
From: Eve Merfield <evem1965@gmail.com>
Sent: Wednesday, 12 April 2023 4:54 PM
To: TPC Enquiry
Subject: Written submission/information for hearing 27th April Anthony Munnings and Eve Merfield.
Attachments: Merfield-Eve-Munnings-A-Representation 1.docx

Categories:

Dear Sir/Madam,

I attach additional written information relevant to our hearing on 27th April 2023 for review by the commission prior to our hearing

Regards

Eve Merfield and Anthony Munnings

Representation for hearing 27th April

Anthony Munnings and Eve Merfield

Owner / Representer: Eve Merfield and Anthony Munnings			Location address: 241 Hastings Caves Road, Hastings		
CT	PID	Area Size	IPS	Council LPS (Post 35F)	Requested Zone/s
44833/4	7842294	0.15 ha	14.0 Environmental Living	Rural Living	Rural Living

Location of title.

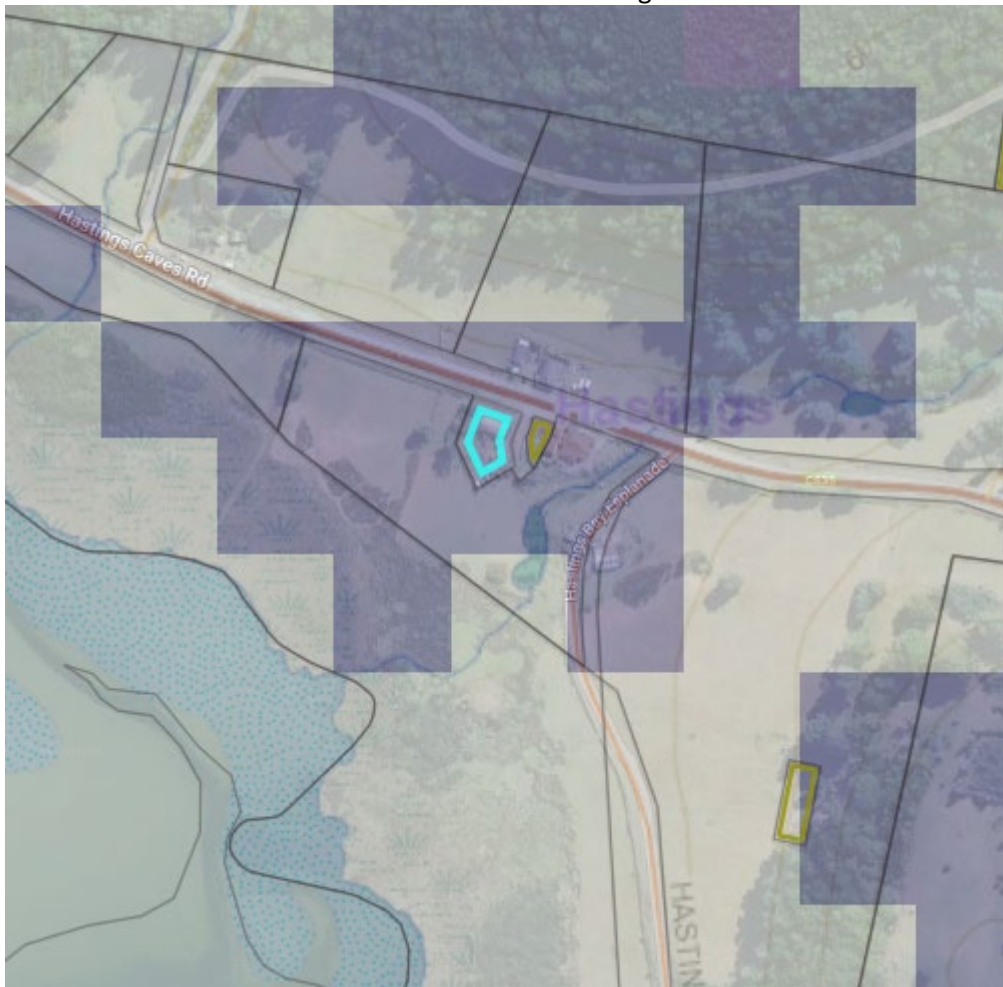


LEGEND		
■ General Residential	■ Light Industrial	■ Community Purpose
■ Low Density Residential	■ General Industrial	■ Recreation
■ Rural Living	■ Rural	■ Open Space
■ Village	■ Agriculture	■ Future Urban
■ Local Business	■ Landscape Conservation	■ Particular Purpose
■ General Business	■ Environmental Management	■ Split*

*Split Zones please consult Draft-HVC-LPS data Appendix 61 and later 35F documentation.

