

From: "Belinda Yaxley" <byaxley@nautiluscollaboration.com>
Sent: Sun, 29 May 2022 16:42:37 +1000
To: "Huon Valley Council" <hvc@huonvalley.tas.gov.au>
Subject: HUO LPS REPRESENTATION - 410 CLOVERSIDE ROAD LUCASTON
Attachments: 220427 410 Cloverside Road Representation HUO LPS V2.pdf

Dear General Manager,

On Wednesday 27th of April 2022 at 11.03am I sent my representation to you. I received a notification letter (reference number HUO-LPS-1) via email Acknowledging receipt of LPS Representation on May 4th 2022 at 10.41am.

I wish to retract the representation made on the 27th of April 2022 and have attached a more comprehensive representation I was able to put together with the extension that was granted. I believe that I am within my legal right to resubmit a representation given it is within the current due date of 31st of May 2022. Please accept this new representation and disregard the previous version sent on the 27th of April 2022.

If I could receive formal notification that this attached representation has been applied to the assessment process that would be greatly appreciated.

Kind regards,
Belinda

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Dr Belinda Yaxley
Co-Director
M: +61438721803
E: byaxley@nautiluscollaboration.com

27th April 2022

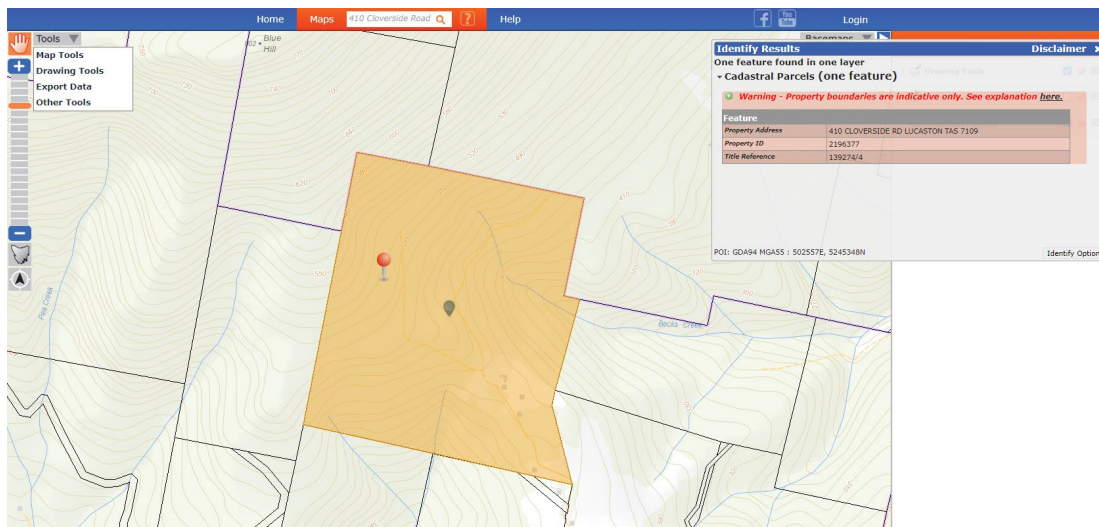
Belinda Yaxley
Nautilus Collaboration PTY LTD
410 Cloverside road, Lucaston TAS 7109



The General Manager
PO Box 210, Huonville TAS 7109
Huon Valley Council
Email: nvc@huonvalley.tas.gov.au

Dear Sir,

RE: Representation for the Draft Huon Valley Local Provisions Schedule and subsequent zoning of CT 139274/4 410 Cloverside Road, Lucaston 7109:



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Executive Summary

My name is Belinda Yaxley and I am the owner of **CT 139274/4 410 Cloverside Road Lucaston 7109**. The following is my representation in objection to the proposed *Landscape Conservation* zoning assigned by the Huon Valley Council (herein HVC) as part of the advertised draft Huon Valley Local Provisions Scheme (known herein as the HUO LPS or LPS) submission. I believe that the more appropriate zone of **Rural** should be applied 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 (at as 19th February 2020) (TPS) which supports the Southern Tasmania Regional Land Use Strategy 2010–2035. Specifically, the Rural Zone criteria corresponds with my land characteristics, surrounding similar zoned folios, historical use and alteration of the land, and recognised land improvements. Further to this the “Overview Assessment” in Table 1. which the TPC applies to decide zoning based on the information contained in a representation as follows indicated that “like for like” is a part of the assessment:

Table 1. Overview Assessment used by the TPC to decide zoning during a representation under the new planning scheme - Tasmanian Planning Scheme 2020 V3 (at as 19th February 2020).

Snapshot

To assist provide an overview of the requirements each representation has been summarised using the table below, and where required, explored in further detail.

Overview assessment	
Is the representation consistent with:	Yes/No/NA
the STRLUS	
State Policies	
the Guidelines	
TPC Drafting Instructions/Practice Notes	
Local Strategy/Policy	
a “like for like” conversion of the CIPS2015	
Natural Justice issues	
Does the representation relate to the drafting/content of the SPP’s?	
Does the merit of the representation warrant modification to the exhibited LPS?	

