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Hobart City Council
Mount Nelson Planning Review
Final Report
June 2006



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1. Introduction

1.1 Background

GHD has been commissioned by the Hobart City Council to review the planning options for the Mt Nelson area that can be incorporated into draft amendments for the City of Hobart Planning Scheme 1982 or as zoning under a new Planning Scheme prepared in accordance with Planning Directive No. 1. The area was subject to the Mt Nelson Overall Development Plan and supporting documentation, which formed the foundation for Draft Amendment 6/99. The 6/99 Amendment as approved by the Resource Planning and Development Commission (RPDC) was later overturned through a challenge to the Supreme Court - Ex parte Dorney (No 2) [2003] TASSC 69 (11 August 2003).

This report has been prepared to fulfil the requirements of Stage 2 of the project brief.

1.2 Overview of the Issues

The study area encompasses approximately 8 km² and includes the upper slopes of Mt Nelson and Porters Hill and is bounded by the Southern Outlet and Protectors Road to the west, the residential area of Sandy Bay above Churchill Avenue along the northern boundary, the lower slopes of Porters Hill along the eastern boundary and the Albion Heights bushland area adjacent to the northern boundary of the Kingborough municipality.

Mt Nelson has developed as a residential area located within a bushland setting in close proximity to the Hobart CBD. The suburb also contains major educational facilities including Hobart College and the University of Tasmania and has important aesthetic, landscape, environmental and recreational values for the Greater Hobart area and southern region. The hillside/ridgeline bushland landscape forms a backdrop to the Derwent Estuary and has significant environmental, visual and cultural values. The bushland supports some vegetation of high conservation values and provides an important habitat for wildlife and opportunities for passive recreation through numerous walking and fire trails. Mt Nelson also contains sites of important cultural heritage value and tourist importance such as the Mt Nelson Signal Station.

From these characteristics arises a set of complex and conflicting issues relating to development and land use, particularly residential development, and the protection and careful management of the landscape, vegetation, biodiversity and amenity of the upper slopes and ridgelines.

Of particular significance is land in private ownership, some of which has important environmental and landscape values and is currently incorporated within the residential and reserved residential zones. The owners of that land currently have expectations that it can be developed.

These conflicts and complexities are evident in the various studies that have been undertaken, culminating in draft amendment 6/99, the associated representations and the hearing and decision by the Resource Development and Planning Commission subsequently voided following the Supreme Court of Tasmania (Decision – Resource Planning and Development Commission (RPDC); Ex parte Dorney (No 2) [2003] TASSC 69 (11 August 2003).

1.3 Project Aim and Scope

The overall aim of the study is to provide Hobart City Council with guidelines for zoning amendments to the existing Planning Scheme or provisions for a new Scheme in respect of the Mt Nelson area, which take into account past and recent studies of the area; the objectives of Draft Amendment 6/99; representations from land owners and interest groups on that draft amendment; and the decisions of the RPDC and the Supreme Court of Tasmania. It is also intended to consider current stakeholder perspectives.

The purpose of this review is to identify those areas of important natural landscape value and biodiversity and develop an appropriate framework in which these values can be maintained and preserved. The guidelines must also comply with the *Land Use Planning Approvals Act 1993* (LUPAA) and the Objectives of Tasmania's Resource Management and Planning System (RMPS).

1.4 Scope of Stage 1

Stage 1 of the project focused on the following key outcomes:

1. A position statement that takes into account the existing land uses and functions of the area and its natural, environmental values and character.
2. Identification of the key issues and a structured analysis of long term/generational land use options.

1.5 Scope of Stage 2

A scenario for future key land use zoning has been prepared, taking into consideration the outputs from Stage 1 and interviews that GHD undertook with community group representatives and major landowners. Invitations to participate in the consultation phase were sent to all major community groups.

The provisions of the zones under the City of Hobart Planning Scheme 1982 were taken into account in the development of the zoning plan, as well as relevant State legislation and provisions of the 'Template' under Planning Directive Number 1. Private forestry and the *Commonwealth Environment Protection Biodiversity Conservation Act 1999* were also considered in formulating the zoning scenario. In addition, it was also necessary to have regard to zoning of land adjacent to the project area within the Kingborough municipality.

This report does not consider impacts on land value as a result of zoning recommendations as this was outside the scope of the project. This report provides an objective viewpoint on the appropriateness of zoning provisions based solely on realising sustainable development outcomes in accordance with the objectives of the Resource Management & Planning System and LUPAA.

1.6 Acknowledgements

GHD wishes to thank the helpful staff from the Hobart City Council for their valuable contribution to this project. We also wish to thank Mark Chladil, Fire Management Officer with the Tasmania Fire Service.

2. Review of Stage 1 Findings

2.1 Background to Stage 1

Stage 1 of the project reviewed the existing documentation relating to the study area and provided the context within which the subsequent three stages of the project were to be addressed. Specifically, the following reports have been considered:

- ▶ *Mt. Nelson Structure Plan* (1995) initiated in 1993;
- ▶ *Briefing Notes- Conserving the Environmental Values of Mt Nelson* (1995);
- ▶ *Mt. Nelson Outline Development Plan* (1998).
- ▶ The policy decisions of Council leading to the initiation of draft amendment 6/99;
- ▶ The content (in Scheme context) of Draft amendment 6/99 as exhibited;
- ▶ Representations on draft amendment 6/99 and Council's statement under s39 (2) of LUPAA in respect those representations;
- ▶ The decision of the Resource Planning and Development Commission dated 29th November 2001 in respect of draft amendment 6/99.

The implications of the Supreme Court of 11th August 2003, and in particular those relating to the matter of the provisions of the proposed Community Bushland zoning in relation to s.66 of LUPAA were then considered.

Information provided by the Development and Environmental Services Division of the Council relating to the following was then assessed:

- ▶ Subdivision and significant development carried out;
- ▶ Planning approvals granted and outstanding for significant development; and
- ▶ Planning applications pending for significant development.
- ▶ Provision of position and key issues statements on the study area in terms of the features of the study area:
- ▶ Functionality and land use activity structure;
- ▶ Natural values, environmental character, landscape qualities, public amenity (in particular recreational use);
- ▶ Current hazard / risk issues; and
- ▶ Physical and social service constraints/opportunities.

These statements take into account changes since the initiation of the 6/99 amendments, in particular:

- ▶ Information from the Development and Environmental Services Division current 'guidelines' outside the City of Hobart Planning Scheme 1982;
- ▶ *The 'Planning Guidelines' Urban Skylines and Hill Face* prepared by the Department of Primary Industries Water and Environment (noting Councils work);
- ▶ *City of Hobart Urban Design Principles 2004* (Leigh Woolley);

- ▶ Work completed by Northbarker Ecosystems Services in 2004 on flora and its incorporation into Council's GIS; and
- ▶ Council land purchases and the work done 'in-house' in support of Natural Heritage Trust funding for the purchase of land at Porter Hill.

2.2 Outcomes of Stage 1

The Mt Nelson ODP and supporting studies were subject to extensive community consultation and provide sound strategic guidelines for the future development of the area. These documents formed the foundations to the Draft 6/99 Amendment to the Hobart Planning Scheme 1982, which was generally supported by the RPDC. GHD considers that in light of the North Barker study that was produced after the RPDC Hearing, additional land could be set aside to conserve important environmental values. In addition, those areas that have been shown to contribute substantially to Hobart's landscape setting should ideally not be developed, namely Porter Hill.

The following key statements were identified as a result of the Stage 1 document review. These statements reflect important issues concerning future planning in the Mt Nelson area and have assisted in providing a structured analysis of long term/generational land use options. Furthermore, the outcomes of the review provided a foundation for identifying future land use zoning options and zoning boundaries that will provide for the protection of environmental and recreational values and hillside and ridgeline bushland landscape.

2.3 Key Statements

Land Use and Functionality

- ▶ The protection of the landscape, environmental values, existing character, amenity and bushfire hazard management should be the principal factors used to determine appropriate future land use.
- ▶ There are legislative requirements and strong community expectations to protect areas of high conservation value, which places significant limitations on further significant development in the Mt Nelson area.
- ▶ The east facing bushland slopes, which includes Porter Hill, is a landscape of regional significance and an asset contributing to the overall attractiveness of Hobart and should therefore be protected from intrusive development.
- ▶ There are limitations to further development on the University and Hobart College sites due to the high environmental and landscape values.

Environmental Considerations

- ▶ Where there is a concentration of significant and threatened/endangered species or habitat, the conservation of these areas needs to be considered and development avoided.
- ▶ There is some community support for Hobart City Council to purchase land with high environmental and landscape values and increase walking opportunities.
- ▶ There are limitations to further development on the University and Hobart College sites because of the high environmental and landscape values in those areas.

- ▶ There is potential for re-subdivision and infill development in areas that have low landscape and environmental value, but impacts of development on land with high environmental values in close proximity must be thoroughly considered.

Landscape Values

- ▶ As a regional landscape asset, there are limitations to the development of the northern facing slopes of Mt Nelson.
- ▶ Porter Hill is a major contributor to the regional landscape values of the Mt Nelson area and also contains areas of high environmental values and is subject to high bushfire risk, which places severe limitations on development.
- ▶ Where there is a combination of high landscape and environmental values and high bushfire risk there should be no development other than that associated or incidental to passive recreation.

Hazards

- ▶ Bushfire risk puts limitations on development on a substantial amount of land in the Mt Nelson area.
- ▶ Porter Hill is considered a high bushfire risk area.
- ▶ The area above Enterprise Road is a high fire risk area.
- ▶ The northwest edge of Brinsmead Road and environs is a high fire risk area.
- ▶ The University/Mt Nelson College Campus environs and HCC land abutting the Mt Nelson Shop is heavily vegetated and has high potential bushfire threat and therefore development should be minimised and contained within or close to existing development on the sites.
- ▶ The Statements of Desired Future Character for various precincts and/or Bushland Management Schedule, recognise the bushfire threat issue.
- ▶ The 6/99 Amendment offered appropriate provisions for fire management.
- ▶ Areas zoned for residential land use are not expected to have landslip issues.

Infrastructure:

- ▶ There is a substantial area of land in the Mt Nelson area intended for residential development under the current zonings which does not have access to reticulated water or Council's gravity sewer main.
- ▶ There would be substantial costs involved in providing infrastructure for un-serviced areas.
- ▶ An upgrade of services to allow a major increase in development of Mt Nelson would not be sustainable due to the detrimental impacts on the environment, landscape and existing amenity.
- ▶ Changes should be made to the Planning Scheme and introduced into a new Scheme that provide for a substantial reduction in the potential for extensive residential development in the area.
- ▶ More efficient use could be made of existing infrastructure with development occurring in the form of limited cluster and multi dwelling developments in appropriate areas.

Aboriginal Heritage

Aboriginal heritage is an important element of the landscape and recorded sites, as well as areas of high sensitivity must be considered in any planning for the Mt Nelson area.

3. Consultation

The following stakeholders were interviewed during the public consultation phase of the project:

- ▶ Anna Carins, Convenor Friends of Mt Nelson Bushcare Group;
- ▶ Kay McFarlane, Convenor of Regional Skyline Group;
- ▶ Paddy Dorney, Trustee of JHE Dorney Estate;
- ▶ John Medbury (surveyor) representing Jean Broughton;
- ▶ Tracy Mathews - Representative from Robt Nettlefold Pty Ltd;
- ▶ Kay Jevtic, Landowner; and
- ▶ Terry Cromer (surveyor) representing landowner of 607 - 627 Mt Nelson Road.
- ▶ John Turner & Mark Peacock (Peacock, Darcey & Anderson)

The following stakeholders were invited to participate in the consultation process, but did not contact GHD to make an interview time:

- ▶ President, Hobart Walking Club;
- ▶ Shasi Sharma and Simon Baptist, Convenors, Friends of Porter Hill;
- ▶ Els Haywood and David Moser, Convenors, Friends of Truganini; and
- ▶ Paul Lanzone and Inge Graham, landowners.

3.1 Outcomes of Consultation

The following is a summary of the planning issues and concerns from the individual interviews with the key stakeholders.

3.1.1 Friends of Mt Nelson Bushcare Group

The representative of the Friends of Mt Nelson Bushcare Group was Ms Anna Carins. The following main points were highlighted during the interview:

- ▶ The Group is mainly concerned with protecting the environmental and landscape qualities of the area, maintaining the existing character of the area, providing additional links between reserves and connecting formal and informal walking tracks.
- ▶ Support the residential zoning for Precinct 30C as per draft Amendment 6/99 Areas (s39 Report) and object to further development to occur up slope.
- ▶ Marlborough Street track contains historic steps – further development above the cul-de-sac should be low density and have standards to minimise visual impacts.
- ▶ The Signal Station Reserve to be a higher-grade reserve (eg Modified Bushland*) affording greater protection of the historic buildings and bushland.
- ▶ Precinct 45 – bushland values be maintained at low-density development.
- ▶ Hobart College and University of Tasmania Precincts to be rezoned to protect current values.

- ▶ Olinda Grove land either side of the surgery be zoned Community Bushland* to guarantee access to the reserve behind.
- ▶ Scheppein land (607 - 627 Mt Nelson Road) is an important catchment area and was zoned Community Bushland* in 2001. Does Council plan to purchase all or part of this land?
- ▶ Concern exists with the Albion Heights area and harmonising the zoning with Kingborough Council.
- ▶ The Group is in support of the 6/99 amendments and the RPDC decision.

(Note* - a zoning proposed by the Resource Planning and Development Commission in its voided decision)

3.1.2 Regional Skyline Group

The representative of the Regional Skyline Group was Ms Kay McFarlane. The following main points were highlighted during the interview:

- ▶ As per the Group's original representation for the draft amendment. This emphasised a minimum lot size of 20ha for the Landscape and Skyline Conservation Zone and similar provisions for skyline protection areas as provided in the Eastern Shore Planning Scheme Area No. 1 1963.

