

PLN-21-0062 44 Lot Subdivision Longford – Dixon Response to Representations

As the developers, we understand the inherent value of the racecourse to Longford from both an economic and historic cultural perspective. It is recognised that the unique elements of Longford are what makes the town well placed in the northern region to attract new residents in line with Council's Strategic Plan objectives for 'Progress ... economic health and wealth ... to grow and prosper'. Appropriate and efficient land use and development is one of the best measures by which to achieve that prosperity.

The Low Density Residential zoned land in this location constitutes one of the very few remaining locations where efficient greenfield development for housing can occur in Longford. The land adjoins the existing edge of the General Residential Zone which has a higher density of housing lots and substantially smaller lot sizes than the proposed subdivision, which is appropriate as the locality transitions from one zone to another. The principal question to be answered in the exercise of discretion for the zone standard 12.4.3.1 *Lot Area, Building Envelopes and Frontage* is ... What is the appropriate setting for subdivision to meet the objectives of the standard in consideration of the performance criteria?

The objectives require:

- lots to have areas and dimensions appropriate for the zone;
- conservation of natural values;
- that design of subdivision protects adjoining subdivision from adverse impacts; and
- lots are appropriately serviced by roads, access and utilities.

Summarised, the performance criteria requires that lots provide sufficient useable area and dimensions to allow for:

- a dwelling in a convenient and hazard free location;
- parking and manoeuvrability;
- adequate private open space;;
- vehicular access from the road;
- development that will not adversely affect the amenity of adjoining land; and
- development that will not be out of character with surrounding development and the streetscape.

The performance criteria are reasonably specific in their considerations and any assessment of the proposal must be confined to only the applicable considerations. To that end, matters raised in the representations relating to the original strategic intent, the historic treatment of low-density residential land in Longford and the sustainability of the racing industry, including the reduction of land available for 'new players', are not legal or relevant considerations.

Similarly, the recent TPC decision and comments are not a legal or relevant consideration in regard to this application.

The purpose of the Low Density Residential Zone is *'to provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development'*. Whilst it allows for non-residential use and development, its primary focus is on residential development and amenity. Non-residential uses are not the priority.

Notably, the Planning Scheme includes only one Local Area Objective *...To make provision for any additional future needs in low-density residential development at Avoca, Campbell Town, Cressy, Devon Hills and Longford by the incremental expansion of those areas already established for the purpose*. There are no Desired Future Character Statements included for this zone. As such, the suitability of the proposed subdivision must be based on analysis of considerations outlined in the zone purpose, local area objective,

the objectives of the standard, acceptable solutions and the performance criteria, as well as any applicable code provisions.

The proposed subdivision can clearly meet performance criteria relating to convenient and hazard free locations for dwellings, parking and manoeuvrability, private open space and vehicle access. In considering whether the proposal is appropriate regarding potential impacts on adjoining land and the character of surrounding development and the streetscape, the following comments are made having regard to points raised in the representations:

Impacts on adjoining land:

A recurring concern among the representations is the potential adverse impact on the racecourse opposite the site due to conflict and the potential to harm the long-term viability of that facility. It is noted that TasRacing, the owner of the facility, has not submitted any concerns regarding the proposed subdivision.

Currently there are 21 urban lots within the General Residential Zone on Anstey and Cracroft Streets that have a frontage directly opposite the racecourse. Most of these lots contain dwellings with setbacks varying from 40 metres to 90 metres from the track and the facilities in the north east corner of the racecourse. The application proposes an additional four lot frontages, immediately adjoining the existing General Residential Zone urban lots along Anstey Street. The existing urban development on Anstey and Cracroft Streets has been in place for a long time with no known issues of concern or complaints regarding training practices at the racecourse. There is no apparent reason why an additional four dwellings fronting Anstey Street and facing the racecourse would constitute a higher risk of conflict than that which already exists. The lack of conflict over time, in fact, proves that the training activities on the racecourse are at a tolerable level for a residential environment. In addition, future dwelling energy efficiency requirements will require double glazing which will provide additional protection.