Furthermore, the HVC made a commitment in May 2019 to apply the LPS as a “like for like” as per the objectives of the HVC:

Table 2. Table provided in the draft LPS and reviewed during the May 2019 council meeting

The draft LPS largely carries over existing Interim Planning Scheme zoning, as much of the existing zoning correlates with requirements set out in Guideline No. 1. However, some changes have been proposed. The following table shows a comparison of the current Interim Planning Scheme zones and the most comparable zones that will apply under the TPS when the draft HVLPS is implemented. Further information on the zone changes and also in relation to the codes is shown in Appendix 2.

Comparison table

Interim Planning Scheme	TPS
10.0 General Residential Zone	8.0 General Residential Zone
12.0 Low Density Residential Zone	10.0 Low Density Residential Zone
13.0 Rural Living Zone	11.0 Rural Living Zone
16.0 Village Zone	12.0 Village Zone
20.0 Local Business Zone	14.0 Local Business Zone
21.0 General Business Zone	15.0 General Business Zone
23.0 Commercial Zone	17.0 Commercial Zone
24.0 Light Industrial Zone	18.0 Light Industrial Zone
25.0 General Industrial Zone	19.0 General Industrial Zone
26.0 Rural Resource Zone	20.0 Rural OR 21.0 Agriculture Zone
27.0 Significant Agricultural Zone	20.0 Rural OR 21.0 Agriculture Zone
14.0 Environmental Living Zone	22.0 Landscape Conservation Zone OR 11.0 Rural Living Zone
29.0 Environmental Management Zone	23.0 Environmental Management Zone
28.0 Utilities Zone	26.0 Utilities Zone
17.0 Community Purpose Zone	27.0 Community Purpose Zone
18.0 Recreation Zone	28.0 Recreation Zone
19.0 Open Space Zone	29.0 Open Space Zone
32.0 Particular Purpose Zone 1 - Urban Growth Zone	30.0 Future Urban Zone
33.0 Particular Purpose Zone 2 - Future Road Corridor	HUO-P1.0 Particular Purpose Zone - Future Road Corridor
34.0 Particular Purpose Zone 3 - Southwood Integrated Timber Processing Site	HUO-P2.0 Particular Purpose Zone - Southwood Integrated Timber Processing Site
35.0 Particular Purpose Zone 4 - Franklin Marine and Tourism Precinct	HUO-P3.0 Particular Purpose Zone - Franklin Marine and Tourism Precinct

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Noting that the above Table (2) was approved by council but the approach was subsequently overturned; however, there is no clear evidence this change to the LPS approach has been adequately communicated with public, thus no Natural Justice ensued so I therefore reserve the right to present this evidence to support my case for the comparable *Rural Zone* based on the assessment criteria in Table 1 and the “like for like” argument among all the other criteria you will find that is comparable with Rural Zone and incomparable with the Landscape Conservation Zone. Furthermore, my property has one record of the threatened species *Lissotes menaclas* and no records of the *Lathamus discolor*. The property also has no evidence of threatened vegetation communities. I consider the rezoning of LCZ to not be applicable or appropriate in the absence of any identified values that are not already protected by legislation under the RMPS and the Scenic and Natural Assets Codes (See Table 3). My property was already subject to this under Rural Resource which is comparable with *Rural Zone* not *Landscape Conservation Zone*.

More detail on the misappropriated *Landscape Conservation Zone* will be provided in the following section. It is considered that rezoning isn’t in accordance with the TPC’s Section 8A of the Guideline No. 1 Local Provisions Schedule (LPS): zone and code application. Based on the arguments in this executive summary and the arguments set out in detail below this

representation opposes the proposed Landscape Conservation Zone as indicated in the draft HUO-LPS. The property in question should have the property retained values of Rural Resource zoning by applying the “like for like” transition from Rural Resource under the IPS to the Rural Zone under the Huon Valley LPS.

I have 25 years of experience in managing natural resources across the State, within Australia and globally and understand that any “landscape or natural values” are already protected under an existing system and that the Natural Assets code will ensure future use and development minimised and adverse impacts on such values and does not need the LCZ to ensure any values if there are any (taking into consideration that the REM used by council and the threatened species presence/absence has not been validated by council) in addition to the fact that my land under the Interim Planning Scheme 2015 IPS) zoned my property as Rural Resource and not Environmental Living and based on this argument a “like of like” zoning would be Rural Zone

It is important to recognise that we have a Resource Management and Planning System that protects our natural values. These values are already protected by legislation and regulators such as:

Nature Conservation Act 2002

Forest Practices Authority

Environmental Protection Agency

Tasmanian Threatened Species Protection Act 1995

Environment Protection and Biodiversity Conservation Act 1999

Nature Conservation Amendment (Threatened Native Vegetation Communities) Act 2006

Environmental Management and Pollution Control Act 1994

State Policies and Projects Act 1993

Land Use Planning and Approval Act 1993

Placing further restrictions on landholders under the LCZ is unnecessary.