3.1.3 Turner Land

The following main points were highlighted during the interview in relation to the desired future of the land (Refer to 5.3.1 land shown as P1 on recommended zoning map):

- ▶ Ill feeling between the Turner family and HCC resulting from the back zoning of land under draft amendment 6/99.
- ▶ Plan to undertake infill development at the end of Enterprise Road, Edith Avenue and Sunvale Avenue, which will provide public open space along the Manning Rivulet and links to Bicentennial Park and Aotea Road subdivision.
- ▶ Andrew Welling and Northbarker have undertaken a flora and fauna assessment, which provide guidelines for reducing the impact of the subdivision and residential development.
- ▶ Intending to submit a planning application to undertake an infill residential development (land currently zoned Residential 2). Proposal plan to be submitted to Council for 21 large lots with an average area of 1,500m². Leslie Gulson has undertaken visual impact assessment and lots will have a building envelope to minimise the visual impact of future houses. Lots backing onto Bicentennial Park will have a fire buffer area.

3.1.4 Dorney Land

The following main points were highlighted during the interview in relation to the desired future of the land (Refer to 5.3.3 land shown as P2 on recommended zoning map):

- ▶ As per the previous submission for the draft amendment relating to either fair compensation for the land by Council or the right to develop.
- ▶ It was stressed that without fair compensation, any restriction on development by means of rezoning will be challenged.

3.1.5 Jevtic Land

The following main points were highlighted during the interview in relation to the desired future of the land (Refer to 5.3.3 land shown as P3 on recommended zoning map):

- ▶ The owner believes that site represents an attractive site for residential development in Sandy Bay, a premier suburb of Hobart. The owner of the land has commissioned research into the environmental values of the site. The research suggests that development could take place on site, with due consideration given to existing values both of the site and the neighbouring Porter Hill area.
- ▶ Topography of the site and its size is such that only two lots could be created.
- ▶ Owners supported the zoning and precinct provisions of exhibited Draft Amendment 6/99.
- ▶ The owners wish to sell their land for maximum return, which can only be achieved if the land is zoned to allow residential development as provided under the Draft Amendment 6/99 – Precinct 33B.

3.1.6 Broughton Land

The following main points were highlighted during the interview in relation to the desired future of the land at 585 Mt Nelson Road (Refer to 5.3.4 land shown as P 4 on recommended zoning map):

- ▶ The owner wishes to consider future subdivision of the land.
- ▶ The owner understands the importance of the Lambert Creek and the walking track and public access to the area would be considered as part of any future development proposal.
- ▶ The owner would be open to negotiation with Council relating to the area of land between Lambert creek and the rear boundary.

3.1.7 607 – 621 Mt Nelson Road (previously known as the Scheppein land)

The following main points were highlighted during the interview in relation to the desired future of the land (Refer to 5.3.4 land shown as P 5 on recommended zoning map):

- ▶ The owner's intention is to partly develop the degraded sections of the land, with a trade off of the more environmentally sensitive areas to be donated to Council and incorporated into the Bicentennial Park. Provision would be made in any future development to protect the recharge area of Lambert Rivulet.
- ▶ The owner has since purchased the undeveloped section of the adjoining Broughton land and intends to develop it in conjunction with the adjoining title. It is noted that the eastern portion of the Broughton land also includes Lambert Rivulet, which would be donated to Council and included in the Bicentennial Park.

3.1.8 Robt Nettlefold Pty Ltd Land

The following main points were highlighted during the interview in relation to the desired future of the land (Refer to 5.3.8 land shown as P 7 on recommended zoning map):

- ▶ Nettlefold's believes the site is appropriate for infill development, being adjacent to residential development in Brinsmead Road along the eastern and western boundaries and Onslow Court. The development of the land would take into consideration the sites natural values, which have been assessed by Northbarker and its location behind Mt Nelson ridgeline.

- ▶ Nettlefold's are aware of the environmental values of the site and wish to incorporate and maximise these values into any future development proposal.
- ▶ Nettlefold's would be happy to provide a pedestrian connection to the Council reserve as part of the future subdivision design.
- ▶ Council has initiated informal discussions with Nettlefold's to purchase their land. Considering the time that has passed since the 6/99 Amendment, Nettlefold's wish to confirm Council's formal viewpoint on purchase of the land. In essence, Nettlefold's would entertain a reasonable purchase offer from Council, otherwise they wish to have the opportunity to develop their land.

4. Other Documentation

The proposed amendments have been prepared in light of the Stage 1 findings and consideration of the desired future of the land, as stated by key stakeholders. It has also been important to consider relevant legislation in proposing the amendments. In addition, it has been necessary to consider the current zoning and provisions of the City of Hobart Planning Scheme 1982, as well as those proposed in the Template Planning Directive No. 1. The zoning and status of the land in the Kingborough municipality has also been considered.

4.1 Relevant Legislation

- ▶ *Land Use Planning and Approvals Act 1993* (LUPAA): The principal act within Tasmania's Resource Management Planning System, with the goal of achieving sustainable development of natural and physical resources.
- ▶ *Threatened Species Protection Act 1995*: for the protection of threatened flora and fauna, with the objective to identify, classify and protect threatened flora and fauna species in Tasmania.
- ▶ *State Coastal Policy 1996* (currently under review): Primary objective to achieve the sustainable development of all coastal areas, that being State Waters and all land to a distance of 1 kilometre inland from the high water mark.
- ▶ *State Policy on Water Quality Management 1997*: Primary objective to achieve sustainable management of the state's surface and ground waters by protecting and enhancing their qualities while still allowing for sustainable development.
- ▶ *Environment Protection and Biodiversity Conservation Act 1999*: Primary objective to protect the environment, particularly matters of National Environmental Significance. The Act also streamlines national environmental assessment and approvals process, protects Australian biodiversity and integrates management of important natural and cultural places.

4.2 City of Hobart Planning Scheme 1982

The study area is within the Planning Area of the City of Hobart Planning Scheme 1982. The following zones currently existing within the study area.

- ▶ Residential 2 Zone
- ▶ Reserved Residential area of current Residential 2 Zone
- ▶ Hills Face Zone
- ▶ Local Service Zone
- ▶ Rural C Zone
- ▶ Recreation Zone
- ▶ Special Use 2 Zone

4.3 Template Planning Directive number 1

Planning Directive No. 1 (Common Key Elements Template) provides for the following different zones. In the preparation of a new Planning Scheme, the Planning Authority is required to utilise the following zones. There is no ability under the Directive for the creation of new zone types:

- ▶ Residential Zone
- ▶ Low Density Residential Zone
- ▶ Rural Living Zone
- ▶ Light Industrial Zone
- ▶ Industrial Zone
- ▶ Strategic Industrial Zone
- ▶ Local Business Zone
- ▶ Business Zone
- ▶ Central Business Zone
- ▶ Commercial Zone
- ▶ Environmental Management Zone
- ▶ Rural Resource Zone
- ▶ Recreation Zone
- ▶ Utilities Zone.

4.4 Adjacent Land in the Kingborough Municipality

The study area abuts land that falls within the Kingborough Municipality. Under the Kingborough Planning Scheme 2000, the land falls mostly within the Environmental Management Zone, with smaller parcels of land zoned Primary Industries, Recreational and Residential. It is understood that a previous environmental values report completed by Northbarker has demonstrated that the land that abuts Mt Nelson is of relatively low value due to bushfire damage.

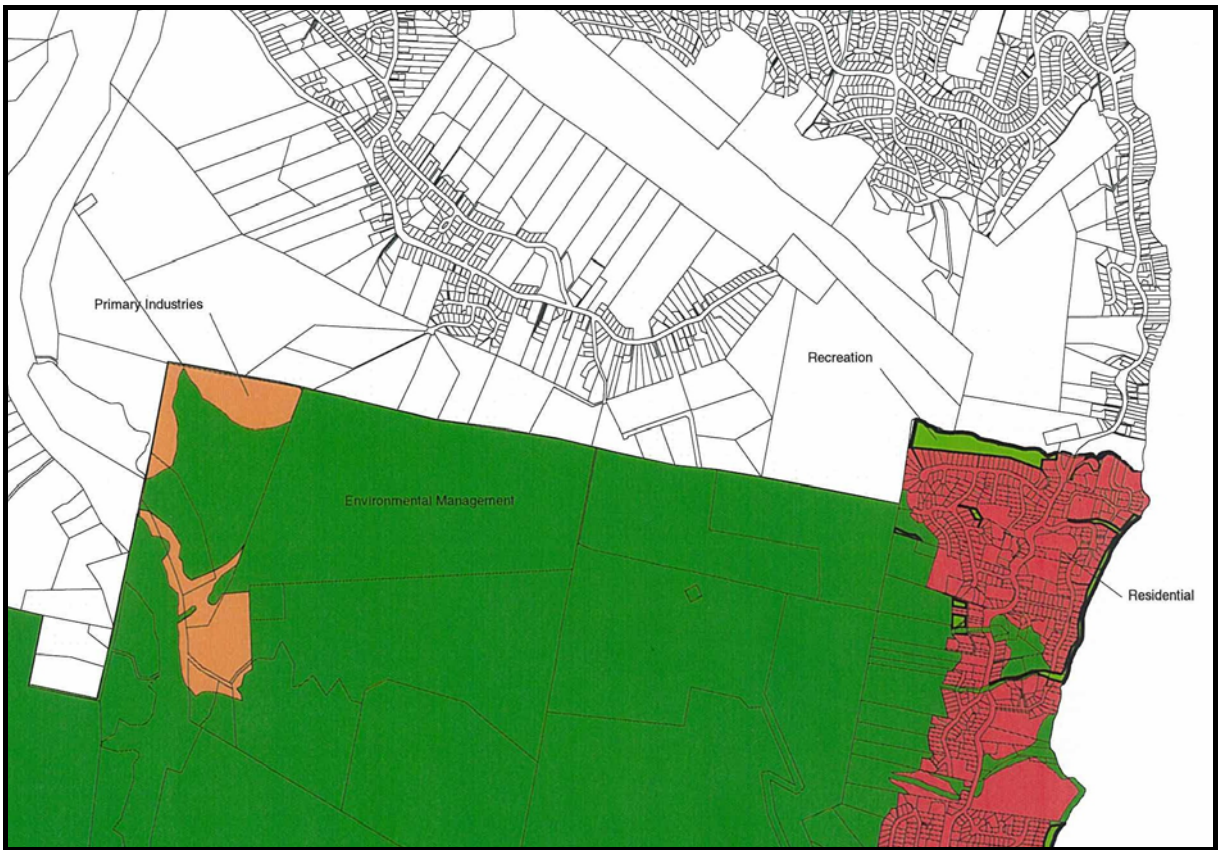


Figure 1: Kingborough Municipality Zoning

5. Proposed Amendments

5.1 Overview

The zonings and precinct proposed by GHD for the Mount Nelson area are principally based on the concept of sustainable development as outlined in the objectives of the *Land Use Planning and Approvals Act 1993* and the general objectives of the *Mount Nelson Outline Development Plan (ODP)* to:

Retain and enhance the bushland setting of the suburb and as a strategic direction to principally retain the area's natural vegetation, character and landscape values when considering future development options.

The recommendations take into account the relevant State Policies, the key issue statements in the Stage 1 Report produced for this project, past and recent studies of the area, the objectives of the Draft Amendment 6/99, representations from land owners and interests groups on that draft amendment as well as the decisions of the Resource Management and Planning Commission and the Supreme Court of Tasmania. These recommendations also consider current stakeholders perspectives from discussions with key landowners and interest groups.

The recommended zonings and precincts provide for the basis for amendments to the *City of Hobart Planning Scheme 1982* or can be incorporated in a new planning scheme based on the Model Template.

5.2 Proposed Zones

The proposed zonings and precinct provisions outlined below are intended to be incorporated into the existing *City of Hobart Planning Scheme 1982*. However, as the Hobart City Council is in the process of developing a new City of Hobart Planning Scheme, the recommendations have also taken into account Planning Directive No.1 (Common Key Elements Template for Planning Schemes). Table 1 below provides a general overview of the existing zonings and how those zoning would change under the existing Scheme and a new Planning Scheme.

In particular the areas identified as having high bushland conservation value and/or aesthetic value currently zoned Hills Face, Residential 2 and Reserved Residential Zones have been included in a new Environmental Management Zone rather than the Landscape & Skyline Conservation Zone as proposed under draft amendment 6/99 (see Appendix B – Proposed Zoning Map). The privately owned land adjacent to the western boundary of Truganini Reserve is characterised by low-density residential development in a rural bushland environment and there is little potential for further subdivision. The Landscape and Skyline Conservation zone in the existing Planning Scheme best reflects existing character of development.

The reasons for this recommendation include:

- ▶ Under the Planning Scheme Template, which the Council will be required to adopt once a new Planning Scheme is prepared, there is no Landscape & Skyline Conservation Zone. The use of the Environmental Management Zone upfront will ensure that land owners would be assured of the zoning of the land for a significant period of time;
- ▶ The characteristics and values of the areas identified under the Environmental Management Zone are different enough from the areas zoned Landscape & Skyline Conservation to warrant a different zone type; and

- ▶ The recommended zoning is broadly based on the decision of the Resource Management and Planning Commission, which was made on the basis of substantial evidence, which was placed before them. The RPDC made the judgement based on that evidence that they considered the areas (that are recommended for the Environmental Management Zone) having more environmental and regional significance, than what the Landscape & Skyline Conservation Zone was capable of protecting.

