...
[02:21:41] it was I guess our findings that

[02:21:43] the council had provided a pretty global determination of
[02:21:49] limitations of the application of the rule living zone based on
[02:21:54] um... deficiencies in not only
[02:21:57] or perceived deficiencies in not only I guess the provisions of the code
[02:22:01] but also the ability of
[02:22:04] the
[02:22:05] other overlays within the scheme
[02:22:07] and codes within the scheme
[02:22:09] to protect the landscape values
[02:22:13] uh... however I guess this global approach appears to have uh...
[02:22:17] and has ruled out the ability of scheme provisions to appropriate
[02:22:21] to consider how scheme provisions might appropriately manage landscape
[02:22:24] values
[02:22:26] uh... based on not only I guess the existing provisions
[02:22:29] for the environmental controls
[02:22:32] sorry I probably
[02:22:35] modeled that up a little bit but in terms of
[02:22:38] I guess the global approach has kind of
[02:22:41] discounted the ability of the
[02:22:43] rule living zone and the
[02:22:47] other
[02:22:48] zone, not zone
[02:22:50] uh... the other code mechanisms in the scheme
[02:22:53] uh... as
[02:22:54] not achieving the outcomes
[02:22:56] that the environmental living zone
[02:22:59] would provide for however I guess
[02:23:02] what's come through our review is that
[02:23:06] there may be separate concerns about
[02:23:10] the broader function of
[02:23:13] some of the
[02:23:14] the natural
[02:23:15] values protection mechanisms in the TPS
[02:23:19] uh... as well as some
[02:23:21] concerns around the application and I guess the ability to apply the scenic
[02:23:25] protection area
[02:23:27] uh... as I guess two examples
[02:23:28] and that those have been used in council's justification to
[02:23:34] avoid looking at or to
[02:23:36] determine that the rule living zone is not appropriate
[02:23:40] uh... however I guess in looking through and going through
[02:23:46] our assessment
[02:23:49] we've tried to undertake I guess a more
[02:23:53] uh...
[02:23:54] localized consideration of of the actual impact
[02:23:59] uh... of of these uh...
[02:24:03] of the provisions in terms of how they might actually kind of transpire on the
[02:24:07] ground so
[02:24:09] in looking at the allowable lot sizes

[02:24:12] uh...

[02:24:14] uh... there is kind of a clear

[02:24:16] indication that where

[02:24:18] there is

[02:24:20] limited to no further subdivision

[02:24:22] that would be provided when looking at the rule living zone in

[02:24:25] transitioning the environmental living

[02:24:27] uh... it could be a possible pathway because it would align with with the

[02:24:31] guidelines in terms of not providing for additional subdivision potential

[02:24:36] uh... the appropriate management itself in terms of looking at

[02:24:41] the ability of the codes

[02:24:46] will apply under the TPS in the

[02:24:48] I guess the broader context

[02:24:49] to everywhere

[02:24:51] uh... and determining the appropriate management

[02:24:55] identified landscape values on that basis as opposed to looking at

[02:25:00] the controls that are in place now and wanting I guess those to carry through to

[02:25:05] the new

[02:25:06] framework which

[02:25:07] uh... I guess

[02:25:09] clearly intended to be standardized and to apply in a particular way

[02:25:14] uh...

[02:25:18] so I guess particularly the

[02:25:21] natural assets code

[02:25:23] uh... in considering native vegetation has limited the ability to contribute to

[02:25:27] appropriately managing landscape values

[02:25:30] where the site is not

[02:25:32] mapped by the overlay so

[02:25:35] in a practical sense

[02:25:37] uh... most of Kingborough at this point in time is mapped where there is

[02:25:42] priority vegetation within the priority vegetation mapping

[02:25:45] uh... and the standards of

[02:25:48] the that code

[02:25:49] of the natural assets code

[02:25:51] uh... would provide controls that are not dissimilar to some of the

[02:25:54] landscape

[02:25:55] protection controls which are available in the landscape conservation

[02:25:59] provisions and also I guess in the environmental living

[02:26:02] provisions

[02:26:03] uh... as they relate to minimizing

[02:26:06] the removal of vegetation

[02:26:07] uh... and again acknowledging that the provisions aren't exactly like for like

[02:26:12] uh... between the two schemes

[02:26:14] uh...

[02:26:17] there is I guess considered to be uh...

[02:26:24] application of

[02:26:26] the and I guess the extent

[02:26:28] to which the

[02:26:29] natural values are considered within the scheme

[02:26:32] is uh... for the consideration of
[02:26:35] this more broadly
[02:26:36] uh... scheme wide issue as opposed to something that would stop you
[02:26:40] necessarily I think from
[02:26:42] assigning a particular zone so looking at I guess the functions that would
[02:26:46] exist more broadly in the scheme
[02:26:48] uh... has been kind of an important component of this
[02:26:51] uh... I guess in in terms of the
[02:26:53] the ability of the scenic protection area code
[02:26:57] it also has some ability where it is applicable
[02:27:00] uh... to
[02:27:03] manage some of
[02:27:05] the components that could
[02:27:07] uh... be affected
[02:27:09] in terms of impact and
[02:27:11] appropriate management of landscape values
[02:27:14] uh... however I guess the limitations to this are that it
[02:27:18] it's being transitioned from
[02:27:21] the interim scheme to
[02:27:23] uh... the TPS
[02:27:24] as it is now in terms of extent
[02:27:26] uh... and its application I guess is limited to the areas to which the
[02:27:31] scenic protection area would apply
[02:27:33] uh... under
[02:27:34] the mapped extent
[02:27:37] however I guess where it is within the scenic protection area there are
[02:27:40] controls in terms of building height
[02:27:43] and other components that would
[02:27:45] potentially
[02:27:46] offer a mechanism that would provide for appropriate management of landscape
[02:27:50] values
[02:27:52] uh... in some context
[02:27:54] uh... I guess in terms of the other overlays and codes there are also uh...
[02:27:59] specific area plan provisions which we looked at as part of this review
[02:28:04] uh... which for the purposes of
[02:28:07] uh...
[02:28:08] the overall review largely related to Bruny Island in terms of the
[02:28:12] provisions of that SAP and how
[02:28:14] the SAP might look to or could include provisions that would provide for the
[02:28:19] appropriate management of landscape values
[02:28:22] uh... which is obviously something that's
[02:28:23] subject to further consideration in terms of the broader review of that SAP
[02:28:28] but it I guess is the only SAP that really affects
[02:28:33] the existing environmental living zone land
[02:28:36] within Kingborough
[02:28:38] uh... and I guess the third component of that
[02:28:43] uh... appropriate management of landscape values
[02:28:47] in the context of whether or not
[02:28:49] the rural living zone would be appropriate

[02:28:51] uh... is the likelihood of risk
[02:28:54] uh... so
[02:28:56] in looking at this
[02:28:59] uh... concept and uh...
[02:29:01] articulating this in the report
[02:29:03] uh... the intention is to
[02:29:09] explore
[02:29:11] I guess one of the deficiencies or the limitations of of councils
[02:29:15] uh... justification of
[02:29:18] where the rural living zone was not appropriate was
[02:29:21] providing
[02:29:24] I guess global
[02:29:25] responses to
[02:29:28] uh... where why the rural living zone might not be appropriate in terms of
[02:29:34] the uses that are allowed or the
[02:29:36] uh...
[02:29:38] the subdivision potential and I guess elements
[02:29:42] uh... at
[02:29:44] overarching scale without actually necessarily looking at
[02:29:49] likelihood of
[02:29:51] the risk that was put forward
[02:29:55] being realized
[02:29:57] uh... so
[02:30:01] I guess in putting forward the rural living zone, we saw an element of need to further
[02:30:18] interrogate the likelihood of risk occurring.
[02:30:27] In making the recommendations for the appropriate zone, it's probably necessary to just restate
[02:30:34] that, as is probably mentioned quite a few times in the report, that in transitioning
[02:30:40] the environmental living zone in the context of Kingborough to rural living or to the landscape
[02:30:48] conservation zone or to another zone, there's many instances where there is no exact right
[02:30:54] fit because of the context of how this zone has been used in this area to date.
[02:31:03] I guess the zones that are available for selection, so I guess the intention of the current framework
[02:31:13] is to provide a zone that is appropriate for transition to the TPS within the bounds
[02:31:19] of the existing standard zones and relevant overlays and the statutory framework that's
[02:31:24] available to apply the zones.
[02:31:29] I guess that's kind of important to note that in considering the zones, that the consideration
[02:31:45] of the rural living zone land in transitioning environmental living zone land should be
[02:31:48] framed by the ability to provide for the things that would lead to an appropriate
[02:31:57] management of landscape values where they existed and I guess bringing those forward
[02:32:02] as kind of indicators to be considered consistently.
[02:32:07] However, I guess in considering the likelihood of risk, it's an assumption that for example
[02:32:16] the further subdivision, while the rural living zone has a smaller lot size than
[02:32:24] is provided for in the landscape conservation zone, if a classification is provided in terms
[02:32:30] of the ABCD, rural living zone lot sizes that didn't provide for any further subdivision,
[02:32:40] then the risk of intensification of residential uses is actually quite low and not actually
[02:32:47] a deterrent to looking at the rural living zone in the context of that element.
[02:33:01] I guess then in working through the likelihood of risk for some of the other elements that
[02:33:08] council had put forward, I guess grazing was flagged as a significant concern for not looking
[02:33:18] at the rural living zone as a use which is allowable I guess in the rural living zone
[02:33:22] but not necessarily within the landscape conservation zone as a permitted use, however

[02:33:29] in looking at some of the places, the risk and likelihood of grazing occurring in some
[02:33:40] of the places that we're talking about which are often kind of steep hilly topography
[02:33:47] and have significant existing vegetation coverage, it would be probably quite unlikely that
[02:33:54] grazing would be as a no permit required use within a lot of these places because
[02:34:02] just I guess by the fact that to do that use most of the time you're going to need
[02:34:07] to clear an area of land to do it and that there would be mechanisms under the
[02:34:12] scheme in terms of the priority veg code that would provide some controls as to
[02:34:18] how that could occur and also provide for council to have further consideration
[02:34:23] of that through a process, so the grazing as a no permit required risk that's identified
[02:34:30] I guess in working through the output and I guess the context of the places that are
[02:34:37] environmental living zone land now, there's probably less of a risk of that occurring
[02:34:42] without kind of a planning pathway that council would be involved in, I guess just
[02:34:51] as an example of kind of where council had identified a risk and kind of then working
[02:34:55] through that likelihood as part of establishing whether or not rural living zones should
[02:35:02] be considered and I guess this is also dependent on the landscape values that are
[02:35:07] identified and then how those controls would or wouldn't work, so for example
[02:35:13] in areas where the scenic protection overlay is not in place but the priority vegetation
[02:35:17] area is, rural living zones still might not be an appropriate zone because it could be
[02:35:22] that the nature of the landscape values that are in place and I guess the existing
[02:35:32] development that's in place might mean that the development that's there is kind
[02:35:36] of integrated within what looks like I guess the natural landscape or bush land
[02:35:44] and potentially in looking at kind of the mechanisms of the scheme, the rural living
[02:35:50] zone in comparison with the environmental living zone or the landscape conservation
[02:35:55] zone provides for a greater height as a permitted pathway of development, so I guess
[02:36:00] looking at how that impact of height might change the way in which the landscape value
[02:36:08] could be considered and I guess be appropriately managed, we kind of delved into whether or
[02:36:15] not and I guess looking at the likelihood of risk of that higher built form without
[02:36:22] having the controls of another zone or the scenic protection area and the impact that
[02:36:27] they may have in terms of the placement and the effect of visibility that could
[02:36:34] occur as a result of the rural living zone as another kind of risk factor that was
[02:36:41] explored with I guess the greater development and the greater kind of number of parcels
[02:36:47] and I guess the volume of potential change factoring into what could be considered to
[02:36:54] change the level of risk there, but again these are all I think relevant to consideration
[02:37:00] in the context of a particular place, but I guess overall we had tried to, I guess the
[02:37:11] key findings was that there needs to be kind of a greater level of consideration
[02:37:16] for how landscape values could be appropriately managed for a scheme in consideration of
[02:37:23] whether the landscape, whether the rural living zone was appropriate and I guess
[02:37:36] these are kind of key concepts that have been embedded within the evaluation pathway and
[02:37:42] suitability indicators which we'll get to I guess in the next component of this.
[02:37:54] And I guess another element in terms of the rural living zone as an alternative zone
[02:37:59] we explored the strategic intention of the zone which is really I guess where in terms
[02:38:05] of this section of the report it from my perspective highlights the tension points
[02:38:11] between what the zone guidelines articulate for what should be considered rural living
[02:38:19] zone and what should be considered landscape conservation zone in the context of transitioning
[02:38:26] environmental living zone land. I think that if we were talking about this outside
[02:38:33] of this process where we were just looking at the guideline and looking at how zones
[02:38:37] should be applied, there probably isn't a significant issue with how the application
[02:38:43] is intended under the zone guidelines now, but in talking about the transition of existing
[02:38:49] environmental living zone land to one of the zones that are available within and to

[02:38:56] be applied I guess in accordance with the zone guidelines it becomes very clear that
[02:39:03] there is a tension point in that the rural living zone has I guess a primary intention
[02:39:13] and I guess a purpose for residential development whereas the landscape conservation zone establishes
[02:39:24] a primary intention for the protection of landscape values and provides for complementary
[02:39:29] development which in considering how the environmental living zone is constructed both
[02:39:39] could be true and I guess that's I guess part of I guess what we'll get into in the
[02:39:44] next bit is in terms of establishing the intended transition for the environmental
[02:39:51] living zone in terms of establishing a primary intention or a primary strategic intention
[02:40:04] because it's not overly clear how that should be determined within the guideline itself
[02:40:17] in that there's no specific parameters prescribed in that guideline or elsewhere that guide
[02:40:24] how the primary intention or strategic intention is to be determined and I guess this in
[02:40:41] itself has kind of as explored in the report has led to significant complexities
[02:40:49] in considering how the rural living zone and the landscape conservation zone should
[02:40:55] be applied in the context of transitioning the environmental living zone. So in talking
[02:41:06] I guess through the landscape conservation zone and the rural living zone both set a
[02:41:11] primary intention in terms of I guess the purpose and the intention of the zone however
[02:41:29] the approach to assigning the most appropriate zone is not necessarily straightforward which
[02:41:36] is I guess as I kind of had just started to touch on that the environmental living
[02:41:42] zone really kind of in its current form couples residential the provision for residential
[02:41:51] uses with the protection of environmental and natural values on a particular parcel
[02:41:59] of land and kind of ties the two together which as we kind of explore in the report
[02:42:07] makes it really tricky to unpick what is the primary intention for either considering
[02:42:13] the rural living zone or the landscape conservation zone in determining is the primary
[02:42:18] intention landscape conservation and protection or is it a primary intention of residential
[02:42:25] development when previously and currently those two things are kind of tied together in that
[02:42:32] residential development in the environmental living zone is only appropriate where the
[02:42:37] values are managed or what values are appropriately protected. So you can't have one without
[02:42:43] the other in the current framework but then in terms of transitioning it there
[02:42:49] is an intention to be able to determine a primary intention which I guess has added
[02:42:57] to the complexity and I guess is kind of why I think fundamentally we're here at
[02:43:02] this point because it's not clear which way the environmental living zone should
[02:43:10] go in all instances and it does become kind of a localized and contextually based
[02:43:16] consideration which is tricky in the concept of the process that council has been asked
[02:43:23] to undertake here in translating a scheme without making kind of significant policy
[02:43:28] changes because by picking one of the two zones you're making a relatively significant
[02:43:34] policy change but I guess that's what we start to unpick in the next bit. Part of
[02:43:51] the report also looks to get into confirming I guess intention versus primary intent and
[02:44:05] I guess that has formed part of what has gone into the decision tree and the evaluation
[02:44:13] framework in I guess effectively acknowledging that it's almost an impossible reconciliation
[02:44:20] of trying to pick a primary intent for something that previously has two functions occurring
[02:44:27] together. We had I guess looked to look at and strip it back to first determine
[02:44:34] whether or not there is an intention for so looking at whether or not there is a residential
[02:44:47] intention for the land which I guess then looks to kind of exclude areas where there
[02:44:53] isn't an environmental residential intention.
[02:45:00] the first instance. But I guess being able to
[02:45:08] establish intention of land and I guess also extending to the application or the
[02:45:15] identification of landscape values becomes I think part of trying to
[02:45:20] determine an appropriate zoning. So we've kind of I guess looked to, it's
[02:45:31] probably worth saying at this point, that in trying to reconcile a primary

[02:45:39] intention of transitioning the environmental living zone land, I guess
[02:45:44] our review of the the PPZ that Council had proposed, which is I guess not to
[02:45:49] be considered in this process, but it did put forward a way of potentially
[02:45:58] resolving some of the tension points that exist between the two primary
[02:46:04] intentions of both the rural living zone and the landscape conservation zone, to
[02:46:14] I guess better consider what had been provided for currently under the
[02:46:20] environmental living zone, which is kind of residential uses in the context
[02:46:24] of preservation of natural values and landscape values. So in not being
[02:46:42] able to, as I guess Council had not been able to myself, be able to
[02:46:48] reconcile the tension points between the primary intention of both the
[02:46:53] zones, it's proposed I guess the decision tree pathway, which we
[02:46:57] provided in the evaluation of zones in the next component of this work, that
[02:47:08] consider the intention or presence of residential uses and the
[02:47:12] characteristics of an existing settlement in the first instance that
[02:47:16] could then be qualified by the examination and presence of identified
[02:47:20] landscape values and whether those could be appropriately managed through
[02:47:26] the application and operation of the relevant code provisions of the scheme
[02:47:30] and I guess using that as a concept in terms of the decision pathway that
[02:47:38] could be applied and used as a mechanism of determining the
[02:47:41] appropriate alternative zone, where by the I guess the primary strategic
[02:47:47] intent could be realized through the consideration of the decision tree and
[02:47:53] the evaluation pathway as opposed to, well not as opposed to, and I guess
[02:48:01] provide a consistent way of being able to consider all of the relevant
[02:48:09] elements of the guidance and the guideline document and I guess as a,
[02:48:16] and show a way of determining or getting to a point where there is a clearer
[02:48:26] alternative zone that is appropriate for a particular area, which I guess
[02:48:33] doesn't directly provide for a primary intention but does I guess through the
[02:48:41] process of considering all of the other elements of the process end up
[02:48:46] at a decision point where you have an evidence base that suggests that the
[02:48:54] primary intention for that land may be aligned with the rural living zone
[02:48:59] more than the landscape conservation zone or vice versa or alternatively the
[02:49:04] rural zone or another zone that is available. So I guess trying to split
[02:49:13] out and identify the primary intention has largely been I guess attempted
[02:49:18] through the creation of the decision tree and the evaluation pathway. In
[02:49:30] terms of the spatial extent and existing settlement patterns this was
[02:49:36] kind of another element of the establishing the primary strategic
[02:49:40] intention which we've explored. In Council's section 35f report there was
[02:49:55] an image that was used, I think it was figure 7, where it showed in
[02:50:02] consideration of the PPZ the extent of land which was in Kingborough that
[02:50:09] was less than 10 hectares and I guess if you were to take the approach of
[02:50:16] saying all right well anything that is 10 hectares or less should be
[02:50:22] transitioned automatically from the environmental living zone to the rural
[02:50:26] living zone, this would result in I guess a criteria that gets you
[02:50:35] to a point but that image showed I guess the breakdown of those lots which
[02:50:42] would ultimately result in significant fragmentation of how that zone is
[02:50:47] actually then applied throughout the the local government area and I guess
[02:50:53] the fragmented application of the landscape conservation zone or the rural
[02:50:58] living zone is definitely not a desirable pathway in terms of the
[02:51:03] relationship with individual parcels and I guess surrounding zoning and has

[02:51:10] been kind of a key consideration in the assignment of landscape
[02:51:14] conservation zone in what has occurred so far in the Kingborough process
[02:51:19] but also in the context of other council processes where this has
[02:51:25] become the spatial extent and I guess the existing settlement pattern
[02:51:28] has become just as much a part of the consideration of an appropriate zone as
[02:51:35] the intention of the zone guidelines and I guess at this point it's
[02:51:47] also important to mention that a key consideration in the assignment of the
[02:51:57] landscape conservation zone is that difference I guess between looking at
[02:52:03] individual sites and looking at sites where they contribute more broadly to
[02:52:08] a landscape value and I guess the collective consideration of landscape
[02:52:14] values which is something that has kind of evolved throughout but is also I
[02:52:18] think clearly articulated in the zone guidelines in LCZ 3 where
[02:52:28] it provides for the landscape conservation zone to be applied to a
[02:52:34] group of titles recognising that while the minimum lot size that's maybe of
[02:52:40] a particular parcel may be less than what's provided for in the landscape
[02:52:44] conservation zone that it's important I guess that particular lots may
[02:52:51] contribute more broadly than just themselves in terms of adding to a
[02:52:55] collective and overarching landscape value or may be positioned to not
[02:53:03] necessarily fully encapsulate the landscape value but by its location and
[02:53:09] its proximity to other land which has extensive landscape values could also
[02:53:15] influence the way in which landscape values should be considered for that
[02:53:21] site and I guess for that locality kind of more broadly which I guess has also
[02:53:32] led to one of the kind of key findings in terms of looking at and I
[02:53:40] guess proposing to consider the application of landscape conservation
[02:53:44] zone and the rural living zone at a clustered or group-based approach as
[02:53:53] opposed to an individual kind of lot by lot consideration which at a higher
[02:54:01] scale gives I guess ability to ensure that part of the consideration of an
[02:54:07] appropriate zone considers those broader spatial elements that we talked
[02:54:12] through before in terms of split zonings and looking at those where
[02:54:16] they might be applicable but also avoiding kind of fragmentation of
[02:54:20] zoning and avoiding spot zoning so I guess in looking at kind of the spatial
[02:54:30] extent of this work we also looked back to some of the work that council
[02:54:34] had done in 2021 where it had prepared a natural values zone
[02:54:41] conversion table which at the time partly assisted in the conversion in
[02:54:47] articulating how council were proposing to transition the environmental
[02:54:53] living zone under the interim scheme to zones available under the TPS although
[02:55:00] I guess the some of the criteria and thinking that went into that natural
[02:55:08] values zone is is not probably where we would be going to now in terms of
[02:55:21] some of the factors that looked at where land could be zoned the overall
[02:55:25] concept of that document looked at breaking the region into a number of
[02:55:32] separate localities for consideration and in in terms of considering the
[02:55:37] zoning while some of the the factors which determined which zone things
[02:55:44] would go into probably are not as well aligned to where we're at now
[02:55:49] that concept of clustering and thinking about places that are broader scale
[02:55:54] provided a lot more thoroughness and I guess consistency to to how council
[02:56:01] were proposing to consider zoning so I guess we've taken from that approach
[02:56:09] a need to and I guess that was probably further further shown
[02:56:19] through some of the responses to the 35f report where council looked at
[02:56:24] particular areas in terms of particularly the PPZ in terms of the

[02:56:28] extent of what's going on in particular localities to inform the
[02:56:35] inclusion of it in a different zone or a different approach but I guess that
[02:56:41] locality based approach definitely had had significant merit in in approaching
[02:56:48] how zoning is considered so I guess that kind of formed part of the the
[02:56:53] overarching observations in terms of needing to use this work as an
[02:57:02] opportunity to not disregard the work that council had previously done but I
[02:57:07] guess use it as the base of establishing localized areas for which
[02:57:13] we could undertake a localized and consistent assessment of the
[02:57:21] conversion of environmental living zone land to an appropriate zone under the
[02:57:27] new framework and I guess we determined that that could provide a
[02:57:33] consistent and clear base for which that zoning determination could be
[02:57:36] undertaken and I guess in terms of having those localized areas the
[02:57:47] intention was that this would provide for us to then have standardized
[02:57:54] suitability criteria that could that each of the places could then be
[02:57:58] considered against which would avoid not only a site-by-site consideration
[02:58:04] unless it was relevant I guess to the landscape value or to another
[02:58:07] component but would then provide for landscape values settlement patterns
[02:58:14] and other important elements to be considered at that higher scale which
[02:58:22] in looking at I guess the the intended application of zones provides
[02:58:28] for consideration of some of those broader spatial issues that we've been
[02:58:34] talking through so far and also I guess recognizes that in establishing the
[02:58:41] landscape values that it's not necessarily kind of a lot-by-lot
[02:58:45] consideration but that the landscape values are for the most part quite
[02:58:51] broad in in their existence okay so this is the last of the key findings
[02:59:06] that we have outlined in our report and this really keep going Kate or do you
[02:59:13] want to have a break let's keep going with this bit and then we'll that's
[02:59:17] okay then we're on to the evaluation framework after that but I guess this
[02:59:24] this one also shouldn't take too long but I guess this this section has
[02:59:35] come about because I guess in looking at and re-interrogating the process and
[02:59:42] the mechanisms available to to select a zone for the TPS scheme there is
[02:59:53] definitely
[03:00:00] a
[03:00:01] It hasn't I guess been a simple exercise which I guess we've kind of you probably are very aware of now in
[03:00:14] Having having listened to kind of two hours of going through how we've had to approach
[03:00:19] Considering getting to even looking at evaluation criteria
[03:00:23] But this has I guess not been kind of an easy task in terms of determining an appropriate zone
[03:00:29] for existing environmental living zone land to transition to
[03:00:33] Which was largely acknowledged, I think in terms of the work the council had done in the in the ppz
[03:00:40] but
[03:00:41] There in some places there is not a comfortable zone for land to be transitioned into
[03:00:48] Within the suite of zones that are available under the TPS
[03:00:51] And I guess this section is intended to acknowledge that
[03:00:56] Regardless of whether the the rural living zone the landscape conservation zone or another zone within the
framework is
[03:01:04] Is selected there will still be some gaps
[03:01:08] And risks in the strategic management of what is currently
[03:01:12] environmental living zone land now
[03:01:15] When compared I guess to what in the existing arrangements
[03:01:19] Compared to what will be available under the new framework

[03:01:23] And that the controls that are available under the new framework don't provide lack-for-lack protections or controls

[03:01:31] Although the operation of the zones under the TPS is to be considered in I

[03:01:39] Guess in terms of the overlays and things that are available there will still be some gaps

[03:01:44] In terms of how landscape values could be managed whether it's going into the landscape conservation zone or whether it's going into another zone

[03:01:52] So as part of I guess more broadly looking at the rural living zone and the appropriateness of that zone

[03:02:01] We believe I guess there are other mechanisms that maybe

[03:02:06] Council would want to look at in the future to further strengthen the management of landscape values

[03:02:13] which

[03:02:14] Could in part I guess

[03:02:18] Mitigate some of the short-term risks or the longer-term risk. Sorry, so where we were looking at the

[03:02:25] Appropriateness of the rural living zone in being able to amount to appropriately manage landscape values

[03:02:33] There may be in some instances a risk to that's identified to

[03:02:41] Or existing mechanisms in the scheme may be able to to assist in

[03:02:49] in

[03:02:50] Appropriate management of the values. So for example the scenic protection area at this point in time

[03:02:57] There is limited ability to expand the application of that

[03:03:03] provision if in the future there was the opportunity to relook at that and to

[03:03:09] Apply that more broadly there may be a case where

[03:03:14] some at land that

[03:03:16] Is going into the rural living zone could be better managed through the application of that scenic protection area

[03:03:24] as

[03:03:26] I guess also looking at

[03:03:30] The

[03:03:32] I guess also looking at the the plannings the review or expansion not derivative expansion the scenic protection area

[03:03:48] We've just talked about that

[03:03:49] But also I guess part of what has become very apparent is that there is a tension point between

[03:03:56] the transition of some environmental living zone land to rural living

[03:04:02] where

[03:04:05] It is kind of

[03:04:08] Geographically kind of disparate to different places or it's not necessarily

[03:04:12] Aligned very well with what would regularly be considered rural living land and I guess the consequences of

[03:04:24] Transitioning some land to rural living

[03:04:28] might not be

[03:04:31] Identified I guess in the review as being entirely appropriate in this transition period

[03:04:36] But there is definitely some merit in some places across the local government area

[03:04:41] Being further considered

[03:04:43] Because there may be some

[03:04:46] Characteristics, but not necessarily maybe all the characteristics of a rural living settlement

[03:04:52] that become present but

[03:04:54] That's not to say that in the future that land could not be considered as rural living zone land

[03:04:59] But just that I guess in the transition of this process that we've been asked to look at

[03:05:04] it doesn't clearly become a transition of environmental living zone to rural living and

[03:05:09] That there would be some benefiting council

[03:05:13] Looking to undertake a rural living settlement

[03:05:16] Review to inform I guess that next tranche of consideration of a rural living zone

[03:05:22] Where I guess it might not be clear or as clear as it should be to apply a rural living zone as part of this
[03:05:29] process
[03:05:31] and I guess part of
[03:05:33] An additional part could be kind of considering new or variations to existing SAP so where
[03:05:40] Council may still have concerns around some of the controls that are available in the rural living zone or
another zone
[03:05:45] I guess there are options in the future to potentially not only I guess relook at the ppz in some capacity
[03:05:53] But also looking at kind of whether or not there are needs in particular places for
[03:05:58] specific provisions to provide further
[03:06:02] management or
[03:06:03] consideration of landscape values
[03:06:07] Recognizing that there may still be kind of a short-term risk
[03:06:10] in the initial rezoning
[03:06:13] but that it's not something that's a
[03:06:18] Definitive
[03:06:19] Or a risk that can't be mitigated with future action
[03:06:23] I guess is where we've been trying to to look at to ensure that council could in some way achieve
[03:06:30] Further alignment with its intended
[03:06:35] Outcomes for that environmental living zone land
[03:06:39] And I guess as part of that we had also I guess put into the report looking to ensure that council
[03:06:46] Were fully engaging with the state in terms of broader reviews for the standard provisions
[03:06:53] As they can kind of occur
[03:06:56] over time
[03:06:57] Noting I guess that it is understood that the state government is kind of keen to start looking at
[03:07:04] Considering the application of some of the zones particularly I guess the landscape conservation zone
[03:07:09] In future reviews of how the I guess the TPS is functioning and what that looks like going forward
[03:07:16] But making sure that council I guess is involved in those in those processes was also kind of a recommendation
[03:07:29] Questions
[03:07:34] Yeah, I think we will leave after lunch so
[03:07:39] We will and that will done
[03:07:42] Getting through that so thank you for bearing with me. Yeah, we will take a break now for lunch
[03:07:48] We'll come back at 2 p.m
[04:02:53] Welcome back everybody. Hope you had a nice lunch and got some fresh air.
[04:02:57] Kate, what we think we will do is just continue on with your,
[04:03:02] because you're going to take us through the criteria and evaluation framework presumably now.
[04:03:08] So at the end of that, that's when we'll ask you some questions before we get into the locale analysis.
[04:03:15] We'll let you finish your presentation and then ask the questions
[04:03:19] before we do the individual analysis of the localities.
[04:03:22] So that might make more sense.
[04:03:24] So for those in the audience who want to know what the process will be this afternoon,
[04:03:28] that will be it. So we'll leave it until then.
[04:03:31] So we'll hand back to you, Kate, to continue your presentation.
[04:03:36] And if you need a break this afternoon, just put your hand up and say, I need a break.
[04:03:42] I'll see how we go.
[04:03:44] Let's just take this back to the start.
[04:04:25] We don't need to relive this again. Just yet.
[04:04:30] So, yeah, picking up on, I guess, this becoming the next phase of the presentation today.
[04:04:42] This morning and I guess pre-lunch, we've gone through an overview of all of the elements
[04:04:51] in terms of statutory framework, process and, I guess, findings, ultimate findings

[04:04:58] of our review of Council's application and methodology for application of ELZ
[04:05:08] and Landscape Conservation Zone.
[04:05:11] So in that first document that we had produced,
[04:05:15] that I guess makes up most of the first couple of chapters of the report.
[04:05:21] The final part of the review and findings report is the section which,
[04:05:29] considering all of the earlier parts of the document,
[04:05:35] establishes a proposed methodology to support the identification
[04:05:40] of an appropriate alternative zone in the transition of land
[04:05:44] that's being either identified as the proposed PPZ
[04:05:47] or exists as the environmental living zone more broadly under the interim scheme.
[04:05:53] I guess the intention behind this methodology is that, I guess,
[04:06:00] and the way that this has kind of been shaped,
[04:06:04] is that this current situation presents an opportunity to reconsider
[04:06:10] the full extent of affected land through a review
[04:06:15] and that the methodology that we kind of put forward
[04:06:18] should kind of take that approach of the full extent of affected land
[04:06:23] and that the methodology, in an overarching sense,
[04:06:27] should be informed by a consistent baseline information
[04:06:31] as well as standardised and consistent suitability indicators
[04:06:35] that inform the preferred zonings and, I guess, the recommended approach.
[04:06:42] So I guess from the outset, what we've proposed as the methodology
[04:06:49] for addressing this is probably at a level of detail
[04:06:53] that's beyond what has been undertaken by Kingborough
[04:06:59] or other councils as a means of determining an appropriate zone,
[04:07:05] but I guess given the prevalence of environmental living zone land,
[04:07:11] throughout Kingborough, and the varying settlement patterns
[04:07:15] in which that land currently exists,
[04:07:18] as well as, I guess, the complexities of trying to align with
[04:07:23] and not offend the guidelines and the statutory framework
[04:07:27] in which we're looking at changing and, I guess, translating
[04:07:31] the environmental living zone,
[04:07:34] it has kind of given rise to the need for additional focus
[04:07:38] on kind of landscape values,
[04:07:41] and I guess as part of this methodology,
[04:07:45] establishing the landscape values,
[04:07:47] but also determining the ability for those landscape values
[04:07:52] to be managed or protected by zones and mechanisms
[04:07:56] under the state planning framework.
[04:08:01] So the intention, I guess, of our methodology
[04:08:05] is to provide a consistent approach for the zone determination
[04:08:09] in relation to the consideration of landscape values
[04:08:11] that is responsive to the localised context of a place,
[04:08:15] but is also alignment at a broader level
[04:08:23] and I guess consistent across its application
[04:08:28] in a local and kind of regional setting as well
[04:08:33] in terms of the planning objectives
[04:08:35] that it looks to ensure it kind of meets.
[04:08:39] So we'll run through, I guess, the phase,
[04:09:06] I guess this phase in these three kind of concepts

[04:09:08] in terms of the confirmation of landscape values,
[04:09:12] spatial extent and baselining information,
[04:09:15] and the evaluation pathways and suitability indicators,
[04:09:18] which all kind of form part of, I guess,
[04:09:20] the overarching framework.
[04:09:34] As I had probably mentioned quite a few times already today,
[04:09:39] the methodology that had been kind of utilised to date
[04:09:44] had not necessarily been viewed as consistently
[04:09:47] considering landscape values for the whole of the council area
[04:09:55] and that these kind of inconsistencies
[04:09:58] due to the evolution of the process,
[04:10:00] which has been undertaken,
[04:10:02] and the thinking behind the application of the zone
[04:10:05] has potentially led to some inconsistencies.
[04:10:07] And I guess to address this,
[04:10:10] the methodology kind of seeks to employ
[04:10:15] a single strategic overall kind of landscape value statement
[04:10:21] which establishes for the whole of the council area
[04:10:24] what are the landscape values for the purposes of this work.
[04:10:29] And I guess this has largely drawn on,
[04:10:32] in terms of the statement that is in both reports,
[04:10:37] drawn on the work the council had done to date,
[04:10:40] recognising, I guess, that there was significant kind of thinking
[04:10:45] and work that had gone into trying to,
[04:10:51] in the first instance, articulate that landscape values,
[04:10:54] particularly in the Section 35F report post-consultation.
[04:11:00] The proposed methodology, I guess,
[04:11:02] seeks to then utilise that overarching statement
[04:11:06] to then, I guess, look at kind of a more localised context.
[04:11:13] And I guess as part of providing a pathway to undertaken evaluation,
[04:11:20] we also considered it quite important
[04:11:23] to be able to build on some of the other work
[04:11:30] that council had done that I talked to you kind of earlier today
[04:11:32] in terms of being able to identify that localised scale of values,
[04:11:37] acknowledging, I guess, that there's different values
[04:11:41] and different extent of things that exist
[04:11:43] in different parts of the locality
[04:11:46] that should form the basis for considering the transition
[04:11:52] of environmental living zone land
[04:11:54] to the landscape conservation zone
[04:11:56] or to the rural living zone as part of this process.
[04:12:01] And understanding that localised scale of the value
[04:12:06] should provide a clearer pathway
[04:12:08] of being able to determine a most appropriate zone
[04:12:11] in the context of that place.
[04:12:14] Which is, I guess, where we had determined
[04:12:17] that we would kind of gather baseline information
[04:12:21] to support that determination kind of consistently
[04:12:25] across the local government area

[04:12:28] to give kind of a clear line of sight
[04:12:30] to the identification of all the linkages
[04:12:34] between the overarching statement, I guess,
[04:12:37] the linkages of that into each local area.
[04:12:42] So in terms of...
[04:12:47] I'll just go to the next component, I guess,
[04:12:56] after kind of confirming the intention for landscape values
[04:13:01] was looking at the spatial extent
[04:13:04] and the establishing of baseline information
[04:13:06] on the basis of wanting to be able to clearly show
[04:13:10] where the places are that we're talking about
[04:13:14] in that locality breakdown component
[04:13:17] and then also determining the types and the sources
[04:13:22] of information about that locality
[04:13:26] that could help inform a consideration
[04:13:29] of an appropriate zone.
[04:13:31] So the locality breakdown,
[04:13:35] and I guess this element of the methodology,
[04:13:39] looks at taking the learnings from the review
[04:13:44] in terms of that individual lot-by-lot consideration
[04:13:47] of landscape conservation zone
[04:13:50] and also rural living zone
[04:13:52] has not necessarily got to a place where you can,
[04:13:57] in a way that the guideline is intending you to,
[04:14:01] transition or consider the application of those zones
[04:14:04] and that it needs to kind of be a consideration
[04:14:07] of potentially a broader area,
[04:14:10] which I guess is where that locality
[04:14:12] kind of based approach
[04:14:14] and has really kind of come from
[04:14:18] in order to kind of form recommendations
[04:14:24] that are considering, I guess, the area
[04:14:29] and its interaction with the broader settlement pattern.
[04:14:34] So the methodology intends to identify the localised areas
[04:14:40] for which then the framework can be applied.
[04:14:43] We had looked, I guess, in this initial report
[04:14:46] of utilising the areas which Council had previously addressed
[04:14:51] or indicated in some of its work,
[04:14:54] but I guess recognised in this report
[04:14:56] that we would kind of further...
[04:15:00] those areas based on not only I guess considering where the PPZ had been
[04:15:06] applied because I guess that was a focus of this whole review in terms of
[04:15:10] needing to provide an alternative zone for that land but also so that I guess
[04:15:18] we had some capacity when we actually got to doing the review to pull areas
[04:15:22] together that had similar values that could potentially be expressed in kind
[04:15:26] of one locality as opposed to maybe four or five different localities so
[04:15:29] we kind of had looked at that in terms of of the locality breakdown in terms of
[04:15:39] the the base lining information what we intended to do with that was to but I
[04:15:54] guess have a consolidated list of information that for each of the

[04:15:59] identified localities we would find the relevant information for that became
[04:16:05] effectively the baseline of that locality's consideration in in
[04:16:10] considering the zoning framework that was to be applied so in working out
[04:16:17] what needed to go into that base lining assessment or baseline I guess
[04:16:20] information piece we looked at things like I guess determining the extent of
[04:16:28] the locality and kind of mapped form and then for that area identifying
[04:16:33] whether or not there were visually or kind of recognizable settlement patterns
[04:16:39] for that locality as a whole I guess record and pulling out kind of any in
[04:16:46] our review of putting together I guess the baseline information for that
[04:16:50] locality identifying kind of key characteristics that might help us in
[04:16:57] furthering our evaluation later on and that kind of included things from lot
[04:17:03] sizes to kind of visible settlement patterns and I guess where you could
[04:17:09] see kind of topographic responses to to to housing or development that
[04:17:13] existed kind of anything that we could kind of garner from from a
[04:17:17] desktop review and I guess that probably is also pertinent I guess to
[04:17:21] note in terms of the the gathering of this baseline information and to a
[04:17:28] certain extent the evaluation framework that the baseline information has been
[04:17:34] tested against is information that has been gathered based on predominantly
[04:17:39] desktop review so I guess given kind of the the limitations of the time
[04:17:45] that we had to kind of look at this process and also I guess in terms of
[04:17:49] what we'd been engaged to do we needed to kind of move forward quite quickly so
[04:17:54] desktop analysis was was I guess the preferred approach of making our way
[04:17:59] through so I guess acknowledge in in terms of this work that it is
[04:18:05] definitely desktop based well we have kind of tried to go to as many of
[04:18:09] the places as we can it's definitely grounded in that kind of available
[04:18:14] information scan as opposed to ground truthing all of the places within the
[04:18:22] local government area so I guess identifying the existing settlement
[04:18:27] patterns starting to articulate where we could describe the landscape values
[04:18:33] for that locality and so looking at it kind of as a whole but I guess
[04:18:37] acknowledging that there's in some of the localities the need to kind of
[04:18:43] describe particular bits where there may be landscape values that are different
[04:18:47] or that exist in some places and others and I guess we set up in the
[04:18:53] base lining information what types of things to look for and also I guess
[04:18:59] acknowledge that there may be benefit in the base lining information
[04:19:04] including and looking at other characteristics including topography
[04:19:09] and I guess trying to bring in some elements of being able to identify
[04:19:16] scenic values in terms of how places may be perceived from different
[04:19:23] viewpoints and trying to where we could show that via either aerial
[04:19:29] imagery or photography where is available and could be sourced with
[04:19:36] the idea that we would be trying to show in that locality how the landscape
[04:19:43] values may or may not be present in the context of that broader statement
[04:19:48] of landscape values so as part I guess of the the rest of the base
[04:19:54] lining we also looked to draw in as much other information as we could
[04:19:58] that would be relevant to the consideration of of the eventual zone
[04:20:05] application and included I guess the zoning mapping for each locality for
[04:20:10] what is currently what had been proposed whether there was a PPZ we
[04:20:14] looked at also bringing in to the base lining relevant overlays saps and
[04:20:22] any other mapping that might give kind of an influence to how the broader
[04:20:27] zoning could be considered we also brought into that base lining general

[04:20:34] consideration of previous TPC directions and modifications which I
[04:20:39] guess some of the directions were probably were based on I guess specific
[04:20:47] sites and making sure that we had not not considered what had been
[04:20:53] previously kind of looked at by the TPC but also taking some of the more
[04:20:58] general components of preferred approaches to particular situations and
[04:21:08] making sure that we had pulled those in where they were relevant to the
[04:21:11] locality and then also for the base lining we also looked at including
[04:21:19] the representations that had been kind of made for each of the properties
[04:21:23] within the extent of the locality to consider what impact or not what
[04:21:29] impact but to consider the the interest that had been I guess conveyed as part
[04:21:37] of that exhibition period and the issues that had been raised as part of
[04:21:41] that which I guess yeah then provided that additional kind of context and I
[04:21:48] guess lends to the the undertaking I guess of the evaluation so in the
[04:21:54] report I guess we had kind of outlined particular places where we intended to
[04:22:00] obtain that information from which was kind of a variety of sources in terms
[04:22:05] of work that council had already undertaken we also kind of looked to
[04:22:09] use kind of external pieces of information including kind of
[04:22:15] accessing images from real estate calm and wherever else we could kind of
[04:22:19] find reputable information to include within within I guess the the
[04:22:26] overarching baseline information for each place and I guess the overall
[04:22:39] intention is that that base lining would then provide a consistent base of
[04:22:43] information for each locality that had been identified for the evaluation
[04:22:51] pathway and suitability indicators to then kind of be to be run across so
[04:22:55] that gets us I guess to to the next bit of the report which sets out how that
[04:23:06] evaluation pathway and suitability indicators was proposed to be kind of
[04:23:10] established which is effectively two elements that really need to function
[04:23:19] together in order I guess to be able to determine what could be an
[04:23:25] appropriate zone so the approach that we took was trying to establish an
[04:23:33] evaluation pathway that was supported by decision points and indicators that
[04:23:41] could give kind of a logic-based decision-making pathway for the
[04:23:46] application of zoning so this was supposed to be for the proposed PPZ as
[04:23:54] well as the broader ELZ and I guess the basis of this decision tree and I
[04:23:59] guess its overall intention is that it's something that hopefully will be
[04:24:03] repeatable and be able to be reutilized in considering the where
[04:24:12] even though this is the last scheme that's going through the process but
[04:24:16] where environmental living zone land is being transitioned but also I guess in
[04:24:21] the future kind of considering a more strategic approach to zone changes this
[04:24:26] could also still become a tool that could be kind of reutilized in that
[04:24:30] context and the decision tree itself I guess intends to embed and be
[04:24:42] consistent with the requirements of the Planning Act the state regional and
[04:24:49] local policies and also the relevant strategies and I guess also kind of
[04:24:56] factoring advice that's been provided by the TPC and also consider matters
[04:25:00] that have been raised throughout the process so I guess the idea was that
[04:25:08] having the decision tree each locality would be able to be examined against
[04:25:13] the decision tree itself in terms of looking for a recommended preferred
[04:25:21] zone within each locality for the extent of environmental living or PPZ
[04:25:28] zone land conscious that within the extent of each locality there's the
[04:25:34] potential that parts of of each locality could actually still end up with
[04:25:42] different recommendations but I guess the decision tree was intended to

[04:25:45] provide for consideration of of all pathways that may exist within the
[04:25:52] locality and then the decision tree which we'll get to kind of on the
[04:26:02] next slide intends to provide a pathway of a preferred zone however I
[04:26:09] guess it's not a determinative this is the zone that is appropriate because
[04:26:15] there are additional considerations that need to be tested against what an
[04:26:19] appropriate zone could be which we have packaged into I guess a
[04:26:25] consideration of the resulting zone pattern so this I guess is a list of
[04:26:30] things to be considered where if you got to a pathway where the landscape
[04:26:37] conservation zone might be the appropriate zone testing that in a
[04:26:42] broader application sense in terms of its spatial appropriateness in a line
[04:26:49] I guess with the guidance to confirm that it is actually the right zone and
[04:26:54] same I guess for the rural living zone as well so this is the decision tree it
[04:27:12] is if this slide I guess in looking at it is is tricky to see it is in the
[04:27:18] last page of the review of the methodology and zone application report
[04:27:25] and it is also included in the locality baselining report as well and
[04:27:34] there are some for the people that are in the room there are some printouts
[04:27:37] of the decision tree and resulting zone pattern all on one slide so each
[04:27:55] decision point that is within this tree is intended I guess includes
[04:28:04] criteria and prompts that rely on a mixture of quantitative and qualitative
[04:28:10] consideration and analysis in determining a response which is to I
[04:28:16] guess based predominantly on the information identified within the
[04:28:20] baselining information so I guess in working through this decision tree it's
[04:28:28] recognised that in some instances these questions don't have exactly black
[04:28:34] and white answers which is why the indicators were were included to try and
[04:28:39] flesh out and give some context to what might be telling you for a
[04:28:44] particular place that it could be a yes as opposed to a no the the logic
[04:28:52] of the decision tree of largely based on the analysis of the zone guidelines
[04:28:58] how that fits within the context of the regional plan or regional energy
[04:29:02] strategy and then the learnings from other councils processes and I guess
[04:29:08] application of similar zones which have largely I guess being validated
[04:29:17] through previous TPC processes in terms of being appropriate ways of considering
[04:29:24] potential zone application so throughout the course of the rest of this
[04:29:39] session this decision tree I guess is part of the consideration that's been
[04:29:48] applied to each locality within the region so what I'll do now is just
[04:29:54] kind of give kind of a brief overview of the structure
[04:30:00] And then I won't go into into too much detail because it will be something that will kind of get into probably
[04:30:06] Quite a bit
[04:30:08] throughout today
[04:30:10] And tomorrow, but I guess just to run through the ordering
[04:30:18] It was a
[04:30:22] Tricky decision tree to put together than I thought it was going to be when I first started looking at this
[04:30:27] as a concept
[04:30:29] But I guess by
[04:30:32] You'll notice that the first question is is there a strategic intention for any residential use to occur?
[04:30:40] The the indicators for this that we've identified a kind of visual or that we've put forward a kind of visual
evidence of existing
[04:30:47] Residential uses or known strategic intentions for residential use
[04:30:51] With I guess the intended rationale that where there's no residential use
[04:30:56] Where no residential use is supported?