An Overview of My Property and Future Development

My property is currently zoned as 26.0 *Rural Resource* under the interim Huon Valley Planning Scheme 2015 as per the data on LISTMap. It has a dwelling and associated sheds/storage as indicated on Huon Valley Council’s interactive map. The property has several overlays present including Landslip Hazard Area, Waterway and Coastal Protection (covers two Class 4 Streams – Becks Creek and Briery Brook), Scenic Protection Area (whole property), Bushfire Prone Areas (whole property) and Priority Vegetation Area (70% of property) (Figure 1). The typography of the land could be described as steep on either side and on top moderately sloped with an altitude of approximately 463m up to 550m. It is approximately 10% covered with rough or improved pasture, 20% covered with regrowth from neglected pasture (cattle grazing up until the 1980s) at the lower slopes of Blue Hill. The main forest types *Eucalyptus obliqua* wet forest (WOB) and *Eucalyptus delegatensis* with broad leaved shrubs (WDB) regrowth from rough pasture and selective logging. There is a tiny patch of *E. globulus* (WGL) about the size of a tennis court in the massive area that has been mapped at WGL, this in fact is WOB. The land is

subjected to large scrubby areas remnant of historical farming and logging and there are still substantial areas which are cleared and remnant fencing. The intention is to continue to maintain the vegetation around the cleared area for maximum bushfire management and convert some of the WOB/WDB regrowth back to rough pasture for goats and cattle. In doing this I will enclose the property in an approximately 15–20-acre area for residential, mixed crop and livestock to become self-sustaining, help sustain my community, thus minimising my footprint and doing my part for reducing climate change – reduction of climate change and being responsive to it is an objective of the Southern Regional Land Use Strategy 2010-2035 (Strategic Directions, Chapter 4). BNV 2 of the Southern Regional Land Use Strategy 2010-2035 can be achieved in balance with development on forested properties. The resilience of the community depends on this type of lifestyle and should be encouraged not made prohibitive under the new Tasmanian Planning Scheme and the HUO-LPS. Additionally the councils strategic plan for 2015-2025 states that *Councils' strategic stance is to support population growth and diversity in its demographic to ensure outcomes are achieved*. This representation of Rural Zone request is in direct alignment with this strategy – sustaining and economically viable landholding whereas LCZ does not align with this. And again the Huon Valley states in its strategic planning that *the availability and use of land for best purpose and future opportunity based on location, proximity and existing and potential servicing and risks is a key tool in ensuring the strategic objectives can be realised in a balanced manner*. My site perfectly addresses this strategy because of its small scale primary production, no pressure on services and its pre-existing infrastructure. The property is economically valuable in this sense if it is zoned Rural.

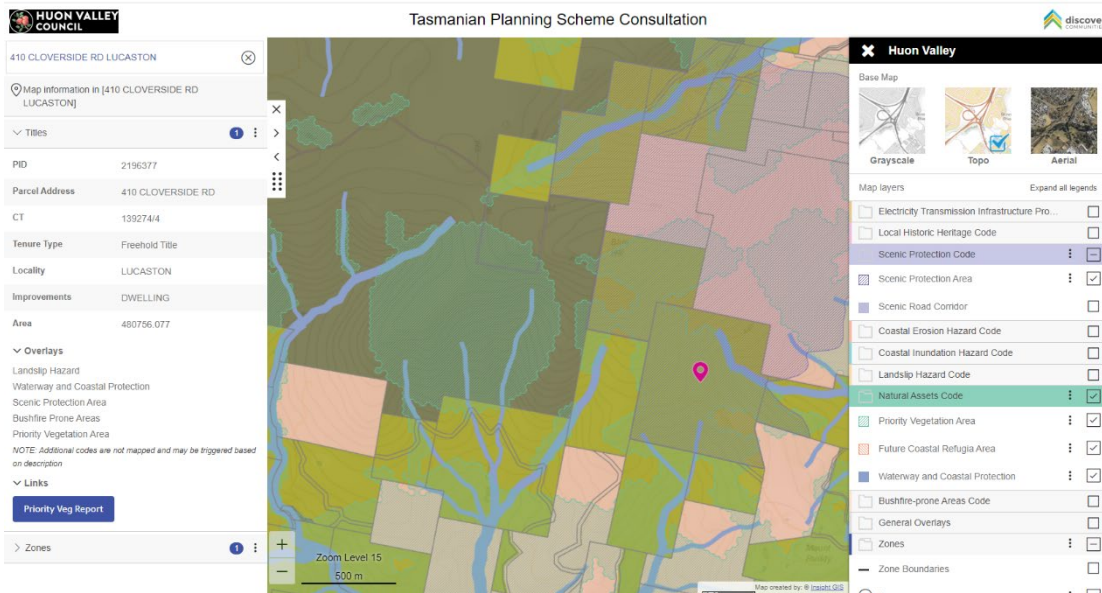


Figure 1 Indicates the overlays and Landscape Conservation zoning the HUO-LPS has allocated my property



Figure 2. The livestock and various crops – current development of property. From top left to right, sheep and goats grazing, vineyard (with enclosed area for berry growing in background) and pig farming, my cute puppy Puca who I may breed with to provide Maremma's as guardian livestock animals in Tasmania and finally my market garden in construction but is currently providing vegetable for myself and the neighbours.