With the exception of Precinct 46, the Environmental Management Zone does not imply public ownership. However, land within the zone has high landscape and environmental values and consequently has limited development opportunities other than for recreation and environmental purposes.

It is acknowledged that Council has recently purchased the land at Porter Hill and accordingly the property is now in public ownership. There may be limited potential for low density and clustered residential development on the lower hills Precinct 39, with the balance land being incorporated in a Council Reserve linking Pierces Reserve to Bicentennial Park and Truganini Reserve. Conversely, given the high landscape and conservation values of the Porter Hill area there may be significant community pressure for the land to remain undeveloped.

Table 1: Recommended Zonings under Existing Planning Scheme and the New Planning Scheme

Current Zoning	Proposed Zoning (existing Scheme)	Rationale	Proposed Zoning (new Scheme)	Rationale
Residential 2	Residential 2	The existing Residential 2 zoning is sufficient to control development within those areas	Residential	The Planning Scheme Template provides for only one residential zone. Precinct overlays may be required to ensure a similar outcome to the existing scheme.
	Low Density Residential	There is land on the fringes of residential land that is suitable for residential type development provided that it is at a lower density. Visual, access and infrastructure issues heavily influence the zoning of the land.	Low Density Residential	As for existing scheme.
	Landscape and Skyline Conservation	The privately owned land adjacent to the western boundary of Truganini Reserve is characterised by low-density residential development in a rural bushland environment and there is little potential for further subdivision. The Landscape and Skyline Conservation zone in the existing Planning Scheme best reflects existing character of development.	Environmental Management or low Density Residential	The Planning Schemes Template does not provide for a Landscape & Skyline Conservation Zone. This land could be zoned either Low Density Residential or Environmental Management. The zoning will be influenced by the recommendations in the strategic review of land on the urban and rural interface.
	Environmental Management	Refer to Sections 5.3.3 and 5.3.4	Environmental Management	The Planning Schemes Template does not provide for a Landscape & Skyline Conservation Zone. The most similar zoning under the Template is the Environmental Management Zone.
Reserved Residential	Residential 2	Refer to Section 5.3.4 below.	Residential	As above.
	Environmental Management	Refer to Section 5.3.4 & 5.3.3 below.	Environmental Management	Refer to Section 5.3.4 & 5.3.3 below.

Current Zoning	Proposed Zoning (existing Scheme)	Rationale	Proposed Zoning (new Scheme)	Rationale
Local Service	Local Service	While the area allocated to local commercial facilities has been reduced, there is still a need, due to the distance of the suburb from the nearest regional shopping area, for an area zoned Local Service.	Local Business	The Local Business zone under the Planning Schemes Template would be a suitable replacement for the existing Local Service zone.
Hills Face & Recreation	Environmental Management	Refer to discussion immediately below this table.	Environmental Management	The Planning Scheme Templates provides for only one zone type that covers areas of high environmental significance. This is the Environmental Management Zone.
	Recreation	While large areas of the existing Recreation Zone are proposed to be rezoned to Environmental Management, it is recommended that the sporting facilities within the study area be zoned Recreation as this more accurately reflects its existing use and desired character/purpose.	Recreation	The Planning Schemes Template provides for a Recreation Zone.
Special Use 2	Special Use 2 Zone	At this time, given the unique nature of the facilities provided in these areas, it is considered appropriate that the areas continue to be zoned Special Use 2.	No Suitable zone under current Template.	It is GHD's opinion that there is no suitable zone identified under the Simplified Planning Scheme template to deal with such major educational and community facilities such as the University and Hobart College sites. Hobart City Council will not be the only Council which faces this problem.
	Environmental Management	Refer to Section 5.3.9 below.		

5.3 Zonings and Precincts

The following discussion provides a detailed analysis of the recommended zonings and precinct. The figures for each section show the existing zoning under the City of Hobart Planning Scheme 1982 on the left hand side with the proposed zoning on the right hand side. The discussion has also been undertaken on the basis on an amendment to the current Planning Scheme.

5.3.1 Above Churchill Avenue- Residential Area

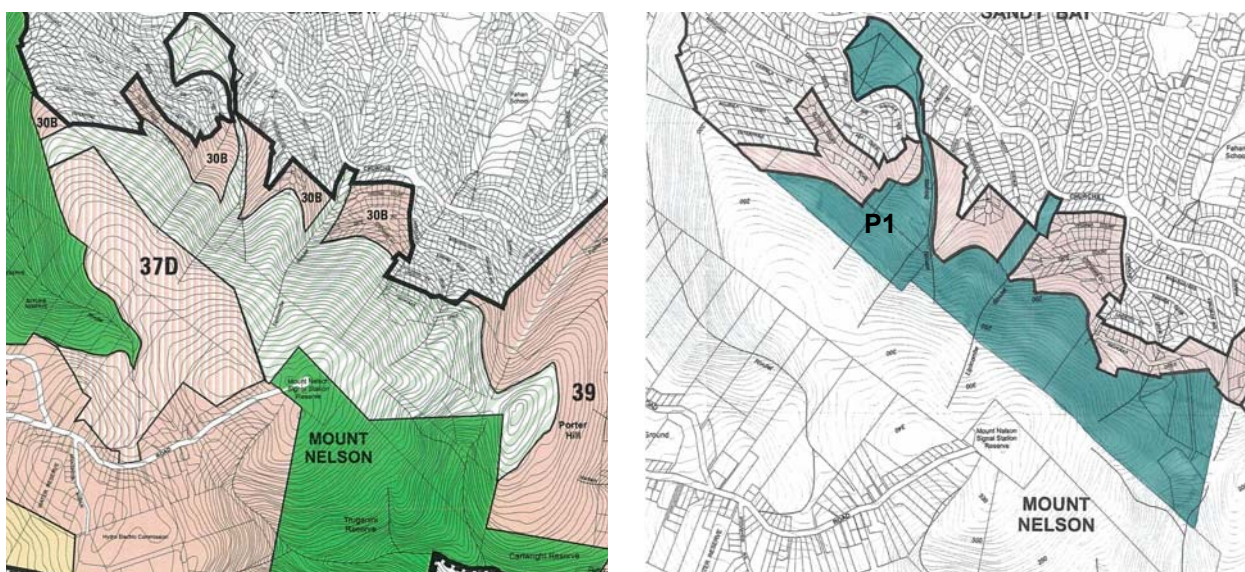


Figure 2: Existing and proposed zoning for land above Churchill Avenue

Summary

It is recommended that the zoning for this area be generally in accordance with the Draft Amendment 6/99 as proposed in the Section 39(2) Report and that the residentially zoned areas in this part of the study area be incorporated in the new Precinct 30C. Furthermore, lots within the Precinct that abut the Environmental Management Zone should be subject to Schedule L (Bushland Management).

Discussions with Council's Bushland and Reserves Manager indicate that from a park management perspective the steep sloping land between Edith Avenue and Churchill Avenue appears to have little recreational value aside from a walking connection. The land in question was acquired from the widening of Churchill Ave and there has been some previous consideration of its development potential. Given this scenario Council may consideration may be given to zone this portion of land Residential 2 (see Figure 2 below). The lower section of the land does have recreational values and the creekline (whilst highly weedy) possess' environmental values and accordingly should be zoned Environmental Management.

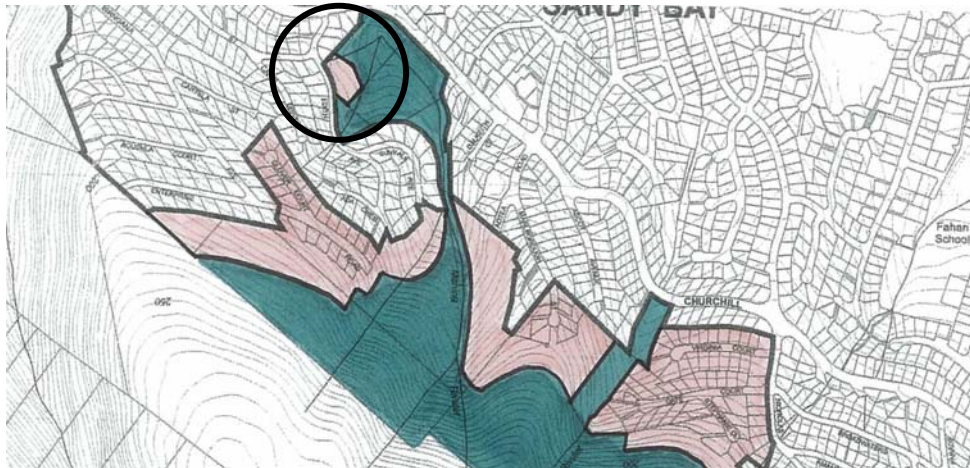


Figure 3 – Option for zoning a portion of the lower section of Lambert Park to Residential 2.

Discussion

This section of the study area contributes to the character of the Mt Nelson area. It presents the interface between the bushland covered higher slopes of Mt Nelson and the urban landscapes of the lower slopes. Development in the areas of vacant land recommended for residential zoning should ensure a transition between the higher density areas of Sandy Bay and the bushland reserves area leading up to the recently acquired land at 1A Enterprise Road. In particular it is recommended that the building envelope, dwelling unit factor and minimum lot size provisions for this precinct are at a lower density than the existing precinct 30B.

Siting and construction of buildings and works should be managed to protect the water quality and streamside vegetation from the adverse effects of litter, nutrients, erosion and sedimentation. Buildings should be located and designed to remain declaratively unobtrusive in the regional landscape setting. Where any proposed development involves existing vegetation clearance or the development of more than one house, a visual impact assessment should be required as part of the application submission.

It is also noted that the subdivision of the larger lots within the residential zoning that abut the Environmental Management Zone may not be appropriate except in accordance with a Site Development Plan that demonstrates high level and appropriate resolution of environment, access, servicing and visual impact issues.

Vegetation will need to be sensitively managed to reduce ground level fuel loads around buildings to minimise bushfire hazard risk. Further, the residentially zoned areas will be required to maintain a canopy of mature trees that appear continuous from more distant metropolitan viewing points and landscaping and maintenance should be undertaken in a way to minimise risk invasion of the bushland area.

5.3.2 Hills Face and Ridgeline Bushland



Figure 4: Existing and proposed zoning for the hill face and ridgeline land

Summary

It is recommended that the land located on the north facing slopes of the study area currently zoned, Hills Face & Reserved Residential form part of a larger parcel of land (including Lambert Reserve and Bicentennial Park – C1) that would be zoned Environmental Management and fall within a new Precinct 46. The recommendations generally reflect the decision of the Resource Management and Planning Commission on Draft Amendment 6/99, subsequently voided following the Supreme Court of Tasmania (Decision – Resource Planning and Development Commission (RPDC); Ex parte Dorney (No 2) [2003] TASSC 69 (11 August 2003).

Discussion

The land contributes to the regional landscape values of the Derwent Estuary and provides opportunities for passive recreation in a bushland environment. Part of the land supports vegetation of high conservation value and habitats for threatened species. It is recommended that permitted development within this area primarily relate to the management and/or protection of natural values, with subsidiary purposes such as recreation tracks, fire trails, essential utility services, signage and visitor facilities. In the assessment of development the Planning Scheme should place emphasis on current best practice in environmental planning and design and ensure that the bushland conservation values of the area are carefully preserved.

5.3.3 Above Sandy Bay Road – Residential Areas

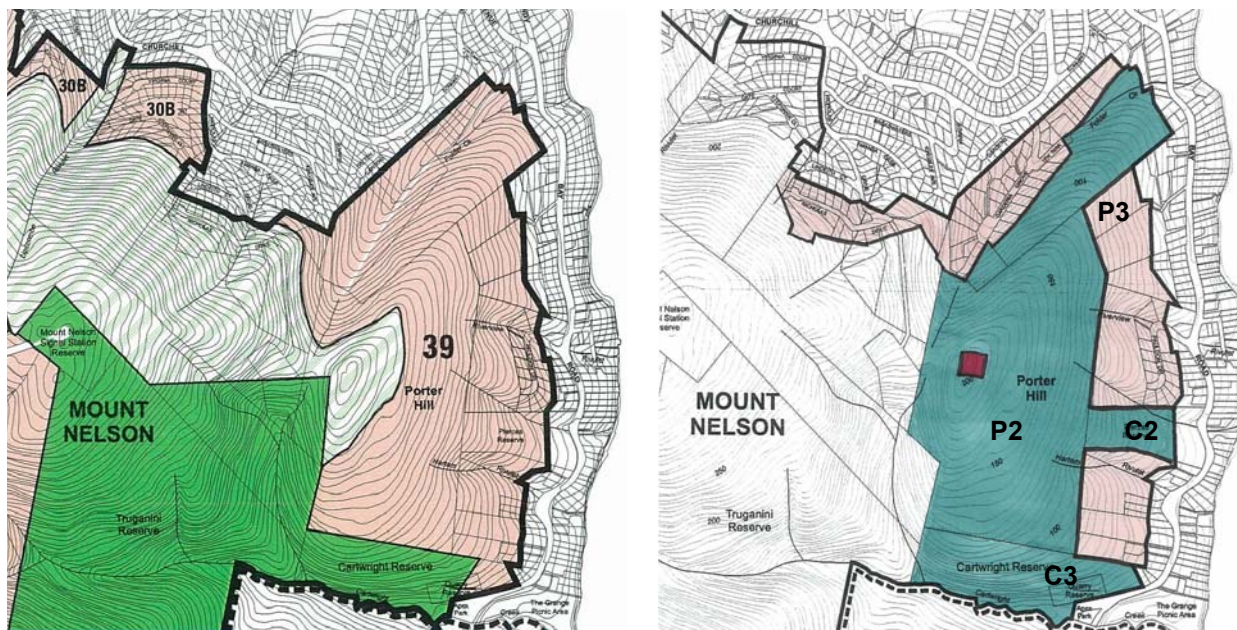


Figure 5: Existing and proposed zoning for land above Sandy Bay Road

Summary

It is recommended that Porter Hill (P 2) be zoned Environmental Management and be included in a new Precinct 39 which would also include Pierces Reserve (C 2), Cartwright Reserve (C 3) and the land to the south of the Gardenia Grove/Tew Terrace area. The residential area of Gardenia Grove and Tew Terrace would be incorporated into the new Precinct 30C while the remaining residential area above Sandy Bay Road would fall into Precinct 33B.