[04:30:59] that

[04:31:01] Are the read that the RLZ zone is definitely one that shouldn't be supported

[04:31:07] but also provides for a mechanism that

[04:31:12] I guess not only embeds that part of the guidelines in terms of ensuring that there is an intention for some kind of residential use

[04:31:19] but also intends to

[04:31:23] Remove land that should possibly have been included within another zone like the environmental management zone

[04:31:29] or the life where there is definitely no

[04:31:32] No residential intention and I guess just to reiterate for this decision point the intention here is not to say

[04:31:39] That when you're looking at a locality that there's a clear

[04:31:43] primary intention for residential use

[04:31:46] because I guess that as we as I've talked about previously is a definite tension point between

[04:31:53] assigning the rural living zone and

[04:31:56] The landscape conservation zone in considering the transition of environmental living zone

[04:32:01] But the the idea of this question is more just to kind of understand

[04:32:06] what is actually kind of either happening or

[04:32:10] also, I guess given the

[04:32:13] existing environmental living zone

[04:32:15] Acknowledging that there is an intention potentially for some residential

[04:32:20] Use to occur so I guess this one is more about I guess looking towards

[04:32:28] land that is supposed to have been and probably should have been included in a conservation zone or an environmental management zone as

[04:32:35] opposed to

[04:32:38] Saying it's it I guess it's definitely not in terms of the review saying there's no residential use net there now

[04:32:45] It's not

[04:32:47] Intended because I guess the whole basis of the environmental living zone is that there is the capacity

[04:32:53] Where it's appropriate for some residential use to occur

[04:32:58] So that kind of gets you into a yes or no so going then through

[04:33:02] that first

[04:33:03] Gateway of no

[04:33:05] this is then I guess running through the rest of that decision tree of if there's no residential intention for the use

[04:33:12] or for the land is

[04:33:14] there

[04:33:16] Is it a state reserve piece of land and if so that kind of gets you off to?

[04:33:20] the environmental management zone being the most appropriate zone and then if the answer is no

[04:33:25] It then becomes a question of asking if there are any identified landscape values

[04:33:33] Which in terms of I guess the indicators will probably talk through a little bit more maybe in the next pathway

[04:33:40] but I guess there are some clear indicators there in terms of

[04:33:44] Looking at the the landscape patterns and the visual evidence of

[04:33:51] What values might be kind of in place?

[04:33:54] To get you to a point where you could either consider the landscape conservation zone might be appropriate for that land or alternatively

[04:34:02] If there are no landscape values identified

[04:34:06] that may be the rural zone or

[04:34:09] The low-density residential zone depending on the zone guidelines could be an appropriate pathway

[04:34:15] In that line of thinking

[04:34:18] However, I guess when you start the decision tree with looking at most of the environmental living zone land you end up with a yes

[04:34:25] As the answer to the first question because there is usually either in the case of Kingborough some kind of residential use

[04:34:33] Clearly occurring within the extent of the locality if even if not on every block

[04:34:39] but that I

[04:34:41] Guess being in the environmental living zone. There is kind of some kind of an intention for the most part for that to occur

[04:34:50] So that then brings I guess to the to the next decision point in the tree around

[04:34:57] Does the area have the characteristics of a rural living settlement and this question is intended to

[04:35:08] Separate out areas where

[04:35:12] It's possible that the rural living zone should be considered

[04:35:16] versus areas where

[04:35:18] The rural living zone would not be an appropriate place for that

[04:35:24] Well where that land would not be an appropriate place for that zone

[04:35:28] and

[04:35:29] In in establishing that we had tried to pull together

[04:35:37] Indicators that start to look at

[04:35:40] What characteristics would generally be expected within the rural living within a rural living settlement?

[04:35:49] For a place that may already kind of be in the rural living zone

[04:35:53] And for that we looked at

[04:35:55] indicators to help

[04:35:58] guide the determination of these in terms of

[04:36:01] The evidence subdivision pattern in terms of its consistency with what you would expect to be within rural living zone land

[04:36:10] outside I guess of of

[04:36:12] Land which is already within the rural living zone

[04:36:15] I guess the the frequency and I guess the existence of kind of

[04:36:20] We have in I guess the indicators at least ten blocks that range between

[04:36:26] One and fifteen or ninety, I think fifteen is what we ended up with in in the report. Sorry. That's type on my slide

[04:36:37] to

[04:36:40] Start to gauge the consistency of a particular place in terms of having a settlement pattern that could

[04:36:48] display rural living

[04:36:49] Settlement characteristics and then also kind of a consistent pattern of detached dwellings with potentially associated outbuildings and

[04:36:57] And other kind of activities occurring

[04:37:01] For again a desktop visual analysis

[04:37:07] With the idea that we would be at this gateway

[04:37:13] Where things didn't meet the those kind of indicators or align with those indicators

[04:37:19] It would be a no at which case you would then move towards again answering a question of are there any landscape values?

[04:37:27] on the site

[04:37:29] and if so potentially the landscape conservation zone then becomes

[04:37:34] The correct or appropriate zone or alternatively where the rule living settlement

[04:37:41] Is is not clear?

[04:37:43] And there are no significant landscape values identified

[04:37:48] A rule zone or a low-density red zone again depending on the context of the place might be an appropriate zone

[04:37:56] subject to the guidelines
[04:37:58] however
[04:37:59] if you continue on I guess with the pathway of
[04:38:04] Within the locality there is evidence that there are characteristics of or consistent characteristics of a rural living settlement
[04:38:13] There is still a decision pathway then or a gateway question of
[04:38:18] Are there any identified landscape values?
[04:38:22] Which again looks at that and intends to look at that
[04:38:28] overarching and localized
[04:38:30] landscape value
[04:38:33] Components to
[04:38:35] Understand whether or not this should be a yes or a no so where
[04:38:41] Sorry where there are?
[04:38:43] No landscape values
[04:38:45] identified
[04:38:47] The decision pathway I guess then just becomes
[04:38:51] Whether or not there is overall alignment with the rule living zone guidelines
[04:38:58] And if yes, then the rule living
[04:39:00] Zone guidelines, and I guess the resulting zone pattern
[04:39:04] consideration
[04:39:06] Would lead you to consider that the rule living zone is appropriate
[04:39:09] Whereas if it still doesn't fit within what should be a rule living zone
[04:39:15] Piece of land under the broader framework then consideration of an alternate zone
[04:39:21] That I guess is still outside of the land hit conservation zone is then an appropriate pathway
[04:39:29] However if you have a piece of land that or another piece of land
[04:39:33] Sorry if you have a look area in a locality that has characteristics of a rule living settlement
[04:39:38] And there are landscape values
[04:39:41] The next decision pathway is I guess the most
[04:39:47] Portent in terms of I guess I think the value add that this evaluation framework has
[04:39:55] Provided for consideration of the appropriate zone in that you are
[04:40:00] Identifying there is a rule living settlement characteristic and that there are landscape values
[04:40:06] But the question then becomes
[04:40:08] Can those identified landscape values be appropriately managed outside of the landscape conservation zone
so
[04:40:16] for this
[04:40:18] consideration
[04:40:20] That brings in kind of a quite a few questions that kind of some are relevant to
[04:40:28] All locality some are not relevant
[04:40:31] in all instances, but I guess intended to prompt a prompt a line of thinking that
[04:40:38] Tests whether or not
[04:40:41] The mechanisms in the planning scheme would provide for an appropriate level of management of the landscape values
[04:40:50] In the context of the available information in the baseline
[04:40:55] For what the landscape value is
[04:40:57] Measured against I guess the controls that we've identified might be in place for that locality
[04:41:04] to determine whether or not
[04:41:08] Yes
[04:41:10] They could potentially in this case be appropriately managed in which case the land the
[04:41:17] RLZ might be the most appropriate zone subject against suitability criteria or alternatively if

[04:41:24] It couldn't be determined that that land even though it has rural living settlement characteristics
[04:41:32] Could have the landscape values that are also on that land appropriately managed by
[04:41:38] Mechanisms in the planning scheme then that land should under the decision tree remain within the
landscape conservation zone as
[04:41:45] potentially the preferred zone
[04:41:47] So part of the indicators of that appropriately managed
[04:41:52] Or that ability to appropriately manage ask questions about what is
[04:42:00] What mechanisms are in place in terms of
[04:42:03] With the priority vegetation area provisions apply with the scenic protection area
[04:42:08] Provisions apply and would those
[04:42:10] In their operation in that place provide a level of management that they could contribute to the management
of landscape values
[04:42:18] We also I guess in terms of the indicators for this looked at the significance of the landscape values that are
present
[04:42:26] and I guess the the risk of
[04:42:32] Those values being compromised in the context of the
[04:42:38] rural living zone
[04:42:40] and looks to apply I guess a risk profile to
[04:42:47] Considering how the provisions would
[04:42:50] operate and what level of risk that might mean in the context of a particular locality and
[04:42:56] Whether it was kind of a high medium or low risk
[04:43:00] to try and
[04:43:01] assist in determining where that categorization of of
[04:43:06] Appropriate management could be considered
[04:43:15] That's I guess how the the overarching decision tree is intended to operate at the end of each pathway
[04:43:24] Again you still don't get to a definitive. This is the exact zone. There is still kind of a need to
[04:43:30] further consider
[04:43:33] The
[04:43:36] Outcome in the context of the suitability criteria or the zone guidelines, so
[04:43:43] the intention of
[04:43:47] Establishing the
[04:43:48] suitability indicators for both the landscape conservation zone and the rural living zone
[04:43:55] is to build on and
[04:43:58] I guess tailor the the outcomes that are sought by the guidance on
[04:44:05] And I guess the broader application of zones to make sure that
[04:44:10] Where a particular zone whether it's landscape conservation or rural living is being considered that
[04:44:17] It actually still will work within
[04:44:20] The the settlement pattern and not offend this broader settlement pattern
[04:44:25] By the application of that zone and I guess this
[04:44:30] List here
[04:44:32] Which I think is table 9 in the
[04:44:37] findings report
[04:44:39] Sets out I guess what should guide those suitability indicators including I
[04:44:47] Guess the extent of the landscape values that are contributed by the parcels that we're looking at and they I
guess
[04:44:55] impact or contribution
[04:45:00] to broader surrounding areas where land,
[04:45:03] and I guess this is specific for the landscape
[04:45:05] conservation zone, but where the area may border

[04:45:10] environmental management zone
[04:45:11] or other landscape conservation zone land
[04:45:15] where you have kind of more than three properties
[04:45:19] that contribute to that landscape conservation zone
[04:45:24] parcel on the basis that I guess there is an intention
[04:45:29] that there should be kind of at least kind of 20 hectares,
[04:45:33] a minimum kind of grouping of land
[04:45:35] for each landscape conservation zone extent,
[04:45:39] and ensuring I guess where the fragmentation
[04:45:42] of the zone doesn't occur across smaller parcels,
[04:45:48] and then where necessary kind of bringing in
[04:45:51] that consideration of split zoning where it's clear
[04:45:54] that there are potentially competing
[04:45:56] or different uses occurring, I guess on the basis
[04:46:02] that we're then not getting back up
[04:46:03] into fragmenting and spot zoning,
[04:46:06] and making sure that those two things
[04:46:08] kind of can potentially align together,
[04:46:10] as well as kind of the overarching consideration
[04:46:13] of alignment with kind of previous directions
[04:46:16] and modifications from the TPC.
[04:46:19] For the rural living zone, the pattern,
[04:46:23] the zone patterns and suitability indicators
[04:46:26] that we put forward were around ensuring
[04:46:30] where possible the borders, the proposed rural living zone,
[04:46:37] either borders a rural living settlement
[04:46:38] or kind of is significant enough
[04:46:40] to become its own rural living settlement,
[04:46:44] I guess in the context of wanting to still align
[04:46:46] with the regional land use strategy,
[04:46:50] and that where that zoning did occur
[04:46:53] that there would be no further subdivision supported
[04:46:55] to again continue to align with the guideline,
[04:47:00] and then I guess get into the consideration
[04:47:04] of the fragmentation as well,
[04:47:05] which I think is just as important
[04:47:07] for considering the landscape conservation zone
[04:47:09] as the rural living zone in a desire
[04:47:12] to avoid having small parcels or spot zonings
[04:47:16] of rural living zone land throughout the locality.
[04:47:25] The subdivision thing we've already talked about,
[04:47:27] I guess then we also looked at for the suitability
[04:47:32] indicators that the land, which I guess
[04:47:35] is a significant part of considering
[04:47:38] the rural living zone land as an appropriate pathway
[04:47:42] is that the land would not otherwise be intended
[04:47:44] for future green field or urban development,
[04:47:47] so that has in some of the localities
[04:47:51] really kind of influenced where we have

[04:47:53] and haven't looked at rural living zone land,
[04:47:55] particularly on the periphery of some
[04:47:57] of the more urban areas, which I think
[04:48:01] in terms of the overall guidance
[04:48:03] is a limitation to where land
[04:48:05] that has rural living characteristics
[04:48:08] isn't able to be included within the rural living zone
[04:48:13] because of its relationship I guess
[04:48:15] with potential growth of existing urban settlements,
[04:48:23] or that the land is not suitable
[04:48:24] for agricultural zone, which is another I guess
[04:48:28] piece of work that was also occurring
[04:48:30] as part of I guess the ongoing consideration
[04:48:35] of the planning scheme, the agricultural zone
[04:48:37] and its use I guess has become another consideration
[04:48:40] as part of what has gone into the zone application
[04:48:46] more broadly but hasn't significantly impacted
[04:48:50] I guess the evaluation and the recommendations
[04:48:54] within the reports and again alignment
[04:48:58] with previous directions.
[04:49:01] There are definitely instances where there are some
[04:49:08] in terms of just jumping ahead a little bit
[04:49:09] for alignment with the previous modifications or directions.
[04:49:13] In some instances there are definitely some differences
[04:49:17] between a proposed recommendation
[04:49:19] and a previous modification or direction from the TPC.
[04:49:25] However I guess we have tried to in the report
[04:49:29] articulate where those have occurred
[04:49:30] and I guess explain why based on the consideration
[04:49:34] of the methodology that's been put in place.
[04:49:38] So just to flag that with you.
[04:49:43] And I guess also a broader part of what has gone
[04:49:47] into the zone suitability is the consideration
[04:49:50] of the impact that particular zones may have
[04:49:55] in relationship with surrounding local government areas.
[04:49:58] So that also kind of has been a key factor
[04:50:00] that we've looked at in the baselineing
[04:50:05] but also I guess in terms of the resulting zone pattern
[04:50:09] as part of the methodology.
[04:50:15] So that I guess is phase two done and dusted
[04:50:21] which means we could probably get into
[04:50:23] if you like and it's okay I could probably do
[04:50:25] just a quick intro into how the report is put together
[04:50:32] or alternatively we could take questions
[04:50:33] and we can start that next bit.
[04:50:35] Or alternatively we could have a quick break
[04:50:37] so you could and we might take that option up
[04:50:41] and have a quick chat about what we do after the break.
[04:50:44] So we'll have a break for 10 minutes

[04:50:46] come back at five to three.

[04:59:13] Okay we might resume the hearings if we don't mind.

[04:59:23] Sit down Martin.

[04:59:31] Okay.

[04:59:32] And then it's all yours.

[04:59:34] But they might want to do it.

[04:59:36] For those people who are hanging around to hear that

[04:59:47] just for those people who are waiting around

[04:59:50] maybe to hear the locale analysis

[04:59:52] which Kate will take us through later.

[04:59:55] It's unlikely to be today we've got some questions

[04:59:59] we'll need to put.

[05:00:00] to the planning authority now, and that might take, I don't know, if it takes half an hour

[05:00:05] or three quarters of an hour. We don't really want to start the locale analysis this afternoon.

[05:00:12] So for the benefit of people who are in the audience waiting to hear what the analysis

[05:00:18] is of their particular locale, if you want you can stay and listen by all means

[05:00:23] and listen to our questions, but if you want to come back tomorrow morning, that's

[05:00:26] a more likely place that we'll be starting. So if that helps you with, as I said, picking

[05:00:32] up kids or other commitments you might have this afternoon, but as I said, you're more

[05:00:36] than welcome to stay as well, so thank you. So that probably provides a bit of a lead-in.

[05:00:43] We do have some questions we'd like to ask you, Kate, more, I suppose, around

[05:00:48] clarification and seeking your views on things. So if you don't mind, we might

[05:00:52] start that process now. So, Dan, do you want to kick off?

[05:00:56] Thank you very much, Kate, for that presentation. That's taken a bit out of you, I hope you've had a glass of water.

[05:01:01] My questions are a little bit all over the place, so I hope you can bear with me.

[05:01:07] It looks like we've got a range of criteria, as far as I can see, that relate to the

[05:01:12] regional land use strategy, the guidelines, the application of the SPPs, etc.

[05:01:18] But they all rely on the establishment of landscape values, which have not been defined.

[05:01:24] The starting point is about, in the application of zones, do you establish

[05:01:30] a residential priority or a landscape priority?

[05:01:35] And in my mind, you cannot establish a landscape priority unless you know

[05:01:39] what those landscape values are. So it's really important to establish

[05:01:45] what they are before we begin the process of working through the decision tree.

[05:01:50] You've pointed out before, there's no definition of what those are, so we're

[05:01:55] kind of left to grapple with those. But the regional land use strategy does give us some guidance,

[05:02:00] and your supporting report highlights that, and

[05:02:05] CV4, specifically CV4.1

[05:02:10] of the Aboriginal land use strategy. There's a recognition there that

[05:02:15] the state and local government, in consultation with the community, is to determine

[05:02:20] an agreed set of criteria for determining the relative significance of the important landscape

[05:02:25] and key landscape values.

[05:02:30] My question is about, what sort of consultation, what sort of agreement,

[05:02:35] what kind of community buy-in have we had to the establishment of the values?

[05:02:40] And your values seems to start with the overarching

[05:02:45] statement, or the global position

[05:02:50] that you've got, and you mentioned several times about

[05:02:55] Kimbra have a subpoena of landscape values, and those values relate to the extensive areas

[05:03:01] of land providing backdrop, apart from the coast, up the slopes and including the well vegetation

[05:03:06] headlands and ridge lines, and it goes into some other
[05:03:11] commentary about peoples having different attitudes to what
[05:03:16] our values are. Some people appreciate them, and some people don't, and they're subjective.
[05:03:21] And then there's a commentary which doesn't add much, other than landscape values from one area
[05:03:26] to another, which will take us to where you looked at each locality later on.
[05:03:31] There should be some finite, acutely established values for each one
[05:03:36] of those localities that we can work through.
[05:03:41] So what do you say to the provision in the Regional Anti-Strategy says that those values
[05:03:46] need to be established with consultation and buy-in, and we need to have an
[05:03:51] agreed set of criteria outside the one statement we've got here
[05:03:56] and the ones that you're going to be walking through tomorrow?
[05:04:11] As part of undertaking the review, I guess
[05:04:16] I was guided by looking at
[05:04:21] how landscape values had been described in some of the other
[05:04:27] planning scheme processes, which
[05:04:33] I guess in the context of Huon was probably one that
[05:04:40] was more exhibited on the not. I guess the point of tension, I think, in your
[05:04:45] question is whether or not there has been, well, I'm
[05:04:50] asking I guess probably more as a question to your question, is whether this
[05:04:55] public consultation, I guess, of an agreed landscape value has been undertaken
[05:05:00] I guess on this statement and I guess in terms of
[05:05:05] then what has been integrated into
[05:05:10] the review. I guess no public consultation was undertaken specifically
[05:05:15] on what has ended up in the review. However, I guess as part of
[05:05:20] the process that has been undertaken in preparing the planning scheme
[05:05:25] to date, there has been some commentary in
[05:05:30] the supporting report that went with the exhibited scheme that
[05:05:35] started to, and I think is the base of where some of
[05:05:40] the construct of that statement kind of came from, noting
[05:05:45] I guess that it was definitely furthered in the report, which is
[05:05:50] part of the council's response to consultation, I guess as opposed
[05:05:55] to something that was exhibited like the PPZ, which
[05:06:00] would mean I guess that the full statement in its overall construct
[05:06:05] was not something that has been consulted on, but I think that the base of
[05:06:10] where this has come from is tied back to
[05:06:20] the initial version which was exhibited, although I think that this is probably
[05:06:25] a more comprehensive way of considering it than potentially was exhibited.
[05:06:42] That document was adopted
[05:06:47] and the community hadn't seen that, so I guess there's an argument that that hasn't been
[05:06:52] accepted yet, but your analysis is going to be contingent on those
[05:07:03] values existing as you've identified.
[05:07:10] Yes, on the basis that those values that are identified are intended to
[05:07:15] reflect a localised understanding or a localised view
[05:07:20] of what that more global statement is saying, so I guess it's
[05:07:25] not saying that they're things that are different within that locality,
[05:07:30] but I guess it's specifically intending to try and articulate what
[05:07:35] are the things that are in that locality specifically as landscape values
[05:07:40] should be considered in the application of the zoning
[05:07:45] for the purposes of not only the landscape conservation zone, but also that consideration of

[05:07:50] whether values that are existing could be appropriately managed, so I guess
[05:07:55] it was necessary I think in terms of the process that we've undertaken in developing the methodology
[05:08:00] to at least put down in one place
[05:08:05] consistently what the judgement is being made of, so at least I guess there is that
[05:08:10] transparency in this methodology for people to be able to see
[05:08:15] in the consideration of the evaluation pathway, the information
[05:08:20] points and basis for which the recommendations
[05:08:25] have been made, so I guess as we go through the balance of this process, if there are
[05:08:30] alternative views about the landscape values
[05:08:35] or what is or isn't accepted from what is in this document,
[05:08:43] it's I think a clearer exercise to be able to retest
[05:08:48] and re-look at what that would mean for the application of the zoning
[05:08:53] in the context of the methodology.
[05:09:07] If you have to go back up the tree again,
[05:09:12] where you sit, if some of those values are in there?
[05:09:20] Correct.
[05:09:25] Given that we must determine the criteria, which doesn't
[05:09:32] reference the guidelines specifically, but it does reference the regional land use strategy,
[05:09:37] what weighting and importance do we need to put on
[05:09:42] CV 4.1 and the need for engagement, or does this process
[05:09:47] fulfil that requirement? Although we are past the point of
[05:10:04] exhibition of the scheme as a whole, I guess that this process
[05:10:09] that we're currently going through in terms of being able to
[05:10:14] having undertaken this review and having the opportunity to present the findings of the review
[05:10:19] to the TPC, as well as providing opportunity for further submissions
[05:10:24] on the findings of this report, do provide
[05:10:29] some pathway of achieving that component
[05:10:34] of the STRLUS.
[05:10:41] In the remaining hearing days, will you be representing the council
[05:10:46] for the rest of those localities? The intention is yes.
[05:10:51] So if we hear some valid submissions that challenge some of the landscape
[05:11:01] that we've made through, how do you propose to manage that?
[05:11:06] Would you either double down on the ones you've got, or alternatively change your views?
[05:11:14] Through this report, I guess I had envisaged that there was
[05:11:19] we were working with, and I guess in terms of establishing the baselining
[05:11:24] information, the information that was available to us at the time doing a desktop
[05:11:29] review, I definitely foresee that there will be
[05:11:34] instances where there is further information that people have or that
[05:11:39] are made available potentially through the process that may warrant the consideration
[05:11:44] or further refinement of some of the
[05:11:49] recommendations that are within the report.
[05:11:54] And I believe that we would be able to, in
[05:11:59] the context of further hearings, rely on the decision tree
[05:12:04] and the resulting zone pattern to re-look at where we needed to
[05:12:12] particular scenarios or particular places that
[05:12:17] may warrant further exception. I guess in terms of establishing the framework
[05:12:22] it is acknowledged that there is always an exception to the rule
[05:12:27] in terms of that there may be other elements that have
[05:12:32] go beyond what was intended to be considered in the context

[05:12:37] of this review that may form part of what could become an appropriate
[05:12:42] zone for a particular land that may come from
[05:12:47] other processes in train, including maybe the SAP process for
[05:12:52] Bruny or some of the other zoning conversations that have been happening around
[05:12:57] agricultural land and the interplay between those things, but would be
[05:13:02] open to looking at retesting particular
[05:13:07] places in the context of their locality throughout the process.
[05:13:12] So once we've gone through this process we'll put
[05:13:17] quite a lot of energy into establishing and naming up some of these
[05:13:22] conservation values that are particularly significant or sitting
[05:13:27] there as an underlying sleeper. Both the
[05:13:32] rural living zone purpose has to ensure that
[05:13:37] residential development doesn't compromise landscape values
[05:13:42] so you've kind of got to know what they are and then you go to the landscape conservation zone
[05:13:47] and every objective for every standard has a recognition of
[05:13:52] maintaining or managing without compromising those landscape values.
[05:13:57] I think there's a genuine risk that we'll go right through this process
[05:14:02] and name up what those values are in a particular locality and then when the statutory
[05:14:07] assessment comes the planning officers won't know what those landscape values are.
[05:14:12] So have you turned your mind to working out whether it's necessary to put any of those
[05:14:17] landscape values statements into the scheme in some way?
[05:14:22] Through a local area objective or some other mechanism?
[05:14:38] Well in terms of turning my mind to where local area objectives could be implemented
[05:14:43] I guess I had approached this exercise more as a need to
[05:14:48] effectively pick a zone from a suite of zones that are available to Council in
[05:14:53] transitioning from the interim scheme to the TPS.
[05:15:00] of the landscape values that we've described in the report, there could be some capacity
[05:15:09] in some places for those values to be articulated in the scheme proper, but I don't think that
[05:15:19] that would in all cases necessarily assist in someone's determination of an application
[05:15:29] for the landscape values or what the landscape values are for a development application, but
[05:15:38] in saying that I can understand the point you're putting forward in terms of that continuity
[05:15:44] of actually keeping available what is determined to be the landscape values in terms of its
[05:15:51] link to the statutory instrument and its implementation.
[05:15:55] Question for Adriaan Stander. Have you thought about any value or otherwise of carrying some of
[05:16:03] these council adopted values into the scheme?
[05:16:08] I guess yes we have and certainly that opportunity is available for council to introduce some
[05:16:15] of those objectives. I guess the problem with that is when you actually look at
[05:16:20] how the planning scheme operates, those objectives are only really pulled up when you talk about
[05:16:26] land use change, not the rest, but I guess it will assist, definitely assist down the
[05:16:32] line in trying to establish what those values are and I'm pretty sure if we go to some
[05:16:39] other councils that's already gone through the process, you're quite right, that's
[05:16:42] one of the challenges that I understand that they're experiencing is undetectifying
[05:16:47] what the landscape values is when they undertake assessments, so perhaps there is ability
[05:16:52] to look at that. It's most probably not ideal in my view, but it certainly will
[05:16:57] contribute and potentially assist with future development assessments.
[05:17:03] There's a requirement at 610-2 of the SPPs that in determining a permit for a discretionary
[05:17:13] use, the planning authority must, in addition to all the other matters, have regard to,
[05:17:19] it's specified out, any local area objectives for a pickable zone. So because the rural
[05:17:27] living zone in the purpose statement requires consideration of landscape values and the

[05:17:35] landscape conservation zone considers landscape values, potentially it could, by the time
[05:17:41] you've gone through 35 different localities that we're going to go through here, you'll
[05:17:46] establish some different criteria for each one of those. Is it just something I was
[05:17:53] wanting your feedback on as to whether that's something that would be supported
[05:17:56] by the council? I most probably would say yes, just because I've done the development
[05:18:04] assessment work in the past, so I think if you have a set of criteria, something
[05:18:08] like that would certainly be useful. I'm most probably going to put it back to Kate because
[05:18:13] I think it is something that we've got to get through the process and ultimately
[05:18:18] I totally understand where you're coming from, but you want to have a set of criteria.
[05:18:22] I'm just not quite sure where we are in the process of dealing with that. So I
[05:18:27] kind of want to put a question back to you. Is the intent that the commission
[05:18:31] perhaps down the line might require councils through a direction to establish some of
[05:18:37] those objectives? Are you talking about after the scheme is approved to all councils or are you talking
[05:18:43] about through this process now? Through this process. Well the
[05:18:48] commission has in turn has mined to what an approval will look like yet, but
[05:18:52] there's likely to be modifications and sub-mods. We have to be mindful of the
[05:18:58] natural justice, the feedback that comes back through the written letters
[05:19:02] that we've put out and we'll talk about tomorrow. If it turns out to be a
[05:19:06] sub-mod process, I guess you can put whatever you need to in there to make
[05:19:11] the case. It's not necessarily simple as a sign change. It could be a sign
[05:19:19] change and a suite of necessarily bolt-ons to make it meet the LPS
[05:19:23] criteria. That's what it's all about, meeting that LPS criteria. And I
[05:19:29] can see that you will end up with a very complex scheme and then someone's
[05:19:33] going to come to the counter and say well I want to build a house here,
[05:19:36] what values do I have to consider? And the planner who's not in the room now
[05:19:42] have no idea what we're talking about. Do we want to go there? There's probably
[05:19:51] something we'll broach again through each of the local areas that we go
[05:19:57] through and when there's some that have specific and unique standards I
[05:20:02] might ask the question again whether there's anything necessary to
[05:20:06] populate to make it more workable. Just bear with me for a second. I was hoping,
[05:20:20] Kate, you can give me a little bit more feedback on, I guess,
[05:20:25] recognising the global statement that the council and yourself have
[05:20:30] adopted moving forward that relates specifically to, what was it,
[05:20:37] extensive areas of bushland and backdrops to the coast. How that sits
[05:20:42] with the zone purpose of the rural living zone, of which to provide for
[05:20:47] residential use and development in a rural sitting where services are limited
[05:20:52] or existing natural and landscape values are to be retained on top of
[05:21:00] the codes that we'll have that deal with natural assets. So that's
[05:21:04] your bushland values and the scenic protection area. With having
[05:21:11] regard to the purpose of that zone, the purpose of the Natural Area Assets
[05:21:16] Code and the purpose of the Scenic Protection Code, what gaps would be
[05:21:21] missed in terms of protecting a landscape and when would the
[05:21:26] threshold be so significant that a landscape would have to be protected
[05:21:31] by or another way? Do you mean if all of those mechanisms were in
[05:21:52] place for a particular piece of land? Well let's say your scenic
[05:21:58] protection area should be applied but it wasn't. That's an issue with
[05:22:03] that overlay. It's not an issue with the zone. If council ought to have
[05:22:08] applied that scenic protection overlay to a particular site because it has
[05:22:12] scenic qualities and it's not there, wouldn't a future scheme

[05:22:18] amendment come back and reestablish the boundaries or the location of
[05:22:21] that code as opposed to changing the zone? I guess in my mind there's a
[05:22:28] little bit of a difference in terms of looking at the transition of the
[05:22:31] environmental living zone to an appropriate zone under the scheme than
[05:22:40] it would be to look at a more strategic approach to
[05:22:47] considering the zoning of land more generally. But in the context of looking
[05:22:54] at the rural living zone, what the review and I guess the evaluation
[05:23:08] pathway has tried to look at is looking at the extent of activities
[05:23:15] which are occurring in a particular place now and whether or not in the
[05:23:22] context of that place and the context of the landscape values which I guess
[05:23:28] have been identified for each locality, whether or not there would be an
[05:23:32] appropriate management of that landscape value. So for a place where
[05:23:40] there was significant vegetation protection through the priority veg
[05:23:48] and the scenic protection area might be in place, there are still some
[05:23:56] examples of places that we've looked at where there are areas where there
[05:24:03] is residential development that is totally nestled within the broader
[05:24:13] landscape that exists I guess within that particular area. And I guess in
[05:24:21] some areas there's no... Sorry, that's not covered by the codes you mean? No, that is I
[05:24:27] guess covered by the vegetation. Sorry, do you mean in terms of... You're just
[05:24:31] describing a house that's nestled in a landscape, are you saying that the house
[05:24:37] is not covered by the codes or that it is covered by the codes? That that
[05:24:41] house is covered by the codes and I guess if you then look at applying the
[05:24:47] rural living zone to that property and I guess the surrounding properties
[05:24:52] which may all be kind of exactly the same and just have a house with a
[05:24:56] small cleared area around it and no evidence of anything else kind of
[05:25:01] happening that would lead you to get to the idea that there is kind of
[05:25:08] hobby farming or kind of broader activities happening kind of on that
[05:25:12] lot and surrounding lots where activities that are within the rural
[05:25:24] are provided for within the rural living zone that might not be
[05:25:27] provided for in the landscape conservation zone provide a pathway for
[05:25:32] for further development because I guess in terms of the development it is not
[05:25:38] dissimilar in terms of the extent of clearing that's allowed for but
[05:25:51] I guess the expansion of kind of other activities while would be
[05:25:54] discretionary are things that for grazing or for resource development
[05:25:59] that might be considered at a higher risk for that area because of the lack
[05:26:08] of any of those existing activities kind of being able to be determined to
[05:26:16] be occurring whereas there are other places within the local government area
[05:26:23] where and I guess that's with all of those zones and overlay codes applying
[05:26:30] and there are other areas where there are a mix of evident houses occurring
[05:26:44] in kind of that effectively kind of hidden and kind of nestled way versus
[05:26:52] getting towards I guess an area that has more clearing and more evidence I guess
[05:26:59] of other things happening on that land kind of leading further towards what
[05:27:06] would be kind of more closely aligned and expected to align with the
[05:27:10] rural living settlement in terms of hobby farms or resource minor resource
[05:27:15] development or or the like so I guess the it's I think the risk comes from I
[05:27:25] guess looking at the locality in terms of what's there and what's not there
[05:27:31] but also in the part of that determination the first instance is
[05:27:37] looking at the rural living characteristics to get to considering
[05:27:43] the landscape conservation or the rural living zone and being able to

[05:27:46] clearly see that those are there in a consistent way in that area to be able
[05:27:55] to get to I guess considering the rural living zone in the first instance
[05:28:00] sorry that was a really long way the other one was I'm sort of taking
[05:28:07] us back to some of the early days in hearings that you weren't here but
[05:28:10] you tackled the same issue and that was a reference to hobby farming and
[05:28:16] whether or not that's actually incidental and part of the use of the
[05:28:20] single dwelling that's there and we've had discussions previously about if
[05:28:27] you have a family living in a house and they have a sheep and happens to
[05:28:30] be grazing in the backyard is that is that associated with the single
[05:28:34] dwelling or is it hobby farming and some kind of grazing this clearly a
[05:28:39] threshold when you've got a hundred sheep or more in there that you're not
[05:28:43] your house anymore you're doing something else but you did mention risk
[05:28:47] and grazing coming into these areas that are vegetated in your mind if
[05:28:53] you've got a kind of threshold as to what's reasonable for hobby farming
[05:28:58] that would be considered incidental to a house use as opposed to when
[05:29:04] you've overstepped that mark and you're no longer a single dwelling you're
[05:29:09] actually two uses a single dwelling and grazing may this will help the
[05:29:24] reason I ask is is that the majority the vast majority of these places that
[05:29:28] we're talking about a less than 20 hectares it's unlikely you'll have a
[05:29:33] professional farmer come in and purchase the land specifically to do
[05:29:36] grazing only and not have a house on it it's more likely to be a hobby
[05:29:42] farm style thing my query is kind of about understanding the risk about that
[05:29:49] being exploited by grazing how many have what sort of thresholds are we
[05:29:56] talking are we talking three sheep being a problem or with with
[05:30:00] We're talking about 100 sheep in the determination of whether or not this site has rural living
[05:30:09] characteristics or in terms of...
[05:30:11] It's more about the risk aversion to landscape conservation.
[05:30:16] So if you apply the landscape conservation because you believe the landscape values are
[05:30:21] so significant, the vegetation may be compromised and we can't have grazing on there.
[05:30:29] Is that because you're not wanting to provide the rural living zone because of grazing or
[05:30:37] you're not wanting to provide the landscape conservation because of the house?
[05:30:44] Because not every house has a sheep, but every grazing activity will have animals of
[05:30:49] graze.
[05:30:50] Yes.
[05:30:52] In my view, the grazing activities would be associated with the residential function to
[05:31:06] the extent that it is a residence and we're talking about most of the lots even smaller
[05:31:13] than 20.
[05:31:14] Most of them are 10 hectares or smaller.
[05:31:18] But I guess in terms of the context of what we've looked at in the report, looking
[05:31:22] at that settlement pattern, it was whether or not there was evidence visually of grazing
[05:31:30] or clearing or things that would differentiate the use that's occurring and a pattern
[05:31:51] of houses with more extensive cleared areas that might start to lead you towards thinking
[05:31:59] that the landscape value on that site or in that locality might not have the same level
[05:32:08] of significance or be remaining as significantly on that land as another site that has a
[05:32:17] series of properties that clearly just have a small area for a house with some clearing
[05:32:24] bushfire and no other activities visually occurring to try and make a bit of a distinction
[05:32:31] between.
[05:32:32] I don't think it's a determining factor in terms of looking at it as locality, but
[05:32:36] more to give some context to what is going on in that locality to be able to start

[05:32:42] to look at whether one or the other zones might be compatible with what's happening
[05:32:51] in that locality, but then also what is happening nearby that land to be able to fully
[05:32:58] consider the impact that the uses and activities and development that's provided for within
[05:33:09] the rural living zone would be different too.
[05:33:13] So maybe not necessarily about the individual site again, but about more that relationship
[05:33:18] with that rural living zone land and its impact on potentially other values on land surrounding
[05:33:25] it and whether or not that land adds to a broader landscape value in itself, which
[05:33:33] might not have the presence of some of those characteristics of a rural living settlement
[05:33:37] other than that it is a house on a block that's 10 hectares.
[05:33:42] So correct me if I'm wrong, but I thought I saw in your supporting report that one
[05:33:49] of the reasons you may not want to use the rural living zone is because resource
[05:33:56] development for grazing was a permitted use, but if we're actually going to get
[05:34:02] grazing associated with a single dwelling, it's not really that use anymore, is it?
[05:34:07] It's the discretionary use, which is for a house.
[05:34:13] The discretionary use being the house.
[05:34:14] Yeah, and it just happens that they have five sheep, because the risk of a farmer
[05:34:20] moving in, purchasing a bush land lot and wanting to put a full stocked farm on it
[05:34:27] is low.
[05:34:28] Yes, and I think, so in terms of the report, I had tried to articulate that I
[05:34:34] think that in looking at the work that Council had presented previously, that
[05:34:40] grazing was one of the elements that was identified as the reason you shouldn't zone
[05:34:45] something rural living, but in all likelihood, there is very limited circumstances,
[05:34:52] I think, where there's appropriate places and there's not other controls in terms
[05:34:56] of veg management that would apply if you were going to do grazing as a
[05:35:02] stand-alone use in the land that we're talking about being the environmental
[05:35:08] living zone.
[05:35:09] Okay, thank you.
[05:35:10] Can I just, Maria, jump in on that while it's still fresh?
[05:35:14] So I think you had put that in your report, and you're right.
[05:35:19] I mean, the reason it's been of interest to us in the past was that it was cited
[05:35:23] as a reason why we might be nervous about applying the rural living zone to any
[05:35:28] particular block of land because grazing is a no-permit-required use in the rural
[05:35:35] living zone.
[05:35:36] I think the point you've made in your report is that that is the case, but
[05:35:41] that it's A, unlikely to happen on some lots for reasons such as topography,
[05:35:49] but B, it's also more likely that if someone wanted to do grazing, they'd be
[05:35:54] more likely to want to clear, and given the fairly widespread nature of the
[05:35:59] priority vegetation low throughout Kingborough, if they wanted to clear,
[05:36:02] it's going to be a discretionary development anyway.
[05:36:05] Is that a fair summary of what you said?
[05:36:08] I think so.
[05:36:09] Yep.
[05:36:10] Thank you.
[05:36:11] I've got just a couple of ones to wrap up, which are sort of on the
[05:36:19] same theme.
[05:36:24] You probably have touched on it, but you could human me and give me a succinct
[05:36:28] answer potentially.
[05:36:29] I could try for the first time today.
[05:36:34] What sorts of uses, not development, but use, will impact landscape values?

