

**From:** no-reply=huonvalley.tas.gov.au@mailgun.huonvalley.tas.gov.au on behalf of "Huon Valley Council" <no-reply@huonvalley.tas.gov.au>  
**Sent:** Thu, 31 Mar 2022 10:23:31 +1100  
**To:** hvc@huonvalley.tas.gov.au;andrewryoung@hotmail.com  
**Subject:** Planning Representation - Andrew Young / Scott Cunnington - {Application No:7}

Your representation has been submitted.

Please note: This representation may be subject to the provisions of the Right to Information Act 2009 which may result in its disclosure to a third party.

<b>I/We (name)</b>
Andrew Young / Scott Cunnington
<b>Are you lodging as a Individual, Company or Organisation</b>
Individual/s
<b>Of Address</b>
173 Lanes Road
<b>Town or Suburb</b>
Glen Huon
<b>Postcode</b>
7109
<b>Email</b>
<a href="mailto:andrewryoung@hotmail.com">andrewryoung@hotmail.com</a>
<b>Phone Number</b>
0415783700
<b>References</b>
See attached file in support of the representation
<b>Comments</b>
For the detailed reasons outlined in the attached representation document, 173 Lanes Road, Glen Huon ("the Property") does not meet the Landscape Conservation Zone guidelines. Instead, the Property meets the Rural Living Zone guidelines and should be zoned as Rural Living Zone. On that basis we request that the Property be zoned as Rural Living Zone.
<b>File</b>
<ul style="list-style-type: none"><li>• <a href="#">Zoning-representation-173-Lanes-Road-Glen-Huon.pdf</a></li><li>• <a href="#">Zoning-representation-173-Lanes-Road-Glen-Huon1.pdf</a></li></ul>
<b>Submit Application</b>

- Yes Submit

Re: Huon Valley Council Local Provision Schedule Representation



Andrew Young <andrewyoung@hotmail.com>  
To ✓ Sylvia Kerr

Reply Reply All Forward Tj ...

Mon 20/02/2023 1:19 PM

This sender andrewyoung@hotmail.com is from outside your organization.

Follow up. Start by Monday, 20 February 2023. Due by Monday, 20 February 2023.

Zoning representation - 173 Lanes Road, Glen Huon.pdf  
3 MB

Hi Sylvia

Please find **attached** my representation/supporting document regarding zoning and 173 Lanes Road, Glen Huon.

To confirm, the attached document was originally attached to the representation made through the council portal.

Please note that although the document you attached in your email below refers to 2 supporting documents for my representation, there was in fact just one document (which was accidentally attached twice).

If you have any questions, please give me a call.

