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To: Information Management
Subject: Representation - Draft Huon Valley Local Provisions Schedule
Attachments: Representation - HV LPS - 740 Lymington Rd.pdf

Please find attached representation re the LPS's

Regards
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7 April 2022

The General Manager
Huron Valley Council
40 Main Street
HUONVILLE TAS 7109

By email: hvc@huonvalley.tas.gov.au

Dear General Manager

DRAFT HUON VALLEY LOCAL PROVISIONS SCHEDULE REPRESENTATION - 740 LYMINGTON ROAD, LYMINGTON

Ireneinc have been engaged by the owner of land at 740 Lymington Road, Martin and Robyn Bell, to assist in review of the Draft Huon Valley Local Provisions Schedule (LPS) as it affects their land, and to make a representation on their behalf in relation to the propose zoning.

SUBJECT LAND

The subject land is described in the following figure and is comprised of 3 titles (CT's 199168/1, 108515/1 and 108515/2), the two smaller of these very recently purchased:



Figure 1: Location with Topographic & cadastral parcels from www.thelist.tas.gov.au © The State of Tasmania

The recently purchased lots, have increased the land holding to some 13.3ha.

The following aerial image further describes the subject land:



Figure 2: Aerial with ESRI imagery & cadastral parcels from www.thelist.tas.gov.au © The State of Tasmania

As described the land is partially cleared and partially treed, as is the surrounding land, with particularly large established orchards to the west and southwest and large areas of grazing land to the northeast.

The subject land also surrounds a separate title of land (PID 5852528) owned by State Growth as a quarry reserve.

Developed and grazed areas of the land have generally moderate eastern to southern slopes of approximately 1:6, while parts of the forested western side of the land are in parts 1:3.5.

The subject land contains an existing dwelling and outbuildings and is further developed with cleared pasture, further fenced grazing land retaining some retained tree canopy, as well as retained forested areas. There are also 2 existing dams on the property.

In recent years the landowners have been working on improvement and expansion of their grazing land through land management and weed clearance, with the aim to continue to increase the productive capacity of the land in a sustainable way.

The property currently has approximately 8ha of land fenced for grazing purposes in addition to the developed areas around existing buildings and infrastructure, as detailed in the following figure:



Figure 3: Land Use diagram (subject land in dark blue & existing fences indicated in light blue) with ESRI imagery & cadastral parcels from www.thelist.tas.gov.au © The State of Tasmania

As indicated in the above diagram, there are currently a little over 8ha of the land fenced for grazing which is 60.5% of the overall land area. Further description of the land area provided in the following images provided by the owners.



Figure 4



Figure 5:



Figure 6:



Figure 7:

Further detail on the farm plan that the current owners of the property have underway is contained in Appendix A.

CURRENT PLANNING SCHEME

HVIPS ZONE

The current zoning of the land under the *Huon Valley Interim Planning Scheme 2015* (HVIPS) is Rural Resource as described in the following figure:



Figure 8: HVIPS Zoning with IPS Zones, Road centrelines & cadastral parcels from www.thelist.tas.gov.au © The State of Tasmania

DRAFT LPS PROVISIONS

DRAFT LPS ZONE

In drafting the LPS's the existing Rural Resource Zoned land has, in Lymington, be placed in either the Rural Zone or the Landscape Conservation Zone. The subject land is mapped within the Landscape Conservation Zone as described in the following figure:



Figure 9: Draft LPS Zones from <https://planning.discovercommunities.com.au/connect/analyst/mobile/#/main?mapcfg=huonvalley>

ZONE APPLICATION TO SUBJECT & ADJOINING LAND

As described in the above the subject land and 4 lots to the east are a cluster of lots places in the Landscape Conservation Zone, however of these lots the subject land contain significant areas of existing agricultural use. While the lots to the east retain a majority of tree coverage these areas are opposite the actively farmed areas of the subject land and therefore do not provide a contiguous area of forest area.

In relation to the criteria understood to have been used for determining the Zone mapping of the Rural v Landscape Conservation Zones it is considered that the subject land does not meet the criteria in the following ways:

- As detailed above 60.5% of the land is currently used for grazing. In addition, even though the TASVEG 4.0 mapping includes cleared and grazed parts of the subject land the percentage of CT199168/1 mapped as FAG (Agricultural Land) exceeds 22%. The area of this lot with vegetation coverage is therefore less than 80%.
- The undeveloped vegetated area of the subject land is not contiguous with the neighbouring lots on the opposite side of the road also in the Landscape Conservation Zone, and the land is otherwise adjoining land in the Rural Zone.
- The area of the subject land within the Biodiversity Code (current HVIPS being the same as the Draft LPS), while being over 60%, as detailed previously includes areas of trees over paddock currently used for grazing.
- The subject land forms part of a cluster with the lots to the east however as there are 4 lots on the eastern side of the road, removing the subject land from the cluster would not affect the zone of these other lots.