Discussion

In terms of the Porter Hill land, the area significantly contributes to the regional landscape values of the Derwent Estuary and supports vegetation of high conservation value. This land has recently been purchased by Council and accordingly the property is now in public ownership. The high landscape and environmental values, lack of infrastructure, bushfires, and community pressure for 'no development' places limitations on the development of this land.

It is envisaged that the existing house site will be sold and the balance land remaining public owned land. Consequently, the house site has been included in the Low Density Residential Zone to permit house alterations and extensions.

Development of the area recommended to be zoned Environmental Management should be restricted to those principally in support of the management and protection of natural values. The provision of walking tracks connecting Churchill Avenue, the Mt Nelson Signal Station and existing reserves (Truganini, Pierces and Cartwright) should be a long term objective.

Notwithstanding the public ownership of Porter Hill there may be limited potential for low density and clustered residential development on the lower slopes, with the balance land being incorporated in a Council Reserve linking Pierces Reserve to Bicentennial Park and Truganini Reserve. Conversely, given

the high landscape and conservation values of the Porter Hill area there may be significant community pressure to for the land to remain undeveloped.

Any residential development on Porter Hill should only occur under a comprehensive 'Site Development Plan' which demonstrates the values of the area would not be diminished and the objectives of Schedule L can be achieved. The density rating for the Precinct would be determined by the 'Site Development Plan, however given the sensitivity of the site the 1 – 10ha density as proposed in draft Amendment 6/99 as proposed in the Section 39(2) Report would enable a cluster development on the lower slopes. It is imperative that the 'Site Development Plan' addresses the issues identified in the Statement of Desired Future Character for Precinct 39.

With regard to the area recommended to be included in the Residential zone (Precinct 33B), it is considered that the vacant land within the portion of the study area does have limited development potential, but as with the previous recommendations for the proposed Precinct 30C under Draft Amendment 6/99, development involving existing vegetation clearance or more than one dwelling should be subject to a site development plan. In addition any proposed development would be required to address issues relating to the availability of reticulated water, sewerage and stormwater disposal and access.

The residential zoned land at the rear of the existing houses fronting Sandy Bay Road between Pierces and Cartwright Reserves was recommended to be zoned Landscape and Skyline Conservation and Bushland Conservation and Recreation in the s39 Report for draft Amendment 6/99. Taking into account limitation posed by slope, landscape values, vegetation, watercourse and access an alternative consideration may be to zone the land Environmental Management and include the area within Precinct 39 (see Figure 6 below).

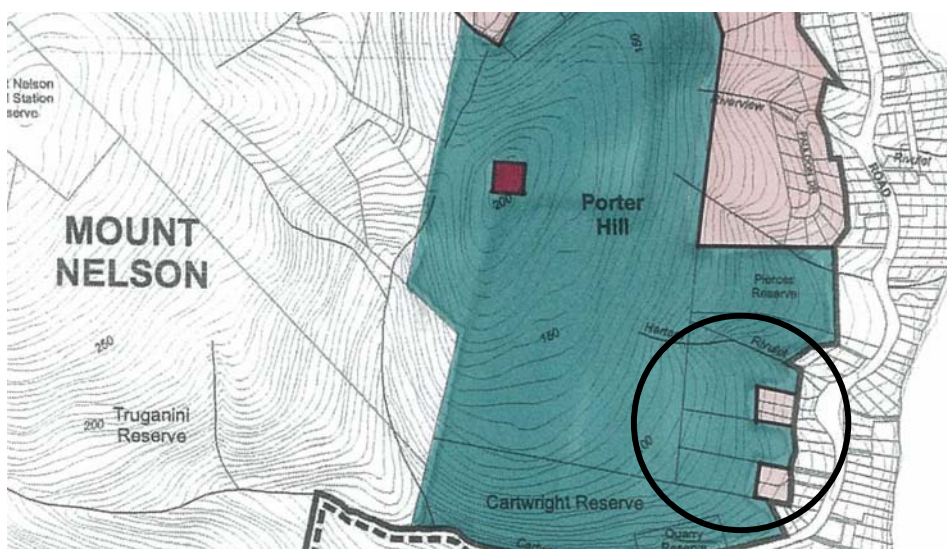


Figure 6: Option for zoning the land between Pierces & Cartwright Reserve to Environmental Management.

5.3.4 Mount Nelson Summit and South-Eastern facing slope

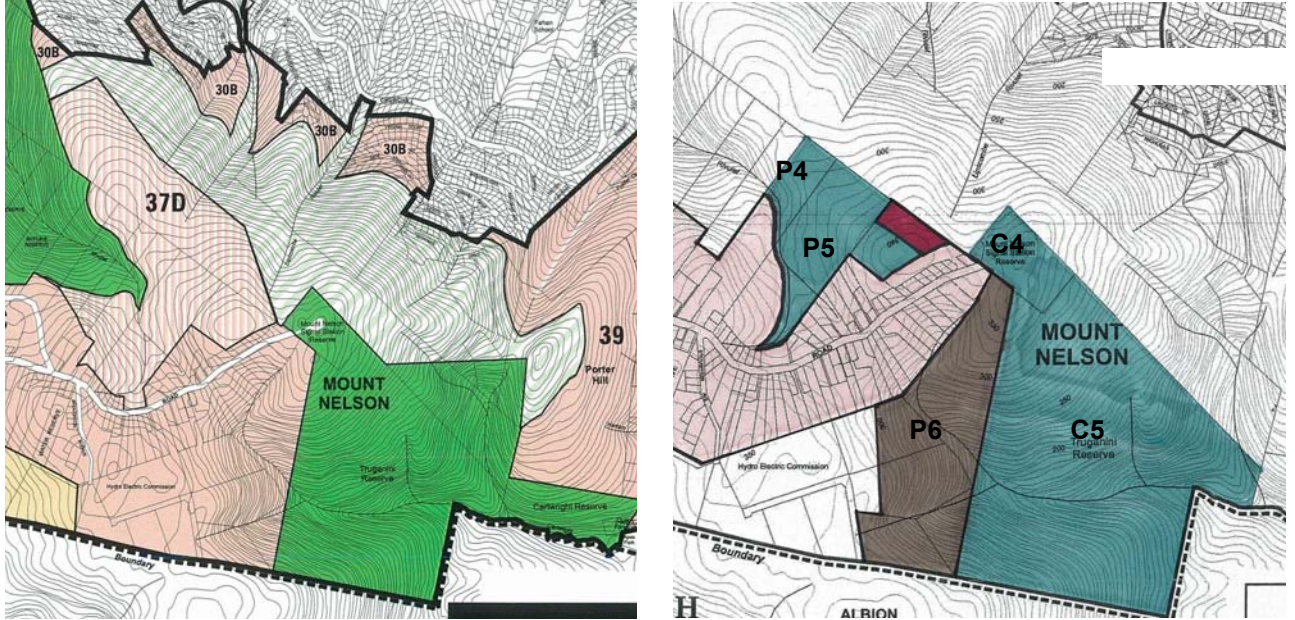


Figure 7: Existing and proposed zoning for the Mt Nelson summit and east facing slope

Summary

It is recommended that Mount Nelson Signal Station (C 4), Truganini Reserve (C 5) and privately owned land directly adjacent to the Reserve form part of the larger Precinct 46, (as well as the rear of the Broughton & Scheppein Land). The remaining residential land would remain largely unchanged.

Discussion

There are two options in regard to the properties at 585 (P4) and 607-621 Nelson Road (P 5) (previously known as the Broughton & Scheppein Land). The first option (as illustrated above) shows a larger portion of the land zoned Residential, which would be capable of subdivision once servicing issues have been resolved. This would provide the opportunity for the owners to present the remaining land (recommended for the Environmental Management Zone) to Council as part of a Public Open Space contribution. The above zoning is only indicative and adequate protection of Lambert Rivulet and the recharge area will need to be addressed to determine the boundary between the Residential 2 and the Environmental Management zone.

The second option (see section 5.6.1) is to zone a greater portion of the site as Environmental Management with only a small section fronting onto Nelson Road as Residential. This option is same as Draft Amendment 6/99, with the exception that the proposed Bushland Conservation and Recreation zoned land would be Environmental Management. The second option would place greater pressure for Council to purchase the land to form part of the Bicentennial Park. Council previously made the decision not to purchase some of this land in 2004.

There is sufficient weight under the Principles of Development Control to ensure that the change of zoning from Reserved Residential to Residential 2 would not enable development of the land to occur without Council services becoming available. In addition it is recommended that the development of this land would be subject to Schedule L (Bushland Management).

It is recommended that proposals for other forms of sensitively located and designed development may be undertaken at Council's discretion in the Mt Nelson Signal Station Reserve (C 4) provided that the proposal is submitted as part of an overall development plan that outlines the impact and mitigation measures. This requirement should be adequately addressed by amending Schedule L: to include the Environmental Management Zone.

The privately owned land (P 6) adjacent to the western boundary of Truganini Reserve area is characterised by low-density residential development in a rural bushland environment and there is little potential for further subdivision. Sections of the land have also been identified in the Northbarker - Flora and Fauna Habitat Identification and Assessment Process 2004 as containing significant vegetation (Notelaea or Pomaderris forest, grassy E globulus forest and E globulus forest) and a potential habitat for the grey goshawk (endangered) and foraging habitat for the swift parrot (endangered).

Taking into all these issues into account it is recommended that the area is zoned Landscape and Skyline Conservation and a new precinct 49 to be included in 5.28 of the Planning Scheme. This is generally consistent with the precinct provisions for the Fern Tree area which also has high landscape and environmental values.

5.3.5 Albion Heights



Figure 8: Existing and proposed zoning for the Albion Heights area

Summary

It is recommended that the area south of Llawinya Road and Broughton Avenue known as Albion Height be rezoned to Low Density Residential in accordance with the Draft Amendment 6/99 as proposed in the Section 39(2) Report and the decision of the Resource Management and Planning Commission against that Draft Amendment, subsequently voided by the Supreme Court of Tasmania.

Discussion

This area retains a bushland character with important forest communities and species. It forms a transition between the residential areas of Mount Nelson with the landscape protection areas within the

Kingborough municipality. Development shall be encouraged at a low density and consistent with the environmental capacity of each site. New buildings should be sited and design to be unobtrusive and have regard to the protection of bushland views south of the municipal boundary.

Given the sensitive location of the site it is recommended that the density of development should be similar to the Fern Tree Precincts – 43D, 43H and 43I with a minimum lot size of 1,000m² and a dwelling unit factor of 10,000.

Development within the Low Density Residential Zone would be subject to Schedule L (no amendment to the existing Scheme would be required in this respect). The clustering of houses should also be encouraged as a way to minimising service infrastructure and improving fire protection at the bushland development interface.

5.3.6 Hobart College Site and Surrounding Areas

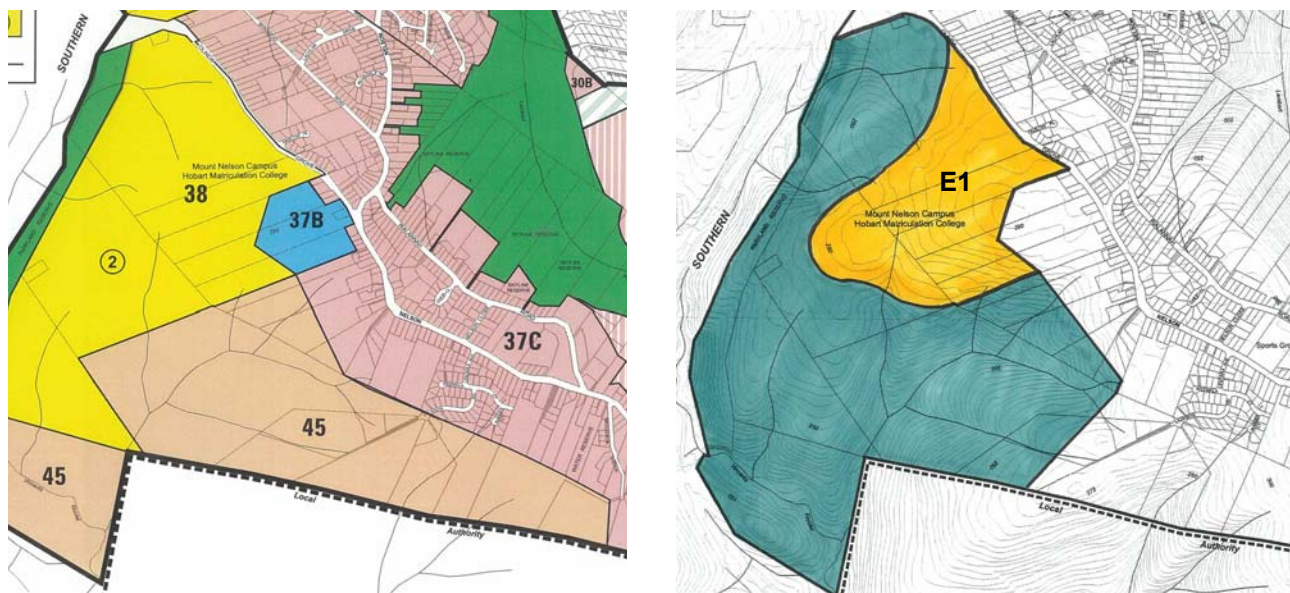


Figure 9: Existing and proposed zoning for Hobart College and surrounding areas

Summary

It is recommended that the area on the Hobart College site (E 1) containing existing college buildings and related access roads, parking areas and infrastructure remain within the Special Use Zone. The remainder of the land area should be rezoned to Environmental Management. This is generally consistent with the RPDC decision for Draft Amendment 6/99.