**Light Blue Border shows owner's land in question.

Viewshed: 100% Coverage



Huon Valley Zoning Association's Viewshed Map:

LEGEND			
HVZA-ViewShed	8 - 10	18 - 20	Landscape Conservation
No. of Viewpoints	10 - 13	20 - 23	Landscape Conservation Split Zone
< 3	13 - 15	> 23	
3 - 5	15 - 18	HVC-LCZ-Post35F	
5 - 8	VIEWShed		

*Light Blue Border shows owner's land in question.

**Landscape Conservation (LCZ) Borders indicate land within the Huon Valley Councils Endorsed 35F and Draft-LPS with LCZ full or split Zoning intent.

*** The HVZA-Viewshed indicates how visible parts of the subject title is from a viewshed based off of verified scenic road corridors. The colour shade represents how many viewpoints can see a portion of land. Further, explanation is to be provided to the TPC by HVZA.



Full Scenic Road Corridor Overlay Coverage

Property Description

This is a small residential block with no vegetation and a house and sheds
We accept Councils decision to zone this title as Rural Living Zone.

Current use of title

This is a small residential block with no vegetation and a house and shed
We accept Councils decision to zone this title as Rural Living Zone.

We accept Councils decision to zone this title as Rural Living Zone.

How does the title meet Requested Zone/s

We accept Councils decision to zone this title as Rural Living Zone.

Are you challenging a Natural Assets Code?	Yes	
<p>We believe this isn't applicable to this title. This is a small residential block with a house and shed. There is no vegetation and no Natural Assets. It appears to have been put in a block with surrounding larger blocks and the code is unsuitable for this block</p>		
Are you challenging a Scenic Protection Code?		No, no we aren't
Are you challenging any other Overlay?	Yes Yes, We are.	
<p>The appropriateness of the Coastal inundation investigation overlay is raised. We are over 250m away from the coast. We note that this has been based off modelling. We require full open disclosure of this modelling's data and assumptions. Is Council prepared to compensate or reimburse additional costs imposed on us for development in relation to this overlay? We have already had significant costs at another location imposed on us by council due to this overlay which is theoretical but causes significant difficulties when dealing with planning department</p> <p><i>Previous Overlays:</i> Bushfire Prone Areas, Scenic Landscape Corridor</p> <p><i>Proposed Overlays:</i> Bushfire-prone areas, Coastal inundation investigation area ,Scenic road corridor</p>		

This is not an all-inclusive list, just what was exhibited by Council in Appendix 61.



















Additional Notes:

Rep # 176.

Owner / Representor: Eve Merfield and Anthony Munnings			Location address: 189 Hastings Caves Road, Hastings		
CT	PID	Area Size	IPS	Council LPS (Post 35F)	Requested Zone/s
181878/1	2804547	10.68 ha	14.0 Environmental Living Zone	Landscape Conservation	Rural Living

Location of title.