[05:36:40] Can you give me an example of potentially a use and potentially a
[05:36:43] landscape value where the two of them add odds with each other, independent
[05:36:50] of development?

[05:37:08] I would probably say that there is less distinction in where a use is
[05:37:24] occurring based on, I guess, the difference between what's provided for
[05:37:33] in landscape conservation zone and what's provided for in the rural living
[05:37:37] zone.

[05:37:39] For permitted uses and no permit required uses, there's probably not a
[05:37:47] whole lot of distinction in my mind in terms of what those would look like.

[05:37:53] I guess there are definitely additional uses that could be contemplated
[05:38:00] within the rural living zone that would be different to, I guess, what
[05:38:17] could happen now in terms of the environmental living zone under the
[05:38:21] scheme, but I think that, for the most part, the development controls
[05:38:29] of how that use functioned in terms of the extent of development that
[05:38:35] could be allowed associated with the use would probably be relatively
[05:38:42] similar for the landscape conservation zone and the rural living zone.

[05:38:47] For example, in the rural living zone, you could have a discretionary use
[05:39:06] feels like a service station, effectively, as a discretionary use.

[05:39:11] It still has to go through, I guess, assessment and development
[05:39:17] considerations that would consider the landscape values that are
[05:39:24] present on the site in terms of the extent of the development in the
[05:39:27] rural living zone, but I'm not sure entirely that there would be a
[05:39:32] significant difference in that use occurring in terms of the impact on
[05:39:40] the landscape value because the development, I guess, extent would be
[05:39:47] quite similar to and constrained to a particular portion of the site
[05:39:55] based on, I guess, the balance of the scheme provisions and the priority
[05:39:59] vegetation and all of the other things that would exist.

[05:40:02] What I'm trying to understand is if you've got a land, a zone that
[05:40:06] might be rural living and you've got a natural asset code sitting on
[05:40:11] top of that, I can't think of a single use that would require the
[05:40:16] trees removed. It's the development that would require trees to be
[05:40:19] removed and then you've got a trigger in which to assess that
[05:40:22] development against the appropriateness of removing those
[05:40:24] trees. So why do we care? Why do we care what the underlying zone is if
[05:40:33] we're protecting the trees which have managed by a code? I'm just
[05:40:40] trying to understand the connection between an established identified
[05:40:46] landscape value which we're going to work through that's not a
[05:40:50] tree because the trees are covered and what use could compromise it?
[05:40:57] Um... Compromise the landscape value?

[05:41:05] Yes.

[05:41:08] I would probably say that it's again not the use that is compromising
[05:41:13] the landscape value.

[05:41:14] Because we've heard through your report and Council's earlier
[05:41:17] submissions regularly that one of the conservative approaches about
[05:41:23] applying the landscape conservation zone is because they've got a
[05:41:27] more constrained table of use and they don't want to open it up
[05:41:30] to a broader table of use through one of the other zones like the
[05:41:34] rural living zone. I'm just trying to understand whether the
[05:41:39] actual suite of uses is a problem in terms of landscape.

[05:41:43] It certainly is a problem in terms of intensification and all sorts of
[05:41:46] other things but in terms of landscaping when we've got a code
[05:41:52] potentially two codes that can deal with scenery and vegetation
[05:41:57] management what use are we scared about?
[05:42:03] Well I probably agree with you in terms of that it's not so much the
[05:42:09] there probably are some exceptions where there is the provision of
[05:42:14] uses that might be kind of considered and like obviously
[05:42:19] obsessed against the scheme just providing us a broader range of
[05:42:23] things that could potentially happen but again that likelihood of
[05:42:27] those things happening on the land that we're talking about in
[05:42:31] terms of the environmental living zone land is again probably quite
[05:42:35] limited in its ability to
[05:42:43] significantly restrict the management of the
[05:42:48] appropriate management of the landscape values that are there
[05:42:52] or if they are there.
[05:42:53] If you don't mind I might ask Jim a question that's sort of the
[05:42:56] extension of that. The Natural Asset Code doesn't apply to use
[05:43:04] so it only applies to development the removal of the vegetation.
[05:43:09] Can you think of uses that may be inappropriate in a valued
[05:43:15] bushland setting that could compromise the environment?
[05:43:19] When you asked the question initially I was just thinking of generally
[05:43:24] of things that might impact landscape so the things that occurred to me
[05:43:28] were frequent vehicle movements that are visual from the broader
[05:43:33] landscape. Any use that is generating dust smoke or steam that
[05:43:39] might be affecting visual amenity and then I'm going back through
[05:43:44] the use table I'm not seeing too many pathways to those things
[05:43:48] the vehicle one's a bit of a wild card I don't know about that but
[05:43:52] they're the only things that occurred to me.
[05:43:56] Do you have any more questions on that because I know you would
[05:43:59] talk about it in the past.
[05:44:01] Just to add to it I think in fairness to council their
[05:44:04] concern when we've been grappling with this in the past has been
[05:44:06] that grazing as a use has been a threat to natural values.
[05:44:11] I think your question is more about landscape values which is one
[05:44:15] of those subtleties that's right because the application of
[05:44:19] landscape conservation zone is not to protect the vegetation
[05:44:24] that's the natural asset codes job.
[05:44:26] Natural asset the landscape conservation zone is to protect
[05:44:30] our landscape values so whilst there is some very strong
[05:44:34] similarities between the two that we do have to try to
[05:44:37] compartmentalise those differences.
[05:44:41] Just moving on a little bit I'd like you to use Kate on
[05:44:45] an issue that we have talked about a little bit in the past
[05:44:49] and that is if we were to establish a use on a property
[05:44:54] for instance residential on a title in your mind as
[05:45:00] that use extend to all perimeters of the tidal boundary?
[05:45:04] Or is it only limited to the house, or a curtilage to the house, or a portion of the site?
[05:45:13] I'm not sure I understand the question. So the question is, if you have a house existing
[05:45:20] on a larger property that's potentially heavily vegetated, are you asking if the residential

[05:45:26] use extends to the whole property? Obviously the residential development doesn't.

[05:45:33] From a high level perspective I would say that the residential use is provided for in

[05:45:53] the lot, but it's again the development that gives the extent of residential use

[05:46:08] that happens on the site, I guess in terms of the development that relates to that residential use.

[05:46:14] So the questions or the discussions we had earlier on in the proceedings was,

[05:46:19] how do you manage adverse impacts from a house outside its curtilage? And some of them could

[05:46:30] be ownership of cats, dogs, sheep, and it was put to us through those earlier processes

[05:46:39] that it wouldn't really be an issue because we could get a discretionary application for

[05:46:43] the extension or the intensification of the residential use further down the road.

[05:46:51] So when you buy a sheep, your family Christmas present has to go and get a

[05:46:55] development application for an extension of the general residential through the rest of

[05:47:00] the block and that was a concept that we as a panel hadn't heard before, we hadn't formed a

[05:47:05] view on it, but we hadn't thought about that before. But the starting point was that the use

[05:47:14] that had been approved applied to the entire site. So that brings you back to things like

[05:47:21] the provision for discretionary uses in the zone. Once you've got a discretionary house

[05:47:27] or single dwelling that's already been approved, but you want to put a shed on another part of a

[05:47:32] block, it's a permitted application in that case for the shed. If you have to remove vegetation,

[05:47:40] it's a different story, but in terms of the actual use permissibility, the scheme is

[05:47:46] explicit. It's a permitted use in that particular case. So Mike, I don't know if you've

[05:47:52] had enough time to think about it, but I'd like your views on whether that use that was

[05:47:58] approved actually extends to the entire property or a portion. And the extension of that question

[05:48:04] is well, what's the rest of the use of that block if it doesn't? From a land use planning

[05:48:18] perspective, I feel like the use has to apply to the lot that it's provided for in. The

[05:48:26] extent to which it occurs, I guess, is subject to likely development, which if it was existing,

[05:48:34] I guess becomes an existing hopefully lawful use. And if you then are kind of looking to

[05:48:42] extend or to change that use, it's probably more the development provisions that are going

[05:48:47] to alter the way, I guess if you're changing the way that you're using that land,

[05:48:53] that then becomes consideration of that residential use, but also I guess that development

[05:48:59] component in terms of where you are looking to put your shed or looking to clear an area to

[05:49:08] have a horse or whatever it might be. It's, I guess, those impacts and those changes to

[05:49:15] the land that, I guess, come back into what a zone might or might not permit.

[05:49:26] But I guess on top of that, there are kind of particularly in the context of Kingborough,

[05:49:30] quite a few additional mechanisms that Council have put in place historically to further control

[05:49:37] how land is utilised, which I guess sit kind of within the planning framework, but as kind of an

[05:49:46] additional component to the consideration of zoning in terms of the part five agreements and

[05:49:51] whatever else is kind of in place in terms of covenants or whatnot to restrict or change the

[05:49:57] way that a use might be able to be carried out on a particular parcel of land. But again,

[05:50:02] that's a case by case basis as opposed to kind of a consideration of zoning across the whole

[05:50:08] local government area. Thank you. One more. I think I've covered those. Thanks very much.

[05:50:23] Just a quick one to start with. You mentioned before that you thought that the 19 hectares

[05:50:28] in the indicator for question four on the tree in the diagram was an error, was a typo,

[05:50:35] because you were referencing that against I think it's page 93 in your report.

[05:50:45] I remember there's a table that goes through the indicators in some detail in the report

[05:50:50] and I'm pretty sure, yeah, page 93 is a table breaking down the indicators.

[05:51:10] Yeah, so 15 is what appears in the report by the version of this that has 19.

[05:51:16] Yep. And I think just to clarify, I thought I heard you say that the 19 was wrong

[05:51:21] and it ought to be 15, but I'm putting to you that it's 19 is correct and 15 ought to be

[05:51:27] is not right. I think that 15 considered the discretionary ability to undertake subdivision

[05:51:41] in the zones, but I will have to double check that. I'm sorry, I've confused myself in terms

[05:51:48] of which one. I mean in the broader context, I mean all of this obviously is going to be a guide
[05:51:51] to the assessment of the LPS as we move forward. I'm not saying the world hinges on it,
[05:51:56] but it would be good to get that correct. Yeah, no, I can definitely clarify that.
[05:52:01] At this point in the day, not clear to me either. No, that's all right. 19, I guess,
[05:52:04] to my initial way of thinking is sitting underneath that 20 hectare
[05:52:08] acceptable solution for the LCZ. Is that right? Yes, however, I think I had also tried to
[05:52:16] factor in the 20%, I guess, discretionary provision for still providing for subdivision.
[05:52:24] Yeah, and apologies, I can definitely follow up which one is the correct one.
[05:52:28] That's the one we can come to down the track.
[05:52:30] But numbers at four o'clock is not my forte.
[05:52:34] Maybe just coming back, and I apologise for it being at the heavier end of the spectrum in terms
[05:52:39] of questions at this late hour of the day, but the issue of landscape values that Dan was touching
[05:52:44] on before, the issue was touched upon throughout your report, and you've named it up numerous
[05:52:52] times that it's complex, and there are tension points between the guidelines that are set down
[05:53:00] for us for the landscape conservation zone versus the rural living zone, and maybe just
[05:53:07] to sort of focus the question looking at the landscape conservation zone guidelines
[05:53:12] and LCZ1 in particular, you know, to start off. What's my question?
[05:53:22] We're still going to be grappling with as we go through. I mean, I can see the report
[05:53:25] that we'll be touching on tomorrow, you know, it goes into a lot of detail throughout
[05:53:30] the 35 localities, and we'll get some information about what the landscape is in those localities.
[05:53:39] But I guess, and again, it was useful that you referenced, or you've looked back at,
[05:53:44] and you've had the benefit of looking at other decisions that the commission has made,
[05:53:49] and you referenced the Huon decision, and interestingly in there, you know,
[05:53:53] there was reference there to the Macquarie dictionary noting that there's no scheme
[05:53:58] definition or SPP definition for landscape values, and I guess what we've continually
[05:54:08] grappled with is how do you define these things, and even your statement on landscape
[05:54:17] values notes that people will have different views about landscape. It's a subjective kind
[05:54:22] of thing, one of the more subjective things that we probably grapple with,
[05:54:27] and so nagging away in the back of my mind is this concept that everywhere is landscape.
[05:54:34] Like landscape, landscape's all around us, and so, and maybe this is part of our doing
[05:54:41] in terms of the wider, the guidelines perhaps could have been more specific in trying to
[05:54:45] nail down what is a particularly difficult issue to grapple with, but I just wondered
[05:54:49] whether you had views on that. I'm not sure what the specific question is. There are
[05:54:57] guidelines in the landscape conservation zone guidelines and then in the rural living
[05:55:01] zone guidelines that are pulling against one another, and I guess this is not a bad
[05:55:08] way of putting it. Your questions, so looking at question five and question three,
[05:55:14] are there identified landscape values, and then the indicators that relate to those are talking
[05:55:20] about confirming the presence of identified landscape values. There are going to be
[05:55:28] values everywhere, and so I'm just wondering, you know, maybe we'll get to this tomorrow
[05:55:35] when we look at the specific localities, whether you have anything to add to how we
[05:55:40] differentiate from the qualities that a particular landscape in any locality might
[05:55:45] have between those that, to quote LCZ 1, might be deserving of protection and conservation.
[05:55:54] Sorry for the difficult question. I'm trying not to give a difficult answer.
[05:56:00] I think that that is fundamentally one of the, for lack of a better word, trickiest bits
[05:56:13] that's been hard to actually establish for the purposes of not only this project,
[05:56:28] but I can kind of see across all of the other processes that it has been a difficult concept
[05:56:35] to have a black and white answer for, for consideration of not only zoning, but then also,
[05:56:42] I guess, the use of that, as Dan had quite rightly pointed out, in terms of how that then
[05:56:48] integrates into the assessment of development and change of uses under the planning scheme.

[05:56:53] So I guess the approach that we tried to employ in the methodology was to
[05:56:59] at least identify an intended landscape value for the region and for each of the localities
[05:57:09] in identifying the localised landscape values, we had at least tried to provide some bounds around
[05:57:17] what the balance of the consideration is based on. So whether or not I've got it exactly right
[05:57:24] in terms of the landscape value, there probably are different ways and different things that could
[05:57:29] potentially over time be integrated into what those landscape values are, but I guess the
[05:57:34] intention is that there was at least a base for that determination to be made against because I
[05:57:40] guess we're not in a place at this point in the process where we're doing strategic thinking
[05:57:45] around what is the best zone for the land in the locality. We have one zone that we cannot
[05:57:52] keep in this zone and we need to transition it, so it's about providing an appropriate
[05:57:58] zone within the framework that we have to work with, and I guess the identification
[05:58:03] and trying to articulate the localised values was an attempt to be able to at least have some
[05:58:09] structure to that quite amorphous concept of landscape values. Thank you.
[05:58:17] Different questions. So looking at the indicator for question one in your tree,
[05:58:22] you've got two dot points there. The first one's visual evidence, so
[05:58:25] in-area mapping of existing residential use. The one underneath, I just wondered whether
[05:58:30] for everyone's benefit, whether you could just give some illustration about what known
[05:58:36] strategic intention for residential use looks like. I guess this was intended to capture some
[05:58:42] of the other places in Kingborough that are within the environmental living zone currently
[05:58:48] that might not actually have a residence on them at this point in time, but I guess are
[05:58:53] within the environmental living zone and could be considered I guess in the future,
[05:58:59] or even currently under the environmental living zone capable of having a house
[05:59:04] and a residential use on them. How would we know that though?
[05:59:09] It's kind of the environmental living zone effectively, so I guess the purpose of this
[05:59:13] question was more to be able to separate out the land that shouldn't be environmental living
[05:59:18] zone land under the framework in terms of the environmental management zoned land,
[05:59:22] and where there is kind of that definite conservation intention for the land.
[05:59:28] That's fine. Another question, looking down underneath the, so the left hand side of the
[05:59:33] tree and underneath question three, I just wonder, you've got, so for instance if you
[05:59:38] answer no to question three, you end up in a box, consider the rural zone or the low density
[05:59:45] residential zone. I'm just wondering can you give any, can you talk about your thinking for
[05:59:49] inclusion of the, if you've come down that side where you're, you know to is there a
[05:59:55] strategic intention to any residential use to occur?
[06:00:00] You know to reserve land
[06:00:03] You know to identified values, but you've already
[06:00:06] I'm just not quite sure what I guess that consider has I guess come from that that pathway
[06:00:12] But also is an output of the yes, there is a residential use no rule living
[06:00:18] Characteristics and no land value. So it's intended to cover up both of those
[06:00:22] But I guess in terms of having them both together. It's definitely intended that it's subject to
[06:00:28] Alignment with the zone guidelines in what you'd be wanting to look at for those ones
[06:00:36] Thank you, just another question picking up on Dan's
[06:00:40] Exploration of risk that you mentioned in your report and we were talking about grazing being one of the
things that council was nervous about
[06:00:47] previously in terms of
[06:00:50] You know, it's
[06:00:51] Looking at it as a reason why you might not want to choose the rural living zone to ascribe to any particular
land
[06:00:56] In your report you talk about
[06:00:59] Other uses and we've covered this extensively in some of the hearings that we've had to date

[06:01:03] uses accounts was also nervous about in terms of

[06:01:07] Ascribing the rural living zone and you mentioned those

[06:01:12] Should have got them out but they're things like service stations and

[06:01:22] Vehicle fuel sales and service

[06:01:27] general retail and hire and resource processing

[06:01:31] So I think without wanting to

[06:01:34] Over-summarize what you said. I think you're saying that you thought that was a conservative approach to thinking about the rural living zone

[06:01:42] and that

[06:01:46] The chances of those risks being realized I think where your words were were fairly low does that ring a bell?

[06:01:52] Yes, is that can you just explain?

[06:01:54] Why you think that I?

[06:01:57] I

[06:01:59] Guess we're talking about this in the context of land that is within the environmental living zone now

[06:02:06] And I guess we're talking about land. That's not this that is

[06:02:11] Predominantly quite

[06:02:13] heavily vegetated

[06:02:15] not necessarily located in all instances in proximity to

[06:02:20] existing settlements or other settlements for which

[06:02:25] Most of the uses that kind of are allowable in the rural living zone or not allowable that are discretionally in the rural living zone

[06:02:33] Kind of rely on there being

[06:02:35] Some kind of population around them to to to service

[06:02:40] So that's probably one factor, but also the other component is that those uses

[06:02:45] Were they to be proposed still are constrained by the same development boundaries?

[06:02:51] They're constrained by the development boundaries that would apply to the rural living zone

[06:02:57] Which if you then integrate the scenic protection area and the priority veg

[06:03:04] Still provide controls that would significantly

[06:03:09] Reduce the impact of those developments in terms of their impact on landscape values, but also

[06:03:15] Significantly impact the viability of those uses probably being proposed on that land to start with

[06:03:21] You're essentially one of the things you're saying

[06:03:23] I think is that there's a lower likelihood than councils thought in the past of them actually being proposed

[06:03:30] Yeah, I'm not saying there's no risk someone definitely could propose those things and there may be places where that that potentially does happen

[06:03:38] But I think that it's not

[06:03:41] Every piece of environmental living zone land is not going to end up being a service station

[06:03:46] Or a grazing area predominantly because most of them are actually already being used for a residential purpose

[06:03:56] Back at page 93, I think it was in that title. I just had another

[06:04:01] Question

[06:04:02] Yes, so same except exactly. It's actually the same box on page 93. It's the indicators for

[06:04:26] Does the area have characteristics of rural living settlement?

[06:04:30] and there's a subtle difference between what you've listed there on page 93 in your report and what's filtered through to

[06:04:37] the diagram

[06:04:39] in that

[06:04:42] The box hanging off this question for

[06:04:47] Lists the indicators for does the area have characteristics of a rural living settlement as being

[06:04:53] Evidence subdivision pattern release 10 smaller blocks generally ranging in size between

[06:04:57] Some area with lots contributing to consistent block pattern and then the consistent pattern of detached dwellings with associated out buildings

[06:05:03] But in the report you've also mentioned visual evidence in aerial mapping of rural activities

[06:05:08] and I just wondered whether that was intentional or

[06:05:12] Yes, that I think is just a minute from this that has definitely formed part of I guess

[06:05:16] The consideration in terms of looking at the the rule living settlement characteristics

[06:05:22] You would say that that criteria that third criteria on page 93 ought to be on the tree. I guess

[06:05:28] So there's subsequent questions that so that's interesting

[06:05:34] So I guess that's intended to capture I guess activities and visual like

[06:05:40] Visually occurring activities as opposed to I guess the conversation that we've had today about use

[06:05:45] in itself because I guess the distinction for

[06:05:48] The

[06:05:51] Living settlement in my mind is not that it's a use like that

[06:05:56] Oh that they're separate uses occurring, but that there's I guess though those activities occurring within the context of that

[06:06:04] residential house

[06:06:04] Do you I guess my question one one of the another thing that we've been grappling with is whether you have to have those

[06:06:10] and

[06:06:11] the hobby farming

[06:06:13] Example which I think comes which is contained in your bracket on page 93

[06:06:17] I suspect comes from RLZ one guideline number eight

[06:06:24] Rule living zones should be applied to residential areas with large lots

[06:06:28] We're existing in intended use as a mix between residential and lower-order rural activities

[06:06:33] PG hobby fun. Yes, so hobby farming is an example there. I

[06:06:39] Guess what I've been grappling with for some time is

[06:06:42] PG is not exhaustive clearly it's an example and

[06:06:47] So could there be other things that people do on?

[06:06:51] Land like this that might be considered lower or real activities. I'm wondering whether you have a view on that

[06:06:58] so in other words

[06:07:00] Is it possible that rural living land could be?

[06:07:04] Could just be a house maybe in our building probably in our building

[06:07:08] But maybe no clearing for a ship or whatever it is a horse or could it be that in your mind

[06:07:17] Yes

[06:07:22] And I guess that doesn't necessarily

[06:07:27] I guess the intention of that indicator is to try and pick up

[06:07:32] patterns that might be occurring within

[06:07:39] Within that particular area so looking at somewhere

[06:07:43] That and it's probably not a definitive and decisive

[06:07:46] element of how you get through the evaluation pathway, but I think it's part of what informs

[06:07:53] in terms of that existing

[06:07:55] visibility of uses

[06:07:57] Informs kind of how we've had to navigate the consideration of

[06:08:02] What could maybe go to rural living in terms of being able to clearly establish?

[06:08:09] those consistent

[06:08:12] Characteristics being exhibited and I guess that there probably is capacity for for other things to sit in that

[06:08:19] rural activities type space, but I guess we've we've looked to

[06:08:25] I guess utilize

[06:08:27] that portion of the guidance in that it's something that is

[06:08:31] Relatively in the most part easy to see from kind of that desktop type analysis

[06:08:36] To give an indication and it's not necessarily exact because I guess again a desktop analysis of looking at aerial mapping

[06:08:45] Doesn't give you exactly what someone's doing and how many sheep they have or how many horses they have

[06:08:50] But I guess it's kind of being used to where we we could draw some

[06:08:56] Some information to try and build the picture of how

[06:09:01] that part of the locality might be

[06:09:05] Being used and operated and kind of functioning now

[06:09:09] To inform how that translation of zone could occur just as an example

[06:09:14] I mean as we not only move through tomorrow, but move through the hearings from here on in

[06:09:19] I'm imagining that we're going to see

[06:09:22] some localities where

[06:09:24] There's going to be evidence of a subdivision pattern of at least 10 smaller blocks for instance

[06:09:29] And there's going to be evidence of a consistent pattern of detached dwellings and associated outbuildings

[06:09:34] But I'm imagining that some of them might not have much clearing at all

[06:09:38] And it will be up for discussion as to whether they're best suited to rural living or landscape conservation

[06:09:44] But what I'm suggesting I think is that there are it's possible that you could end up

[06:09:49] But it might be appropriate to call those places rule living even though there's no shape, you know, we're banging on about sheep here

[06:09:56] And yes, not everybody has shape or horses

[06:09:59] I don't disagree with you in that I think that there is I'm sorry to if you hadn't finished your question

[06:10:05] but I think that there's an element of

[06:10:08] How far you get with determining that there's rural living characteristics and also whether or not

[06:10:15] Landscape values can be appropriately managed but part of the the the overarching

[06:10:21] I guess filter that we've had to

[06:10:24] apply to

[06:10:26] This consideration and this evaluation is how that land which has just

[06:10:34] Potentially not I guess visual evidence of

[06:10:39] Rural activities how that could still potentially fit into that rural living

[06:10:44] pathway as a zone, but also

[06:10:48] How that rural living that was to move to that how that would shape?

[06:10:54] the broader consideration in terms of

[06:10:56] In some of the places where there is that type of housing existing

[06:11:01] it's often within a broader area that is either landscape conservation zone without question or

[06:11:10] Environmental living zone and I think the interaction of some of those places with what's happening

[06:11:16] Adjacent and kind of a nearby context also has contributed to

[06:11:21] to how

[06:11:22] The zone recommendations have been kind of put forward

[06:11:26] but I guess do

[06:11:29] Sometimes change depending on I guess all of the things in the decision tree might get you to one point

[06:11:35] But it's then looking at what's going on more broadly around that piece of land or that area

[06:11:41] That can more fully determine whether or not the rural living zone is actually still going to work

[06:11:48] in the context of everything else

[06:11:51] Just asking you in a different way then is the abs if

[06:11:56] if you had

[06:11:58] Evidence of a subdivision pattern etc etc and if you had evidence of a consistent pattern of detached dwellings within the social

[06:12:04] But you didn't have

[06:12:06] evidence visual evidence of

[06:12:10] Cleared areas for resource development rising hobby farming etc

[06:12:14] Is that are you saying you're saying rural living zone can still be entertained potentially? Yeah

[06:12:20] Depending on again the landscape values wanting to know your view. Thank you. I think that's probably

[06:12:25] Thank you sure

[06:12:31] Many of your recommendations through the

[06:12:34] particular elements that we'll get to

[06:12:37] That recommended rural living conversion were contingent on no further subdivision potential

[06:12:43] can you can you just tell us a little bit about why and

[06:12:49] Whether your views would change that zone is no longer appropriate if subdivision was

[06:12:56] I

[06:12:58] Yes, so the views I guess that and I guess the the approach to considering

[06:13:04] for the subdivision was looking

[06:13:07] mostly at

[06:13:09] The guidelines which I guess talk specifically about where transitioning environmental living zone land

[06:13:16] To rural living zone land and its appropriateness in terms of not intensifying

[06:13:23] The use or it intensifying

[06:13:28] Intensifying the ability for residential uses to occur so I guess in the context of looking at this

[06:13:37] Council area and how the environmental living zone exists and I guess also then

[06:13:48] The guidance

[06:13:51] We've taken the view

[06:13:54] No, there's one extra bit of that that I wanted to talk through

[06:13:58] the

[06:14:02] appropriate management of landscape values, so I guess part of

[06:14:07] The consideration that I undertook in this report

[06:14:11] in terms of the review and the findings was to get to a point where a

[06:14:17] Component of the appropriate management of landscape values in looking at the application of the rural living zone relied on not intensifying

[06:14:28] The use and I think that

[06:14:30] Where we're talking about the translation of environmental living zone land to the rural living zone land

[06:14:36] The intention in the guidance is clear to limit

[06:14:41] however, I guess we've probably in terms of this work taken a view that

[06:14:45] It becomes a clearer proposition to transition environmental living zone land to rural living subject to all of the other considerations

[06:14:53] If there's no further subdivision proposed because then you're ruling out the ability for intensity

[06:15:00] Under the existing interim scheme now, and Adriaan Stander is going to help me out, I think the

[06:15:05] minimum lot size in the environmental living zone is 6 hectares in some cases, is that

[06:15:09] right?

[06:15:10] The environmental living zone is 1.10 hectares and then...

[06:15:15] Then there was certain circumstances I think it came down to 6 wasn't it?

[06:15:18] Bruny is 1.20 hectares.

[06:15:19] Just 20 yeah.

[06:15:20] Okay, fair enough.

[06:15:21] It doesn't matter.

[06:15:22] Yeah, yeah, okay.

[06:15:23] It's probably not relevant.

[06:15:27] I thought it was down to 6 and if that was the case there would be some existing lots

[06:15:33] in the interim scheme that would have some development potential currently.

[06:15:39] And I'm just wondering whether you're concerned about that development potential carrying

[06:15:43] through or being removed?

[06:15:50] I guess I probably have taken the view that there's very limited development potential
[06:15:53] in terms of subdivision under the environmental living zone now.
[06:15:56] So I guess that's formed the base of this.
[06:15:59] But also that for those blocks that are kind of greater than the 19 or the 15 hectares,
[06:16:12] that that is the place at which you are looking at potentially providing subdivision
[06:16:18] provision or subdivision potential if you were to explore the rural living zone.
[06:16:22] So for me it comes back to that appropriate management component of the test.
[06:16:27] Thank you.
[06:16:28] That's fine.
[06:16:29] Thanks.
[06:16:30] I'm mindful of the hour but I do have a couple of questions around risk.
[06:16:36] So on page 95 of your report and on the indicators for question 6 on your decision
[06:16:43] making you talk about gaps and risks and determining likelihood of risk occurring
[06:16:49] low, medium and high.
[06:16:51] But I can't see anywhere in your report where you've made an attempt to define what
[06:16:56] a low, medium or high risk situation would be.
[06:17:01] And I suspect the way you've done it is look on a locale by locale basis and make a judgement.
[06:17:07] But are there any objective criteria that we can use to determine whether we think
[06:17:13] the risk is low, medium or high in responding to question number 6 or gateway 6 on your tree?
[06:17:20] It is definitely based on the consideration of each locality in response to the question
[06:17:35] 6 in the decision tree for each locality.
[06:17:41] I guess that's the point at which we have tried to or have tried to step out what for
[06:17:49] the context of each locality and looking at all of the relevant provisions for the
[06:17:55] land that we had potentially identified as having rural living characteristics looked
[06:18:02] at I guess what the risk would be in the context of each place.
[06:18:06] So it's not something that in hindsight probably could have but I think it might have
[06:18:16] looking at it in the description of trying to respond to question 6 for each locality
[06:18:28] which is the question around could the landscape values be appropriately managed outside
[06:18:33] of the landscape conservation zone, gave us the ability to for each locality look
[06:18:40] at the things that were and weren't in place that would influence the level of risk
[06:18:44] and have tried to I guess articulate how we've gotten to a medium or a high or
[06:18:49] a low risk profiling.
[06:18:53] Did you define what low, medium or high actually meant?
[06:18:57] Not specifically in the report, no.
[06:19:00] I guess there has ended up being a very general consideration of the mechanisms that
[06:19:10] would be in place in each place that would be in effect in each place to try and assign
[06:19:21] a risk profile.
[06:19:24] Through making a judgement?
[06:19:26] Yes.
[06:19:31] I think we're going to talk about risk a bit tomorrow as well and we'll see how we
[06:19:35] go with that.
[06:19:37] Alright, well look thank you, thank you very much for hanging in there and doing
[06:19:42] the presentation, it was excellent.
[06:19:44] Thank you for bearing with me.
[06:19:46] It helped our decision making, hopefully the members of the public found that presentation
[06:19:49] useful as well so thanks.
[06:19:52] So look on that basis we're now going to adjourn, we'll adjourn tomorrow morning
[06:19:57] in the same venue at 10am where we'll go through the locales.
[06:20:01] So look forward to seeing you all then.

[06:20:04] So in the meantime the hearings are closed.

[06:20:06] Thank you.

[06:20:07] Thank you.

[06:20:08] Thanks very much.

Day 2 — Day 20 of hearings

Source: <https://www.youtube.com/live/R-zEnKZ-Azk> | Duration: 06:59:36

[00:00:49] Well, good morning, everyone. Welcome to day 20 of the hearings. I'm not going to go through
[00:00:56] my normal spiel in the morning. I'll go through where I introduce ourselves and talk about
[00:01:00] all those things that we're empowered to do, because I think you've heard that yesterday
[00:01:03] morning. So we'll just jump straight into where we left off last night.
[00:01:08] So yesterday we heard the presentation from Irene Ink on behalf of the council, the
[00:01:14] authority on the methodology and approach and the decision-making tree they've taken in response
[00:01:21] to our direction 69. So today we're going to start with the locality analysis. So I
[00:01:32] think we've got about 20 localities we're doing today. We're not doing Bruny Island,
[00:01:36] obviously, for the reasons we discussed yesterday. So probably with that short
[00:01:42] introduction, Planning Authority, I might hand back over to you. I don't think there's any
[00:01:48] need to introduce yourselves again or anything like that. We can just whip straight into it,
[00:01:52] I think. That's okay. I'm just going to say welcome to everybody and hand over to Kate
[00:01:59] that will take us through it. And I suspect we most probably just want to highlight that
[00:02:03] we will try and get through this as quickly as we can and most probably around lunchtime
[00:02:09] maybe just consider where we're up to to look around arrangements to get it through
[00:02:13] the day.
[00:02:14] Yeah, just on that point, I think you're right. Just see where we get to by lunchtime.
[00:02:19] We'll make a judgement at lunchtime as to where we're at and then maybe when we
[00:02:23] resume at two o'clock after lunch, we can make some announcements about the rest
[00:02:28] of the day and how the time's looking. But please take your time and take us through
[00:02:33] the localities and we'll ask questions at the end of each locality analysis as well.
[00:02:39] So just so you know what the process is from our end.
[00:02:42] Thank you.
[00:02:43] Over to you.
[00:02:46] Thank you. Okay, so picking up, I guess, where we left off yesterday, we covered
[00:02:53] off phase one and I guess phase two of the presentation. So phase three gets us
[00:03:00] into looking at the second report which Irene produced, which is the, I guess,
[00:03:10] baselining and I guess recommendations report. This report itself is us
[00:03:18] undertaking and carrying out the methodology that was identified in part or
[00:03:23] in the first report. So the methodology outlined I guess set up a process for
[00:03:29] us to undertake kind of three key steps in terms of identifying the localities
[00:03:36] and undertaking a baselining summary to I guess gather the information to inform
[00:03:43] the baseline for each locality, examine the locality against the evaluation
[00:03:48] framework and suitability criteria and then provide recommendations for the
[00:03:53] appropriate zoning, prioritisation, transition of the environmental living zone
[00:03:58] and land that was proposed to be included within the PPZ. So in the
[00:04:05] following we'll go through an overview of the outputs having now carried out
[00:04:10] that methodology with I guess the balance of today being based on each
[00:04:16] locality. So for each locality, in establishing the localities that we would
[00:04:31] look at, we broke the region into three sub-categories as a way of being
[00:04:37] able to further interrogate and I guess further break down the localities
[00:04:49] themselves. So for the purposes of I guess the report, there's the

[00:04:54] Kingston, Bushland Surrounds, Channel Region and Bruny Island acknowledging
[00:05:00] some similarities and I guess similar characteristics that allowed us to kind
[00:05:09] of group those together. Much of the locality I guess creation was also
[00:05:16] based on where there is existing environmental living zone land and the
[00:05:21] proposed PPZs and trying to work out across I guess the council area where
[00:05:27] we could kind of demarcate bits of the locality. So for the purposes of today,
[00:05:39] if you wanted to go to the next slide, we'll walk through for each of the
[00:05:46] two localities we'll be working through which firstly today will be the Channel
[00:05:51] Region, which includes kind of places from Tinderbox down to Gordon and then
[00:05:56] we'll move through to the Kingston and Bushland Surrounds which is kind of
[00:05:59] Kingston and then kind of moving out west. For each of those places in the
[00:06:06] second report, we have broken the report into, for each locality, two
[00:06:14] parts. So part A is the locality baseline. That's the section of the
[00:06:19] report. That's all of the information which we gathered to then I guess inform
[00:06:24] what is now part B which is the zone evaluation component for the locality.
[00:06:30] That section, part B, includes for each locality an overview of our
[00:06:39] undertaking of the decision point evaluation as well as recommendations
[00:06:44] for each locality in terms of the zoning. So in undertaking this work,
[00:06:49] it's probably important to mention that we took the view that we needed to,
[00:06:55] as I probably spoke through yesterday, that we wanted to take a re-examination
[00:07:03] of all the environmental living zone land in the local government area,
[00:07:08] not just the land that was in the PPZ. This provided an opportunity to do
[00:07:13] a point in time and consistent analysis of all of the environmental living
[00:07:18] zone land and ensured that there was a level of consistency in terms of how
[00:07:25] those parcels were being proposed to transition with the evaluation framework
[00:07:30] being used as the mechanism to provide that transparency or that
[00:07:35] consistency. And I guess the evaluation framework being the decision tree
[00:07:41] supported by the resulting zone pattern information.
[00:07:48] So I think that we can probably jump into the first presentation, or the first
[00:07:53] locality. So as I mentioned just before, the channel region is the one that we'll
[00:08:03] work through first this morning, so we'll start with Tinderbox.
[00:08:08] So for this locality, in terms of I guess working quite
[00:08:14] briefly through part A, this area was identified as having an
[00:08:23] existing residential sediment pattern located towards the edges of the
[00:08:28] peninsula, which surrounds the Tinderbox nature reserve.
[00:08:35] The residential sediment predominantly spans along the extent of Tinderbox
[00:08:41] Road, which runs along both sides of the peninsula.
[00:08:46] In undertaking I guess the initial settlement
[00:08:51] pattern review, there was an overall feeling that the built form remains
[00:08:56] secondary to the landscape in this area, and the bushland and the
[00:09:01] coastal edges dominate the visual perception of this place.
[00:09:06] There are evidence of additional
[00:09:11] rural activities appearing scattered throughout the locality, which contribute to the
[00:09:16] overall settlement pattern. So in terms of just
[00:09:21] working through I guess and giving an overview of the zoning
[00:09:26] and I guess the mapping that's kind of relevant to this place, we might just pop out to
[00:09:31] Simon's cool mapping.
[00:09:36] So maybe we'll just start with the existing zoning
[00:09:44] of the locality under the interim scheme. So as you can see,

[00:09:55] most of the locality at this point is within the
[00:10:00] environmental living zone with some environmental management zone
[00:10:05] covering off the Tinderbox reserve. There is a portion of
[00:10:10] rural resources land also kind of towards the bottom of the peninsula, and I think some
[00:10:15] low density rates right at the bottom of it. But in terms of I guess
[00:10:20] the scope of this work was to look at not I guess the land use function
[00:10:25] of the whole peninsula, but rather to look at how that environmental living land should
[00:10:30] transition into the new TPS planning scheme.
[00:10:35] So we'll flick across Simon to what was exhibited if that's okay.
[00:10:40] So that mapping now shows you
[00:10:45] the extent of environmental management
[00:10:50] zone which was proposed, as well as the extent of
[00:10:55] landscape conservation zone that was applied. And I guess outside of the locality you can also
[00:11:00] see that some of that land has also transitioned
[00:11:05] to rural in that bottom part, but I guess outside again the locality.
[00:11:10] In terms of what had
[00:11:15] been proposed by council post the exhibition
[00:11:20] of the scheme, this area for the extent of
[00:11:25] proposed landscape conservation zone had been provided or had been proposed to transition
[00:11:30] to the PPZ, which would have provided I guess an alternate
[00:11:35] council specific zone to apply to this land.
[00:11:40] So this I guess is an area that is particularly relevant for
[00:11:45] responding to the direction 69 in that
[00:11:50] the PPZ is not to be sued at this stage, so
[00:11:55] determining the appropriate alternative zone is necessary.
[00:12:00] In terms of this peninsula itself there are quite a few
[00:12:05] overlays which would also come into play
[00:12:10] for consideration I guess of land use in this area.
[00:12:15] The waterway and coastal protection area, the scenic protection area
[00:12:20] covers only a small portion of the elevated
[00:12:25] section of this peninsula.
[00:12:30] I'm not sure if we could get the scenic protection area.
[00:12:35] The scenic protection area as you can see is
[00:12:40] predominantly covering that centralised core of the
[00:12:45] peninsula and doesn't extend to those coastline
[00:12:50] properties. The priority veg is probably one that
[00:12:55] almost don't need to pop up because it's pretty much the whole
[00:13:00] thing. Bushfire prone areas and also landslip given.
[00:13:05] I guess this is quite a steep and
[00:13:10] elevated topography as well. In terms of
[00:13:15] the hillshade mapping particularly gives a good indication of
[00:13:20] the elevating points of this peninsula in terms of
[00:13:25] overview.
[00:13:30] In the report itself we did also look I guess for each of the
[00:13:35] localities at land tenure and reserve estate land. We looked at
[00:13:40] private timber reserved. We also looked at some biodiversity layers in terms of
[00:13:45] species and
[00:13:51] as needed in terms of interpreting where
[00:13:56] things might form

[00:14:01] a better understanding of the area. We also for each locality,
[00:14:06] given this is the first one, looked at the zoning of the adjoining council areas
[00:14:11] which is not relevant to this one but is standard throughout
[00:14:16] the preparation of examining each place.
[00:14:21] That probably gives us a good
[00:14:26] sounding of where things are at with this
[00:14:31] in terms of what's on the ground in this locality. In terms of the
[00:14:36] localised values for this, in the base lining
[00:14:41] and I guess across the board for the balance of the localities as much as possible
[00:14:46] tried to look at the work that council had already undertaken in
[00:14:51] starting to identify what are the landscape values present
[00:14:56] in particular parts of the landscape.
[00:15:00] government area so we had tried I guess to make sure that where that work had
[00:15:04] been done we weren't recreating or making up something new and that we were
[00:15:10] relying I guess on the work that council had done because I guess the
[00:15:14] problem that we faced I guess in terms of that approach was that there
[00:15:19] wasn't consistent wording or consideration of the landscape values
[00:15:25] for the places across the whole region but where they were where I guess we
[00:15:28] tried to utilise what council had already conceded and established which
[00:15:35] is where I guess the localised values for tinderbox come from in the most part
[00:15:39] because tinderbox was one of the areas particularly that council had spent a
[00:15:42] fair bit of or put a fair bit of effort into articulating a landscape
[00:15:49] value or what the landscape values are for this place in the work that they
[00:15:55] had done in their 35f report and also in some of the kind of previous documents
[00:15:59] that were supplied to the TPC as part of the justification of modifications
[00:16:05] made kind of pre-exhibition as well but I guess in terms of what that looks
[00:16:12] like I guess this the localised landscape values for this area are
[00:16:18] largely kind of I guess recognising that this is a peninsula that is
[00:16:30] kind of a heavily vegetated and significant or has kind of significant
[00:16:35] vegetation significant scenic viewpoints in terms of the existing prominence of
[00:16:48] the the landscape itself so probably yes I guess in terms of the mapping
[00:16:58] that Simon had or the the imagery that Simon has up on the screen that
[00:17:02] kind of gives you a bit of an indication of I guess that topography
[00:17:07] and I guess the existing kind of settlement pattern for that that
[00:17:12] balance of I guess the southern part of the the peninsula so in looking at
[00:17:24] this particular locality there are also I guess in the context of this
[00:17:33] locality significant number of representations which covered the most of
[00:17:42] most of the locality there were some representations which indicated support
[00:17:47] for the landscape conservation zone being applied however the majority of the
[00:17:51] representations in this area objected to the landscape conservation zone so
[00:17:56] I guess in considering the representations themselves for the
[00:18:01] methodology they they weren't necessarily deciding factor but they
[00:18:06] formed I guess part of the information that that was considered in forming
[00:18:11] views around the the way in which zoning could be applied so in terms
[00:18:23] of then I guess as the base lining information using that to then move
[00:18:27] through the evaluation framework we looked at I guess running running through
[00:18:38] this locality using the decision tree and I guess at this point it's also
[00:18:47] probably worth reiterating that for each locality you'll see in each well
[00:18:54] you'll see in some of the localities that there are actually kind