It is submitted that the assertion that the subdivision will be the catalyst for the 'winding down' or closure of the racecourse is unfounded.

The main access and egress activities for the racecourse occur on Brickendon Street where the stalls and yard facilities are located near the corner of Anstey Street. The daily vehicle loading/unloading area and activity at the stalls is located 190m – 230m from the nearest edges of the proposed subdivision, with the activity substantially buffered by the property at 10 Anstey Street, on the corner of Anstey and Brickendon Streets. Three existing dwellings are located in closer proximity to the south. The racecourse gates are opened at 4.45am with arrivals and training generally commencing at approximately 5.15am. The racecourse is then closed at 11am. Activities to the rear of 10 Anstey Street in the enclosed round yard and the pool are at a very low level in proximity to the boundary with one horse at a time and occur later in the morning.

The principal race event is held once a year, with the intense activity of that day managed by race organisers and supportive individuals surrounding the racecourse that make their private land available for parking. The proposed subdivision will not alter this practice. Off-street pathways for the movement of horses is established along Anstey Street, appropriately separating horses from existing traffic. An additional 14 lots accessing Anstey Street will not alter or compromise the current safety arrangements as Anstey Street is a through road.

The subdivision adjoins residential land to the north and is opposite existing residential lots and undeveloped land along Brickendon and Marlborough Streets. There are numerous existing residences within proximity to the brickworks and the operational requirements for the brickworks set under the EPN because of those existing residential uses will not alter as a consequence of the proposed subdivision.

Character of surrounding development and streetscape:

The Low Density Residential Zone to the southern area of Longford assumes that there will be densification of residential development in this area, consistent with the Local Area Objective for 'incremental expansion'.

The Acceptable Solution threshold of 1 hectare lot size is a 'first pass' test of acceptability, taking account of all of the factors that may apply in this area such as on-site wastewater suitability, setbacks to agriculture and other existing non-residential activities. It is not a statement of absolute preference for character. The purpose of the zone does not include any statements of Desired Future Character and as such, whether development will '*be out of character with surrounding development and the streetscape*' is an assessment based on the particular circumstances of each location. Prior zoning arrangements or presumed intentions are not legal or relevant considerations when specific statements relating to future character have not been included in the zone purpose.

In an undeveloped area where provision has been made for residential densification and where components of the surrounding environment are of an entirely different nature, the consideration of whether development will be 'out of character' is relative. Clearly, the Low Density Residential Zone contemplates a residential character which will never match the character of the racecourse or the brickworks, irrespective of lot size. Submissions in regard to what the residential character of this area should be are acknowledged, noting that it is within a residential zone not a rural zone, however the specific circumstances of this location warrant an exercise of the discretion to provide greater efficiencies in the provision of residential lots.

The proposed subdivision is generally central within the southern extent of the town boundaries. It does not adjoin agricultural land. It immediately adjoins the urban edge of the township to the north, which has lots in the order of 600m² to 900m². These urban lots form one side of the streetscape of Anstey Street, immediately adjoining the proposed subdivision. The four lots fronting Anstey Street are entirely consistent with this section of the streetscape.

In considering the criteria for exercising discretion, the density of development immediately to the north is a relevant consideration in determining the character of surrounding development. The subdivision proposes lots that are distinctly larger than those in the adjoining General Residential Zone thereby respecting the integrity of the zone change. The application is for an appropriate lot yield given the central location, that graduates lot sizes when substantive buffers at the periphery of the settlement are not necessary and larger land sizes are not necessary as efficiencies can be gained through the extension of services.

In conclusion, it is submitted that this land should not be wasted through underdevelopment. The Local Area Objective states that the zone is to '*make provision for any additional future needs*' and is to provide for incremental expansion in an area already established for that purpose. Longford is currently subject to a high level of demand for new dwellings and people wanting to move to the town, however there is little zoned land remaining that can serve that need.