

From: [Rong Zheng](#)
To: [TPC Enquiry](#)
Cc: [McCrosen, Samuel](#)
Subject: RE: Huon Valley Draft LPS - Response to Directions
Date: Wednesday, 13 September 2023 2:31:25 PM
Attachments: [image003.png](#)
[image004.jpg](#)
[image005.png](#)
[26 July 2023 - Minutes incl Cover WEBSITE.pdf](#)
[10.013 35F Report Addendum July 2023 - UPDATED VERSION 31 JULY 2023.pdf](#)

Dear Mr Ramsay

I refer to the letter dated 1 August 2023 from the Commission.

Please find the attached minutes of Council meeting 26 July 2023 and the S35F addendum report.

Please also be aware that there was an administrative error made in the "Recommend Action" of response to Direction 2 of 2 June 2023. The correct recommendation should read "Change 123372/1, 102237/11, 102237/8 and 204483/1 to Rural Living Area D zone in draft LPS".

Best regards,
Rong



Rong Zheng
Project Manager - Strategic Land Use
Phone: 03 6264 9467
Email: rzheng@huonvalley.tas.gov.au

Huon Valley Council
Huonville, Tas, 7109
www.huonvalley.tas.gov.au

We acknowledge the Traditional Custodians of the South East Nation, the Melukerdee people of the Huon River and the Lyluequonny people of the Far South. We recognise their continuing connection to land, water and culture, and pay respects to the Elders past, present and emerging.

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From: TPC Enquiry <tpc@planning.tas.gov.au>
Sent: Tuesday, August 1, 2023 2:24 PM
To: Huon Valley Council <hvc@huonvalley.tas.gov.au>; Rong Zheng <rzheng@huonvalley.tas.gov.au>
Subject: Huon Valley Draft LPS - Response to Directions

Dear Mr Browne

Please find a letter attached regarding the Huon Valley draft LPS.

Kind regards



Level 3 144 Macquarie Street Hobart TAS 7000
GPO Box 1691 Hobart TAS 7001

03 6165 6828

www.planning.tas.gov.au



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**HUON VALLEY
COUNCIL**

**Ordinary Meeting of Council
Wednesday 26 July 2023**

DRAFT MINUTES

**MINUTES OF THE ORDINARY MEETING OF THE HUON VALLEY COUNCIL
HELD ON WEDNESDAY 26 JULY 2023 AT 6.00PM IN THE
COUNCIL CHAMBERS, HUONVILLE**

Mayor Doyle advised that the meeting was being live streamed via Council's YouTube channel.

Mayor Doyle acknowledged the traditional custodians of this land and paid respects to them and their customs, and to their elders, past, present and emerging.

1. ATTENDANCE

Councillors:

Mayor S Doyle, Councillors T Thorpe, D Armstrong, D O'Neill, M Jessop, J Cambers-Smith, C Temby and A Burgess

Council Officers:

General Manager J Browne, Director Governance Strategy and Sustainable Development Services M Grimsey, Director People and Corporate Services D Spinks, Director Infrastructure, Climate and Environmental Services L Kranz, Acting Director Community Wellbeing Lyle Ground, Coordinator Media and Communications K Davis and Executive Officer S Rustell

2. NON-ATTENDANCE

2.1 Apologies	Nil
2.2 Leave of Absence	Councillor P Gibson
2.3 Absent	Nil

3. DECLARATION OF INTEREST

Councillor	Agenda Item (s)
Cr A Burgess	10.013/23
Cr T Thorpe	10.013/23
Cr M Jessop	10.013/23
Cr J Cambers- Smith	10.013/23

4. CONFIRMATION OF MINUTES

4.007/23*

RESOLVED

CR TEMBY

CR BURGESS

That the Minutes of the Ordinary Meeting of Council Wednesday 28 June 2023 as circulated be confirmed.

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop, Cambers-Smith, Temby and Burgess voted for the motion and no Councillors voted against the motion.

5. LEGISLATIVE ITEMS

Nil

6. URGENT MATTERS

Nil

7. MAYORS ANNOUNCEMENTS

HVC has recently conducted joint collaboration meetings with Derwent Valley Council, Tas Police, Sustainable Timbers Tas and relevant politicians regarding illegal dumping, anti-social behaviour and illegal wood hooking. As a result of these meetings Tas Police are conducting 'Operation Eucalypt' which is aimed at targeting the illegal sale of firewood and rubbish dumping occurring within the Huon Valley.

It is illegal to dump household and commercial rubbish on forestry land, and there are strict requirements about gathering firewood - which is illegal without a permit.

Permits are available from Sustainable Timber Tasmania for the sole purpose of gathering firewood for personal use only. The sale of firewood obtained under those permits is not authorised.

Community members are asked to be cautious when arranging to have rubbish removed from their property and buying firewood, particularly if done through social media platforms.

Always ask questions of the person you are dealing with, to ensure rubbish is disposed of legally, and that the firewood is not stolen.

Simply stating you were not aware of illegal activity does not mean you were not party to a crime.

Any information about illegal firewood gathering and rubbish dumping can be reported to police on 131 444 or through Crime Stoppers at crimestopperstas.com.au or on 1800 333 000. You can stay anonymous.

Members of the public are asked to quote 'Operation Eucalypt' when reporting.

8. PUBLIC PARTICIPATION

8.1 Public Question Time

8.1.1 Answers to Previous Questions Taken on Notice

Nil

8.1.2 Questions on Notice

Huon Valley Residents and Ratepayers Association (HVRRA)

Question 1:

What is the difference between the budgeted end of year cash position for the 2022/23 financial year of \$12.076M, and the expected result at the time of the 7 June 2023 council meeting of \$18.079M ? If possible it would be helpful to indicate the LEOY projections which sum to the \$18.079M in the 10 year Cash Flow Statement in the LTFFP.

Response:

For clarity it is important to note the forecast of the closing 2022/23 cash position of \$12.076M was made in the 2022/23 budget papers ie: June 2022. The \$18.070M is the updated forecast in the 2023/24 budget papers ie: June 2023.

The development of budgets and plans is based on assumptions which by their nature may be different. Unbudgeted revenue and early or late payments occur every month, and the timing does not always align to the 30 June end date. Examples of the larger items that contributed to the change of cash balance include:

- The State Grants Commission early paying in June 2022, a higher portion than previous years of the 2022/23 Financial Assistance Grant (FAG). This increased amount was \$1.1M;
- Favourable to budget proceeds from property, plant and equipment resulting in a \$1.4M variance in cash flow;
- Success and receipt of the unbudgeted Food Hub Grant of \$0.2M;
- Delays in capital projects such as Port Huon pool relining \$0.3M and Dover Medical Centre refurbishment \$1.3M.

The cash balance is a function of many variables and the above are just some of the primary reasons of the increased cash balance. To demonstrate how readily circumstances can change, as noted above, in June, just last month, the forecast for the closing balance at 30 June was \$18.070M. Subsequent to that, councils were notified that the State Grants Commission were early paying to councils the entire 2023/24 FAG entitlements, in June 2023. The actual closing cash position is thus higher than the \$18.070M forecast.

Council's investment portfolio is reported each month in the financial report.

Question 2:

Noting the projected increase in cash and cash equivalents in the LTFP for 2023/33, from \$18.079M at June 2023 to \$39.112M at June 2033, what are the key drivers for this increase ?

Response:

As noted in council's long term financial plan council's forecast operating surpluses will generate cash surpluses, together with required asset renewal expenditure being less than depreciation. Noting local government controls a large portfolio of long lived assets, council is currently in a period where its required asset renewal spend, is low compared to the whole of life requirement. A ten year window is not indicative of the longer term. Several of council's asset classes are relatively young in their lives and thus not requiring significant renewal capital spend. Work is continuing to increase the level of maturity around the timing, and amount, of required future renewal spend and

Council has budgeted \$40K in the current year for that work to progress. The program is planned for the following two years, to total \$120K over three years.

Friends of Dover Medical Services

Question 1:

Can the Council advise residents of Dover what their response is to promises made by Senator Duniam and the Premiers office regarding funding the construction of the footpath?

Response:

According to our review, Senator Duniam's letter does not outline a promise for funding.

The proposed footpath project does not currently form part of our asset management plan. Council has, at no time, received official notification from the Premiers office regarding funding for this project.

Question 2:

Will the Council commit to a timeline for planning/engineering in conjunction with State Growth?

Response:

While appreciating the health and safety benefits proposed, this project has not yet been identified as a priority project for Council. It is not included in the capital works program or long-term financial plan. Council do not have capacity this financial year to plan this project, and so will table the project for consideration, including design and funding (internally/externally) in the FY2024/25 budget and Long-Term Financial Plan (LTFP) process commencing in December 2023.

Indicatively, a P20 estimate* of a 1.2km concrete, 2.5m wide shared path connecting Pottery Rd to the existing concrete footpath outside 7059 Huon Hwy via the waterfront is \$900,000 including 20% contingency. Note this alignment requires bridge installation and landowner consent and/or land acquisition.

Indicatively, a P20 estimate* of a 1.9km concrete, 2.5m wide shared path connecting Jim Casey Oval to the existing concrete footpath outside 7059 Huon Hwy via the Highway shoulder is \$1,158,000 including 20% contingency.

***P20 estimates provide a 20% probability the project will be delivered for the estimated cost.**

Noting the above estimates are only two sections of the proposed footpath, the total cost is expected to be higher for the total length of footpath requested, and the design and engineering.

Assuming the above cost estimates are correct and the life of the footpath is 80 years, the estimated minimum annual cost for depreciation and maintenance will be \$26k and require a minimum rate revenue increase of 0.2% to fund the ongoing cost. Note this is for only a portion of the whole path, not the whole path being sought by the community. Further, this rate increase is over and above our current LTFP projections for rate revenue to fund the expenditure annually as there are no other ongoing revenue to fund the path development and maintenance.

Irene Swan

Question 1:

Will Council please advise the full costs to ratepayers to create, print and mail out the Future of Local Government Review leaflet to all residents and ratepayers in the Huon Valley?

Response:

The cost for the leaflet to all ratepayers on the Future of Local Government Review was \$3,974.00

8.1.3 Questions Without Notice

Via Email

Amy Robertson

Question 1:

What are the top 5 issues that delay Development Applications from being deemed valid, and are there any system improvements or re-evaluation of risk tolerance which could ease the backlog of not-yet-valid applications prior to their potential lapsing at Tasmanian Planning Scheme commencement?

Response:

(1) What are the top 5 issues that delay Development Applications from being deemed valid?

(a) Written consent / permission

Consent to the development application is not provided when the application is lodged with Council where a third-party consent is required, such as Crown or Council landowner's consent. This will occur where an application requires written consent to the proposed development under Section 52(1B) of the *Land Use Planning and Approvals Act 1993* in order to be considered a valid application by the planning authority.

(b) Required application documentation not provided.

Where required documentation is not provided with the application. This will occur where an application is lodged which does not include all specific documentation referred to in Part B 8.1 Application Requirements and what "an application must include" under 8.1.2 of the planning scheme. For example, a copy of the certificate of title provided is not a current copy or does not include the property title plan.

Alternatively, although the application does include the information required under Part B 8.1 Application Requirements of the scheme, an application is lodged that does not otherwise include documentation that is considered necessary for the application to be considered a completed (valid) application given the nature of the proposal – as must be provided under 8.1.2 and as required by the planning authority under 8.1.3.

This may be the case, for example, where a particular type of report is considered fundamental to the application for it to be considered a valid application due to the nature of the proposal. This approach is consistent with decisions taken by the TASCAT on this issue. The planning Authority (Council) has the authority to request information considered necessary to be satisfied the proposal will comply with relevant use and development standards.

(c) Applicant

- (i) Where the applicant is advised an application that has been lodged is not considered valid, the time it takes an applicant to address the issue(s) to make the application valid.**
- (ii) The applicant may have no intention of supplying the further information due to the nature of background issues such where a completed application is required as a result of compliance / enforcement action taken over non approved development.**
- (iii) Alternatively, there may be a lack of understanding about why an application must be progressed to completion that results in the required information not being provided to make the application valid, for example, to rectify a compliance matter related to non-approved use or development.**
- (iv) The cost to provide the information requested is perceived to be too high (expert reports, plans, surveys).**
- (v) Alternatively, an owner that has arranged for an application to be lodged that is considered not valid, sells the property that is subject of the application and the new owner is unaware of the application, or does not propose the application for use or development proceed further.**

(d) Form and information provided is incorrect –

Other situations can occur where the information included with the application form is not correct or does not include full details of the proposed use or development in writing on the form; or the form is not signed.

- (2) **System improvements or re-evaluation of risk tolerance which could ease the backlog of not-yet-valid applications prior to their potential lapsing at Tasmanian Planning Scheme commencement**

Applications ready for final assessment and decision

Priority is provided to applications that are valid and are completed to the stage that a decision can be recommended be made under the planning scheme.

If an application does not become valid until the Tasmanian Planning Scheme applies to the Huon Valley, then it will be considered under that planning scheme.

Experts

Applicants are responsible for ensuring that relevant expertise is available for completing the application. For example, many applications require that planning, engineering and other experts are engaged by the proponent for the necessary advice to then be included with the application.

Applications in progress that are not completed for assessment purposes

Applicants are responsible for the completion of applications to the stage the formal assessment can be completed. It is the applicant that is responsible for ensuring that the application is valid and addresses all the required matters under the planning scheme that applies to the application. This enables completion of the planning assessment and decision making process.

Completion of requests for information

All applicants therefore need to ensure they progress the completion of their application in a timely manner. Otherwise there is the potential risk it will lapse if the circumstances fall within Section 52(2AA) of the Act where additional information is not provided within 2 years of the request being made.

Application processing

Work is being carried out on a review of online applications that have the potential to assist in the processing of development applications and other related applications.

Irene Swan

Question 1:

Will Council please advise, was the budget allocation of \$25,000 over and above the \$150,000 actually spent on an Employee Satisfaction survey, and if so, why have the results of that survey not yet been shared with the ratepayers?

Response:

The \$25,000 allocation for the staff culture survey was spent on the survey.

The results of the survey have been fully communicated across the organisation including with Councillors. It is not intended to release the results more broadly. A range of actions are underway, or being developed, to address the areas noted as needing improvement.

Geoffrey Swan

Question 1:

Is the Huon Valley Council Submission Draft Tasmanian Planning Policies, June 2023 page 64 of the Draft Tasmanian Planning Policies tabled at 28 June 2023 item no 15.025/23 the result of the Motion from Cr Jessop 13.008/23 at the 24 May 2023 Council meeting:

“That Council, acting as a Planning Authority, restates our commitment to the broad rural character of the Huon Valley and acknowledge the Region’s role in the State’s economy as a leading rural LGA” and the motion also stated “Further that this motion be communicated to the Tasmanian Planning Commission by the end of this week” [being 16 May 2023].

Response:

No. Whilst they are consistent the submission was not prepared based upon the motion.

From the Gallery

Merv Brooker

Question:

How much did the newly laid concrete footpath from little devil backpackers in Huonville to Walton Street cost?

Response:

Mayor Doyle advised this question would be Taken on Notice.

Ellie Richardson

Question:

Could the Friends of Dover Medical Services Group be given the opportunity to work with Council Officers in a collaborative approach for the 2024 budgetary process with a view to identifying the route, costs and ways the local community could best contribute to expediting the Dover footpath?

Will the Council Officers take up the request of Senator Duniam and the Minister for Infrastructure and Transport to meet and discuss this matter?

Response:

Mayor Doyle advised we would advise what can be done in this matter.

Dr Liz Smith

Question:

Regarding report 15.028/23 the Future of Local Government Review (FoLG).

Are these responses considered to provide sufficient information to demonstrate support for any of the potential scenarios?

Would Councillors be open to further talks involving all Councillors from both Huon Valley and Kingborough Councils, as our community's representatives, to thoroughly discuss the issues raised in the Southern Shore Community Catchment Information Pack and how they might be addressed by the two Councils and the Local Government Board?

Response:

Mayor Doyle advised the survey was run by the State Government. We have had some really good discussions around the table with all Councillors. The recommendation is on tonight's agenda.

Mayor Doyle advised that a meeting has taken place with Kingborough Mayor and General Manager where the FoLG was discussed. We are always open to continue conversations and no doubt more discussions will take place as this progresses.

Amy Robertson

Question:

The Community heard the week from TPC that "TPC are going to attempt to sort out the planning scheme without the benefit of any Council strategy, not expecting the LUDS to be ready in time".

Given this takes off the pressure of any deadline from TPC process, does HVC consider there is merit in a different approach to the LUDS that changes its scope or timeline?

Response:

Director Governance Strategy and Sustainable Development Services stated no, the current timeline is through to December. If we were to try and truncate that there would be no community engagement as part of the process and that is unacceptable. December is the timeline that we're working to.

8.2 Deputation/Addressors to Council

Nil

9. PETITIONS

The General Manager tabled a petition lodged with Council 10 July 2023 as follows:

"Petition Regarding the widening of approximately 475 metres of Lymington Road"

The petition contains 223 signatories and complies with the requirements of Section 57(2) of the *Local Government Act 1993*.

9.002/23

RESOLVED

CR CAMBERS-SMITH

CR ARMSTRONG

That the petition regarding the widening of approximately 475 metres of Lymington Road lodged with Council 10 July 2023 be received.

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop, Cambers-Smith, Temby and Burgess voted for the motion and no Councillors voted against the motion.

Title	PETITION REGARDING FRANKLIN OPPORTUNITY AREA
Agenda Number	9.003/23*
Strategic Plan Reference	5
File Reference	17/84
Author	Director Governance Strategy and Sustainable Development
Responsible Officer	Director Governance Strategy and Sustainable Development
Reporting Brief	The Director Governance Strategy and Sustainable Development presenting a report on a petition regarding the Franklin Residential Opportunity Area
Attachments	A. Petition

Background

1. A petition regarding the Franklin Residential Opportunity Area was lodged with Council on 21 June 2023 as follows:

“To Huon Valley Council

*We, the undersigned, hereby request that any future residential expansion for Franklin follows the recommendation of Architect and Heritage Consultant, Graeme Corney that **‘the Urban Growth Boundary would be more appropriately somewhere around the 20m contour line.** This would confine urban growth to a small area of consolidation to the back of the existing village area and would be well screened from the main road. Importantly the rural backdrop would be maintained’.*

2. The petition contains 104 signatories and complies with the requirements of section 57 of the *Local Government Act 1993* (the Act).
3. It is noted that the petition was received by Council on 21 June 2023 but was not allocated for officer review. This meant that it was not tabled at the June Council meeting. The petition is therefore presented along with this Report for consideration for any action to be taken at this July Council meeting,
4. The purpose of this Report is for the General Manager to table the petition and to consider any action to be taken on the petition.

Council Policy

5. Council does not have a policy in respect to dealing with petitions and follows the requirements of the *Local Government Act 1993* (the Act).

Legislative Requirements

6. Petitions are dealt with pursuant to Division 1 of Part 6 of the Act.

7. There are no legislative provisions in relation to the action requested under the petitions.

Risk Implications

8. The petition relates to matters being considered as part of development of the Council's new Huon Valley Land Use Development Strategy (the Strategy). The only risk associated with the petition is a request for decision making out of context to a process already being undertaken for development of the Strategy.

Engagement

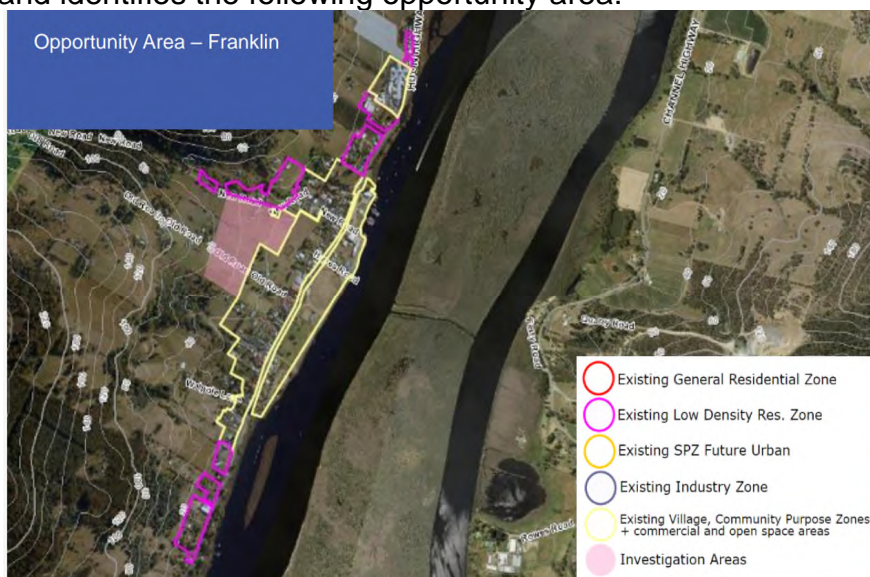
9. Engagement associated with this decision will be undertaken at Inform Level by inclusion within the Council meeting Minutes that will be available to the public on the Council's website and at the Customer Service Centre.
10. The lodger of the petition will also be informed of the Council's decision as required under the Act.

Human Resource and Financial Implications

11. There are no specific human resource or financial implications for the Council in considering the petition.

Discussion

12. The Council is currently developing the Strategy.
13. As part of initial engagement undertaken for the Strategy the Council prepared a consultation discussion paper. This paper can be viewed at the following link: <https://www.huonvalley.tas.gov.au/consultations/land-use-and-development-strategy/>.
14. The Discussion Paper considers the main settlements within the Huon Valley including Franklin and identifies the following opportunity area:



15. The opportunity area shows an investigation area behind the township off New Road. This area is understood to be above the 20m contour line.
16. The effect of the petition would mean that the investigation area was not further considered for urban growth for the township. There may be merit in the request in the petition given the support provided from a heritage perspective however this needs to be considered in the context of the whole township of Franklin.
17. It is however premature for the Council to make such a decision which should be more broadly considered in development of the Strategy.

Conclusion and Recommendation

18. The petition has been included with the submissions received for the Strategy engagement and can be properly considered as part of that process.
19. The recommendation is that the petition be considered as part of the development of the Strategy.

9.003/23*

RECOMMENDATION

That

- a) **The Report on a petition regarding the Franklin Residential Opportunity Area be received and noted.**
- b) **The petition regarding Franklin Residential Opportunity Area lodged with Council 21 June 2023 be received.**
- c) **The petition be considered as part of engagement feedback on development of the new Huon Valley Land Use Development Strategy.**

9.003/23*

RESOLVED

CR JESSOP

CR ARMSTRONG

That:

- a) **The Report on a petition regarding the Franklin Residential Opportunity Area be received and noted.**
- b) **The petition regarding Franklin Residential Opportunity Area lodged with Council 21 June 2023 be received.**
- c) **The Council notes that the urban growth boundary of Franklin has been under consideration for over 10 years and is likely to remain unresolved in the LUDS project for at least another 2 years. There is demonstrable benefit of giving the community of Franklin a level of surety on what will happen to the fabric of their village, so this Council notes the following:**
 - **the historic village of Franklin is a significant visual asset to the Huon Valley community;**
 - **the previously commissioned Council work by Heritage Consultant, Graeme Corney recommending that ‘the Urban Growth Boundary would be more appropriately somewhere around the 20m contour line;**
 - **the unreasonable scale of the ‘Investigation Area’ given the surrounding road assets that would be expected to service potentially over 100 lots;**
 - **the Reasonable view of the development interests of impacted landholders should be considered, and**
 - **the presented petition should be considered as part of the LUDs.**

Councillors Doyle, Thorpe, Armstrong, O’Neill, Jessop and Temby voted for the motion and Councillors Cambers-Smith and Burgess voted against the motion.

10. Planning Authority Reports:

The Mayor will advise that the Council is acting as a Planning Authority as at 6.42pm.

Title **PLANNING APPLICATION (SUB-30/2022) - 6 LOT SUBDIVISION (5 NEW AND BALANCE) AND ASSOCIATED INFRASTRUCTURE WORKS, AT 176 & 166 GLEN ROAD, RANELAGH (CT-180090/1 & CT-151240/4) AND CROWN ROAD RESERVE**

Agenda Number 10.012/23*

Strategic Plan Reference 1

File Reference SUB-30/2022 / 1929866 & 2807588

Author Planning Consultant

Responsible Officer Manager Development Services

Reporting Brief Director Governance Strategy and Sustainable Development presenting a report from the Planning Consultant on a proposed 6 lot subdivision (5 new and balance) and associated infrastructure works at 176 & 166 Glen Road, Ranelagh (CT-180090/1 & CT-151240/4) and crown road reserve.

Applicant	Lark & Creese	Owner	Mr S W Oakford and Mrs T J Oakford and Mrs A K Robertson and Mr A M Robertson
Planning Scheme	<i>Huon Valley Interim Planning Scheme 2015</i>	Zone	
Application Received	13-Sep-2022	Status	Discretionary
Representations	3	Expiry Date	26 July 2023
Discretions	(a) Part D, 12.0 Low Density Residential Zone – Clause 12.5.1 Lot Design P2 (b) Part D, 12.0 Low Density Residential Zone – Clause 12.5.1 Lot Design P3 (c) Part D, 12.0 Low Density Residential Zone – Clause 12.5.1 Lot Design P4 (d) Part D, 12.0 Low Density Residential Zone – Clause 12.5.2 Roads P1 (e) Part D, 12.0 Low Density Residential Zone – Clause 12.5.3 Ways and Public Open Space P2		

	(f) Part D, 12.0 Low Density Residential Zone – Clause 12.5.4 Services P4
Attachments	A: Site Location & Aerial Image
	B: Application Documentation
	C: Referral Agency Conditions (TasWater)
	D: Planning Assessment Report
	E: Representations

APPLICATION SUMMARY

- The proposal seeks a planning permit for the subdivision of 176 Glen Road, Ranelagh (CT-180090/1) into five (5) residential lots, one (1) balance lot, a road lot and associated works. It also includes stormwater infrastructure works proposed within 166 Glen Road, Ranelagh (CT-151240/4) and construction of road works within the Crown Road marked as Louisa Street on the Sealed Plan SP180090.
- Lot 1 to 4 will be ordinary lots with areas between 1,001m² to 1,535m². Lot 5 will be an internal lot. Lot 6 will be the balance lot proposed to contain the existing dwelling and access off Glen Road with an area 3,381m². The Road lot will be 290m².
- Lot details are summarised as follows:

Proposed new lot	Proposed lot size	Note
Lot 1	1,001m ²	New vacant lot with 20m frontage onto the proposed cul-de-sac at the eastern end of Louisa Street.
Lot 2	1,202m ²	New vacant lot with 10m frontage onto the proposed cul-de-sac at the eastern end of Louisa Street.
Lot 3	1,157m ²	New vacant lot with 11m frontage onto the proposed cul-de-sac at the eastern end of Louisa Street.
Lot 4	1,135m ²	New vacant lot with 6m frontage onto the proposed cul-de-sac at the eastern end of Louisa Street.
Lot 5	1,535m ²	New vacant internal lot with 6m wide access strip access onto the proposed cul-de-sac at the eastern end of Louisa Street.
Lot 6	3,381m ²	Balance lot containing existing dwelling with direct frontage onto Glen Road.