Discussion

The area immediately surrounding the Hobart College site should remain within the Special Use Zone. This would ensure that the further development of a key regional educational facility is not unreasonably prejudiced. The remainder of the area would fall under the Environmental Management Zone and

constitute a new Precinct 47. This area contributes to the regional landscape values and supports vegetation of high conservation value and habitat for threatened species.

While limited development within the Environmental Management Zone area would be permitted, it should be in support of the management and/or protection of the natural values. Subsidiary purposes such as recreation tracks, fire trails, field research, essential utility services, signage and visitor facilities may be approved subject to the development demonstrating consistency with current best practice in environmental planning and design.

5.3.7 Local Service Area



Figure 10: Existing and proposed zoning for the local service area

Summary

It is recommended that the existing Local Service Zone be reduced in accordance with the RPDC decision on draft amendment 6/99 and the remaining existing Local Service Zone be rezoned as Environmental Management. The recent change (Amendment 2/2005) from Residential 1 to Residential 2 for the remaining land is supported.

Discussion

The existing Local Service Zone comprises a significant area that is substantially more than that required to meet the needs for local commercial and community facilities. Furthermore the rear portion of these sites contains flora and vegetation communities with a high conservation value. The area recommended to be zoned Local Service Zone includes the medical rooms currently under construction adjacent to the Council owned land and will cater for a minor expansion of the existing local shopping area.

The change from Residential 1 to Residential 2 reflects the appropriateness of a slightly lower density of development than the Residential 1 Zone permits.

5.3.8 Olinda Grove & Brinsmead Road areas



Figure 11: Existing and proposed zoning for Olinda Grove and Brinsmead Road areas

Summary

It is recommended that the recent change to Precinct 37A under amendment 2/2005 is maintained and that the parcels of land at 16-18 Brinsmead Road and the existing Council Reserve off Olinda Grove be rezoned to Environmental Management.

The land at 6 – 10 and 16 – 18 Brinsmead Road (P 7) (previously known as Commercial Broadcaster land) owned by Robt Nettlefold Pty Ltd contains remnant bushland and vegetation communities of critical priority conservation. The eastern portion of the 6 – 10 Brinsmead Road has been degraded and previously contained the 7HO transmission tower, which was removed in 1996. A copper earth mat remains on the site where the tower was located. The western section of the site has been subject to modification and contains regrowth vegetation.

Discussion

The three parcels of land recommended to be rezoned from Residential to Environmental Management contain remnant bushland and vegetation communities of critical priority conservation and provide pedestrian links to Hobart College.

The Rt Nettlefold Pty Ltd owned land at 6 – 10 Brinsmead Road consists of degraded bushland. Given the extent of rehabilitation required for the site it is considered appropriate for infill residential development. This property would be adjacent to Environmental Management zones and development would be subject to Schedule L. This Schedule should provide sufficient protection against detrimental impact on the bushland and environmental values of the adjacent blocks of land. This would provide the opportunity for the owners to present the remaining land to Council as part of a Public Open Space contribution.

5.3.9 University of Tasmania site and Oberon Court area

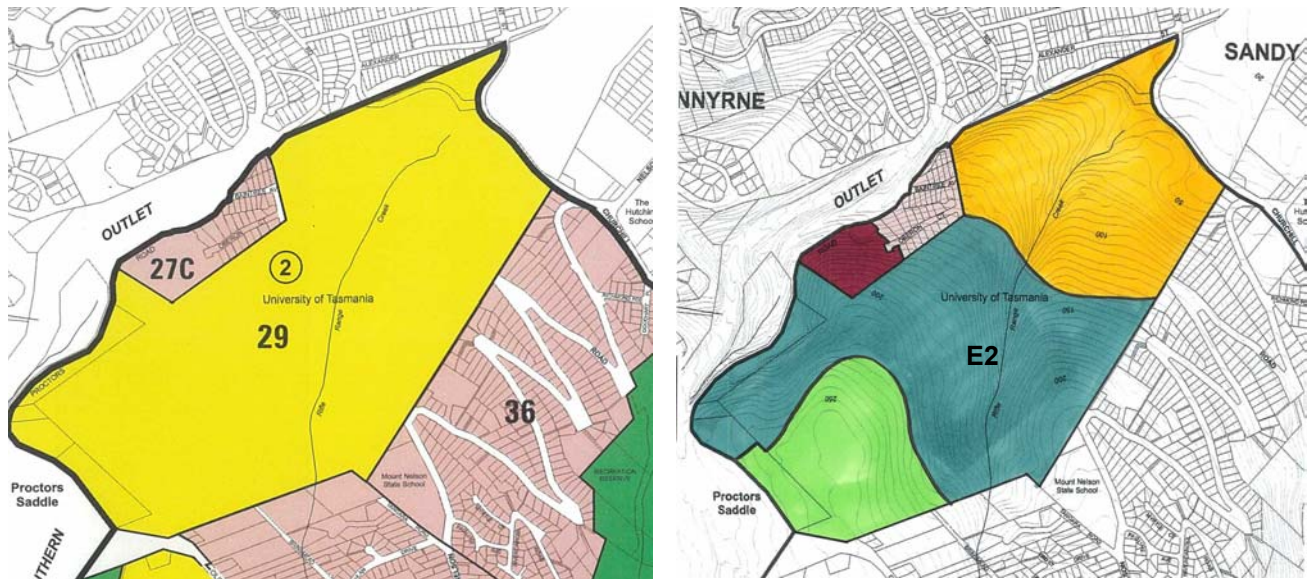


Figure 12: Existing and proposed zoning for the University of Tasmania site and Oberon Court area

Summary

It is recommended that the centre portion of the University site (E 2) be rezoned to Environmental Management with the portion of land at the end of Oberon Court rezoned to Low Density Residential. The existing sports grounds should be rezoned to Recreation.

Discussion

The rezoning of the centre portion of the Special Use Zone to Environmental Management is consistent with the previous decisions of Council and the RPDC with regards to Draft Amendment 6/99 (subsequently voided). However, in this instance sections of the land may be appropriate for development and accordingly it is recommended that the Statement of Desired Future Character and the changes to Schedule A & Schedule L to make it possible for a development application to be considered.

The large block of land located at the end of Oberon Court is visually prominent from key view points around Hobart. While the vegetation on the site is not of high conservation value it is important that any development minimises the impact on the skyline and avoids the further progression of Tolmans Hill type of development.

The recommended rezoning to Recreation for the sporting grounds is on the basis that the Recreation Zone more accurately reflects its existing use and would ensure that these important facilities associated with the University are not removed for development purposes.

5.3.10 Nelson Road area & Lambert Reserve

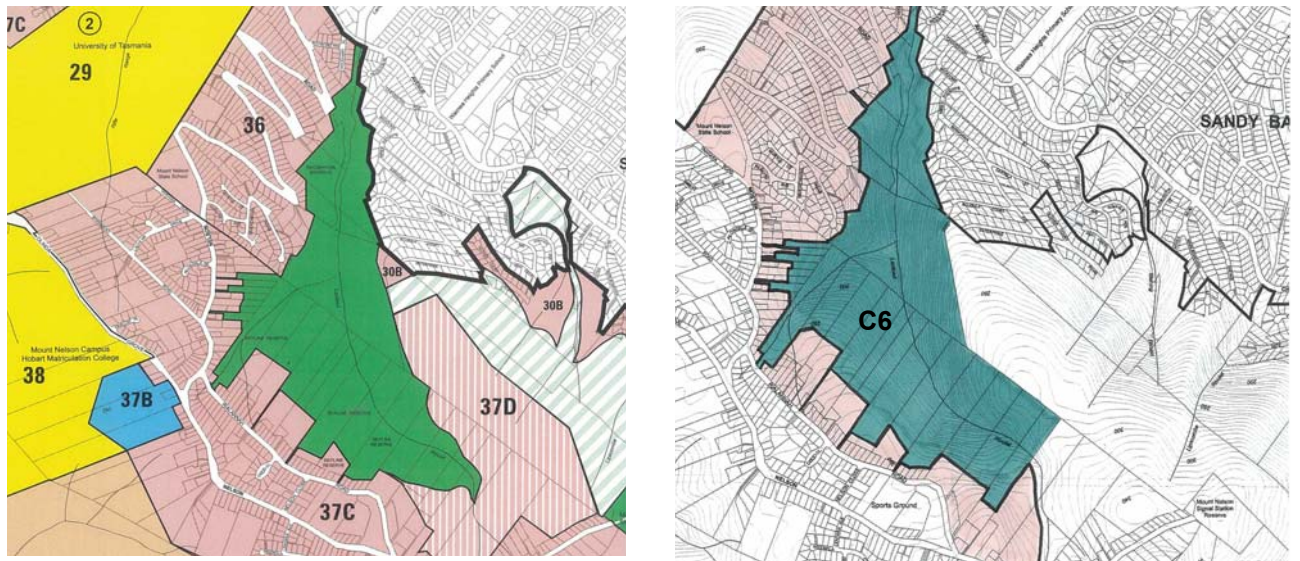


Figure 13: Existing and proposed zoning for Nelson Road area and Lambert Reserve

Summary

It is recommended that the zone boundaries for this area remain relatively unchanged (with the exception of the Broughton & Scheppein Land discussed in Section 5.3.4 above). The existing Recreation zone (Lambert Reserve – C 6) would be rezoned to Environmental Management and would be part of the larger area forming Precinct 47.

Discussion

Given the important environmental and aesthetic values of Lambert Reserve and relationship of the land with the bicentennial park it is recommended that the Environmental Management zone would be more appropriate to preserve its values. The existing Recreation zoning implies that the land has only recreational value and does not accurately reflect its wider importance.

5.4 Zone Objectives & Statements of Desired Future Character

Under the proposed changes described in Section 5.3 the following new zones and precincts would be created or altered:

Residential 2 Zone	Precinct 27C
	Precinct 30C
	Precinct 33
	Precinct 36
	Precinct 37C
Low Density Residential Zone	Precinct 45
	Precinct 27D
Environmental Management Zone	Precinct 39
	Precinct 46
	Precinct 47
	Precinct 48
Landscape & Skyline Conservation Zone	Precinct 49
Special Use Zone	Precinct 29
	Precinct 38

5.4.1 Zone Objectives

The following changes to the existing Zone Objectives are recommended in light of Section 5.2 above.

Residential 2 Zone

No changes are recommended. In particular issues would be addressed through the Statement of Desired Future Character for each precinct.

Low Density Residential Zone

No changes are recommended.

Environmental Management Zone

The Planning Scheme Template provides the beginning, however Council has the ability to expand on the objective. The following wording is recommended:

The objective of the Environmental Management Zone is to provide for the protection and management of areas of environmental value such as cultural landscapes, remnant vegetation, fragile landforms, water catchments and areas of recreational value, allowing for complementary use or development where consistent with any strategies for protection and management.

Landscape & Skyline Conservation Zone

No changes are recommended.

Special Use Zone

Not Applicable

Recreation Zone

No Change

5.4.2 Statements of Desired Future Character

The following changes to the existing Statements of Desired Future Character as well as the creation of new SDFCs are recommended in light of Section 5.2 above are shown in Table 2.

Table 2: Recommended Changes to Statements of Desired Future Character

Zone	Precinct	Statement of Desired Future Character
Residential 2 Zone	27C	No change recommended.
	30C	<p>As per draft amendment 6/99 as approved by the RPDC (subsequently voided).</p> <p><i>The Precinct contributes to the character of the Mt Nelson area. It represents the interface between the bushland covered higher slopes of Mt Nelson and the urban landscapes of the lower slopes.</i></p> <p><i>Vegetation should be sensitively managed to reduce ground level fuel loads around buildings and consequent bushfire hazard and minimise risk of weed invasion of the bushland. A canopy of mature trees that appear continuous from more distant metropolitan viewing points should be maintained.</i></p> <p><i>Further subdivision of existing larger lots that abut the Environmental Management Zone may not be appropriate except in accordance with a Site Development Plan that demonstrates appropriate resolution of environmental, access servicing and visual impact issues.</i></p> <p><i>The construction of additional houses on already developed lots may not be appropriate except within building envelopes indicated on a prior site development plan. Buildings should be located and designed to remain declaratively unobtrusive in the regional landscape setting.</i></p> <p><i>Siting and construction of building and works should be managed to protect the water quality and streamside vegetation from the adverse effects of litter, weeds, nutrients, erosion and sedimentation.</i></p>
	33 and 33B	<p>As per the draft amendment 6/99 as recommended in the Section 39(2) Report. The following (or similar) should be added to the proposed Precinct 33:</p> <p><i>Proposals for development on the upper slopes of the precinct should ensure maximum retention of existing bushland and the design and siting of any buildings should not detract from the natural characteristic of the area</i></p>
36	No change recommended.	