Responding to the proposed Landscape Conservation Zoning under the new Tasmanian Planning Scheme (effective 2019)

I have spent a lot of time searching for a document that outlines what criteria the council believed my land met when applying the LC Zone and overlays. I was told that there was a decision process made in a general sense during one of the sessions held by the HVC in March 18th 2022. Given the lack of specific criteria of the LCZ Zone applicable to my property that I'm aware of, I will address the council's comments that are found in Table 12 of LPS-HUO-TPS Supporting Report for the Huon Valley Draft Huon Valley Local Provisions Schedule Nov 2021, p41-42.

Table 12

Zone Application Guidelines	Comments
<p>LCZ 1 <i>The Landscape Conservation Zone should be applied to land with landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values, where some small-scale use or development may be appropriate.</i></p>	<p>The application of 80% native vegetation coverage coupled with the presence of either the Natural Assets or Scenic Landscape Code overlay as the first level of selection meets the intent of this guideline in that most of the property is constrained but there may be some potential for small scale use or development.</p> <p>A significant portion of the properties selected are located on the vegetated scenic hill slopes that characterise the Huon Valley. These areas have been spared from historical clearing due to being considered suboptimal for agriculture.</p> <p>The analysis of 'large areas of native vegetation' was attributed to a minimum native vegetation patch size of 20 ha. This links directly with the LCZ use standard 22.5.1 P1 minimum lot size of 20 ha.</p>

LCZ1

The Priority Vegetation Area mapping used by the HVC covers a whole swathe of vegetation that is not a priority and certainly not a threatened vegetation community. The data is old and inaccurate and stating that vegetation is present at X% in the bioregion which is why it is listed will also be inaccurate. Coupled with the lack of natural values assessment for the property, it must be agreed that no such accurate data exists to be able to understand if my properties natural values are correct. I have subsequently undertaken a survey and with a second opinion from Dr Stephen Harris (Editor of *From Forest to Fjaeldmark – Descriptors of Tasmania's Vegetation*). All of the mapping of the my vegetation is incorrect from the LIST TasVeg 4.0, in fact there is only a tiny amount of WGL with the bulk of the property being WOB and WDB on the western side and the *Acacia dealbata* forest (NAD) while correct its distribution is not accurate. Given the inaccuracies of the TasVeg 4.0 as groundtruthed by myself it must be agreed that the Priority Vegetation Area and the associated report are incorrect and given that the LCZ zoning was placed on my property based on this overlay then it should be noted that on this merit Rural zone is the most appropriate zone. My property has a Scenic Overlay and a Priority Vegetation Overlay (which is inaccurate). My property has not been spared from historical clearing due to being considered suboptimal for agriculture, up until the 1970s the area was

selectively logged and there are logging landings and tracks to drag logs out , throughout the entire property and much of the way up Blue Hill and down either side of the slopes. Up until the 1980s the lower slopes behind my house were cleared for rough pasture (the historical photos can be found on the LIST) and cattle grazed throughout this area of the property, and I would like to commence clearing this small area once again to allow for more livestock and/or fallowing of current pasture which is important for animal health and husbandry. Also, if I do not clear then my animals and property are at greater risk of damage due to fire, preventing the bushland from encroaching onto my pasture and fire clearance it of utmost importance to protect the property.

The Scenic Overlay needs to be revisited as the only area visible is Blue Hill not my entire property, yet there is a Scenic overlay over my entire property. The area below Blue Hill which is already cleared is not visible and is not a part of the hills themselves but rather a piece of the flat part of the ridgetop as you climb Mt Ruddy on Cloverside Road to reach my property below Blue Hill. This area has been developed.

<p>LCZ 2 <i>The Landscape Conservation Zone may be applied to:</i></p> <p>(a) <i>large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation;</i></p> <p>(b) <i>land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or</i></p> <p>(c) <i>land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.</i></p>	<p>Addressed by ensuring properties contain the Natural Assets Code overlay. The Huon Valley Natural Assets code is based on the 'Regional Ecosystem Model' which selected priority vegetation patches based on a range of criteria including, threat status, threatened species habitat, relative reservation, local scale fragmentation, and relative rarity.</p> <p>It is important to note that modelling is based on best available data. Portions of the Huon Valley, especially those with limited road access or in remote areas, have had limited sampling and are somewhat data deficient.</p> <p>The Huon Valley is privileged to have a high diversity and abundance of threatened species, placing additional importance on protecting not only core habitat areas but natural ecological corridors between them that allow for species dispersion.</p>
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LCZ2

Both Council and LISTMap admits to TASVeg mapping being indicative in most cases at best. This is true of my land and all priority/threatened flora, listed in the Huon Valley Council's report, save for the Mt Mangana Stag Beetle, are not present on my property. I did my PhD on *Lissotes menalcas* (Mt Mangana Stage beetle) and I purchased the property based on the bushland's beauty and its presence and my ability to marry both with developing a sustainable way of living by growing my own meat, vegetable, fruit and making wine. The inaccuracies include the Priority Vegetation Report listed NAD (*Acacia dealbata* Forest) and WGL (*Eucalyptus globulus* wet forest). The statement around less than 30% of these vegetation types being represented is the reason why they are considered a priority is also inaccurate until the on-ground mapping of vegetation is achieved. Till then the council does cannot state that there is 30% or less on these vegetation types represented in the bioregion. My property has mainly WOB (*Eucalyptus obliqua* wet forest) across the property and the NAD is correct but the extent which is shown on the map is wrong and this vegetation type is not as widespread and is integrated with a transition into a DOB (*Eucalyptus obliqua* dry forest).