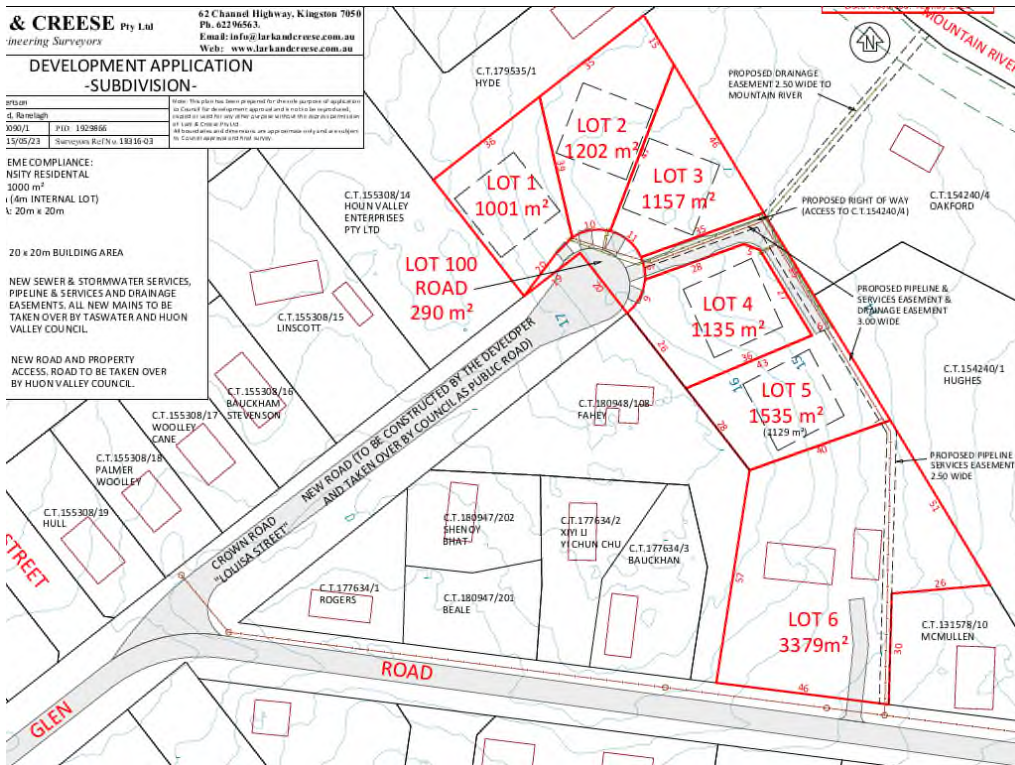


Figure 1: subdivision proposal plan showing the lot layout, and the construction of Louisa Street.

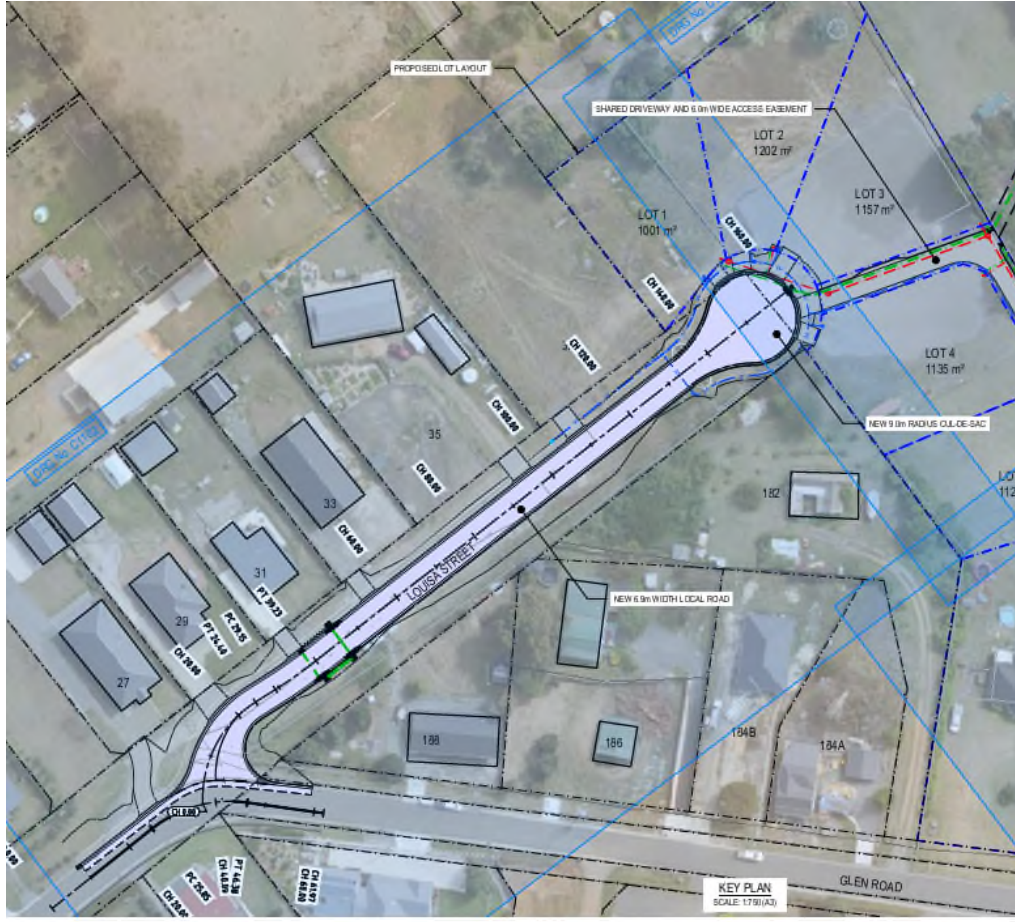


Figure 2: Engineering Design plan showing the construction of Louisa Street.

SITE AND LOCALITY

4. The subject site is irregular in shape with an area of 9,850m². It is located within the existing residential area in the south east section of the Ranelagh, which is approx. 1.7km north to the town centre of Huonville. The subject site has an average slope of 1.7 degree towards the eastern boundary. Mountain river is located further to the east. The existing access is provided to the south via the existing crossover off Glen Road, which is a sealed road maintained by the Council. The site contains an existing dwelling and an outbuilding.
5. Louisa Street is Crown land and adjoins the subject site to the east and Glen Road to the west. It is an unmade road but is shown as 'Louisa Street' on the Sealed Plan SP180090. A Crown consent to lodge this application is submitted as part of the submission documentation. It is noted once Louisa Street is constructed, it will be maintained by the Council.



Figure 3: Aerial view of the subject site and its surrounding area.



Figure 4: Extract of Sealed Plan SP180090. Red colour outlines the unmade road is designated as Louisa Street.

ASSESSMENT

Planning Scheme Zone and Code Provisions

6. The subject site is zoned Low Density Residential, and is affected by Bushfire Prone Areas Overlay, under the *Huon Valley Interim Planning Scheme 2015*.
7. For the purpose of the assessment, the proposal is classified as a subdivision which is a Discretionary use in the Low Density Residential Zone pursuant to the Planning Scheme.

Summary of Discretions

8. The following discretions apply to the development:

Part D, 12.0 Low Density Residential Zone – Clause 12.5.1 Lot Design P2

9. The proposed building area within each new lot will be affected by Bushfire Prone Areas Overlay, which requires addressing the performance criteria. The proposal demonstrates each new lot can accommodate a building area with a minimum size of 20m x 20m within a relatively flat area, and each lot can achieve BAL-12.5 rating. Therefore, it is considered that the proposal enables future development to achieve reasonable solar access and would minimise the requirements for earth works. Therefore, the proposal meets the performance criteria in Clause 12.5.1 P2.

Part D, 12.0 Low Density Residential Zone – Clause 12.5.1 Lot Design P3

10. Lot 1 to 4 each will have reasonable access to the proposed cul-de-sac at the eastern end of Louisa Street. Each frontage is at least 6m. Therefore, the proposal meets the performance criteria in Clause 12.5.1 P3.

Part D, 12.0 Low Density Residential Zone – Clause 12.5.1 Lot Design P4

11. Lot 5 will be the only proposed internal lot with a 6m wide access strip onto Louisa Street. Given the subject site irregular in shape located within an existing residential area, and the proposal will upgrade the currently unmade Louise Street with the creation of the cul-de-sac at its eastern end, the proposed lot 5 is considered to make more efficient use of the subject site. Therefore, the proposal meets the performance criteria in Clause 12.5.1 P4.

Part D, 12.0 Low Density Residential Zone – Clause 12.5.2 Roads P1

12. A road lot is proposed at the eastern end of Louisa Street which will form part of the proposed cul-de-sac. It is considered such arrangement and construction of Louisa Street will facilitate the new lots to access to Glen Road and will also be beneficial to the future development of the neighbouring properties which have access off Louisa Street. Therefore, the proposal meets the performance criteria in Clause 12.5.2 P1.

Part D, 12.0 Low Density Residential Zone – Clause 12.5.3 Ways and Public Open Space P2

13. The proposal must address the performance criteria as there is no corresponding acceptable solution. There is no public open space proposed. A condition is recommended requiring cash in lieu public open space contribution if any permit is issued. Therefore, the proposal meets the performance criteria in Clause 12.5.3 P2.

Part D, 12.0 Low Density Residential Zone – Clause 12.5.4 Services P4

14. The construction of Louisa Street will require the installation of fibre ready facilities (pit and pipe that can hold optical fibre line) and the underground provision of electricity supply. A condition is recommended requiring such works if any permit is issued. Therefore, the proposal meets the performance criteria in Clause 12.5.3 P2.

Legislative Requirements

15. The assessment of this proposal has considered the issues raised in the representations as set out below which are in Attachment D. The proposal is consistent with applicable State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act 1993* (Act).
16. The assessment of the application has been undertaken in accordance with the relevant provisions of the Act and Planning Scheme.

Risk Implications

17. There are no significant risk issues identified in relation to the application or its assessment.

Public Representations

18. The application was advertised in accordance with the requirements of Section 57 of the *Land Use Planning and Approvals Act 1993* (from 24 May 2023 to 15 June 2023). Three (3) representations were received in during the public exhibition period. The issues raised in the submission have been summarised in the table below.

Number	Summary of issues raised in Representation	Comment on the Representations
Representation 1		
1.	Future dwellings on the new lots will cause issues such as overshadowing, overlooking, or loss of privacy, especially if any double storey houses are built. Given 26 Kellaway Street is a narrow block, any house built on the proposed new adjoining lots will be extremely close.	<p>The proposal is for subdivision and the proposal plans show that each new lot can accommodate a building area with 20m x 20m in size and will be clear of the frontage, side and rear boundary setbacks.</p> <p>If future development is not fully contained within the prescribed building area under the Planning Scheme, it will be subject to a new planning application.</p> <p>It is noted that the future new lots will still be under the Low Density Residential Zone and there are a series of provisions under the Planning Scheme to provide reasonably consistent separation between dwellings, reasonable opportunity for sunlight, reasonable opportunity for privacy, etc.</p>
2.	Water runoff is already a problem, and this development may increase and worsen the issue.	26 Kellaway Street is surrounded by grassed paddocks, of minimal grade, and is directly adjacent to Mountain River. Given the grade of the land at 176 Glen Road, it is not viewed as likely that overland flow will run-off into 26 Kellaway Street, and development of these lots with a reticulated stormwater connection will further mitigate any likelihood of water being directed into 26 Kellaway Steet.

3.	A 6-lot subdivision does not constitute rural and will ruin the entire look of this area alongside the Mountain River.	<p>The subject site is within the Low Density Residential Zone. Such zone is intended to provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location or form of development.</p> <p>The proposed subdivision itself will not affect the look of the area alongside the Mountain River. Future development on the new lots will be subject to new planning permit applications.</p>
4.	The proposal will also lower the value of neighbouring properties.	The concern regarding property value is not relevant to the assessment of this Application under the Planning Scheme.
5.	Future development will block the view from 26 Kellaway Street.	Views of Mountain River from adjoining properties are not relevant to the assessment of this Application under the Planning Scheme.
6.	Discharging stormwater into Mountain River will potentially result in more nutrients entering the river.	As part of the works, and as ordinarily required as part of urban works, Council will require a maintainable Water Quality device to be installed to limit the discharge of nutrients to Mountain River. Council Development Engineering Officer has advised that a condition will be included and the device is to be maintained by Council post construction and become part of Councils Water Quality program.
7.	5 more houses would likely be to worsen the existing cat problem in the area.	<p>The concern regarding cat management is not relevant to the assessment of this Application under the Planning Scheme.</p> <p>Individual owners are responsible for complying with both the <i>Cat Management Act 2009</i> and <i>Cat Management Regulations 2022</i>, rather than Council.</p>
8.	The development will result in the proximity of neighbours and potential noise which would exacerbate neighbours' health conditions.	<p>The subject site is within the Low Density Residential Zone and subdivision is allowable under the zone.</p> <p>The subdivision proposal plans indicate each new lot will contain a building area with 20m x 20m in size and will be clear of the frontage, side and rear boundary setbacks.</p> <p>If future development is not fully contained within the prescribed building area under the Planning Scheme, it will be subject to a new planning application.</p>

Representation 2		
9.	Water pooling along the southern boundary/under the pavement may lead to accelerated wear of the new road.	Council's Development Engineering Officer has provided the following comments: Water pooling on the southern boundary has previously been identified as an issue. Residences along Louisa Street have placed localised bunding on the verge to prevent ingress onto their land, and several inspections (Both prior and post rainfall) have witnessed water sitting in a minor spoon drain along this edge. The formation of a sealed road with Kerb and Channel on both sides will prevent water spilling over the roadway to the south. Conditions will be included that require the road to be constructed in accordance with TSD-G02.v3 (Urban Roads-Typical Service Locations) that requires sub-soil drains to be constructed beneath the verge, adjacent to the road edge on both sides.
10.	Topsoiling and kerbing may leave the northern verge 'boggy,' meaning residents need to walk on the road, to increased risk	Council's Development Engineering Officer has provided the following comments: See response above regarding the mitigation of overland land/under pavement water flow. Regarding residents needing to walk on the road surface, conditions will be included that require the new road to be constructed in accordance with TSD-R06-V3 (Urban Roads – Typical Section and Pavement Widths). At a minimum, this requires a footpath to be constructed on at least one side of the road for public use.
Representation 3		
11.	The resident is concerned about the proposed stormwater outfall discharging overland, across their property after SW3/2. A scouring/rip/rap has been proposed that leaves the overland water discharge to flow for some 25m prior to discharging to mountain river.	Council's Development Engineering Officer has provided the following comments: In this location, land is undulating but overall, quite flat. To prevent discharged flow being directed, flowing within, or negatively impacting the property, a condition will be included that the main is to be extended, or alternatively, riprapping is to be extended, with both options bringing the outfall to within an area that means water will definitively gravity flow towards Mountain River, the termination into Mountain River is also to be constructed to prevent erosion to its banks.

19. All representations are provided to the Planning Authority in full as part of an attachment to this report; however, names and contact details are redacted in the public report to preserve privacy.

Internal Referrals

Infrastructure:

20. Council's Development Engineering Officer has provided advice and recommendations regarding the application which have been incorporated into the Planning Assessment Report.

External referrals:

21. The application was referred to TasWater in accordance with the requirements of the *Water and Sewerage Industry Act 2008*. TasWater has provided its response to the Council Notice of Planning Application (TWDA 2022/01537-HVC). A copy of the TasWater conditions is in Attachment C.

Conclusion and Recommendation

22. For the reasons set out above and in the Planning Assessment Report (Attachment D), it is recommended that the application be approved by Council (as Planning Authority) with conditions.

REASONS FOR DECISION

23. The report on this item details the basis and reasons for the recommendation.
24. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the planning assessment process and to comply with the requirements of the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*.

10.012/23*

RESOLVED

CR CAMBERS-SMITH

CR O'NEILL

That:

- a) **The report on 6-lot subdivision (5 new and balance) and associated infrastructure works at 176 & 166 Glen Road, Ranelagh (CT-180090/1 & CT-151240/4) and Crown road reserve (SUB-30/2022) be received and noted.**
- b) **A permit be on 6-lot subdivision (5 new and balance) and associated infrastructure works at 176 & 166 Glen Road, Ranelagh (CT-180090/1 & CT-151240/4) and Crown road reserve (SUB-30/2022) submitted to Council in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*, subject to the following conditions:**
1. **Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application SUB-30/2022 and the following documentation:**
 - a) **Council Plans endorsed and marked P1 submitted on 16 February 2022, including:**
 - **Bushfire Hazard Report and Hazard Management Plan prepared by N Creese (BFP-118) and dated 12 September 2022;**

- Engineering Design Plans prepared by Sustainable Engineering Tasmania (Revision B, Sheet Number C1001, C1002, C1003, C1101, C1102, C1103, C1104, C1105, C1106, C1201, C1202, C1203, C1301, C1302, C1303, C1304, C1305, C1401) and dated 17 August 2022; and
- (b) Council Plans endorsed and marked P4 submitted on 15 May 2023, including:
- Subdivision Proposal Plan prepared by Lark and Creese Pty Ltd and dated 15 May 2023.
2. (a) This Permit relates to the use of land irrespective of the applicant or subsequent occupants, and whoever acts on it must comply with all conditions in this Permit. Any amendment, variation or extension of the Permit requires further planning consent of Council.
- (b) The landowner may make an application to Council for staging of the subdivision.
- (c) The land shown as 'Louisa Street' is a road lot (road lot) as shown on the endorsed plans. The landowner is to arrange this land to be constructed as a municipal road in accordance with the following conditions and relevant legislation prior to the sealing of the final plan.
- (d) The landowner referred to in these conditions is the owner of the land comprised in CT-180090/1 and CT-151240/4.

Design and construction

3. Prior to the commencement of works, engineering design drawings prepared by a suitably qualified person, must be submitted for approval by Council's Director Infrastructure, Climate and Environmental Services that are accordance with Council by-laws, municipal standard drawings, and endorsed plans and specifications referred to in Condition 1.

The engineering design drawings are to include details that:

- a) Demonstrate vehicular access to each lot including access from the road lot comply with IPWEA TSD-R09;
- b) Demonstrate subdivision roads will be constructed with:
- (i) Fully sealed and paved carriageway *with concrete kerb and channel both sides* in accordance with IPWEA TSD-R06-v3;
 - (ii) Pavement radius at intersection corners of 10m minimum;
 - (iii) Concrete footpath 1.5m wide (northern side only), as per IPWEA TSD-R06-v3;
 - (iv) Underground storm water drainage.
- c) Demonstrate cul-de-sacs will be constructed with;
- (i) Fully sealed and paved carriageway *with concrete kerb and channel both sides* in accordance with IPWEA TSD-R08-v3;

- (ii) Suitably drained and fully sealed and paved turning head with a minimum 9m radius in accordance with IPWEA TSD-R07-v3 and TSD-R08-v3;
- (iii) Pavement radius at intersection corners of 10m minimum;
- (iv) Concrete footpaths 1.5m wide (northern side only, terminating as per TSD-R08-v3) and,
- (v) Underground storm water drainage. Include for infrastructure related works including crossovers, details, as required, of;
 - (i) long and cross sections;
 - (ii) cut and fill batters and any stabilization works required;
 - (iii) contours, finish levels and gradients;
 - (iv) *stormwater management plan* drainage details and scour protection measures;
 - (v) upgrading existing crossovers as necessary, for construction of new vehicle crossovers, pavement construction and provision of passing bays;
 - (vi) a 15m wide road reservation for the road lot (7.5m from the centreline of the proposed carriageway) that is to be increased to a minimum 9m radius for the proposed turning circle;
 - (vii) sight distance at road junctions and accesses demonstrating compliance with the minimum requirements of the planning scheme;
 - (viii) all vegetation to be retained and removed for subdivision works;
 - (ix) water reticulation and sewerage services; and
 - (x) all other work required by this permit.
- d) Incorporate water sensitive urban design principles, where required by Council's Director Infrastructure, Climate and Environmental Services to achieve the acceptable stormwater quality and quantity targets required in Table E7.1 of the *Huon Valley Interim Planning Scheme 2015*.
- e) Incorporate details for on-site stormwater detention if required by Council's Director Infrastructure, Climate and Environmental Services including demonstrating how on-site detention will be serviced to prevent blockages while maintaining its capacity;
- f) Include supporting documentation and hydraulic calculations and MUSIC modelling, as required by Council's Director Infrastructure, Climate and Environmental Services.

The engineering plans and specifications must be prepared and certified by a Civil Engineer approved by the Director Infrastructure, Climate and Environmental Services.

Approval of the plans and specifications is required prior to the commencement of works.

4. **Stormwater runoff and overflows from all new impervious areas must be disposed of by gravity to Council's reticulated stormwater system as required by Council's Director Infrastructure, Climate and Environmental Services in accordance with approved plans.**

Stormwater runoff must be no greater than pre-existing runoff from the site. On-site detention is to cater for a 5% AEP storm event for new impervious areas.

To demonstrate compliance with this condition a *stormwater management plan* detailing all proposed concentration and discharge areas from accesses, roads and other hard stand areas including water quality devices must be submitted to the Council's Director Infrastructure, Climate and Environmental Services for approval.

The stormwater management plan must demonstrate that each lot is to be provided with a minimum 150mm diameter stormwater connection discharging to the Council's main located wholly with the lot. The landowner must pay the full cost of Council extending or upgrading any stormwater service that may be required.

The stormwater management plan is to include a hydraulic assessment identifying the capacity of the existing road side table drains, pipe work, culverts and any other components of the existing stormwater network to accept flows from the subdivision when it is fully developed.

The stormwater management plan is to demonstrate that no stormwater will be discharged on or under a State road, Crown land or adjoining land unless all necessary consents and are obtained including the provision of easements, where required.

Works to be undertaken in accordance with the stormwater management plan must be fully implemented as required by Council's Director Infrastructure, Climate and Environmental Services prior to the sealing of the final plan.

Works

5. **The works are to be carried out in accordance with the approved engineering design drawings, Council by-laws, municipal standard drawings, endorsed plans and specifications referred to in Condition 1 as required by Council's Director Infrastructure, Climate and Environmental Services.**

Existing vehicle crossings to existing properties that adjoin the road lot that will have access from that road lot to a property are to be upgraded so that each existing crossover within the road lot area is constructed in accordance with the approved engineering design drawings referred to in these conditions prior to the sealing of the final plan.

6. **A permit to carry out works within a Council road reservation must be obtained prior to any works commencing within the Council road reservation.**

Prior to the commencement of works on the property, or within a Council road reserve, the landowner or developer must submit a start works

notice to Council's Director Infrastructure, Climate and Environmental Services for approval.

7. The landowner is responsible for locating all existing services that may be impacted by the proposed development at the landowner's cost, including for both public and private infrastructure. Any required upgrade of the required infrastructure is to be at the landowner's cost.
8. The engineer must supervise the construction works.
9. Erosion and sedimentation during construction must be controlled in accordance with a soil and water management plan (SWMP) that is to form part of the engineering drawings. The plan is to be submitted to and approved by the Council's Director Infrastructure, Climate and Environmental Services prior to commencement of the works. The SWMP must incorporate best practise to prevent the transfer of soil and silt from the land consistent with the Soil and Water Management on Building and Construction Sites Guidelines available at <http://www.derwentestuary.org.au/stormwater-factsheets/>. Particular attention is to be paid to ensure that no material is tracked onto roads or footpaths or enters the Council's drainage system.
10. A 15m wide road reservation for the road lot (new internal subdivision road) that is 7.5m from the centreline of the proposed carriageway is to be constructed for the subdivision road in accordance with the endorsed plans referred to in Condition 1 and approved engineering drawings and specifications.

The width of the road reservation is to be increased to a minimum 9m radius for a turning circle as required by Council's Director Infrastructure, Climate and Environmental Services in accordance with the endorsed plans and approved engineering drawings and specifications.

Prior to sealing the final plan of survey, compliance with this condition must be demonstrated by pegging the full extent of the road reservation for the new internal subdivision road (road lot) or where there is no modified road reservation the full frontage of the site.
11. The road lot shown on the endorsed plan is to be shown as 'road' on the final plan of survey.
12. At the landowner's cost, all telecommunication and electrical services within the subdivision must be provided underground and within the road reservation or within a suitable easement as required by Council's Director Infrastructure, Climate and Environmental Services.

All these works must be in accordance with IPWEA TSD-G02-v3 unless otherwise approved by Council's Director Infrastructure, Climate and Environmental Services.

In particular, the landowner is to ensure subsoil drains are included under the kerb to reduce the amount of overland water flow that may pool against the kerb/on the verge.

The landowner is responsible for arranging for the preparation of all designs and is to obtain all necessary approvals from all infrastructure service providers or entities.

13. Services for each lot are to be wholly contained within each lot as required by Council's Director Infrastructure, Climate and Environmental Services.
14. Prior to sealing the final plan of survey the development must pay to the Council two hundred and fifty dollars (\$250) towards the purchase and installation of a street sign and standard for each new road within the subdivision.
15. Prior to sealing of the final plan of survey all disturbed and unsealed surfaces must be covered with topsoil, stabilised and vegetated to the satisfaction of Council's Director Infrastructure, Climate and Environmental Services.
16. The cost of any repair work or any alterations to and/or reinstatement of existing services including roads and footpaths or private property incurred ("remedial works") required as a result of the development is to be at the expense of the landowner.

Remedial works are to be undertaken by the appropriate authority concerned or alternatively undertaken with the written consent of the appropriate authority.