Rural zoning of the subject land would be, on the basis of the above, a consistent approach of the neighbouring adjoining land to the north, west and south.

CONSISTENCY WITH GUIDELINE NO. 1 - LOCAL PROVISIONS SCHEDULE

Application Guidelines for the Landscape Conservation Zone include as follows:

LCZ 1 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.

Apart from the road corridor which affects a limited area of the subject land along the road frontage, the site has not been identified for scenic protection. As detailed previously, while there is tree cover across a reasonable proportion of the lot there are substantial areas where there is tree canopy over paddock which provides part of the 60% of the site which is currently part of the developed and agricultural areas used already.

The Biodiversity Code overly will provide consideration of natural values through application of that Code, while the landscape values of the road corridor will be protected by the overlay for the Scenic Protection Code.

The LC zone is therefore not necessary to provide protection to the limited values contained in the site.

LCZ 2 The Landscape Conservation Zone may be applied to:

- (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;*
- (b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or*

(c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.

The subject land is not consistent with LCZ 2 given:

- a) The subject land is not mapped as containing Threatened Vegetation Communities or Threatened species.
- b) While parts of the land are mapped within these Codes, there are substantial parts of the land which are already developed and used for agricultural purposes.
- c) The land is not currently mapped Environmental Living.

The Zone Application Guidelines for the Rural Zone include as follows:

RZ 1 The Rural Zone should be applied to land in non-urban areas with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area, and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.

RZ 2 The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.

RZ 3 The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:

(a) it can be demonstrated that the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;

(b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;

(c) the land is identified for the protection of a strategically important naturally occurring resource which is more appropriately located in the Rural Zone and is supported by strategic analysis;

(d) the land is identified for a strategically important use or development that is more appropriately located in the Rural Zone and is supported by strategic analysis; or

(e) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.

The Lymington and Petcheys Bays areas have not been identified as suitable for inclusion in the Agriculture Zone, which appears reasonable given that there is still some constraint on agricultural activity through combinations of limitations from topography and vegetation which while inconsistent with the Agriculture Zone are not so limiting that the LC Zone is necessary. Zoning the subject land Rural would therefore be considered consistent with RZ 1, 2 & 3.

It is also noted that the Crown land parcel which the subject land surrounds, as a quarry reserve would also be more consistent with the application of the Rural Zone than the LC Zone.

If there are any queries in relation to the above or you wish to discuss any of the detail, please contact our office on 03 6234 9281 or email me at jacqui@ireneinc.com.au.

Yours faithfully



Jacqui Blowfield
SENIOR PLANNER
IRENEINC PLANNING & URBAN DESIGN

Appendix A – Farm Plan

History

To understand how this land sits in the rural context it is important to reflect on the history of farming at 740 Lymington Road and the proposed future use.

Date		Purpose/use
1957	Land settled – house built by Major Neill	Piggery Chicken Farm – meat & eggs Hay grazing
1962	Bore established on benefiting easement with neighbouring land fronting Lymington Road	Used by title holder for chicken farming
1970	Mary & Graham Clark took over the business	Piggery Chicken Farm – meat & eggs Hay Grazing Shearing shed for Beaupre farm sheep
1980		Chicken raising from chicks to pullets in four purpose-built sheds (one shed remains the others have been removed) Piggery – building exists
2015	Purchased by current owners for the purpose of continuing rural use	Agriculture – grazing sheep & cattle Hay production Cattle breeding Retention of bushland to enhance pasture management
2017	Registered with DPIPWE for cattle & sheep	
2022	Approval for installation of a water bore by DIPIWE and decommission of current licensed bore	To support existing and future agriculture

Purchased in 2015 for specific purpose of agricultural pursuits on existing cleared and pastured land.

We are 7 years into our Farming plan. The property was somewhat degraded in years prior to our occupation due to overgrazing and confinement of pigs in a small paddock (all trees in this paddock have been rung-barked by the pigs and are dying/dead).

Our farm management plan is focused on the following four key strategies.

- Plant equipment and infrastructure improvements
- Removal/containment/exclusion of introduced/non endemic species of flora and fauna.
- Improvement of soil, pasture and orchard
- Long term water security

Improvements

Purchase of farming equipment – tractor, side by side, small excavator, pumps & various motor driven and hand tools

Council approved shed extension (\$20,000 +)

2+ kilometres of fencing – all existing fencing was in poor repair and had to be replaced, boundary and internal – the neighbours cows were accessing and grazing in the top paddock of the property.

Control of Vermin, non-endemic fauna, weeds.