The Swift Parrot *Lathamus discolor* is also mentioned in the Priority Vegetation Report, but this critically endangered species has not been heard or seen on my property in the 7 years I have been living here and I am familiar with identifying the bird and its calls. My experience in natural resource management, a PhD in Zoology and as a conservation ecologist gives me the ability to understand the vegetation types and threatened species on my property with accuracy.

Speaking to all LCZ 2 comments, HVC have not provided sufficient data to support their additional claims within the Priority Veg Report and LCZ zoning and associated overlays should not be applied in the absence of such data. The relevant overlay should be adjusted to meet the observed data and in consultation with the property owner.

<p>LCZ 3 <i>The Landscape Conservation Zone may be applied to a group of titles with landscape values that are less than the allowable minimum lot size for the zone.</i></p>	<p>This was addressed by using the following selection criteria to select LCZ suitability:</p> <ul style="list-style-type: none"> • Three or more adjoining properties • Borders existing Environmental
	<p>Management or Environmental Living properties intended to transfer to LCZ.</p> <ul style="list-style-type: none"> • If less than three adjoining properties, the total area of these properties is at least 20 ha.
<p>LCZ 4 <i>The Landscape Conservation Zone should not be applied to:</i> <i>(a) land where the priority is for residential use and development (see Rural Living Zone); or</i> <i>(b) State-reserved land (see Environmental Management Zone).</i></p>	<p>Formally reserved state land was removed from the property selection.</p>

LCZ3

There are two titles that border my property and are Rural Zoned. My neighbour at 407 Cloverside Road (Figure 3 – title on the south border of my property on the left-hand side) is also submitting a representation to change from LCZ to RZ. Note neighbours to the southeast are Rural Zone and to the northwest around to the northeast is also Rural Zone – assuming this is due to State Forest. In the interest of preventing spot-zoning properties 407 and 410 Cloverside Road should be zoned Rural. My property does not border any existing or Environmental Management or Environmental Living properties intended to transfer to LCZ – we all have similar lifestyles and property development and use that is most suited to Rural Zone. Given the statements above against the LCZ3 criteria the property is not suited to LCZ and is most similar to my neighbours which is zoned Rural (Figure 4).

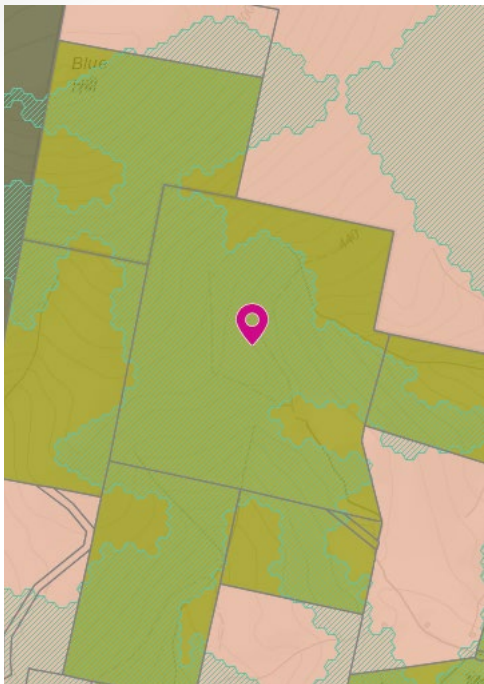


Figure 3. Map taken from the Huon Valley Planning Scheme Consultation Interactive Map




Figure 4. Photos of my neighbour's property which has the same natural values (note the NAD and WOB), development (sheds, house and pasture) and livestock (cows and sheep) – this property is zoned as Rural.

LCZ4

As per LCZ4 the property was not formally a reserved State land and the Rural Living Zone is not sought in this representation; however, the LCZ should not be applied to Rural Zones either and given that my property was Rural Resource under the Interim Planning Scheme 2015 the most appropriate zone to this is Rural as many of my other friends and neighbours seem to be zoned who have very similar properties and lead a similar lifestyle with a similar amount of development and future development.