Administration

17. Prior to sealing the final plan of survey the landowner is to submit a bond or bank guarantee to the value of 10% of the contract value of all construction works to Council.

All construction works are to be maintained and repaired by the landowner for a period of twelve (12) months in accordance with Council's requirements and applicable legislation from the date on which titles are issued by the Land Titles Office for the new lots.

The Council will return the bond or bank guarantee at the conclusion of the 12 month period only if the landowner has satisfactorily completed any maintenance and repair work as directed by the Council's Director Infrastructure, Climate and Environmental Services and evidence has been provided that the subdivision has been re-pegged following completion of all construction works.

18. Prior to the sealing of a final plan of survey for the relevant stage:
 - "As Constructed" drawings of all subdivision works are to be submitted to the Council's Director Infrastructure, Climate and Environmental Services in the form required by Council.
 - Survey pegs must be stamped with the lot number and marked for easy identification.

19. In accordance with Council's *Community Infrastructure Policy* payment of a community infrastructure contribution is required for stormwater works. The community infrastructure contribution amount is the amount prevailing at the time of payment in accordance with Council's current fee schedule and must be paid to the Council prior to sealing of the final plan of survey for any lot. The community infrastructure contribution amount is currently \$1,616.00 per additional lot that is created.

20. In accordance with the provisions of Section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, payment of a cash contribution for Public Open Space must be made to the Council prior to sealing the final plan of survey. The cash contribution amount is to be equal to 5% of the value of the area described as lots 1-5 (inclusive) on the plan of subdivision at the date of lodgement of the final plan for the lots.

The value is to be determined by a Land Valuer within the meaning of the *Land Valuers Act 2001* at the landowner's expense.

21. Easements must be created for all drains, pipelines, and services as required by Council's Director Infrastructure, Climate and Environmental Services, shown on the final plan of survey and described in the schedule of easements.

All easements, covenants and Council notifications on the current titles are to be carried forward to the titles created by this subdivision

22. Covenants or other controls must not be included in the Schedule of Easements for the lots created by the subdivision where they are in conflict with any provisions of the *Huon Valley Interim Planning Scheme 2015*.

23. The final plan of survey and schedule of easements together with any Part 5 Agreement, Land Transfer or other related document must be submitted to Council together with two copies of each.

24. At the time of lodging the final plan of survey, the landowner must ensure that all conditions of approval have been completed and provide a written statement to this effect.

If further inspections are required to inspect substandard, faulty or incomplete work Council will charge a fee for every additional inspection required in accordance with Council's adopted fee schedule.

25. Any lots described as "public open space", "public access way", "road to be acquired by the Highway Authority / Council" or other land designated to be transferred to Council shown on the final plan of survey must be transferred to Council for a nominal sum of \$1.00 and must be accompanied by a Memorandum of Transfer to the Huon Valley Council, all documentation in relation to discharges of any Mortgages, withdrawal of caveats, and all other relevant registrable dealings.

This Transfer must be executed by the vendor, identifying the lot(s) to be transferred. The landowner is responsible for all Lands Titles Office fees

and charges and duty in relation to the documentation to be lodged with the Land Titles Office.

- 26. The use and development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2022/01537-HVC dated 6 July 2023 as attached to the permit.**

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop, Cambers-Smith, Temby and Burgess voted for the motion and no Councillors voted against the motion.

Title	REPORT UNDER SECTION 35F OF THE <i>LAND USE PLANNING AND APPROVALS ACT 1993</i> ON REPRESENTATIONS RECEIVED BY THE PLANNING AUTHORITY FOLLOWING EXHIBITION OF THE DRAFT <i>HUON VALLEY LOCAL PROVISIONS SCHEDULE (LPS-HUO-TPS)</i>
Agenda Number	10.013/23*
Strategic Plan Reference	5
File Reference	17/74
Author	Project Manager – Strategic Land Use
Responsible Officer	Project Manager – Strategic Land Use
Reporting Brief	The Director Governance Strategy and Sustainable Development presenting a report from the Project Manager – Strategic Land Use under Section 35F of the <i>Land Use Planning and Approvals Act 1993</i> for consideration of representations received by the Planning Authority following exhibition of the Draft <i>Huon Valley Local Provisions Schedule (LPS-HUO-TPS)</i> .
Attachments	A. Draft Section 35F Report Addendum Summary of Representations and Planning Authority Responses to the Draft Huon Valley Local Provisions Schedule

Background

1. Acting as a Planning Authority, the Council at its ordinary meeting of 25 January 2023 considered the draft section 35F of the *Land Use Planning and Approvals Act 1993* (the Act) report on representations made for exhibition of the Draft Local Planning Schedules.
2. Council approved the Section 35F Report at the meeting and it was forwarded to the Tasmanian Planning Commission (TPC) on 27 January 2023 as required.
3. The TPC has accepted new submissions and further submissions to the original submissions during the hearing process. The TPC has then directed the Planning Authority to provide a statement on the merits of each submission through a list of Directions. See below list:

Direction 37 – 30 May 2023 Annette Sugden and Dale Chatwin
 Direction 38 – 30 May 2023 Lisa J. Britzman
 Direction 39 – 30 May 2023 Huon Valley Zoning Association (HVZA)
 Direction 40 – 30 May 2023 Leprena Trust
 Direction 41 – 30 May 2023 Chris and Winsome Duggan
 Direction 42 – 30 May 2023 Jerry Smutny
 Direction 43 – 30 May 2023 Lynette Goodwin
 Direction 44 – 30 May 2023 Rachel Foster
 Direction 45 – 30 May 2023 Mike Stainer
 Direction 46 – 30 May 2023 Craig Jessep-Pond and Matt Williams
 Direction 47 – 30 May 2023 Gayle O'Brien

Direction 48 – 30 May 2023 Robert and Thu-Ka McKenna
 Direction 49 – 30 May 2023 Thomas Mistry
 Direction 75 – 30 May 2023 Department of State Growth
 Direction 76 – 30 May 2023 George and Doreen Czaplinksi
 Direction 77 – 30 May 2023 Michelle and Daniel Backer
 Direction 81 – 30 May 2023 Stephen Bartels
 Direction 83 – 30 May 2023 Angelo Kessarrios
 Direction 1 – 2 June 2023 Andrew Quilliam
 Direction 2 - 2 June 2023 Michael Zodins
 Direction 3 - 2 June 2023 Karl Price
 Direction 1 – 21 June 2023 Angelo Kessarrios
 Direction 2 – 21 June 2023 Angelo Kessarrios
 Direction 3 – 21 June 2023 Amy Robertson for Troy Cordwell

4. The purpose of this Report is to bring the submissions before the Council for finalisation through a further addendum to the Section 35F report to be forwarded to the TPC.

Council Policy

5. The Council does not have a policy on the development of the LPS.

Legislative requirements

6. The provisions that apply to the submission of the Section 35F Report to the Commission are as follows:

35F. Report by planning authority to Commission about exhibition

(1) *A planning authority, within 60 days after the end of the exhibition period in relation to a draft LPS in relation to the municipal area of the planning authority or a longer period allowed by the Commission, must provide to the Commission a report in relation to the draft LPS.*

(2) *The report by the planning authority in relation to the draft LPS is to contain –*

(a) a copy of each representation made under [section 35E\(1\)](#) in relation to the relevant exhibition documents in relation to the draft LPS before the end of the exhibition period in relation to the draft LPS, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and

(b) a copy of each representation, made under [section 35E\(1\)](#) in relation to the relevant exhibition documents in relation to the draft LPS after the end of the exhibition period in relation to the draft LPS, that the planning authority, in its discretion, includes in the report; and

(ba) a statement containing the planning authority's response to the matters referred to in an LPS criteria outstanding issues notice, if any, in relation to the draft LPS; and

(c) a statement of the planning authority's opinion as to the merit of each representation included under [paragraph \(a\)](#) or [\(b\)](#) in the report, including, in particular, as to –

(i) whether the planning authority is of the opinion that the draft LPS ought to be modified to take into account the representation; and

(ii) the effect on the draft LPS as a whole of implementing the recommendation; and

(d) a statement as to whether it is satisfied that the draft LPS meets the LPS criteria; and

(e) the recommendations of the planning authority in relation to the draft LPS.

(3) Without limiting the generality of [subsection \(2\)\(e\)](#), the recommendations in relation to a draft LPS may include recommendations as to whether –

(a) a provision of the draft LPS is inconsistent with a provision of the SPPs; or

(b) the draft LPS should, or should not, apply a provision of the SPPs to an area of land; or

(c) the draft LPS should, or should not, contain a provision that an LPS is permitted under [section 32](#) to contain.

7. This report, previous reports and Attachment B meet the requirements of Section 35F and deliver on the Planning Authority's legislative obligations.

Risk Implications

8. The section 35F Report is a statutory requirement of the Act being undertaken by all Councils acting as Planning Authorities in Tasmania.

9. It is important that the Council expresses a view on all representations that have been made regarding the draft Local Planning Schedules.

Engagement

10. The report follows the statutory engagement process for the public exhibition of the Draft LPS and for the submission and consideration of the representations received by the Planning Authority following the public exhibition period.

11. Engagement associated with this decision will be undertaken at Inform Level by inclusion within the Council meeting Minutes that will be available to the public on the Council's website and at the Customer Service Centre.

12. In addition the representors will be advised that the decision has been made and the Section 35F report will be updated on the website.

Human Resource and Financial Implications

13. The statutory planning processes referred to in this report are being undertaken by Council in its role as Planning Authority.

14. These processes have required significant human and financial resources which, to date, have been prepared in accordance with existing budget allocations.

15. The Planning Authority's legislative requirements related to the Section 35H hearings and subsequent actioning of minor and major LPS changes required by the TPC will continue to require substantial Human and Financial Resources particularly through Officer time and engagement of consultants where necessary.

Discussion

16. The TPC directs the planning authority to provide a statement on the merits of each submission.

17. A Draft section 35F Report Addendum is included as Attachment A to this Report.
18. The Draft Addendum is wholly relied upon for the purpose of this Report.

Conclusion and Recommendation

19. It will be recommended to approve the addendum as presented.

10.013/23*

RECOMMENDATION

That:

- a) **The report under Section 35F of the *Land Use Planning and Approvals Act 1993* for consideration of representations received by the Planning Authority following exhibition of the Draft *Huon Valley Local Provisions Schedule (LPS-HUO-TPS)* be received and noted.**
- b) **The addendum to the report under Section 35F of the *Land Use Planning and Approvals Act 1993* for consideration of representations in Attachment A received by the Planning Authority following exhibition of the Draft *Huon Valley Local Provisions Schedule (LPS-HUO-TPS)* included in Attachment A to this Report be endorsed.**
- c) **Pursuant to Section 35F(2)(c) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority endorses the statements in Attachment A on the merit of each representation, as to:**
 - i. **Whether the Draft *Huon Valley Local Provisions Schedule* ought to be modified to take into account the representation; and**
 - ii. **The effect on the Draft *Huon Valley Local Provisions Schedule* as a whole of implementing the recommendation;**
- d) **Pursuant to Section 35F(2)(d) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority endorses the recommendations in Attachment A for each representation as to whether the Draft *Huon Valley Local Provisions Schedule* meets the LPS Criteria set out in Section 34(2) of the *Land Use Planning and Approvals Act 1993*.**
- e) **Pursuant to Section 35F(2)(e) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority endorses the recommendations in Attachment A as to the Draft *Huon Valley Local Provisions Schedule*.**
- f) **Pursuant to section 6 of the *Land Use Planning and Approvals Act 1993*, Council delegates to the General Manager its powers and functions to:**
 - i. **Modify the report submitted under Section 35F of the *Land Use Planning and Approvals Act 1993* if a request is received from the Tasmanian Planning Commission requesting a modification, or a direction is made by the Tasmanian Planning Commission for a modification to be made to the report or to the Draft *Huon Valley Local Provisions Schedule*;**
 - ii. **Represent or appoint a representative for the Planning Authority at hearings pursuant to Section 35H of the *Land Use Planning and Approvals Act 1993*.**

- g) Pursuant to Section 35F(2)(a) of the *Land Use Planning and Approvals Act 1993*, a copy of each original representation received by the Planning Authority following exhibition of the Draft *Huon Valley Local Provisions Schedule (LPS-HUO-TPS)*, in accordance with Section 35F(2)(b) of the *Land Use Planning and Approvals Act* be provided to the Tasmanian Planning Commission.
- h) Pursuant to Section 35F(2) of the *Land Use Planning and Approvals Act 1993*, the Addendum to the Section 35F Report on the representations be forwarded to the Tasmanian Planning Commission.

10.013/23A*
RESOLVED

CR TEMBY

CR ARMSTRONG

That the report under Section 35F of the *Land Use Planning and Approvals Act 1993* for consideration of representations received by the Planning Authority following exhibition of the Draft *Huon Valley Local Provisions Schedule (LPS-HUO-TPS)* be received and noted.

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop, Cambers-Smith, Temby and Burgess voted for the motion and no Councillors voted against the motion.

With the Councillor interests having been identified with regard to individual submissions within the section 35F report addendum the Mayor will take the Directions in the following groupings:

Councillors Thorpe and Burgess having declared an interest in this item (Direction 3 - 21 June 2023 Amy Robertson for Troy Cordwell) left the meeting at 6.48pm.

10.013/23B*
RESOLVED

CR ARMSTRONG

CR JESSOP

That:

- a) **In respect of Direction 3, the addendum to the report under Section 35F of the *Land Use Planning and Approvals Act 1993* for consideration of representations in Attachment A received by the Planning Authority following exhibition of the Draft *Huon Valley Local Provisions Schedule* (LPS-HUO-TPS) included in Attachment A to this Report be endorsed.**
- b) **Pursuant to Section 35F(2)(c) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority endorses the statements in Attachment A on the merit of the representation in Direction 3, as to:**
 - i. **Whether the Draft *Huon Valley Local Provisions Schedule* ought to be modified to take into account the representation; and**
 - ii. **The effect on the Draft *Huon Valley Local Provisions Schedule* as a whole of implementing the recommendation;**
- c) **Pursuant to Section 35F(2)(d) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority endorses the recommendation in Attachment A for the representation in Direction 3 as to whether the Draft *Huon Valley Local Provisions Schedule* meets the LPS Criteria set out in Section 34(2) of the *Land Use Planning and Approvals Act 1993*.**
- d) **Pursuant to Section 35F(2)(e) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority endorses the recommendation in Attachment A regarding Direction 3 as to the Draft *Huon Valley Local Provisions Schedule*.**

Councillors Doyle, Armstrong, O'Neill, Jessop, Cambers-Smith and Temby voted for the motion and no Councillors voted against the motion.

Councillors Thorpe and Burgess returned to the meeting at 6.50pm.

Councillor Jessop having declared an interest in this item (Direction 39 – 30 May 2023 Huon Valley Zoning Association (HVZA)) left the meeting at 6.51pm.

10.013/23C*
RESOLVED

CR ARMSTRONG

CR O'NEILL

That:

- a) **In respect of Direction 39, the addendum to the report under Section 35F of the *Land Use Planning and Approvals Act 1993* for consideration of representations in Attachment A received by the Planning Authority following exhibition of the Draft *Huon Valley Local Provisions Schedule* (LPS-HUO-TPS) included in Attachment A to this Report be endorsed.**
- b) **Pursuant to Section 35F(2)(c) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority endorses the statements in Attachment A on the merit of the representation in Direction 39, as to:**
 - i. **Whether the Draft *Huon Valley Local Provisions Schedule* ought to be modified to take into account the representation; and**
 - ii. **The effect on the Draft *Huon Valley Local Provisions Schedule* as a whole of implementing the recommendation;**
- c) **Pursuant to Section 35F(2)(d) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority endorses the recommendation in Attachment A for the representation in Direction 39 as to whether the Draft *Huon Valley Local Provisions Schedule* meets the LPS Criteria set out in Section 34(2) of the *Land Use Planning and Approvals Act 1993*.**
- d) **Pursuant to Section 35F(2)(e) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority endorses the recommendation in Attachment A regarding Direction 39 as to the Draft *Huon Valley Local Provisions Schedule*.**

Councillors Doyle, Thorpe, Armstrong, O'Neill, Cambers-Smith, Temby and Burgess voted for the motion and no Councillors voted against the motion.

Councillor Jessop returned to the meeting at 6.56pm.

Councillor Cambers-Smith having declared an interest in this item (Direction 41 – 30 May 2023 Chris and Winsome Duggan and Direction 42-30 May 2023 Jerry Smutny) left the meeting at 6.56pm.

10.013/23D*
RESOLVED

CR JESSOP

CR TEMBY

That:

- a) **In respect of Directions 41 and 42, the addendum to the report under Section 35F of the *Land Use Planning and Approvals Act 1993* for consideration of representations in Attachment A received by the Planning Authority following exhibition of the Draft *Huon Valley Local Provisions Schedule (LPS-HUO-TPS)* included in Attachment A to this Report be endorsed as amended as follows:**
- **In Direction 41**
 - **The Planning Authority response be changed to:**
*The land is surrounded by properties largely zoned Rural under the proposed LPS. Land to the East and adjoining Russell Ridge Conservation Area is zoned LCZ.
The properties have been variously cleared over time.
The properties hold no Landscape features that are particularly noteworthy.
The vegetation cover can be protected by a priority vegetation overlay.
No further comment on the submission.*
 - **The Recommended action be changed to:**
Return to the original LPS result- zone Rural
 - **In Direction 42**
 - **The Planning Authority response be changed to:**
*This site is zoned Rural Resource under the interim planning scheme, Rural in the draft LPS. The land does not reach the 80% native vegetation coverage but was considered in the 35F report to be zoned Landscape Conservation due to the site being steep and contributing to a larger, contiguous bushland area connecting into the Russell Ridge Conservation Area.
Parts of the land generally cleared, on the lower part of the site and containing buildings and infrastructure. Split zoning south of the 340 m contour was considered to be zoned Rural and the remainder zoned Landscape Conservation, but this runs the risk of creating spot zoning depending on other Commission decisions.*
 - **The Recommended action be changed to:**
That the entire title be zoned Rural. But that split Rural zoning from the 340 m contour maybe an acceptable solution depending on the final Commission decision on other nearby representations.
- b) **Pursuant to Section 35F(2)(c) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority endorses the statements in Attachment A as amended on the merit of the representation in Directions 41 and 42, as to:**
- i. **Whether the Draft *Huon Valley Local Provisions Schedule* ought to be modified to take into account the representation; and**
 - ii. **The effect on the Draft *Huon Valley Local Provisions Schedule* as a whole of implementing the recommendation;**

- c) Pursuant to Section 35F(2)(d) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority endorses the recommendation in Attachment A as amended for the representation in Directions 41 and 42 as to whether the Draft *Huon Valley Local Provisions Schedule* meets the LPS Criteria set out in Section 34(2) of the *Land Use Planning and Approvals Act 1993*.
- d) Pursuant to Section 35F(2)(e) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority endorses the recommendation in Attachment A regarding Directions 41 and 42 as amended as to the Draft *Huon Valley Local Provisions Schedule*.

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop and Burgess voted for the motion and Councillor Temby voted against the motion.

Councillor Cambers-Smith returned to the meeting at 7.03pm.

That:

- a) In respect of all other Directions, the addendum to the report under Section 35F of the *Land Use Planning and Approvals Act 1993* for consideration of representations in Attachment A received by the Planning Authority following exhibition of the Draft *Huon Valley Local Provisions Schedule (LPS-HUO-TPS)* included in Attachment A to this Report be endorsed as amended as follows:
- At the beginning of the document include the following preamble:

Preamble

The Huon Valley Council continues our commitment to the LUDs process and understands that this will not directly influence the current LPS process. However, the Council continues to invest time and effort in defining the issues important for land use in the Huon Valley. As decisions are being made, we are committed to bringing them to the attention of the Commission, so that the Commission is able to consider these things within its own defined timeline for the Huon Valley LSP.

Two recent developments are submitted for your consideration:

1. HUON VALLEY FOOD RESILIENCE STRATEGY

At the June Meeting of Council the HUON VALLEY FOOD RESILIENCE STRATEGY. This document address a number of issues related to the productive use of rural land in the Huon Valley and how this forms part of our overall food resilience strategy. The strategy may be useful guidance when considering some of the representations before the Commission.

2. Motion on planning 13.008/23, May 2023 meeting

While Council has not been able to resolve the LUDs in time for the current LPS Hearings, the Council felt compelled to make some observations in relation to the rural character of the Huon Valley. It subsequently resolved the following motion.

Council restates our commitment to the broad rural character of the Huon Valley and acknowledge the Region's role in the State's economy as a leading rural LGA. We reiterate the principles defined in the forward of the 35F report and support the varied relationships that our residents and ratepayers have formed with their land and:

- ***We restate our commitment to the varied lifestyle and subsequent land uses of the Huon Valley.***
- ***We note and seek to continue the historical character of land use patterns, where rural and agricultural activities form a mosaic with natural areas, villages and dispersed Rural Living areas, that are in addition to our more urbanised town sites.***
- ***We support the community's continued desire to use land for rural activities - as a lifestyle choice, an economic alternative for home-based earning and to operate legitimate and allowable rural businesses.***

- ***We believe that the legal rural use of land is consistent with broader landscape values and does not require special zoning protection.***
- ***We value the general landscape scene that we know, where valleys and hillsides display our productive and caring regard for this place, with treed ridgelines and distant mountaintops that provide a broader context for the place we live at the end of Tasmania.***
- ***We support areas of special and unique scenic value being protected by the appropriate overlays and in some special cases this would include the use of the Landscape Conservation Zone.***

We acknowledge that while there are deficiencies in all zoning definitions and uses tables, the Agriculture, Rural and Rural Living zones are in keeping with the long-term strategic land use intent of this Planning Authority. We acknowledge the urgent need for the release of residential land to accommodate our growing community and contribute to reducing housing stress across Tasmania. We will plan for the sustainable growth of our towns, villages and rural living hamlets.

We acknowledge that many are attracted to our community because of the opportunity to purchase in Rural Living areas and that meeting this demand will be done through a strategic process that will release more Rural Living land as well as providing increased density in some rural living areas. This will be part of the strategic process currently underway and will include consultation with existing landholders in these areas.

Council is committed to the Strategic Land Use study currently underway and will expedite this to resolve long standing planning issues. We note that SGS consultants have provided a Huon Valley Consultation Discussion Paper, but stress that this is not the endorsed position of the Planning Authority. We note that this paper is focused on urban land use and does not explore the importance of the Rural Living Zone in the Huon Valley – and this does not mean that the Planning Authority does not consider this as an important land use application in the Huon Valley. The report does not discuss the importance of Rural land in its own right (as opposed to significant Agriculture Zone). We note that it does not adequately document major developments either proposes or approved around Port Huon and directs that a separate map be produced and added to the discussion document.

Furthermore, the Planning Authority directs that all future LUDS discussion documents will now be approval by the Planning Authority prior to public release.

The Huon Valley Council continues our commitment to the LUDs

- Following the preamble include the following:

Franklin Urban Development Area

The Council, having considered the interest of the Franklin Community recommendations:

- The Franklin Urban Growth Boundary be limited to around the 20m contour line;
 - Land between around the 60m and 20m contour line be considered for Rural Living A; and
 - Land above around the 60m immediately behind the township of Franklin be considered for Rural Living B and / or Landscape Conservation Zoning.
- In Direction 48
 - The Planning Authority response be changed to:
*Change of zoning to Rural or Low-Density Living for this title is not supported for the following reasons:
It is well connected to land that supports orchards to the north and northeast.
There are also orchards to the SE on the opposite side of the Huon Highway.
This title and the adjacent title to the SW (CT 165247/1) provide connectivity between the orchard activity on Ag zoned land to the NW and SE.*
 - There are no non-agricultural developments on the title and the characteristics of the land and surrounding land use suggest it is suitable for orchards if farmed in conjunction.
The importance of orchards in the Huon valley to the State's agricultural output and the proximity to commercial scale orchard activity should be noted.*
 - The Recommended action be changed to:
The title be zoned Rural
 - In Direction 75
 - The Planning Authority response be changed to:
State Road Network
*Re-zoning the land that has been approved for the Huon Link Road (under DA-337/2022) as Utilities Zone from Particular Purpose – Future Road is acceptable to HVC.
The permit has been issued for the route (and subject to a mediated outcome at Tribunal) will be developed in this location (as per the detailed engineering design plans that were endorsed under this permit.*
 - Mining Lease 2M/20013**
The Planning Authority supports zoning of the land to be within the Environmental Management Zone, given it is surrounded by the Tasmanian Wilderness World Heritage Area, it is currently zoned Environmental Management, and the lease is due to expire in June 2025.

Mining Lease 1719/M

FR 158504/27 is substantially covered in native vegetation, contains a prominent topographical feature of Wallis Hill, sits directly above the Huon River and forms part of a contiguous bushland area. The application of the Rural Zone (RZ1) specifically requires consideration of whether the land is more appropriately included in the Landscape Conservation zone. Due to the landscape values afforded by the site, only small-scale use and development is appropriate, including having regard to the location and design. Accordingly, the most appropriate zone is Landscape Conservation.

Mining Lease 1148P/M

The land to the north and east of FR 157841/1, which contains the subject mining lease has been zoned Rural under the LPS. In terms of opportunity for expansion, the mining lease itself is approximately only half of the FR with land to the west and south also zoned Rural. The most appropriate zone for the land to the north and east is Rural.

Mining Lease 1915P/M

The land is currently zoned Rural in the draft LPS. The surrounding land referred to is steep, contains ridgelines and steep slopes, is substantially covered in native vegetation and forms part of a larger bushland area which is most appropriate zoned Landscape Conservation. Land to the North of the site is zoned Rural. This title is most appropriately zoned Rural Zone.

Mining Lease 1797P/M

The site has been split zone to provide the currently use as a quarry in the Rural zone. The remaining land contains multiple ridgelines and valleys, is steep, substantially covered in native vegetation and forms part of a larger bushland area adjoining the Snug Falls State Recreation Area The proposed split zone of Rural and Landscape Conservation is appropriate.

State Growth amendments to the Utilities zoning for the Tate Road Reservation

Huon Highway near FR 173369/2

The Planning Authority has no concerns with correcting any missing layers from the acquisition areas and applying the Utilities Zone in this location and any areas of Crown Land acquired for the road purposes as well as excluding any portions that are on private property that are not required.

