

From: Fg Online
Sent: Thu, 3 Feb 2022 15:20:48 +1100
To: hvc@huonvalley.tas.gov.au
Cc: tpc@planning.tas.gov.au
Subject: Representation on the draft LPS
Attachments: Representation - Tyler Duffield 03 February 2022.pdf

Good afternoon,

Please find attached in PDF form my representation - the instruction of the Huon Valley Council's website is to attention it to the General Manager.

Thank you

Tyler Duffield

Without Prejudice

The General Manager

Huon Valley Council

C/- hvc@huonvalley.tas.gov.au

Your reference: Draft Huon Valley Local Provisions Schedule

Dear Sir,

Representation on the draft LPS

Upon reviewing the draft LPS it is apparent that my property located at 25 Turn Creek Road GROVE, currently zoned Environmental Living is due to be rezoned as Landscape Conservation. I note that on the inspection of the council's original data it seems most if not all properties previously zoned Environmental Living were due to be rezoned as Landscape Conservation. I would like to point out the following inconsistencies with this proposed zoning, and submit that the obvious zoning for the property should be Rural Living B.

As for the requirements set out in 22.0 Landscape Conservation Zone

- The lot size in question is 2.51 hectares, whereas the minimum lot size for this zoning is 50.00 hectares.
- Buildings are not set back the required 20 metres from a side boundary.
- The lot is across the road from Hansen's Orchards, a major agricultural producer, and their property, including a frost fan is less than 200 meters from the residence.
- Specific instructions were given to councils with regard to lots such as this being inappropriate for zoning Landscape Protection.

As for the current use/state of the lot

- Dwellings, sheds and improvements were built on the lot in the 1980s.
- The majority of the lot is cleared paddock, and the majority of the lot currently uncleared was cleared less than 10 years ago.
- The main purpose of the lot for the past 35 years has clearly been residential & home business based, as is the case with the other lots in Turn Creek Road.
- The block has often been home to a small number of grazing or hobby animals.
- The block is 2.51 hectares.
- **The current state and historical use of the block fits perfectly with Rural Living Zone B.**

A note on the 'natural justice' of a fairer zoning

- The lot is currently subject to all of the negatives of rural living in terms of both distance from amenities, poorly kept roads, and impacts on peaceful existence from the activities of neighbours.
- These negatives include being subject to general agricultural noise and nuisance from the opposite agricultural business and unreasonable amounts of agricultural noise from frost fans which are, for whatever reason, outside of any jurisdiction or regulation.

- It would seem only fair that these negatives should be offset by the positives of rural land ownership, which would be seriously limited by the proposed zoning.

A note of the development of 'Bullock Hill' and the notes regarding flora and fauna supposedly attached to the lot

- An attachment to the proposed zoning interactive map outlines 'priority vegetation' covering some parts of the lot – this map clearly overstates the uncleared portion of the lot and does not reflect the fact that until a few years ago the cleared portion extended much further and what has grown back is a mix of conifer and scrub.
- Any environmental value of the uncleared part of the block would seem somewhat overstated – I note the reliability of the assessment is listed as 'variable'.
- The Rural Living Zone B zoning would clearly give satisfactory protection to these parts of the lot, which are not particularly suitable for further clearing or development.
- The notion that the lot adjoins an area requiring significant protection must be untrue as the council approved the subdivision and development of the land to the rear, known commonly as 'Bullock Hill' – this subdivision has taken place with significant cuts into the land, sealed roads, and major site works.
- The council further approved the removal of their condition requiring the developer to install underground power and the area received above ground power.
- The lot in question is therefore adjoined only by residential type lots of around one or two hectares in size.

A note on the direction of development in the Huon Valley

- The pandemic has shown the problem of putting all of the valley's economic eggs in the fruit production and tourism baskets.
- If the valley wants to be more than a destination for day-trippers or a commuter suburb of Hobart, it needs to allow residents to make better use of their land.
- Residents will not be able to do anything but drive out of the valley if they are subjected to needlessly restrictive land use controls.

I humbly ask you review the above submission with a view to zoning the lot in question the appropriate Rural Living B.

Yours sincerely,



Tyler Duffield
Owner/resident - 25 Turn Creek Road GROVE TAS 7109

03 February 2022

Sent via email
CC tpc@planning.tas.gov.au