Response to Section 8A Guidelines for Rural Zone - Guideline No. 1 Local Provisions Schedule (LPS): zone and code application

<p>20.0 Rural Zone</p>  <p>Red 228, Green 172, Blue 144</p>	<p>The purpose of the Rural Zone is:</p> <p>20.1.1 To provide for a range of use or development in a rural location:</p> <p>(a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;</p> <p>(b) that requires a rural location for operational reasons;</p> <p>(c) is compatible with agricultural use if occurring on agricultural land;</p> <p>(d) minimises adverse impacts on surrounding uses.</p> <p>20.1.2 To minimise conversion of agricultural land for non-agricultural use.</p> <p>20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and</p>	<p>RZ 1 The Rural Zone should be applied to land in non-urban areas with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area, and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.</p> <p>RZ 2 The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.</p> <p>RZ 3 The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:</p> <p>(a) it can be demonstrated that the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;</p> <p>(b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;</p> <p>(c) the land is identified for the protection of a strategically important naturally occurring resource which is more appropriately located in the Rural Zone and is supported by strategic analysis;</p>
<p>Zone</p>	<p>Zone Purpose</p> <p>does not compromise the function of surrounding settlements.</p>	<p>Zone Application Guidelines</p> <p>(d) the land is identified for a strategically important use or development that is more appropriately located in the Rural Zone and is supported by strategic analysis; or</p> <p>(e) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.</p>

RZ1

Much of the area that you wind your way up through Cloverside Road can be described as Rural which is why titles on this road have been zoned Rural. There is a wide range of uses on my property from growing grapes to produce wine, establishment of a market garden, farming sheep/pigs/goats for meat (See Figure 2) that meet the Rural Zone criteria. The property has limited agricultural use due to the topography of the land and alpine soils which are not known for their fertility. It is suitable for running light numbers of livestock and hardy crops such as some varieties of grapes and berries. Due to the steep ridges on either side of the property and the dense WOB across most of the property it is not suited for intense agriculture. The natural values of the property have been discussed in the case against LCZ and due to the inaccuracy of the data it is known that the land is not more appropriate to LCZ, it is with respect to its topography, existing development and utilities defined as a Rural Zone.

RZ2

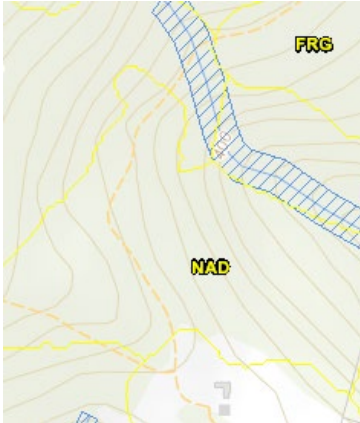
The land is not suitable to agriculture due to the topography and soil type. Rough pasture is possible in small areas at best of upwards 15 acres in the owner's expert opinion. The rest of the property is forested with rocky slopes.

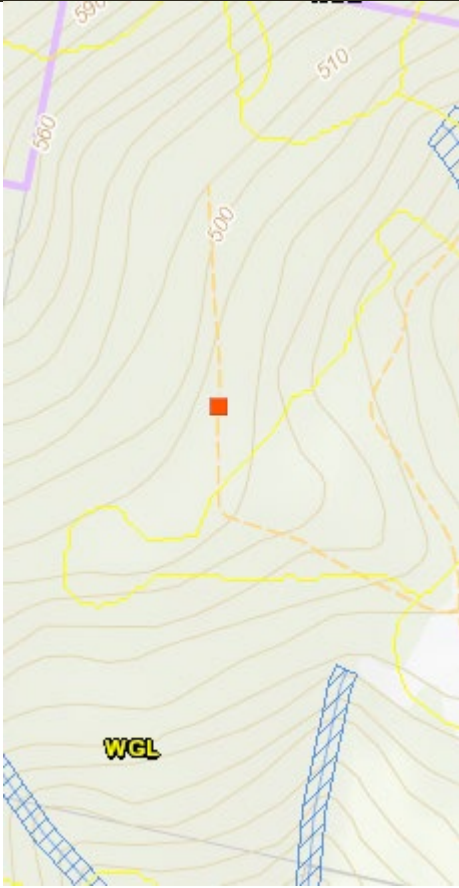
RZ3

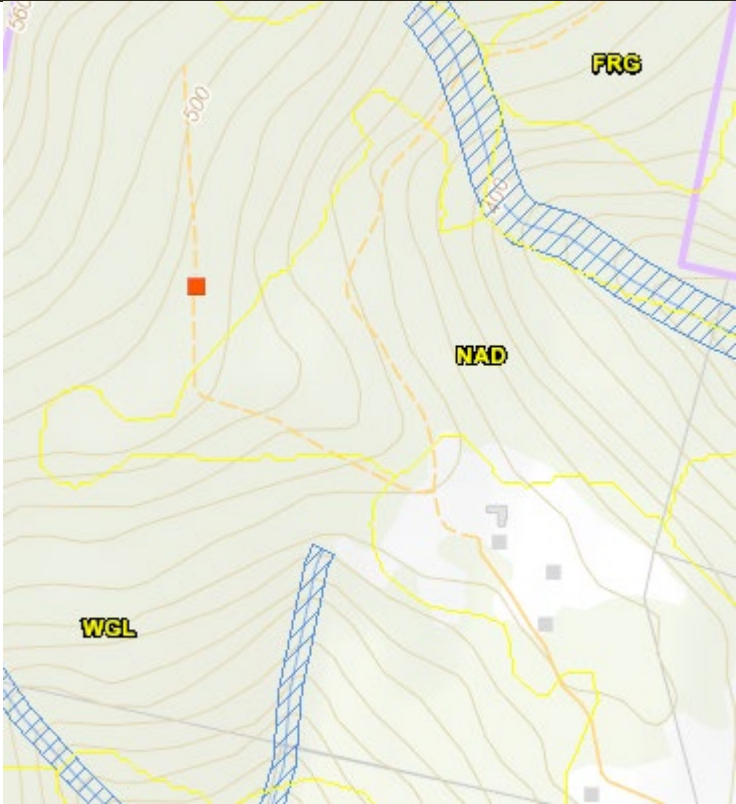
The property in question has limited agricultural use and is not integral to the management of a larger farm holding within an Agricultural Zone. Demonstrated significant constraints can be evidenced by the mapping of the property where you will see it has shallow alpine soil and either side of the flats are heavily forested rocky slopes. Rough pasture provides food for pigs, sheep and goats but at small numbers. The grape varieties were planted with soil type in mind and the market garden soil is from external sources or local soil is composted with chicken manure from the property. Spring water as a naturally occurring resource is present on the property and is appropriately located in the Rural Zone. The owner intends to get a Forest Practices Plan in the coming weeks.