[00:18:58] of different considerations for different areas or for different parts
[00:19:05] of a locality so that in some places there's I guess sorry what I'm trying
[00:19:11] to very on particularly say is that there are different considerations for
[00:19:17] different parts within an individual locality because of the types of land
[00:19:21] uses and things that might be occurring or the nature of overlays or the
[00:19:30] topography or I guess yeah there's there's distinctions in how we have
[00:19:34] kind of considered different parts of each locality so it's not the whole
[00:19:39] locality runs through the decision tree as as one thing there are
[00:19:43] definitely bits where there may be areas in the locality that do have a
[00:19:48] rural living presence or a visible kind of settlement pattern and then
[00:19:57] other elements of the locality may not so we haven't treated those the same
[00:20:01] in terms of there is a rural living settlement strategy they should all be
[00:20:05] rural living we have tried to make sure that we are considering I guess
[00:20:10] the the permutations of land which exists within each locality and
[00:20:15] running through the decision tree so I might just move to the recommendations
[00:20:26] for this locality because I feel like that will probably run us through much
[00:20:31] of the decision tree anyway I guess in terms of how we got to to the
[00:20:37] recommendations so for tinderbox the recommendation was to I guess broken
[00:20:45] into to a couple of elements for the western side of the peninsula there was
[00:20:53] a recommendation to transition the proposed environmental living land to
[00:20:57] land to sorry the existing environmental living land to the
[00:21:03] rural living zone recognising that this land is kind of an extension of
[00:21:08] the rule or appears as a rule as an extension of the rural settlement
[00:21:13] identified to the north and that it exhibits kind of generally similarly
[00:21:19] consistent settlement characteristics to that area in terms of subdivision
[00:21:24] pattern and pattern of land use many of these parcels are identified as
[00:21:30] having significant landscape values however it's acknowledged I guess that
[00:21:34] the the provisions of the scheme and the mechanisms available within the
[00:21:38] zone would be capable of appropriately managing the landscape values on the
[00:21:46] side of the peninsula and I guess the as with the balance of
[00:21:53] recommendations to transition to the rural living zone the recommendation is
[00:21:57] also that the categorisation of any rural living zone be to not provide
[00:22:03] for further subdivision in this area so the transition of the I guess the
[00:22:16] the preferred zoning or the recommended zoning for the eastern side of the
[00:22:20] peninsula however is different to that on the basis that the landscape
[00:22:28] conservation zone is considered to remain the most appropriate zone at
[00:22:32] this time for that land given the significance of the existing landscape
[00:22:38] values and the parcels contribution to the landscape values of the locality
[00:22:42] and in working through the decision tree it's not clear that another zone
[00:22:48] could appropriately manage the values in this area so I guess in terms of
[00:22:52] looking back through the decision tree for that land it is definitely
[00:22:59] considered that there there are some rural living characteristics however I
[00:23:05] guess they are not as consistent as the other side where on the eastern
[00:23:12] side there are kind of definitely some more intensive kind of agricultural
[00:23:17] and resource production uses occurring in the mix but I guess in considering
[00:23:24] that it does have rural living settlement characteristics that portion
[00:23:28] was considered against decision point six which is could the identified
[00:23:34] landscape values be appropriately managed outside of the landscape
[00:23:37] conservation area for which the consideration was that these parcels on

[00:23:50] particularly on the eastern side are at this point have definitely have
[00:23:58] residential uses however for the most part those residential uses particularly
[00:24:04] in that northern portion of yeah exactly effectively kind of set into
[00:24:15] the landscape in terms of being not particularly prominent within within
[00:24:22] that kind of elevated coastline in terms of how they're viewed which I
[00:24:31] guess becomes I guess part of the landscape value in looking through the
[00:24:36] mechanisms that would be available for this land to have an appropriate
[00:24:44] management of landscape values outside of the landscape conservation zone
[00:24:48] there was identified I guess as being a higher risk for this side
[00:24:56] particularly I guess due to the existing landscape and the potential
[00:25:02] for development to occur and introduce kind of increased building height
[00:25:08] than would be available kind of currently so where the rural living zone
[00:25:16] was contemplated here it would provide for additional building height
[00:25:20] of buildings so while most of this site is kind of development the risk
[00:25:25] come developed in some way the risk comes from I think extensions and
[00:25:31] kind of rebuild of housing that could potentially be higher in the
[00:25:36] landscape of I guess be more prominent in the landscape and I guess the
[00:25:42] number of lots within this area means that that would be a volume base of
[00:25:47] potentially a more significant change to the landscape value the scenic
[00:25:52] protection area doesn't apply to this land at this point in time which I
[00:25:56] guess increases the risk of I guess much of this land at this time
[00:26:01] particularly along that coastal interface and for that reason the
[00:26:12] consideration of appropriate management in the context of I guess this project
[00:26:17] which is looking to assign an appropriate zone based on the
[00:26:21] controls I guess that are available at this time it is not definitively
[00:26:26] clear that the rural living zone is appropriate for this land at this time
[00:26:30] because there is a higher risk for the landscape values to be compromised I
[00:26:36] guess in terms of the recommendation for this land it is proposed that that
[00:26:42] area be retained within the landscape conservation zone however the
[00:26:47] recommendation does I guess acknowledge that that's kind of an at this point
[00:26:56] in time based on the parameters of what we're being asked to look at
[00:27:00] acknowledging that there is potentially a further work that council may want
[00:27:06] to do in the future to look at something like the PPZ which
[00:27:10] obviously cannot be considered currently but in looking at the
[00:27:13] provisions that were proposed to be included in that could potentially
[00:27:17] mitigate and provide for a more appropriate zone if it were to be
[00:27:25] available or if it were to be pursued by council in the future I think that's
[00:27:40] probably from me enough of a summary but I guess questions just thank you
[00:27:48] very much just conscious that you know it's the first of 20 that we'll be
[00:27:51] dealing with today so there'll be lots of questions that we'll have not
[00:27:55] only for this locality but for all localities as we move through the
[00:27:58] hearings after today but just maybe to try and summarize some of the
[00:28:03] things that we might be thinking here so it's interesting for this locality
[00:28:08] that you I mean it's a large locality is the other thing I was thinking about
[00:28:11] when you were talking about taking different approaches within localities
[00:28:15] the thing that this has that other localities perhaps don't have is its
[00:28:18] size but one thing that we'll obviously have to work through as a
[00:28:22] panel down the track is that you've you've chosen a different zone for
[00:28:27] the eastern to what was exhibited so you've recommended rural living for

[00:28:32] that western side so we'll have to work through that but interesting as
[00:28:36] well is that you've differentiated that from the other side of the
[00:28:40] locality and so I'm not sure that how much depth we want to get into today
[00:28:48] panel about why that's the case but clearly there will be some some
[00:28:57] questions that we'll need to work through about how that differentiation
[00:29:02] works you know it's interesting to note as you say that there's building on
[00:29:10] what we talked about yesterday and and the ability of zones to work in
[00:29:14] tandem with codes now we have some questions for Jim I'm sure as well
[00:29:19] about the ability of the the two codes particularly the priority
[00:29:23] vegetation layer within the Natural Assets Code to do work for development
[00:29:32] not use but development in that design I mean an interesting an interesting
[00:29:37] part potentially or an observation about both sides ink but including the
[00:29:41] eastern side is that there don't seem to be a lot of vacant lots within
[00:29:49] even though the lots have size most of them to my eye contain wellings so I
[00:29:57] think you might have just a question I think you said at some point you
[00:30:00] the potential concern about the height provisions in the rural living zone
[00:30:05] did you say that that would apply to rebuilds did i hear you say that or was
[00:30:09] it my hearing yeah extensions and kind of
[00:30:11] changes to to existing properties is probably the highest risk
[00:30:15] um i guess in terms of the distinction between the two
[00:30:19] um sides of the peninsula um if the elevations definitely kind of
[00:30:25] played a played a role in yes um i guess the impact on
[00:30:30] the visibility of of potential development or intensification of of
[00:30:35] things happening on the peninsula um however i guess um
[00:30:42] in terms of where i guess the the eastern side is
[00:30:45] significantly more elevated i guess from a visibility perspective where you view
[00:30:49] it either from the channel or or kind of
[00:30:53] from the other side of
[00:30:56] um it has kind of i guess a distinct landscape characteristic at this point
[00:31:01] in time um and whether um
[00:31:07] whether the transition of this place i guess particularly as
[00:31:11] we did also i guess look at whether or not there was ability to kind of
[00:31:15] for that southern portion of the site potentially have an alternative zone
[00:31:19] where there is kind of obvious evidence of
[00:31:21] of um agricultural kind of type activities occurring
[00:31:25] however then we kind of got into a conversation of of potentially having
[00:31:29] or not a conversation but a situation where there would be
[00:31:32] um some spot zoning and um fragmentation
[00:31:36] and i i feel like for this peninsula particularly
[00:31:39] this is an area where i feel like council need to do some more strategic
[00:31:43] work in being able to appropriately zone
[00:31:48] land on this peninsula um going forward in terms of setting a
[00:31:53] strategic direction for what should be occurring here
[00:31:57] um which felt a little bit beyond the exercise of a zone transition at this
[00:32:00] time i think they were important comments
[00:32:02] that you made yesterday that it's going to be difficult
[00:32:04] for the panel you know even for us in the the final moment when we when
[00:32:08] we write the report and make a decision on any particular piece of
[00:32:11] land is that it's not always going to be

[00:32:12] obvious and that they're obviously the planning schemes are not static
[00:32:16] and there's room for council to do further work in the future i think
[00:32:19] that's an important recognition going back to the some of the
[00:32:22] specifics about tinderbox and part of the discussion that we had yesterday
[00:32:25] one of the questions that we asked was about um agricultural activity and the
[00:32:29] need for evidence to support a recommendation for
[00:32:33] the rural living zone i think that's really interesting on tinderbox
[00:32:35] because um clearly there are people living there now
[00:32:39] on both sides that are living on blocks that are dominated by bush
[00:32:44] probably with not much clearing at all
[00:32:46] and it's an interesting question to talk about what are they
[00:32:49] you know what type of living are they and you know we've we've been
[00:32:52] talking about this for a year so i'm not suggesting we have an
[00:32:55] immediate answer but it's going to be part of the discussion moving forward
[00:32:58] as to is there room to consider blocks of land as rural living blocks
[00:33:04] forgetting the landscape values um debate
[00:33:08] without there being evidence of lower order rural activity
[00:33:12] note that you mentioned there was more evidence of that on the western
[00:33:14] side and that's probably true um there's
[00:33:18] definitely evidence of it on the western side
[00:33:20] on the eastern side as well but i guess one of the things that we'll be
[00:33:23] be exploring is there also room for blocks within a potential rural living
[00:33:28] cluster or settlement um to to not have any
[00:33:32] evidence of lower order rural activities to have
[00:33:34] little clearing but still be considered um rural living
[00:33:38] that's probably enough for me i have realized sorry i did forget to i
[00:33:44] did um not mention one component of the recommendations
[00:33:48] which is that hatched area that you can see kind of along
[00:33:52] um the east the western side um where i guess is land that that
[00:33:59] needs some further consideration in terms of all confirmation of
[00:34:04] zoning so i guess the the change to rural living along that western side
[00:34:11] means that there probably does need to be a little um
[00:34:15] a slight shift in terms of how um that land is um
[00:34:22] treated and i guess the kind of intention probably could be that it
[00:34:25] could move to emz but i think that that's probably
[00:34:28] um i've warranted kind of further discussion
[00:34:32] with council and kind of the lenders which was part of the
[00:34:33] recommendation because i guess it becomes kind of a fragmented part of
[00:34:37] of landscape conservation which is which is not ideal so i guess the
[00:34:40] intention for that um was to as the recommendation was
[00:34:44] to explore um i guess potentially looking at
[00:34:48] including that land within the emz but again that comes back to
[00:34:51] further conversations with council and the landowner um to resolve
[00:34:55] sorry yeah yeah thank you i had a couple of
[00:35:00] probably going to be generically applied to many of these as well as
[00:35:04] i'm getting them out of the way now i might
[00:35:05] cover that off the established or recognized landscape values that we've
[00:35:10] got in here relate to bushland on coastal areas and
[00:35:14] significant biodiversity um specifically why why can't the

[00:35:20] codes manage that doesn't matter doesn't matter
[00:35:22] what development you put on there it's still going to be on the coast
[00:35:25] and the bushland components presumably will be managed by
[00:35:29] the natural asset code on the face of it
[00:35:33] what what can't what cannot be managed through those codes
[00:35:37] for the eastern side of the peninsula uh specifically yeah
[00:35:42] in the analysis undertaken it was largely
[00:35:46] that capacity or that increased risk from development which could occur at a
[00:35:51] significantly higher building height um that would be provided by the rural
[00:35:55] living zone um noting that the the scenic
[00:36:00] protection area doesn't apply at this point i guess in terms of
[00:36:02] the transition so that is um part i guess of that
[00:36:08] broader issue in terms of the limitations and the
[00:36:12] risks of of assigning a zone based i guess on on
[00:36:16] this transition process but i guess in my view and i guess
[00:36:21] in the recommendations um or in the analysis sorry um the
[00:36:25] view has been taken that that given the the volume of houses and
[00:36:31] parcels along that peninsula has i guess a higher risk
[00:36:34] for um compromising the the landscape value which probably becomes more of a
[00:36:40] scenic landscape value um component but i guess the the
[00:36:44] landscape values in the way they're described in
[00:36:47] the base lining is intended to capture i guess
[00:36:51] what the landscape values are for the place as opposed to being the thing
[00:36:54] that um is i guess to inform then how
[00:36:59] those codes would be considered so i guess
[00:37:02] in that light um the the recommendation or the analysis in
[00:37:07] terms of consideration of appropriate management of values
[00:37:10] um i have probably taken a view that the priority veg
[00:37:15] is the mechanism that's provided in the scheme to be able to regulate the
[00:37:19] the clearing or the disturbed not clear not disturbance just clearing
[00:37:23] of vegetation and that it has to be those controls that that would
[00:37:27] regulate that in this place i guess the
[00:37:30] the trickier bit in being able to say that it is appropriately managed for
[00:37:37] um i guess lands not so i think in terms of biodiversity
[00:37:40] that at this point in terms of how the scheme regulates things it does
[00:37:44] fall within that coastal waterway protection area
[00:37:47] which would be covered and also i guess the veg
[00:37:50] controls at a really high level but it's i guess the lack of the
[00:37:54] scenic protection area along that eastern corridor
[00:37:58] that does mean ultimately when you're looking at transitioning environmental
[00:38:02] living zone land to another zone the consideration of
[00:38:06] the appropriate management comes into i guess looking at the the
[00:38:10] development types and development i guess
[00:38:14] um extent that could be facilitated under that zone
[00:38:19] um which i guess has been the key determining
[00:38:23] factor in i guess that recommendation have have you done any analysis
[00:38:31] of finding examples of inappropriately high buildings that have compromised
[00:38:36] landscapes i guess the analysis was more
[00:38:39] looking at the the capability of i guess

[00:38:44] additional building height that would be provided by the rural living zone as
[00:38:47] opposed to the landscape conservation zone
[00:38:50] considered against i guess what's allowable now in the environmental
[00:38:53] living zone so it's more of a conversion rather
[00:38:57] than a management of the issue um well i guess it's a consideration of
[00:39:01] potential risk okay uh and given that the whole
[00:39:06] tasmanian planning scheme framework is premised on the fact that the
[00:39:09] primary strategy should be implemented through the application of
[00:39:13] zones um if this area is deficient from
[00:39:18] having a scenic landscape code or
[00:39:22] that amendment follow that you put the the scenic protection code on there
[00:39:27] rather than put arguably an inappropriate zone
[00:39:31] on the side um i guess i would argue that the zone is
[00:39:35] not inappropriate because the other zones or the other zone
[00:39:39] with the mechanisms available at this point in time aren't sufficient to
[00:39:42] appropriately manage the values okay thank you and there's one more that
[00:39:47] kind of went to that is we've heard through many of the
[00:39:50] other hearings that there's a lot of properties particularly
[00:39:54] in the tinderbox region that have part five agreements on it that
[00:39:57] have site specific vegetation management issues on there
[00:40:01] was that something that was considered and is that something that's kind of
[00:40:04] built into your decision framework that might assist
[00:40:08] one way or the other for zone application
[00:40:12] i guess in terms of the analysis that i undertook um
[00:40:15] i am very i guess acutely aware that there are
[00:40:19] many part five agreements that exist across the region
[00:40:22] but that didn't necessarily form the basis of recommending a zone because i
[00:40:27] think that it kind of falls outside of
[00:40:29] of what we're asked to look at in being able to
[00:40:33] determine an appropriate zone for the land
[00:40:36] so moving forward when we're listening to represent representations
[00:40:40] and submissions on particularly the localities
[00:40:43] if it's identified that a particular value needs to be managed in a certain
[00:40:48] way and evidence is that there's a range
[00:40:51] of part five agreements that assist to deliver that would that change alter
[00:40:55] your view on the zone application it would probably depend on whether or
[00:40:59] not we were talking about it at a locality scale
[00:41:02] i guess the the tricky bit about the part five agreements is that they apply
[00:41:06] to individual properties as opposed to kind of a collection of properties in
[00:41:09] a kind of consistent way to to some degree uh
[00:41:15] as far as i could see through your recommendations they they nearly all
[00:41:18] said do this conversion with the exception of xyz
[00:41:22] and that cherry picked a couple of usually peripheral
[00:41:25] properties on the outside which indicated a point of difference for that
[00:41:29] particular lot compared to others what part five agreement influenced
[00:41:34] that uh not on its own i think it would
[00:41:37] come back to a consideration of um an individual parcel in the context
[00:41:43] of what's around it um and also that individual parcel
[00:41:48] i guess in terms of the broader settlement pattern so while one

[00:41:51] or two individual properties may have some rural living characteristics
[00:41:57] and have part five agreements which might kind of do something to manage
[00:42:00] the landscape values those two properties themselves
[00:42:05] are just as bound i think to the properties around them and the
[00:42:09] values that are around them in terms of what they're contributing to
[00:42:12] in providing for a zoning that has a zoning path that provides a zoning
[00:42:16] pattern which is i guess consistent with the intention of
[00:42:21] avoiding fragmentation and avoiding spot zonings
[00:42:26] and i guess yeah i think it would be dependent on kind of a case by case
[00:42:31] um consideration and where we have been able to we've looked at i guess
[00:42:35] the those differences in in places where
[00:42:38] they are kind of on the border of of a rural zone or on the border of
[00:42:42] kind of a rural living zone and looked at where we could
[00:42:46] considering how the values of the land that is a little bit different
[00:42:50] could shift across to the rural zone or the rural living zone
[00:42:57] but i guess the overarching kind of thing that i've kept coming back to
[00:43:00] in the report is not wanting to provide for a situation where there is
[00:43:04] fragmentation of the zone as far as avoidable anyway
[00:43:09] okay thanks and one final question if that's all right
[00:43:12] um the majority of this section on tinderbox the eastern side
[00:43:18] has somewhat regular settlement lot size kind of configuration
[00:43:25] road frontages etc with the exception of two fairly significant lots to the
[00:43:30] to the north we've heard submissions from or
[00:43:34] representations from both of those how much did those lots influence
[00:43:40] your allocation of that section uh they definitely had a bearing on i
[00:43:46] guess considering the the that overall section in terms of
[00:43:50] looking at the um i guess they detracted from the
[00:43:54] consistency of a um what you would expect to see in
[00:43:58] kind of a rural living subdivision um and i guess that the component to
[00:44:02] the north and also i guess to the south
[00:44:04] um and some of the activities that are occurring there um
[00:44:08] made it not as clear that it is a definitive rural living settlement that
[00:44:13] should be within the rural living zone however i guess on balance there was
[00:44:17] kind of a consideration that there are rural living characteristics across
[00:44:20] that whole area however the the
[00:44:25] the point at which it was proposed to be included in the rule
[00:44:28] in the landscape conservation zone is not because it doesn't have the
[00:44:32] characteristics of rural living land but because the risk would be quite
[00:44:35] high in terms of managing the values that are present in that land
[00:44:40] despite your recommendations that there'd be uh
[00:44:44] at least in other areas you'd put a zone in that didn't provide further
[00:44:47] subdivision potentially um so it's subdivision
[00:44:50] potential and also i guess that's one of the factors i guess in terms of
[00:44:54] understanding the or not understanding but in terms of looking at
[00:44:59] um what
[00:45:00] the risk of or would be to the appropriate management of the values in an alternative
[00:45:05] zone.
[00:45:06] So in many of the other places throughout the region too we have had to do a consideration
[00:45:11] of not necessarily specifically the rural living zone so it might be that looking

[00:45:16] at the mechanisms potentially of the rural zone and whether there are appropriate coverage
[00:45:20] mechanisms for that but I guess it's not one thing alone, there's kind of multiple
[00:45:25] layers to being able to, I guess that we conceded in developing an understanding, not an understanding
[00:45:34] but a view of how the landscape values could be appropriately managed or would be appropriately
[00:45:40] managed under an alternate zone and the available mechanisms under the scheme.
[00:45:48] Given that these landscape values need to be broadly accepted at least by the commission
[00:45:54] in the first instance and the global statement recognises there's a point of difference and
[00:46:00] not everyone has the same expectations about what they may or may not look like.
[00:46:06] Pop marks, areas of clearance in vegetation and potentially additional height is something
[00:46:14] we're going to have to work through and we're going to hear submissions from people
[00:46:17] who say they don't care about the odd pop mark which adds to the fabric of urban Kingborough.
[00:46:22] We're going to hear submissions from people about height that doesn't really impact the
[00:46:27] fact that it's still a coastal environment in a bushland setting, it just happens
[00:46:32] to have a people on the roof.
[00:46:36] How are we going to manage that?
[00:46:42] I think that as we work through, and we being collectively in the hearings, as we
[00:46:47] work through representations and further submissions, it's going to be looking again at the individual
[00:46:57] consideration in the context of the locality and what effect a rezoning or a consideration
[00:47:09] of an alternate zone might have for one place, what that actually then means for
[00:47:13] the broader area and whether that actually undermines the ability of that landscape
[00:47:21] value to continue to be present within the place, which I think will be on a case-by-case
[00:47:27] and locality-by-locality basis, unfortunately. Or not unfortunately, but I guess that's
[00:47:33] the way that that will have to roll.
[00:47:36] Do you say you're going to be here for the rest of the hearings when we resume?
[00:47:41] That's the plan.
[00:47:42] I just want to know from a plan-thrilling point of view, maybe even, that some of these
[00:47:47] properties are going to require quite nuanced consideration as we go through the reps.
[00:47:52] Is it your intent that you do some ground-tricking, go out and look at some of these properties
[00:47:58] before you come along and talk to the rep or the digital representations?
[00:48:03] I'm particularly thinking about that, Dan alluded to this, but the property,
[00:48:07] that North East property there, there is a rep in there that we're going to consider
[00:48:14] shortly. Is there any intent that you do ground-tricking as part of that process?
[00:48:19] Yes, so the short answer is in some of them there's been ground-tricking already
[00:48:24] and as with any other hearing that we receive, we've got a list of the items
[00:48:30] on and there would be expectation to go out to the site, so that's something that
[00:48:34] we definitely would do.
[00:48:37] Just one, just to follow up on Dan, without wanting to labour this particular locality
[00:48:42] too much, but I think a question that we're going to have continually about landscape
[00:48:49] values, so you've identified landscape values for this particular locality.
[00:48:53] I wonder Simon if you could get up to that aerial photography that you had before,
[00:48:58] the site on 3D sort of imagery looking from the east.
[00:49:05] So I guess one of the things we'll be grappling with in a lot of localities,
[00:49:10] I suspect, is what are the qualities of the landscape and completely understand
[00:49:15] what you're talking about, but I think Dan's question was interesting in that
[00:49:19] there's an argument that the existing landscape values, even of that eastern site,
[00:49:24] even though it rises more steeply I suppose from high water mark up to the high land,
[00:49:31] but there's an argument that it contains houses already and so if you've got codes
[00:49:40] doing some work to clearly regulate clearance of vegetation that's contributing
[00:49:47] to those landscape values and if the rural living zone doesn't give a lot of scope

[00:49:53] for additional dwellings, that question of risk that you've raised is going to be
[00:49:58] one that we're grappling with I suppose about what is the actual level of landscape
[00:50:06] detriment risk, if you like, that potentially could be associated with one zone
[00:50:11] versus another. Anyway, that's just a comment I suppose.
[00:50:14] And I guess probably that highlights I think what I had hoped would be the helpful
[00:50:18] component of undertaking the approach that we have in that it will become
[00:50:24] particularly apparent to the delegates that where decision points have been made
[00:50:33] and what recommendations have been based on, so where you may take a different view,
[00:50:41] it's going to be an easier exercise to then work through what that looks like
[00:50:45] and how that kind of factors in to future hearings.
[00:50:49] Alright, thank you.
[00:50:50] We're done in the box. Next one.
[00:50:55] Next. Alright, so we just move a little further north for this one through
[00:51:04] Howden and Blackmans Bay. This is an area I guess that we, in putting,
[00:51:12] I guess in scoping out the extent of the localities, we specifically
[00:51:18] decided to put Howden and Blackmans Bay as a separate locality to Tindabox
[00:51:24] recognising that there are I think different land use functions and also
[00:51:33] different land use issues that are occurring in both.
[00:51:37] So the separation I guess was to try and allow for exploration of each place
[00:51:43] kind of individually, which was obviously provided for him,
[00:51:47] providing it as a separate locality.
[00:51:49] So in terms of this place, we might just do Simon just a quick run through
[00:51:58] of the zonings in terms of the existing interim scheme first.
[00:52:07] So at the moment in the existing planning scheme, you'll see that kind of
[00:52:13] probably the majority of, well I guess the existing extent of environmental
[00:52:19] living zone land kind of sits within I guess the top part of the
[00:52:25] Tindabox Peninsula but also kind of is surrounded by some environmental
[00:52:30] living zone land at the top being nature reserve and then also kind of
[00:52:34] some heavily or some more urbanised land across to the north east and then
[00:52:40] kind of a series of rural living kind of parcels existing along that
[00:52:46] western side.
[00:52:48] So in the exhibited version of the scheme, this transition or proposed I
[00:52:54] guess the transition of some land to the rural living zone with I guess
[00:53:02] the balance of land that you can see there remaining or not remaining but
[00:53:06] proposed to be included within the environmental living zone.
[00:53:10] This area in part was also included in the PPZ.
[00:53:14] So I guess the extent of the land that was proposed to be included within
[00:53:22] the environmental living zone was the extent of the area to be considered
[00:53:28] with the PPZ.
[00:53:30] So that again is the area that we also definitely need to have had a
[00:53:35] recommendation on.
[00:53:37] I guess throughout today it will probably only become relevant when we
[00:53:43] get to talking about Bruny at a later date but one of the things we
[00:53:47] did look at was whether there's a specific area plan that might
[00:53:50] influence or add or change the mechanisms of how development would be
[00:53:55] assessed but for the majority of these with the exception of Bruny
[00:53:59] there wasn't a SAP in place at this point that would affect that.
[00:54:03] I guess we can potentially just do a quick whip through of some of the
[00:54:08] overlays but I guess very similar kind of suite of overlays applicable

[00:54:11] to this land in terms of bush via landslip, coastal protection area,
[00:54:17] coastal inundation, scenic protection area also is apparent in parts of
[00:54:22] this area.

[00:54:25] In terms of the hill shade mapping you can also kind of get an
[00:54:29] appreciation of some of the elevations that exist I guess in this
[00:54:33] portion which kind of continue up from the tinderbox area that we
[00:54:39] had just talked through in terms of that centralised kind of
[00:54:42] elevated ridge line.

[00:54:44] And that's probably, we'll just do a quick fly through of that while we
[00:54:57] can kind of keep the model.

[00:54:59] In terms of the localised landscape values I guess there definitely is
[00:55:06] still landscape values present within this area with I guess elevated
[00:55:14] topography and kind of relatively significantly vegetated bush land
[00:55:20] that is kind of surrounded and I guess surrounds residential development
[00:55:31] which is still often kind of probably a little bit more prominent in
[00:55:37] some places than lower in the peninsula but still kind of present
[00:55:43] residential component.

[00:55:46] I'm sorry I have skipped over the existing settlement pattern component
[00:55:49] but I guess that is also kind of where this goes to in terms of that
[00:55:53] large lot bushland residential settlement characteristics.

[00:55:57] It has typically kind of a lot size ranging between one to five
[00:56:01] hectares with a couple of larger parcels, the largest one being 16
[00:56:05] hectares and I guess the development that is existing is kind of still
[00:56:15] predominantly existing on otherwise kind of heavily vegetated parcels.

[00:56:23] However I guess for this locality in working through the decision tree
[00:56:34] also I guess noting that there were significant representations so
[00:56:40] before we get to the decision tree there were definitely also significant
[00:56:44] representations which we referred to and I guess looked at in terms of
[00:56:48] establishing the baseline for this area where the majority I guess of
[00:56:53] representatives sought to, not sought to, opposed I guess the zoning of
[00:57:03] landscape conservation in this area.

[00:57:07] There were some representatives that indicated kind of support but that
[00:57:14] there was kind of some concern still in terms of the ability of the zone
[00:57:19] to provide for I guess what had been provided for currently but for the
[00:57:25] most part the representations were opposed to the landscape
[00:57:28] conservation zone.

[00:57:31] Going through the decision tree for this place, for the majority of the
[00:57:38] place there was definitely evidence of residential uses occurring.

[00:57:43] There is evidence I guess of the landscape values existing and I guess
[00:57:48] being kind of very significant within the extent of the locality.

[00:57:56] However I guess then when you get to the next bit of the decision tree,
[00:58:00] sorry I probably skipped the decision tree in terms of talking through it
[00:58:04] but there is obviously I guess a clear or a clear rural living settlement
[00:58:12] characteristics that exist within the majority of this area with kind of a
[00:58:21] mixture of lots that are vegetative but generally have an existing kind of
[00:58:30] dwelling with very few vacant parcels noted.

[00:58:34] I guess in terms of the landscape values the locality is definitely
[00:58:38] identified as having significant natural and scenic values that are generally
[00:58:46] reflective of a rural living settlement in terms of I guess the

[00:58:52] overall kind of settlement pattern.

[00:58:54] In going through I guess acknowledging that there are rural living

[00:58:59] characteristics and it kind of satisfies that part of the decision tree.

[00:59:03] It then gets us into whether or not the rural living zone could appropriately

[00:59:09] manage the values of or the landscape values that are identified.

[00:59:16] And in undertaking this consideration for this part or for this locality

[00:59:21] again we looked at kind of ensuring that or I guess considered that if

[00:59:26] there was no further subdivision that would appropriately manage the extent

[00:59:31] or I guess limit the intensification of use of that land which would go some

[00:59:35] way to preserving or considering the landscape value.

[00:59:38] We looked at the controls that were in place in terms of the priority

[00:59:45] veg code in terms of being able to further regulate vegetation clearing

[00:59:50] that could be associated with activities within the rural living zone.

[01:00:00] I

[01:00:01] Guess came to the view in terms of the recommendations that there was kind of a there is I think still some risk

[01:00:08] considering transition of the existing environmental living zone

[01:00:13] To the rural living zone. There's not the same level of coverage but in

[01:00:18] Undertaking this review and considering the mechanisms that will be available and I guess the framework that everyone will be operating in in

[01:00:26] the TPS

[01:00:28] It was I guess reached a view that there is there's a medium risk of the rent of the

[01:00:35] rural living zone

[01:00:39] affecting the values however

[01:00:44] That that risk is I guess able to

[01:00:50] Still consider that the values could be appropriate or appropriately managed

[01:00:55] By the zone, I guess noting those additional pieces of work that we had flagged in

[01:01:02] The finding five of the initial report in terms of looking at

[01:01:06] I guess the the overall operation of protection of landscape values within that

[01:01:12] Rural living zone kind of adds a further piece of work

[01:01:16] So I guess the recommendations at this point are for that locality

[01:01:21] To be transitioned

[01:01:25] Effectively from the environmental living zone to the rural living zone

[01:01:33] That is yeah, I think that's

[01:01:47] It for that one in terms of what I need to tell you

[01:01:52] Did you have something I just want to acknowledge two things that's also relevant in this precinct is

[01:01:58] A number of the representations in this precinct were requesting urban type zoning outside the urban growth boundary

[01:02:06] So I just kind of want to acknowledge those representations and that's part of a separate discussion and and directions

[01:02:13] particularly in relation to

[01:02:15] conservation of SID 2.12, which is separate to this matter and just also want to highlight

[01:02:21] The Blackman's Bay sewage plant and the discussions that we require

[01:02:27] To have particularly with TasWater and those representatives in that location, which is it is still an outstanding direction

[01:02:34] There isn't it is standing Linda that direction it is

[01:02:37] So council will provide it a preliminary response to that highlighting the recommendations of this report

[01:02:44] But I think it still requires further discussion because those represent us

[01:02:47] I

[01:02:50] Also suggested the idea of a site-specific

[01:02:53] Quadrification which is obviously something that we need to discuss

[01:02:57] Having regard to the outcome of this report correct and the outcome of that direction that we've issued

[01:03:01] I just want to ask we had I asked this question yesterday when I asked it again now

[01:03:06] What's your definition of a medium? But you said the risk is still medium

[01:03:10] I'm not quite sure what the difference is between low medium and high in terms of your

[01:03:16] Thinking

[01:03:18] You said there's some risk and you think it's medium and I just want to know what that actually means

[01:03:23] So I think so in terms of how it has kind of come through in the report effectively anything that is a low to medium risk

[01:03:32] Hasn't stopped

[01:03:34] Or I guess has been considered within the basket of being able to appropriately manage

[01:03:41] the values

[01:03:42] Where it's being considered the risk is high that's been kind of the tipping point for a recommendation where a

[01:03:49] Rural living zone or alternative zone other than the landscape conservation zone wouldn't be appropriate

[01:03:55] In terms of recognizing, I guess that there's a medium risk. I think that there is still in considering the appropriate

[01:04:03] Management of the values

[01:04:05] more

[01:04:07] Scope within the rural living zone to undertake more activities

[01:04:12] That may degrade the extent of the landscape values. However, those are

[01:04:20] Activities that will go through an assessment process and will be considered against the planning scheme

[01:04:25] But I guess there is still a risk there in that that development does get approved over time

[01:04:32] And does kind of incrementally kind of detract from the existing landscape value

[01:04:39] While there is I guess the the ability for that

[01:04:42] To be managed. It was more a consideration of if you're looking at kind of the land tech conservation zone versus the rural living zone

[01:04:49] What does that risk look like? So that's kind of like it's yeah

[01:04:52] Where that had had come from? Yeah. All right. Thanks for that

[01:04:57] Sorry, are you doing it? Are you talking about when you're talking about the additional?

[01:05:03] Development possible in the rural living zone you are loading to the uses that are those extra uses we were talking about yesterday

[01:05:08] Additional uses additional kind of building that's slightly additional kind of footprint of of activities which you can have in the rural living zone

[01:05:16] I guess and also against the additional kind of building height and then the scope of things that

[01:05:22] Development wise you can have which are similar

[01:05:24] But I guess I incrementally greater than what you could expect if it was the landscape conservation zone

[01:05:30] Because I think one of as we loaded to yes, I think one of the things we're going to be

[01:05:34] grappling with going forward is

[01:05:37] councils had a

[01:05:38] Place to quite a bit of white previously on reluctance to apply the rural living zone

[01:05:44] That reluctance has been partially based on

[01:05:48] those extra zone extra uses allowable

[01:05:53] In the rural living zone

[01:05:56] You know things to note about those just again by way of comment is that they're discretionary

[01:06:02] They're going to be assessed against the zone objective as per Dan's point that he made yesterday

[01:06:08] They're still going to be regulated and I guess there's this underlying question about how likely is it that

[01:06:15] Some of the areas that we'll be talking about are suited to I mean

[01:06:18] You can't ever rule out the possibility of someone applying for some of those uses in those places, but

[01:06:25] Market forces and while not a planning

[01:06:27] Consideration, you know makes you wonder about the actual likelihood of those uses which have been cited as being potential degraders of

[01:06:38] Landscape qualities and

[01:06:42] Community characteristic almost community kept I'm not sure the wording that was used

[01:06:46] It's an interesting question anyway, that's fine. Thank you

[01:06:52] Yeah, I just had one or you followed on from mix about risk profile and I was trying to follow

[01:07:00] First it was interesting looking at the East tinderbox version versus the Houdon's kind of area

[01:07:06] And I was trying to follow your assessment as you were discussing through here and also the decision tree

[01:07:11] And they're very similar in if you only look at the description of the landscape values with the exception of those two large

[01:07:19] Northeastern lots we're talking about

[01:07:21] The description for a Houdon fits very similar to the description of

[01:07:26] tinderbox, so we're talking about bushland

[01:07:28] We're talking about coastal settings all those sorts of things you work your way through the decision criteria

[01:07:35] It looks like you get to that step six

[01:07:38] Which is about can the landscape values be managed you recognize they are there we've called them up

[01:07:44] While I say the similarities between the two in the description

[01:07:48] One we say they can be managed and the other one we say they can't be managed

[01:07:52] What we really need to say is a difference between those two

[01:07:57] And the only word that I can come across is the reference to risk. So

[01:08:03] So not only are we going to have to understand that but but all of the

[01:08:07] Representals and people put in future submissions are going to have to understand that so they can see where they fit into that risk profile

[01:08:13] Whether they agree with it or not

[01:08:15] Is that something that we've missed here or something that we can work up a little bit about?

[01:08:20] How to demonstrate what that risk actually is

[01:08:25] I think that's a good question

[01:08:27] How to demonstrate what that risk actually is I

[01:08:34] Think that it is largely

[01:08:37] I guess in terms of the difference between the two localities, which I guess is why we broke them into two localities

[01:08:44] This is because the land

[01:08:47] In the peninsula proper is kind of I guess not as clearly consistent with

[01:08:53] The pattern that is present

[01:08:55] I guess in that other in the Houghton Bay precinct it does when a precinct locality it does

[01:09:03] Have a less consistent land use or settlement pattern in the tinderbox

[01:09:09] component

[01:09:11] But it does I guess in terms of that risk factor come back to I guess the in the consideration of the indicators that are

[01:09:18] there and

[01:09:20] Part of it I guess goes back to what I guess is explored in the first

[01:09:25] report in terms of looking at the the differences of development types that might be

[01:09:32] achievable in the environmental living in the landscape conservation zone the rural living zone compared with the environmental living zone

[01:09:40] currently

[01:09:41] and and I guess the key difference for

[01:09:45] That eastern part of tinderbox at this point in comparison with even the western side of tinderbox or Houghton is that

[01:09:53] The land uses on are not as consistent

[01:09:57] within that part

[01:09:59] And it is I guess that that consideration of

[01:10:04] topography

[01:10:05] elevation

[01:10:07] existing development profiles

[01:10:09] And I guess the absence of a scenic protection area in in that area that has meant that I guess we've

[01:10:17] Erred on the side of the rural living zone not being the most appropriate zone for that area at this point in time

[01:10:25] Which I guess is not necessarily I guess then looking at howden and I guess the the

[01:10:32] western side of tinderbox

[01:10:35] the elevation and I guess the the viewpoints of those

[01:10:39] Existing developments don't necessarily have the same impact on landscape value in terms of

[01:10:50] Presence of I guess extensions or kind of higher and more kind of prominent building

[01:10:56] within that area I

[01:11:00] Hear what you're saying we've done quite a few side inspections from the water and also the roads as well

[01:11:06] And and I recognize that there is a different feel from from one area to the other

[01:11:12] Doesn't come across to me in in the assessment and the establishment of landscape values

[01:11:18] it almost appears that the landscape value needs to have a

[01:11:23] recognition of how significant to this

[01:11:27] so

[01:11:28] Because you've got a threshold here about one being

[01:11:31] So significant we want to keep the landscape conservation zone and one being less significant and we can manage it for another way

[01:11:38] There's not there's no cues in the in the landscape values that tell us about how significant it is. I

[01:11:45] Don't know whether that's

[01:11:47] Necessary and the landscape value statement doesn't recognize

[01:11:51] existing settlement and there's certainly a more prevalence of

[01:11:56] Residential field in the howden area than there is on the East tinderbox side

[01:12:03] And you don't get that from the assessment

[01:12:06] So I guess that in terms of the localized landscape values

[01:12:14] We had well I had tried to bring in and incorporate. I guess what the landscape value is

[01:12:22] Which I guess does kind of talk to in part in the howden one

[01:12:27] Around kind of distinctive vegetative Ridgeline land landscape characterized by residential settlement pattern, so we had tried to I guess bring in

[01:12:36] Recognition of the settlement pattern kind of contributes to the landscape values

[01:12:42] Particularly, I guess from a scenic perspective

[01:12:47] And then I guess it's that the low the landscape values in themselves

[01:12:52] While we have I think throughout the the analysis

[01:12:57] Talked through where they are significant and not significant the guiding

[01:13:04] Approach for

[01:13:05] Determining I guess a recommendation of the landscape conservation zone particularly in this area has come more from

[01:13:14] Determining whether or not

[01:13:16] the value that exists

[01:13:19] Could be appropriately managed by the mechanisms in the scheme currently

[01:13:24] So I guess that was the kind of the intention of that response to be able to more

[01:13:29] In terms of the each section of I think it's question six in the analysis

[01:13:35] To to start to pull apart what those

[01:13:38] Values to take what's in the localized landscape values and consider that against the mechanisms that would be available in the scheme

[01:13:47] But I guess if that is that's not entirely clear. I think that there's probably

[01:13:54] Ability to kind of work through kind of further questions as we work through each of the localities to to talk through

[01:14:01] To be fair. I probably hadn't read it thoroughly thoroughly enough

[01:14:05] I was trying to read it as you were talking through through that

[01:14:08] But it wasn't apparently clear that there was a significant difference in the way

[01:14:12] It was described in the assessment process to come up with a different answer

[01:14:16] So I think the landscape values in those two places are not necessarily very

[01:14:20] Very different because they are kind of a similar kind of landscape that exists

[01:14:26] Given they kind of are next to each other

[01:14:28] But it's more about I guess in terms of determining the appropriate zone that consideration of

[01:14:34] In that particular place that landscape value and the mechanisms in the scheme that would be available

[01:14:41] In the rural living zone and what that would look like that has kind of formed that

[01:14:46] determination ultimately

[01:14:48] For the places where we're talking about rural living and environmental and landscape conservation zone kind of as the two options

[01:14:56] Thank you. I

[01:14:58] Think that all

[01:15:00] That'll come out, going back to your question about how are we going to grapple with the levels of risk that Kate's arrived at.

[01:15:08] I think that's an example of how we do it. We ask questions about how you arrived at it.

[01:15:13] What are the things that led you to ascribing high here and medium here and low here?

[01:15:18] And we'll have to make decisions based on those attributes.

[01:15:24] Which makes sense.

[01:15:27] Right, I think we're done here in the Blacksons Bay. I'm going to have a break this morning, but I am happy to do.

[01:15:32] Which locality are we going to next?

[01:15:35] Margate and Electronics.

[01:15:38] We'll do that one, then we'll have a break.

[01:15:53] Well, this one actually did end up being quite a large locality, so there are definitely some components in this locality that kind of differ,

[01:16:03] which we'll kind of talk through as we move through the balance of this section.

[01:16:10] In terms of the existing settlement pattern for this locality,

[01:16:20] we had identified that the western and southern portions of the locality have heavily vegetated lots generally,

[01:16:28] with some having existing residential uses occupying small cleared portions of otherwise vegetated land.

[01:16:37] However, moving east, northeast from these areas, there are pockets that are more structured residential settlements

[01:16:49] that are made up of a range of lot sizes generally from 2 to 10 hectares

[01:16:55] that are often located adjacent to other land that's kind of recognised at this point in time as rural living settlements

[01:17:04] that are kind of within the rural living zone already

[01:17:08] and that are otherwise surrounded by larger lots that are 15 hectares or greater

[01:17:13] and have a variety of residential or rural activities occurring

[01:17:17] that are predominantly covered by significant areas of bushland

[01:17:22] and some larger parcels appearing free of development.

[01:17:27] So we might go just quickly to... Oh, you're already at the zoning, which is perfect.

[01:17:32] So I guess in this locality, we again are looking at the extent of environmental living zone land under the current scheme

[01:17:42] and also anywhere else that was proposed to be included within a PPZ.

[01:17:47] So within this locality, you can see I guess that the existing environmental living zone land

[01:17:57] becomes kind of that western fringe almost and then kind of carries through the middle

[01:18:06] up to I guess adjoining that kind of more not dense but I guess existing rural living settlement pattern

[01:18:19] that exists kind of through what is effectively kind of the middle of Margate

[01:18:26] through to kind of the more urbanised setting.