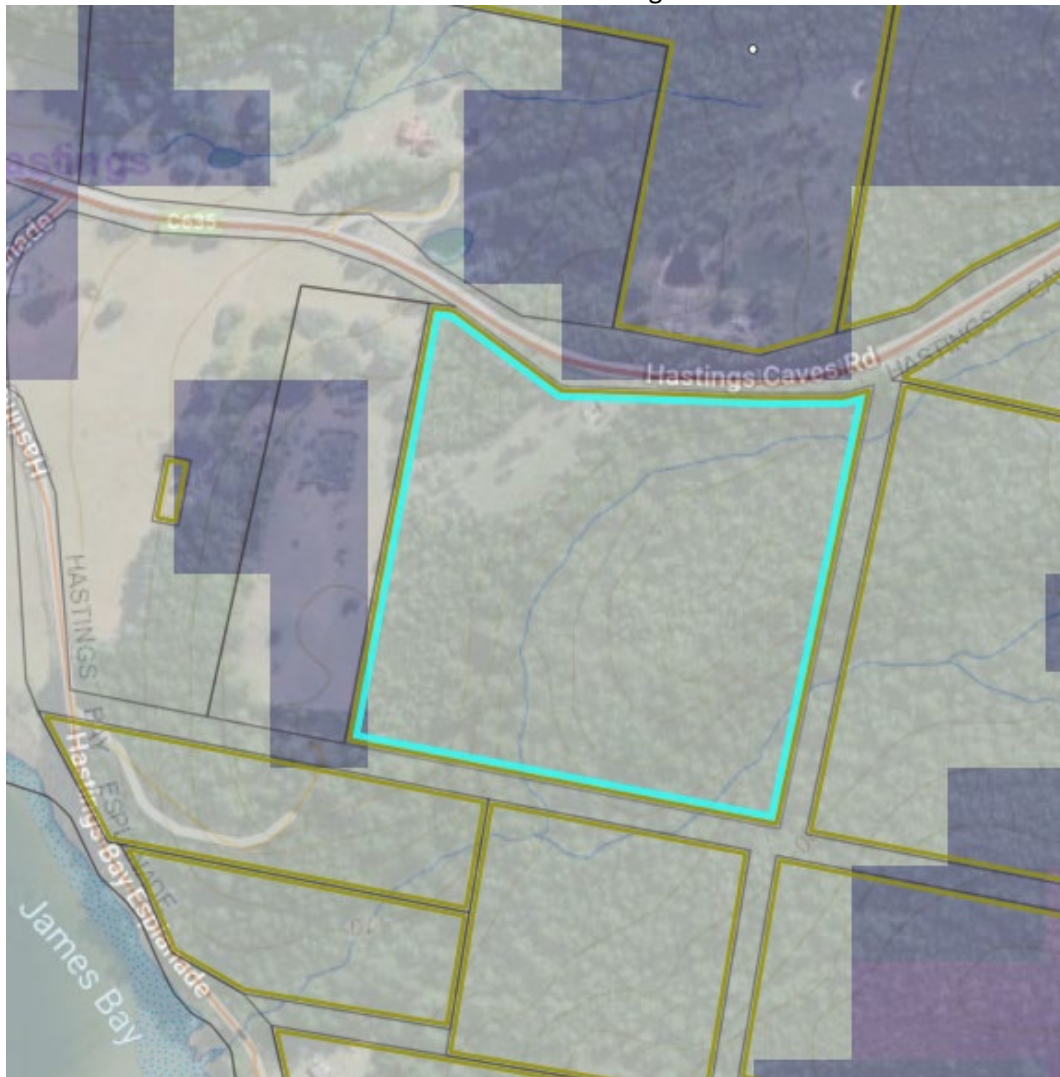


LEGEND					
	General Residential		Light Industrial		Community Purpose
	Low Density Residential		General Industrial		Recreation
	Rural Living		Rural		Open Space
	Village		Agriculture		Future Urban
	Local Business		Landscape Conservation		Particular Purpose
	General Business		Environmental Management		Split*

*Split Zones please consult Draft-HVC-LPS data Appendix 61 and later 35F documentation.

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Viewshed: 1% Coverage



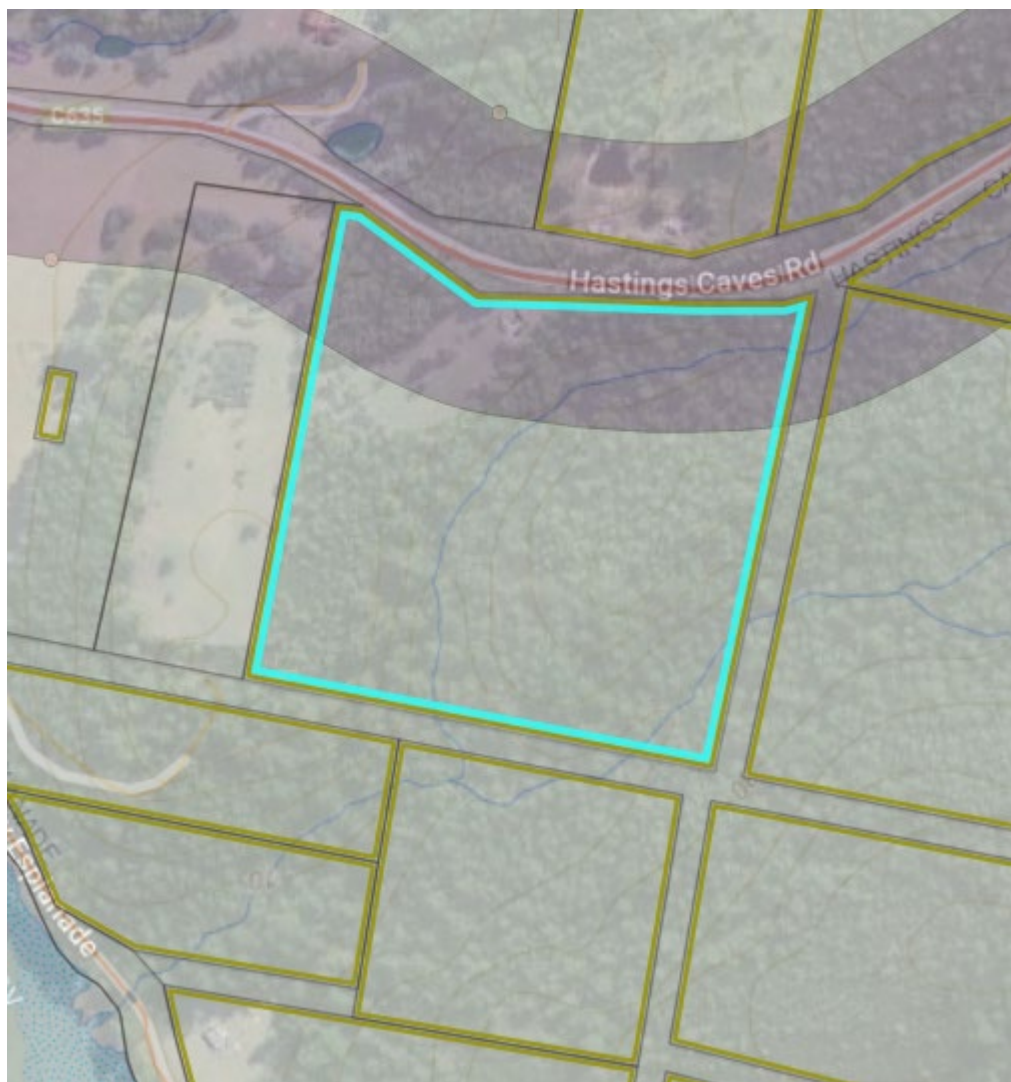
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Scenic Road Corridor Overlay across the whole of the frontage @ ~90m deep.