Kind regards

Andrew Young

## Representation - re-zoning from the proposed Landscape Conservation Zone to Rural Living Zone

### 1. SUMMARY OF REPRESENTATION

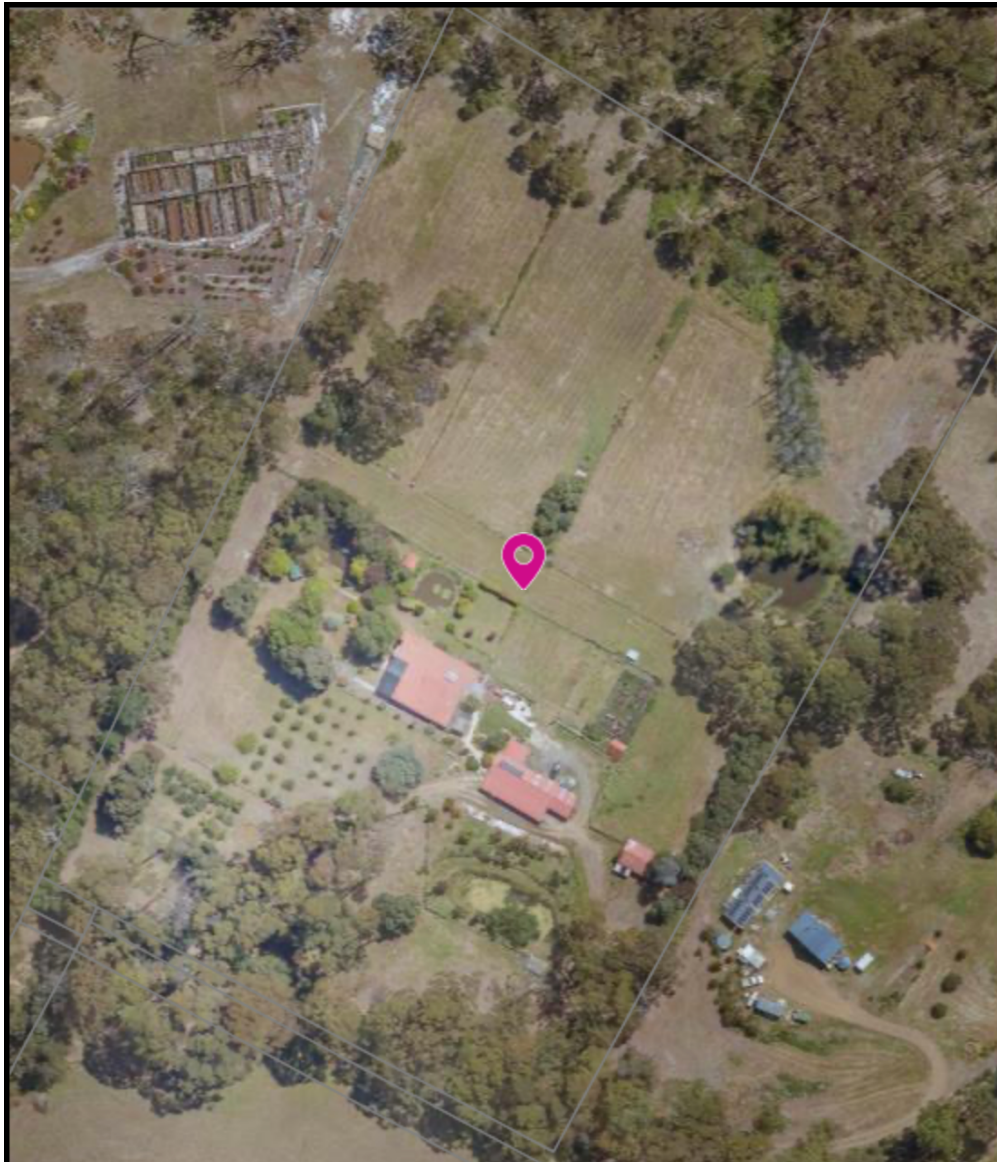
For the detailed reasons outlined in the tables below, 173 Lanes Road, Glen Huon (“**the Property**”) does not meet the Landscape Conservation Zone guidelines. Instead, the Property meets the Rural Living Zone guidelines and should be zoned as Rural Living Zone. On that basis we request that the Property be zoned as Rural Living Zone.

### 2. PROPERTY ADDRESS AND SATELLITE PHOTO

**Address:** 173 Lanes Road, Glen Huon, 7109

**Applicant and owners:** Andrew Young and Scott Cunnington, tel: 0415 783 700, email: andrewyoung@hotmail.com

Current arial photo (with light grey property boundaries):



### 3. PROPERTY DESCRIPTION

#### 173 Lanes Road, Glen Huon

- The Property is a cleared lifestyle acreage plot of approximately 3.2 hectares
- Approximately 90% of the Property was cleared of trees decades ago - leaving only about 10% tree vegetation (see image above).
- Much of the remaining vegetation comprises mostly non-commercial apple and olives trees, plus non-native established deciduous trees (eg Silver Birch).
- Given the land clearing and majority of non-native trees, the vegetation on the Property is very different to the vegetation on adjoining properties (which feature mostly native trees).
- The Property is not on a hill top or ridge line, and there is no continuous forest with adjoining properties.

### 4. DETAIL OF REPRESENTATION

- A. The Property does **not meet** the **Landscape Conservation Zone** guidelines.

The Table below is taken from the “Supporting Report for the Huon Valley Draft Huon Valley Local Provisions Schedule – November 2021” and details the reasons why the property does **not meet** the **Landscape Conservation Zone** guidelines.