[01:18:29] In terms of the exhibited zoning, I guess there was still significant parcels

[01:18:40] which I guess were proposed to be included within the landscape conservation zone.

[01:18:46] However, you'll see that some of the parcels council had already identified as moving towards

[01:18:51] and transitioning into the rural living zone.

[01:18:55] In this locality, there were three and a half or four PPZs proposed.

[01:19:04] So Fairs Road, Minnetta Drive and Van Moray Road were the three PPZs that...

[01:19:11] and I said three and a half because Minnetta Drive is kind of technically two little land bits.

[01:19:23] And I guess those were particular areas in terms of the application of the PPZ

[01:19:28] where council had sought to do some further thinking on what the types of activities are occurring there

[01:19:41] and then I guess trying to consider the existing environmental living zone

[01:19:46] and how it could kind of be carried forward in a way that might be kind of

[01:19:53] be somewhere between the landscape conservation zone and the rural living zone,

[01:19:57] recognising that these places had some values that were different to areas that were already, I guess,

[01:20:07] categorised or intended to transition to the rural living zone.

[01:20:12] So I guess in terms of overlays, we can go through those.

[01:20:21] The scenic protection area, priority vegetation area, bush, bio, landslip,

[01:20:25] that are all, I guess, present in parts of, if not all of, this locality.

[01:20:33] In terms of the hillshade mapping, you can also see, I guess,

[01:20:38] there's some particularly elevated portions of the locality,

[01:20:55] particularly, I guess, along that kind of western side where there's, I guess,

[01:20:59] a ridge line that then comes down into the valley.

[01:21:08] In terms of localised landscape values, again, there's probably kind of different values

[01:21:16] that exist within this one locality and we had, I guess, identified that the southern portion

[01:21:21] is, I guess, highly valued.

[01:21:23] And again, some of this wording has been kind of adapted from previous work

[01:21:29] that councils had undertaken in looking at the values that are present in this place

[01:21:35] or in each place throughout, defined by highly valued hillside and ridge line characteristics

[01:21:42] characterised by expansive lots, sloping landforms and extensive bushland,

[01:21:47] particularly on the western side of the locality.

[01:21:51] This area dwellings are generally kind of nested within the vegetation

[01:21:55] and set back across large parcels, which has allowed the natural landform

[01:22:00] and bushland character to appear visually dominant.

[01:22:05] The variations in gradient and elevation create kind of scenic outlooks

[01:22:10] across this portion of the local government area with elevated landforms

[01:22:17] combining steep terrain, extensive vegetation, creating scenic backdrops

[01:22:21] that's highly visible from surrounding areas and the broader channel region.

[01:22:26] On the eastern and northern parts of the locality, including Ferris Road,

[01:22:31] there is kind of distinctive semi-rural landscape settings that contribute significantly

[01:22:36] to the scenic character of the Kingston-Margate interface.

[01:22:41] And there's areas that are characterised by a combination of varied lot sizes,

[01:22:46] land integration and dispersed with residential development

[01:22:49] that reinforce kind of a semi-rural identity for those areas,
[01:22:54] which kind of then transition into a more urbanised landform and land use
[01:23:02] along kind of that eastern side towards Margate.
[01:23:10] So in terms of working through the, again, also sorry,
[01:23:17] before I get into the decision tree, and I haven't for the other ones,
[01:23:22] but it probably hasn't been totally relevant in terms of the presentation
[01:23:28] or the localities we've done to date, but the baselining, I guess,
[01:23:31] does include identification of the previous modifications
[01:23:35] that had been indicated for particular parcels as well,
[01:23:38] where they are relevant to the locality,
[01:23:41] so that has also kind of formed part of the overall baselining.
[01:23:46] And as well as kind of looking at kind of those more general indicators
[01:23:50] of how LCZ or RLZ living, RLZ living, rural living zone,
[01:24:00] has been considered in previous kind of modifications kind of more generally
[01:24:08] so that we're making sure we're kind of pulling through the concepts.
[01:24:11] The representations, I guess, for this locality were also quite extensive
[01:24:16] with many and the majority of reps opposing the proposed landscape conservation zone.
[01:24:26] There were a couple that were in support,
[01:24:29] but yet overwhelmingly not supportive of the landscape conservation zone
[01:24:35] in its application.
[01:24:36] Moving into, I guess, the decision tree for this area,
[01:24:43] we, I guess, worked through, I guess, a couple of different...
[01:24:51] I'm just working out what's the quickest way to talk through this one.
[01:24:57] It might be kind of jumping straight to the recommendations.
[01:25:06] I guess in terms of looking at this locality,
[01:25:09] we looked at, I guess, different parts of the locality
[01:25:15] where we could, I guess, identify kind of similarities
[01:25:20] in terms of existing kind of settlement pattern and landscape values,
[01:25:27] but I guess have kind of undertaken an assessment that has considered
[01:25:32] where rural living characteristics might exist in parts of the locality
[01:25:37] and where they don't, which I think has kind of formed part of
[01:25:44] the, I guess, the ultimate recommendations in this bit.
[01:25:53] So it might actually be easier to navigate this by just, I guess,
[01:25:57] getting to the recommendations in terms of...
[01:26:02] One of the things you will notice, I guess, throughout the report also
[01:26:06] is the identification of private timber reserves.
[01:26:11] I understand that that has been kind of something that has come up
[01:26:17] a little bit in terms of how that designation of land
[01:26:27] and, I guess, identification of land in a private timber reserve
[01:26:31] affects the underlying zoning of the land,
[01:26:37] and I'm just trying to get to the right page, sorry, to talk to you,
[01:26:41] which I guess effectively is that for the purposes of considering
[01:27:04] an underlying zoning, my view in, I guess, undertaking this analysis
[01:27:12] aligns with the view that Council had, I think, put to the TPC
[01:27:17] in that the private timber reserve kind of designation does provide
[01:27:25] for the ability for activities to occur.
[01:27:29] I guess those activities are exempt from the planning framework,
[01:27:33] so they are not applicable.
[01:27:35] However, there remains opportunity for other things to occur on that land

[01:27:44] beyond, I guess, the private timber reserve designation
[01:27:50] and I guess have taken the approach that the underlying kind of land use
[01:27:56] still needs to be considered, I guess, in terms of almost separate
[01:28:00] to that designation, so kind of have not considered it as a factor
[01:28:05] that would influence the zoning outright,
[01:28:09] but I guess it has formed part of how we have, I guess,
[01:28:12] considered the whole locality in terms of how it exists currently.
[01:28:19] Sorry, that was very long-winded, but I guess it will become kind of part
[01:28:24] of quite a few of the other localities that we'll work through today.
[01:28:29] So for this place, the recommendations are broken into a couple of different,
[01:28:41] I guess, areas for the portion of the locality that is identified in...
[01:28:47] We might need to go back to the slides just to give some context.
[01:28:58] So I guess we might kind of shift between the two,
[01:29:01] but for the area of the locality that's identified in blue,
[01:29:04] these areas are identified for transition from the environmental living zone
[01:29:10] to the rural zone.
[01:29:12] This is on the basis that the application of the rural zone
[01:29:17] aligns with the guidelines, where it's kind of, I guess,
[01:29:21] identified that existing rural farming practices appear to be occurring
[01:29:25] in these areas, and in consideration of the rural living zone,
[01:29:33] don't necessarily have characteristics that are totally aligned
[01:29:37] with what you would expect to see,
[01:29:40] and I guess meet the kind of number of lot,
[01:29:46] in terms of the settlement pattern set out in the indicators,
[01:29:49] to be considered as rural living land.
[01:29:53] And I guess on that basis, they don't fall into the further consideration
[01:29:58] of whether...
[01:30:00] The rural living zone is appropriate because the rural livings aren't in terms of managing
[01:30:03] the values, but they kind of fall into the decision tree of thinking whether or not there's
[01:30:09] an alternative zone, I guess, in considering the landscape values to the landscape conservation
[01:30:14] zone, which for these properties, I guess, becomes the rural zone as the more appropriate
[01:30:20] zoning than the landscape conservation zone on the basis that the rural zone could still
[01:30:27] although this is not necessarily part of the test, but the rural zone is reflective of
[01:30:33] the land uses that are occurring and also that the values that are there could be effectively
[01:30:39] managed through the provisions of the planning scheme if the land was to be included in
[01:30:47] the rural zone. The portion of the locality that's in red in the report, I guess,
[01:30:57] are appropriate for a transition from the environmental living to the rural living zone.
[01:31:03] So those ones are the ones where there is a clear rural living settlement characteristic
[01:31:13] and that the consideration of appropriate management of the landscape values that do
[01:31:20] exist and where they exist could be undertaken or could be considered to be managed by the
[01:31:29] mechanisms of the planning scheme, including where it's applicable, I guess, the priority
[01:31:35] veg and the scenic protection area, and I guess as with the balance of recommendations
[01:31:42] that it would only be considered appropriate where the categorisation of the rural living
[01:31:47] zone provided for no further subdivision. This, I guess, does not include the Van Moray
[01:31:55] Road PPZ, which is recommended for inclusion in the, yeah, for transition to the landscape
[01:32:05] conservation zone. So that would remain kind of as exhibited by council pre the PPZ.
[01:32:13] And I guess in looking at that part of the locality, it was, I guess, the exception
[01:32:24] to that consideration of the appropriate management of values and largely although the
[01:32:32] scenic protection area and priority veg area layers would apply to that land given

[01:32:39] the lack of visible additional rural activities occurring within that portion of the locality,
[01:32:51] it was determined to be a higher risk for the rural living zone to be able to appropriately
[01:32:58] manage the values. And I guess also looking at the extent of the values, this area
[01:33:04] also considered more broadly that portion of the locality's interaction with surrounding
[01:33:14] landscape conservation zone and environmental management zone, which ultimately led to,
[01:33:22] I guess, a recommendation that that portion continue to be located within landscape
[01:33:26] conservation zone. For the portion of the locality that in the recommendations was
[01:33:30] identified in yellow, the land identified as environmental living zone, which is to
[01:33:40] the east of Minyatta Drive, is proposed to transition to the agricultural zone and
[01:33:45] the environmental management zone, which aligns with what was exhibited in the planning
[01:33:49] scheme. So that's not, I guess, a change that we're recommending. It's just, I guess,
[01:33:53] what council had initially advertised. However, I guess it aligned with the proposed
[01:34:01] the result of undertaking the review in terms of ensuring that there wasn't a fragmentation
[01:34:08] of having a small portion of landscape conservation zone remaining, but was part of, I guess,
[01:34:16] that broader PPZ consideration. And then for the portion of the locality identified
[01:34:21] in green, this in addition to the existing environmental landscape zone, which is currently
[01:34:28] within the rural resources zone and was proposed to be included within the landscape conservation
[01:34:33] zone under the exhibited planning scheme. And that this parcel being kind of greater
[01:34:38] than 15 hectares was considered to contribute to the landscape values of the adjoining
[01:34:43] land and was appropriate to be transitioned, adjoining land, to the west.
[01:34:48] I don't think we've got any questions. We've asked our questions previously.
[01:34:59] I think we'll take a short break now. We'll go to quarter to 12. Thank you.
[01:48:13] All right, let's resume. Kate, we're up to number four of 20.
[01:48:21] We've all got so much more fun ahead of us today.
[01:48:28] Yes, you can probably get the message I'm saying. Let's see how we go.
[01:48:34] Okay, so the next locality is Corningham and Snug.
[01:48:41] This again is a locality that's made up of a couple of different
[01:48:47] and I guess considered in the evaluation in a couple of different parts.
[01:48:53] So we might just go to, I guess in terms of the settlement pattern,
[01:48:59] there's a variety of lot sizes within this area.
[01:49:04] The western part of Snug that's identified in here
[01:49:07] has a larger subdivided lots ranging from 40 to 70 hectares generally
[01:49:13] and in lower Snug and parts of western Snug,
[01:49:16] there's kind of a medium sized lot in comparison
[01:49:19] ranging between 10 and 20 hectares
[01:49:22] with smaller lots of 2 to 10 hectares
[01:49:26] kind of generally located near Margate and other northern parts of Snug.
[01:49:31] There's predominantly kind of a rural character of this locality
[01:49:38] which is heavily vegetated
[01:49:41] and dwellings are kind of scattered throughout
[01:49:44] and appear to be kind of limited in numbers.
[01:49:48] But I guess for the most part,
[01:49:50] many of the kind of small lots do have existing houses on them
[01:49:55] or existing what appears to be residences.
[01:50:00] We might just go through the zoning quickly
[01:50:05] in terms of the existing interim planning scheme
[01:50:10] because I guess this is the extent of land within this locality
[01:50:16] that what makes up the locality
[01:50:19] is the existing environmental living zone land.

[01:50:24] The proposed, which I guess in terms of talking through
[01:50:31] is kind of particularly I guess for the old station
[01:50:35] kind of the side on the eastern side
[01:50:37] is kind of separated from, I guess,
[01:50:43] or is part of a kind of rural, sorry, what am I trying to say?
[01:50:50] It's surrounded I guess by kind of a rural zone
[01:50:53] just a bit further down in that kind of, yeah, that area
[01:50:58] with kind of, so I guess intermixed between
[01:51:03] environmental living and rural resources currently.
[01:51:08] And then in the proposed exhibited version of the scheme
[01:51:15] there are some changes I guess for the broader locality
[01:51:22] for the most part, I guess while there's a couple of properties
[01:51:25] which in the broader locality are proposed to transition to rural
[01:51:31] for the most part the council initially proposed
[01:51:34] transition of this land to the landscape conservation zone
[01:51:38] in terms of the environmental living zone.
[01:51:41] There was a PPZ which I guess was that old station
[01:51:44] kind of road area and that I guess in terms of that parcel
[01:51:50] or that those I guess cluster of parcels
[01:51:53] was the extent of the proposed PPZ
[01:51:56] that's relevant to this locality.
[01:52:00] In terms of overlays, again pretty similar to other
[01:52:07] in terms of the application where kind of closer
[01:52:13] to existing waterways or the coastal areas
[01:52:16] the waterway and coastal protection area kind of kicks in.
[01:52:19] Scenic protection area is identified in parts of this locality
[01:52:24] again orientated towards higher elevated parts
[01:52:30] of the local government area reflecting I guess the methodology
[01:52:35] that exists in the scenic protection area application currently.
[01:52:39] Priority veg also kind of considers pretty much most of the locality
[01:52:44] bushfire prone and landslip areas also.
[01:52:47] In terms of the hill shade mapping you can see that there are
[01:52:51] kind of some elevated ridge lines that occur within
[01:52:58] kind of the western side of this locality
[01:53:00] and then also I guess some elevation on the eastern side too.
[01:53:06] In terms of the localised landscape values for this locality
[01:53:15] we identified defining I guess prominent elevated hills
[01:53:21] and ridge lines that form visually distinctive landforms
[01:53:25] and expansive areas of bushland that cover those landforms
[01:53:29] which contribute to the natural values and scenic values of the locality.
[01:53:33] There is in some areas in terms of the landscape values
[01:53:42] integration of residential uses within bushland settings
[01:53:47] and visual coherence of the area kind of remains integrity
[01:53:52] of the hill line kind of where we're talking about that elevated place.
[01:53:58] On the eastern side of the locality we identified a grouping of parcels
[01:54:02] that average approximately 10 hectares that reinforce kind of a more rural character
[01:54:07] of the locality and contribute to a low intensity development pattern
[01:54:11] which kind of contributes to the landscape values.
[01:54:15] So in working through the decision tree for this place

[01:54:29] there was kind of a few different permutations of where
[01:54:37] and how I guess land was considered.
[01:54:41] So for the next way of going through this
[01:55:00] potentially in looking at maybe the recommendations
[01:55:06] and then kind of going back through the decision pathways
[01:55:08] as they're relevant to the recommendations.
[01:55:11] So for this area there were kind of a number of different recommendations
[01:55:16] for appropriate zoning based on consideration of the evaluation framework,
[01:55:23] the zone pattern guidelines and also the zone pattern considerations
[01:55:28] and the zone guidelines which I guess played kind of a significant part
[01:55:33] of looking at I guess the things that are beyond rural living
[01:55:39] and landscape conservation which the current resulting zone pattern
[01:55:43] I guess is largely tied to.
[01:55:46] So for the portion of the locality that was identified in red
[01:55:49] which is kind of a couple of properties along Snug Tears Road
[01:55:53] they had attributes which clearly kind of aligned with the rural living settlement
[01:56:00] that they were kind of located adjacent to
[01:56:04] and were recommended I guess for inclusion in the rural living zone
[01:56:11] on the basis that the minimum lot size provides for no further subdivision.
[01:56:17] So that's those properties that Simon has up on the screen now.
[01:56:22] For the portion of the locality that was identified in blue
[01:56:25] in the recommendations which is kind of the old station road area
[01:56:29] which is I guess would have been subject to consideration for the PPZ.
[01:56:36] For that land, the extent of land in this area
[01:56:41] is proposed to transition to rural zone
[01:56:44] as opposed to consideration I guess of rural living.
[01:56:49] The rural zone I guess recognises that there's a mix of abuses
[01:56:53] and activities occurring within this portion of the locality
[01:56:56] that are not entirely consistent with the rural living settlement
[01:56:59] and considering I guess the exhibited characteristics
[01:57:04] in the land immediately surrounding this area
[01:57:08] it was more appropriate for the consideration of a rural zone for this land
[01:57:16] given there were quite similarities between I guess activities
[01:57:26] and land uses and lot sizes that are occurring immediately
[01:57:30] kind of outside of that identified area that are included already
[01:57:35] and proposed to be included within the rural zone.
[01:57:38] So in the context of that area, applying a rural zone
[01:57:47] for the transition process is recommended as the most appropriate zone.
[01:57:52] So then we move to I guess there's four smaller areas along the coastline
[01:57:59] that we had identified in the recommendations
[01:58:03] and I guess identified through the evaluation framework
[01:58:07] as potentially not being entirely suitable for landscape conservation zone
[01:58:13] due to the resulting zone pattern that would occur
[01:58:17] as a result of the zoning of these properties
[01:58:21] and also in some instances the kind of activities occurring on those properties.
[01:58:27] However I guess in terms of the exercise that we undertook here
[01:58:31] it wasn't clear to us without further I guess interrogation
[01:58:37] and further discussions with council and I guess the landowners
[01:58:40] what the most appropriate zone would be.

[01:58:43] And it could be that the landscape conservation zone is accepted
[01:58:46] as an appropriate zone for some of these
[01:58:48] because there are I guess attributes that would lend themselves to that zone
[01:58:52] but I guess it's that overall fragmentation that becomes problematic
[01:58:57] for these isolated parcels of land.
[01:59:00] And I guess happy to kind of work through throughout this process
[01:59:05] what the zoning I guess in terms of with council would look like for those zones
[01:59:10] but I guess those are earmarked as ones where alternative zones
[01:59:16] could be potentially considered but would need further information
[01:59:21] to be able to make a recommendation clearly on that.
[01:59:25] In terms of the, there was a green portion of land identified
[01:59:31] in the recommendations report which is 69 Palmer's Road in Oysters Cove
[01:59:37] where council had identified a split zoning
[01:59:39] and I guess the recommendation and I guess the analysis
[01:59:44] with our recommendation would support that split zoning for that property
[01:59:50] as an appropriate mechanism of applying zoning which provides...
[02:00:00] landscape conservation and rural living. So the balance of the locality I guess
[02:00:08] beyond those identified areas, the locality yes so then the balance would
[02:00:29] transition from ELZ to landscape conservation based on the framework.
[02:00:33] With I guess there there is also in this area some land which had been
[02:00:48] identified as transitioning to the environmental living zone and that had
[02:00:52] been identified as transitioning to the environmental management zone which also
[02:00:56] remains appropriate. Yeah just one question. You've identified those four
[02:01:08] properties along the coast in the orange circles that require further
[02:01:11] information and further consideration. What process do you anticipate out of us
[02:01:15] to allow you to make a recommendation on those zones? I guess I'd probably be
[02:01:22] guided by Council in that. I think it must be broken up in different scenarios. Thank you Sue.
[02:01:32] We'll have to break it up in certain scenarios noting that for instance the
[02:01:36] parcel of land on that northern section is subject to a direction which
[02:01:40] Council already responded and provided some options and I understand that
[02:01:45] the representatives provided further submissions so I think that that's
[02:01:49] one issue. The remainder of them I think we would appreciate the opportunity
[02:01:54] to have a hearing to discuss it with the relevant landowners where submissions
[02:01:59] made and I guess if there's no submission on those lots we would still
[02:02:04] use utilize one of those sessions to just quickly run through the zoning
[02:02:09] options for that particular land and we agree with the recommendation from
[02:02:15] Irene Inc. There's multiple opportunities with those and I think they're
[02:02:20] particularly challenging given their isolated nature so we kind of
[02:02:24] have to look at what's happening on the site but also surrounding it.
[02:02:29] So we haven't formed a view yet on how we're going to manage the hearings
[02:02:33] but it's likely that we'll have them on locality basis so we'll end up
[02:02:38] having a hearing in this snug area and we can come and talk to those.
[02:02:42] There may or may not be submissions from those particular landowners so there
[02:02:47] needs to be a mechanism for us to have that discussion somehow, whether
[02:02:52] that's assisted by representations or submissions or whether it's in
[02:02:58] isolation to that. Do you think that you'll be able to come to each one of
[02:03:03] those sessions with at least a preliminary view as to what the
[02:03:07] council's position ought to be? Yes. Okay, thank you.
[02:03:12] Just a quick one on Old Station Road. You flagged that it was

[02:03:18] slated to be part of the PPZ and the recommendation here is for it to
[02:03:22] transition to the rural living zone, you know, partly because it's what you're
[02:03:27] saying similar characteristics of the land around it. I guess the
[02:03:32] question is you're saying that the other provisions of the scheme there
[02:03:37] can do the work in relation to any identified landscape values. Yes, correct.
[02:03:41] And I guess this area is probably one from my perspective that would be
[02:03:48] valuable to consider in any future kind of rural living strategy that council
[02:03:54] was going to consider but I guess the similarities between the land
[02:03:59] inside and the land outside for not making a significant policy change I
[02:04:05] guess lend itself I think in this process to retain it or to moving
[02:04:10] forward to a rural zone as an exercise of this process but I guess
[02:04:17] acknowledge that that probably the broader area is something that council
[02:04:22] may want to consider in terms of rural living in the future and its
[02:04:30] appropriateness in that area. Thanks. Thank you. Next locality. Okay, so this
[02:04:41] locality is Kettering East and Oyster Cove so for the purposes I guess of
[02:04:49] this area we have broken up Kettering into I guess the small eastern portion
[02:04:56] and then I guess the next one that will go through is Kettering West which is
[02:05:00] I guess that land further to the west and I guess has kind of a
[02:05:05] slightly different kind of characteristic to it I guess which is
[02:05:08] is why we've decided to had decided to put Kettering East and Oyster Cove
[02:05:12] into the same because I guess some of the the lands considerations are quite
[02:05:17] similar so in this locality we have a significant identity in terms of
[02:05:27] settlement pattern we have like I said clear existing residential segment
[02:05:31] pattern with what's generally ranging from two to five hectares it's the
[02:05:37] kind of developments dispersed with low density generous lot sizes and I
[02:05:43] guess the dwellings are generally although it's kind of mixed in terms of
[02:05:47] the extent of locality are generally set within some native vegetation well
[02:05:54] I guess in recognizing there are definitely some parcels which are
[02:05:57] relatively clear of any vegetation in this area lots in the southern part
[02:06:04] of Kettering Point generally range also from two to five hectares and
[02:06:08] contain dwellings with large kind of vegetated land parcels and I guess
[02:06:18] recognizing then the Ferry Road component which has a low density res
[02:06:24] and conservation zone that is actually probably a typo there so in terms of
[02:06:32] sorry I've just picked up a small I think it's an editing issue in terms
[02:06:37] of the existing settlement pattern for that that part that I don't think
[02:06:42] changes the the overall consideration of the settlement pattern so then I guess
[02:06:50] in moving to the zoning for this area the existing interim planning scheme
[02:07:01] provides for the land I guess that we're talking about to be included
[02:07:05] within the environmental living zone and under the proposed exhibited scheme this
[02:07:16] has largely remained the same in terms or not the same sorry that is
[02:07:25] incorrect it has seen the environmental living zone transition to the
[02:07:29] landscape conservation zone predominantly and I guess these are
[02:07:35] also two areas that were entirely included with well I think entirely
[02:07:39] included but definitely for the most part included within the proposed PPZ
[02:07:43] by as part of council's response to exhibition yeah so I guess yet those
[02:07:51] areas again are ones that require a determination in terms of a recommended
[02:07:56] alternative approach to zones for overlay mapping again we're kind of
[02:08:02] looking at a place that has significant or not significant it has overlays which
[02:08:10] affect the the operation of how things could be developed in this land and

[02:08:17] would need to be considered in terms of waterway coastal protection there
[02:08:21] is some scenic protection area believe potentially yes right through
[02:08:26] the middle bushfire landscape landslip and priority veg also make up controls
[02:08:35] that would apply to to this land in terms of the hill shade mapping that
[02:08:41] kind of shows I guess the topography in terms of the slight elevation or an
[02:08:46] elevated kind of small ridge line that exists kind of through that
[02:08:49] oyster Cove Peninsula and for this area there was also kind of significant
[02:08:59] representations in terms of numbers that all for the for the most part
[02:09:06] opposed the application of the landscape conservation zone in this
[02:09:09] area in working through this locality it was one where there was definitely
[02:09:16] residential uses and I guess strategic intention for residential uses noted
[02:09:24] there I guess our landscape values present within the locality and this
[02:09:33] then became an exercise of looking at the land oh sorry the land is also
[02:09:40] identified and having rural living settlement characteristics given the
[02:09:47] existing kind of lot pattern and the types of of uses and activities that we
[02:09:52] could see were occurring throughout the locality that was kind of
[02:09:57] substantiated with evidence in terms of aerial mapping and photography in
[02:10:03] terms of the landscape values they obviously when obviously they are
[02:10:07] present within that locality however I guess in considering the decision point
[02:10:14] six which is that appropriate management of landscape values there was
[02:10:19] consideration of how each of the other mechanisms including the rural
[02:10:23] living zone would alter the presence of the landscape values and again
[02:10:31] while some risks are identified the recommendation for this area
[02:10:36] predominantly ended up providing for the environmental living zone to be
[02:10:44] recommended to transition to the rural living zone to a zone to a
[02:10:48] classification that doesn't provide for its subdivision this is I guess
[02:10:53] with the exception of the larger parcel at lot one old station road and five
[02:11:00] three four old station road which does not have those rural living
[02:11:04] attributes and considering the resulting zone pattern this parcel is
[02:11:10] recommended for transition to the rural zone to avoid fragmentation sorry can
[02:11:17] I just check with stairs I'll be okay for sound okay questions yeah
[02:11:27] questions panel no just don't want to labor it too much but I guess one
[02:11:36] one question that will have down the track possibly is you know this was an
[02:11:42] area the council put a lot of emphasis on in the development of the people
[02:11:47] Zed and certainly concern as we move through the post-lodgeman conference
[02:11:51] sort of period of it as being visually sensitive and worthy of
[02:11:55] protection and so I guess I'm just thinking about how this differs from
[02:12:01] places like the tinderbox scenario we were talking about before up for
[02:12:10] discussion thank you shit just a comment rather than a question no
[02:12:14] question next locality all right
[02:12:25] Kettering West so we just move slightly to the West before this locality we
[02:12:37] identified an existing settlement pattern that was provided for
[02:12:45] predominantly I guess a vegetated area with evidence of residential uses and
[02:12:50] associated with some associated clearing I guess tied to those those visible
[02:12:57] residential uses along with Woodbridge Road Hill Road Woodbridge Hill Road
[02:13:01] sorry added an extra road and rural activities kind of including some
[02:13:05] grazing and horticulture evident most of the properties that we looked
[02:13:11] over had evident residential kind of single dwellings with larger out
[02:13:14] buildings that occupied cleared portions of sites with the dwellings

[02:13:21] being kind of located mostly in proximity to the road frontages with
[02:13:24] the balance of properties remaining quite heavily vegetated I guess as
[02:13:28] kind of general views about the locality small lots in the locality
[02:13:35] had existing residential activities that kind of ranging from two to four
[02:13:41] hectare lots and were mostly arranged along the Ridgeline Road with land
[02:13:47] sloping kind of down both sides of the vegetated Creek corridors evidence
[02:13:54] of some rural production was also identified to the West so in this
[02:14:01] locality if we go to the scheme mapping we can kind of see that
[02:14:10] this area oh this is the extent of area which was and is currently included
[02:14:16] within the environmental living zone and I guess you can kind of see from
[02:14:21] from this map that I guess it does adjoin rural resources land kind of for
[02:14:33] the most part but I guess it is kind of in that eastern centralized area
[02:14:38] kind of adjoining some existing rural living zone land this area in terms of
[02:14:47] the locality had a portion of the locality which was identified as having
[02:14:53] a ppz or proposed to have a ppz by council post exhibition
[02:15:00] which was along Grim Bridges Road in terms of the extent of the PPZ so it
[02:15:07] didn't apply to the whole locality but I guess it was a portion of that. In terms
[02:15:15] of the overlay mapping, scenic protection area, waterway protection area,
[02:15:23] priority vegetation, bushfire, landslip, all kind of relatively frequent
[02:15:31] throughout the locality and I guess the waterway ones kind of just depending on
[02:15:35] where those creeks and kind of and waterways kind of are flowing
[02:15:43] through the locality. You can see I guess evidently in the hillside
[02:15:51] mapping that there is significant kind of elevations throughout this
[02:15:58] portion of the landscape and that I guess the existing environmental living
[02:16:05] zone land kind of makes up the more elevated parts of this area more broadly.
[02:16:11] This area also had I guess significant or a number of representations which
[02:16:24] largely objected to the landscape conservation zone and highlighted I guess
[02:16:31] uses that kind of were occurring within within the area. In terms of the
[02:16:44] overarching I guess recommendations for this area we, I don't know if it's easier to work through the decision
tree, I'll go to the
[02:16:57] recommendations and then come back to the decision tree as it's relevant but
[02:17:01] in terms of the consideration of land within this locality we ended up with
[02:17:08] I guess a few changes noting that in the exhibited version, actually
[02:17:17] did we show the exhibited version? Sorry I might have skipped over it. So
[02:17:20] there were I guess in this locality some parcels where
[02:17:25] Council had already kind of proposed I think to include land within the rural
[02:17:32] living zone. So I guess for the purpose of the recommendations those
[02:17:38] parcels that had already been proposed to be rural living were kind
[02:17:41] of continued to be supported within the rural living zone based on I
[02:17:46] guess consideration of the framework. So the portion of the locality that
[02:17:53] was identified in blue which I guess is that more western side of the edge of
[02:17:58] the locality is recommended to transition to the, it's recommended to
[02:18:06] transition the environmental living zone and rural resources zone because I
[02:18:09] guess that is across both, to the rural zone. The eastern portion
[02:18:15] recognizes an area that has an existing rural activities and residents
[02:18:18] on large blocks with significant bushland attributes however I guess these large
[02:18:25] lot sizes and mix of activities they don't have characteristics of what
[02:18:30] would be considered as a rural living settlement but would align with what
[02:18:34] could be considered in the rural zone and would I guess align in my view with

[02:18:38] the guidelines, the zone guidelines and I guess acknowledging that there are
[02:18:47] some areas within there that are kind of subject to or have significant
[02:18:52] bushland areas however I guess it's the view that the provisions of the
[02:18:59] planning scheme would protect, would do some work to appropriately manage
[02:19:05] those existing, that existing vegetation which contributes to the
[02:19:13] overall landscape values and I guess recognizing particularly in this one
[02:19:20] that there is kind of a conservation covenant over a fair portion of one of
[02:19:24] the larger properties which becomes I guess part of that acceptability of the
[02:19:31] rural zone however I don't think is necessarily the determining factor. In
[02:19:37] this locality there was a portion of land that was identified in yellow
[02:19:41] which is kind of made up of some of the larger lots that exist within the
[02:19:46] locality and probably the more elevated and I guess highly vegetated
[02:19:56] portions of the site of the locality. These yellow areas were recommended to
[02:20:03] transition from the environmental living zone to the landscape
[02:20:05] conservation zone with the resulting zone application providing for these
[02:20:10] areas I guess which are also on kind of significantly larger lots than some of
[02:20:15] the areas surrounding and they're made up of kind of that expansive allotment
[02:20:22] with native bushland where the bushland, the built form definitely
[02:20:27] remains secondary to the natural landscape so I guess in those yellow
[02:20:37] areas the integration of residential uses within the natural setting was
[02:20:42] considered to reinforce the area scenic qualities and bushland backdrop to the
[02:20:46] lower coastline channel areas and I guess part of the decision tree
[02:20:52] component of retaining of transitioning those areas to the landscape
[02:20:58] conservation zone was that due to the size of many of those parcels the
[02:21:04] rural living zone would potentially result in further intensification of
[02:21:08] or could result in further intensification of use and activities
[02:21:12] which would undermine I guess the presence of the landscape values and
[02:21:16] wouldn't align necessarily with a rural living component or a rural living
[02:21:21] zoning and then other than those I guess to I guess identified kind of
[02:21:30] areas being the yellow and blue the balance of the locality was
[02:21:34] recommended to transition from environmental living to rural living
[02:21:40] zone recognising I guess that there are still quite significant landscape
[02:21:47] values that exist within some of those parcels of land however I guess
[02:21:52] in working through the methodology and the evaluation there is obviously
[02:21:57] still some risk but there is potentially I guess or there is a view
[02:22:01] that those landscape values could be appropriately managed by the mechanisms
[02:22:05] of the scheme give including I guess the priority veg and the scenic
[02:22:10] protection area in this area and it's I guess it's also reflective of of
[02:22:16] the existing consideration of the existing activities that we can see
[02:22:23] kind of occurring in and throughout the locality questions questions
[02:22:32] panel the other one and looking that area of Grunberg's Road and the one
[02:22:38] immediately to the north it's been treated differently Grunberg's Road is
[02:22:43] high more highly elevated and more visually prominent it's an unusual
[02:22:50] development in that it goes against normal skyline kind of preservations
[02:22:55] in that that's where you stick with your houses right at the top yet there
[02:23:00] is a fairly defined ribbon of housing in there with with vegetation it's on
[02:23:05] the lower lower slopes was there any consideration to either split zone that
[02:23:10] section and and or if not how come how come we've treated the vegetation
[02:23:17] on the lower slopes through Grunberg's Road differently to the area to the

[02:23:21] north the could we flick up the proposed zoning also I guess outside of the
[02:23:34] locality so in answering this question I guess in looking particularly I guess
[02:23:46] the land that was proposed to be included in the Grunberg's Road ppz
[02:23:50] we looked at the existing lot size of of those properties particularly in
[02:23:56] considering split zoning which if we were to kind of look at applying a rural
[02:24:04] living zone to only part of that land would result in I guess what would
[02:24:11] effectively be kind of a ribbon of landscape conservation zone to the
[02:24:15] south I guess along that kind of lower portion which given I guess the
[02:24:24] the size of the land that would be kind of provided for in the landscape
[02:24:31] conservation zone and I guess the neighboring rural zone which kind of has
[02:24:38] similar attributes I guess that we determined that the landscape
[02:24:43] conservation zone in that portion would not be appropriate given it would
[02:24:49] kind of have a fragmented and kind of quite slim slim amount of land
[02:24:54] and I guess had tried to avoid throughout this process providing for
[02:25:00] kind of smaller kind of piecemeal sections of landscape conservation in
[02:25:04] terms of that hillside that faces south are the landscape values and
[02:25:09] vegetation not significant enough in their own right or are they
[02:25:15] compromised by the fact they got houses on the top I guess in
[02:25:20] looking at those parcels and the existing development that I guess is
[02:25:25] there for the most part they are kind of properties that are developed I
[02:25:31] think maybe there's one or two that don't have existing houses on them
[02:25:34] but you can kind of see where potentially some clearing has occurred
[02:25:38] for for a house to to be in place I don't think that's necessarily that
[02:25:43] the significance of the landscape values is is not significant but in
[02:25:53] undertaking the evaluation using the framework this land I guess does have
[02:26:01] the characteristics of what could be considered as a rural settlement and
[02:26:05] by that consideration it then required consideration of whether or not the the
[02:26:13] rural zone could the rural living zone could apply and if so would the I guess
[02:26:19] there the landscape values be appropriately managed in that area and I
[02:26:26] guess working through the existing development that's there the controls
[02:26:30] that would apply including I guess the scenic protection area code prior
[02:26:34] to vegetation code and I guess recognizing that there are kind of
[02:26:41] indications of some kind of more rural activities kind of occurring there
[02:26:46] already I guess lent towards consideration of the rural living zone
[02:26:53] as being appropriate and I guess then further to the consideration of if if
[02:26:58] you were to to look at split zoning this land it would result in
[02:27:02] fragmentation which is not considered appropriate for the I guess
[02:27:06] the purposes of this review thanks for that answer it's I was probably more
[02:27:11] concerned not about the application of the landscape sorry the rural living
[02:27:16] zone in that location but why the rural living zone wasn't applied or broadly
[02:27:22] further north I'm looking at it I'm looking at an image now which is
[02:27:26] actually from Google Earth and it just shows on an angle and the the
[02:27:31] vegetation and hillsides look very very similar from Groombridge Road to the
[02:27:37] one to the area to the north with the exception of that spline oil housing
[02:27:42] and I was just trying to work out how your decision framework can comfortably
[02:27:49] delineate the difference between those two areas I guess the the larger lot
[02:27:54] sizes that were not kind of consistent with the balance of I guess
[02:27:58] the rural living area surrounding I guess that area also had the potential
[02:28:04] for for further subdivision to occur and it also individually those parcels

[02:28:14] contributed to I guess similar similar land uses that looked to be different
[02:28:26] to what was I guess identified in some of those smaller parcels along Groom
[02:28:31] Bridges Road. So if rural living day for instance had been applied to that
[02:28:35] area there's only one lot could be generated from that whole whole space
[02:28:41] and even that's potentially it's not given but like this to 20 hectare lot
[02:28:48] could be subdivided nothing else could be. Yes and I guess that's kind
[02:28:55] of one element I guess then looking at the difference of whether or not
[02:28:59] that land fits the rural living characteristics and is similar to I
[02:29:06] guess the land surrounding that is included within the rural zone the
[02:29:09] rural living zone also kind of formed part of that determination. Okay
[02:29:20] so you're comfortable the decision framework that we work through gives
[02:29:25] an appropriate delineation between those two sites? Yes for that and I
[02:29:30] guess also for the for the area that is proposed to be landscape
[02:29:35] conservation zone to the further to the west as well. Yeah sure. Just one
[02:29:41] follow-up question so you're comfortable on Groom Bridges again
[02:29:45] noting that it was an area that council was pretty concerned about in
[02:29:49] the working up of the PPZ concept you're comfortable that the scheme can
[02:29:57] protect the landscape values on the lowest low
[02:30:00] within the overarching framework of the rural living zone?
[02:30:04] I have in this report highlighted that I think that there are risks for Council in the ability
[02:30:09] of the scheme to do that, but that those risks are not outweighed by I guess things
[02:30:18] that they can look at in the future to try and mitigate those risks. So I guess in
[02:30:22] making a determination at this point in transitioning the scheme, rural living zone
[02:30:27] from my perspective is not the most comfortable fit, but based on the
[02:30:30] framework it is the most appropriate zone.
[02:30:33] What do you think the risks are? I'm not necessarily disagreeing with you, I'm just
[02:30:36] interested in what you think the risks are for the lower slopes of Broome Bridges Road
[02:30:40] in terms of possible degradation of landscape values.
[02:30:44] I think in the potential kind of removal of additional vegetation, but
[02:30:48] again that risk comes with a process that would need to be gone
[02:30:53] through in terms of applications and approvals in order for that to occur, but
[02:30:58] I guess it's kind of factoring in that that risk doesn't exist now and
[02:31:02] wouldn't exist in the landscape conservation zone, as opposed to within
[02:31:06] the rural living zone.
[02:31:08] I'm just trying to understand what you're saying.
[02:31:10] I was just going to say, in your scale it would be a medium risk, wouldn't it?
[02:31:14] So setting that aside, if you're saying that the risk is associated with the
[02:31:29] removal of vegetation, but that removal of vegetation is going to be subject
[02:31:33] to the provisions of the Natural Assets Code presumably, what is the risk?
[02:31:39] Well I guess the risk is different to if it was a, looking probably more
[02:31:45] at kind of uses and other things that are allowed in the landscape, the rural
[02:31:49] living zone, it's a greater risk and I guess it invites more the ability for
[02:31:55] additional things to occur on that site that could, again, would need to be
[02:32:01] assessed in terms of consideration against the rural living zone code, the
[02:32:04] priority veg zone, but I guess some of that risk doesn't exist if you
[02:32:10] were to retain that land within the landscape conservation zone.
[02:32:14] But thinking about that, what are those uses?
[02:32:17] Given that, I mean, are you talking about a change of use from, because a
[02:32:22] lot of those blocks are obviously occupied by residential use at the

[02:32:25] moment, are you talking about a change of use for one of those lots
[02:32:28] potentially to say something like fuel sales and service that was picked up
[02:32:32] by Council?
[02:32:32] Or potentially an intensification of the existing residential use where
[02:32:36] someone wanted to kind of have some visitor accommodation or have an
[02:32:41] additional kind of dwelling on the lot and I guess that kind of creeps
[02:32:46] into the landscape value.
[02:32:48] So I guess while there are mechanisms in the scheme to address it, it's
[02:32:53] a risk that is, I guess, not necessarily as apparent if it was to
[02:33:00] remain in the landscape conservation zone, which I think is some of that
[02:33:02] kind of the thinking in terms of looking at that risk of transitioning
[02:33:09] environmental living zone to one of the other zones and working through,
[02:33:14] I guess, the provisions that will be applicable to this land.
[02:33:18] So there's not no risk, but there's not no risk, I don't think,
[02:33:20] in the whole of the local government area.
[02:33:23] It's just about considering that risk in terms of applying a zone and
[02:33:31] being able to, I guess, appropriately assign a zone.
[02:33:36] Yeah, we're getting into the detail.
[02:33:37] I don't want to labour it for this particular locality, but it has
[02:33:39] wider application, I suppose.
[02:33:40] I mean, what I'm getting at here is that you're talking about,
[02:33:45] you think the risk is associated with things like an additional house.
[02:33:48] Well, I'm not even sure an additional house is provided for
[02:33:51] in that zone.
[02:33:54] Well, outbuildings or the like, I guess, is probably where I was
[02:33:57] kind of thinking.
[02:33:58] But if those are the things that we're concerned about, wouldn't the
[02:34:01] priority, and we're talking about, I'm interested in what the risk
[02:34:04] is to the degradation of the landscape values of a particular area.
[02:34:07] And if we're talking about vegetation removal in an area covered
[02:34:11] by the priority vegetation overlay, that's going to need a
[02:34:14] discretionary application, is it not?
[02:34:16] Yes, it will definitely need a discretionary application.
[02:34:18] But I guess the extent of the development that you can do in
[02:34:21] the rural living zone is a little bit more intensive than you
[02:34:26] could do in the landscape conservation zone.
[02:34:28] So I guess it's recognising that you would still need to go through
[02:34:34] a process, definitely, but that there is kind of a difference
[02:34:37] between the two.
[02:34:39] OK, so it's a risk that potentially could be managed by
[02:34:41] council through the development of those approaches.
[02:34:43] Yes, which is, I guess, why we've recommended that it be
[02:34:45] included within the rural living zone, because that risk
[02:34:51] in some way could be managed.
[02:34:52] Whether it can be kind of fully managed, it's not entirely clear.
[02:34:56] And I think there's probably elements of council's existing
[02:35:02] strategic intentions for environmental living zone land
[02:35:05] that they will need to kind of work through post this process.
[02:35:09] But in terms, I guess, of being able to allocate a zone,

[02:35:12] I think that the rural living zone and the mechanisms of the
[02:35:16] scheme in this area provide for what could be the
[02:35:21] appropriate management of the landscape values.
[02:35:24] As I said before, I'm certainly not disagreeing with you on that.
[02:35:26] I guess I'm wondering more widely how that same approach
[02:35:31] to looking at the risk of landscape values being lost
[02:35:35] in a particular area could be applied to other localities
[02:35:38] that have similar characteristics to the one we've got here.
[02:35:41] Because we'll be wondering, I suppose, in terms of writing up
[02:35:44] the decision somewhere down the track, how we differentiate
[02:35:46] the application of a zone in one locality versus the
[02:35:49] application of a different zone in another locality.
[02:35:51] So it's going to be really important for us to be
[02:35:54] comfortable with that differentiation.
[02:35:59] And I guess where there definitely are elements, I guess,
[02:36:02] well, where there are elements in terms of particularly
[02:36:05] that response to question six, I'm just very happy to
[02:36:08] kind of take on board any additional questions to assist
[02:36:13] your thinking in how we had reached the recommendation
[02:36:16] and I guess the determination in terms of the signing risk.
[02:36:20] Thank you.
[02:36:21] Thanks, Joe.
[02:36:21] That's it.
[02:36:24] OK, Kate, let's move on to Woodbridge.
[02:36:26] OK.
[02:36:50] So in this area, we have looked at, I guess,
[02:36:57] establishing what becomes kind of two areas that make up,
[02:37:04] I guess, the Woodbridge locality.
[02:37:07] This area is evidenced as kind of being predominantly
[02:37:10] vegetated with residential uses kind of concentrated
[02:37:13] along the eastern fringes of the locality,
[02:37:16] along Witton's Road and Woodbridge Hill Road.
[02:37:19] Lots vary in size kind of throughout this locality
[02:37:23] quite extensively, kind of from two hectares up to 80
[02:37:25] hectares.
[02:37:28] We might go to the zone, I think, for this one,
[02:37:35] where I guess the existing interim planning scheme shows
[02:37:40] the extent of the environmental living zone,
[02:37:44] which I guess is kind of on the eastern side
[02:37:52] kind of adjacent to rural resources land
[02:37:55] and I guess is kind of surrounding
[02:37:58] that environmental management zoned land
[02:38:02] kind of at what is the centre of the Woodbridge locality.
[02:38:07] When we go to the proposed exhibited scheme,
[02:38:11] there is kind of, I guess, a transition
[02:38:13] of most of the environmental living zone land
[02:38:17] to the landscape conservation zone,
[02:38:19] with some parcels being identified as transitioning
[02:38:23] to the rural zone.