Wooden Boat School near FR 241803/1

No concerns with the proposed western boundary of the Wooden Boat School lease along the Franklin Foreshore or the zoning of that portion of the land to Utilities Zone to the State Road reservation at the Wooden Boat School. The Utilities Zone under the LPS should reflect the State Road reservation as defined with CLS at the Wooden Boat School in Franklin.

Huon Highway FR 207962/1

No Concerns with the whole of this parcel CT- 207962/1 being zoned Utilities.

Huon Highway FR 150052/2, FR 150052/1, FR 148016/1

No concerns with the portions of the above Titles that have been acquired by State Roads, being zoned Utilities.

Glen Huon Road near FR 138886/2

No concerns with the portions of the above Title that have been acquired for the purpose of road reservation, being zoned Utilities.

Glen Huon Road and Sunny Hills Road and FR 141214/1

No concerns with the Utilities Zone extending across the junction with Sunny Hills Road, based on acquisition boundaries.

As dwelling and outbuildings on CT 141214/1 are located within the State Road reservation, the location of the reservation boundary and Utilities Zone can be amended to reflect the existing fence line.

Junction at Glen Huon Road and Crane Road

As State Growth and NRE Tas have negotiated split management jurisdictions, the State Road Reservation in this area can be defined as per the green dashed line, which can be supplied by State Growth. The zoning will remain Utilities.

Ferry Road near FR 114688/1

The Crown Land CT-114688/2 does not need to be zoned Utilities for the purpose of the State Road network. As a road reservation that is a Council Road is located in this CT, it is appropriate to keep the zoning Utilities.

Channel Highway FR 11469/1, FR 11469/2

The parcels acquired for road by Crown currently zoned Rural in the draft LPS can be zoned Utilities as they form part of the State Road Reservation.

Channel Highway – FR 11592/4, FR 121592/3, FR 121592/2, CT 121592/1, FR 125684/2, FE 121592/6, FR 125684/1, FR 20903/3

The parcels that have been acquired by Crown that are currently zoned Landscape Conservation can be zoned Utilities as they form part of the State Road Reservation.

- **In Direction 77**

- **The Planning Authority response be changed to:**

It is understood that the owners have attended and presented at a hearing. The future use and development ideas which include a vegetable garden, the grazing of livestock and an orchard. The land is partially cleared.

While the proposed small-scale use and development as outlined in the submission are considered to be compatible with the purpose of the Landscape Conservation zone – however a number of these activities maybe considered discretionary uses and subject to fees and charges. Priority vegetation can be protected by priority vegetation overlays.

It is noted that the titles to the West are Crown and includes notes of a sand quarry. Given the intended use and the Rural zoning of nearby titles it is recommended that the most compatible zoning is Rural.

- The Recommended action be changed to:
The title be zoned Rural
- In Direction 83
 - The Recommended action be changed to:
The title be zoned Rural
- b) Pursuant to Section 35F(2)(c) of the ***Land Use Planning and Approvals Act 1993***, the Planning Authority endorses the statements in Attachment A on the merit of the representation in all other Directions, as to:
 - i. Whether the Draft ***Huon Valley Local Provisions Schedule*** ought to be modified to take into account the representation; and
 - ii. The effect on the Draft ***Huon Valley Local Provisions Schedule*** as a whole of implementing the recommendation;
- c) Pursuant to Section 35F(2)(d) of the ***Land Use Planning and Approvals Act 1993***, the Planning Authority endorses the recommendation in Attachment A as amended for the representation in all other Directions as to whether the Draft ***Huon Valley Local Provisions Schedule*** meets the LPS Criteria set out in Section 34(2) of the ***Land Use Planning and Approvals Act 1993***.
- d) Pursuant to Section 35F(2)(e) of the ***Land Use Planning and Approvals Act 1993***, the Planning Authority endorses the recommendations in Attachment A regarding all other Directions as amended as to the Draft ***Huon Valley Local Provisions Schedule***.
- e) Pursuant to section 6 of the ***Land Use Planning and Approvals Act 1993***, Council delegates to the General Manager its powers and functions to:
 - i. Modify the report submitted under Section 35F of the ***Land Use Planning and Approvals Act 1993*** if a request is received from the Tasmanian Planning Commission requesting a modification, or a direction is made by the Tasmanian Planning Commission for a modification to be made to the report or to the Draft ***Huon Valley Local Provisions Schedule***;
 - ii. Represent or appoint a representative for the Planning Authority at hearings pursuant to Section 35H of the ***Land Use Planning and Approvals Act 1993***.
- f) Pursuant to Section 35F(2)(a) of the ***Land Use Planning and Approvals Act 1993***, a copy of each original representation received by the Planning Authority following exhibition of the Draft ***Huon Valley Local Provisions Schedule*** (LPS-HUO-TPS), in accordance with Section 35F(2)(b) of the ***Land Use Planning and Approvals Act*** be provided to the Tasmanian Planning Commission.

- g) Pursuant to Section 35F(2) of the *Land Use Planning and Approvals Act 1993*, the Addendum to the Section 35F Report on the representations be forwarded to the Tasmanian Planning Commission.**

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop and Burgess voted for the motion and Councillors Cambers-Smith and Temby voted against the motion.

The Mayor will advise that the Council is no longer acting as a Planning Authority as at 7.29pm.

11. GENERAL REPORTS

General Reports and Minutes are presented in relation to the following matters:

- General Manager's Operational Report
- Mayor Doyle Activities Report (June)
- HVC Quick Grants Update
- Councillor Thorpe tabled his activities.
- Councillor Burgess tabled his activities.
- Councillor Jessop tabled his activities.
- Councillor Armstrong tabled her activities.

Note - Committee minutes have been checked by the Committee Chair and have been distributed to Committee members. Minutes remain as 'draft and unconfirmed' until the following meeting.

11.007/23*

RESOLVED

CR ARMSTRONG

CR THORPE

That the General Reports and Minutes for the period 1 to 30 June 2023 be received and noted.

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop, Cambers-Smith, Temby and Burgess voted for the motion and no Councillors voted against the motion.

12. COUNCIL WORKSHOPS

05 July 2023

Southern Tasmanian Regional Waste Authority (STRWA)

CEO and Chair of STRWA provided an update on this newly formed Authority.

Organisation & Structure Review Update

General Manager and Project Manager provided a presentation and led a discussion regarding the Resource and Structural Review update and what the next steps are.

12 July 2023

TasWater update re Geeveston Outfall Relocation Project

TasWater representatives provided an update on this project and answered Councillor questions.

Future of Local Govt Review

Governance Strategy and Sustainable Development Services will lead a discussion around the draft report & submission.

19 July 2023

Tasmanian Police Inspector Colin Riley provided an update to Councillors on topics such as antisocial behaviour and illegal rubbish dumping.

Strategic Projects for inclusion in Election Strategy Document

General Manager led a discussion around HVC draft projects.

13. COUNCILLOR QUESTIONS

13.1 Questions Given on Notice

Cr Temby

Question 1:

Can we consider inclusion of Community Advisory Panels (as outlined in the FofLGR info pack) as part of the upcoming Communications and Engagement Strategy?

Community Advisory Panels can be regularly consulted by Council to ensure constituents, especially from rural communities, enjoy enhanced formal representation and direct influence in the decision-making process including community budget priorities (see Supporting Paper on Supporting Strong and Empowered Local Communities). Operations hubs could also be used for a program of scheduled regional council meetings in different areas of the municipality. (note this could be a way to implement part g of motion 16.010/24, see question 2 below, which resolves we are to consult with the Community on what services, if any, they wish to reduce)

Response:

Key findings and recommendations from the stage 1 and 2 of the FoLGR will be key considerations for the Communications and Engagement Strategy.

Question 2:

Will Councillors be provided with an implementation plan for part g of motion 16.010/23* regarding Financial Management Strategy and Long-Term Financial Plan 2023/2024-2032/2033, the adoption of the Huon Valley Council Estimates and Annual Budget 2023/2024

16.010/23* g) in particular: Council will:

- Work on reassessment of rates distribution methodology.
- **Advertise a contact point to Councillors for suggestions to reduce services.**
- Advertise rate relief options to the public.
- Reassess the LTFP for following years.

Response:

A 'have your say' page will be included on the HVC website that will direct interested parties suggestions to reduce services to the Councillor contact page.

Question 3:

When will Councillors receive a report on strategic directions for our Medical Centres and be briefed on any discussions with the rural workforce agency HR Plus?

Response:

Currently Medical Services are focusing on identifying and implementing solutions that will deliver a more sustainable service. Discussion with HR+ have included forms of pros and cons of GP employment types, current GP recruitment and retention strategies in the current market, nurse practitioners and exploring different innovative models of care, defining the practice as a Education and Vocation Focused Centre, Grant Funding opportunities, and GP visa sponsorship.

13.2 Questions Without Notice

Cr Cambers-Smith

Question 1:

I'm keen to get some idea of the project timetable for this year, particularly with regard to when the planning customer experience review will be completed and other important projects that people are interested in, e.g. medical centre refurbishment, aquatic review, rates review, retirement homes and childcare reviews etc.

How are we prioritising these things – and when will an estimated program be provided to Councillors?

Response:

Council has a number of priorities running concurrently:

- **Children Services Strategic Review – draft report for Council review due 31 August 2023**
- **Retirement Villages Strategic Review – draft report for Council review due 30 September 2023**
- **Customer Experience for Development Applications – 30 September 2023 (pending data on the PlanBuild system being made available in support of the timeline)**
- **Aquatic Facilities Review – We are working towards addressing those endorsed Council motions that relate to the aquatic facilities and engaging in a Councillor workshop on progress and next steps by 31 October 2023.**
- **Medical Centre Refurbishment Planned Completion – 30 November 2023**

Question 2:

Will we be reintroducing bulk-billing to the Medical Centres (if so when?) and will that make any difference to our bottom line given the increased Medicare Refund now available?

Response:

While there was a high-level announcement on the tripling of bulk billing incentives and other changes to the Medicare system at the budget announcement earlier this year, the specific details of these changes are still being released and we're not able to make a definitive call on this.

Question 3:

Can Councillors please be presented with an update on the TPC hearings and likely outcomes and timescales? I'm keen to have a workshop on the subject and be provided with expert advice on what anticipated zone changes might mean with respect to additional infrastructure requirements or other impacts on council.

Response:

Until the TPC have completed their hearings and made decisions it is very speculative as to what changes will be.

At this stage it is anticipated that a decision would likely be around December 2023 or January 2024 but that is a matter for the TPC.

Any workshop regarding additional infrastructure requirements or other impacts on Council should not be held on a speculative basis as to what zoning changes are anticipated but until after those zone changes are known and the TPC has made a decision.

Question 4:

We are advertising for a new GP and the salary is in the range of \$400,000-\$500,000. That seems like an awful lot.

Response:

Acting Director Community Wellbeing said he would investigate and advise.

****Update 27.07.23 for the purpose of the minutes. This recruitment advertisement was for a private practice in Huonville and not Council owned medical practices at Geeveston or Dover. However, it should be noted that this is indicative of the challenges we are experiencing in attracting GP's.**

Cr Jessop**Question:**

There is a line entry for \$48,000 for consultants and accounting. Can an indication be provided as to what consultants they were using and how this is contributing to the Jobs Hub?

Response:

The General Manager stated that he checked in with the board. Largely the funds went to KPMG for the second instalment of the workforce review. Smaller amounts for accounting software subscription and HR work made up the balance. The value of this work will hopefully show in the next steps of the Strategy.

Cr Temby**Question:**

Further to Cr Jessop's question. The KPMG report is due to be complete 30 June. Has that been completed and will Councillors be briefed on the outcomes?

Response:

The General Manager stated that he would need to check with the board as to whether it can be shared.

Cr Armstrong**Question:**

Is the KPMG report a one-off fee or is it done yearly?

Response:

The General Manager said the report was commissioned by the Jobs Hub board and they will determine when it needs to be reviewed. It will need to be periodically updated.

Cr Armstrong**Question:**

Could you summarise what Council's role is in the Jobs Hub?

Response:

The General Manager stated that Council's role is that of governance. A board has been appointed to lead the initiative from the State Government. Council keep the board accountable. The board will provide quarterly reports to Council.

13.3 Councillor Notices of Motion

13.012/23*

RESOLVED

CR O'NEILL

CR ARMSTRONG

That:

- a) Council accepts the anchor collection offered to the Council.
- b) Council liaises with the owners or their representative regarding timing and access to the property where they are at present and relocates the anchors to the Council depot or other suitable place.
- c) Council applies for grants to position the anchors in a suitable location for display to locals and visitors to the Huon Valley. Grants are to allow for curating and design, necessary approvals, information signage and the permanent installation of the anchors as a display for residents and visitors.
- d) Council proceeds with the project to completion.

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop, Cambers-Smith, Temby and Burgess voted for the motion and no Councillors voted against the motion.

GENERAL MANAGERS ADVICE:

The acceptance of these items will need to factor in the modest but additional operational costs related to maintenance of these pieces and the area they are placed, insurance, and capital valuation requirements.

Council will be developing a Public Art Policy in the 2023/2024 financial year to guide and inform a consistent and equitable Council approach to the acceptance, display, and curatorship of public art.

Title	FUTURE OF LOCAL GOVERNMENT REVIEW
Agenda Number	15.028/23*
Strategic Plan Reference	5
File Reference	12/28
Author	Director Governance Strategy and Sustainable Development
Responsible Officer	Director Governance Strategy and Sustainable Development
Reporting Brief	The Director Governance Strategy and Sustainable Development presenting a report on a call for submissions on the Future of Local Government Review Southern Shore Community Catchment Information Pack (Review Stage 3 – May 2023)
Attachments	A. The Future of Local Government Review Southern Shore Community Catchment Information Pack (Review Stage 3 – May 2023) B. Huon Valley Council Submission -The Future of Local Government Review - Options Paper, (Review Stage 2 – December 2022).

Background

1. On 4 November 2021 the Minister for Local Government announced a review of Local Government to create a more robust and capable system of local government to meet current and emerging community needs and support Tasmania's recovery from COVID-19.
2. The scope of the review includes the full range of the 29 councils' roles, responsibilities and functions, including statutory responsibilities, service delivery, governance and administration, community and place-based roles.
3. The review is undertaken in three (3) stage and aims to assess the performance of these roles across the sector, in terms of effectiveness, sustainability, and value to ratepayers, and to Tasmania as a whole, and determine the best ways for them to be performed in the future.
4. The Government has established a Local Government Board to undertake the review.
5. On completion of Stage 2 of the Review the Board has released *The future of local government review – Stage 2 – Interim Report, (March 2023)* (the Interim Report) and a Summary Report which can be found at the following links respectively:

https://www.futurelocal.tas.gov.au/wp-content/uploads/2023/04/TLG-Reforms_stage-2-interim_REP-FIN.pdf

https://www.futurelocal.tas.gov.au/wp-content/uploads/2023/04/TLG-Reforms_stage-2-interim_SUMMARY-FIN.pdf

6. A key finding of the Interim Report is the Board's considered view on the current structure of the Tasmanian system of local government that:
 1. *The Status quo is not an optimal or sustainable model for the sector as a whole, given growing demands, complexity, and sustainability challenges;*
 2. *Some form of consolidation is necessary to deliver greater economies of scale and scope, at least for some services; and*
 3. *The scale and extent of consolidation needed to deliver significantly better services will, unfortunately, no occur on a purely voluntary basis within the current framework. Reform must be designed collaboratively but, once settled, implementation must be mandated by the State Government.*
7. During stage 3 the Board is engaging with communities to design local government in a way that allows Councils to develop and maintain the capability that communities need, while delivering services locally, keeping local jobs, and ensuring that all Tasmanians have a strong voice in decisions being made on their behalf.
8. For that purpose the Board has identified a number of Community Catchments throughout the State for the purposes of considering future structure options. The Huon Valley has been included in the Southern Shore Catchment along with Kingborough and Hobart City Councils.
9. The Board has prepared the Future of Local Government Review Southern Shore Community Catchment Information Pack (Review Stage 3 – May 2023) (Information Pack) for the purpose of discussions The Information Pack is included as Attachment A to this Report.
10. The purpose of this Report is to consider a submission in response to the Information Pack.

Council Policy

11. The Council does not have any specific policy relating to the review.

Legislative Requirements

12. There are no specific legislative requirements relevant to the review, however the outcomes of the review will have significant impact upon how local government operates in the future and what future legislative framework for local government will look like. It is anticipated that following finalisation of the review, a review of the Local Government legislation will follow.

Risk Implications

13. There is little risk arising from the Council participating in the review and providing any comment or submissions on the scenarios within the Information Pack.
14. The outcome of the review may have a significant impact on the Council and how it operates into the future and to the community as to how it is represented and the Council provides for the good governance of the community.

15. There is also a risk associated with the future direction for the community. The Council is currently undertaking a significant strategic planning project for the future of the Huon Valley constituting the Community Vision, a new Strategic Plan and a review of supporting plans and strategies. The Council's ability to implement these important documents may be compromised as a result of restructure however the documents remain important to reflect the future desired by the Huon Valley community.
16. The Council has been concerned regarding the short time frame provided for the Council to review and comment on the Information Pack. As a result there has not been the opportunity for the Council to undertake proper engagement with the community regarding their views and aspirations regarding the scenarios provided in the Information Pack. Council has therefore promoted the review and the opportunity for the community to participate in the Board Community Surveys to share their views (See comments in Engagement below). This Report notes that the promotion to participate in the surveys went out at the same time that the surveys closed on 6 July 2023 so any community input was limited to that date.
17. There is a general risk associated with the outcomes of the review and uncertainty arising from it. To date the Labor party has restated its position that it opposes forced amalgamations. The Government has now stated that there will be no forced amalgamations in the State. The Minister for Local Government has advised that there will be no changes unless both the Council and the community support them. Depending on response from Councils there may be few if any outcomes from the review.

Engagement

18. The Information Pack was circulated for comment to Councillors, and two workshops have been held with Councillors. Any feedback received has been incorporated into the submission where relevant.
19. The Council has received the Board community engagement feedback for the Southern Shore scenarios which can be viewed at: <http://www.futurelocal.tas.gov.au/wp-content/uploads/2023/07/Southern-Shore-Community-Catchment-Community-Survey.xlsx>. The community engagement is summarised as follows:

	Hobart City	Huon Valley	Kingborough	Total scenario votes
Scenario 1	2	40	8	50
Scenario 2	7	39	14	60
Scenario 3	1	51	15	67
Other*	8	18	5	31
Total submissions	18	148	42	208

20. It is noted that, as highlighted, of Huon Valley residents the preferred option is scenario 3 with 51, followed by scenario 1 with 40 and scenario 2 with 39.

21. Councillor feedback can be viewed at the following link: <http://www.futurelocal.tas.gov.au/wp-content/uploads/2023/07/Southern-Shore-Community-Catchment-Elected-Representative-Survey.xlsx>. It is noted that scenario 3 was the most preferred out of 4 of the Huon Valley Councillors who participated. Scenario 1 and other (although not specified) were the second preferred scenarios with no support for scenario 2.
22. Council staff feedback can be viewed at the following link: <http://www.futurelocal.tas.gov.au/wp-content/uploads/2023/07/Southern-Shore-Community-Catchment-Council-Staff-Survey.xlsx>. It is noted that scenario 3 was the preferred scenario with 11, followed by scenario 1 with 7 and scenario 3 with 3.
23. Further engagement undertaken by the Local Government Association of Tasmania with both Councillors and Council staff has been provided to Councillors.
24. The Mayor and General Manager met with the Mayor and General Manager of the Kingborough Council to open discussions regarding the scenarios. At the time the Kingborough Council did not have any particular view on the preferred scenarios.
25. No discussions have been held with the Hobart City Council given the scenarios within the Information Pack do not result in any restructuring of the Huon Valley with Hobart City Council.
26. Engagement associated with this decision will be undertaken at Inform Level by inclusion within the Council meeting Minutes that will be available to the public on the Council's website and at the Customer Service Centre.
27. Council will be presenting its submissions to the Local Government Board during August 2023.

Human Resource and Financial Implications

28. The Report does not raise any specific human resource or financial implications for Council.
29. The outcomes of the review may have significant human resource and financial implications for the Council and the community. These cannot be assessed at this time. It is noted that the Information Pack does identify some transitional issues associated with the 3 scenarios presented.

Discussion

30. The Information Pack sets out three scenarios for the future structure of local government in the Southern Shore area as follows:

- Scenario 1 – Establishes two Council areas within the Southern Shores Community Catchment. The first consists of the existing Huon Valley municipal area, the second consists of the existing Kingborough municipal area minus Taroona (that would go to Hobart).



- Scenario 2 – Combines the existing Huon Valley and Kingborough municipal areas to create one new council area.



- Scenario 3 – Combines the existing Huon Valley and the majority of the Kingborough municipal areas to create one new council area. Under this scenario Kingston, Blackmans Bay and Taroona would go to Hobart.



19. A draft submission on the Information Pack is included as Attachment B to this Report and is relied upon for the purpose of the Report.
20. Having considered the scenarios the submission highlights the preferred option of Scenario 1, retaining the status quo for the Huon Valley Council. Whilst there are acknowledged challenges associated with this position including the ongoing concern of attracting and retaining professional staff, this scenario best reflects the model of common interests and ongoing financial viability and local representation. Council notes this was the second preferred scenario from the community however the scenario has the most strengths over weaknesses and most certainty for the community.
21. The second preferred option is Scenario 3. This scenario reflects the majority of the support from Huon Valley community residents and the strengths are considered to still outweigh the weaknesses. Whilst there are not known common linkages between the Huon Valley and the rural areas of the Kingborough Council area, the retention of a large rural Council is considered to better reflect the commonality that exists without loss of local representation and dominance from a concentrated urban head who are less likely to consider dispersed rural area needs.

Conclusion and Recommendation

22. It will be recommended to make a submission as set out in Attachment B to this Report.

15.028/23*
RECOMMENDATION

That:

- a) The report on a call for submissions on the Future of Local Government Review Southern Shore Community Catchment Information Pack (Review Stage 3 – May 2023) be received and noted.**
- b) A submission be made in relation to The Future of Local Government Review Southern Shore Community Catchment Information Pack (Review Stage 3 – May 2023) as set out in Attachment B to this Report.**

15.028/23*
RESOLVED

CR ARMSTRONG

CR JESSOP

That:

- a) The report on a call for submissions on the Future of Local Government Review Southern Shore Community Catchment Information Pack (Review Stage 3 – May 2023) be received and noted.**
- b) A submission be made in relation to The Future of Local Government Review Southern Shore Community Catchment Information Pack (Review Stage 3 – May 2023) as set out in Attachment B to this Report.**
- c) Council commits to further conversations with Kingborough Council regarding collaborative opportunities that may arise.**

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop, Cambers-Smith, Temby and Burgess voted for the amendment and no Councillors voted against the amendment.

Title	HUON VALLEY JOBS HUB AUTHORITY PROGRESS REPORT (JULY 2023)
Agenda Number	15.029/23*
Strategic Plan Reference	5
File Reference	07/67
Author	Manager Economic Development
Responsible Officer	Manager Economic Development
Reporting Brief	The Director Governance Strategy and Sustainable Development presenting a report from the Manager Economic Development on the Huon Valley Jobs Hub Authority Progress Report (July 2023)
Attachments	<ul style="list-style-type: none"> A. Huon Valley Jobs Hub Authority Progress Report (July 2023) B. Huon Valley Jobs Hub Authority – Financial Performance Report July 2023 C. Huon Valley Jobs Hub Single Authority Rules (FINAL) Feb 2022

Background

1. The Tasmanian Government is supporting a network of jobs hubs in regional areas across the state.
2. Jobs Hubs bring local industry and local workers together, and work with job seekers to address barriers to work, such as access to employment related skills and transport.
3. Regional jobs hubs are supported by Jobs Tasmania in the Department of State Growth, to deliver common overhead supports, workforce analysis and data mapping.
4. At its [October 2021 Ordinary Meeting](#), the Council resolved to act as the lead agency in the establishment of the Huon Valley Jobs Hub through a single authority established under section 30 of the *Local Government Act 1993*.
5. The Huon Valley Jobs Hub Authority (HVJHA) is a body corporate with perpetual succession and has the powers and functions specified in the Act and its endorsed ([February 2022](#)) Rules. A copy of the Rules is included with the Report's Attachments.
6. In accordance with those Rules, the HVJHA are required to provide a quarterly report to the Council including a statement of their general and financial performance.
7. The purpose of this Report is to table the first of the Authority's quarterly reports for Council's noting.

Council Policy

8. In accordance with the item '12. Quarterly Reporting' within the Authority's Rules, the following is referenced:

12.1 *The HVJHA must provide a quarterly report to the Council as soon as practicable after the end of March, June, September and December in each year.*

12.2 *The quarterly report must include:*

- a. A statement of the HVJHA's general performance.*
- b. A statement of the HVJHA's financial performance.*

Legislative Requirements

9. Council has established the Authority under section 30 of the Act for the purposes of establishing and operating a jobs hub for the Huon Valley and Kingborough local government areas to deliver and meet the requirements of the State Agreement.

Risk Implications

10. As the lead agency and signatory to the grant deed between Council and the Department of State Growth, it is a requirement of the agreement to ensure that the Authority is undertaking its duties and managing the funds in accordance with the agreement's terms.

Engagement

11. The Authority tabled a progress report for the period January to June 2023 at its July 2023 Board meeting.
12. A copy of the Progress Report is included as Attachment A to this Report.
13. Engagement associated with this decision will be undertaken at Inform Level by inclusion within the Council meeting Minutes that will be available to the public on the Council's website and at the Customer Service Centre.

Human Resource and Financial Implications

14. The Council's General Manager is one of ten appointed Board members on the HVJHA.
15. Furthermore, through the Council's Economic Development Unit, support is provided to the HVJHA by way of overseeing the operational grant deed and ensuring all relevant milestones are met to the satisfaction of the Department of State Growth.

Discussion

16. Within the reporting period, the Huon Valley Jobs Hub Authority has gained significant momentum since employing a dedicated Executive Officer to provide the necessary administrative and project support to moving forward with key initiatives.