Zone	Precinct	Statement of Desired Future Character
Residential 2 Zone	37C	<p>As per draft amendment 6/99 as approved by the RPDC (subsequently voided):</p> <p><i>The precinct should continue to develop primarily with detached housing in a bushland setting. The use of materials that blend with the colours and textures of the natural vegetation should be encouraged. Two storey houses will be allowed where they do not interfere with the skyline.</i></p> <p><i>Bushfire threat minimisation will need to be subject to special consideration in the further development of existing lots abutting bushland in other zones.</i></p> <p><i>The siting and construction of additional houses on land on the periphery of the Precinct will need to have regard to the limits of the existing gravity sewer mains and may require the extension of that infrastructure.</i></p>
Low Density Residential Zone	45	<p>As per draft amendment 6/99 as approved by the RPDC(subsequently voided):</p> <p><i>The Precinct should remain a predominantly bushland area to the south and west of the Mt Nelson ridge, complementing the landscape protection areas of the adjoining Kingborough municipality.</i></p> <p><i>Development shall be encouraged at a low density and consistent with the environmental capacity of each site within a bushland setting. New Buildings should be designed to be unobtrusive and blend with the bushland setting.</i></p> <p><i>Siting of development should have regard to the protection of bushland views as seen from south of the municipality boundary.</i></p>
	27D	<p>The following wording (or similar) is recommended for this new precinct:</p> <p><i>The development of this land is to ensure that the impact on the skyline values of the city are minimised. Development proposals are to be accompanied by a visual impact assessment and effort is to be made to ensure that the design and siting of any building blend in with the bushland setting. The retention and rehabilitation of existing vegetation is encouraged.</i></p>

Zone	Precinct	Statement of Desired Future Character
Environmental Management Zone	39	<p>As per the draft amendment 6/99 as approved by the RPDC (subsequently voided), with the following changes (or similar):</p> <p><i>The Precinct contributes to the regional landscape values of the Derwent Estuary and supports vegetation of high conservation value.</i></p> <p><i>Development will be principally in support of management for protection of natural values. Subsidiary purposes such as recreational tracks, fire trails, utility services, signage and visitor facilities may be approved, with emphasis given to current best practice in environmental planning and design.</i></p> <p><i>Proposal for other forms of sensitively located and design development may be considered on the lower slopes, where a comprehensive 'Site Development Plan' demonstrates that the values of the area would not be diminished and the objectives of Schedule L can be achieved. In particular the 'Site Development Plan' must address the issues identified in this Statement of Desired Future Character and the following considerations where applicable (in addition to the requirements of Schedule L):</i></p> <ul style="list-style-type: none"> ▪ <i>Lot boundaries;</i> ▪ <i>Site coverage;</i> ▪ <i>Building height;</i> ▪ <i>Building setbacks;</i> ▪ <i>Building envelopes;</i> ▪ <i>Visual impact;</i> ▪ <i>Land stability;</i> ▪ <i>Management of open space and natural values; and</i> ▪ <i>Landscaping.</i> <p><i>The 'Site Development Plan' must be a separately approved document and all development which requires planning approval shall be in accordance with the approved 'Site Development Plan'</i></p>
	46	<p>Similar to draft amendment 6/99 as approved by the RPDC (subsequently voided):</p> <p><i>The Precinct contributes to the regional landscape values of the Derwent Estuary and opportunities for passive recreation in a bushland environment.</i></p> <p><i>Parts of the Precinct supports vegetation of high conservation value and habitats for threatened species and these areas require careful management.</i></p> <p><i>Development will be principally in support of management for protection of natural values. Subsidiary purposes such as recreational tracks, fire trails, essential utility services, signage and visitor facilities may be approved, with emphasis given to current best practice in environmental planning and design.</i></p>

Zone	Precinct	Statement of Desired Future Character
Environmental Management Zone	47	<p>As per the draft amendment 6/99 as approved by the RPDC, (subsequently voided):</p> <p><i>The Precinct contributes to the regional landscape values and provides opportunities for education, research and passive recreation in a bushland environment.</i></p> <p><i>Parts of the Precinct support vegetation of high conservation value and habitats for threatened species and these areas require careful management.</i></p> <p><i>Development will be principally in support of management for protection of natural values. Subsidiary purposes such as recreation tracks, fire trails, field research, essential utility services, signage and visitor facilities may be approved, with emphasis given to current best practice in environmental planning and design.</i></p>
	48	<p>The following (or similar) is recommended for this new precinct which incorporates the recommendations of the Draft Amendment 6/99 as proposed in the Section 39(2) Report for University Precinct – No 29 and the decision of the RPDC(subsequently voided) for Precinct 47:</p> <p><i>The Precinct contributes to the regional landscape values of the Derwent Estuary and opportunities for passive recreation in a bushland environment.</i></p> <p><i>Parts of the Precinct supports vegetation of high conservation value and habitats for threatened species and these areas require careful management.</i></p> <p><i>Any further development proposed for the Precinct must be in accordance with an approved Site Development Plan, which fully documents and takes into account its bushland values. In particular, the siting and layout of new buildings or other works should seek to ensure the retention of Blue Wet Gum Forest along Rifle Range Creek and the Grassy Black Gum community that extends from Olinda Grove down into part of the Precinct.</i></p> <p><i>Populations of species identified as threatened must also be accurately mapped and safeguarded, or where necessary and acceptably relocated under the provisions of the Threatened Species Protection Act 1995.</i></p>

Zone	Precinct	Statement of Desired Future Character
Landscape and Skyline Conservation	49	<p>The following (or similar) is recommended for this new precinct:</p> <p><i>This Precinct should continue to be dominated by the natural bushland environment. Development should respect the bushland character and the use of muted subdued colours in building finishes will be required. Buildings should be unobtrusively sited and not detract from the significant landscape values of the area. Vegetation clearance for new development should be kept to a minimum area required to allow the development to proceed.</i></p> <p><i>Non-residential use will not be approved unless it can be demonstrated that it will not adversely affect the quiet living environment where noise transmission is a particular issue due to the topography and relatively low background noise levels. It should also be compatible in scale and character with the natural bushland or rural environment.</i></p>
Special Use Zone	29	<p>The following additional sentence is recommended (as per SDFC for Precinct 38):</p> <p><i>Extensive landscaping should be provided through the Precinct particularly around large masonry, concrete and bitumen areas to soften their environmental impact.</i></p>
	38	No change recommended.

5.5 Recommended Scheme Amendments

In association with the recommended changes to the zonings for the study area, changes to the existing Planning Scheme provisions would be required to ensure that the values of the study area are maintained.

The major change is the inclusion of the Environmental Management Zone. This zone is primarily intended for ‘Passive Recreation’ and the provision of associated infrastructure and signage, however, there may be potential for residential development on the lower hills of Precinct 39 and further development of the University of Tasmania in Precinct 48, subject to the provisions in Precinct ‘Site Development Plans’ which must be approved by Council and all development which requires planning approval shall be in accordance with the approved ‘Site Development Plan’. GHD does not recommend any appropriate density of development for Precinct 39. This shall be determined with the approval of the Site Development Plan.

5.5.1 Part 1 – Preliminary

The existing definition of Site Development Plan in Clause 1.7.1 does not sufficiently provide for development within the proposed Environmental Management and Special Use Zone. As indicated in the recommended statements of desired future character, this study recommends the introduction of a concept which allows development within the Environmental Management & Special Use Zone subject to the approval of a comprehensive Site Development Plan. Consequently it is considered necessary to

insert into Clause 1.7.1 Interpretation a new definition for 'Site Development Plan' as follows:

Site Development Plan means a plan which outlines the framework for the future development and use of land in Precincts 39 and 48, or the future use or development of one or more lots.

5.5.2 Schedule A (Use)

Insert new reference to Environmental Management Zone and associated notes in Schedule A – Table A1 – Zones and Use Groups and development status as shown in Table 3. Insert new Precincts – 30C and 33B in Z 7 – Residential 2 Zone.

Table 3: Changes to the Table A1

Environmental Management Zone	Precincts	Use Group Reference
I	39, 46, 47 & 48	X(ae) (ag)
II		X
III		X(af)
IV		X
V(i)		X
VI		X
VII		X(ah)
VIII		X
IX		X
X		X
XI		X
XII		X
XIII		X
XIV		X
XV		X
XVI		X
XVII		P
Residential 2 Zone	30C & 33B	

Insert new Notes as follows:

- (ae) Except for single dwelling in Precinct 39 and which is discretionary and subject to the provisions in the Precinct 'Site Development Plan'.
- (af) Except for multiple dwelling in Precinct 39 which is discretionary and subject to the provisions in the Precinct 'Site Development Plan'.
- (ag) Except for 'educational establishment' in Precinct 48 which is discretionary and subject to the provisions in the Precinct 'Site Development Plan'.

Insert new note (ai) for the Recreation zone in Schedule A – Table A1:

(ah) University Recreation Zone is to be used for outdoor sports fields only.

5.5.3 Schedule B (Density)

It is recommended that the plot ratio, dwelling unit factor and minimum lot provisions be inserted in Schedule B:

- ▶ Low Density Residential Zone, Precinct 45 in accordance with the existing provisions for the Fern Tree Precincts 43A, 43B, 43E and 43F as outlined in Table 4.
- ▶ Landscape and Skyline Zone, Precinct 49 in accordance with the existing provisions for the Ridgeway Precinct 44B as outlined in Table 4.

It is also recommended as indicated in Section 5.5 above that there be no density provisions relating to the precincts within the proposed Environmental Management Zone and the Special Use Zone and that any development within these areas are dependent upon the approval of a Site Development Plan.

Table 4: Recommended amendments to Table B1

Density Rating Ref - Number	Precinct Number	Basic Plot Ratio	Maximum Plot Ratio	Dwelling Unit Factor	Minimum Lot Area (m ²)	Minimum Frontage (m)	Minimum Circle (m)
21(b)	29, 38, 46, 47	(As determined by Council)					
23	45, 27D	0.25(h)	0.25(h)	100000	1000(g)	6	24
24	49	0.25(h)	0.25(h)	100000	5000(g)	6	24
28	39, 48	(As determined by a Site Development Plan in accordance with the Statement of Desired Future Character and approved by Council.)					
29	29, 38	(As determined by a Site Development Plan in accordance with the Statement of Desired Future Character and approved by Council.)					
26	30C, 33B	0.3	0.3	1500	1000(j)	6	24

5.5.4 Schedule C (Height)

Table C1 under Schedule C will need to be amended to incorporate all the precincts outside of the Residential 2 Zone. The following addition to Table C1 is recommended:

Table 5: Recommended amendments to Table C1

TABLE C1 PERMITTED HEIGHT OF NEW BUILDING	
Precinct/Block	Height (metres)
29, 28, 39, 46, 47 and 48	As determined by an approved Site Development Plan in accordance with the Statement of Desired Future Character

5.5.5 Schedule E (Parking & Access)

Schedule E – Parking and Access should be amended to incorporate the Environmental Management Zone as follows:

Insert after Clause E.9.26

Zone 27 Environmental Management Zone

E.9.27 Parking and access within this zone will only be approved where it is demonstrated that it is in accordance with an approved 'Site Development Plan' and that the values of the zone are not detrimentally affected. Pavements widths are to be no greater than that needed to provide adequate access. Access roads should meander across the topography and any development is required to ensure that disturbed areas are rehabilitate with vegetation cover.

5.5.6 Schedule G (Signage)

It is considered that the aesthetics of commercial signage is incompatible with the values of the Environmental Management Zone and that the only permitted signage should be signs provided for public interpretation. Consequently the following amendments to Schedule G are recommended:

Insert after Clause G.9.13.14

Clause G.9.13.15 Zone 27 – ENVIRONMENTAL MANAGEMENT

Table A: Nil

Table B: Nil

Table C: Ground Based Sign (only where for public interpretation)

Table D All other signs

5.5.7 Schedule K (Rescode)

The amendments required to Schedule K are relatively minor given the density provision for the Residential 2 Zones within the Precincts 36 & 37C were amended under Amendment 2/2005. The only amendments recommended (to incorporate the new Residential 2 Precincts 30C) are as follows:

Insert under AS1.2, Table 1:

Residential 2 on land over 20% gradient, & Precincts 24A, 30C & 35C

Insert under AS1.4:

(3) 25% in Precincts 24A, 30C, 33B, 35C, 36 & 37C

5.5.8 Schedule L (Bushland Management)

Schedule L – Bushland Management should be amended to apply to the Environmental Management Zone as well as land abutting those zones already applicable and the Environmental Management Zone. The amendment to the Schedule will need to take into account the future development of 'Site Development Plans' for Precincts 39 and 48 and the recommendations of the amendment 6/99 as approved by the RPDC (subsequently voided). The recommended changes are as follows:

Replace Clause L 1 with the following:

L 1 Objectives and Scope

This schedule shall apply to all land contained within the Landscape and Skyline, Low Density Zones and Environmental Management Zone as well as land abutting those zones, where proposed use or development is to be located within an existing bushland habitat.

Within such areas the objectives to be applied

- (i) To ensure the retention of the landscape features of the City.
- (ii) To ensure that the individual and cumulative impact of development and land use does not adversely affect the bushland character, vegetation, fauna and water quality of such areas.
- (iii) To encourage development for which the scale, form and siting are appropriate for and which harmonise with the bushland character of the area.
- (iv) To ensure that bushfire protection measures are undertaken with appropriate environmental controls minimising any adverse impact of the surrounding bushland.

Furthermore in the preparation of any "Site Development Plan" for Precincts 39 or 48, regard shall be had to the requirements of this Schedule.

5.6 Land Acquisitions

Land recommended to be zoned Environmental Management is broadly based on the decision of the Resource Management and Planning Commission, subsequently voided, which was made on the basis of substantial evidence, which was placed before them.

The RPDC made the judgement based on that evidence that they considered the areas (that are recommended for the Environmental Management Zone) having high environmental values and landscape values of regional significance. The RPDC decision intended Community Bushland zoned land to be "publicly owned or leased and managed on a sustainable basis to further the zone objective.