[02:38:26] So in this area, I guess, there
[02:38:28] was no rural living zone proposed
[02:38:30] by council at exhibition.
[02:38:33] This area also did not have a priority PPZ proposed over it.
[02:38:43] In terms of the overlays, we have, I guess,
[02:38:49] all of your regular overlays are flying here,
[02:38:51] including kind of scenic protection area, waterway,
[02:38:54] coastal protection area, priority veg throughout,
[02:38:59] as well as kind of bushfire prone land and landslip.
[02:39:04] And in terms of that hill shade mapping,
[02:39:09] you get, I guess, a sense of the topography
[02:39:12] that exists within this locality and kind of with kind
[02:39:17] of some ridgelines kind of running through,
[02:39:20] as kind of we talked about previously, I guess,
[02:39:23] just to the north in terms of that Kettering West
[02:39:27] with a kind of a ridgeline transitioning from the west
[02:39:30] to the east.
[02:39:31] And then also down at the bottom of the locality,
[02:39:33] there's a couple of kind of elevated portions
[02:39:38] which kind of provide kind of valleys
[02:39:43] throughout the locality.
[02:39:47] In terms of the landscape values for this locality,
[02:39:54] it was identified as having large areas
[02:39:57] of elevating bushland and natural features
[02:40:00] that are largely retained around existing development.
[02:40:05] This contributes to the landscape value of the locality
[02:40:08] providing continuation of a bushland backdrop
[02:40:12] that I guess includes native vegetation
[02:40:16] and along the hillscape,
[02:40:18] behind the wood bridge settlement,
[02:40:20] contributing to the consistency
[02:40:22] of the heavily vegetated ridgeline
[02:40:23] that extends kind of the whole way down the tunnel.
[02:40:26] So kind of as we talk through these next couple of localities,
[02:40:29] there is kind of a consistent theme of the landscape value
[02:40:33] that is kind of present as you move down the locality.
[02:40:40] And it's recognised in the localised landscape values
[02:40:43] that the landscape area provides a vegetated fringe
[02:40:45] and extension of the wood bridge hill conservation area.
[02:40:53] So in going through, I guess, the balance of the baselining,
[02:40:58] there were quite a few recommendations and modifications
[02:41:00] which were considered.
[02:41:02] The representations in this area also, for the most part,
[02:41:07] objected to the landscape conservation zone
[02:41:11] with some representation suggesting the rural zone
[02:41:14] would be more appropriate
[02:41:15] and others suggesting a preference for the rural living zone.
[02:41:21] In undertaking this assessment, it was noted, I guess,
[02:41:25] also that there are kind of significant,

[02:41:27] well, some portions of this locality
[02:41:30] which are subject to declared private timber reserves.
[02:41:34] But I guess that kind of is, as we talked about before,
[02:41:37] not necessarily kind of shaping the changing
[02:41:41] or the identification of preferred zoning
[02:41:46] and that an underlying zone is still considered.
[02:41:50] The identification of rural living characteristics
[02:41:58] of this area identified kind of two sections
[02:42:04] where there was evidence
[02:42:08] that rural living settlement characteristics existed
[02:42:12] in terms of lot size.
[02:42:16] However, I guess, in terms of looking at these properties,
[02:42:22] in the context of, sorry,
[02:42:25] I'm just trying to go through this quickly.
[02:42:32] But I guess in looking at these properties
[02:42:34] in the context of where they are
[02:42:36] and the surrounding land,
[02:42:38] they were also considered, I guess,
[02:42:40] to be relatively consistent
[02:42:42] with some of the rural zone land surrounding.
[02:42:49] And same was the case, I guess,
[02:42:51] in that kind of Witton's Road area
[02:42:53] and then also kind of further to the south
[02:42:55] on the southeastern kind of side of the locality
[02:42:59] as well as on the southwestern side of the locality,
[02:43:05] there's an area where council had, in part,
[02:43:08] identified the rural zone as being appropriate
[02:43:12] in the exhibited version of the scheme.
[02:43:19] And I guess in considering this locality,
[02:43:25] it was not considered that the rural zone,
[02:43:29] the rural living zone,
[02:43:32] would kind of be an appropriate zone in this pathway
[02:43:36] given kind of the extent of what was determined
[02:43:39] to be the rural living settlement characteristics.
[02:43:43] So the recommendation for this area was
[02:43:48] for the area that is identified in yellow
[02:43:53] in the overall recommendations report
[02:43:56] to transition to the rural zone,
[02:43:58] so I guess, effectively, everything in there,
[02:44:01] that is in the updated mapping
[02:44:04] as transitioning to the rural zone
[02:44:10] with the balance of land remaining
[02:44:12] to be transitioned to the landscape conservation zone
[02:44:15] as exhibited.
[02:44:24] No, thank you, that's pretty clear.
[02:44:27] Let's move on to Birch's Bay.
[02:44:29] Okay, so this is probably, given that it's kind of just,
[02:45:00] Below the place we were just talking about, kind of similar themes and I guess similar
[02:45:06] thinking in terms of Birch's Bay, in terms of looking at it as a locality for the existing

[02:45:17] settlement pattern, we evidence large rural residential properties on the north eastern
[02:45:27] boundaries of the locality and along Gumpits and Devilins Road, which all ranged from two
[02:45:35] to six hectares effectively, with significant bush land further to the west of this locality.
[02:45:42] In terms of the existing zoning, under the interim scheme, this is kind of the extent
[02:46:00] of land which is currently included within the landscape, within the environmental living
[02:46:08] zone, and I guess is largely to the north and south connected to other land which is
[02:46:16] in the environmental living zone currently, and then also rural resources either side.
[02:46:23] In the proposed and exhibited version of the scheme, there has been some alterations
[02:46:31] by council in terms of proposing some of that eastern side of the locality to transition
[02:46:38] to the rural zone in place of, I guess not in place of, but instead of transitioning
[02:46:46] to the landscape conservation zone, which the balance of the locality is proposed
[02:46:51] as exhibited, I guess, to transition. In terms of overlays in this area, they're
[02:46:59] very similar, I guess, in terms of extent and impact to that which we just saw in the
[02:47:04] previous locality, and I guess this area kind of is affected by the scenic protection
[02:47:09] area, waterway coastal protection area, priority veg, and bushfire and landslip to
[02:47:18] a certain extent. In this locality, the hill shade mapping kind of shows the
[02:47:30] and also Simon's cool modelling shows some of the elevated portions of the northern
[02:47:37] part of this locality, and I guess the valley ridge line is very prominent in that northern
[02:47:45] portion. There is a significant portion of this locality to the west which is
[02:47:53] identified as being within a private timber reserve, and as with all of the other ones
[02:48:01] that we've looked at so far, there aren't necessarily adjoining council area issues.
[02:48:09] This locality, we had only identified two submissions that related to the landscape
[02:48:15] conservation zone, both of which, I guess, objected to the fact that the landscape
[02:48:23] conservation zone and one looked to the rural living zone and the other looked to rural
[02:48:28] zone as more appropriate zonings. The evaluation, I guess, consideration of this locality
[02:48:40] I'll again probably just talk to you in terms of the recommendations. So in terms
[02:48:47] of considering the evaluation framework, the exhibited zones, extents of landscape conservation
[02:49:02] would largely align or do largely align with the evaluation framework and the resulting
[02:49:15] zone pattern, particularly along the western side of the locality which is identified
[02:49:22] as having natural and scenic landscape values with, I guess, a significant portion of elevated
[02:49:29] bushland that connects further to the west. However, which led to a recommendation of
[02:49:37] the transition to the environmental living zone, to the landscape conservation zone for
[02:49:46] that western side of the locality. However, there was in this area, towards the eastern
[02:49:53] side, a significant area identified in yellow and that was recommended that the rural zone
[02:50:01] was a more appropriate zone for this land, recognising existing evidence, I guess, rural
[02:50:12] farming practices, including grazing, which appear to be occurring and I guess the types
[02:50:21] of uses which are occurring being kind of similar in the landscape conservation zone
[02:50:32] having similar attributes to some of the rural zone land which is to the east and kind
[02:50:39] of having a similarity there. And I guess in terms of that application of the rural
[02:50:53] zone, it would also kind of, in terms of that settlement pattern, have alignment
[02:50:59] with the surrounding area and I guess provide for a similar treatment of those landscape
[02:51:06] values as kind of a present, appearing similarly kind of further to the north of this locality
[02:51:20] which is already, I guess, proposed to be included within the rural zone. Questions?
[02:51:27] Sorry, I feel myself running out of steam a little bit. But we can, I've still got
[02:51:31] more in me.
[02:51:33] Just a confirmation on that one. That was the same as what was exhibited, wasn't it?
[02:51:38] I think there might have been an additional parcel that was added, but yeah, largely
[02:51:49] aligned with Council's exhibited... I think that there was one area where Council potentially
[02:51:56] had proposed to, and this is an area that Council had proposed to include in the landscape

[02:52:06] conservation that I think should just be retained, or I don't think, the recommendation
[02:52:10] is that it should be retained in the rural zone as opposed to being carried across
[02:52:15] because I guess that land at the moment is rural resource. So I guess, yeah, no
[02:52:25] doubt about that.
[02:52:26] Okay, okay. Thank you. Let's move on then to Flowerpot.
[02:52:42] So for Flowerpot, we have identified an existing settlement pattern that has a small
[02:52:51] number of residences, including kind of single dwellings with cleared areas surrounding
[02:52:58] and a kind of largely vegetative balance of the site along much of the eastern boundary
[02:53:04] of the locality, particularly along Gallagher's Road and Beatles Road and Rainbirds Road.
[02:53:12] Towards the western side of the locality, we see parcels that are generally larger
[02:53:17] ranging from kind of 20 to 100 hectares with a variety of smaller 1 to 10 hectare
[02:53:24] parcels, mostly located kind of in proximity to Gallagher's, Beatles and Rainbirds Road.
[02:53:32] If we go to the zoning of this area, we see kind of in the interim scheme that I guess
[02:53:45] the extent of environmental living zone land is I guess carried through from that land
[02:53:57] kind of further to the north, and I guess in a broader context kind of that you
[02:54:00] can see I guess bigger than the localities, I guess a general kind of connection of environmental
[02:54:07] living zone land kind of through this portion of the local government area. So this I
[02:54:16] guess becomes part of that land. In the proposed exhibited scheme, the zone proposed
[02:54:24] is predominantly the landscape conservation zone with only kind of some really minor parts
[02:54:37] of the locality being proposed in the exhibited version to be included within the rural zone.
[02:54:45] In terms of there was no PPZ proposed I guess in the extent of this locality,
[02:54:53] and I guess in terms of the overlays we're still looking at a very similar kind of application
[02:54:58] of overlays in this area as to the other, the above-mentioned localities. In terms
[02:55:06] of scenic protection area, priority veg, bushfire, waterway and coastal protection
[02:55:13] and landscape. So then for the hill shade mapping you can also get I guess an appreciation
[02:55:34] of the topography in terms of elevations which are present within this locality. There
[02:55:42] were again a couple of representations that were identified as objecting to the landscape
[02:55:53] conservation zone with preference for the rural living zone identified in at least one
[02:55:59] of them. In getting to consideration of this locality through the evaluation pathway
[02:56:06] there was I guess evidence of intention for residential uses to occur. There is I guess
[02:56:19] identification of landscape values. In terms of looking at this locality it was determined
[02:56:30] that there was not a consistent pattern of subdivision or sufficient visual evidence
[02:56:34] to demonstrate characteristics that would be consistent with a rural living settlement
[02:56:39] in this area. Noting that the majority of parcels are all kind of greater than 15
[02:56:43] hectares for what we were kind of looking into which I guess meant that the rural living
[02:56:50] zone probably is not the most appropriate zone to be looking at in this area. However
[02:56:57] in working through the balance of the decision tree and I guess getting to the recommendations
[02:57:05] the majority of land that's within this locality does have significant natural and
[02:57:09] scenic landscape values and is recommended to also I guess as per exhibited version
[02:57:15] of the scheme transition from the environmental living zone to the landscape conservation
[02:57:19] zone. This is with the exception of a number of properties that are identified in
[02:57:24] the report which were properties which were identified as having characteristics
[02:57:28] that were probably better aligned to the rural zone based on types of activities that
[02:57:34] we could see occurring. And again there's a cluster I guess in the central eastern side
[02:57:42] and then one property down at the southern portion as well. Which is I guess in part
[02:57:48] so I guess in terms of this is probably maybe one of the first times where we're
[02:57:52] getting to these but will come up more frequently throughout today where we have
[02:57:58] identified properties that some of them are only in part so I guess recommending
[02:58:03] a split zoning in some instances as being appropriate.

[02:58:07] That was going to be my question.

[02:58:12] Yeah.

[02:58:14] You alright?

[02:58:16] Good, nothing.

[02:58:18] Alright, I think you've earned a break.

[02:58:20] So we're going to take a lunch break now and return, we're going to return a bit earlier today at 1.45

[02:58:28] because we do want to get through the presentation today.

[02:58:31] So on that basis we'll take a break till 1.45.

[02:58:37] Thank you.

[03:46:09] We might resume the afternoon session. Just from the point of view of today, we are going to go

[03:46:16] through today until you finish your presentation, Kate. We've got some logistical issues in terms

[03:46:23] of venues and we've also got some delegate availability issues as well over the next few

[03:46:29] days. So I think it's important we try and finish your presentation today. But hopefully

[03:46:35] for the point of view of people listening in and the members of the public, hopefully we don't go

[03:46:39] much later than five. So trying to organise your days. But we are in your hands, Kate.

[03:46:49] And we're about to start Middleton. So let's have a chat about Middleton.

[03:46:58] This is our second last locality in the Channel region. So Middleton in terms of

[03:47:09] existing settlement pattern. We identified no established consistent residential settlement

[03:47:17] pattern. We scattered residential and rural activities identified across the locality but

[03:47:22] that the majority of the locality was quite heavily vegetated and absent of those

[03:47:28] activities. Portions of rural activities that were identified within the locality

[03:47:37] included grazing but they were largely along the eastern side of the locality.

[03:47:45] Predominantly larger parcels were identified being greater than 10 hectares and the northern

[03:47:52] portion included some parcels which were smaller ranging from one to 10 hectares.

[03:47:57] And the southern portion also had some smaller properties identified as well.

[03:48:01] In terms of the zoning for this

[03:48:08] locality, the extent of existing environmental living zone land is a similar

[03:48:21] extension of what we had seen previously in the earlier

[03:48:30] localities in that this kind of tract of environmental living zone land kind of

[03:48:36] travels down the full extent of the Channel. So in terms of the transition to what was proposed

[03:48:48] and I guess exhibited by council in the scheme, you'll see that this remains pretty much

[03:48:55] very similar to what was, sorry it doesn't remain similar. It translates the environmental

[03:49:03] living zone predominantly to the landscape conservation zone with some changes along the

[03:49:10] eastern side particularly south where some properties are transitioned to the rural zone

[03:49:15] in the version exhibited. This area does not again have any areas that were proposed to be

[03:49:21] included within the PPZ by council and it is subject to overlays I guess in a similar capacity

[03:49:29] in terms of the way the locality is affected by the waterway protection, overlay,

[03:49:37] elevated areas kind of a caption in the scenic protection area,

[03:49:41] priority actually the whole locality up in looking at that and then the priority veg

[03:49:48] again covers pretty much the whole locality does cover the whole locality and then bushfire

[03:49:53] and landslip hazard are also kind of overlays that are relevant to parts of this locality.

[03:50:02] In terms of the hillshade mapping and also it's called modelling you can see that I guess

[03:50:10] this portion of the broader area does represent kind of an elevated

[03:50:18] area that has kind of a hill or I guess mountainous type area and then kind of a

[03:50:24] number of ridge lines that kind of transition into kind of lower valley area.

[03:50:32] This locality is identified as having a significant portion of land included within

[03:50:39] private timber reserve so I guess that's just kind of a flag and it has kind of one tiny

[03:50:45] little corner that is also adjoining human valley so I guess there wasn't a huge consideration

[03:50:53] in terms of immediately zoning but it's starting to kind of become a little bit more

[03:50:57] relevant here and I guess was relevant in terms of this locality. There were a number of
[03:51:04] submissions of representation sorry not submissions made throughout the exhibition of the scheme
[03:51:11] that related to the landscape conservation zone in that most of I guess the
[03:51:19] the submissions that were identified opposed the landscape conservation zone with a mixture
[03:51:25] of rural living zone and rural zone being the preferred alternatives identified in the submissions.
[03:51:32] For this one in terms of I guess going through the recommendations and then touching back to the
[03:51:44] decision points as they're kind of relevant the majority of this
[03:51:51] locality is identified as having significant natural and scenic landscape values and I guess
[03:52:00] as part of the evaluation framework it is appropriate to transition most of the land
[03:52:06] that is identified as the environmental living zone land to the landscape conservation zone.
[03:52:12] That's with the exception of properties which are identified in the report
[03:52:17] with a yellow boundary where those properties have been considered and are
[03:52:23] aligned better towards zoning within I guess the rural zone so transition from environmental
[03:52:34] living to rural zone and that I guess is predominantly parcels which are along that
[03:52:41] kind of eastern side of the locality. In terms of the properties that are identified
[03:52:46] it is noted that there are a number of those that are only intended to apply to a portion
[03:52:51] and would result in split zoning in some instances. Gordon? Gordon, okay.
[03:53:08] So Gordon is our last locality in the Channel Region and is also the southern most bit of
[03:53:16] the Channel Region so we've reached I guess the bottom of what we had been looking at
[03:53:21] before in terms of that I guess landscape which kind of transitions quite nicely through
[03:53:32] the central part of I guess the region. For Gordon it was kind of I guess in terms of the
[03:53:40] locality it's identified as having kind of a mixed settlement pattern which I guess reflects
[03:53:46] historic kind of shack type shack village patterns in terms of like holiday houses and
[03:53:55] whatnot to have and I guess has a broader low-key rural character that's set against
[03:54:03] the Channel. Predominantly the existing environmental living zone land is heavily vegetated
[03:54:11] and provides environmental connections to some of the landscape conservation or some of the
[03:54:20] conservation areas which are within this area and I guess adjoin the existing environmental
[03:54:26] living zone land. Some of the lots in this locality are identified as having existing
[03:54:33] residential uses which for the most part in the larger lots appears scattered throughout
[03:54:38] the locality however there are kind of a number of larger holdings in this locality that
[03:54:43] don't have an exist and identified existing residential use. There is along I guess the
[03:54:51] the Channel Highway a more regularised settlement pattern where there are kind of a strip of
[03:54:57] properties that have a significantly smaller lot size than other parts of the locality
[03:55:01] down to kind of 0.2 of a hectare and have kind of existing residential uses occurring
[03:55:08] and then to the west and to the east of this area there are kind of a number of other kind
[03:55:14] of smaller lots of kind of two to five hectares that are identified. So if we move to the zoning
[03:55:25] you'll see that the existing extent of environmental living zone is kind of
[03:55:30] surrounds the, not only I guess adjoins the channel, but surrounds existing kind of
[03:55:38] environmental management zone land which represents kind of conservation areas and I guess the
[03:55:46] environmental living zone kind of provides a connection effectively to those two EMZ areas.
[03:55:54] As they currently stand in the proposed scheme
[03:56:03] that was exhibited the zoning remains very similar in term or not similar I keep doing that
[03:56:10] sorry the zoning remains the zoning has transitioned the environmental living zone
[03:56:16] to the landscape conservation zone predominantly with kind of a little change.
[03:56:25] Except for the low density residential zoned area which picks up I guess those small lots
[03:56:39] that have for the most part an existing kind of residential function identified.
[03:56:57] The area that is within the locality in terms of the overlays there's the
[03:57:08] waterway and coastal protection area code area that becomes applicable,
[03:57:13] coastal erosion, coastal inundation, bushfire prone areas, landslip, scenic protection and

[03:57:27] as per most of this area priority veg is also mapped for most of if not all of the locality.
[03:57:47] In terms of localised landscape values for this area this locality I guess is identified
[03:57:57] as adjoining Mount Royal Conservation and Bacon's Creek Conservation Area which I guess
[03:58:01] the two conservation areas that I spoke about before and I guess the extent of the locality
[03:58:09] is kind of viewed as providing a continuous bushland connection between these and the
[03:58:15] surrounding I guess conservation areas. The locality is characterised by significant landscape
[03:58:21] values derived from its deep topography elevated position and extensive bushland coverage
[03:58:26] and despite the presence of some existing dwellings these are largely kind of concentrated along the
[03:58:32] coastline fringe the landscape values remain visually dominant and are integral I guess to
[03:58:37] the broader character of this area which looks really cool in this modelling kind of I guess
[03:58:55] shows the extent of where those existing landscape environmental living and I guess
[03:59:02] proposed landscape conservation areas interact with those conservation areas
[03:59:10] in the extent of the locality. So for the purposes I guess of moving forward with this
[03:59:22] one the recommendations after considering the locality baselining information against the
[03:59:29] evaluation pathway and the resulting zone patterns led to recommendations where the
[03:59:37] majority of land within this locality would remain it would be considered suitable for
[03:59:44] transition from the environmental living zone to the landscape conservation zone
[03:59:49] with the exception of I guess the number of properties that are identified in the recommendations
[03:59:53] being one of which is a portion of crown
[04:00:00] land that was identified as transitioning to the, I think that's supposed to be to
[04:00:16] the EMZ, which is probably an typo in that bit, for that first dot point.
[04:00:25] For the next dot point, I think which we can address because I guess that in terms
[04:00:30] of the first dot point is intended just to flag that there's a piece of land that
[04:00:34] I think from memory probably is better suited to the environmental management
[04:00:40] zone because of the land tenure and I guess in line with the guidance.
[04:00:45] For the second dot point, and I guess the red portion which is the small lots
[04:00:51] with existing housing, those I guess in terms of the recommendations align with
[04:00:58] what council had determined as appropriate in terms of the land, the
[04:01:01] low-density residential zone. The evaluation framework kind of got to the
[04:01:06] same conclusion, so that is also I guess a recommendation. And then there was an
[04:01:11] additional area that was identified in green in the recommendations, which is
[04:01:18] I guess to the western side of the locality, which is proposed to
[04:01:24] transition in part to the rural zone, acknowledging I guess that that
[04:01:30] piece of land is kind of different to and more aligned with I guess the rural
[04:01:35] zone that's adjoining outside of the locality. In terms of the
[04:01:46] recommendation for this one, there is I guess some commentary around looking
[04:01:52] at rural living characteristics in that eastern portion, yeah just kind of
[04:02:01] where Simon's marker is, I guess to look at whether or not the rural living
[04:02:07] zone was appropriate. However I guess in terms of running through the
[04:02:13] evaluation pathway in this area, although there are rural living
[04:02:18] settlement characteristics, it's recommended that that land remain
[04:02:21] within the landscape conservation zone because the parcels I guess do not
[04:02:25] clearly demonstrate or consistently demonstrate a settlement pattern that's
[04:02:30] a pattern or development that these areas are identified as having
[04:02:38] significant landscape values that provide for a significant contribution to
[04:02:42] the broader landscape values. So I guess this section particularly
[04:02:48] looked at I guess this broader settlement pattern that results from
[04:02:53] the changing of those properties and I guess the continuation and bordering of
[04:02:59] that environmental living zone land, of the environmental management zone land

[04:03:04] and the connection of that land kind of through to other landscape
[04:03:08] conservation zone land was considered I guess in the recommendation of the
[04:03:15] LCZ being the appropriate zone within this area. In that I guess same line
[04:03:34] of thinking, the recommendations also identified a particular property that
[04:03:38] is in the rural resources zone under the current scheme that Council had
[04:03:42] proposed to transition to the landscape conservation zone and it is
[04:03:46] considered that that property would also align with the outcome of an
[04:03:52] evaluation framework that would see that property transition to the
[04:03:57] landscape conservation zone as well. And I guess that in a broader context
[04:04:02] to the the consideration of the zoning recommendations also considered that
[04:04:09] the zoning of neighbouring land in the Huon and ensuring I guess that there's
[04:04:14] kind of consistency or not not consistency but there's no misalignment
[04:04:19] I guess between the zoning as far as practicable anyway. Questions?
[04:04:34] The recommendations appear very similar to Council's exhibited LPS but from what I can see
[04:04:41] there are some differences around that sort of southwestern corner with rural
[04:04:46] lots. Is it possible or show Simon the difference between what was
[04:04:52] exhibited and what the recommendation is? Although exactly the same.
[04:04:58] I think in the version of this I think that subdivision has kind of
[04:05:02] occurred quite or more recently so previously that was one lot which is
[04:05:06] now three. So I think in this report it might even look like a split zoning but
[04:05:18] I think based on the kind of current...
[04:05:25] Your recommendation shows all of those properties in the red area but I think
[04:05:35] up there it's showing those two lots in the middle are missing.
[04:05:45] It's a frontage. I'm just I'm trying to reconcile the red bit.
[04:06:01] I think that there's possibly those I guess the red area is intending I guess
[04:06:06] to capture those lots specifically. It would not be intending to
[04:06:10] provide a part zoning in terms of my recommendations to that bigger lot
[04:06:14] which I think that those two parcels kind of form the back of that larger lot.
[04:06:20] I think. But happy to...
[04:06:25] Is it two or is it just one?
[04:06:31] It's just the inconsistency between your recommendation or what's in your recommendation plan and what's
on there.
[04:06:58] In terms of the recommendation, I acknowledge that that red area does
[04:07:06] include that parcel however I guess the intention of the recommendation was
[04:07:10] that it would apply to those lots that were aligned with the low density
[04:07:16] residential zone characteristics and I guess application guidelines which
[04:07:21] would probably exclude those parcels I guess as not having traits that are
[04:07:27] or that parcel as not having traits that are consistent with the low density
[04:07:31] residential zone. So I'd be happy to update that recommendation if needed.
[04:07:34] Thank you. Rohan, do you have a question?
[04:07:38] Just clarifying what I think you said the first dot point in your
[04:07:42] recommendation paragraph talking about PID 7308390 which is the
[04:07:49] crown land in Craigers Road. Yes. I think you said that that was a
[04:07:53] typo in your dot point. Is that correct? Oh yeah, I think that that, yeah.
[04:07:57] The dot point says portion of the land identified as that PID is to be
[04:08:01] allocated to the landscape conservation zone. I think you're saying...
[04:08:04] That it should be the environmental management zone, yeah. Thank you.
[04:08:07] So maybe Kate, that recommendation 311 2.2, you might want to just revisit that.
[04:08:13] Could be updated, yeah.

[04:08:16] Alright, so I think we've done the channel. So where do you want to go to next?

[04:08:22] I'll take us right back up to the top. To Taroona?

[04:08:27] Kingston and Kingston Beach first, please.

[04:08:30] Alright. If that's okay?

[04:08:35] That is what? That is a fair way back, isn't it?

[04:08:40] But now we're going on a nice trip west. Yes, true.

[04:08:45] Okay, so we start this region with Kingston and Kingston Beach.

[04:08:52] So this is quite a small locality in the context, I guess, of some of the other

[04:08:57] places that we are looking at throughout this exercise.

[04:09:02] Sorry, I'm just going to move these.

[04:09:09] And I guess this locality is probably different, again, to most of

[04:09:14] the other localities in that it's kind of set within a significantly

[04:09:18] highly urbanised part of the broader local government area.

[04:09:23] The locality itself has included two areas which are connected by the

[04:09:27] Baronía Hill Park. The settlement pattern that's identified is

[04:09:32] predominantly residential uses on large bushland lots ranging between

[04:09:37] one to six hectares. The arrangements of these lots have existing

[04:09:42] residential uses occurring generally with one lot being identified as

[04:09:50] being clear of development. The parcels identified as the City Light Church

[04:09:55] appears to have a collection of buildings, at least seven, on the

[04:10:00] 2.5 hectare parcel. I guess from the desktop analysis it's not

[04:10:05] overly clear what use those actually are for the purposes of this

[04:10:10] review. And I guess the parcels identified as the City Light Church

[04:10:16] appear to have apologies.

[04:10:21] Other than the connecting parklands, the locality is pretty much

[04:10:25] surrounded by residential development, including general and low-density

[04:10:29] residential uses and a portion of community purposes which is

[04:10:34] identified as a church. The area is predominantly vegetated with

[04:10:39] only very limited land cleared immediately surrounding most of the

[04:10:45] residential development buildings and also utilities that exist around

[04:10:51] the locality. In terms of the zoning, if we could go to the

[04:11:01] existing zoning, the existing interim planning scheme has that

[04:11:13] area of land identified as the environmental living zone. Under the

[04:11:19] current and proposed exhibited version of the planning scheme, that land

[04:11:25] predominantly transitions to the landscape conservation zone with an

[04:11:40] additional portion across that east and probably extends a little bit

[04:11:45] further. So the extension, or not extension, but the application of the

[04:12:01] landscape conservation zone is pushed out further into those two properties

[04:12:07] on the eastern side, which is considered. In terms of the overlays

[04:12:14] and other layers that are present here, this area was not within the

[04:12:20] OPPZ and it is kind of subject to priority vegetation, bushfire, scenic

[04:12:26] protection and landslip. For this one, which has not been relevant to

[04:12:32] many of the other ones, but we did also look at the level of

[04:12:42] provision of services in this, for this land, looking at the

[04:12:49] TAS water and water-serviced and then sewer-serviced land to give an

[04:12:55] indication of whether or not there is existing services. That bottom

[04:13:01] portion of the locality sits mostly outside of what is currently

[04:13:07] serviced area. There were some submissions that were considered in

[04:13:15] and I guess looked at as part of the baseline review, most of which

[04:13:21] opposed the landscape conservation zone application and looked for a
[04:13:26] low-density rural living or rural zone application in this area. Oh,
[04:13:34] I'm talking about the landscape values. Sorry. So in terms of the
[04:13:41] landscape values for this area, Baronia Hill is identified as a
[04:13:47] highly prominent natural landform within the urban area of Kingston.
[04:13:52] It's distinguished by its elevated topography and native bushland
[04:13:57] cover and has kind of a visual dominance over the surrounding
[04:14:01] residential neighbourhoods. The hill and adjoining reserve are a
[04:14:08] valuable natural landscape or are a valued natural landscape within a
[04:14:14] developed suburban context and the elevated ridgeline and bushland
[04:14:20] vegetation contribute to the scenic quality of the locality. So in
[04:14:30] terms of considering the evaluation pathway and resulting zone
[04:14:38] application for this area, the recommendations that were put forward
[04:14:48] were for the identified, I guess, the northern parcels of the
[04:14:56] locality which were in the environmental living zone.
[04:15:00] to be transitioned to the low density residential zone as providing zone
[04:15:05] allocation that's not inconsistent with the other surrounding low density
[04:15:09] residential zone land and the balance of the environmental living zone is
[04:15:18] recommended for transition to the landscape conservation zone. This is
[04:15:22] largely on the basis that through the evaluation process and I guess the
[04:15:28] consideration of settlement patterns it's not considered that these properties
[04:15:34] would be well aligned with the rural living zone and the rural living zone
[04:15:39] would not necessarily be appropriate in the urbanized context of this area and
[04:15:44] that based on the evaluation there was no other zones that provided sufficient
[04:15:50] controls that could appropriately manage the existing landscape values and that
[04:15:55] existing cluster of parcels collectively had significant landscape values that
[04:16:01] contributed over 20 hectares of area and then there was kind of a note about
[04:16:11] some of the activities occurring on 150 Redwood Road saying I guess that
[04:16:17] that plot could be retained in the landscape conservation zone but it's
[04:16:21] possible that the community purpose zone may be better reflective of the
[04:16:24] activities occurring but that I guess the landscape conservation zone
[04:16:29] remained appropriate at this time and I guess we'll be subject to further
[04:16:32] consideration of alternative zoning for that land. Questions? Yes, questions
[04:16:40] panel? So just clarifying the so not the three but the remainder of the
[04:16:50] area so I understand the three lots out by themselves the rationale there
[04:16:53] and then you're saying the remainder there's no suitable zone so that
[04:16:58] includes the low density residential zone you're saying the lots the
[04:17:01] parent lots are too large? For that to be a suitable zone in this instance.
[04:17:05] And for the whilst while still protecting the landscape values? And I
[04:17:10] guess that tied with the fact that although there are some smaller parcels
[04:17:15] that could sit within the landscape within the low density residential zone
[04:17:19] their contribution to the landscape values of this area I guess I recognize I
[04:17:26] guess as part of I think should be recognized as part of the landscape
[04:17:30] conservation zone in this context. Thank you. Just maybe one for for
[04:17:34] council if that's okay. The other note about 150 Redwood Road which is
[04:17:40] a multi-title property so the particular PID is that section to
[04:17:45] the north of this. Do you know what the nature of the use is there? It
[04:17:55] appears just to be houses. Good question. I wasn't sure if it was houses or like a some kind of
[04:18:03] like camp or something. Yeah, it's other than a house, yes. Thank you, that's fine.

[04:18:11] This is the first LCZ lot that we've got within the urban growth
[04:18:16] boundary which is kind of not consistent with urban growth strategies. If you turn
[04:18:23] your mind to whether we can have the LCZ within an urban growth boundary given
[04:18:28] the housing density requirements that are anticipated through the rest of it
[04:18:33] and the encouragement to pull land out of the low density residential zone
[04:18:39] where possible and put it into higher order densities and specifically the
[04:18:43] exclusion of rural living. Is there a problem with the urban growth
[04:18:48] boundary in this location or is this a type of zone that we can see within
[04:18:54] that fabric? My reading of it is it's almost a bit of an anomaly so you
[04:19:01] correct if you look at the regional land use strategy it's encouraging
[04:19:05] in full development and you know given the context you would naturally
[04:19:08] tend to say well this is appropriate but once you go and actually have a
[04:19:13] look at the land the constraints of the land and so forth then you might
[04:19:17] recognise okay it might be problematic first of all for general residential
[04:19:20] zone and then a low density zone you can potentially have a look at but I
[04:19:25] think we also need to recognise that if you look at the natural values on
[04:19:32] the side in terms of the overlays even though there is overlay it for
[04:19:38] the low density it won't only be applicable to subdivision so not
[04:19:41] future development so I guess I don't want to speak on behalf of Kate but if
[04:19:46] you look at that I guess Irene Ing's report is highlighting the
[04:19:52] landscape values in that context but if you go to urbanised zone I guess
[04:19:56] in terms of the controls that you would get on that side you're most
[04:19:59] really not going to have controls to actually significantly deal with I
[04:20:05] guess with land within the low density residential zone in saying that this
[04:20:12] could potentially be a project for council or area for council to consider
[04:20:16] in future I guess at this stage we agree with the recommendation of the
[04:20:22] Irene report I guess one of the areas that we most really need to have a
[04:20:27] bit of a discussion is the area that is currently zoned low density
[04:20:31] residential so if you look at in that eastern parcel of land we do have
[04:20:36] representations on those so I guess if you look at the guidelines there the
[04:20:40] guidelines doing a couple of things it kind of recognised that you can apply
[04:20:44] the low density zone to area that's got service constraints but it also
[04:20:48] recognised that you could potentially do a direct translation from low
[04:20:52] density to low density and then the I guess the third point in terms of the
[04:21:00] guidelines and this is where the challenge comes in the guidelines
[04:21:03] specifically LDR Z3 talks about the low density residential zone should not be
[04:21:09] applied for the purpose of protecting areas of important natural or landscape
[04:21:14] values and I guess that's where the challenge is I'm probably going one
[04:21:19] more step higher than that recognising strategic choice here at some point
[04:21:24] council and ultimately the government have recognised this is an area
[04:21:28] that's suitable for urbanized development and SRD 2.4 specifically
[04:21:35] recognises the types of urban form that we can expect to see within the
[04:21:39] urban growth boundary and it identifies examples that are beyond the general
[04:21:44] residential zone and the types of urban surfaces that we expect to see
[04:21:47] and there's no reference to landscape conservation or landscape values
[04:21:53] at all so I guess there's two components within the regional land use
[04:21:57] strategy the very front end we've got three statements that relate to
[04:22:01] preservation of cultural and landscape values and then we've got a whole
[04:22:05] chapter chapter 19 that relates to all the detail we care about in an urban

[04:22:10] environment where it should be hosted and and the limitations that
[04:22:14] should occur there one of the things the Commission has to turn its mind
[04:22:19] to through the LPS criteria is how consistent we are in implementing the
[04:22:24] regional land use strategy and quite frankly we don't have to turn our mind
[04:22:28] to the guidelines the guidelines aren't part of that LPS criteria they
[04:22:32] assist us through I guess the schedule one objectives the orderly and
[04:22:38] proper planning controls but it's not specifically called up whereas the
[04:22:42] regional land use strategy is so what we're going to have to wrestle with
[04:22:45] is competing interests in various statements that are somewhat
[04:22:49] conflicting in there so am I hearing that it's still appropriate within the
[04:22:56] urban growth boundary but the site constraints are such that you just
[04:22:59] can't develop it for anything else that's essentially what it comes down
[04:23:03] to and to assign that zone you would say that the decision to rezone it
[04:23:14] this way would be as far as practically consistent with the
[04:23:18] regional land use strategy yeah I think that the calendar argument is to see if you would apply
[04:23:25] something like the low density to that precinct it creates a certain
[04:23:29] expectation that the land could be developed for that purpose in the
[04:23:33] future and just you know with the exercise we've just gone through with
[04:23:37] the review of the southern Tasmania regional land use strategy it throws up
[04:23:41] figures so one of the the criteria that was considered and as part of that
[04:23:46] review is the I guess land that is zoned residential and whether it's
[04:23:53] underutilized and why it's not being developed and you know if we I guess if
[04:24:00] council would recommend low density residential zone there's going to be
[04:24:03] expectation of that and the realistic expectations that the land cannot be
[04:24:08] developed to what you would expect in the low density residential zone
[04:24:12] they're all privately owned lots it is a unique situation we've got that
[04:24:24] landscape conservation zone in an urban context so it is I don't think
[04:24:29] there's any other land where we've got that maybe there's a little bit of
[04:24:33] inter-run that we've got so it's quite challenging and this is
[04:24:40] potentially where council could look at a different zone in future if there's a
[04:24:44] need to do that but I think that at this point in time we agree with the
[04:24:49] recommendation that you know it was one of the areas where we considered
[04:24:53] the PBZ for instance so it could be something that we revisit in future
[04:24:58] not that it's relevant to this assessment but the draft regional
[04:25:02] land use strategy and the urban growth boundary that's within that has
[04:25:06] it got a hold on it through this area or it's it's covered in I'll have to
[04:25:11] double-check that so I doubt that it would have a hold in it because as
[04:25:18] far as I remember it extended to the periphery of Kingston because what one
[04:25:21] of the key supply and demand requirements for both this strategy and
[04:25:26] the future one is recognising the area of land that's associated with
[04:25:30] within the urban growth boundary and if there's a section of it that's
[04:25:34] effectively sterilised that can't be developed you can't you can't achieve
[04:25:40] the density requirements that are anticipated under the strategy you
[04:25:43] should be able to have poking that out somewhere else which would actually assist some of
[04:25:47] the other representations that we've heard along the way okay I think I've
[04:25:53] got as much as I can out of that yeah thank you all right thank you
[04:25:58] We move on to Avian Heights and Bonnet Hill.
[04:26:07] Okay so for the extent of this locality in terms of existing settlement
[04:26:26] pattern the locality is recognisably kind of for the most part sparsely

[04:26:36] developed I guess particularly kind of and it's dispersed in terms of where
[04:26:43] residential uses are visible generally characterised by lot sizes that are
[04:26:51] large and overall low development density the subdivision pattern
[04:26:58] reflects a semi-rural residential character with dwellings typically
[04:27:06] situated on expansive larger lots ranging from two to five hectares there
[04:27:12] are some larger lots within this locality ranging from ten to twenty
[04:27:15] five hectares and along the southern fringe of the locality there are some
[04:27:23] smaller groupings of properties ranging from point three five to two hectares
[04:27:27] land use identified within the areas consistently residential with detached
[04:27:32] dwellings often set within heavily vegetated lots in terms of the the
[04:27:40] zoning of this locality obviously the majority of the locality itself is made
[04:27:51] up of the existing environmental living zoned land which in looking at the
[04:28:00] proposed exhibited planning scheme remains pretty similar with the
[04:28:09] exception I guess of those parcels identified at the southern portion of
[04:28:13] the locality as transitioning to a low density residential zone so ELZ
[04:28:20] entirely to landscape conservation zone otherwise except for there is kind of
[04:28:32] also a small portion along there could you just look between the existing and
[04:28:36] there so I guess there's also some changes to land along the bottom
[04:28:51] southwestern kind of portion of the site to in transition to the
[04:29:00] landscape conservation zone which we'll get to in terms of looking through the
[04:29:05] evaluation so for this area it is also included as part of the proposed or one
[04:29:15] of the proposed PPZ areas subject to overlays that are relatively consistent
[04:29:29] with other localities that we've looked at in terms of the waterway
[04:29:32] protection area priority vegetation area scenic protection area in parts of the
[04:29:43] locality bushfire and landslip as well the heel shade mapping also in this
[04:29:57] locality I guess shows some of the
[04:30:00] elevated areas that transition I guess through and across the extent of the
[04:30:10] locality. So for this area in terms of the localised landscape values the
[04:30:32] locality is characterised by highly significant landscape values
[04:30:38] arising from elevated ridgelines and hilltops including Albion Heights and
[04:30:42] Bonnet Hill. There's steeply contoured terrain overlooking Taroona Kingston and
[04:30:47] the Derwent Estuary and the area forms a visually prominent landscape within
[04:30:53] the municipality with topography that rises sharply from the coastal edge and
[04:31:03] creates long-distance views to and from the estuary. The combination of
[04:31:07] steep slopes, elevated viewpoints and extensive native vegetation create a
[04:31:12] strong visual connection from Albion Heights and Bonnet Hill to the broader
[04:31:18] Derwent Estuary landscape. These attributes identified as contributing to
[04:31:23] the locality's identity scenic prominence which contributes to the
[04:31:27] natural bushland entrance to Kingborough region contributing to I
[04:31:31] guess what we've called in here an inter-urban break between the urbanised
[04:31:36] part of Hobart and the urbanised part of the Kingston of the urbanised
[04:31:43] Kingston settlement to the south. So I guess it's noted in the landscape
[04:31:53] values that for this place they are defined not only by the visual
[04:31:57] amenity but also the delicate balance between established residential
[04:32:00] uses and the surrounding natural environment where large allotments exist
[04:32:09] set within the native bushland that exists within the locality and dispersed
[04:32:14] settlement pattern where building form remains largely secondary to the
[04:32:18] natural landscape and the interaction of residential uses
[04:32:24] within this largely natural setting reinforces what forms part of the