17. The appointment of the Executive Officer in late January 2023 has overseen several key outputs for and on behalf of the Authority. These include:
 - Development of a 3-year Strategic Plan for the HVJHA.
 - Development of a 12-month Implementation Plan for the HVJHA.
 - Development of the 'Southern Employment and Training Network' brand as the trading name for the Authority, including development of [social media](#) channels and [website](#).
 - Commencement of a Regional Workforce Planning Study for the Huon Valley and Kingborough local government areas.
 - Hosting of inaugural Huon Valley Jobs Expo on 9 June 2023.
18. The Regional Workforce Planning Study and the Huon Valley Jobs Expo provided the ideal platforms upon which the Authority was able to introduce themselves to the community. Engagement with community through these two activities have been a great start to understanding how best the Network can support job seekers and employers within the region, whilst collaborating with existing service providers to improve access and serviceability in recruitment, training and career pathway opportunities.
19. Through these initiatives, the Network have already started to receive referrals from local job seekers. It is the Network's intention to appoint a Local Engagement Officer shortly who will be a dedicated staffed resource to field jobseeker enquiries and provide personalised services to those requiring support.
20. Further information about these activities is included in the Progress Report included in the attachments.
21. In terms of financial performance, the HVJHA has satisfied the first two milestones as per the grant deed. The first instalment was funded upon signing of the grant deed by Council in 2021. The second milestone was satisfied through the completion of the 3-year Strategic Plan and the 12-month Implementation Plan.
22. Key expenditure incurred by the HVJHA include the contracting of consultant's KPMG to undertake the Regional Workforce Planning Study as well as wages for the Executive Officer.
23. As this is the first progress report to be tabled by the HVJHA, the Report is being formally presented to Council for their information. For future reports, these will be included as an attachment to the General Manager's Operational Report.

Conclusion and Recommendation

24. The HVJHA progress report of the activities undertaken and financial performance for the past period is provided here for noting.
25. The HVJHA's activities and performance continues to the satisfaction and in accordance with the terms of the grant deed and Jobs Tasmania's expectations.

**15.029/23
RESOLVED**

CR ARMSTRONG

CR THORPE

That the report on the Huon Valley Jobs Hub Authority Progress Report (July 2023) be received and noted.

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop, Cambers-Smith, Temby and Burgess voted for the motion and no Councillors voted against the motion.

Title	COMMUNITY WELLBEING FEES AND CHARGES 2023/24
Agenda Number	16.013/23
Strategic Plan Reference	5
File Reference	10/14
Author	Manager Community Development and Acting Manager Recreation Services
Responsible Officer	Director People and Corporate Services
Reporting Brief	Director People and Corporate Services presenting a report from the Managers Community Development and the Acting Manager Recreation Services on the Community Wellbeing Fees and Charges 2023/24 financial.
Attachments	Nil

Background

1. This report corrects the Community Wellbeing fees and charges table appended to agenda item 16.0011/23* (7 June 2023 open Council meeting).
2. The correction addresses several missing Community Wellbeing's fees and amends several definitions.
3. The setting of fees and charges is a requirement as described under Section 205 of the *Local Government Act 1993*.

Council Policy

4. Council annually sets fees under the *Local Government Act 1993* and these form part of its overall budget.

Legislative Requirements

5. The fees are required to be formally adopted by Council pursuant to Section 205 of the *Local Government Act 1993*.

s. 205 Fees and charges

- (1) *In addition to any other power to impose fees and charges, but subject to subsection (2), a council may impose fees and charges in respect of any one or all of the following matters:*
- (a) the use of any property or facility owned, controlled, managed or maintained by the council;*
 - (b) services supplied at a person's request;*
 - (c) carrying out work at a person's request;*
 - (d) providing information or materials, or providing copies of, or extracts from, records of the council;*
 - (e) any application to the council;*
 - (f) any licence, permit, registration or authorisation granted by the council;*

(g) any other prescribed matter.

- (2) *A council may not impose a fee or charge in respect of a matter if –*
(a) a fee or charge is prescribed in respect of that matter; or
(b) this or any other Act provides that a fee or charge is not payable in respect of that matter.
- (3) *Any fee or charge under subsection (1) need not be fixed by reference to the cost to the council.*

Risk Implications

6. There is a risk if Council does not include concession rates for Family Passes at its Sports Centres some families may not be able to afford and therefore access services.
7. There is a risk that revenue could be lost through the application of reduced fees to profit making activities. This correction emphasises that reductions are available to local non-profit making activities only.

Engagement

8. The proposed changes to the fees and charges have been reviewed by the Council's Executive Leadership Team.
9. The proposed change to the Community Hall definitions has been reviewed by Community Hall Committees.
10. Engagement associated with this decision will be undertaken at Inform Level by inclusion within the Council meeting Minutes which will be available to the public on the Council's website and at the Customer Service Centre.

Human Resource and Financial Implications

11. Council's budget and estimates are adopted in part based upon fees and charges income that provides for the operational running of the respective areas of Council. Fee and charge income is a significant proportion of Council total revenue.
12. Council's Hall Committees retain hire fees to contribute to the ongoing maintenance of the facility.

Discussion

13. Following the endorsement of the fees and charges presented in agenda item 16.011/23* at the June 2023 Ordinary Council Meeting, it was discovered that several fees and charges needed adding or altering.
14. The concession rate for the Port Huon Sports and Aquatic Centre and Huonville Swimming Pool was omitted.

15. Hall committees have recognised that increased hall hire revenue is required to offset increased operating costs. Following discussion with Community Hall Committees it is proposed to highlight that the reduced hourly rate of \$15/hour is only available to local non-profit making activities.

Conclusion and Recommendation

16. It is recommended that the following Port Huon Sports Centre Fees and Charges be adopted:
PORT HUON SPORTS CENTRE

Daily Family Pass - Concession	\$21.00
Monthly Family Pass - Concession	\$153.00
Season Family Pass Concession	\$349.00

17. It is recommended that the following Public Hall Fees and Charges be adopted:
PUBLIC HALLS

Palais Theatre – Noni Carr and Supper Room	Category 3
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18. It is recommended that the following Public Halls – Hall Hire Fees and Charges be adopted:
PUBLIC HALLS – OTHER FEES AND CHARGES

Health and Wellbeing Rate, Arts and Culture Rate and Community Development or Bona Fide Community Group Rate are to be applied when the venue is rented for an event or activity that does not aim to generate profit. Final discretion sits with the relevant Hall Committee.	
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Cr Burgess left the meeting at 8.09pm

16.013/23
RESOLVED

CR JESSOP

CR TEMBY

That:

- a) The report on the Community Wellbeing Fees and Charges 2023/24 be received and noted.
- b) Pursuant to Section 205 of the *Local Government Act 1993*, the following amended Fees and Charges for Community Wellbeing for the 2023/24 financial year, be adopted.

PORT HUON SPORTS CENTRE

Daily Family Pass - Concession	\$21.00
Monthly Family Pass - Concession	\$153.00
Season Family Pass Concession	\$349.00

PUBLIC HALLS

Palais Theatre – Noni Carr and Supper Room	Category 3
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PUBLIC HALLS – OTHER FEES AND CHARGES

Health and Wellbeing Rate, Arts and Culture Rate and Community Development or Bona Fide Community Group Rate are to be applied when the venue is rented for an event or activity that does not aim to generate profit. Final discretion sits with the relevant Hall Committee.	
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- c) Copies of the updated Fees and Charges for the 2023/24 financial year be placed on the Council's website and made available for inspection.

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop, Cambers-Smith and Temby voted for the motion and no Councillors voted against the motion.

Title	HUON VALLEY ARTS AND CULTURE COMMITTEE MEMBERSHIP
Agenda Number	18.003/23*
Strategic Plan Reference	2,3 and 4
File Reference	44/32
Author	Manager Community Development
Responsible Officer	Manager Community Development
Reporting Brief	The Acting Director Community Wellbeing presenting a report from the Manager Community Development on Huon Valley Arts and Culture Committee Membership
Attachments	Nil

Background

1. Section 24 of the *Local Government Act 1993* provides that a Council may establish Special Committees of Council on such terms and for such purposes as it thinks fit.
2. The Council by resolution has appointed the Huon Valley Arts and Culture Committee to:
 - Support the implementation of the Arts and Culture Strategy;
 - Act as a consultative link between the community and the Huon Valley Council;
 - Assist in identifying and responding to key issues relating to arts, culture and heritage in the Huon Valley;
 - Support Council with advocacy on and promotion of relevant arts and cultural matters; and
 - Strengthen partnerships across sectors and other networks and organisations.
3. In accordance with the Committee's Terms of Reference, the Membership of the Committee will comprise of up to 13 persons, all of whom shall be appointed by Council.
4. Each representative is appointed for an initial 2-year term. At the end of the initial appointment period, any member may renominate and be reappointed for subsequent terms.
5. The Committee had 12 community members that were appointed at the beginning of 2022. Since that time, the Council has received 6 resignations, leaving 6 vacant positions.
6. One member who had resigned due to study commitments has chosen to reapply.
7. At the June meeting, the current Committee identified a need to invite members to fill the vacant roles.
8. The purpose of this report is to appoint two new members to the Arts and Culture Committee for the remainder of 2023.

Council Policy

9. This report and recommendations are made in accordance with the Committees Policy (GOV-CORP 017).

Legislative Requirements

10. The Huon Valley Arts and Culture Committee has been established in accordance with Section 24 of the Local Government Act 1993 and is to operate in accordance with approved Terms of Reference.

Risk Implications

11. The Committee's Terms of Reference (TOR) aims to mitigate risks associated with the operation of this committee. Risks include a lack of diversity or participation in the committee, hence reducing the engagement of community with the Arts and Culture Strategy actions. The TOR details the process for recruiting new members.

Engagement

12. The Huon Valley Arts and Culture Committee and Creative Huon Network were consulted in the call for Expressions of Interest for the vacant committee positions.
13. The opportunity to participate on the Committee is promoted on the Council's website, Arts and Culture page.

Human Resource and Financial Implications

14. The Arts and Culture Committee receives secretariat support from Council's Arts and Culture Officer and is currently chaired by Councillor Paul Gibson.
15. Committee members are volunteers of Council and are therefore entitled to agreed out of pocket expenses.

Discussion

16. The Committee's Terms of Reference describes that membership will be up to 13 positions which support a diverse membership across the following areas:
 - Aboriginal culture and heritage
 - Heritage – structures, places, history, language and stories
 - Art Practices including but not restricted to visual arts, multi-media, music, performance, writing, digital, dance, festivals or events
 - Creative Endeavours – that may have creative, economic, social, cultural or community development benefits and outcomes.
17. Current members represent the following creative fields; film, First Nations culture, education, art therapy, community arts, literature, sculpture, place making, public art, cultural tourism. The Committee members support Council to achieve actions that have been identified in the Arts and Culture Strategy.
18. As volunteers, there is an ongoing risk that the participation of members in a Council committee will be compromised.
19. The two applications add value to the committee through their connections to local Aboriginal culture and heritage and to venue and performing arts management.
20. The current term of all committee members is through to the end of 2023, with 2 more committee meetings scheduled in 2023.

21. It is proposed that the committee model of engagement (including the committee's Terms of Reference) be reviewed by the committee with the aim of promoting greater engagement and active participation with the community.

Conclusion and Recommendation

22. The Arts and Culture Committee members provide expert advice to Council in regard to the issues and opportunities for the creative arts, culture and heritage sectors in the Huon Valley.
23. The 2 new interested members will add value to the work of the current committee through to the end of 2023, when the current term of the committee expires.
24. It is proposed to review the committee's Terms of reference and explore alternative community engagement models which promotes active engagement of diverse community members in the delivery of the Arts and Culture Strategy.

18.003/23

RESOLVED

CR TEMBY

CR CAMBERS-SMITH

That:

- a) **The report on Huon Valley Arts and Culture Membership be received and noted.**
- b) **That the resignation of Craig Snell, Deb Cobern, James Nielson, Kat Scarlet, Jane Alpine and Adie Delaney from their positions on the Huon Valley Arts and Culture Committee be accepted.**
- c) **That the following persons be appointed to the Huon Valley Arts and Culture Committee from 1 August 2023, concluding on 31 December 2023:**
- i. **Alice Toner**
 - ii. **Deb Cobern**

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop, Cambers-Smith and Temby voted for the motion and no Councillors voted against the motion.

Cr Burgess rejoined the meeting at 8.12pm

Title	HUON VALLEY EMERGENCY MANAGEMENT PLAN
Agenda Number	18.004/23*
Strategic Plan Reference	2,3, and 4
File Reference	05/203
Author	Municipal Emergency Management Coordinator
Responsible Officer	Municipal Emergency Management Coordinator
Reporting Brief	The Acting Director Community Services presenting a report from the Municipal Emergency Management Coordinator on the Huon Valley Municipal Emergency Management Plan 2023
Attachments	Huon Valley Municipal Emergency Management Plan dated 20 June 2023

Background

1. Emergency management arrangements in Tasmania are established under the Emergency Management Act 2006, which provides for the protection of life, property and the environment, and establishes emergency management arrangements and emergency powers.
2. In accordance with Section 32 of the Emergency Management Act 2006, the Tasmanian Emergency Management Arrangements are issued by the Minister for Police, Fire and Emergency Management.
3. The Tasmanian Emergency Management Arrangements integrate the requirements of the Emergency Management Act 2006 and other legislation to provide a framework for scalable and flexible emergency management arrangements that are underpinned by partnerships at every level across the three tiers of government Commonwealth, State and Local Government.
4. The Huon Valley Municipal Emergency Management Plan describes the comprehensive arrangements for managing emergencies in the municipal area. The plan takes an all-hazards view and arrangements align with the Tasmanian Emergency Management Arrangements.
5. The Municipal Emergency Management Plans must be reviewed at least every two years.
6. Council reviewed the Draft Huon Valley Municipal Emergency Management Plan at the March 2023 Council meeting (Agenda No. 18.002/23*), recommending the plan be forwarded to SES and the State Controller for review and authorisation.
7. The plan has since been authorised by the State Controller.

8. The purpose of this report is to present to Council the authorised Huon Valley Emergency Management Plan dated 20 June 2023, for endorsement.

Council Policy

9. Council has no relevant policy.

Legislative Requirements

10. The Emergency Management Act 2006 requires that:

Each Municipal Committee is to prepare a plan for emergency management in the municipal area or municipal areas in respect of which the Municipal Committee has the responsibility of instituting and coordinating emergency management.

Each Municipal Committee is to review its Municipal Emergency Management Plan at least once every 2 years.

11. This plan has been produced and reviewed in accordance with the requirements of the Emergency Management Act.

Risk Implications

12. Regularly reviewing and including new disaster risks and lessons learned, manages the risk that the Huon Valley Municipal Emergency Plan could become outdated and ineffective, with could have far-reaching and negative impacts for our community, should a major emergency event occur.

Engagement

13. Engagement has been undertaken with the Huon Valley Emergency Management Committee at a collaboration level.
14. Input was received from multiple Council staff.
15. The draft Plan was submitted to the Regional Emergency Management Controller (through the State Emergency Service Regional Planning Officer) for approval by the State Controller.
16. The document has been authorised by the State Controller (Police Commissioner Donna Adams).
17. The Plan will made publicly available on Council's Website once it has been endorsed by Council.

Human Resource and Financial Implications

18. This Report does not directly raise additional Human Resource or Financial implications, as the plan is simply being updated.

19. In recognition of the increasing likelihood and impact of natural disaster events in the Huon Valley, Council, in their 2023/24 budget deliberations, have allocated additional resources to both Emergency Management and Community Recovery and Preparedness roles.
20. Activation of the Huon Valley Municipal Emergency Management Plan during an emergency event may have significant human resource and financial implications for the Council and the community. The costs of which cannot be assessed at this point in time.
21. The *Tasmanian Relief and Recovery Arrangements - Natural Disaster Relief to Local Government Policy* provides financial support for local governments to defray the cost of eligible relief and recovery activities following natural disasters.

Discussion

22. The draft Huon Valley Municipal Emergency Management Plan was presented to Council at the meeting held on 29 March 2023 (Agenda No. 18.002/23*), where it was received and noted.
23. Since that time, the plan has been reviewed by the SES and authorised by the State Controller.
24. The Huon Valley Municipal Emergency Management Plan is now presented to Council for endorsement.

Conclusion and Recommendation

25. In consultation with emergency management partners, the updated plan considers emerging risks and hazards and incorporates new information, processes, and learnings.
26. It is recommended that the revised Huon Valley Municipal Emergency Management Plan dated 20 June 2023 be endorsed by Council.

18.004/23*

RESOLVED

CR CAMBERS-SMITH

CR BURGESS

That:

- a) **The report on the Huon Valley Municipal Emergency Management Plan be received and noted.**
- b) **The Huon Valley Municipal Emergency Management Plan dated 20 June 2023 be endorsed.**
- c) **The Huon Valley Municipal Emergency Management Plan be distributed in accordance with the list contained in Table 11 Section 7.4 of the Plan.**
- d) **The Huon Valley Municipal Emergency Management Plan be communicated in accordance with Section 7.5 of the Plan.**

- e) **Arrangements in the Huon Valley Municipal Emergency Management Plan be validated within the two-year review cycle in accordance with Section 7.6 of the Plan.**

Councillors Doyle, Thorpe, Armstrong O'Neill, Jessop, Cambers-Smith, Temby and Burgess voted for the motion and no Councillor voted against the motion.

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ITEMS TO BE DEALT WITH IN CLOSED COUNCIL

19.033/23

RESOLVED

CR THORPE

CR CAMBERS-SMITH

That the meeting now be closed to the public as at 8.23pm pursuant to regulation 15 of the *Meeting Procedures Regulations* to discuss the following matters:

Matter	Local Government (Meeting Procedures) Regulations 2015
19.034/23* Confirmation of Minutes	Regulation 34(6) of the <i>Local Government (Meeting Procedures) Regulations 2015</i> . At the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as a true record by the council.
19.035/23* General Reports – Closed Council	Regulation 15(2)(i) of the <i>Local Government (Meeting Procedures) Regulations 2015</i> . Matters relating to actual or possible litigation taken, or to be taken, by or involving the council on the condition it is kept confidential.

CARRIED BY AN ABSOLUTE MAJORITY

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop, Cambers-Smith, Temby and Burgess voted for the motion and no Councillors voted against the motion.

Mayor Doyle advised that in accordance with *Huon Valley Council Audio Recording of Council Meetings Policy* recording of the open session of the meeting ceased at 8.24pm.

Coordinator Media and Communications K Davis left the meeting at 8.24pm.

Mayor Doyle adjourned the meeting for a short refreshment break at 8.24pm.

Mayor Doyle reconvened the meeting at 8.30pm.

20. OPEN COUNCIL

20.007/23

RESOLVED

CR CAMBERS-SMITH

CR ARMSTRONG

That the meeting now be open to the public as at 8.52pm.

Councillors Doyle, Thorpe, Armstrong, O'Neill, Jessop, Cambers-Smith, Temby and Burgess voted for the motion and no Councillors voted against the motion.

CLOSURE

The meeting closed at 8.52pm.

CONFIRMED

**CR DOYLE
MAYOR**



**HUON VALLEY
COUNCIL**

**SUMMARY OF REPRESENTATIONS
AND PLANNING AUTHORITY
RESPONSES TO THE DRAFT HUON
VALLEY LOCAL PLANNING
SCHEDULE**

**REPORT MADE UNDER SECTION 35F OF
THE *LAND USE PLANNING AND
APPROVALS ACT 1993***

ADDENDUM JULY 2023

Preamble

The Huon Valley Council continues our commitment to the LUDs process and understands that this will not directly influence the current LPS process. However, the Council continues to invest time and effort in defining the issues important for land use in the Huon Valley. As decisions are being made, we are committed to bringing them to the attention of the Commission, so that the Commission is able to consider these things within its own defined timeline for the Huon Valley LSP.

Two recent developments are submitted for your consideration:

1. HUON VALLEY FOOD RESILIENCE STRATEGY

At the June Meeting of Council the HUON VALLEY FOOD RESILIENCE STRATEGY. This document address a number of issues related to the productive use of rural land in the Huon Valley and how this forms part of our overall food resilience strategy. The strategy may be useful guidance when considering some of the representations before the Commission.

2. Motion on planning 13.008/23, May 2023 meeting

While Council has not been able to resolve the LUDs in time for the current LPS Hearings, the Council felt compelled to make some observations in relation to the rural character of the Huon Valley. It subsequently resolved the following motion.

Council restates our commitment to the broad rural character of the Huon Valley and acknowledge the Region's role in the State's economy as a leading rural LGA. We reiterate the principles defined in the forward of the 35F report and support the varied relationships that our residents and ratepayers have formed with their land and:

- *We restate our commitment to the varied lifestyle and subsequent land uses of the Huon Valley.*
- *We note and seek to continue the historical character of land use patterns, where rural and agricultural activities form a mosaic with natural areas, villages and dispersed Rural Living areas, that are in addition to our more urbanised town sites.*
- *We support the community's continued desire to use land for rural activities - as a lifestyle choice, an economic alternative for home-based earning and to operate legitimate and allowable rural businesses.*
- *We believe that the legal rural use of land is consistent with broader landscape values and does not require special zoning protection.*

- *We value the general landscape scene that we know, where valleys and hillsides display our productive and caring regard for this place, with treed ridgelines and distant mountaintops that provide a broader context for the place we live at the end of Tasmania.*
- *We support areas of special and unique scenic value being protected by the appropriate overlays and in some special cases this would include the use of the Landscape Conservation Zone.*

We acknowledge that while there are deficiencies in all zoning definitions and uses tables, the Agriculture, Rural and Rural Living zones are in keeping with the long-term strategic land use intent of this Planning Authority. We acknowledge the urgent need for the release of residential land to accommodate our growing community and contribute to reducing housing stress across Tasmania. We will plan for the sustainable growth of our towns, villages and rural living hamlets.

We acknowledge that many are attracted to our community because of the opportunity to purchase in Rural Living areas and that meeting this demand will be done through a strategic process that will release more Rural Living land as well as providing increased density in some rural living areas. This will be part of the strategic process currently underway and will include consultation with existing landholders in these areas.

Council is committed to the Strategic Land Use study currently underway and will expedite this to resolve long standing planning issues. We note that SGS consultants have provided a Huon Valley Consultation Discussion Paper, but stress that this is not the endorsed position of the Planning Authority. We note that this paper is focused on urban land use and does not explore the importance of the Rural Living Zone in the Huon Valley – and this does not mean that the Planning Authority does not consider this as an important land use application in the Huon Valley. The report does not discuss the importance of Rural land in its own right (as opposed to significant Agriculture Zone). We note that it does not adequately document major developments either proposes or approved around Port Huon and directs that a separate map be produced and added to the discussion document.

Furthermore, the Planning Authority directs that all future LUDS discussion documents will now be approval by the Planning Authority prior to public release.

Franklin Urban Development Area.

The Council, having considered the interest of the Franklin Community recommendations:

- The Franklin Urban Growth Boundary be limited to around the 20m contour line;
- Land between around the 60m and 20m contour line be considered for Rural Living A; and
- Land above around the 60m immediately behind the township of Franklin be considered for Rural Living B and / or Landscape Conservation Zoning.

Direction 37 30 May 2023	Annette Sugden and Dale Chatwin
Matters raised	<p>The representation objects to the property at 3770B Huon Highway, South Franklin (PID: 2296415; CT: 141133/2) being reclassified into half Rural Residential and half Landscape Conservation Zone.</p> <p>Representation general comments:</p> <p>The owners of this property object to the zoning proposals for the above property on the following grounds:</p> <ol style="list-style-type: none">1. The apportionment of the environmental living zone in the area does not align with the existing land use and vegetation cover. The land use on the hilltop covered by the zoning has been applied without finesse and includes houses, sheds, roads, and bare ground, none of which are environmental living. On our property, most tree cover is previously logged timber with an understorey of blackberries and eroded soil resulting from fire damage.2. The proposed zoning effectively eliminates the option of rural land use other than as tree cover. The State Government noted that ‘The Landscape Conservation Zone provides a clear priority for the protection of landscape values with residential development largely being discretionary’ and stated that ‘most of the property will be constrained’ and that ‘landscape and natural values will take precedence over residential use.’ Surely business and residential use is also important.

While our property is quite steep, our plan has always been to use this area for grazing following blackberry removal. This rezoning imposes a financial disincentive to do any pasture and weed control activities or manage erosion on sloping land.

3. As land holders, we are being asked to pay rates for a parcel of land we cannot use for rural production purposes.

If we are unable to use this land for rural production activities, we will be paying rates on a property that we cannot use for its intended purposes. Huon Valley Council have not offered any by-back scheme, rate reduction or compensation for this.

4. The proposed process is unrefined and inequitable e.g. Some land holders will have their land holdings locked up and others with similar tree cover will not.

Properties that may transition to this new zone currently have a legal right to either undertake rural business activities or to use land for residential purposes. The new Landscape Conservation Zone will change this, so that instead of serving the private interest, the land's new lawful purpose will be "To provide for the protection, conservation and management of landscape values" and any private uses such as for housing or business activities will become a "secondary consideration". This will obviously have significant impacts for those who have bought rural land to undertake business and/or housing activities in future. The blanket zoning proposed is both lazy and inequitable and needs to be reconsidered to accommodate actual vegetation and land activities, and real need.

5. The lack of initial consultation smacks of a directive approach to land management.

On something with such a significant impact on the community there needs to be extensive consultation with the landholders regarding the feasibility and practicality of such a zoning system. Land holdings are a large personal investment from landholders and impact on both lifestyle and economic feasibility. Under the former Huon Valley Council this has been sadly lacking and suggest a 'my way or the highway' approach to land management.

6. Fire management has not been prioritised for safety.

This area has already been burnt badly largely due to the easy transmission of flame across the ridge via the trees and understorey (all in the proposed Landscape Conservation Zone). This area has now grown back to a denser treed area and poses a real hazard to the soils, homes and vegetation on properties and requires additional diligence on the part of existing land holders.

If anything, the amount of fuel close to settled areas needs to be reduced, particularly following the extended period of rainfall and regrowth over the past five years.

The representor believes the proposed application of the Landscape Conservation Zoning to properties in the Huon Valley needs to be reconsidered and concerns of property owners addressed. They do not wish to make a presentation to the working group but would hope that this submission will be given due consideration by policy makers.