Responding to proposed Priority Vegetation Area overlay under Natural Assets Code and the Natural Values Atlas – Threatened Fauna Point

I would like to form a rebuttal for several errors of the Priority Vegetation Area Overlay proposed for this property, as detailed below.

Relative reservation	(NAD) <i>Acacia dealbata</i> forest	TasVeg-mapped 
Relative reservation	(WGL) <i>Eucalyptus globulus</i> wet forest	Large TasVeg-mapped expansion of vegetation type spanning from SW part of property across to the SE and from the SW it extends to the western and NW side of the property.

		
Threatened Fauna	<i>Lissotes menalcas</i> (Mt Mangana Stag Beetle)	Property owners research downlisted this species to Vulnerable several years ago via PhD research. Owner takes a personal conservation interest in this species.

		
Threatened Fauna	<i>Lathamus discolor</i> (Swift parrot)	Mentioned in the Priority Vegetation Report in relation to the WGL. Not within 500m (potential, not known). Owner has not observed a Swift Parrot in the 7 years of living on the property. Has no verifiable record as per Threatened Fauna Point on TheLIST.
Scenic Value Overlay		Covers entire property when the only part of scenic value is Blue Hill as the rest of the property cannot be seen. This overlay should only be applied to Blue Hill.

2007 Huon Valley Land Use Strategy

The major strategic directions within the Glen Huon/Judbury minor settlements include:

- Retain the rural character of the district by discouraging inappropriate use or development that would detract from the character of the district or result in conflicts with established use or development.
 - The proposed rezoning would strengthen the rural quality of the Huon Valley and compliment the surrounding land use of rural potential, resulting in no conflict of bordering and nearby property owners.

- Identify designated rural living areas where existing rural residential development has occurred to such an extent that it dominates local land use and where environmental values will not be compromised.
 - The majority of the adjacent titles have existing residential development and rural residential development around Lucaston and Crabtree therefore dominates local land use.

Huon Valley Council Strategic Plan 2015-2025

The plan opens with a strategic direction to encourage a diverse and capable population:

- ***Councils' strategic stance is to support population growth and diversity in its demographic to ensure outcomes are achieved.***

Maintaining a growing population by making the valley an attractive place to live is stated as the answer to our community's ability to persist in a social and economic state. There is a strategic focus on improving utilities, infrastructure, and facilities for people to visit, invest and live in the Huon Valley. The strategy details the need to provide zones and places for people to live, invest and work. The rezoning to Rural land would sustain the economic viability of titles that have the potential to contribute to this, whether that be tourism, non-significant or significant agriculture.

Under this strategy the Council have a responsibility to manage the land use and a main element of this is:

- ***The availability and use of land for best purpose and future opportunity based on location, proximity and existing and potential servicing and risks is a key tool in ensuring the strategic objectives can be realised in a balanced manner.***

The plan identifies settlement configuration has led to less efficient agricultural production in the Huon Valley. The solution to this is to protect titles with the potential to offer valuable economic productivity. My title can help support this solution as Rural zone due to its proximity to services, the existing infrastructure such as sheds, houses, animal shelters, rough pasture ready to further convert to improved pasture (site potential for small-scale agriculture and rural life). There is a demand from society and a demand from strategies such as this and STRLUS to increase rural lifestyle living in the Huon Valley; therefore, designating the site as Rural zoning will promote the best use of the site to enable strategic objectives to be achieved.

Southern Regional Land Use Strategy

Any amendment must address the requirements of the Regional Land Use Strategy (as specified under Section 34(e)), which in this case is the Southern Tasmanian Regional Land Use Strategy (STRLUS). The following is an overview of the STRLUS:

Biodiversity and Geodiversity

BNV1.1 Manage and protect significant native vegetation at the earliest possible stage of the land use planning process. Where possible, ensure zones that provide for intensive use or development are not applied to areas that retain biodiversity values that are to be recognised and protected by Planning Schemes.

Although the natural values applied by the HVC are inaccurate, any potential or perceived natural values considered by the natural assets overlay which will provide the protection of vegetation where required. The rural zoning will not allow for intensive use or development due to the natural values overlay on my property.

Productive Resources

PR 2 Manage and protect the value of non-significant agricultural land in a manner that recognises sub-regional diversity in land and production characteristics.