[04:32:30] scenic qualities and sense of openness of the locality. In going through the
[04:32:41] the baseline information there is also kind of a couple of modifications
[04:32:45] which apply more to other sections of but I guess in close proximity to the
[04:32:53] the locality and I guess there are a number of representations identified
[04:32:58] in this locality as well with the most prominent I guess matter being to
[04:33:06] oppose that there is opposition to the landscape conservation zone which
[04:33:10] was applied in the proposed exhibited scheme. The rural living zone for the
[04:33:18] most part was the zone which was identified as a preferred zone in
[04:33:22] those representations. So in working through the evaluation pathway we get to
[04:33:38] recommendations which explore I guess a visible residential intention identified
[04:33:54] rural living settlement characteristics within this locality the identification
[04:34:05] of I guess landscape values as being very prominent within this locality and
[04:34:10] I guess in that respect a consideration of whether or not landscape
[04:34:16] values that do exist here could be appropriately managed outside of the
[04:34:21] landscape conservation zone. So I guess in terms of getting to the
[04:34:30] recommendations for this particular locality it's generally considered that
[04:34:37] the full extent of the locality should transition from the environmental
[04:34:43] living zone to the rural living zone noting that there are significant
[04:34:48] attributes which align with the rural living settlement and are located
[04:34:51] within proximity to I guess more broadly this area is located in
[04:34:55] proximity to other rural living zone land or between that land and land which
[04:35:00] has a higher residential intensity and considering the landscape values on this
[04:35:07] site it's considered that there are sufficient mechanisms in the
[04:35:10] planning scheme to appropriately manage the landscape values I guess in line
[04:35:18] with the consideration based on question six of the decision tree and I guess it
[04:35:27] also kind of includes that RLZ recommendation on the basis that the
[04:35:32] minimum lot size associated with that zone does not provide for the
[04:35:36] subdivision. The recommendations do specifically note three five sorry not
[04:35:45] three, 757 Channel Highway property as transitioning from the EMZ and the RLZ
[04:35:57] to instead be included within the landscape conservation zone and as a
[04:36:02] consequence of that the broader proposed and as a consequence of the
[04:36:07] broader rural living zone in this locality it's considered as
[04:36:13] consistent that this should also be transitioned to the rural living zone
[04:36:17] to provide for consistent zone application. The transition of the of
[04:36:26] ELZ to the rural living zone is I guess with the exception of the
[04:36:31] properties that are identified as being appropriate as being low density
[04:36:38] residential zone in the exhibited version of the scheme and I guess
[04:36:42] that low density residential zone is considered appropriate going forward and
[04:36:47] then there's an additional parcel at 80 Procter Road which is proposed to
[04:36:53] transition to the landscape conservation zone based on the parcel
[04:36:57] size and that it's not consistent with the rural living
[04:37:02] characteristics of the area and its presence of extensive vegetation on the
[04:37:06] site and it's I guess the relationship with the adjoining environmental
[04:37:13] management zone making the landscape conservation zone an appropriate
[04:37:17] alternate zone for that property. Rohan? Again this is another one of those
[04:37:38] areas that was included in a group of localities that Council was
[04:37:43] particularly concerned about I suppose along with Oyster Cove and other
[04:37:47] places that we've talked about today the Albion Heights area and so just
[04:37:56] clarifying what you've said you're comfortable in applying the rural living

[04:38:00] zone or recommending the rural living zone to be applied to the
[04:38:04] particularly the Albion Heights segment of the of the locality that the
[04:38:09] remain the remaining parts of the scheme or other parts of the scheme
[04:38:12] can protect the values. Can appropriately manage the values yeah and I guess
[04:38:20] that this is still kind of and noted in the report I guess as there is
[04:38:24] still risk and I guess if particularly for this place and I guess places
[04:38:29] like Oyster Cove if if they were to be in the future a council kind of
[04:38:36] reconsideration of proposing something similar to the PPZ this is
[04:38:41] probably one of the places where I imagine that they would want to look at
[04:38:47] but for the purposes of this exercise of transitioning the environmental
[04:38:52] living zone land to a zone that's available in the TPS to council in this
[04:38:58] translation the rural living zone is is probably the most appropriate at
[04:39:03] this time. Just a follow-up question thank you for that and and then
[04:39:06] turning to the coastal part of the of the locality had a fair bit of
[04:39:10] discussion during the hearings to date about the land the landscape qualities
[04:39:16] of that area particularly above the cliffs similarly comfortable there but
[04:39:23] not sure that those that the landscape or that you've identified in the
[04:39:27] the breakdown of the decision-point evaluation that that that part of town
[04:39:31] is is discussed I'm just wondering what whether you have anything to say
[04:39:36] I guess in looking at the the broader settlement pattern of this part it made
[04:39:42] sense that I so I guess in terms of looking at whether or not there were
[04:39:45] portions that should remain in the landscape or not remain but should be
[04:39:50] transitioned to the landscape conservation zone it did potentially look
[04:39:57] like some of those kind of coastal properties could sit within the
[04:40:00] landscape conservation zone however then we got to an issue of
[04:40:05] fragmentation of zoning particularly in terms of the landscape conservation zone
[04:40:09] and I guess in looking at the locality as a whole the controls that would be
[04:40:15] in place there and the extent of development that's already in place we
[04:40:20] were comfortable with the lens with the rural living zone application thank
[04:40:24] you in terms of your scale of risk is it low risk or is it medium that means
[04:40:37] there is some risk yes and I think in terms of the transition from
[04:40:43] environmental living to to rural so I guess given a rural living zone there
[04:40:52] is kind of potentially some some risk in all of them but I guess yet that
[04:40:56] it wasn't a high risk for this area thank you I'm interested in the lots to
[04:41:04] the west the west of Bonnet Hill that are proposed to be zoned low density
[04:41:11] residential the urban growth boundary doesn't exist in that location so I'm
[04:41:17] not sure how you can justify the expansion of a low density residential
[04:41:22] sediment in an area that's excluded from the growth strategies in the
[04:41:28] regional energy strategy and noting that some of these lots will provide
[04:41:33] for up to ten lots that's what we need to give a bit of context there
[04:41:40] so if I'm sorry if you can just turn to the interim planning scheme so
[04:41:48] currently those lots as you can see is environmental living zone and then
[04:41:55] with the initial draft that Council submitted to the Commission back in
[04:41:58] 2020 the whole of Bonnet Hill even the lower parts were proposed to be zoned
[04:42:06] landscape conservation zone so as part of the post Lodgeman discussions with
[04:42:12] the Commission we were exploring the idea of alternative zonings for that
[04:42:19] particular part of this precinct and at that point in time it was
[04:42:24] suggested to explore the opportunity of a SAP for for Bonnet Hill through that
[04:42:32] work we picked up some of those lots but I do understand the implication of

[04:42:38] the Evan Grove boundary in that particular location I guess what the
[04:42:44] SAP is trying to do the SAP is trying to protect some of those
[04:42:47] characteristics that we potentially wanted to protect through the initial
[04:42:53] application of the landscape conservation zone but we also recognise
[04:42:56] the existing subdivision pattern there. I hear what you say and it's most
[04:43:02] probably problematic particularly having regard to other I guess
[04:43:09] directional actions to SID 2.12 I don't know if this is...
[04:43:14] SID 2.12 doesn't apply because that only applies to land growth outside the
[04:43:20] urban growth boundary. This is an anomaly that we discussed several times in
[04:43:26] earlier hearings and specifically Justine Brooks came in with some
[04:43:30] proposals that wanted some clients to expand in Bonnet Hill from the
[04:43:35] existing rural living to low density residential and she was unable to
[04:43:41] make the case that it's accommodated within the regional land use strategy
[04:43:45] The regional land use strategy is very explicit. It says in Greater Hobart this is how we
[04:43:50] manage it and it's through a defined urban growth boundary. Outside of
[04:43:55] Greater Hobart there's strategies that identify individually tidal
[04:44:01] pamelots or clusters or pockets where growth can be
[04:44:05] anticipated and this is one that slipped through the cracks. It's kind of
[04:44:10] not in there and it's not out it's kind of the regional
[04:44:14] land use strategy doesn't doesn't acknowledge it. So I guess I could sit
[04:44:19] comfortably with a conversion to the low density residential zone when you're
[04:44:25] recognising an existing settlement with no additional potential expansion.
[04:44:29] Some of these lots here are particularly if you got neighbours to
[04:44:34] consider a coordinated application you could get quite a few extra lots
[04:44:39] in that section. So my question is how is that consistent with the
[04:44:43] regional land use strategy beyond landscape values and how can the
[04:44:47] Commission consider that recognising that we have to make decisions that
[04:44:52] roll out a scheme that's consistent with the strategy.
[04:45:00] I would say it's not, I recognise it's not consistent with the regional anti-strategy.
[04:45:05] I guess we have the ability of the SAP to deal with some of those aspects, recognising
[04:45:14] what you have, but also the potential for the subdivide, so that particular SAP at
[04:45:19] the moment have a minimum lot size, but mainly for the larger lots on the coastline,
[04:45:28] so that was dealing with a specific issue, and particularly if you look at that precinct,
[04:45:36] those three lots there at the bottom are most probably the only lots that can further
[04:45:41] subdivide in that area. We potentially, and we still need to work through that SAP,
[04:45:46] have a look at potentially expanding that provision.
[04:45:50] So that SAP doesn't go as far as these lots?
[04:45:54] It's included, so the SAP includes those row of narrow lots.
[04:46:00] Should that SAP be approved, would that prevent subdivision on those lots?
[04:46:05] No, not at the current state, but it's potentially something that we could adjust
[04:46:10] in the SAP if that is a concern of the commission to deal with that component.
[04:46:15] I might put you on notice, but when we get to this locality, I want to revisit this,
[04:46:21] and you might have put some thought to how we can manage it.
[04:46:33] All right, thanks, Lang. Kate, we move on to Taroona in Kingston North.
[04:47:06] In terms of this locality, we are looking at a place that has an identified existing settlement
[04:47:13] pattern that has a large range of lots, a large range in size of lots from 20 to 80 hectares
[04:47:24] occurring through the middle of the locality with a few smaller lots down to two hectares
[04:47:30] existing along the western portion of the locality. Along the eastern side of the
[04:47:37] locality there is a linear segment of parcels that extend north to south that range from two

[04:47:45] to five hectares which appear as a transitional lot size from the larger parcels further to the
[04:47:51] west and transition to the more urbanised settlement of Taroona immediately to the east.
[04:47:58] The western side of the locality, there's a small section of the locality which has
[04:48:05] significant clearing and where it's apparent that some kind of rural production activities
[04:48:09] and residential uses are occurring. Lots within this locality are generally developed with a
[04:48:16] residential dwelling that is within a small cleared area of otherwise generally significantly
[04:48:22] vegetated parcels of land. The settlement pattern consists of heavily vegetated areas
[04:48:28] with large lots that generally contain residential dwellings that often appear
[04:48:35] integrated into the surrounding landscape. In terms of zoning for this area, the existing
[04:48:45] interim planning scheme provides for the extent of the locality as being
[04:48:53] there as the environmental living zone in transitioning to the proposed exhibited
[04:49:03] version of the scheme. This land effectively transitions to the landscape conservation zone
[04:49:10] and there is a portion of this locality along the eastern boundary that is subject to
[04:49:17] or would have been subject to the PPZ which makes up again I guess that kind of eastern
[04:49:27] boundary of the site of the locality. The overlays relevant to this locality include the
[04:49:39] waterway and coastal protection area in parts, the priority veg, the land slip hazard,
[04:49:47] bushfire prone area and scenic protection areas. I was just getting stuck on my pages.
[04:50:17] For this one in terms of the landscape values are characterised by parts of the locality that
[04:50:27] have steep topography, elevated positions and extensive bushland coverage. The upper slopes of
[04:50:32] Taroona form a visually prominent landscape that show quite dramatic elevation changes
[04:50:39] where steep land parcels contribute to the strong natural landform.
[04:50:45] These attributes contribute to the locality's identity and scenic prominence and the natural
[04:50:53] bushland and I guess continue as did Albion Heights and Bonnet Hill contribute to the
[04:51:00] inter-urban break between Hobart and Kingston more urbanised settlements when travelling
[04:51:06] through the southern outlet. In terms of the localised landscape values, this locality did
[04:51:22] have a couple of submissions which were relevant to the landscape conservation zone in terms of
[04:51:30] generally opposing the landscape conservation zone and suggesting a preference for either
[04:51:37] the low density residential zone or the rural living zone which were kind of orientated
[04:51:42] more towards that eastern side of the locality. In considering the recommendations for this
[04:51:54] locality through the evaluation framework it led to the development of the recommendations of the
[04:52:13] land within this locality as exhibited within the planning scheme continuing to
[04:52:21] be being appropriate for consideration. This one remains appropriate for consideration
[04:52:33] in the landscape conservation zone. This is with the exception of a small area of the locality
[04:52:41] that is identified potentially as a possible transition to the rural zone however I guess
[04:52:46] it's flagged as a possible transition given the relationship that this land has with
[04:52:53] the balance of land surrounding it and whether or not that leads to fragmentation of zoning
[04:53:02] in reflecting that land use which is why it's posed as an option as opposed to a
[04:53:08] recommendation. It is important to note in the context of this locality that the extent of
[04:53:16] zoning is also considered to align well with the zoning in the adjoining Hobart City Council area
[04:53:28] and with regard to the smaller parcels along the eastern side of the locality.
[04:53:34] The landscape conservation zone on balance is considered to be the most appropriate zone
[04:53:43] at this time given the significance of the landscape values and the parcels contribution
[04:53:49] to the broader landscape values of the locality and that in undertaking this assessment we did
[04:53:56] not conclude that any other zone could appropriately manage the landscape risks or the landscape
[04:54:03] values. This also acknowledges that consideration of the rural living zone
[04:54:21] as part of exploration of those eastern parcels was not considered overly appropriate
[04:54:32] given the interface that these parcels have I guess with the more urbanised areas of Taroona
[04:54:40] and further exploration of alternative zoning that I guess again similar to the PPZ or the
[04:54:48] like could probably have provided maybe a more effective zoning but on balance at this stage

[04:54:54] based on the parameters that we have available the landscape conservation zone is the most
[04:54:59] appropriate. Unless I've missed it this appears to be the first time we've had a risk that's
[04:55:08] medium to high. Previously we've had medium to low and they've been pushed to generally the
[04:55:16] rural living zone and where we've had high we've maintained the landscape conservation
[04:55:21] zone. Is this kind of the threshold when we've got medium to high that that's when we
[04:55:27] look towards landscape conservation? Yeah so when there's a high in there generally that's
[04:55:32] where yeah that medium or medium to high but where high is kind of acknowledged that is
[04:55:38] generally the tipping point for that landscape conservation zone application throughout.
[04:55:43] So this is the first time I've picked up the sort of medium and high one is that reference
[04:55:47] used in some of the other profiles? So in the tinderbox one definitely in that distinction
[04:55:52] between I guess the eastern side and the western side of the peninsula. So the eastern
[04:55:58] side was medium high too was it? Yeah I think it was identified as high and then medium kind of
[04:56:03] for the so I guess where there's a high that's where it's tipped over. Okay I'm just highlighting
[04:56:09] the need for us to understand what that might mean. No that's totally okay. Thank you.
[04:56:16] No thank you. Just the pocket that's shown as rural do you know what the use of that is? It
[04:56:22] looks like a house but looks like there's some out sheds and yeah it kind of looked
[04:56:27] like there was some kind of cropping or something occurring but it was kind of I guess difficult to
[04:56:32] pinpoint based on kind of the level of detail that we were able to go to in the time that
[04:56:38] was available to to do the analysis but it was an area that we kind of flagged as maybe
[04:56:44] not sitting as neatly as yeah as others yeah. Do we know if we got a rep on it? No rep?
[04:56:58] Yeah we might get a submission on it you never know yeah. Okay all right thanks thanks Kate.
[04:57:05] So we'll move on now to Kingston West. Okay so now we've properly started our journey west
[04:57:31] go on there. Okay so this for this locality we identified an existing settlement pattern
[04:57:39] that to the west of the locality consisted of a cluster of two to seven hectare
[04:57:47] size lots which are generally identified as having existing residential uses and evidence
[04:57:54] of some rural activities occurring. To the north of the locality there are small clusters
[04:57:59] of lots in the vicinity of Fern Tree which range in lot size from 0.8 of hectare to two
[04:58:03] hectares and which run along Somalis Road that appear to also have residential uses occurring.
[04:58:10] The balance of the locality is made up of large parcels from 20 to 230 hectares and many of
[04:58:17] which many of these also are identified as having dispersed residential uses occurring.
[04:58:25] In terms of the existing zoning for this locality I guess you'll see the extent of the existing
[04:58:40] environmental living zone land under the interim scheme for I guess the boundary of the locality
[04:58:50] and then if we flick across to the proposed exhibited version of the scheme you'll see
[04:58:59] that the majority of the land within the locality is to transition to the landscape
[04:59:07] conservation zone with some with a small area on the western side of the locality identified
[04:59:14] for transition to the rural living zone. This area was not subject to a ppz or the ppz
[04:59:25] but does have a variety of overlays that affect the extent of the locality
[04:59:31] including the waterway and coastal protection area,
[04:59:36] scenic protection area, priority vegetation and bushfire and landslip.
[04:59:45] In terms
[05:00:00] I guess the localised values for this locality, we've looked to characterise it as having
[05:00:09] significant landscape values which come from the steep topography, elevated position and
[05:00:14] extensive bushland coverage and extensive, oh not extensive sorry, significant waterway
[05:00:20] corridors which traverse the locality. These attributes contribute to the locality's
[05:00:25] identity, scenic prominence and contribute to the natural bushland entrance to Kingborough
[05:00:31] in terms of that inter-urban break that we had identified for the previous two localities.
[05:00:39] The presence of existing doilings scattered throughout the locality, the natural landscape
[05:00:43] values generally remain visually dominant and integral to the character of the area.
[05:00:50] For the purposes of the landscape conservation, for the localised landscape values. In looking

[05:01:07] at this particular locality as well, there was also additional consideration of the
[05:01:16] adjoining Hobart City Council land which is immediately to the north of the locality,
[05:01:25] which I guess has a little bit of rural living settlement but is in the majority bound
[05:01:35] directly by the landscape conservation zone as well. The representations that were identified
[05:01:47] in this locality generally did not support the landscape conservation zone and proposed
[05:01:57] either the rural zone or the rural living zone as alternate zones where alternate zones
[05:02:06] were identified in the representations. For the purposes of this area, the exhibited
[05:02:36] planning scheme zoning of landscape conservation zone and rural living zone is generally supported
[05:02:44] with some additional alterations being recommended. The base is there but the parcels identified
[05:02:57] in that western portion in the recommendations report was highlighted in red that those
[05:03:03] properties should instead of the landscape conservation zone should in fact be included
[05:03:09] in the rural living zone on the basis that the rural living zone that is applied has
[05:03:16] a classification that doesn't provide for further subdivision and that there are two
[05:03:26] areas which are also identified as areas similar to the previous locality in terms
[05:03:36] of Kingston North and Taroona where we had flagged the potential for some properties
[05:03:45] to go to the rural zone based on consideration of what we could see occurring as activities
[05:03:55] on that land and considering that land's relationship with other zones in terms of
[05:04:02] these particular parcels which appear to have different uses occurring on them to other parts
[05:04:15] of this locality and a resize that may warrant consideration of the rural zone however if it
[05:04:25] were preferable for the overall extent of the zone I think it's appropriate for those
[05:04:30] to remain in the landscape conservation zone if there were concerns around fragmentation
[05:04:37] that would be caused by the rezoning of those properties to the rural zone. It is probably
[05:04:47] worth also noting that there is a cluster of properties towards the north of this area
[05:04:57] that I guess were considered to have some characteristics of a rural living settlement
[05:05:06] however in considering their location in the context of what's surrounding them
[05:05:13] and taking learnings from the development pattern that is to the west of this site
[05:05:23] which exists I guess in Hobart City Council we looked to
[05:05:32] continue to include those properties within the landscape conservation zone
[05:05:40] because they contribute to the broader landscape conservation area
[05:05:46] and I guess are considered to be kind of relatively similar to those
[05:05:52] to those properties to the west in Hobart in terms of I guess use and function.
[05:06:01] Which properties are those? On the screen at the moment too so those are the Hobart ones
[05:06:07] or the Hobart City Council and then these ones. So when you say the properties in Hobart are
[05:06:12] you talking about the properties in Managana Road? Yes. And you wouldn't draw on the zoning of the
[05:06:30] properties to the north in Hobart coming down? I can't remember what that road is now.
[05:06:37] Somerlees that's it. I guess the connection of those properties in terms of
[05:06:45] if you scroll out a tiny bit Simon, I guess those properties seem to create kind of a consistent
[05:06:52] area of that particular zone whereas I guess if a zoning was applied to some of these properties
[05:07:02] in the context of this area you would potentially end up with a small cluster
[05:07:09] of rural living land which I think one doesn't meet necessarily our criteria totally for
[05:07:16] a rural living settlement but also you would end up with something that's quite fragmented in a
[05:07:20] much larger and significant landscape conservation area. However I guess DC is one of the places
[05:07:29] too that I would in the future think that council may want to consider looking at
[05:07:36] whether or not it is appropriate for a rural settlement to be allocated in terms of whether
[05:07:45] or not the rural living strategy would consider that to be rural living land in the future but
[05:07:51] I guess at this stage the intention or the recommendation would be that it should remain
[05:07:56] landscape conservation zone given the pattern of settlement that exists around it which is
[05:08:01] nil. Two queries. The area to the west of this one where the proposed expansion of the
[05:08:16] rural living zone has a split zoning in it, why is that split zoning entertained and necessary?

[05:08:29] In this instance I guess the split zoning would be reflective of
[05:08:35] the landscape values which exist on the parcel and I guess recognising that
[05:08:44] oh that visibly there is I guess already kind of some development and some activity which
[05:08:52] are occurring on the parcel which is I guess the extent of the parcel which is proposed to
[05:08:56] be included within the rural living area. This also I guess avoids any potential for
[05:09:05] further subdivision but also I guess looks to ensure that the land that is subject to
[05:09:10] I guess the most extensive landscape values that it doesn't currently appear to be being
[05:09:16] utilised for for residential or for rural activities could be preserved for I guess
[05:09:23] and prioritised for landscape conservation and I guess it shows alignment with the
[05:09:29] surrounding zonings. And similarly a similar question for the area too that of the southern
[05:09:36] rural living rural zone that's being proposed there's a split zoning delineation in that
[05:09:41] one as well. Can you explain that one? If you come across a bit Simon to the southern one
[05:09:52] that one in there there appears to be a split zone in there as well. I was going to suggest
[05:09:56] for both items Simon if you can put on the grey scale because I have a suspicion that might
[05:10:03] kind of give you indication why because I remember something that council looked at
[05:10:08] previously as well. So I think from memory it comes down to the topography that changes.
[05:10:17] So running along a contour essentially. Okay that clears that up one. And then
[05:10:25] with respect to the rural zone I notice that you entertain the idea of not having rural or
[05:10:32] potentially could be landscape conservation to avoid fragmentation. They're not really
[05:10:37] spot zones they're fairly significant chunks of land so I get that. But what are your views on
[05:10:43] the potential to introduce land use conflict by effectively allowing or exacerbating rural
[05:10:50] industries in an area that's characterised or adjoining a rural living community?
[05:11:01] I would imagine that that's not dissimilar to many other places in Kingborough where there
[05:11:06] is I guess an interaction between rural zone land and rural living zone land. But I guess
[05:11:13] in the context of these two areas that were identified it does kind of appear that there are
[05:11:20] more alignment with the existing kind of activities and I guess visual cues to suggest
[05:11:28] that the rural zone and uses and development that would be aligned with that zone are already
[05:11:44] occurring in that place. I'm not familiar with the uses that are happening on that site but
[05:11:49] if you were adjoining it and you may have had some comfort in the application of the
[05:11:54] landscape conservation zone knowing that some of these uses may become non-conforming and
[05:11:58] therefore its potential expansion may be limited those people may not have put in a submission
[05:12:04] on that basis. The commission hasn't written to them either because they're not subject to this
[05:12:09] report. I guess if there was a concern that there was going to be natural justice issues
[05:12:18] or the like in terms of transitioning this land to the rural zone then I guess the preference
[05:12:24] would be for it to be retained in the landscape conservation zone at this time then. Rather than
[05:12:30] potentially a sub-mod for instance? Rather than going through a sub-mod
[05:12:39] part of the decision could be that a future scheme amendment would be directed by the
[05:12:43] commission to provide for public engagement in the normal way? I think either pathway would
[05:12:50] probably be would be I guess subject to your consideration of the ultimate zoning
[05:12:57] but I guess if there was concerns around natural justice in terms of the ability to comment on
[05:13:04] that change then a sub-mod could potentially resolve that issue but I guess alternately
[05:13:10] that could be something that is subject to further strategic work that council undertake
[05:13:16] to determine more I guess a more micro scale how that land should be functioning
[05:13:24] in a longer term zone. Okay thank you. I think in consistent with our previous approach
[05:13:31] I'll be asking you Adriaan Stander to confirm the council's preference when we get to this one
[05:13:36] in the locality because obviously the report council has adopted gives an either or sort
[05:13:42] of scenario in there so we need to know what it is that you're advocating for
[05:13:47] and then that will assist us moving forward as to what process we want to follow.
[05:13:52] I think just for the record I just want to point out Simon if you can just switch on

[05:13:56] your layer with the representations we did receive a representation in fact I think the
[05:14:03] commission already heard from one of the representatives and during that discussion we
[05:14:10] did explore the opportunities of a couple of different zones including the rural living
[05:14:17] zone and I guess from memory I think council indicated in terms of rural living zone that's
[05:14:25] perhaps something that we need to consider as part of that rural living strategy so we most
[05:14:31] probably need to go back to the to that discussion I'm not quite sure whether the
[05:14:36] commissioner actually issued a direction to that effect but we most probably need to go
[05:14:39] back to that and council certainly did indicate an openness to look at that area whether it's
[05:14:45] now or as part of the future process but I'll take a vote would you say we we we can come back
[05:14:51] with a I guess a firm approach yeah okay thank you just just one
[05:15:00] It's on in the report page 97 in the section that deals with question four of your framework
[05:15:10] talks about significant portions of the locality having a settlement pattern which
[05:15:14] exhibits rural living settlement characteristics shown in blue and there's a figure the figure
[05:15:24] exists and then if you go to the recommendations not all of that area so you've effectively
[05:15:33] identified the area in blue as having rural living characteristics but then not all of that
[05:15:39] area in blue has made it who's recommended for the rural living zone in terms of the part zoning
[05:15:47] do you mean no i mean the blue in that figure i don't know whether we can we get that figure
[05:15:55] uh the the page is 97 of of the report top of page 97 colour photograph with some pink and
[05:16:01] blue lines on it it's page 208 in the pdf i beg your pardon oh sorry 97 on the bottom of the page
[05:16:11] so just a query the you've identified that you think that the area in blue exhibits rural
[05:16:15] living characteristics and then in the recommendation not all of that area in blue
[05:16:20] is recommended to go into the rural living zone so i guess that's a question um should all of
[05:16:27] the area in blue or what should we take from that in terms of your recommendation
[05:16:34] are you comfortable with the recommendation i suppose is the question
[05:16:37] comfortable with recommendation i guess the intention of that graphic in there is to kind
[05:16:41] of show the extent of the area that we were talking about and i guess then is further refined
[05:16:45] in yeah in the description or the evaluation point six that's some natural babies in that
[05:16:54] area which may be considered so there's a wedge-tailed eagles nest and a mast owl
[05:16:59] that's recorded in there and given the buffers that are recommended for protection of the
[05:17:04] nesting habitat it i think it warrants some consideration of that landscape in terms of just
[05:17:10] provide providing as much consideration for those values as possible would the priority veg
[05:17:16] provisions deal with that though irrespective of the zone underneath one of the complications
[05:17:22] those buffers can extend across property boundaries and potentially across zone
[05:17:25] boundaries as well so it's one of those things where you're always going to be reliant on
[05:17:31] your planning officers turning that layer on anyway to know whether a proposal to properties
[05:17:37] down might have to take that into account yes i just want to flag it because i'm not sure
[05:17:43] it was considered so i just think if we're talking about a decision between rural living
[05:17:47] zone and landscape conservation zone i'm pretty sure the priority veg would prevail in both of
[05:17:51] those and so i guess the question there is would that deal with that issue separately
[05:17:58] i'm just interested because the next locality we're going on to is to the west in nica
[05:18:03] and you've got and you can see it start you can see it there on the top left of simon's
[05:18:09] screen there similar sorts of subdivision of cadastral pattern existing to the left
[05:18:14] and some of those properties have houses on them as well i guess the overall question
[05:18:21] is are you comfortable where you're where you've drawn effectively drawn the line between the end
[05:18:27] of the rural living zone and the start of the landscape conservation zone given there's a
[05:18:31] similarity in cadastral given there's you know um similar veg coverage i suppose similar
[05:18:37] landscape qualities as that land rises up out of that um yeah out of that rural living area
[05:18:44] are you comfortable given where we're going to next i i think that for this locality and
[05:18:50] also i guess the extent of rural living that is provided for in the other in the next locality

[05:18:55] that we're getting to um i guess i'm comfortable with the the extent of rural living that is
[05:19:02] um i guess appropriate within the context of this um considerate of this i guess determination
[05:19:10] um and i guess the the further expansion of of rural living i don't think is um something
[05:19:17] that could be supported or should be supported um but i guess the acknowledging that the the
[05:19:23] slight expansion of the rural living area reflected in the recommendations largely is
[05:19:28] attributed to looking at i guess the settlement pattern that is kind of within i guess an
[05:19:35] adjoining boundary of of what's been extended and i guess looking at kind of the existing
[05:19:40] use patterns and activities that are occurring and the level of clearance that is existing
[05:19:45] in that area which i guess also kind of lends to that split zoning yeah thank you that's fine
[05:19:51] thank you all right we're going to take just a short 10 minute break come back at 3 30 and
[05:19:58] we're going to make it
[05:30:56] All right, let's resume.
[05:31:01] Next cab off the rank is Nika.
[05:31:05] So over to you, Kate.
[05:31:09] So for this locality,
[05:31:16] we've, I guess, identified a settlement pattern
[05:31:19] that is predominantly kind of rural
[05:31:24] in terms of characteristics,
[05:31:27] heavily vegetated land that extends to Wellington Park,
[05:31:32] where I guess it kind of adjoins places
[05:31:37] where recreational activities,
[05:31:39] such as the pipeline track,
[05:31:40] can be seen and are located.
[05:31:45] And I guess in terms of breakdown of lots,
[05:31:48] there are kind of identification
[05:31:51] of existing residences,
[05:31:53] which are generally kind of located within lots,
[05:31:59] which are, with the exception
[05:32:02] of kind of some small clearing around houses generally,
[05:32:05] generally kind of heavily vegetated lots.
[05:32:10] So for the purposes of the zoning of this locality,
[05:32:16] the extent of the locality is largely reflective
[05:32:19] of the existing environmental living zone land,
[05:32:25] where we look to the proposed exhibited planning scheme
[05:32:32] there is for the extent of the locality,
[05:32:40] a, I guess, effectively a transition
[05:32:43] to the landscape conservation zone for the locality.
[05:32:56] The extent of the environmental living zone
[05:33:00] in the locality is not identified
[05:33:01] as being subject to the proposed PPZ.
[05:33:05] And I guess the overlays that are relevant to this land
[05:33:09] include the waterway and coastal protection area code,
[05:33:13] area overlay, the scenic protection area,
[05:33:19] the priority vegetation area,
[05:33:23] bushfire prone area, and landslip.
[05:33:31] In terms of the hill shade mapping,
[05:33:34] and I guess some of the consideration
[05:33:36] around the topography,
[05:33:37] there are kind of components of this,

[05:33:41] I guess, the extent of the existing
[05:33:43] environmental living zone,
[05:33:44] which are kind of that more elevated
[05:33:47] and it's characterized, I guess,
[05:33:51] by kind of sloping blocks
[05:33:53] that respond to the elevations.
[05:33:57] In terms of, I guess, the adjoining council area
[05:34:07] that I guess is relevant to this locality too
[05:34:10] in that the area does adjoin the Hobart City Council area.
[05:34:24] In terms of the localized landscape values,
[05:34:28] we look to categorize the locality
[05:34:36] as having significant landscape values,
[05:34:39] which are derived from its topography,
[05:34:41] elevated position, and extensive bushland cover,
[05:34:43] which forms visual vegetated border
[05:34:47] and a fringe to the extensive vegetated
[05:34:50] and undulating landscape of Wellington Park,
[05:34:53] which extends immediately to the north of the locality.
[05:35:01] We then, in terms of, I guess,
[05:35:05] considering this area in the baseline information,
[05:35:09] there were also a number of representations
[05:35:12] that were made in relation to this locality,
[05:35:15] which generally opposed the application
[05:35:20] of the landscape conservation zone
[05:35:22] and for the, I guess, the majority
[05:35:26] of alternate zone preferences put forward
[05:35:29] were to kind of transition to the rural living zone
[05:35:31] as a more appropriate zone.
[05:35:35] In looking through the zone evaluation
[05:35:38] and undertaking that analysis for this area,
[05:35:43] the, there, I guess, there are definitely
[05:35:54] kind of residential, a strategic intention
[05:35:57] for residential uses in this locality
[05:35:59] is identified with a dispersed scale
[05:36:02] evident through the locality.
[05:36:06] In terms of rural living characteristics,
[05:36:09] there are some parts of this locality
[05:36:11] which are identified in the report
[05:36:17] in response to question four
[05:36:20] that are identified as having some characteristics
[05:36:24] of rural living settlement.
[05:36:29] And I guess in terms of considering
[05:36:31] the landscape values that the locality
[05:36:33] is characterized by significant landscape values
[05:36:36] that contribute to, I guess,
[05:36:38] that border to Wellington Park,
[05:36:42] which I guess it's immediately adjacent to.
[05:36:45] In considering the application of the rural zone,
[05:36:55] in the, the rural living zone in this area,

[05:37:00] I guess, that had been identified
[05:37:01] as having rural living characteristics,
[05:37:04] there were two parcels that were identified
[05:37:06] as having landscape values
[05:37:08] that could be appropriately managed
[05:37:11] by an alternate zone,
[05:37:12] which I guess are the two properties
[05:37:14] that I think ended up being part
[05:37:16] of the recommendation to change.
[05:37:19] These parcels had characteristics
[05:37:22] which were more aligned with the adjoining
[05:37:25] rural living zoned land parcels
[05:37:31] that they kind of were next to.
[05:37:33] The other land, I guess, in this locality,
[05:37:36] which directly extends along the fringe
[05:37:38] of Wellington Park, was determined to provide
[05:37:41] a more direct and important contribution
[05:37:43] to the broader landscape values
[05:37:46] and have significant vegetation coverage
[05:37:49] that kind of contributes to that,
[05:37:53] I guess, bordering relationship.
[05:37:55] The transition of this land
[05:37:57] to the landscape conservation zone
[05:38:01] would be consistent with the zone application also,
[05:38:03] I guess, in the context of looking
[05:38:06] at that immediate Hobart City Council area
[05:38:10] and considering, I guess, the existing presence
[05:38:18] of and contribution of landscape values
[05:38:21] that these properties have,
[05:38:23] I guess the recommendation was that they remain
[05:38:27] as exhibited and I guess I continued to,
[05:38:30] for the most part, be included
[05:38:32] within the landscape conservation zone.
[05:38:35] This, I guess, is with the exception
[05:38:37] of the two parcels that were identified
[05:38:43] as 1328 Huon Road and 232 Huon Road,
[05:38:53] which, again, were identified
[05:38:55] as having more similar characteristics
[05:38:57] to adjoining rural living zoned land.
[05:39:00] The recommendations also acknowledge
[05:39:03] and, I guess, through the decision evaluation pathway,
[05:39:06] the transition of 540 Leslie Road,
[05:39:10] which is supported as a land parcel
[05:39:13] that is not suited to rural living zone
[05:39:16] and is appropriate for inclusion
[05:39:20] in the landscape conservation zone,
[05:39:22] given its connection to the EMZ to the northeast.
[05:39:27] And, yep, that's it for this one.
[05:39:39] Questions?

[05:39:39] Oh, sorry.
[05:39:40] Sorry.
[05:39:41] Didn't know if you finished.
[05:39:42] I didn't do my usual questions.
[05:39:43] Yeah.
[05:39:44] Sorry.
[05:39:45] Panel, Dan.
[05:39:47] Only the split zoning.
[05:39:50] It's on that large property to the western side.
[05:39:54] Can you explain that one a bit?
[05:39:57] This one was intended to, I guess,
[05:39:59] reflect the visible, I guess, land use difference
[05:40:04] where the land, I guess, to the north
[05:40:08] is more aligned with and contributes
[05:40:14] to the landscape values,
[05:40:17] whereas, I guess, the landscape values are not present
[05:40:21] in the same way on the portion of the land
[05:40:23] that's identified as being appropriate
[05:40:25] for the rural living zone.
[05:40:27] Thank you.
[05:40:29] Thank you.
[05:40:30] Just quickly, so you've identified a couple of parcels
[05:40:33] which are blue and yellow in the recommendation,
[05:40:35] which you highlighted a minute ago
[05:40:37] for inclusion in the rural living zone
[05:40:39] because they have similar characteristics
[05:40:41] to the adjacent rural living zone land.
[05:40:43] Just wonder whether there is,
[05:40:47] whether you had thought about some of the land near that.
[05:40:52] Particularly, I guess, for that more eastern parcel
[05:40:56] that we had proposed a rezoning for.
[05:40:59] We had looked at, I guess, to the southwest
[05:41:04] those parcels as well in terms of whether or not
[05:41:07] we could look at extending the rural living zone.
[05:41:12] However, I ended up with some significant fragmentation
[05:41:18] of where I thought it was appropriate
[05:41:21] to apply the rural living zone,
[05:41:24] which ultimately led me to a pathway
[05:41:26] of thinking that that property was,
[05:41:28] and, I guess, the extent of the landscape values
[05:41:31] on those properties suggested that they probably
[05:41:34] were more appropriate for retention
[05:41:36] in the landscape conservation zone at this time.
[05:41:39] The property at, so the one not on the screen there,
[05:41:43] the one further to the west,
[05:41:44] which is 1328 Huon Road is a part of that property.
[05:41:51] It's a split zone.
[05:41:56] Was split zoning thought about
[05:41:57] in relation to some of those other,

[05:41:59] when you were talking about the values
[05:42:01] leading you away from considering rural living there
[05:42:05] in the areas to the west of?
[05:42:07] Yes, split zoning, I guess, we did look at,
[05:42:11] although, I guess, when I started to look at it
[05:42:13] in this area, it kind of led to a little bit
[05:42:15] of fragmentation, which was not, I guess,
[05:42:19] a comfortable place.
[05:42:21] And, I guess, in terms of looking at the extent
[05:42:25] of land that would be appropriate to include
[05:42:27] in the rural living area, it wasn't as clear
[05:42:29] as, I guess, the two that have been recommended.
[05:42:32] So, I guess, in terms of the assessment
[05:42:36] that we undertook for this,
[05:42:38] I probably erred on the side of retaining
[05:42:41] that larger lot given in the landscape conservation zone,
[05:42:46] given that I think that if I was to look
[05:42:48] at partially zoning it,
[05:42:50] it would end up in fragmentation,
[05:42:53] but also that there are less similarities
[05:42:58] for that land with the landscape,
[05:43:01] the rural living zone that is surrounding
[05:43:05] than there is with the landscape conservation zone
[05:43:07] that it's included in.
[05:43:08] And then one further question.
[05:43:09] I can't quite remember, team,
[05:43:11] where we are on the directions in relation
[05:43:13] to the other property that you mentioned,
[05:43:15] which was 540 Leslie Road.
[05:43:17] We did have that hearing in relation to that property.
[05:43:20] Yes, and I do understand that, I guess,
[05:43:23] subsequent to finalising this report,
[05:43:25] that I guess I probably wasn't as across
[05:43:29] that direction and the conversations
[05:43:33] which have occurred to date.
[05:43:34] So I understand that there probably is a need
[05:43:36] to maybe re-look at the zoning preference
[05:43:40] for that property, however, I guess,
[05:43:42] in running it through the evaluation pathway
[05:43:45] and resulting zone pattern,
[05:43:47] I guess the preference or the initial recommendation
[05:43:49] is landscape conservation zone,
[05:43:50] but very happy to kind of talk through,
[05:43:53] I guess, where council may have been going
[05:43:57] with reconsidering the zoning of that land.
[05:44:00] Yeah, particularly even a part rezoning
[05:44:03] if we're thinking about part rezoning
[05:44:05] of the property to the west up on the fringe
[05:44:10] of the mountain, if you like.