Figure 1. Site location and existing zoning

Planning Authority response

This lot is currently split zoned Rural Resource and Environmental Living and is proposed to be split zone Rural and Landscape Conservation in the LPS. The Planning Authority determined early in the preparation of the LPS that land currently zoned Environmental Living should transition into the Landscape Conservation zone (noting that the Environmental Living zone is not carried over to the State Planning Provisions). Accordingly, this cluster of lots were identified to go into the Landscape Conservation zone.

This area is substantially covered in native vegetation and located on a relatively steep slope, however given the patches of cleared land throughout this cluster, most lot's adjoining land proposed to go into the Rural zone and the native

	vegetation generally being covered by the priority vegetation overlay, the Planning Authority supports the subject site being entirely within the Rural zone. For zoning continuity, it is recommended that this entire cluster be zoned Rural and therefore names and addresses to the Commission will need to be provided.
Recommended action	Change FR 141133/2, 7899/4, 7899/5, 150198/2, 141133/2, 25049/1, 182420/1, 170385/2, 151133/1, 129856/3, 118121/1, 118120/1, 90774/1, 118121/2 to Rural in the draft LPS.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 38 30 May 2023	Lisa J. Britzman
Matters raised	<p>This representation requests 184 Lanes Rd, Glen Huon (PID: 7609855; CT: 42537/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ul style="list-style-type: none"> • The property has been operated as a commercial farm by us since 2010 and before this time it has been used for grazing for many years under rural zoning. • There is significant framing infrastructure in place - including commercial plantings of olives, lavender, and saffron and a shop/studio and bee apiary. • A successful farm studio is operated from the property with sales and farm tours being offered - in Feb 2023 Council has confirmed in writing that these are permissible and continuing uses. • The business operates under the brand Campo de Flori Farm & Studio

- We have invested considerable time and funds to develop and promote the brand.
- We make a modest income from the farm business.
- I also operate a ceramics studio and classes from the studio. While the building and kilns were approved through HVC planning and are all legal, I was unaware at the time that my ceramics business was classified as a discretionary use and required a craft permit. I am concerned that I cannot rely on existing use rights for the ceramics studio and moving to LCZ will make this a much harder use to have approved. The studio and other farming activities are related and are economically integral as one cannot financially operate without the other.
- We plan to further expand our business with additional plantings (both size and varieties of olives and lavender) and are concerned that any works considered as significant will trigger a Development Application that will be difficult under LCZ.
- Under RZ 1 we believe the Rural Zone should be applied as the property is not "not more appropriately included within the Landscape Conservation Zone".
- We also note that the zoning in the area is very mixed - adjoining our property is rural living, rural and LCZ. Almost all of the land further up the hill is Rural, as it is below us. The other title (CT 41147/2) below us also zoned LCZ but about 50% cleared and next to that (41147/3) is proposed for RL-A. While our property forms part of a broader LCZ cluster (Cannells Hill) our property is part of a lower feature (Lanes Hill) that is all proposed for Rural Zone - it is equally arguable that our property forms part of a Rural Cluster based around Lanes Hill and Lanes Road.
- Overlays protect the existing biodiversity issues on the property.
- The priority Vegetation report does not list any threatened vegetations species but rather the model is triggered by habitat ONLY for eastern quoll and Tasmanian devil.
- The existing bush land has also been grazed and thinned over time.
- As can be seen from Google Street view the feature is not easily seen from the road and does not have any particularly striking landscape features. Because of the typography any future rural building developments would also be difficult to see from the scenic route along Glen Huon Road.
- There are no particularly prominent scenic features that need protecting by the LCZ.



Figure 1. Site location and existing zoning

Planning Authority response

This lot is currently zoned Environmental Living. The Planning Authority determined early in the preparation of the LPS that land currently zoned Environmental Living should transition into the Landscape Conservation zone (noting that Environmental Living zone is not carried over to the State Planning Provisions).

The submission describes that the property has been operating as a commercial farm since 2010 which includes olives, lavender, saffron and bees with an associated shop and studio.

Around 14 ha of the approximate 21 ha site is covered in native vegetation that forms part of a larger contiguous bushland area; this native vegetation on the subject site is located on the steep part of the site, with the flatter areas of the site being used for rural purposes and associated development. The site shares a boundary with the rural zone to the west, south and east with the northern boundary sharing with the Rural Living zone and the Environmental Living zone on the northern boundary under the draft LPS.

	Given the size of the title, the current niche rural uses currently operating on the site and the limited connectivity with land zoned Landscape Conservation in the draft LPS, the entire site being zoned Rural is appropriate.
Recommended action	Change to Rural in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 39 30 May 2023	<p>Original representation: Caleb Elcock, Nathanael Elcock, Mark Jessop, Amy Robertson, Belinda Yaxley</p> <p>New representation: Huon Valley Zoning Association (HVZA)</p>
Matters raised	<p>The original representation shares concern about issues found in the LPS process. The Huon Valley Zoning Association provides further information.</p> <p>The new representation general comments:</p> <ol style="list-style-type: none"> 1. This representation is from Huon Valley Zoning Association (HVZA) who prepared a report of Critique of HVC's Draft LPS. This report is to show the Tasmanian Planning Commission the multitude of issues they found within the draft LPS and makes recommendations for principles and solutions which could achieve a more fair, feasible and evidenced outcome for the community. This report also identifies obvious mapping/GIS errors.

	<p>2. The representor states that council exhibited extraordinary amount of technical information (65 Appendices and a number of supporting reports, according to TPC's repository) for a community of mostly planning laity to even begin to comprehend within the statutory 60-day exhibition period. It is appreciated that Council petitioned the TPC for extensions to the exhibition period, which finally closed after 128 calendar days.</p> <p>3. The representor highlights that over four times the number of representations (417, Huon Valley Council) were received compared with the next highest LPS (104, Clarence City Council). This could be an indicator of Council not having applied zoning or overlays correctly, but many other factors could be postulated to this spike. Some of these could include exceptional community consultation throughout the process, unfounded community angst, a large population, a community that has a culture of engaging with Council programmes, or the majority of representations being made by Council or community groups.</p> <p>4. Critique on Council's process to apply the use of LCZ:</p> <ul style="list-style-type: none">• Representor is concerned about Council's criterion 1 does not meet LCZ (native vegetation and formed part of a large area of native vegetation). Representor states that council's method resulted in strange alignment of properties and spot zones and in far remote titles being zoned to Landscape Conservation Zone. This also resulted in titles which have almost no visibility from scenic corridors or population centres being zoned to Landscape Conservation Zone.• Representor raises concerns about there are titles zoned LCZ which the Huon Valley Zoning Association identified as Private Timber Reserves and or having a Forest Practice Plan.• The Council's criterion of a minimum 20ha is consistent with the Guidelines, however, this principle was not consistently applied (many titles include grouped did not meet this minimum). <p>5. Commentary on Council's draft LPS</p> <p>(a) Huon Valley Council has not reaffirmed use standard 22.5.1 P1 minimum lot size.</p>
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(b) Representor seeks a rationale of “Borders existing Environmental Management or Environmental Living Properties intended to transfer to LCZ.” Environmental Living Zone should be assessed and transitioned appropriately according to the most appropriate zone.

(c) Huon Valley Council provides a clarification or rationale of “if less than three adjoining properties, the total area of these properties is at least 20 ha”.

(d) HVC provide a rationale as to why Landscape Conservation Zone criterion

(e) Land where the priority is for residential use and development (see Rural Living Zone) was not addressed in the draft LPS.

6. Commentary on Council’s 35F statement

- Council is to provide sufficient reason for rezoning.
- Tasmanian Planning Commission is to give HVC appropriate guidance on the matter of applying the Landscape Conservation Zone.
- With regards to split zoning, the practice is generally regarded as a bad planning practice as it incurs costs, creates confusion, and does not sufficiently protect landscape values. It is a less effective and less than ideal planning mechanism especially when there is already an applied overlay that satisfies this aspect.

7. HVZA’s Process

Many titles zoned Landscape Conservation Zone are remote and are not significantly visible. As such a different approach needs to be taken to assess potentiality of titles going to Landscape Conservation Zone. Additional assessments need to be conducted to determine visibility, and to help with identification of titles.

8. Commentary on Environmental Living Zone Translation



- a. It is evident that additional analysis is required of the method used by the HVC to translate these properties across to the new Tasmania Planning Scheme. The HVC has also last minute added additional titles to be translated across in the ‘lost representations’ from the HVC. Some of these representations are not actually visible on the TPC website.
- b. The wide range of uses and intents of areas within the Environmental Living Zone present a challenge in disestablishing

	<p>the ELZ and converting it into relevant Codes under the SPP. Since, the overall intent is largely for small scale rural activities and or residential living.</p> <p>c. Three case studies highlight a multitude of issues. The case study of Eggs and Bacon Bay and Randall’s Bay highlights the HVC’s lack of analysis on a site which has a clear intent of Rural Living, Low visibility and viewership and little to no justification why this area is Landscape Conservation Zone. The case study of Glen Huon highlights areas existing in a Rural Living cluster with lower visibility/viewership. The case study of Surges Bay highlights Council’s incorrect justification of Landscape Conservation plus the area has been for the most part transitioned into the LPS’ Rural Living Zone. These three case studies show that the HVC has not done the relevant groundwork in determining if titles should be Landscape Conservation Zone.</p> <p>9. Commentary Rural Land uses to Landscape Conservation</p> <p>i) Reviewing some other councils’ interpretation, it is evident that other Councils have considered that Rural Zone for the most part is the most comparable zone. Clarence City Council made mention of “like for like” conversion of the existing zones, and in reading the 35F report there are multiple town planners / planning agencies which reference this concept.</p> <p>ii) A number of case studies show that they are being zoned to Landscape Conservation: titles having timber reserves; titles having a Forest Practice Plan; titles with large clearing; sawmill; airport. There are many titles that have been incorrectly transitioned away from Rural land uses to Landscape Conservation. These issues are endemic within the draft LPS with regards to Landscape Conservation.</p> <p>10. Representor uses case study of Agriculture titles being zone to Landscape Conservation to demonstrated that existing use of the land must not be compromised for agriculture based on State Protection of Agricultural Land Policy. Case study of Industrial being zoned to Landscape Conservation, which the title does not meet the Council’s</p>
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	<p>own criteria of 80% coverage as most of the site is being used for industrial uses. It is also not visible from any scenic protection overlay.</p> <p>11. Approximately 70 titles are spot zoned, and with the 35F report changing a significant amount, there are more spot zones that will become apparent. There is a lot of potential for more spot zones as the HVC has potentially zoned Landscape Conservation on large groups of titles which may not be appropriate. When titles are assessed and potentially rezoned this will also yield more spot zones causing additional work and checks to fix the newly created sport zones.</p> <p>12. Split zones should be reassessed. With the HVC proposing an increase in the potentiality of split zones in the 35F there is the possibility of more inappropriate splits which can create additional administrative burdens.</p> <p>13. Recommendation</p> <ul style="list-style-type: none">i) HVC manually reviews every title zoned LCZ in the context of the title itself and not surrounding or adjoining titles for significant visible landscape values in consultation with the title holder. The LCZ only applied to titles following strict guidance from the TPC (TPC provides a decision tree or matrix).ii) Ground truthing has to be paramount and no modelling is allowed as justification. Modelling should be only used as an indicator to trigger investigation. One report is recommended/required per title. (Part of the draft LPS requires substantial modification).iii) LCZ is not applied to any title except for the titles in enclaves within the Environmental Management Zone where HVC undergoes a Landscape Strategic Assessment using third party assessors and or in combination with suitably qualified staff with the exclusion of parties initially involved in the creation of the Draft LPS.iv) After the Landscape Strategic Assessment has been completed, HVC can revisit applying LCZ on titles where appropriate, following strict guidance from the TPC and title holder consultation. (Part of the draft LPS requires substantial modification).
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	<p>v) The TPC takes over the LPS process, where Council is no longer a planning authority in this matter and only can make representations on their own titles. (Draft LPS is rejected).</p>
<p>Planning Authority response</p>	<p>The Planning Authority appreciates the thorough analysis and critique of the (LPS) and the concerns Huon Valley Zoning Association (HVZA) raised regarding the zoning application and other aspects.</p> <p>This S35F Report has been prepared for submission to the Tasmanian Planning Commission (the TPC) in accordance with the requirements of section 35F of the <i>Land Use Planning and Approvals Act 1993 (the Act) and Section 8A Guideline No. 1 - Local Provisions Schedule (LPS): zone and code application.</i></p> <p>Since the development of S35F report, the Planning Authority acknowledges the challenges in applying the Landscape Conservation Zone (LCZ) and Agriculture Zone in the Huon Valley due to unique characteristics of the region, such as topography, land title structure, historical land use, and the proximity of urban, farming, and agricultural areas to native vegetation.</p> <p>Considering the above factors, the Planning Authority developed a set of principles which can be found on the cover page of the January S35F report. These principles are constantly applied in LPS hearings in order to ensure a fair and appropriate zoning outcome for the Huon Valley community.</p>
<p>Recommended action</p>	<p>No modification to the draft LPS is required.</p>
<p>Effect of recommended action on the draft LPS</p>	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
<p>Meets LPS criteria</p>	<p>The Planning Authority recommendation meets the LPS criteria.</p>

<p>Direction 40 30 May 2023</p>	<p>Leprena Trust</p>
<p>Matters raised</p>	<p>The original representation requests PID: 5268145; CT: 203411/1 at Sullivans Point, Recherche Bay be zoned Rural rather than Environmental Management and a Scenic Protection Area be applied over part of the Southport Conservation Area (includes State and National Heritage listed areas) and adjoining private land.</p> <p>The representor provides new submission after hearing on 4th May 2023</p> <p>The new representation general comments:</p> <ol style="list-style-type: none"> 1. The Leprena Trust submits a report that is prepared by Dr Jason Whitehead to provide supporting evidence for the Huon Valley Council and Tasmanian Planning Commission to recognize the proposed <i>Blackswan Lagoon Scenic Protection Area's</i> scenic values. 2. The proposed Blackswan Lagoon Scenic Protection Area occurs within the Environmental Management Zone within the draft Huon Valley Council Local Planning Schedule and does not conflict with this. 3. The Scenic Protection area application may only be a minor amendment and not require re-advertising of the draft LPS. 4. Prior recognition of Scenic Value <ul style="list-style-type: none"> • Whilst the National Heritage Listing acknowledges the importance of the undeveloped character of the landscape, and the National Heritage management principles are set out in the regulations (schedule 5B) of the Environment 7 Protection and Biodiversity Conservation Act 1999 (EPBC Act). There is no National Management Plan for the area, and as such no clear guidance on protection of the areas scenic values that have been recognised, which demonstrates the need for the proposed Blackswan Lagoon Scenic Protection Area. 5. Assessment of Scenic Value identified through: <ul style="list-style-type: none"> • Landform Features • Vegetation Features • Waterform Features • Cultural Heritage Features

	<ul style="list-style-type: none"> • Native Wildlife Features <p>6. The report applies ‘Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code’ and ‘A Manual for Forest Landscape Management (Chapter 2)’ as justifications of Blackswan Lagoon Scenic Protection Area proposal.</p> <p>7. Visual sensitivity maps and photos have attached within the report (Appendix 1).</p>  <p>Figure 1. Site location and existing zoning (PID: 5268145)</p>  <p>Figure 2. Site location and existing zoning (Proposed Scenic Protection Area)</p>
<p>Planning Authority response</p>	<p>In principle, the Planning Authority doesn’t object to the application of the Scenic Protection Overlay applying as identified in the submission. Further work is required on the description, scenic value, and management objectives as proposed in the submission that would apply to the Blackswan Scenic Protection Area.</p> <p>It is further highlighted that the scenic protection overlay applies to land managed by Parks and Wildlife Service – notification of the scenic protection overlay to their land is required.</p>
<p>Recommended action</p>	<p>Support the application of the Scenic Protection Overlay applying as identified in the submission.</p>

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 41 30 May 2023	<p>Original representation: Jennifer Cambers-Smith</p> <p>New representation: Chris and Winsome Duggan</p>
Matters raised	<p>The original representation was made by Jennifer Cambers-Smith (not the landowner) requests Lot 3 Liddells Road, Crabtree (PID: 9710591; CT: 183274/1, 183274/2, 183274/3 and 183274/4) be zoned Landscape Conservation rather than Rural.</p> <p>The owner of Lot 2, Liddells Road, Crabtree (CT: 183274/2) provides new submission to responding to original representation 247 made by Jennifer Cambers-Smith and object to the rezoning of LCZ.</p> <p>New representation general comments:</p> <ol style="list-style-type: none"> 1. The owner of Lot 2 states that they are all more aware of the need for more housing and home care of our elderly, the “rural zoning” around Tasmania in no small way can assist this further growing problem. 2. The owner of Lot 2 believes that Rural Zoning unlike Land Conservation Zone allows for (almost) any sized or designed home. Rural Zoning is more flexible than LCZ. <ol style="list-style-type: none"> a) Rural Zoning allows visitor accommodation or bed and breakfast, cottage accommodation, cabin etc. b) Rural Zoning allows for farm machinery shed, workshops etc. c) Rural Zoning allows for lots of small or larger growing pursuits, cattle, sheep, chooks, goats and crops to enable a more family organized self-sufficiency. 3. The owner of Lot 2 asserts that one of the most obvious restraints would be under LCZ you cannot have, create or build any separate residing structures for ancillary, cabins, bed and breakfast, farm stay etc.

4. The owner of Lot 2 also states that land is not steep (photo available), not wet at all, good sandy loam, no massive rocky outcrops, no rough terrain but does have some good forest.




Figure 1. Site location and existing zoning (Original representation)



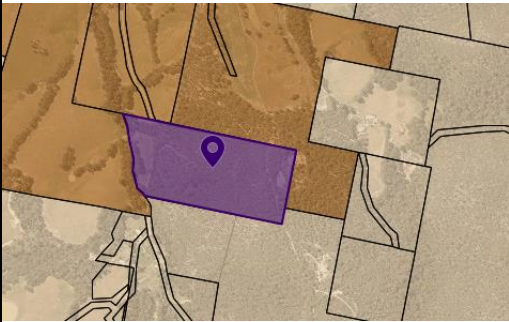
Figure 2. Site location and existing zoning (New representation: CT: 183274/2)

<p>Planning Authority response</p>	<p>The land is surrounded by properties largely zoned Rural under the proposed LPS. Land to the East and adjoining Russell Ridge Conservation Area is zoned LCZ. The properties have been variously cleared over time. The properties hold no Landscape features that are particularly noteworthy. The vegetation cover can be protected by a priority vegetation overlay. No further comment on the submission.</p>
<p>Recommended action</p>	<p>Return to the original LPS result – zone Rural.</p>
<p>Effect of recommended action on the draft LPS</p>	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
<p>Meets LPS criteria</p>	<p>The Planning Authority recommendation meets the LPS criteria.</p>

<p>Direction 42 30 May 2023</p>	<p>Original representation: Jennifer Cambers-Smith</p> <p>New representation: landowner Jerry Smutny</p>
<p>Matters raised</p>	<p>The original representation requests 80 Mitchells Road, Crabtree (PID: 7609775; CT: 247721/1) be zoned Landscape Conservation rather than Rural.</p> <p>The owner of 80 Mitchells Road, Crabtree (CT: 247721/1) provides a new submission to respond to original representation 393 made by Jennifer Cambers-Smith.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> 1. The owner of 80 Mitchells Road is not supportive of changing the zoning of his property from Rural Zone to Landscape Conservation Zone. 2. The owner disagrees with the original representation on bushland which was not included in HVC's biodiversity protection area and priority vegetation. The areas highlight by the original representation to be included in the priority veg overlay are cleared areas of land with some trees left remaining. 3. Lower left region of the highlighted areas the original representation is stating is 'priority vegetation' is very clearly cleared land with some low-lying shrubs. It is overreaching to attempt to classify this as priority vegetation. 4. Considering that the LCZ's main priority is to provide the protection, conservation and management of landscape values, the owner asserts that his land at 80 Mitchells Road cannot be seen openly by large areas of the surrounding community, nor does it have significant landform features. 5. Impacts of Landscape Conservation Zone on owner's land: <ol style="list-style-type: none"> a) Unnecessary building restrictions: the owner's primary concern is that the building requirement of the LCZ may prevent him and his children from building or extending the current home to be suitable of a family residence.


	<p>b) Significantly reduced usage: business-related uses have reduced drastically and are all listed as discretionary.</p> <p>c) Reduced property value: the value of owner’s property is likely to decrease significantly if zoned LCZ.</p> <p>d) Inability to borrow funds to build, or to refinance if needed: many mainstream banks have advised that for finance to be provided, banks need to confirm that the property zoning support residential use as permitted use.</p> <p>6. The owner believes that his title falls within the Section 8A guidelines for Rural Zoning. In the Draft Huon Valley Local Planning Schedule his property was zoned as Rural. It was not until a representation was made by a neighbor, and unknown to him, did the planning authority decide to change their opinion of what his land should be zoned as.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>This site is zoned Rural Resource under the interim planning scheme, Rural in the draft LPS. The land does not reach the 80% native vegetation coverage but was considered in the 35F report to be zoned Landscape Conservation due to the site being steep and contributing to a larger, contiguous bushland area connecting into the Russell Ridge Conservation Area.</p> <p>Parts of the land generally cleared, on the lower part of the site and containing buildings and infrastructure. Split zoning south of the 340 m contour was considered to be zoned Rural and the remainder zoned Landscape Conservation, but this runs the risk of creating spot zoning depending on other Commission decisions.</p>
<p>Recommended action</p>	<p>That the entire title be zoned Rural. But that split Rural zoning from the 340 m contour maybe an acceptable solution depending on the final Commission decision on other nearby representations.</p>

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 43 30 May 2023	Lynette Goodwin
Matters raised	<p>This representation objects to 21 Grandmere Road, Upper Woodstock (PID: 2519172; CT: 205708/1 being zoned as Landscape Conservation.</p> <p>Representation general comments:</p> <p>It has previously been a sand quarry and is currently under regeneration:</p> <ul style="list-style-type: none"> • It has been extensively logged for timber • It is less than 20 hectares (Planning Authority Guideline) • The adjoining block of land also proposed LCZ is part of a larger Crown Land parcel and not a separate title as shown, if this Crown Land block is included with mine it still fails to reach 20 hectares and is not considered as a group. • This property has no landscape value as it cannot be seen from any major road, highways or scenic routes. <p>The owner hopes this email will suffice, as they have had no success in searching websites for an appropriate form.</p>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>This site is currently in the Rural Resource zone, is approximately 12 ha in size, is reasonably steep (around 12 degrees) and is substantially covered in native vegetation. The site is proposed to be in the Landscape Conservation zone due to the site characteristics; the site is almost entirely covered by the priority vegetation overlay in the draft LPS.</p> <p>The site adjoins a large parcel of land owned by Natural Resources and Environment (NRE) with most of the site in the Rural zone other than a small area being split zoned into Landscape Conservation. Even with this small area this cluster of Landscape Conservation zoned land is only two lots and is less than 20 ha in size, accordingly, it is proposed for this area of land zoned Landscape Conservation to be in the Rural zone in the LPS.</p>
Recommended action	Change FR 205708/1 to Rural under draft LPS.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 44 30 May 2023	Rachel Foster
Matters raised	<p>This representation objects to 5 Liddells Rd, Crabtree (PID: 9546408; CT: 183274/5) being zoned as Landscape Conservation.</p> <p>Representation general comments:</p> <p>When the owner purchased Lot 1 Liddells Rd in Dec 2021, it was zoned rural residential & since then have received no communication from HVC that it would change. They live on the aged pension & work part time and this land is their superannuation which was used to purchase it believing it would be a long-term investment & recreational space for their children & their families. They all love to spend time there; treasure it & hope they can continue to enjoy it while it remains an asset. The time will come when the owner may need to sell to allow them a</p>

	<p>comfortable retirement when they can no longer work & need to utilise this to supplement the pension. They hope the original zoning can be restored.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The submission is not clear in terms of the zoning request under the draft LPS nor is it clear whether there is an objection to the proposed zoning of Landscape Conservation. The site is currently zoned Rural Resource and therefore in terms of zoning options for the site under the LPS, it is generally Rural, Agriculture or Landscape Conservation. Due to the site being substantially covered in native vegetation, being steep and forming part of a large contiguous bushland area, the site has been zoned Landscape Conservation.</p> <p>The Planning Authority supports split zoning, the lower triangular part of the title being substantially cleared of native vegetation and adjoining land to be in the Rural zone, it is proposed that the area of the site below the 320 m contour being in the Rural zone with the remainder of the site being in the Landscape Conservation zone.</p>
<p>Recommended action</p>	<p>The Planning Authority supports split zoning, the lower triangular part of the title being substantially cleared of native vegetation and adjoining land to be in the Rural zone, it is proposed that the area of the site below the 320 m contour being in the Rural zone with the remainder of the site being in the Landscape Conservation zone.</p>
<p>Effect of recommended action on the draft LPS</p>	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
<p>Meets LPS criteria</p>	<p>The Planning Authority recommendation meets the LPS criteria.</p>

Direction 45 30 May 2023	Mike Stainer
Matters raised	<p>This representation objects to 42 Huon View Road, Lower Longley (PID: 2579204; CT: 142338/3) being zoned as Landscape Conservation.</p> <p>Representation general comments:</p> <p>The owners bought 42 Huon View Road in 2019 and part of the decision to buy and subsequently invest in this property was based on a clear understanding of their rights to use the property to meet our medium- and long-term goals. This includes the development of small-scale agriculture to support themselves as they move into retirement. The zoning as Rural Living was fundamental to this.</p> <p>Since then, through 2021 and 2022 they have invested circa \$1m into the property including establishing a new driveway and extending and renovating the house (all with necessary council permissions) and have now moved onto landscape development activities. This investment has also included purchasing a tractor and associated implements to support their long planned next phase of activity.</p> <p>When assessing how to move to the standardised Tasmania-wide zoning they believe it was the intent and should be incumbent on the council to move to the most similar new zone rather than just determining what they would like a zone to be irrespective of the impact on those who already live and have invested in the impacted zones.</p> <p>Table 6 in LPS-HUO-TPS makes clear that the appropriate mapping for Rural Living Zone is to Rural Living Zone.</p> <p>A change from IPS Rural Living to Tasmanian Planning Scheme Landscape Conservation Zone involves a sudden and significant removal of rights with clear impacts including a reduction in land and property value through a loss of amenity. That this should (must) be reflected in reduced land and property taxes is small compensation for this loss of amenity.</p>

With regard to loss of value, the Huon Valley Council response which is similarly misleading. To suggest that the change to LCZ does not impede development is clearly false (otherwise why bother re-zoning from Rural Living to this LCZ). Whilst it may be technically true that similar activities could take place, the owners suggest that the hurdles to be able to clear some land to create a paddock (for example) are likely to be immense - after all, protecting the landscape values is the main objective of this zone.