#### Landscape Conservation Zone Application Guidelines

<b>Zone Application Guidelines</b>	<b>Comments (from HVC)</b>	<b>Property owner representations</b>
<p>LCZ 1</p> <p><i>The Landscape Conservation Zone should be applied to land with landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values, where some small-scale use or development may be appropriate.</i></p>	<p>The application of 80% native vegetation coverage coupled with the presence of either the Natural Assets or Scenic Landscape Code overlay as the first level of selection meets the intent of this guideline in that most of the property is constrained but there may be some potential for small scale use or development.</p> <p>A significant portion of the properties selected are located on the vegetated scenic hill slopes that characterise the Huon Valley. These areas have been spared from historical clearing due to being considered suboptimal for agriculture.</p>	<p>The Property does <b>not meet</b> the LCZ 1 guidelines for the following reasons:</p> <ul style="list-style-type: none"> <li>• The Property was cleared many years ago (see above satellite image).</li> <li>• Vegetation coverage is approximately 10% - ie well below the 80% native vegetation coverage threshold.</li> <li>• Of the 10% vegetation coverage remaining, the majority is non-native vegetation (non-commercial apple and olive orchards, deciduous non-native trees - eg silver birch).</li> </ul>

	<p>The analysis of 'large areas of native vegetation' was attributed to a minimum native vegetation patch size of 20 ha. This links directly with the LCZ use standard 22.5.1 P1 minimum lot size of 20 ha.</p>	<ul style="list-style-type: none"> <li>• There are no scenic values for protection.</li> </ul>
<p>LCZ 2</p> <p><i>The Landscape Conservation Zone may be applied to</i></p> <p><i>(a) large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation;</i></p> <p><i>(b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or</i></p> <p><i>(c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.</i></p>	<p>Addressed by ensuring properties contain the Natural Assets Code overlay. The Huon Valley Natural Assets code is based on the 'Regional Ecosystem Model' which selected priority vegetation patches based on a range of criteria including, threat status, threatened species habitat, relative reservation, local scale fragmentation, and relative rarity.</p> <p>It is important to note that modelling is based on best available data. Portions of the Huon Valley, especially those with limited road access or in remote areas, have had limited sampling and are somewhat data deficient.</p> <p>The Huon Valley is privileged to have a high diversity and abundance of threatened species, placing additional importance on protecting not only core habitat areas but natural ecological corridors between them that allow for species dispersion.</p>	<p>The Property does <b>not meet</b> the LCZ 2 guidelines for the following reasons:</p> <ul style="list-style-type: none"> <li>• There are only very limited areas of bushland or native vegetation (see satellite image above).</li> <li>• There is less than 60% of the Property covered under the Huon Valley Natural Assets Code. Further, most of that coverage is in reality over cleared paddock and non-native vegetation (ie the Natural Assets Code covers non-bushland and non-native vegetation (eg paddock)) – see satellite image.</li> <li>• There are no landscape values to be protected.</li> <li>• Neighbouring properties (eg 167 Lanes Road) have far greater coverage under the Natural Assets Code than the Property – and yet some of them are proposed to be zoned Rural Living (and not Landscape Conservation).</li> </ul>
<p>LCZ 3 <i>The Landscape Conservation Zone may be applied to a group of titles with landscape values that are less than the allowable minimum lot size for the zone.</i></p>	<p>This was addressed by using the following selection criteria to select LCZ suitability:</p> <p>Three or more adjoining properties</p> <p>Borders existing Environmental Manage or Environmental Living properties intended to transfer to LCZ</p> <p>If less than three adjoining properties, the total area of</p>	<p>The Property does <b>not meet</b> the LCZ 3 guidelines for the following reasons:</p> <ul style="list-style-type: none"> <li>• Although some neighbouring properties may meet the LCZ application guidelines, this Property does not. This Property should be zoned in accordance with its own characteristics. For the reasons noted in LCZ 1 and LCZ 2 above, the Property does not meet those guidelines. The Property's</li> </ul>

	these properties in at least 20 ha.	zoning should not be dictated by the characteristics of some neighbouring properties (for whom a LCZ zoning may be appropriate).
LCZ 4  <i>The Landscape Conservation Zone should not be applied to:</i>  <i>(a) land where the priority is for residential use and development (see Rural Living Zone); or</i>  <i>(b) State-reserved land (see Environmental Management Zone).</i>	Formally reserved state land was removed from the property selection.	The Property does <b>not meet</b> the LCZ 4 guidelines for the following reasons:  <ul style="list-style-type: none"> <li>For reasons outlined in the table below, the Property falls within the Zone Application Guidelines for the Rural Living Zone.</li> </ul>