With the exception of Precinct 46, the Environmental Management Zone does not imply public ownership. However, land within the zone has high landscape and environmental values and consequently has limited development opportunities other than for recreation and environmental purposes.

5.6.1 585 and 607 – 621 Nelson Road

As discussed in 5.3.4 there are two options in regard to the properties at 585 and 607-621 Nelson Road (previously known as the Broughton & Scheppein Land). The first option (see section 5.3.4 above) provides for a portion of the land zoned Residential, which would be capable of subdivision once servicing issues have been resolved. This would provide the opportunity for the owners to present the remaining land (recommended for the Environmental Management Zone) to Council as part of a Public Open Space contribution.

The second option is to zone a greater portion of the site as Environmental Management with only a small section fronting onto Nelson Road as Residential (see Figure 14 below). This option is the same as Draft Amendment 6/99, as recommended in the s 39(2) Report as shown in Appendix C, with the exception that the proposed Bushland Conservation and Recreation zoned land would be Environmental

Management. The second option infers that Council would purchase the land to form part of the Bicentennial Park. It is noted that Council previously made the decision not to purchase some of this land in 2004.

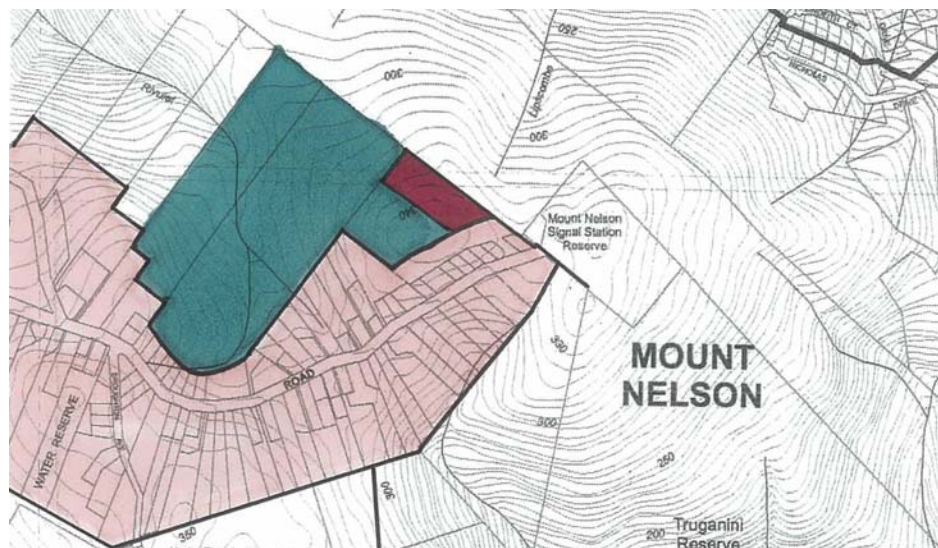


Figure 14: Option for zoning a larger portion of the Broughton & Scheppein Lands as Environmental Management

5.6.2 Porter Hill

As previously discussed Porter Hill has been identified as significantly contributing to the regional landscape values of the Derwent Estuary and supports vegetation of high conservation value. The high landscape and environmental values, lack of infrastructure and high bushfire danger places limitations on the development of this land. There is also substantial community pressure for land to remain undeveloped and be purchased for a public reserve.

GHD considers that there may be limited potential for low density and clustered residential development on the lower hills of Porter Hill where a comprehensive 'Site Development Plan' which addresses the issues identified in the Statement of Desired Future Character for Precinct 39 and demonstrates that the values of the area would not be diminished and the objectives of Schedule L can be achieved. This would provide the opportunity for the owners to present the remaining land to Council as part of a Public Open Space contribution.

6. Estimated Costs of Recommendations to HCC

6.1 Parks and Reserves

The following are operational/capital cost estimates for the parcels of land, which have been recommended be zoned Environmental Management. The subject land has high environmental and landscape values and the costs for management of these lands have either been reported previously or are currently being considered by the Council.

6.1.1 Porter Hill

Ongoing Maintenance

In the absence of a detailed assessment through the management planning process, the precise management costs are difficult to quantify. However, to provide the Council with an estimate of the costs involved, the Director Parks and Customer Services in a report to Council dated 6th January 2004 estimated that management costs involved in Council securing Porter Hill could be separated into capital and ongoing operational costs, as follows:

Capital Costs

The Director advised that a sum of \$240,000 over five years would be required for the development and upgrading walking tracks, provision of fire trails and fire breaks and visitor information, including signage.

Ongoing Operational Costs

An annual cost of \$95,000 would be expected to undertake weed and pest management, monitoring, hazard reduction burning, management and maintenance of fire trails, fire breaks, walking tracks and signage.

Further advice from the Director Parks and Customer Services is that the operational costs may reduce after an initial phase-in period of 3-5 years. Nevertheless, it has to be said that particularly large tracts of land do carry with them large costs which the Council will be required to fund in perpetuity. This is an issue to be considered in submitting a tender.

6.1.2 607-627 Nelson Road

The annual operating costs for managing the Nelson Road land is not considered significant and could be accommodated by the operational budget figure calculated for the (1A) Enterprise Road land. A figure of \$30,000 has been identified as the annual operating costs for the Enterprise Road land.

6.1.3 6 – 10 and 16 – 20 Brinsmead Road

The estimated costs for initially establishing fire breaks around the shared boundaries of the area proposed for Public Open Space is \$8,500. The ongoing annual maintenance cost is then estimated to be \$5,000 per annum.

The cost of formalising a pedestrian link between Olinda Grove and Brinsmead Road through this land and the Council's adjoining Reserve is estimated at \$20,000. The funding will require consideration in the 10 Year New Asset Program.

6.1.4 12 Olinda Grove

Council currently has management responsibility for this land. The Mt Nelson Bushcare Group undertakes bushland rehabilitation works on the land. Annual maintenance costs should this be formally recognised as a reserve is unlikely to exceed \$5,000 per annum.

6.1.5 Land below Edith Ave

Council currently has management responsibility for this land.

The open paddock area currently receives a basic level of maintenance - slashing and fire hazard reduction and the level of future maintenance expenditure would depend on what level of park infrastructure was provided. Note that the upper section of the open paddock area is considered to have limited recreational/environmental values.

The rivulet corridor is significantly degraded comprising stands of willows and hawthorn etc. It is significant capital and on-going maintenance resources will be required to rehabilitate the site. Hard to provide an estimate on this - perhaps \$100,000 capital to remove willows and replant then \$20,000 per annum for 5 years maintenance.

6.2 Road Network

Generally the overall road network satisfactorily handles the traffic generated within the Mt Nelson area and it is envisaged that in future as development reaches maturity under the current densities in the Planning Scheme the road network will be satisfactory. There may be a need for upgrading of some intersections within the network surrounding the Mt Nelson area such as:

- ▶ Nelson Road/Churchill Avenue;
- ▶ Aotea Road/Churchill Avenue;
- ▶ French St/Churchill Avenue; and
- ▶ other intersections along the Regent St and Churchill Avenue route.

However, it would be difficult to determine whether future development within Mt Nelson would create of its own accord the need for upgrading these and other intersections in the network. Many of these intersections are experiencing difficulties leading to officers investigating improvement options now.

Improvements to road infrastructure will also be required in the future such as additional footpaths, kerbs and drainage. However it is unlikely that the proposed amendments to the planning scheme will increase this need.

The 2005 Planning Review undertaken by GHD is recommending lowered land use densities in the Planning Scheme than are in the current Scheme. As such this will lead to lower traffic volumes than would have occurred under the current scheme. Therefore, from a traffic management viewpoint and a roads infrastructure viewpoint the proposed lowered land use densities being described under the Planning Scheme review are satisfactory.

6.3 Infrastructure

There are two main projects that fall within the scope of the Mt Nelson Planning Review, Porters Hill Reservoir and Broughton Ave Second Reservoir. There is potentially one other reservoir/pump station site to service land above Enterprise Road.

The project to construct a reservoir at Porters Hill is listed on the 10 year New Asset Projects Program as a ranking 3 project for 2013/14 and 2014/15 financial years. Council approved this in November 2004. There is a review process of the Program currently under way with CMT. This project will proceed in its own right and is not conditional on future development activity because the existing issues, such as fire fighting and security of supply, are matters that involve the current system and population, and are not contingent on future development.

A potential new asset project to construct a second reservoir on Mount Nelson to supplement the existing Broughton Avenue reservoir is not yet listed on the new Asset Projects Program. The catalyst for that project is the existing limited fire fighting water supply and the existing per capita storage volume deficit for domestic consumption. A future catalyst for this project would be development activity. At some stage the Council will need to consider this project in relation to the water supply risks on Mount Nelson. Changing the Planning Scheme in this area could be considered a catalyst if this will generate more development activity, albeit of a lower density. City Services will be preparing a project risk management plan and 'business' case for this project at some stage in the future.

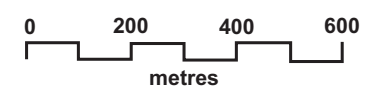
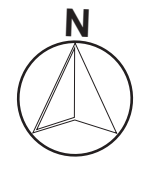
The cost of a new reservoir for Mt Nelson has not yet been estimated, but, a typical cost estimate for a 2.25ML reservoir and ancillary works is approximately \$1.2M. Council has not yet considered headworks charges for this project, however because the development activity would be infill it is anticipated that funding would be a capital cost raised by the Council and recovered through the rating system, rather than recovered through headworks charges.


In regard to the current water supply situation in Enterprise Road a new pump station was installed mid-late 2004, following the complete demise of the old pump station. The new pump station is capable of supplying domestic and fire requirements to Australian Standards in the area because of its variable speed capability, whereas the old pump station was inadequate to supply fire requirements and struggled to supply adequate domestic requirements. The new pump station installation was viewed as a stage 1 with a new reservoir required sometime in the future.


The new pump station, as existing, is capable of supplying the area defined in the section 39 Report(27-11-03), which was the same area defined in the RPDC decision 13-02-02 and the Mount Nelson Planning Review. It is not appropriate for the water supply engineering to continue supplying residential properties straight from a VSD pump station in the longer term and not provide some storage for fire fighting and domestic buffer. The reservoir is not currently listed on the ten year new asset program, but there is every intention to do so. Any substantial development in that 'sliver' of land recommended to be zoned Residential 2 could well be the catalyst to go to stage 2 reservoir construction.


The cost of the reservoir stage has not yet been properly estimated. Typical figures for such projects would be approximately \$300,000. A headworks charge may well be appropriate for this particular project to be applied to any new properties within the water zone. The Council would have to fund the costs for the existing properties, as they have been deficient in water supply since the original subdivision.


Appendix A
Existing Zoning Map





Boundary of Study Area 


Area currently zoned 'Residential 2' 


'Reserved Residential Area' of current 'Residential 2' zone 


Area currently zoned 'Hills Face' 

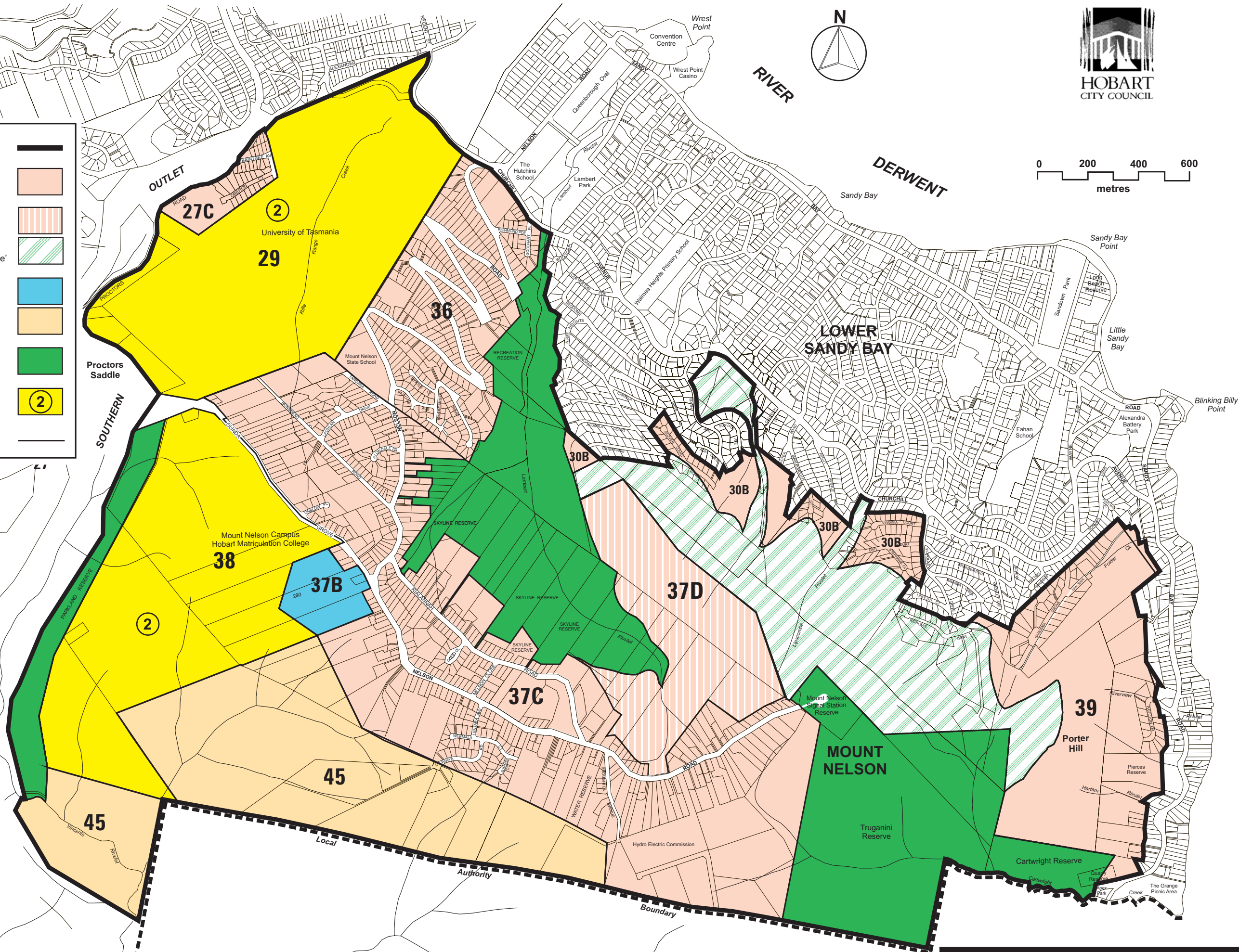
Area currently zoned 'Local Service' 