The owners purchased this land and made significant investments on the basis of a personal plan for the property which is now significantly undermined by Council proposal.

The significant removal of use rights after purchase and investment cannot be right and cannot be appropriate. This would be like buying some land with planning permission in place and then the Council saying 'sorry we've changed our mind' after you buy, wiping out significant value.

It must be possible for someone making a land or property buying decision to do so with confidence on what they can and cannot do on that property. If the Council can remove key rights and value at the stroke of a pen this undermines that fundamental basis for making significant financial decisions.

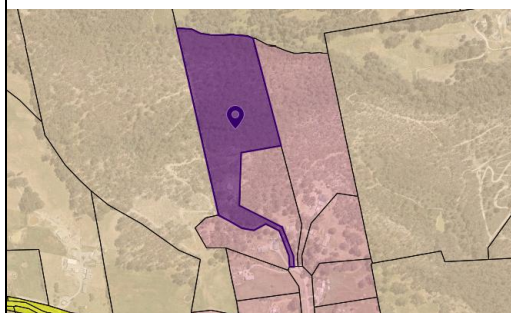


Figure 1. Site location and existing zoning


<p>Planning Authority response</p>	<p>There is a cluster of lots currently zoned Rural Living proposed to be in the Landscape Conservation zone in the draft LPS. These three lots include 42 Huon View Road, Lower Longley (5.94 ha), 39 Huon View Road, Lower Longley (5.61 ha) and 41 Huon View Road, Lower Longley (2 ha). Each of these lots contain a single dwelling (on the lower, flatter part of the sites), are substantially covered in native vegetation, form part of a larger bushland area and contain steep slopes.</p> <p>Submission 10 requests that the zoning of 42 Huon View Road, Longley remain in the Rural Living zone. Given each of these lots contain a single dwelling and the Rural Living zone allows for a lower intensity of use providing for residential use or development in a rural setting where existing natural and landscape values are to be retained and agricultural use and development does not adversely impact on residential amenity, the Planning Authority supports all three lots going into the rural living zone with the following subzone to limit any further subdivision:</p> <ul style="list-style-type: none"> • 42 Huon View Road, Longely, FR 142338/3 – Rural Living Area C • 39 Huon View Road, Lower Longley FR 133552/9 – Rural Living Area C • 41 Huon View Road, Lower Longley FR 10561/8 -Rural Living Area B <p>Need to confirm and notify all landowners affected.</p>
<p>Recommended action</p>	<p>Change 42 Huon View Road, Longely, FR 142338/3 to Rural Living Area C in draft LPS.</p> <p>Change 39 Huon View Road, Lower Longley FR 133552/9 to Rural Living Area C in draft LPS.</p> <p>Change 41 Huon View Road, Lower Longley FR 10561/8 to Rural Living Area B in draft LPS.</p>
<p>Effect of recommended action on the draft LPS</p>	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
<p>Meets LPS criteria</p>	<p>The Planning Authority recommendation meets the LPS criteria.</p>

Direction 46 30 May 2023	Craig Jessep-Pond and Matt Williams
Matters raised	<p>This representation requests 264 Cloverside Road (PID: 2811982; CT: 152022/2) be zoned as Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <p>The owners believe that the more appropriate zone of Rural should be applied to the entirety of their title - because the said property does not meet the Landscape Conservation Zone criteria but meets the criteria for Rural Zone under State Planning Provisions – Tasmanian Planning Scheme 2020 V3 (as at 19th February 2020) (TPS) which supports the Southern Tasmania Regional Land Use Strategy 2010–2035.</p> <p>Specifically, the Rural Zone criteria corresponds with the land characteristics, surrounding similar zoned folios, historical use and alteration of the land and recognised land improvements.</p> <p>The owners believe this might have been segregated from the larger parcel in error, and zoned differently, in error.</p> <p>This portion of their property has no evidence of threatened species existence and no verified evidence of threatened vegetation communities. I consider the rezoning in the absence of any identified values that are not already protected by legislation under the RMPS and the Scenic and Natural Assets Codes.</p> <p>This small parcel of land also lacks the criteria of scenic protection being completely hidden from view except from Cloverside Road and their own house. They were not consulted directly on any proposed split zoning as proposed in the TPS.</p>



Figure 1. Site location and existing zoning

<p>Planning Authority response</p>	<p>This lot is currently split zoned Rural Resource and Environmental Living and is proposed to be split zone Rural and Landscape Conservation in the Huon Valley LPS. Council determined early in the preparation of the LPS that land currently zoned Environmental Living should transition into the Landscape Conservation zone (noting that Environmental Living zone is not carried over to the State Planning Provisions). Accordingly, the area of the lot that is currently zoned Environmental Living is identified as Landscape Conservation in the draft LPS. Given this area of the lot is substantially cleared of native vegetation and forms part of a lot that will mostly be in the Rural zone, the Planning Authority supports the entire lot being zoned Rural.</p>
<p>Recommended action</p>	<p>Change to Rural in draft LPS.</p>
<p>Effect of recommended action on the draft LPS</p>	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
<p>Meets LPS criteria</p>	<p>The Planning Authority recommendation meets the LPS criteria.</p>

Direction 47 30 May 2023	Gayle O'Brien
Matters raised	<p>The representation requests 125 Bakers Creek Rd (PID: 7716503; CT: 232815/1) be zoned Rural Living Zone or Low-Density Residential Zone rather than Rural.</p> <p>Representation general comments:</p> <p>I'm writing to you as there were a couple of points that I felt needed clarifying that I didn't get an opportunity yesterday to do due to a sense of time constraints.</p> <p>Also, it was mentioned by a member of the Panel that my submission included an application for my property to be zoned as Low Density Living (LDZ). My Submission was provided to Council on the 25th of May 2022 and at the time of preparing my Submission my property complied with the guidelines for LDZ. By the time of the Hearings in May 2023 the definition of LDZ had changed, hence why I did not pursue that at the hearing. However, this change in zoning definitions has made the process difficult due to changing parameters.</p> <p>Given the above, if the Commission deems that my property would be more suitable for LDZ I would be amenable to that change, and it would still comply with the strategic goals of the Huon Valley Council goals of consolidation of zoning. The points raised in my submission would also apply to the application for LDZ.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	There are no further comments other than what is stated in S35F report.

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

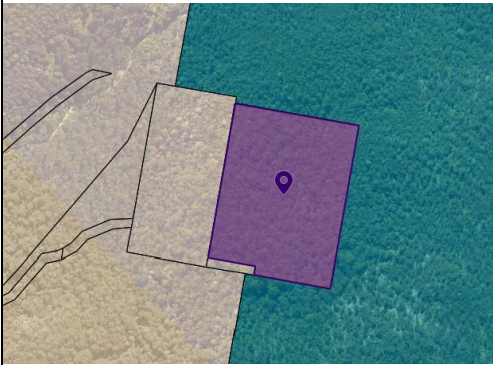
Direction 48 30 May 2023	Robert and Thu-Ka McKenna
Matters raised	<p>The representation requests 2438 Huon Highway, Huonville (PID: 3108834; CT: 64394/4) be zoned Rural or Low-Density Living rather than Agricultural.</p> <p>Representation general comments:</p> <p>The block is adjacent to several existing residential sub-divisions and within a few hundred metres of the proposed roundabout for the new Huon Link Road. This block of land is only approximately 2 hectares in area and is currently zoned Agriculture.</p> <p>In the owner's opinion, it is too small to conduct any viable agricultural enterprise on its own, and they wish to apply to have the block rezoned as Rural or Low-Density Living.</p> <p>They would argue that Rural Zoning would be a better fit given its proximity to the Huonville township and that the restrictions of its small size would better suit a small rural business such as a Veterinary Hospital, storage facility or farm supplies to support local commercial activity.</p> <p>They, therefore, seek to have this block rezoned under the new Local Provisions Schedule.</p>



Figure 1. Site location and existing zoning

<p>Planning Authority response</p>	<p>Change of zoning to Rural or Low-Density Living for this title is not supported for the following reasons:</p> <p>It is well connected to land that supports orchards to the north and northeast.</p> <p>There are also orchards to the SE on the opposite side of the Huon Highway. This title and the adjacent title to the SW (CT 165247/1) provide connectivity between the orchard activity on Ag zoned land to the NW and SE.</p> <p>There are no non-agricultural developments on the title and the characteristics of the land and surrounding land use suggest it is suitable for orchards if farmed in conjunction.</p> <p>The importance of orchards in the Huon valley to the State's agricultural output and the proximity to commercial scale orchard activity should be noted.</p>
<p>Recommended action</p>	<p>The title be zoned Rural</p>
<p>Effect of recommended action on the draft LPS</p>	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
<p>Meets LPS criteria</p>	<p>The Planning Authority recommendation meets the LPS criteria.</p>

<p>Direction 49 30 May 2023</p>	<p>Thomas Mistry</p>
<p>Matters raised</p>	<p>The representation requests 136 Rocky Creek Road, Crabtree (PID: 9710592; CT: 252686/2 and 168351/2) be zoned Rural rather than Landscape Conservation.</p>

	<p>Representation general comments:</p> <p>The changing of the properties zoning from Rural to Landscape Conversation Zone is highly erroneous and negatively impactful to the properties' value, possible uses and detracts from the already existing productive value of the land.</p> <p>There are also a number of properties around this property which have rural zoning under this new scheme.</p> <p>The owner understands that the natural landscapes have visual appeal and value and that this is important for attracting visitors and tourists to the region.</p> <p>However, this goal must be balanced with the much more prevalent and immediate needs of the people that live in the region. If the LCZ is applied in the way that you are proposing, then you are going to directly impact the current communities' ability to live and get by.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is currently zoned Rural Resource and is proposed to be in the Landscape Conservation zone in the draft LPS. Submission 13 requests that the site goes into the Rural zone in the Huon Valley LPS. The site is substantially covered in native vegetation, including (as per TasVeg 4.0) Eucalyptus globulus dry forest and woodland – a threatened vegetation community. The site is steep and forms part of a larger contiguous bushland area that adjoins Wellington Park. The site is most appropriately zoned Landscape Conservation.</p>

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 75 30 May 2023	Department of State Growth
Matters raised	<p>The representation requests proposed Huon Link Road alignment, between Sale Street to north of Skinners Creek be zoned Utilities.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> 1. State Road Network <ol style="list-style-type: none"> i) Zoning of the State Road Network <ul style="list-style-type: none"> • Consistent with UZ 1 of Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application (the ‘Guidelines’)¹, the vast majority of State Roads have been zoned Utilities, based on the State Road Casement layer published on the LIST. • For the most part, State Growth supports Council’s mapping of the Utilities Zone where it varies from the State Road Casement layer. • A number of maps attached with layer of State Road Casement to support the request for Utilities zoning. ii) Particular Purpose – Future Road <ul style="list-style-type: none"> • A portion of the proposed Huon Link Road alignment, between Sale Street to north of Skinners Creek, has been identified in both the Huon Valley IPS and draft LPS and zoned accordingly as Particular Purpose – Future Road Corridor. • A development application for the Huon Link Road is currently being assessed by Council. As the land will form part of the State Road network, representor requests that the proposed Huon Link Road

alignment be zoned Utilities in the LPS or as otherwise approved by the development application.

- As the development application allows affected landowners and the public to comment on the project, representor is not of the opinion that zoning of the Huon Link Road to Utilities should be considered a substantial modification. Rather, it is anticipated that through finalisation of the LPS, Utilities zoning of the Huon Link Road as Utilities will represent an accurate reflection of the approved development.

iii) Application of Road and Railway Attenuation Area

- Representor supports Council's approach to rely on the written application of the Road and Railway Attenuation Area provisions, rather than applying the Attenuation Area via overlay mapping.

2. Mineral Resources

a. There are 15 granted mining leases across the Huon Valley municipality. All leases are for Category 3 minerals (construction minerals). Mining lease 2M/2013 at Eddy Creek also provides for extraction of Category 5 minerals ((a) industrial mineral).

b. Construction mineral mining leases play a key role in supporting the local and regional building and construction industries and provide key materials for road construction and maintenance.

c. Comments on specific mining leases.

- Mining Lease 2M/2013 - The mining lease area is proposed for the Rural Zone under the draft LPS and will be surrounded by the Environmental Management Zone. While the Rural Zone is appropriate for the current use, there are implications for the land once mining ceases and the area rehabilitated given that expectations are that the land would be incorporated into the World Heritage Area.

- Recommendation - the zone revert to the Environmental Management Zone or the Landscape Conservation Zone if the cessation of mining occurs prior to the draft LPS being finalised.

	<ul style="list-style-type: none">• Mining Lease 1719P/M - the land parcel immediately to the south of the lease (folio of the Register 158504/27) is proposed to be within the Landscape Conservation Zone. This represents a change from the Rural Resource Zone under the current interim planning scheme.<ul style="list-style-type: none">• Recommendation - the land be revised to the Rural Zone.• Mining Lease 1148P/M – the land (folio of the Register 157841/1 and 157841/2) and surrounding area is currently within the Rural Resource Zone under the interim planning scheme. Under the draft LPS, the mining lease will be within the Rural Zone, however land to the north and east will be within the Landscape Conservation Zone.• Mining Lease 1915P/M – the land subject to the mining lease (folio of the Register 66677/1) and surrounding land is currently within the Rural Resource Zone under the interim planning scheme. Under the draft LPS the mining lease will be within the Rural Zone, however the land to the north, south and east will be within the Landscape Conservation Zone.• Mining Lease 1797P/M – the land (folio of the Register 126703/12) is currently within the Rural Resource Zone under the interim planning scheme. Under the draft LPS, the land is to be split zoned, with the Rural Zone applying to the western part that contains the mining lease, and the remaining part within the Landscape Conservation Zone.<ul style="list-style-type: none">• Recommendation for Mining Lease 1148P/M, Mining Lease 1915P/M, Mining Lease 1797P/M - the Rural Zone over the three mining leases described above is supported, however the adjoining land (and remainder of folio of the Register 126703/12) within the Landscape Conservation Zone, should be revised to the Rural Zone.
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<p>Planning Authority response</p>	<p><u>State Road Network</u></p> <p>Re-zoning the land that has been approved for the Huon Link Road (under DA-337/2022) as Utilities Zone from Particular Purpose – Future Road is acceptable to HVC.</p> <p>The permit has been issued for the route (and subject to a mediated outcome at Tribunal) will be developed in this location (as per the detailed engineering design plans that were endorsed under this permit.</p> <p><u>Mining Lease 2M/20013</u></p> <p>The Planning Authority supports zoning of the land to be within the Environmental Management Zone, given it is surrounded by the Tasmanian Wilderness World Heritage Area, it is currently zoned Environmental Management, and the lease is due to expire in June 2025.</p> <p><u>Mining Lease 1719/M</u></p> <p>FR 158504/27 is substantially covered in native vegetation, contains a prominent topographical feature of Wallis Hill, sits directly above the Huon River and forms part of a contiguous bushland area. The application of the Rural Zone (RZ1) specifically requires consideration of whether the land is more appropriately included in the Landscape Conservation zone. Due to the landscape values afforded by the site, only small-scale use and development is appropriate, including having regard to the location and design. Accordingly, the most appropriate zone is Landscape Conservation.</p> <p><u>Mining Lease 1148P/M</u></p> <p>The land to the north and east of FR 157841/1, which contains the subject mining lease has been zoned Rural under the LPS. In terms of opportunity for expansion, the mining lease itself is approximately only half of the FR with land to the west and south also zoned Rural. The most appropriate zone for the land to the north and east is Rural.</p> <p><u>Mining Lease 1915P/M</u></p> <p>The land is currently zoned Rural in the draft LPS. The surrounding land referred to is steep, contains ridgelines and steep slopes, is substantially covered in native vegetation and forms part of a larger bushland area which is most</p>
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appropriate zoned Landscape Conservation. Land to the North of the site is zoned Rural. This title is most appropriately zoned Rural Zone.

Mining Lease 1797P/M

The site has been split zone to provide the currently use as a quarry in the Rural zone. The remaining land contains multiple ridgelines and valleys, is steep, substantially covered in native vegetation and forms part of a larger bushland area adjoining the Snug Falls State Recreation Area The proposed split zone of Rural and Landscape Conservation is appropriate.

State Growth amendments to the Utilities zoning for the Tate Road Reservation

Huon Highway near FR 173369/2

The Planning Authority has no concerns with correcting any missing layers from the acquisition areas and applying the Utilities Zone in this location and any areas of Crown Land acquired for the road purposes as well as excluding any portions that are on private property that are not required.

Wooden Boat School near FR 241803/1

No concerns with the proposed western boundary of the Wooden Boat School lease along the Franklin Foreshore or the zoning of that portion of the land to Utilities Zone to the State Road reservation at the Wooden Boat School. The Utilities Zone under the LPS should reflect the State Road reservation as defined with CLS at the Wooden Boat School in Franklin.

Huon Highway FR 207962/1


No Concerns with the whole of this parcel CT- 207962/1 being zoned Utilities.

Huon Highway FR 150052/2, FR 150052/1, FR 148016/1

No concerns with the portions of the above Titles that have been acquired by State Roads, being zoned Utilities.

	<p>Glen Huon Road near FR 138886/2</p> <p>No concerns with the portions of the above Title that have been acquired for the purpose of road reservation, being zoned Utilities.</p> <p>Glen Huon Road and Sunny Hills Road and FR 141214/1</p> <p>No concerns with the Utilities Zone extending across the junction with Sunny Hills Road, based on acquisition boundaries.</p> <p>As dwelling and outbuildings on CT 141214/1 are located within the State Road reservation, the location of the reservation boundary and Utilities Zone can be amended to reflect the existing fence line.</p> <p>Junction at Glen Huon Road and Crane Road</p> <p>As State Growth and NRE Tas have negotiated split management jurisdictions, the State Road Reservation in this area can be defined as per the green dashed line, which can be supplied by State Growth. The zoning will remain Utilities.</p> <p>Ferry Road near FR 114688/1</p> <p>The Crown Land CT-114688/2 does not need to be zoned Utilities for the purpose of the State Road network. As a road reservation that is a Council Road is located in this CT, it is appropriate to keep the zoning Utilities.</p> <p>Channel Highway FR 11469/1, FR 11469/2</p> <p>The parcels acquired for road by Crown currently zoned Rural in the draft LPS can be zoned Utilities as they form part of the State Road Reservation.</p> <p>Channel Highway – FR 11592/4, FR 121592/3, FR 121592/2, CT 121592/1, FR 125684/2, FE 121592/6, FR 125684/1, FR 20903/3</p> <p>The parcels that have been acquired by Crown that are currently zoned Landscape Conservation can be zoned Utilities as they form part of the State Road Reservation.</p>
Recommended action	See Planning Authority's response.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 76 30 May 2023	George and Doreen Czaplinksi
Matters raised	<p>The representation concerns about 6730 Channel Hwy, Deep Bay (PID: 5859180; CT: 38700/1, 38700/2, 37083/2 and 37083/1) being applied by Biodiversity Overlay.</p> <p>Representation general comments:</p> <p>Owner’s concerns involve the application of the following to their property:</p> <ol style="list-style-type: none"> 1. biodiversity overlay applied to 38700/1 2. biodiversity overlay applied to 38700/2 3. biodiversity overlay applied to 37083/2 4. biodiversity overlay and zoning applied to 37083/1.  <p>Figure 1. Site location and existing zoning</p>

<p>Planning Authority response</p>	<p><u>Planning authority policy</u></p> <p>The Priority Vegetation Area overlay should only apply to areas of native vegetation.</p> <p><u>Current application of the Biodiversity Protection Area (BPA) overlay under the HVIPS 2015</u></p> <p>The overlay under the current Scheme applies to all areas of native vegetation on the affected lots as mapped under TASVEG4.0 (see Figure 1). Some small areas of native vegetation and individual mature eucalypts apparent on aerial photography are not under the overlay.</p> <p><u>Proposed application of the Priority Vegetation Area (PVA) overlay under the SPP</u></p> <p>On the affected titles, it is proposed that the current area of the BPA overlay be carried over englobo to the new PVA overlay (see Figure 2)</p> <p><u>Natural Values and Regional Ecosystem Model (REM) output</u></p> <p>There are areas of threatened black gum (<i>Eucalyptus ovata</i>) forest and woodland (DOV) mapped in the vicinity, intruding into the margins of the affected property. Google Street View shows that most of the mature eucalypts on the property visible from roads are stringybarks (<i>E. obliqua</i>) but that some are black gums. Regardless of whether there is any vegetation that can be mapped as DOV, individual mature black gums provide significant foraging habitat for the critically endangered swift parrot (<i>Lathamus discolor</i>) when in flower.</p> <p>At this site the REM picks up DOV, foraging habitat for swift parrots and general habitat for eastern quolls and Tasmanian devils.</p> <p><u>Conclusions</u></p> <ul style="list-style-type: none"> • In places the overlay extends into cleared land, and it could be trimmed to the boundary of native vegetation in line with Council’s policy position (based on available aerial imagery and/or evidence provided by the owners).
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- Unless evidence is provided that no mature black gums or blue gums (*E. globulus*) occur in these areas, the Priority Vegetation Area overlay should continue to apply to all areas of remnant native vegetation on the property.
- If changes are to be made to the overlay to reflect the actual distribution of mature black gums on the affected titles, then those changes should include extension of the overlay to any remnant forest and individual paddock trees identified as potential swift parrot habitat, ie any evidence provided by the owners in support of reducing the area of the overlay must be part of a balanced on-site assessment of where the overlay should or should not apply to protect any significant values on site.

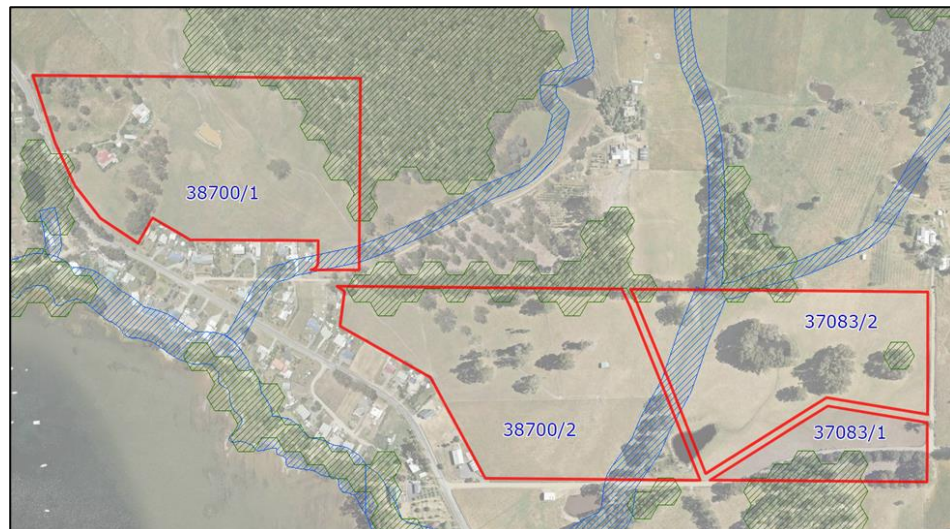
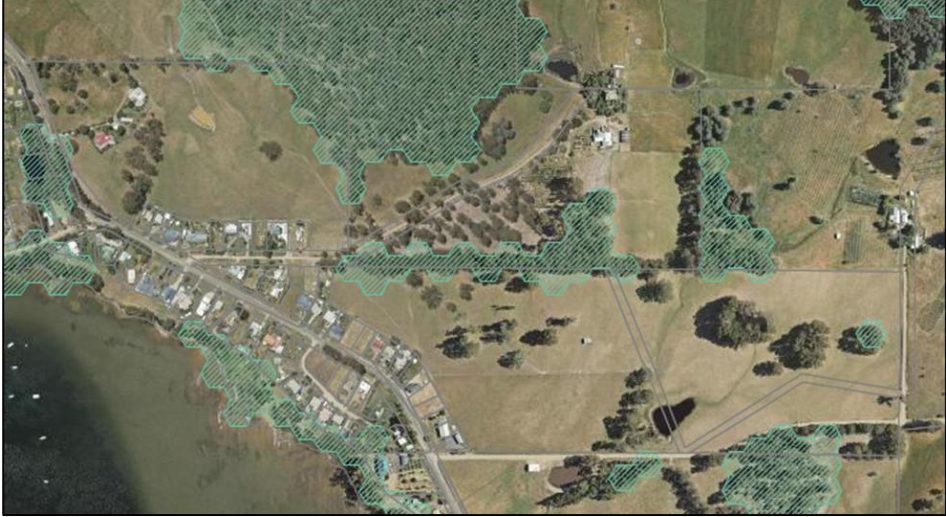



Figure 1. Current vegetation cover and application of the Waterway and Coastal Protection Area overlay (blue) and the Biodiversity Protection Area overlay (green)

	 <p data-bbox="496 714 1327 748"><i>Figure 2. Proposed application of the Priority Vegetation Area overlay</i></p>
Recommended action	In places the overlay extends into cleared land, and it could be trimmed to the boundary of native vegetation in line with Council’s policy position (based on available aerial imagery and/or evidence provided by the owners).
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 77 30 May 2023	Michelle and Daniel Backer
Matters raised	<p data-bbox="437 1449 1386 1585">The representation concerns about 172 Goodwins Road, Upper Woodstock (PID: 2558315; CT: 142648/2) be zoned Landscape Conservation Zone rather than Rural Resource.</p> <p data-bbox="437 1664 858 1697">Representation general comments:</p> <ol data-bbox="485 1720 1386 2018" style="list-style-type: none"> <li data-bbox="485 1720 1386 1910">1. Representor has just recently purchased this property (settlement 12/04/23). They concern about the zoning change of their property under the draft LPS from Rural Resource to Landscape Conservation Zone. <li data-bbox="485 1933 1386 2018">2. Representor relocates from Western Australia and forges a new life for their small family. They wish to pursue an organic orchard and extensive