The Huon Valley is known for both various agricultural production, whether they be significant or not. Much of the development within the area proceeds daily in harmony with the natural resources that surrounds it. Such a matrix among the municipality is essential to the function of the region. Furthermore, STRLUS states that such rural and agricultural properties are critical to sustaining the economic viability of Southern Tasmania and that non-significant forms of agriculture have the potential to contribute greatly to achieving this statement. Retaining economically productive units of land for boutique agricultural enterprises such as seen here for my property, is considered fundamental to implementing STRLUS.

By enabling my title to rezone as Rural land, it can provide a diversification of production that may increase opportunities for the Huon Valley. This is encouraged as a form of potential employment, wealth generation, and tourism. Given that the Rural zone does not provide for intensive residential development it is considered more appropriate for non-significant agricultural titles like mine.

Settlement and residential development

SRD 1.3 a. Recognition of existing rural living or environmental living communities, regardless of current zoning. Where not currently explicitly zoned for such use, existing communities may be rezoned to rural living or environmental living provided:

(i) the area of the community is either substantial in size or adjoins a settlement and will not be required for any other settlement purpose;

This title adjoins mostly rural blocks with residential dwellings on medium acreage. The properties that border mine were all zoned Rural Resource under the IPS 2015 and are now either Rural or seeking to move from LCZ to Rural. Lucaston is defined as an 'other small settlement' under STRLUS. The land surrounding these settlements is predominantly utilised for rural and agricultural lifestyles, particularly at the beginning of Cloverside where Rural and Rural Living zones have been proposed under the HUO LPS.

State Policies

Of the three existing State policies two are important to the requested rezoning of Rural Zone:

State Policy on the Protection of Agricultural land 2009

This Policy applies to land zoned Rural Resource which is what this title is zoned under the current IPS 2015. The policy's purpose being to conserve and protect the agricultural land. Over 30% of the property from 1930s to 1980s was rough pasture used for raising cattle and sheep and it is the intent of the owner to recover some of the rough pasture to add to the existing pasture thus conserving and protecting the agricultural component of the land which has

gradually been lost to forest due to neglect and lack of bush clearing and land-use management changes.

State Policy on Water Quality Management 1997

The purpose of this policy is to “*achieve the sustainable management of Tasmania’s surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania’s Resource Management and Planning System.*”

The proposed change from LCZ to RZ does not have any impact on water quality. A development application of any kind would require permits and detail appropriate water management planning in line with this Policy.

Land Use Planning and Approvals Act 1993

The application of the Rural Zone to this property is acceptable because it meets the criteria provided by Section 34(2) of LUPAA:

(2) The LPS criteria to be met by a relevant planning instrument are that the instrument –

(a.) contains all the provisions that the SPPs specify must be contained in an LPS; and

The SPPs makes provision for a Rural Zone

(b.) is in accordance with Section 32;

The property and requested Rural Zone change is in accordance with section 32. The draft HUU LPS outlines the application of Rural Zone and there is no conflict in applying this Rural zone or modifications required under the SPPs to the requested change from LCZ to RZ.

(c.) furthers the objectives set out in Schedule 1 ; and

The proposed rural zoning is ultimately part of a much broader land use strategy to support non- significant agricultural industry. The proposed rural zoning therefore provides for use and development of resources which is consistent with the broader landscape and allows for the maintenance of natural and physical processes on site.

It is in accordance with relevant strategic planning documents and will lead to an enhancement of the social and economic well-being of the area.

It is in accordance with relevant strategic planning documents and will lead to an enhancement of the social and economic well-being of the area.

(d.) is consistent with each State policy; and

Overall, the requested change from the HUU LPS proposed LCZ to the requested Rural zoning is consistent with the State Policies.

(e.) is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;

Overall, the requested change from the HUU LPS proposed LCZ to the requested Rural zoning is consistent with STRLUS.

Summary

Moving from the Landscape Conservation Zone to the Rural Zone is the most appropriate outcome because it meets the criteria for the Rural Zone and not the criteria for the Landscape Conservation Zone. The property is rural and being used for rural purposes – there is chicken, sheep, goat and pig farming as well as a market garden. There is a small commercial vineyard and plans to clear more land that was once rough pasture, and this includes cleaning out the pre-existing dam that occurs in the *E. obliqua* regrowth plus fixing the remnant fencing. The LCZ should not be applied because the Priority vegetation report is inaccurate regarding the vegetation types and/or extent of them. The property and the requested zoning of Rural also meet the strategic planning of the Huon valley 2015-2025 in addition to the LUPA and associated policies. The Southern Tasmania Regional Land Use Strategy 2015-2035 has an objective to retain fight climate change, maintain natural values while allowing for critical boutique agricultural enterprises in addition to rural residential living. If we are to fight climate change then properties such as mine will be vital to minimise carbon footprint and help us to tread lighter on this earth by closing the food miles and securing forested land as carbon sink. A balance between development and conservation is required when managing for climate change and LCZ does not achieve this goal with my property but Rural Zoning will.

Kind regards,



Belinda Yaxley
Director
Nautilus Collaboration PTY LTD