Initial assessment of the land identified the need for replacing both internal and boundary fencing of the pastureland being completed in stages the front paddock 2016 and the top paddock by 2017. This excluded the wallaby being almost in plague numbers, overgrazing and overbreeding in a never ending cycle.

Concurrently with the fencing commenced the management of gorse, achieved by hand removal/painting stumps to prevent regrowth. All was removed within the fenced areas being the grazing/pasture area and some of the wooded zones of the property. This hand removal of other declared weeds includes but is not limited to.

- English broom
- cape weed
- spear thistle (scotch black) thistles
- blackberry nightshade
- blackberry

and non-declared weeds

- *Verbascum thapsus* (Common Mullein): Minnesota Wildflowers
- Dock being managed through moderate grazing (avoiding over and under-grazing) position the land for well managed pasture which helps prevent dock establishment. Block grazing is strongly recommended. (See trial notes below)

Starlings have been evicted from the ceiling cavity of the homestead.

Soil, Orchard, Pasture Management

Rested land for 12 months post fencing the existing pasture areas being 2016 & 2017 front and top paddocks respectively.

The land at 740 Lymington Rd was registered on 30 June 2017 with DPIPW for two enterprises being cattle & sheep; our PIC is MCPC0879.

Trials of cattle numbers for land capacity – Oct 2017 to July 2018 – indicated pasture improvement required to support a greater herd.

2018 engaged the services of an agronomist through Serve-Ag to test and report on the soil and recommend any additional management required to regain pasture grazing and hay production. These management strategies are now being implemented and two seasons one have seen improvements to ground cover and variety of herbage/grasses yields.

Having rested the grazing land again between 2018 and October 2020 we commenced restocking in alignment with our plan to establish a select cattle breeding program with grey cows and wagyu bull. The herd will be at a size aligned with the capability of the grazing/pasture production.

Trials of regenerative grazing 2021-2022 (block grazing) – see photos – over a period of have successfully demonstrated the benefits of this method of pasture management for this location. A second campaign of internal fencing within the exiting fences was completed in late 2021 to establish 5 clear paddocks which in turn are the foundation of easily managed electric fencing for “block grazing” programs.

Two trial oats crops planted within the fenced areas and around existing trees have been successful and confirm this as a viable crop without any irrigation/watering. – see photos – A plan is to use the oats as green manure.

Orchard

An established orchard of 20 plus trees being a variety of apples, pear and plums in a purpose built fenced area between the pig shed and dam lacked infrastructure for watering from the dam. The trees were moved to an existing garden closer to the homestead for ease of management, pests, picking and watering.

This fenced orchard area will be re-established when then water security is in place see notes below.

Future proofing water supply

The land is currently supported by two dams, a number of rainwater tanks and a bore on a benefiting easement onto the neighbouring property. The was bore originally drilled in 1962 and used until the 1980's to supply water to the chicken & piggery businesses. Use stopped when the top dam was installed, and maintenance of the pump became problematic.

We have engaged the services of a suitably qualified contractor to re-establish a bore on the property with the permitting request paperwork submitted to DPIPWE and recently approved. This water will be used for small scale pasture watering, livestock water and irrigation of the orchard, existing and to be re-established.

The top dam was cleaned out in 2018 to re-establish its original capacity with the bottom dam not requiring cleaning as it has minimal silt.

Natural resource management

Retention of bushland/trees – within the fenced areas utilised for grazing/pasture there are some 71 small to medium eucalypt trees in good condition of note there are 5 only large trees (girth greater than 1.5m). The small to medium trees will be the next generation to replace the remaining 18 trees which are scarred from fire and display signs of imminent fall, several of which have occurred in our tenure.

The remaining slopping area of the title has no large trees of note all being razed in the 1930's, 1967 bushfire or logged previously (evidence of large stumps). There is one *Eucalyptus globulus* on the road reserve outside just out southwest boundary.

The eastern barred bandicoot and echidna are evident on the property “this digging improves soil health, increases soil moisture and nutrient content, and decrease soil compaction and erosion. Digs also provide habitat for invertebrates and improve seed germination. What’s more, by digging fuel loads (dry, flammable vegetation, such as leaves) into the soil, they can help bring down the risk of fire. [One little bandicoot can dig up an elephant's worth of soil a year – and our ecosystem loves it \(theconversation.com\)](https://theconversation.com/one-little-bandicoot-can-dig-up-an-elephant-s-worth-of-soil-a-year-and-our-ecosystem-loves-it-2022-04) “

Eastern quolls have and continue to live in and around us, living in garage, shed, piggery and retaining wall. Our living and rural activity appears to have no impact as they live harmoniously with current residents and two dogs.

Devil – some have been trapped on the land by DPIPWE and are heard in the neighbourhood on a quiet night – farming in the area appears to have little impact on their activity.

The retained bushland with the rural activities supports these populations without compromising our intended purpose for current and future use.