	<p>vegetable garden, graze livestock and explore other means of income and self-sustainability off their land. They also know that they would have to clear a portion of their land for these pursuits, as the nature of the block is heavily treed. Given their land also has winter water courses and is steep in areas, these cleared areas would also need to be thoughtfully designed and maintained in the interests of preserving the natural beauty of the land.</p> <p>3. Owner is gravely concerned that the zoning change will not allow them to move forward with these plans which for obvious reasons will have a huge impact on their families' future, income potential and lifestyle.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>It is understood that the owners have attended and presented at a hearing. The future use and development ideas which include a vegetable garden, the grazing of livestock and an orchard. The land is partially cleared.</p> <p>While the proposed small-scale use and development as outlined in the submission are considered to be compatible with the purpose of the Landscape Conservation zone – however a number of these activities maybe considered discretionary uses and subject to fees and charges. Priority vegetation can be protected by priority vegetation overlays.</p> <p>It is noted that the titles to the West are Crown and includes notes of a sand quarry. Given the intended use and the Rural zoning of nearby titles it is recommended that the most compatible zoning is Rural.</p>
<p>Recommended action</p>	<p>The title be rezoned Rural</p>

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 81 30 May 2023	Stephen Bartels
Matters raised	<p>The representation concerns about the impact of construction of Lot 14 Flakemores Road, Eggs and Bacon Bay (CT:813114) within the Priority Vegetation Area or Future Coastal Refugia Area overlays. Flora and Fauna Report prepared by consultant, Sally Scrivens (RMCG) is to provide recommendations and comments to modify or remove the overlays.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> 1. RMCG have been engaged to undertake a natural values assessment of CT 8131/14, Lot 14 Flakemores Road, Eggs and Bacon Bay, where the construction of a dwelling is proposed. 2. A field inspection was undertaken on 14 March 2023 which identified that the proposed construction of a dwelling on the title will not impact any threatened vegetation communities. A highly disturbed threatened vegetation community, <i>Eucalyptus ovata</i> forest and woodland (DOV), was identified in the north of the title, however, this community is outside of the proposed development area and will not be impacted by the proposed development. Likewise, the wetland within the <i>Melaleuca squarrosa</i> scrub (SMR) community in the west of the title is outside of the proposed development area. 3. While the vegetation to be removed is within a mapped biodiversity protection area, the title, in particular the proposed development area, is highly disturbed with minimal potential suitable habitat for any threatened flora or fauna species, with no denning or nesting habitat identified. The proposed development area may overlap some species'

	<p>ranging boundaries; however, the proposal is considered to have minimal impact on these species.</p> <p>4. The only 'priority biodiversity value' identified within the proposed development area is native vegetation adjacent to a wetland. As this vegetation is highly disturbed and regenerating, the proposal is not considered to result in unnecessary or unacceptable loss of priority biodiversity value.</p> <p>5. The proposal is not considered to have an unnecessary or unacceptable impact on natural values in respect to E11.7.1 P1 of the Waterway and Coastal Protection Code and is considered to satisfy E10.7.1 P1 of the Biodiversity Code.</p> <p>6. Recommendation</p> <ul style="list-style-type: none">• Ensure a minimum 5m distance between the proposed dwelling footprint and the wetland. This involves moving the dwelling 2.5m east and 1m south from the position shown on the architectural drawings by Building Design Solutions, July 2022.• Erect a sediment barrier across the title to the west of the proposed dwelling prior to construction works commencing and maintain the barrier for the duration of works.• Prevent biosecurity incursions and further weed incursions by implementing strict washdown guidelines for all machinery and equipment used during works.• Control weeds on the title prior to and following works to prevent further establishment of weeds throughout the area, particularly within the threatened <i>Eucalyptus ovata</i> forest and woodland community in the north of the title. <p>7. The recommendations are likely to result in an overall low level of disturbance associated with the proposal and is therefore unlikely to present a significant impact and require any additional assessment under the <i>State Threatened Species Protection Act 1995</i> or the <i>Nature Conservation Act 2002</i>, or the <i>Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 (EPBC)</i>.</p>
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Figure 1. Site location and existing zoning

Planning
Authority
response

Introduction

The Flora and Fauna Report for Lot 14 Flakemores Road, Eggs and Bacon Bay FR 8131/14 (the report) has been prepared by suitably qualified person in the form of Sally Scrivens of RMCG (BSc Hons), described on the RMCG website as “having a background in ecology with extensive field experience who specialises in natural values assessments and has experience in water resources and land use planning.”

In terms of format and content, the report broadly follows the Guidelines for Natural Values Survey – Terrestrial Development Proposals. Version 1.0 (DPIPWE, 2015). In terms of addressing the requirements of the Planning Authority, the report meets some of the requirements of a ‘Natural Values Assessment’, as defined in the HVIPS (2015):

natural values assessment means an ecological assessment, generally consistent with the Guidelines for Natural Values Assessment, (DPIPWE July 2009), by a suitably qualified person (biodiversity) to identify and convey:

- (a) the location of priority biodiversity values affecting the site,
- (b) the significance of priority biodiversity values, with particular reference to Table E10.1,
- (c) any likely impact on these priority biodiversity values including existing activities on the site, nearby land uses, weeds, pests, pathogens and the degree of connectivity with other land with natural values,
- (d) the likely impact of the proposed development or use on these priority biodiversity values,
- (e) recommendations for the design and siting of the proposed development or use to avoid or minimise the identified impacts,
- (f) recommendations for the mitigation or management of any residual impacts.

The report draws conclusions about the potential impact of the proposal on priority biodiversity values and includes recommendations on the siting of the building but does not provide a detailed assessment against Scheme provisions, particularly the requirements of the Waterway and Coastal Protection Code.

Other than recommending a sediment barrier during construction works, there is little site-specific guidance in the report for the mitigation or management of any residual impacts of the proposed residential development on natural values at the site or on coastal wetland values on adjoining properties to the south.

Scope of this response

The site is subject to a current development proposal under the HVIPS 2015, and the RMCG report has been prepared in support of that proposal. It has not been prepared with a view to informing decisions around the application of overlays under the LPS, but it does provide information and evidence relevant to those considerations.

The direction from the Panel calls for a response on the merits of the findings in the report. It is not made clear whether the response should be limited to findings in the report which are relevant to consideration of future overlays, and it is assumed that some broader commentary may be of use to the Panel.

General observations

Notwithstanding the residential zoning, the subject land is a challenging site to develop given the following issues:

- the shape and topography of the site provides only a small area of higher ground at the narrow end of the block near the road frontage,
- the entire title is subject to the Waterway and Coastal Protection Area overlay, and
- most of the title is subject to the High Coastal Inundation Hazard Band, with a small area of higher ground in the east (~100 m²) subject to the Medium Coastal Inundation Hazard Band.

The report does not provide a detailed vegetation map and appears to support TASVEG4.0 mapping in all respects except for the boundary of the 'wetland' to the west of the proposed dwelling. Notwithstanding multiple references to this area as 'wetland' in the report, it is mapped in the report as a degraded area of short paperbark (*Melaleuca squarrosa*) scrub (SMR) and does not meet the

definition of a wetland for the purposes of the listed threatened vegetation community under Schedule 3A of the *Nature Conservation Act 2002*.

The report maps an area of endangered black gum (*Eucalyptus ovata*) forest and woodland (DOV) in the northwest of the block, consistent with TASVEG4.0 mapping.

The report concludes that the proposed development:

is not expected to have any impact on biodiversity ... is not considered to result in unnecessary or unacceptable loss of priority biodiversity values ... (and provided the recommendations in the report are followed) ... is not considered to result in unnecessary or unacceptable impact on natural values in respect of E11.7.1 P1 of the Waterway and Coastal Protection Code and is considered to satisfy E10.7.1 P1 of the Biodiversity Code.

The main recommendation of the report is that there should be a 5 m buffer between the building footprint and the 'wetland' (the degraded area of SMR).

The following comments are provided in relation to the report.

1. There is a small area of coastal wetland lower in the catchment on the adjoining properties to the south. This wetland is not mapped separately from adjoining SMR and is not referenced in the report but is a high priority for conservation that could potentially be impacted by works on Lot 14 Flakemores Road.
2. The report lists but does not specifically address the subclauses of the Waterway and Coastal Protection Code (E11.7.1 P1) in terms of the potential impacts on natural values at the site and on coastal wetland values on adjoining properties to the south.
3. The extent of the proposed BAL 29 HMA is not indicated in the report text or maps and the impacts on vegetation to the west and south as a result of the HMA are not fully explored. Some vegetation clearance and conversion are likely to the west beyond the recommended 5 m buffer.

Potential impacts because of residential occupation and use include:

- modification to the existing swamp in the vicinity of the proposed dwelling (ie draining and/or filling for at least the width of the bushfire hazard management area), and

- potential for indirect impacts on the small coastal wetland along the southwestern boundary of the property.

Notwithstanding the observations noted above, subject to appropriate controls on development and use and measures to mitigate impacts on native vegetation, we believe a proposal for a BAL-29 dwelling on the higher ground at the far eastern end of the block could probably satisfy Scheme provisions.

Application of the Priority Vegetation Area overlay under the LPS

The descriptions and photographs of the site in the RMCG report confirm the presence of an endangered vegetation community – black gum (*E. ovata*) forest and woodland (DOV). The distribution of this community is linked to poor drainage and there is evidence of poor drainage across the site, including evidence of soil saturation and standing water to within 2.5 m of the original building footprint proposed by the owner.

Individual mature black gums within the DOV provide potential foraging habitat for the critically endangered swift parrot (*Lathamus discolor*) when in flower. Birds have been recorded in the area during swift parrot monitoring studies (A. Welling, per comm).

The maintenance of vegetation community structure and integrity on a residential lot of this scale is challenging. In the face of pressures associated with residential occupation and use, values are likely to be degraded or lost over time unless owners are committed to conservation outcomes.

Nonetheless, the application of an overlay that requires consideration of natural values and triggers appropriate controls over development and use has the potential to preserve some values. As an example, DOV community structure may be compromised by future development and use, but individual mature black gums providing foraging or nesting habitat for swift parrots could be maintained, and controls could be applied to minimise risk of bird strike in building design.

Conclusion

It is appropriate that the Priority Vegetation Area overlay applies to the site.

Application of the Future Coastal Refugia Area overlay under the LPS

	<p>The High Coastal Inundation Hazard Band applying to most of the site carries the following description: ‘vulnerable to the highest astronomical tide now, and 0.2 m sea level rise by 2050.’</p> <p>Clearly the site and surrounds are likely to change markedly under predicted sea level rise and storm surge scenarios. The impact of these changes on coastal features and coastal habitats is uncertain, particularly given the likelihood of significant geomorphological change due to coastal erosion. What is certain is that we will lose some existing coastal features and habitats and that there will be some landward migration of the biophysical conditions required to support various features and habitats.</p> <p>The upper extent of tidal saltmarsh, and possibly tidal wetlands, corresponds with the current 1% Annual Exceedance Probability (AEP) storm surge height (theLIST, 2023). Mapping for the Future Coastal Refugia Area identifies the hypothetical areas where these habitats may occur by 2100, assuming no barriers to landward transgression with sea-level rise. The mapping aims to provide a guide to potential landward migration of coastal saltmarsh and tidal wetland areas.</p> <p>Conclusion</p> <p>Given the modelling, it is appropriate that the Future Coastal Refugia Area overlay applies to the site, and notwithstanding potential residential use in future, it is necessary to restrict its application at this site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 83 30 May 2023	Angelo Kessarios
Matters raised	<p>The representation requests Glen Huon Road, Glen Huon TAS 7109 (PID: 1855692, CT: 140814/4) be zoned Rural Living rather than Land Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> 1. This property under the Interim Planning Scheme is zoned Environmental Living and the proposed zone is going to be Landscape Conservation. 2. This land has two marked building zones on the title. The owner's intention is to build a house on this property, and to use the land as hobby farm as most surrounding land. 3. The remaining bush land remains untouched, and he has always kept it this way. Any dead fallen trees have been collected for firewood for his own use, which also eliminates any potential fire risk. 4. In representor's knowledge, the bushland on this property does not contain any threatened species, whether it be trees or other vegetation. 5. All surrounding properties are rural and rural living. The properties directly behind owner of Glen Huon Road that are all bushland with no cleared or productive land are proposed to be landscape conservation. 6. This property clearly meets the requirements of the Rural Living Zone according to the section 8A Guidelines. Therefore, the owner of Glen Huon Road requests the Rural Living Zone be applied to his property. <div data-bbox="434 1514 940 1843" data-label="Image"> </div> <p>Figure 1. Site location and existing zoning</p>

<p>Planning Authority response</p>	<p>The subject lot is zoned Environmental Living under the interim planning scheme. The Environmental Living zone has not been carried over to the SPP's. It was determined early during the preparation of the LPS, to transition land zoned Environmental Living into the Landscape Conservation zone.</p> <p>NOT sure about this one – can't EL be zoned to RL or LC. Given the size of the land, proximity to main road and level of small rural blocks nearby I feel that this one is closer to rural.</p> <p>This area of land currently zoned Environmental Living stretches from Glen Huon Road across Cannells Hill to Huon Highway, totalling nearly 600 ha. As established in the hearing process, there is no strategic intention for this lot and the broader 600 ha Environmental Living zoned area, to be an area of residential use and development in a rural setting. Furthermore, given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha and 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis, to avoid an incremental and continuous increase in Rural Living zoned land.</p> <p>To this end, the Huon Valley Land Use and Development Strategy currently being prepared will consider Rural Living zoned land in terms of location, lot size and supply and demand, including this area of land currently zoned Landscape Conservation.</p>
<p>Recommended action</p>	<p>The title be rezoned Rural.</p>
<p>Effect of recommended action on the draft LPS</p>	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
<p>Meets LPS criteria</p>	<p>The Planning Authority recommendation meets the LPS criteria.</p>

Direction 1 2 June 2023	Andrew Quilliam
Matters raised	<p>The representation requests 8495 Channel Highway, Cradoc, folio of the Register 114683/1 be rezoned or be given permission to build.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> 1. The representor intends to develop the land in 2 ways, one way as a regenerative food source, on about 2 acres on one side so they can earn a living from this and help feed people that need some help and teach people about self-sustainability and health. On the other part of the usable land, about 2-3 acres, they wanted to set up short term accommodation (cabins) to run as a business and earn an income. These would be off grid, and low impact to the environment. 2. It is zoned agriculture in draft LPS, they are not sure what they can do in this zoning. They want to develop the property to be a beautiful park like destination that has fruit and veg growing in that environment on the riverside, and to be a great attraction to tourists and bring people through Huonville and Cygnet to stay with them and educate them on self-sustainability and regenerative farming, with a focus on health. Another goal was to run workshops and retreats focused on people's health. 3. This is a small lot wedged between 2 larger agricultural pieces of land it is quite unusable and would be unlikely to be bought as a piece of farming agricultural land. The representors would like to use it partly for agricultural, but also to run their accommodation business from in such a scenic area of Cradoc/Huonville. The representors believe they can work in the community and assist in bringing visitors and tourists through the town of both Huonville and Cygnet, to hopefully raise the town's prominence and exposure to tourism. So the zoning may be important to be able to begin this journey into creating a beautiful scenic destination, otherwise we may not be able to build these off-grid cabins we require for the business, or even run a business from the property.



Figure 1. Site location and existing zoning

Planning Authority response

CT114683/1 is between the Channel Highway and Huon Estuary, is 3.2ha and has an existing dwelling.

Submission 14 is diagonally opposite Rep 6 (CT 139543/4 - 8.9ha on the eastern side of the Channel Highway) which also requests 'Rural' rather than Agriculture. Submission 14, Rep 6 and 2 other titles CT 8582/1 and CT 139543/3 form a cluster of 4 titles proposed for the Agriculture zone. CT 8582/1 is a small residential title which is in the same ownership as the larger surrounding title (CT 139543/3 - 11.7ha on the western side of the Channel Highway, immediately north of Submission 14). CT 139543/3 supports threatened veg, has two small, unregistered dams and also supported a small orchard until 2011 (based on GE historical imagery).

The 17.7ha title to the south of this cluster is proposed to be zoned 'Rural' and supports both orchards and threatened veg.

For Rep 6, RMCG states:

'The Land Capability Assessment is not completed to the standard (Grose 1999, Land Capability Assessment Handbook), however, assuming the soil profiles are located to be representative of the title we agree with the conclusion i.e. the western half is likely to be Class 5 and the eastern half Class 6. LIST shows there is a 4.5ML irrigation dam registered on the title, however, additional water would be required for a horticultural operation. There is limited opportunity to develop the title for horticulture due to the soil limitations' and we recommend

	<p><i>modifying the draft LPS to zone this title (CT 139543/4) 'Rural' rather than 'Agriculture'.</i></p> <p>Submission 14 has some threatened veg and greater limitations, due to its limited size, for agricultural use, than Rep 6, hence RMCG supports the representation's request for Rural zoning rather than Agriculture.</p> <p>The Planning Authority recommends zoning the cluster comprised of CT114683/1, CT 139543/4, CT 8582/1 and CT 139543/3 Rural rather than Agriculture.</p>
Recommended action	Change CT114683/1, CT 139543/4, CT 8582/1 and CT 139543/3 to Rural under draft LPS.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 2 2 June 2023	Michael Zodins
Matters raised	<p>The representation requests 214 Lune River Road, Lune River, folio of the Register 102237/10 be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> 1. The representor would like to request a time to be heard by the commission to consider our concerns over the draft proposal to amend our current zoning at 214 lune river road, lune river to Landscape conservation zone. 2. The representor intends to build his dream home in the future and reside here. The property had a large proportion of land already cleared. A registered shed. And electricity supply was established.

3. There is a community of neighbours surrounding this property, as per the planning TAS report we are surrounded by a cluster of dwellings and this is the main residential precinct for the suburb.



Figure 1. Site location and existing zoning

Planning Authority response


A decision was made early in the process of preparing the LPS that land zoned Environmental Living would, in most circumstances, transition to the Landscape Conservation zone, given the Environmental Living zone does not form part of the suite of zones for the State Planning Provisions. As such, the subject title, which is currently zoned Environmental Living, is identified as Landscape Conservation in the draft LPS.

During the public exhibition process there were many objections to this transition from Environmental Living to Landscape Conservation. It is noted that during the public exhibition process, no objections were received from this cluster at Lune River. Notwithstanding, during the review of areas that are currently zoned Environmental Living, the Lune River area was identified in accordance with RLZ2 of the zone application guidelines. RLZ2 provides for the Rural Living Zone to be applied to land if it is in 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

	<p>size is being applied. A total of 13 titles were identified in this cluster, however the subject title was not included in the 13 identified.</p> <p>The lots in this cluster generally range from 0.3 hectares, primarily through to around 2 – 3 hectares; noting there is an outlier of a 10 hectare lot (FR 123372/1). The subject lot is around 6 hectares and is substantially covered in native vegetation that adjoins a larger bushland area, owned by Sustainable Timbers Tasmania, and identified as a Permanent Timber Production Zoned Land. The site however is partially cleared and appears to contain multiple outbuildings including a shed, and shipping containers.</p> <p>Given the level of clearance already undertaken on the site, the intention of the owner to construct a single dwelling, the site adjoining land identified in the 35F report to be zoned Rural Living, it is appropriate for this site going into the Rural Living Area D zone, noting the priority vegetation overlay would still apply. It is further noted that should this site go into the Rural Living Area D zone then the following additional lots of this cluster should also:</p> <ul style="list-style-type: none"> • FR 102237/11 • FR 102237/8 • FR 204483/1
Recommended action	Change 123372/1, 102237/11, 102237/8 and 204483/1 to Rural in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 3 2 June 2023	Karl Price
Matters raised	<p>The representation raises concerns the zoning under draft LPS regarding 65 Wilmot Road (Lot 59 Wilmot Rd) Huonville (PID 2939062).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> 1. The Priority Vegetation Report contains an area overlay that is not consistent with the actual ground coverage, much of the land has been cleared prior to our ownership in 1999, the cleared areas were likely achieved 80-90 years ago, if not longer. What negative Impact do these incorrectly sized overlays have on our livelihood if they're left unchallenged. The relevance of the species being protected is also challenged, the representor suggests a field verification be conducted. 2. The Tasmanian Planning Scheme Consultation Map is poorly represented by the zoning overlay colours, this has caused mis interpretation of their zoning allocation in respect to our property. What was thought to be the new Rural Living Zone is simply remaining Rural. The Rural zoning is inconsistent in part with surrounding properties that share the same height datum above the 100Yr indicator. Are different zonings options for landowners being considered, would zoning options be offered in owners best interests, and not just HVC interests. The representor states they are subjected to considerable effort to change zonings by HVC, HVC's intentions are not always clear or in representor's best interests as the land owners, quite the opposite resulting in potential substantial financial losses. 3. In consideration of their investment the Light Industrial zoned land cannot be realised without the ability to sub-divide. The representor questions why a boundary adjustment should be the preferred method going forward. HVC Planning Dept. insists that both zones being applied for sub-division are required to meet all of both zoning sub-division criteria. This is counterintuitive with the intent of the Huon Valley Land Use Development Strategy & Growth Strategy.

	<p>4. The representor concerns the change from Public Open Space to Environmental Management Zone. The representor questions what the positive and negative impacts are on their uses and control over their land.</p> <p>5. The new EMZ is also applied inconsistently across adjoining land owner holdings. The representor notes they have a new section of land earmarked as EMZ past the house along Waltons Inlet. The representor questions the reason why and what the protections are for their amenity as the land holders.</p>
Planning Authority response	<p>The PID contains three FR's which are zoned as follows:</p> <ul style="list-style-type: none"> • FR 184322/2 currently zoned Light Industrial and Rural Resource to transition to Light Industrial and Rural. The split zone boundary under the draft LPS does not change to that under the interim planning scheme. • FR 132549/1 currently zoned Environmental Management and Rural Resource to transition to Environmental Management and Rural. The split zone boundary under the draft LPS does not change to that under the interim planning scheme. • FR 184322/1 currently zoned Rural Resource under the interim planning scheme identified to transition to the Rural Zone under the draft LPS. To remove the requirement to comply with the subdivision standards of both zones would require a change to the State Planning Provisions, which is beyond the capacity of the current process.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 1 21 June 2023	Angelo Kessarios
Matters raised	<p>The representation requests to amend the original representation to just include the top left section of 379 land at Glen Road, Ranelagh folio of the Register 131578/15 be zone Low Density Residential.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> 1. The section proposed to be zoned Low Density Residential is surrounded by residential and low density residential zones. 2. The section is poor quality land. It I has the same levels and soil types as the neighbouring Low Density Residential, and same services, power, water,sewerage etc. 3. The representor doesn't believe the rezone will bring residences closer to the significant agricultural land. 4. The proposal is only a small extension of the Low Density Residential, and will make better use of the elevated less productive land. And will provide the same distances between residences and significant agricultural land. 5. The size of the proposed rezoing land is about 6000m2.  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>The amended request is still requesting an expansion of the Low-Density Residential zone into land currently zoned Significant Agriculture. As per the 35F report, RMCG undertook a site-specific analysis for the site and concluded that the most appropriate zoning under the LPS is Agriculture. Furthermore, the application of the Low-Density Residential zone in accordance with LDRZ1 of the zone application guidelines, should be to residential areas. Given the land is zoned Significant Agriculture and cannot be considered as forming part of a residential area, zoning of this area to the Low-Density Residential zone is not supported.</p> <p>Accordingly, the most appropriate zone is Agriculture.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Direction 2 21 June 2023	Angelo Kessarinos (see Direction 83)
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Direction 3 21 June 2023	Amy Robertson for Troy Cordwell
Matters raised	<p>The representation requests land at Arve Rd, Geeveston, folio of the Register 206894/1 be zoned Rural rather than Landscape Conservation, and remove the Priority Vegetation Area Overlay removed from the cleared area and the extra which is permitted by FPP.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> 1. The land was purchased by the owner in about 2018, as a previously logged forest. An FPP (AKO0365) was certified in 2021 for clearing

of 20 ha of *E. regnans* forest, additional to approx. 8 ha already cleared at that time. A further approx. 8 ha is being retained as forest to protect the Rivulet and across the steepest hillface. The FPO considered the property as unseen from the Arve Rd (a scenic route to Tahune Airwalk) due to the density of foreground wet forest vegetation adjacent to the road.

2. Harvesting has proceeded slowly and the majority of the FPP is yet to be implemented. Produce is being sold as firewood. The owner's intention is to finish implementing the FPP and then build a house on the property.
3. Harvesting to date is not visible from the Arve Rd and is not likely to be visible when completed due to screening by foreground vegetation. Standing native forest to the east of the property also screens visible harvest from further down the Arve Rd into Geeveston. Completion of the FPP will see the forested cover of the property fall well below Council's intended 80% coverage benchmark.
4. Cleared ground will be sown down to pasture and used for grazing sheep, cattle and/or horses. The property has a long history of timber production.
5. The representor likes to have the Priority Vegetation Area Overlay removed from the cleared area and the extra which is permitted by FPP.

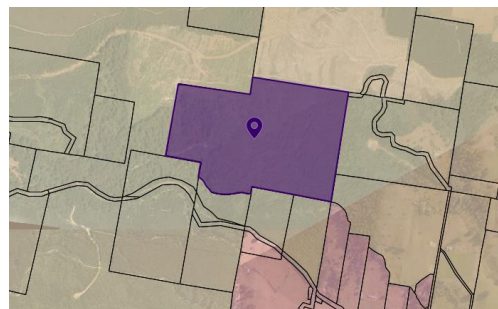


Figure 1. Site location and existing zoning

<p>Planning Authority response</p>	<p>FR 206894/1 (the site) is currently zoned Rural Resource and is identified as Landscape Conservation in the draft LPS. The site is around 40 ha in size and does not adjoin any land zoned Landscape Conservation. The submission identifies that the land has an active Forest Practices Plan with the long-term use of this cleared land to be sown down to pasture and used for grazing sheep, cattle and/or horses.</p> <p>Given the ongoing forestry operations of the land and the permanent conversion to pasture, together with the site sharing a boundary with land owned by Sustainable Timbers Tasmania to the north, south and west, the request to have this land zoned Rural in the LPS is supported.</p>
<p>Recommended action</p>	<p>Change to Rural in draft LPS.</p>
<p>Effect of recommended action on the draft LPS</p>	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
<p>Meets LPS criteria</p>	<p>The Planning Authority recommendation meets the LPS criteria.</p>