B. The property **meets** the Rural Living Zone application guidelines.

#### RURAL LIVING ZONE

<b>Zone Application Guidelines</b>	<b>Comments (from HVC)</b>	<b>Property owner representations</b>
RLZ 1  <i>The Rural Living Zone should be applied to:</i>  <i>(a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity; or</i>  <i>(b) land that is currently a Rural Living Zone within an interim planning scheme or a section 29 planning scheme, unless RLZ 4 below applies.</i>	Supporting Report for the Huon Valley Draft Huon Valley Local Provisions Schedule – November 2021”) only referred to the draft LPS using Rural Living Zone A, B, C and D with densities of 1ha, 2ha, 5ha and 10ha.	The Property <b>does meet</b> the RLZ 1 guidelines.  <ul style="list-style-type: none"> <li>The Property is 3.2 ha. It contains non-commercial hobby farm (apples and olives), but is primarily a family home.</li> <li>Given its 3.2 ha size, it would be appropriate to fall within Rural Living Zone A or B.</li> <li>The Property is part of a well established rural lifestyle community with blocks ranging from under 1ha to greater than 10 ha.</li> </ul>
RLZ 2  <i>The Rural Living Zone should not be applied to land that is not currently within an interim</i>	Supporting Report for the Huon Valley Draft Huon Valley Local Provisions Schedule – November 2021”) did not address specifically RLZ 2	The Property <b>does meet</b> the standard set out in RLZ 2 (specifically RLZ 2(b)).  <ul style="list-style-type: none"> <li>The Property currently is in an Environmental Living Zone</li> </ul>



<p><i>planning scheme Rural Living Zone, unless:</i></p> <p><i>(a)consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; or</i></p> <p><i>(b)the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater.</i></p>		<p>under the interim planning scheme.</p> <ul style="list-style-type: none"> <li>• The neighbouring properties vary in size (smaller and larger), however they are all residential lifestyle rural lots (with hobby farms etc) and many of which will be zoned RLZ. This Property shares identical features and uses as those neighbouring properties - many of which will be zoned RLZ.</li> <li>• It would be demonstrably unjust for this Property not to be in the RLZ when neighbouring properties (some of which have far more bush/native vegetation, and greater percentage coverage under the Natural Assets Code), fall within the RLZ. Additionally, for the reasons set out in the table above (Landscape Conservation Zone Application Guidelines) the Property does <b>not meet the LCZ</b> guidelines.</li> </ul>
<p><b>RLZ 3</b></p> <p><i>The differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on:</i></p> <p><i>(a)a reflection of the existing pattern and density of development within the rural living area; or</i></p> <p><i>(b)further strategic justification to support the chosen minimum lot sizes consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.</i></p>	<p>Supporting Report for the Huon Valley Draft Huon Valley Local Provisions Schedule – November 2021”) did not address specifically RLZ 3</p>	<p>Given the 3.2 ha size of the property, and given the similarity in size with neighbouring properties (who fall within the RLZ) and existing density of development in the immediate area, classification of the Property within Rural Living Zone A or B would be entirely appropriate.</p>



<p>RLZ 4</p> <p><i>The Rural Living Zone should not be applied to land that:</i></p> <p><i>(a) is suitable and targeted for future greenfield urban development;</i></p> <p><i>(b) contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see Landscape Conservation Zone), unless the values can be appropriately managed through the application and operation of the relevant codes; or</i></p> <p><i>(c) is identified in the 'Land Potentially Suitable for Agriculture Zone' available on the LIST (see Agriculture Zone), unless the Rural Living Zone can be justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.</i></p>	<p>Supporting Report for the Huon Valley Draft Huon Valley Local Provisions Schedule – November 2021”) did not address specifically RLZ 4</p>	<p>None of the RZL 4 prohibitions from applying a Rural Living Zone to a property apply to the Property. More specifically:</p> <p>(a) The Property is not in a future greenfield area.</p> <p>(b) The Property contains no important landscape values for protection and conservation. There are no large areas of native vegetation. There are no areas of important scenic values.</p> <p>If there is a concern that there are any particular single trees that should be protected, the application and operation of relevant codes will provide that protection (that said, 90% of the property was cleared many years ago – and remains cleared – see the satellite photo).</p>
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**5. SUMMARY OF REPRESENTATION**

For the detailed reasons outlined in the 2 tables above, the Property **does not meet the Landscape Conservation Zone** guidelines. Instead, the Property **meets the Rural Living Zone guidelines** and on that basis we request that the property be zoned as Rural Living Zone.