Area currently zoned 'Rural C' 

Area currently zoned 'Recreation' 

Area currently zoned 'Special Use 2' 

Precinct boundary & number 



CURRENT SCHEME ZONING

Appendix B
Proposed Zoning Map

ZONES



Residential 2



Low Density Residential



Local Service



Landscape & Skyline Conservation



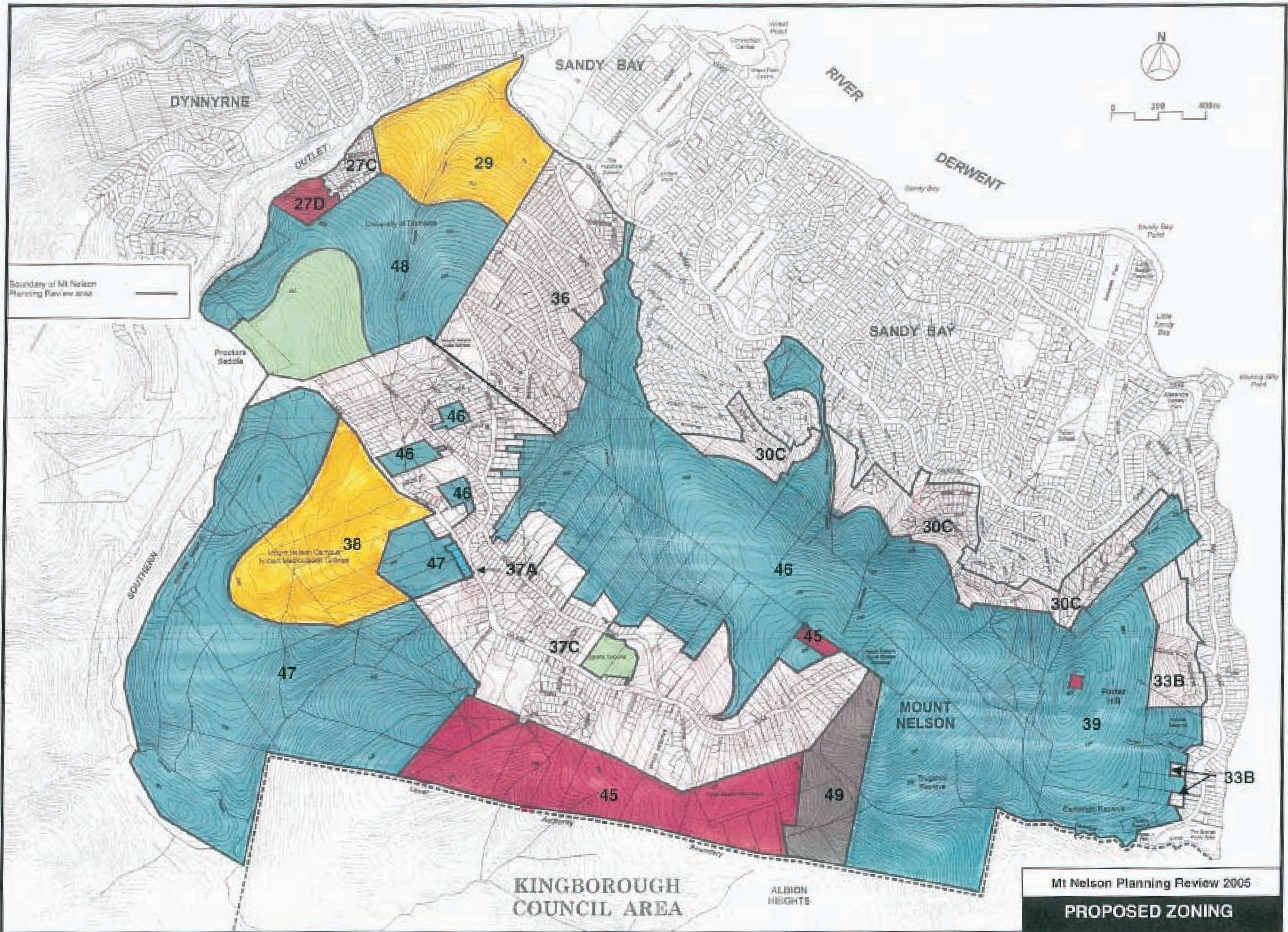
Environmental Management



Recreation

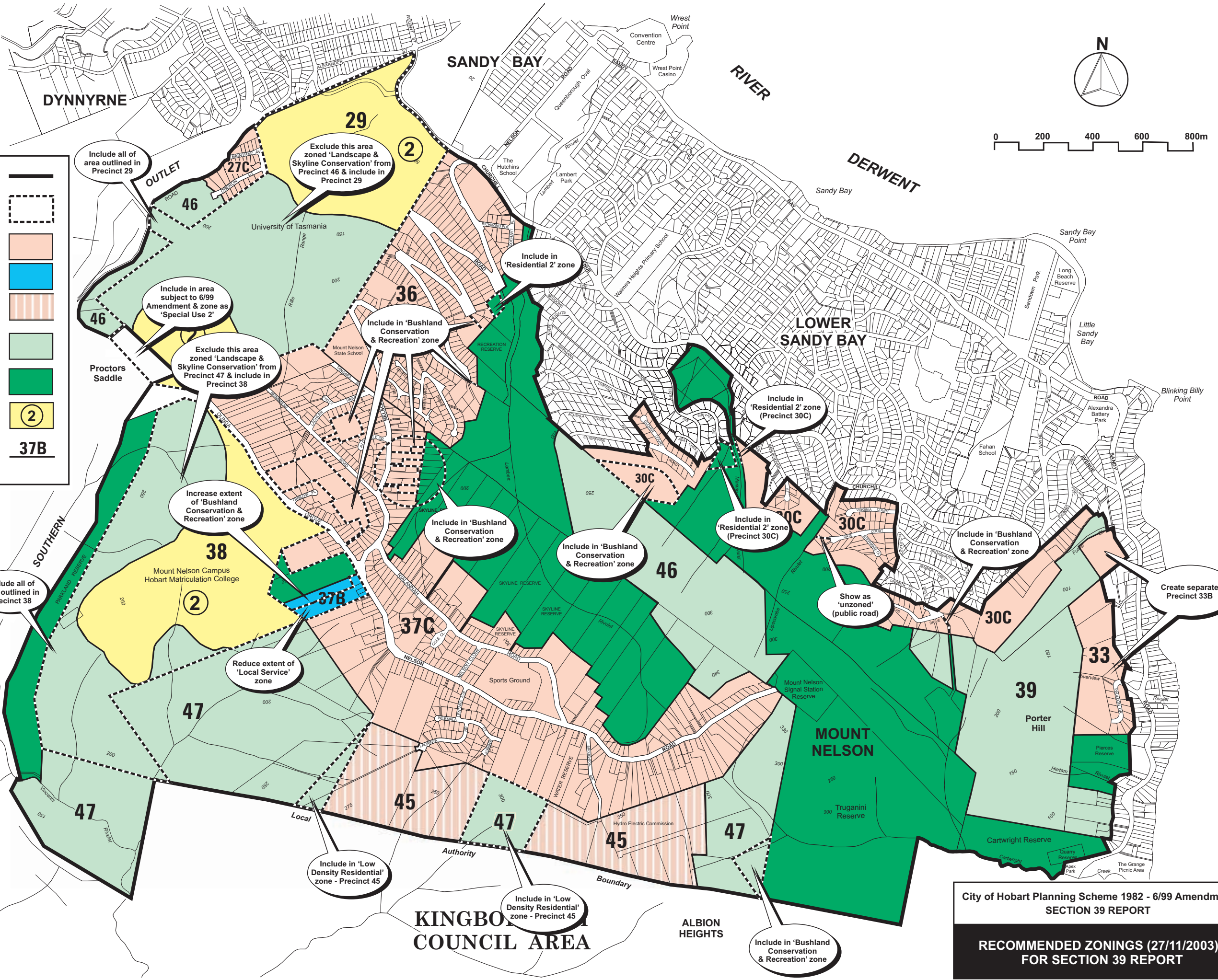


Special Use



Mt Nelson Planning Review 2005
PROPOSED ZONING

Appendix C
Zoning Map (as per previous s39 report)



Boundary of area subject to scheme amendment

Area over which a modification is recommended

'Residential 2' Zone

'Local Service' Zone

'Low Density Residential' Zone

'Landscape & Skyline Conservation' Zone

'Bushland Conservation & Recreation' Zone

'Special Use 2' Zone

Precinct boundary & number

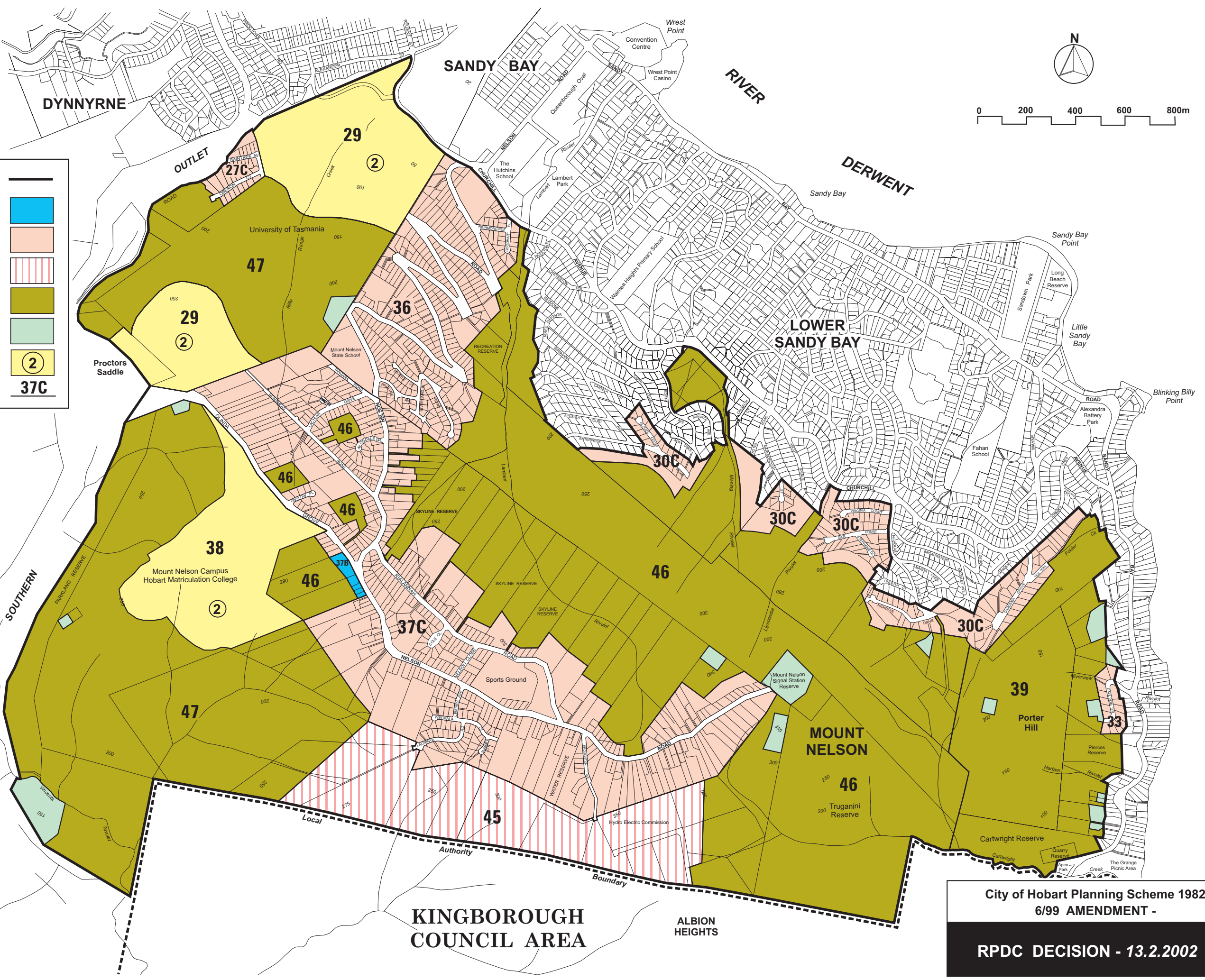
37B

City of Hobart Planning Scheme 1982 - 6/99 Amendment
SECTION 39 REPORT

**RECOMMENDED ZONINGS (27/11/2003)
FOR SECTION 39 REPORT**

Appendix D

Zoning Map as per previous RPDC Decision



Boundary of area subject to scheme amendment

'Local Service' Zone

'Residential 2' Zone

'Low Density Residential' Zone

'Community Bushland' Zone

'Modified Bushland' Zone

'Special Use 2' Zone

Precinct boundary & number

37C

City of Hobart Planning Scheme 1982
 6/99 AMENDMENT -
RPDC DECISION - 13.2.2002

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Document Status

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