



30 October 2015

Our ref: 41-66 (7048)

Consultant Town Planner
Flinders Council
4 Davies Street
Whitemark
FLINDERS ISLAND TAS. 7255

Dear Sir/madam,

RE: Development Application Coast Road, Lady Barron

This letter is prepared in support of a proposal by Cohen & Associates Pty Ltd on behalf of F.C. Matthews for a six lot subdivision at land identified in CT 139505/1.

The proposal is aimed to create Lot 1 – 2.59 hectares, Lot 2 – 2.46 hectares, Lot 3 – 2.01 hectares, Lot 4 – 1.85 hectares, Lot 5 – 1.68 hectares and Lot 6 – 1.57 hectares as detailed within the Plan of Subdivision. One title currently exists and it is proposed to create five additional lots. The site is located on Coast Road, opposite Gunters Bay and is bound to the west by a riparian reserve (Holloways Bridge), private property and the Lady Barron airstrip to the North. The site is largely cleared with some small patches of scrub. No buildings are located on the site presently.

The subject land is zoned Rural within the Flinders Planning Scheme 1994 (the Scheme). Subdivision has a discretionary development status. It is also noted that the lot is partly within the Shoreline Waterbody Special Area.

The proposed subdivision furthers the Intent and Desired Character of the Rural Zone. The proposal to subdivide and create five additional lots does not contradict the Intent or Character Guidelines of the Zone. The title has no agricultural value now and no agricultural potential, as detailed further with the Natural Values Report and Agricultural Report prepared by AK Consultants.

The Zone Intent and the Desired Zone Character and Zone Guidelines, allow for non-agricultural uses that are considered compatible in certain circumstances. As such, the future development on all lots is to be considered as compatible, considering the size and shape of the lots and the fact that the site is considered to have no agricultural value currently and no agricultural potential.

The development allows for future separate ownerships, no future development or new or intensification of uses are proposed at this point in time. The configuration of the lots and the location of existing access points provides for physical separation of the lots. The proposal is consistent with the rural characteristics of the surrounding area and hence context. A number of small allotments are located along this section of Coast Road, including two very similar characteristic lots to the east. The proposed density is considered to be consistent with the character of the area and will not detract from the rural context and hence character of the zone.

The land has not previously been utilised for agricultural activities due to the constraints of the site. The anticipated purpose of the subdivision is to provide separation of ownership of the titles only. It is noted that no development, other than subdivision works, is proposed at this stage and that the potential of the land for agricultural activity and adjacent agricultural activities would not be jeopardised by the siting of future residential development and/or extensions.

Clause 5.8.3(a) of the Scheme states that the 'minimum lot size is 40 hectares. The subdivision proposed shows that all lots will be less than 40 hectares in area (ranging from 1.57 hectares to 2.59 hectares). Clauses 5.8.3(b) and (c) are therefore applicable. All lots less than 40 hectares are for a use consistent with point (ii) of Clause 5.8.3(b). There is no irrigation water resources associated with the title and there is no capacity to develop irrigation on the title. The published land capability of the site is Class 5. While the site possesses only marginal agricultural value, the title may have capacity to contribute to agriculture by being farmed in conjunction with nearby land. With the Lady Barron airstrip to the north and the township of Lady Barron to the east, the only possible farming land is to the west. The immediately adjacent title to the west is small (19ha, CT 134868/3) and appears to have some drainage limitations, and therefore it is unlikely this owner would be interested in the subject title for agricultural uses.

Clause 5.8.3(c) requires a detailed assessment of the proposal prepared by a suitably qualified, independent, agricultural consultant. The Agricultural Report prepared by AK Consultants clearly outlines that the existing land and proposed subdivision and subsequent lots of less than 40 hectares are not suitable for agricultural use, due to the existing constraints of the land.

As mentioned previously a waterbody is adjacent to the western boundary to Lot 1 (Holloways Bridge) and Gunters Bay is located to the south. As the development (subdivision) pertains to land within 100 metres of a waterbody, a discretionary planning permit is required pursuant to Clause 3.5. The riparian vegetation on both sides of Holloways Bridge and Gunters Bay is included in the Shoreline Waterbody Special Area. No vegetation removal or change in either watercourse is proposed as part of this application.

Schedule 7 of the Planning Scheme requires consideration in relation to Bushfire Prone Areas. The subdivision is designed so that lots are of a sufficient size and appropriate shapes to provide separation from potential risk to future buildings. The provision of water supply and access construction at the time of future development upon the lots will be required to meet Code requirement.

The proposal is considered to be consistent with Clause 5.8.3(b) and (c) and furthers the Intent and Desired Character of the Rural Zone, within the Flinders Planning Scheme 1994, and should therefore be considered for approval.

Kind Regards,



Rebecca Green