[05:44:12] What was explored from memory on 540
[05:44:14] was something similar, given that there is evidence
[05:44:18] of certainly clearing and some land use
[05:44:22] at the end of 540 closest to Leslie Vale Road.
[05:44:28] And I think also there may even be a change
[05:44:30] in topography to the rear or to the north.
[05:44:34] I think from memory it starts to ramp up.
[05:44:37] So I know we've seen,
[05:44:38] we've just seen similar situations in Kingston West
[05:44:42] where we kind of used a change in topography
[05:44:45] as a potential demarcation of zone boundary.
[05:44:53] Question I guess that we may want to explore
[05:44:55] is does 540 warrant that same approach?
[05:44:58] I might give some context.
[05:45:00] that and also that a lot. So in previous hearings we did actually discuss both properties and with
[05:45:08] one of them I think we had the representative online. Council received a direction from the
[05:45:14] commission to explore the opportunity of the split zoning which was similar to what we've
[05:45:19] actually provided in our section 35f report and council obviously did have a discussion
[05:45:26] with the representative and made a recommendation to the fact that perhaps you could look at the
[05:45:31] rural living zone but the higher order rural living zone D and then for the other lot I think I must
[05:45:41] really just need to highlight the fact that council in its 35f report recommended something
[05:45:50] similar I guess the only notion that council had that we would like the opportunity to discuss
[05:45:55] with the representative to kind of work out I guess the correct alignment of that split zoning
[05:46:03] and I'm not sure we can mention it that subsequent to that the representatives have approached me
[05:46:09] hopefully through the notification process at the moment they will make a further submission
[05:46:13] because I think they do they certainly would like to have the opportunity to just discuss
[05:46:18] the I guess the alignment of that whether it takes on that approach or slightly something
[05:46:24] different thank you all right so all right I've got one sorry one question before we take off
[05:46:38] I've got a picture of through the list here at the moment of the existing interim scheme
[05:46:42] and the zoning alignment that's shown for the environmental living through that section
[05:46:47] and you've made some recommendations on land that's not zoned environmental living
[05:46:54] and particularly I'm looking at the one south of the Hanley representation property
[05:46:59] and property 1316 Huon Road in Nega it's a 4,000 square metre lot that was zoned
[05:47:09] a presumably rural resource under the interim scheme and the recommendation is that it goes to
[05:47:17] Thanksgiving conservation on this one
[05:47:22] similarly we've got the land in between it and two lots to the Hanley property which
[05:47:28] contain clear spaces on them with a house on it so I guess there's some questions about
[05:47:35] residential priority on lots at lots that size and your ability to entertain a split
[05:47:41] zone through these areas linking that parallel section to Huon Road
[05:47:52] I'll must be answer that question because obviously council's recommendation discuss
[05:47:57] discussions with the representatives in previous hearings was slightly different from their
[05:48:04] recommendation in this report so from memory the the landlady property the recommendation
[05:48:12] is similar then the property right next to it we had the representative came in and we had
[05:48:16] a similar discussion about split zonings I think similar to to the considerations of the
[05:48:24] report I guess council mostly felt a little bit uncomfortable and how do you do a split zoning
[05:48:30] across the land there because then you most probably need to look at multiple properties
[05:48:34] right from memory and I have to double check I think council did actually provide a response
[05:48:41] in relation to direction that the commission issued for that and from memory it picked up
[05:48:48] some of those smaller lots but but I'm most probably just need to double check yeah I guess

[05:48:53] there's two bits in there one is your aptitude for split zoning but the other one is why in
[05:48:59] this case has irony gone outside of the environmental living zone that was in the
[05:49:07] interim scheme and made further recommendations to effectively put people into the landscape
[05:49:13] conservation zone so those two that are flashing on and off specifically you've recommended
[05:49:27] recommended that they go to the landscape conservation zone which my understanding is
[05:49:33] outside just starting brief in terms of looking at properties that council had proposed
[05:49:40] to be included in the landscape conservation zone that was also I guess what
[05:49:44] we had intended to look at as part of as part of the scope of this
[05:49:50] which I guess is larger of both significant I guess there aren't a significant number of properties
[05:49:56] that were beyond but I guess where they are I guess we have tried to identify those in
[05:50:02] in the report okay just to capture I guess the fact that if we were looking at how council
[05:50:10] had applied the landscape conservation zone to the ELZ looking at kind of the other places
[05:50:14] where the landscape conservation zone had been applied probably was was appropriate
[05:50:19] so despite your analysis and recommendations for two particular properties here if someone came
[05:50:27] before the commission in a hearing and said this 4000 square meter lot is clearly designed
[05:50:34] for a residential function would that change your views I think that property still
[05:50:39] contributes to the broader landscape the 4000 square meter lot with a road frontage
[05:50:45] in terms of yes I guess in terms of where that sits in the settlement pattern and the zone pattern
[05:50:50] yes and I guess I'm happy to kind of take on board additional information that that might
[05:51:02] provide further clarification about the extent of the landscape value on that site but I guess
[05:51:07] I probably see it as as similar to the land that's surrounding it which would also
[05:51:13] be included within the landscape conservation zone so that the framework that you've provided
[05:51:20] is a useful tool to manage some of the constraints that we have from the
[05:51:25] regional land use strategy and the guidelines and other information we've gathered but it's
[05:51:31] not a not a statutory instrument of course no not at all so where the where the guidelines
[05:51:37] um force you to recognize either a residential priority or a landscape priority
[05:51:44] um just the factors like lot size and frontage like that coming to that oh I guess there are
[05:51:52] other properties that are included within um king brother that are proposed to be included
[05:51:58] within the landscape conservation zone that are quite small in size um I think in that context
[05:52:05] it becomes more about that property's individual contribution to the broader landscape values
[05:52:11] so even when we were talking about some of the properties down in in Gordon which I guess have
[05:52:16] existing um residential functions kind of looking like they're they're occurring um
[05:52:24] the location of those properties in the context of where natural values and landscape
[05:52:30] values exist um I guess draw it into being a consideration of the landscape conservation zone
[05:52:38] which I think goes to that more broader locality based um consideration as opposed to an
[05:52:45] individual lot by lot consideration um noting that I guess this this potentially is one where
[05:52:52] if there is kind of further information made available about um that particular lot um I guess
[05:52:59] as I said happy to kind of re-look at that but in my initial view it would be that that lot
[05:53:03] does contribute to the broader adjoining landscape values um and would warrant inclusion in the
[05:53:08] landscape conservation zone so if we just shimmy north whisker and look at the handling property
[05:53:15] how does that not contribute to landscape values but that four square four thousand
[05:53:20] square meter one desk I guess from the the landscape values that are identified for this
[05:53:29] locality rely pretty heavily on the existence I guess of vegetation I guess this lot that we're
[05:53:35] looking at now um in terms of what is visually I guess evident from the aerial mapping is that
[05:53:41] it is kind of largely cleared and does appear to have some rural uses kind of occurring or
[05:53:46] rural activities occurring um which from what I guess I was able to look at for um
[05:53:53] that other lot um doesn't necessarily have the same same alignment so regardless of the lot size
[05:54:00] so while the handling land is substantially cleared it actually has a trade area which
[05:54:05] is twice the size of our four thousand square meter lot I think that this lot also potentially

[05:54:13] has a greater relationship with the land to the to the south that is kind of um included within
[05:54:20] the rural living zone um I guess I I have taken a view that um that smaller lot um given where
[05:54:28] it is and what is located around it um is I guess contributing to that landscape conservation
[05:54:34] zone okay thank you all right thank you um so we'll move on to Leslie Vale okay so um for
[05:54:54] Leslie Vale we're looking at probably kind of um three areas that that make up the full extent
[05:55:00] of of the locality um one second um and I guess as in terms of exploring the existing
[05:55:15] settlement pattern within this locality um the northeastern portion of the locality has a
[05:55:21] recognisable um rural residential subdivision pattern with lots that generally are around
[05:55:26] two um but can kind of extend up to seven hectares um that generally have an existing
[05:55:32] residential use or development um that is observed um the southern portion of the
[05:55:37] locality is predominantly made of two hundred hectare plus lots um which have significant
[05:55:43] areas of bushland and some though known as some kind of cleared areas um this portion
[05:55:49] of the locality also has a number of smaller lots ranging from one to four hectares closest
[05:55:53] to the human highway um which have existing residential uses um and associated development
[05:55:58] occurring but are generally surrounded by significant vegetation uh to the northwest
[05:56:03] portion of this locality um it contributes kind of to a recognisable rural residential
[05:56:10] subdivision pattern however does not it does include a large variety of sorry let
[05:56:16] me start that again however does include a larger variety of lot sizes from two to seven
[05:56:20] um hectares um and again generally have an existing residential um use or development that
[05:56:26] is noted um what was identified um in terms of the existing planning scheme zoning um the
[05:56:40] current map i guess on the screen shows i guess the extent of the locality and i guess the
[05:56:44] extent of the environmental living zone land um when we move towards the the new
[05:56:53] or the the proposed exhibited zoned um zoning um there are parcels which remain um within
[05:57:04] um oh sorry i'm going to start that again there are parcels of the environmental living
[05:57:08] zone land which are transitioned to um the rural living zone um there are also parcels
[05:57:15] which are transitioned to the landscape conservation zone within the locality i
[05:57:25] guess noting that i guess um it's that um fringe of the the northern part of the
[05:57:31] locality and the southern locality that are proposed for landscape conservation zone
[05:57:36] uh in terms of the this locality there was not a proposed um extent of ppz proposed here
[05:57:45] there are overlays which exist and apply similarly to other places within the
[05:57:51] the local common area in terms of the waterway um and coastal protection area
[05:57:58] um the scenic protection area um the priority vegetation overlay um bushfire and also landslip
[05:58:07] to a certain extent in terms of uh working through i guess there is a portion of this
[05:58:20] locality um in the southern part which is identified as a private timber reserve
[05:58:28] um the landscape values for this locality um are identified as the particularly in the
[05:58:36] southern portion contributing to a large area of bushland cover which um um contributes to the
[05:58:43] northernmost portion of the continuous ridge line and hills hillside area of vegetation
[05:58:48] that kind of occurs up through the channel area um other areas of the locality contribute
[05:58:55] to semi-rural character of the area with landscape values that incorporates semi-rural
[05:59:02] characters with um mix of vegetation and rural and residences um with rural activities
[05:59:10] um undulating across the landscape um in our consideration of this locality uh through
[05:59:23] um the evaluation framework um we ended up um with a recommendation um that sought to um
[05:59:37] i guess which aligned with the exhibited version of the scheme um in terms of the
[05:59:43] extent of land which was proposed to be included in the rural living zone um i guess
[05:59:49] particularly noting the split zoning of some of those properties um with the landscape
[05:59:54] conservation zone um being considered an appropriate way of managing um landscape values
[06:00:00] And I guess also providing consistency in zone application and I guess for the balance
[06:00:06] of the land that wasn't proposed to be included within the rural living zone to be included
[06:00:11] within the landscape conservation zone, but I guess as exhibited, so no recommended

[06:00:17] changes for that place.

[06:00:25] Thank you.

[06:00:26] Thank you.

[06:00:27] Alan's review left.

[06:00:28] We're getting close, three to go.

[06:00:39] So for Alan's review left, we had identified an existing settlement pattern of I guess effectively

[06:00:51] a bushland fringe surrounding semi-rural areas within I guess the locality of Alan's review

[06:00:58] left.

[06:00:59] It's made up of land with an average lot size of 10 to 20 hectares with one significantly

[06:01:04] larger lot holding of 52 hectares identified.

[06:01:09] Residential uses and some rural activities are evident within the locality, however I

[06:01:17] guess where those aren't evident, it's generally significantly vegetated throughout

[06:01:22] the balance of the locality.

[06:01:28] For the consideration I guess of zoning in this locality, the existing zoning shows

[06:01:35] I guess the extent of the locality based on the environmental living zone land.

[06:01:44] And when we then look at the proposed exhibited zoning, we see some changes to land being

[06:01:54] included within the rural living, not rural living, sorry, the rural zone.

[06:02:04] And then also I guess an extension of some properties that were included within the

[06:02:12] rural resources zone now being proposed to be included within the landscape conservation

[06:02:18] zone.

[06:02:26] However I guess the balance is proposed to transition to landscape conservation.

[06:02:34] This zone, this not this zone, this locality also was not subject to the proposed PPZ

[06:02:41] but is, as the rest of the local government area is, subject to a number of overlays

[06:02:47] including the waterway, coastal protection overlay, the scenic protection area overlay,

[06:02:54] priority vegetation, bushfire prone and landslip.

[06:03:06] So for the, I guess the hill shade mapping for this area, it does kind of show that

[06:03:11] the existing environmental living zone land is predominantly I guess land that is kind

[06:03:18] of elevated and I guess has a sloping topography.

[06:03:32] In terms of the landscape values which are identified for this locality, we've established

[06:03:40] that they're defined by the native vegetation, dramatic landforms and scenic rural outlooks.

[06:03:46] The interplay between sloping terrain, bushland and open pasture creates a visually

[06:03:51] distinctive and environmentally sensitive landscape.

[06:03:54] The extensive native vegetation contributes not only to visual amenity but also to

[06:03:59] biodiversity, providing habitat for wildlife.

[06:04:03] The combination of natural bushland and agricultural clearings, elevated scenic points

[06:04:08] establishes the landscape character that is both environmentally and scenically significant.

[06:04:17] Then if we move into, I guess in this area also there were a number of representations,

[06:04:26] again most of which objecting to the landscape conservation zone with the rural zone or the

[06:04:32] rural living zone put forward as appropriate alternative zones in many of those submissions.

[06:04:43] In considering this locality, I'll kind of go to the recommendations and then jump back

[06:04:50] to the decision framework where it's relevant.

[06:04:54] Considering the framework, it's generally supported the proposed extent of landscape

[06:05:05] conservation and rural living zone where transitioning the environmental living zone

[06:05:12] with the exception of the following recommendations.

[06:05:15] So the parcels and portions of parcels that are identified in yellow

[06:05:20] in the recommendations report were proposed to be suitable for transition to the rural living zone.

[06:05:28] These were the parcels that were identified not only as having rural living characteristics

[06:05:34] but also were relatively consistent with adjoining rural living zone land.

[06:05:39] These parcels are identified along Allen's Revealette Road, Mountain Road

[06:05:46] and some of them I guess are identified only in part recognising that there are landscape values
[06:05:51] that are distinct to landscape values and I guess less landscape values on different parts
[06:06:03] of those blocks. There are also areas that we had identified in red that are those which
[06:06:12] you'll see in kind of the recommended changes to be transition to the rural zone.
[06:06:19] So these were areas where there was a view that the existing uses and characteristics
[06:06:31] were more consistent with the rural zone than with I guess what would be expected within
[06:06:38] the landscape conservation zone or I guess in looking at whether or not
[06:06:44] I guess the rural living settlement characteristics were not overly applicable to this land given
[06:06:51] I guess the size and then the the activities that were identified as occurring which I
[06:06:57] guess is the basis for that that rural zone and I guess it then is identified also as
[06:07:04] having alignment with some of the other recommended zonings that were proposed in
[06:07:11] the Margate locality as well which I guess we've already been through but
[06:07:18] recognised as I guess some of the the transition zones or not transition zones
[06:07:23] but some of the transitions that have occurred in that the Margate locality.
[06:07:29] I don't think so the identification of the split zone boundary for the red section I guess
[06:07:44] I mean I guess that's something we work out down the track if that's
[06:07:46] supportable no nothing for me thank you okay sand fly and chaotic so I guess from the outset
[06:08:07] this is I guess a locality that's made up of a few kind of spatially separate areas but I
[06:08:13] guess were considered as a whole in terms of the the locality given kind of
[06:08:22] where they are in the local government area in terms of existing settlement pattern we
[06:08:28] identified that the lots exhibit like a strong rural characteristics with lot sizes that
[06:08:35] typically range from 10 to 20 hectares and with I guess several larger parcels also identified
[06:08:42] 50 to 60 hectares most of the parcels are heavily vegetated with only limited areas cleared for
[06:08:48] dwellings I guess and immediately surrounding dwellings although in some parcels throughout
[06:08:54] there is evidence of I guess agricultural and rural activities on which I guess there is for
[06:09:01] which there is kind of significantly larger cleared areas of land where we can see that
[06:09:07] those uses or activities sorry are occurring the landscape is predominantly vegetated with
[06:09:15] only limited areas of clearly dwelling sorry I've already said that and there are kind of
[06:09:20] agriculture and pasture based activities that are evident in some of the western portion
[06:09:25] of the area particularly in the vicinity of Longley in the northern portion of the locality
[06:09:30] there's small groupings of parcels which appear to have rural residential characteristics
[06:09:35] which are similar I guess to existing surrounding rural living zone land in terms of the zoning for
[06:09:46] for this locality there is I guess largely the existing extent of the environmental living zone
[06:10:04] land is identified this area also this locality does have an additional portion which is I guess
[06:10:13] to the furthest west that is not in the environmental living zone now but is or was
[06:10:22] proposed and I guess when we get to the next slide oh next slide sorry when we get to the
[06:10:28] layer that shows the proposed exhibited scheme I guess is an extent that council had proposed
[06:10:34] to include within the landscape conservation zone so I guess it has formed kind of part of
[06:10:42] part of the locality for consideration as part of this exercise this area also was not subject
[06:10:49] or proposed to be subject to the ppz but does have the existence of overlays including the
[06:10:58] waterway and coastal protection area the scenic protection area priority vegetation nothing
[06:11:14] bush fire prone area and land in terms of establishing localised landscape values for this
[06:11:32] area we determined that the locality has extensive areas of bushland coverage
[06:11:38] which is predominantly which is a predominant feature of the locality
[06:11:42] overall a distinct rural character which is framed by the significant bushland coverage
[06:11:49] and there is an interplay I guess between the undulating terrain bushland and areas of
[06:11:53] pasture that are kind of like and rural land that creates a visually distinctive
[06:11:59] and environmentally sensitive landscape for this locality
[06:12:12] there is I guess a small portion in the southern area that is identified as having

[06:12:15] a private timber reserve and I guess there were a number of modifications that informed
[06:12:23] the exhibited zoning that we considered the representations that were present and identified
[06:12:32] I guess within this locality that related to the landscape conservation zone generally opposed
[06:12:39] the landscape conservation zone with some representations indicating that a rural living
[06:12:46] zone might be preferred whereas others kind of looked to put forward a more appropriate zone
[06:12:54] in a hearing so for this one like the last one I'll probably just go straight to
[06:13:12] the recommendations and jump back through so for this locality the exhibited planning
[06:13:20] scheme zoning is generally supported in terms of the extent of the proposed landscape
[06:13:25] conservation zone and rural living zone I guess noting that in the exhibited scheme
[06:13:31] which I probably did gloss over a little bit sorry there were some changes I guess that council
[06:13:36] had already identified in terms of including some of the environmental living zone land within
[06:13:43] the rural living zone so I guess just recognising that in acknowledging this recommend
[06:13:50] in stating this recommendation and I guess that overarching general support is with the
[06:13:56] exception of the parcels that are identified within the report with I guess an identified
[06:14:05] kind of yellow section which is close to Pregnall's Road and Talbot's Road I guess in
[06:14:13] terms of the parcels would be proposed to transition to the rural living zone on the
[06:14:20] basis that this is that these parcels are relatively consistent with the rural living
[06:14:29] zone that is applied that is adjacent to and has values on it that would be similar to those
[06:14:35] other parcels there are also a number of other parcels that were identified in red
[06:14:43] in the recommendations report along Hall's Track Road, Pioneer Road,
[06:14:48] Hayooda Road, and Thompson's Road which is technically in Alan's Rebouillette but
[06:14:55] for the purposes of this locality we included it in this one because it was closer to this
[06:14:59] side.
[06:15:00] but I guess those properties were intended to or were recommended for
[06:15:05] inclusion often in part into the rural zone with the balance of the zone
[06:15:11] remaining as proposed in the landscape conservation zone. I guess recognizing
[06:15:17] again that those were places where we could clearly see that there were
[06:15:21] activities where occurring where that were kind of consistent with the rural
[06:15:28] what you would expect potentially in the rural zone and that the landscape
[06:15:32] values that are identified are probably not as significant in terms of I guess
[06:15:40] heavy vegetation in these areas and that they kind of share characteristics
[06:15:48] that are similar to other adjoining rural zoned land I guess creating
[06:15:52] kind of a more consistent settlement pattern in or not settlement pattern
[06:15:56] sorry our zoning pattern. Questions?
[06:16:03] It's the last one. Longley for last.
[06:16:15] Okay so for this locality we are sorry one second we are looking at a locality
[06:16:35] that generally exhibits a settlement pattern that has strong rural character
[06:16:42] with a range of lot sizes kind of ranging from 10 up to 60 hectares most
[06:16:48] of the parcels in this locality are generally considered to be heavily
[06:16:51] vegetated with limited clearings in some places for dwellings which
[06:16:58] is I guess predominantly the main reason for clearing although there are
[06:17:02] definitely some some rural activities evident particularly in the Western
[06:17:08] portion of lower Longley that I guess we identified kind of where more more
[06:17:15] or less vegetated areas of land exist because it appears as though some
[06:17:22] rural activities are occurring. In terms of the zoning for this
[06:17:29] locality this I guess shows the extent of the environmental living zone that
[06:17:39] exists within the interim planning scheme under the proposed planning
[06:17:48] scheme as exhibited there was limited change or not change sorry keep saying
[06:18:02] that there was I guess a transition of the environmental living zone

[06:18:06] predominantly to the landscape conservation zone I guess that's with
[06:18:16] the exception of this area I guess to the east which second sorry I'm getting
[06:18:30] myself muddled for the last one um yeah I guess where portions of the
[06:18:38] site of the locality were transitioned to the rural living zone as exhibited
[06:18:45] and there is I guess around kind of lonely in terms of that so those were
[06:18:54] environmental living zone land that was that was transitioned I guess as
[06:18:58] part of the the process of well the scheme as it was exhibited for this
[06:19:10] one I guess in terms of the the overlays they're applicable again there
[06:19:16] was no ppz relevant to to this locality however the the regular host of overlays
[06:19:24] are relevant to and for consideration in this locality including the
[06:19:31] waterway and coastal protection scenic protection priority veg bushfire prone
[06:19:35] and landslip and for this locality the localized landscape values were
[06:19:47] characterized as having kind of significant landscape values that are
[06:19:51] derived from the areas topography elevated position and extensive bushland
[06:19:56] coverage which forms a visually vegetated extension to and I guess in
[06:20:03] that northern part and extensive vegetative fringe to the I guess as a
[06:20:08] continuation of the landscape of Wellington Park which extends
[06:20:12] immediately to the north of the locality sorry in reconsidering I guess
[06:20:22] in considering the evaluation pathway for this land there obviously was some
[06:20:34] areas which were identified as having rural living characteristics in terms
[06:20:39] of our assessment those largely related to the areas which council had
[06:20:45] already determined should form part of the rural living zone and I guess
[06:20:51] would remain supported through through the evaluation in terms of the overall
[06:20:58] recommendation of this for this locality I guess again that the the
[06:21:04] exhibit of planning scheme is generally supported in terms of the
[06:21:07] extent of the landscape conservation zone and rural living zone that were
[06:21:12] proposed with one additional change noting I guess the potential for rural
[06:21:21] zone to be expanded on to to part of 137 Anderson Road lower Longley I guess
[06:21:30] given that that land is probably considered to have attributes that are
[06:21:34] that are more similar to to the rural zone land that it's adjoining and I
[06:21:41] get it for that portion of the land anyway and I guess just kind of the
[06:22:04] benefit of the risk conversation in terms of the consideration of the
[06:22:07] appropriate management of landscape values for the land that is identified
[06:22:12] as transitioning to the rural living zone that one I guess is considered a
[06:22:16] low low risk for the purposes I guess of of the risk conversation that we've
[06:22:21] been having today and is I think probably pretty well aligned with
[06:22:25] with the rural living zone in the context of that locality questions so
[06:22:33] I wonder if you can bring up exhibited just on old on the human highway the
[06:22:41] old human highway or human road I guess it is that's it's just not quite on
[06:22:47] the in the exhibited diagram within the report code I think it's part of
[06:22:53] the area that we're talking about here is slid off the right of the
[06:22:56] map so this was checking it's that here yeah so that area near the words
[06:23:04] human road there I think it's slid off the exhibited map in the assessment that
[06:23:11] you've done
[06:23:21] I guess I'm happy to update that map if that's no no just checking I guess
[06:23:26] yeah it definitely I guess was considered as part of the so I'm just
[06:23:30] trying to work out what was exhibited there we go there we go down in that
[06:23:37] yeah in that area there where those lots are so that's rural living is it
[06:23:41] that section yeah okay yeah all along there that's fine

[06:23:55] yeah yeah thank you I think you've done it yeah well done yeah well look I
[06:24:08] think that brings us to the end of the playing authorities presentation
[06:24:14] unless you've got playing authorities got anything other it wants to add in
[06:24:17] response to direction 69 nothing I think I think Kate's done a very
[06:24:25] good job and you know Council's response kind of aligns with Irene
[06:24:32] report so there's nothing that I would like to add today perhaps just
[06:24:36] indicating it which you most probably will add to this obviously the process
[06:24:40] where the Commission's seen up notifications to people at the moment
[06:24:44] so that gives people potentially another opportunity or the Commission at
[06:24:47] least another opportunity to revisit some of these matters yeah and I'll
[06:24:52] touch on that in a sec thank you so look I think it just remains for us to
[06:24:58] say thank you I think that was a very detailed and almost forensic
[06:25:03] response to direction 69 so I appreciate you doing that and taking
[06:25:07] the time and taking the time to take us through the last two days just a
[06:25:13] couple of things I think there's probably two outcomes out of it that
[06:25:16] as a panel we want to see happen I think there's an opportunity for you
[06:25:22] to review the report based on some of the conversations that we've had over
[06:25:26] the last two days particularly around some of the anomalies perhaps some of
[06:25:31] the look I still not clear about the 19 hectares and the 15 hectares I'm
[06:25:36] sorry I did mean to clarify that today so I think I guess the
[06:25:39] assessment in terms of the analysis was based on 15 hectares and it is
[06:25:43] just that slide which I had printed for everybody which had the mistake of
[06:25:50] 19 hectares there's that and you know the low density residential in Gordon so
[06:25:57] that just maybe just from the basis of what's happened the last two days review
[06:26:02] the report just make sure you pick up any anomalies that may have occurred
[06:26:05] you can resubmit that to us as an addendum to your report if you so
[06:26:10] wish I'll leave it up to you what your internal processes are to get
[06:26:14] that report to us but we don't want to see the whole report resubmitted
[06:26:18] but if there are addendums to it based upon the last two days if you want to
[06:26:22] send to us as corrections to the report or explanations to the report
[06:26:26] then please take advantage of that and do so I think that ought to be
[06:26:30] relatively quick as well given that we've got the notification letters out
[06:26:34] at the moment so if you could do that within 14 days we'd be we'd be
[06:26:40] grateful and in fact I think we might have an issue a direction to
[06:26:43] that effect saying saying that so it's on the public record secondly just in
[06:26:51] terms of the presentation over the last two days we would be grateful if you
[06:26:56] could submit that to us as well I think from the community's point of
[06:27:00] view it would be good to have that presentation up on our website it's
[06:27:05] it's the presentation that you made the public facing presentation you
[06:27:09] made in response to the direction so in being transparent with the community
[06:27:15] I'd like you to submit that and we could put it on our website but again
[06:27:20] the opportunity exists for you to review that presentation given the
[06:27:25] discussions we've had over the last two days so if you could submit the
[06:27:29] presentation to us within 14 days as well I'm sure to line up with you
[06:27:34] doing the review of the report so it shouldn't be too difficult to meet
[06:27:38] that timeline yes I just wouldn't say yes that's that's no problem we will
[06:27:43] also make the presentation available on our website so it's available on your
[06:27:48] website as well okay thank you for that good all right look I'm going to
[06:27:52] take a short just a short quick break again just so we can stretch our

[06:27:57] legs and I'll come back and I'll outline what the process is from the
[06:28:01] panel's point of view going forward so we'll come back for 28 and come
[06:28:07] back at that 20 to 5
[06:37:20] Okay, welcome back everyone. At the introduction yesterday, I did say there were two purposes
[06:37:28] for the hearings over the next two, well these two days. One was to hear from the
[06:37:33] Planning Authority in terms of their response to direction 69. The other one was to outline
[06:37:39] what the panel sees as the process for moving these hearings forward. We have had a, quite
[06:37:49] an extensive break between when we had our last hearing and now, so we want to just outline
[06:37:55] what we think is the right process to move this matter forward. We've mailed out a whole
[06:38:04] series of letters to the community on the 2nd of April, and these relate specifically
[06:38:09] to the land that was exhibited, Landscape Conservation Zone, given in the targeted
[06:38:15] review that we've just heard from Irene Ink over the last few days. That review was commissioned
[06:38:22] by the Kingborough Council in response to the Commission rejecting the PPZ, the Kingborough
[06:38:27] Bushland and Coastal Living Zone, and our subsequent direction 69, which we issued
[06:38:33] back in October 2025. So it's been out there now for the best part of six months.
[06:38:38] As I said yesterday, and as we've discussed throughout the last few days, the purpose of
[06:38:45] that direction was for the Planning Authority to reassess the application of LCZ in the
[06:38:50] exhibited draft LPS and to recommend whether those zones should remain as exhibited or
[06:38:56] be changed, and if so, to what zone in accordance with the guidelines, and that's
[06:39:01] what we've heard over the last two days. So just to put this into context, what
[06:39:07] the Commission has done is that we've sent out 1,267 letters to eight separate classes
[06:39:15] of landowners in the municipal area, affected by the Planning Authority's review of the
[06:39:21] Landscape Conservation Zone. It's a huge task. It's been taken on by the Commission,
[06:39:27] but I think it's fair to say it's one that we are absolutely committed to, because
[06:39:31] we are very, very keen to see natural justice and procedural fairness throughout this process.
[06:39:37] We accept, too, that there may be some anomalies with the letters. We are aware that some
[06:39:45] people have contacted the Commission with some concerns about the letters, but given
[06:39:50] the enormity of the task, we do urge you to contact the Commission if you have any
[06:39:55] concerns. That's the best advice that we can give you. If you've got a letter,
[06:39:59] you're confused about what the letter's saying or you don't think it's correct,
[06:40:03] please contact the Commission to talk to our staff about it.
[06:40:08] So in terms of the letters, each letter provides the affected landowners with three
[06:40:14] key pieces of information. The first one confirms the zone their property was exhibited
[06:40:21] under the draft LPS. The second piece of information explains whether the Irene Inc
[06:40:28] report recommends that the zoning remain unchanged as exhibited, or proposes a
[06:40:34] different zone, and thirdly outlines what opportunity the landowner has to respond
[06:40:40] to those recommendations. Different letters were sent to landowners because they are
[06:40:47] all in different situations. Some people made representations during the public
[06:40:52] exhibition period, some did not. Some representations have already been heard
[06:40:58] by the Commission, some have not. In addition, the Irene Inc report proposes
[06:41:03] changes for some properties but not to others. The wording of each letter reflects those
[06:41:08] differences, but the underlying purpose is the same in all cases. How can the affected
[06:41:14] landowner have a say? For those people who have made representations,
[06:41:22] the letters explain whether their submissions have already been heard or will be heard
[06:41:26] at a future date, and they provide an opportunity to make further written submissions
[06:41:31] focusing specifically on the Irene Inc recommendations, should they wish to do so.
[06:41:37] For those landowners who have already attended the hearings, the Commission may
[06:41:42] relist your matter for a hearing, depending on what's contained in your submission.
[06:41:47] For those represent tours that we have not heard, you are welcome to talk to

[06:41:51] your submission when you appear before us.

[06:41:56] For affected landowners who did not make a formal representation during the exhibition,

[06:42:01] but sought to make a submission to the Commission, or had correspondence submitted

[06:42:05] on their behalf, or because they are newly affected by the Irene Inc report,

[06:42:09] the letters intend to ensure procedural fairness by giving you a clear opportunity

[06:42:14] to formally participate in this stage of the LPS process.

[06:42:20] This does not necessarily mean that you will be granted a hearing before the panel,

[06:42:24] as any submissions do not convey a legal right to be heard, as they are not part

[06:42:29] of the formal Section 35F report process. However, by making a submission,

[06:42:36] your views will be made known to the Commission, and depending on the issues

[06:42:40] you raise, the Commission may decide to invite you to come in and talk to us about them.

[06:42:48] Importantly, these letters do not represent final decisions about zoning.

[06:42:54] The letters are part of the Commission's information gathering and consultation process.

[06:42:59] They are designed to be transparent, to explain what has been recommended

[06:43:04] by the Planning Authority, and to ensure that anyone who is directly affected

[06:43:08] understands their position and has an opportunity to have a say.

[06:43:13] The Commission will not make a decision until it has considered all the evidence

[06:43:17] put before it, including representations, submissions and information submitted

[06:43:22] by the Planning Authority's review.

[06:43:28] All recipients are invited, if they choose, to make a written submission

[06:43:31] to the Commission by midnight on Monday 4 May.

[06:43:40] Submissions received by that date will be considered as part of the ongoing assessment,

[06:43:45] and as I said, some may be listed for future hearing, depending on their content,

[06:43:50] and submissions will be published on the Commission's website

[06:43:53] with personal contact details redacted.

[06:43:58] The letters also provide links to the IRIN Inc report, Direction 69,

[06:44:03] Council's interactive mapping, the Commission's assessment page,

[06:44:07] and the relevant zone provisions so that landowners can have access

[06:44:10] to the same information that the Commission is relying upon.

[06:44:15] In short, these letters are about ensuring clarity, transparency and fairness

[06:44:21] at this stage of the Kingborough draft LPS assessment,

[06:44:24] and about making sure that anyone affected by the IRIN Inc recommendations

[06:44:29] has an opportunity to engage with the Commission before the Commission finalises its decision.

[06:44:38] Just in terms of the hearings and going forward,

[06:44:42] we do intend to resume the hearings in late May and continue through until mid-June.

[06:44:48] We will again take a break at that point, primarily because of delegate availability.

[06:44:54] I think we were talking before, these hearings have now been going

[06:44:57] for the best part of nine months.

[06:45:00] not unexpected that delegates may be unavailable at certain times during the process.

[06:45:05] I really encourage you to follow updates on the Commission website and local newspapers.

[06:45:13] In terms of dealing with the Planning Authority's resolution on 16 March, which I think is

[06:45:19] part C or part D of the resolution, and I'll just read it out because it's for

[06:45:24] the sake of completeness to put it on the record, the Council resolved, amongst

[06:45:28] other things, that the TPC, the Tasmanian Planning Commission, be advised that its

[06:45:34] risk appetite in relation to questions of impact on landscape values is high, and

[06:45:40] we take the view that where more than one zone is considered appropriate for a

[06:45:44] particular area, the zoning that should be applied to that area would be the

[06:45:48] least restrictive alternative. Just in terms of the Commission's process

[06:45:54] and dealing with that, we'll first hear all the evidence. We want to hear

[06:45:58] what the representatives and people who made submissions have to say on each
[06:46:01] locality, and where the panel forms a view that more than one zone could be
[06:46:07] contemplated by locality, the panel may at that point issue a direction to
[06:46:11] the Planning Authority, seeking further submissions on the appropriate
[06:46:14] zone. I think it's important, as I said earlier, to understand that
[06:46:20] irrespective of what the Planning Authority submits to us, ultimately
[06:46:24] it's the Commission's legal responsibility to make the decision
[06:46:27] on the proposed zoning, based upon the LPS criteria described in Section 34 of
[06:46:33] the Land Use Planning and Approvals Act. Just before I finish, I just want to talk
[06:46:38] quickly about Bruny Island. We haven't talked about Brunyongong in the last
[06:46:42] two days. This is because we're waiting for the Planning Authority to
[06:46:46] complete its review of the Bruny Island and Blackmans Bay and Bonnet
[06:46:49] Hills apps. Whilst IRIN Inc has made some recommendations for zoning on
[06:46:54] Bruny Island, the Commission wants to wait until the Planning Authority
[06:46:58] responds, namely after the 22nd of May, before writing to the Bruny Island land
[06:47:04] owners. So it'll be a similar process that we've done for the last setting
[06:47:09] out the letters, but we can't write to Bruny Island until we've got the
[06:47:13] response to the SAP. And as I said, that won't be before the 22nd of May.
[06:47:20] I've just said that we will communicate with Bruny Island after the
[06:47:24] date, but it's likely that there will be a hearing similar to the one
[06:47:29] conducted today, where IRIN Inc takes us through the recommendations for
[06:47:33] zoning and we discuss the SAP in more detail as well. So that that will
[06:47:38] be for a future date. So in conclusion, I'll just trust the
[06:47:43] above clarifies the process that we are going to be following moving this
[06:47:47] matter forward and affirms the Commission's commitment to procedural
[06:47:50] fairness and giving affected landowners the opportunity to have a say. Please
[06:47:55] stay informed through the Commission's website and information in
[06:47:59] the local newspapers. And as I said earlier, we do look forward to
[06:48:03] resuming the hearings in mid to late May. You can ask me a question of
[06:48:09] process, Alison. You can't ask me a question. The number of letters.
[06:48:22] You did mention a number of letters that were going out, 1200 and
[06:48:34] something letters, which doesn't quite correlate with the number that we've
[06:48:39] got. And so just for clarity, have all proposed LCZ owners under the
[06:48:46] exhibited LPS been sent a letter from the TPC with an opportunity to submit
[06:48:52] further opinions? Yeah, I think the answer is yes, with the exception of
[06:48:59] Bruny Island. Okay, so that might help. Yep. And then where a
[06:49:05] recipient of a letter does not send a response back to the email provided in
[06:49:11] that letter, how will the TPC proceed? I.e. will you favour the IRIN
[06:49:17] Inc position and that of the planning authority or the landowners statement
[06:49:24] provided through direction 52, which was in relation to the authorities
[06:49:37] for reps 430 and I think it was 198? Yeah, it was. That's the two gentlemen.
[06:49:50] Correct, the Elcock brothers, yep. Look, I suppose the starting point to answer
[06:49:55] that question, Alison, is that we do absolutely encourage people to put in
[06:49:59] a submission. So anything that can be done to raise awareness of the
[06:50:04] letters that we've sent out, we would be grateful. Yeah. These hearings are part
[06:50:09] of it, but I know there are other mechanisms as well. So we would really
[06:50:12] encourage people who have received a letter to put in a submission. If they
[06:50:17] choose not to, then we are bound to proceed in accordance with the
[06:50:21] process I said earlier, which is set out in the Land Use Planning and

[06:50:26] Approvals Act, section 34. But we will obviously take into account
[06:50:32] any evidence that's put before us, whether that's by the planning authority,
[06:50:35] whether that's by IRIN Inc or if someone makes a submission. Okay. And
[06:50:40] given that you have mentioned that there are some anomalies in terms of
[06:50:43] those letters going out and we've already been contacted by a number of
[06:50:47] people that haven't received their letter yet, how can we trust that
[06:50:50] everyone has received a letter and has an opportunity to respond? Well, I
[06:50:55] don't know if I can answer that question, Alison. I think there's been
[06:50:57] quite a forensic effort by the commission staff to identify
[06:51:02] the affected landowners, so to speak. If someone's been missed or not
[06:51:08] included, then the opportunity is there to contact us to let us know and we
[06:51:12] can review it.
[06:51:16] So we have the authority to contact landowners using the postal addresses
[06:51:21] as they're reported at the Land Titles Office. Yes. It's the responsibility
[06:51:25] for the Registered Compiler of Lands to ensure that their details are
[06:51:29] correct with the Land Titles Office for services of notices. Right. Now
[06:51:34] that considered, in cases that someone thinks they didn't get a
[06:51:37] letter, we'll endeavour to, as quick as possible, supply that
[06:51:41] letter to someone. There isn't a single land title that has actually
[06:51:44] been missed as such. It's just that obviously not everyone is going to
[06:51:48] update their details. We have actually a very limited sort of legal ability
[06:51:53] to, you know, use any, you know... We can't just go knock on people's
[06:51:59] doors, say, oh, you know. Oh, I understand. So we'd probably, and
[06:52:03] obviously if someone updates their details at the Land Titles Office
[06:52:07] now, it's going to take ages for that to be reflected in the
[06:52:10] information that we have. Of course. I would recommend that if these
[06:52:14] people have contacted you that they actually do contact us. We'll try.
[06:52:17] We can provide them with that letter because they would have had an
[06:52:21] address letter to them and we can also provide them with details as
[06:52:26] to how they update their information with the Land Titles Office
[06:52:30] should they be in this situation again. OK. So had it have not
[06:52:36] been for our Facebook page, however, there's somebody last week
[06:52:41] that didn't receive a letter. It was addressed to them, but it was
[06:52:46] addressed to their neighbour's address. And we're not talking out the middle
[06:52:49] of what we're talking about, number 31 and number 33.
[06:52:52] Yeah, yeah. And I actually have looked at that and that was...
[06:52:55] So I know she's been... That is what was on their land title
[06:52:58] address. Yeah. Now, that, you know, we can only do so much.
[06:53:03] We... If someone's postal address is different to what it currently is
[06:53:08] now, like what... You know, we don't know when we're sending these
[06:53:13] letters out that, oh, someone had the wrong details recorded with the
[06:53:16] Land Titles Office. Yeah. Now, it's, you know, fortunately, in most
[06:53:21] cases, you know, people will, you know... Well, you'd hope that
[06:53:25] the neighbour would pass it on. Yeah. Because most of the time,
[06:53:28] these things are correct, but... Yeah. But the offer remains to
[06:53:32] contact the people in their position. Yeah. And we can email that
[06:53:37] through. Yeah. So it doesn't have... We don't have to wait for the
[06:53:40] post, you know. Yes. They would be welcome to...
[06:53:43] Yes. And obviously, those people that we can contact, we will

[06:53:47] obviously encourage that. And as our association, we'll promote
[06:53:51] it and may even get some press around that. Just be mindful,
[06:53:54] Alison, that 4th of May deadline is hard and fast.
[06:53:58] Absolutely. Yeah. And then just one final question, and you
[06:54:03] may not be aware of this. And Adrienne, I don't know whether
[06:54:06] you've been made aware of this, but Club, the association, did
[06:54:11] have a forum, and that forum was attended by the CEO, the
[06:54:15] director of community planning and environment. I've got that
[06:54:20] round the wrong way. The mayor and two other councillors.
[06:54:27] And a question was asked by the representative of 198. And
[06:54:35] obviously, because that's a multiple representation. So
[06:54:40] there was a commitment made to that person on behalf of
[06:54:42] council via the people that were in attendance. That a
[06:54:48] copy of the decision tree would be provided, and we have
[06:54:51] evidence of that, so thank you. But also that a table that
[06:54:55] would contain the following columns of data would be
[06:54:58] provided in either an Excel or CSV or a QGIS attribute
[06:55:03] format. And this is obviously for the ease of this
[06:55:08] represent or in the multiple representations. And I've got
[06:55:14] the headings here that I can give you. But basically, the
[06:55:17] question is, where is that table? And could this could
[06:55:20] this data be made available? The rationale behind that is
[06:55:24] because that the irony report is difficult to obtain
[06:55:26] CT and PID data easily, as it's not searchable in parts
[06:55:32] and screenshots do not display title information. And
[06:55:36] the interactive map does not provide visible visibility of
[06:55:38] data for advocates like 198.
[06:55:41] Look, thanks for raising it. But I think it's not really
[06:55:44] a matter for the panel. And but I'm happy for you to
[06:55:46] take it up privately with Adriaan Stander after the day.
[06:55:50] Yeah, okay. Thank you.
[06:55:53] Anyone else got any questions of process?
[06:55:57] Hi, I'm thinking about for people who are pulling
[06:56:02] together their submissions and their hearings, people
[06:56:06] within communities take, for example, Alan's review that
[06:56:09] where I'm from, we're all all the landholders are working
[06:56:12] together to come up with a landscape scale solution that
[06:56:17] what would we think would work better for us. In terms
[06:56:20] of process, from a submission perspective, and also from
[06:56:25] a hearings perspective, we would like to be able to put
[06:56:30] forward a collective view as well as individual views,
[06:56:34] because every land parcel has its own individual things
[06:56:38] to deal with. And also be able to present at a hearing
[06:56:43] collectively and individually, what would be your
[06:56:46] recommendation or what would be the process around doing
[06:56:49] that or ensuring that could happen?
[06:56:52] Well, look, to be honest with you, I think that's a
[06:56:55] matter for you. Like, I think it's a matter for you
[06:56:57] as to how you decide to respond to the letter and

[06:57:02] make your submission back to us. We don't want to
[06:57:05] tell you how to do it. All I will say is that we're
[06:57:08] going to give a lot of thought a lot of thought to
[06:57:10] how we conduct the hearings going forward to make it
[06:57:14] easier for representatives and landowners. And one of
[06:57:18] the things we are giving consideration to is that
[06:57:21] we will do the submissions that we decide to hear
[06:57:24] and the representations that we have to hear on a
[06:57:27] locality basis. So that might make it a bit
[06:57:30] easier for representatives coming before us in the
[06:57:34] future. So you've heard Kate's locality
[06:57:37] analysis. I think we'll try and set the hearings
[06:57:41] up going forward so we can deal with issues such
[06:57:45] as Alan's Rivulet on one day with all the people
[06:57:49] affected being there on that day, which hopefully
[06:57:53] will make it easier for you.
[06:57:54] I think, though, I mean, I'm only talking for
[06:57:56] Alan's Rivulet and maybe this is relevant for
[06:57:59] other localities. There are several properties
[06:58:03] that are in the Irene Inc report considered under
[06:58:08] the Margate locality, which actually form part of
[06:58:12] our collective submissions.
[06:58:14] We'll try and get localities that are adjacent.
[06:58:18] We're trying to do it in the order Kate did it,
[06:58:20] if we can, but wish us luck as we try and
[06:58:23] organise that. But look, we're all about trying
[06:58:25] to make it as easy for you as we can in terms
[06:58:28] of making your presentations and submissions.
[06:58:31] So we just need to do a bit of work on the
[06:58:33] hearing schedule and those sorts of issues. And
[06:58:36] we've also got to wait to see how many
[06:58:38] submissions we get. We may get none. We may
[06:58:41] get 12,000, 1,000. We may get 1,267. We just
[06:58:47] don't know. So we're nothing but flexible at
[06:58:49] the Commission, but we want to make it as
[06:58:51] easy as possible for the community.
[06:58:55] All right. If that's it, I did say we'd
[06:58:58] finish close to five. It's two minutes to
[06:59:00] five and I do pride myself on finishing on
[06:59:02] time. So please keep an eye out on the
[06:59:06] papers. We'll be putting some notifications
[06:59:09] out about the exact dates of when the
[06:59:12] hearings are to resume. But in the
[06:59:15] meantime, thank you Kate. Thank you
[06:59:16] Planning Authority. Thank you everyone
[06:59:18] for attending. We really appreciate it
[06:59:19] and we'll see you in a few weeks.