Google Maps Street View of Subject Title. Taken at ~Midpoint of Title Frontage. (no apparent scenic landscape. Title is screened by vegetation, Nevertheless this vegetation screen would be protected by the Scenic Road Corridor).

Property Description

The property is a block of land with a gulley running through it. There is a partially built house, which was approved with building and plumbing approval in the past but not completed. It has a significant cleared area around the house on the flattest area. The road side of the gulley has been previously cleared as evidenced by the tree stumps visible, see photo. The block neither has any views of Hastings Bay, nor can it be seen from Hastings Bay. The view from the road is of screening vegetation and the house. The gulley makes accessing parts of the property difficult so any development in that area would be difficult and therefore there is a level of protection offered by the topography of the block itself.



View of partially built house from the road



Tree stumps in cleared area near the road

Current use of title

Tony (Anthony Munnings) has no superannuation fund and we bought the property as part of a retirement fund. We have been told by a real estate agent that the Landscape conservation zoning will wipe off at least \$100,000 from the value of the block, if we can sell it at all, given that banks are reluctant to lend on properties zoned LCZ. This will have a significant adverse effect on our retirement.

The block is currently vacant, it has a partly built house on it. We maintain the cleared area, keep beehives on the block, and camp at times. see photos



It is clear that the intention for the block was residential in a large block rural setting, in that a house is already partly built. Any plans to rebuild or replace the building would be significantly impacted by the proposed change in zoning.



How does the title not meet Council's proposed Zone

There is clear historical intent for the land to be residential in a rural setting, as per the previous planning and the partial build already in existence. Therefore it does not meet the stated requirement:

LCZ 4 The Landscape Conservation Zone should not be applied to: (a) land where the priority is for residential use and development (see Rural Living Zone); or (b) State-reserved land (see Environmental Management Zone)

The proposed landscape conservation zoning is said to be due to landscape values of the block, with rolling hills surrounded by vegetation, "with elevated topography overlooking Hastings Bay"

The title does not meet this requirement. The block is not visible at all from Hastings Bay due to the elevated areas to the south and west of the block. The only part visible from the road is some screening vegetation, which is protected under the scenic road overlay. We do not believe there are any areas consistent with the landscape values for which the zone is intended.

The title is already significantly protected under natural values overlays. The scenic corridor protects the part visible, as there is no view of any of the block from the road other than the fringe of screening vegetation along the roadside.

The swift parrot and threatened fauna overlays are assumed, based on flawed analysis, and we would like to see evidence of the ground truthing of these assumptions, as we do not believe there is any swift parrot habitat on the property, whilst we are not experts, we have checked the property and can see no blue gum species.

Under the zoning "the purpose of landscape conservation zone is to provide for the protection, conservation and management of landscape values". There are significant levels of protection already in place. This leaves management. Who will be managing these values, including such things as managing invasive weeds, bushfire risk and so on?

Will the council be managing these "values" if they rezone the property?

How does the title meet Requested Zone/s

Many of the surrounding properties are zoned Rural Living and we believe this is a more suitable zoning for this property. There is an area of crown land on the southern border which completely cleared and is currently leased for pastoral use.

Within the area zoned as Environmental living around Southport and Hastings under the interim planning scheme, many properties have changed to Rural living, which is a suitable zoning for these and our property.

Prior to the interim planning scheme the property was zoned Rural B with an expectation of a residence being built, and indeed one was started, though it did not reach completion. There is a clear historical expectation of residential use within a large block rural setting. In order for this to occur the rural living zoning would be more suitable

Given there are already many layers of protection under the Natural Values overlays the property is very well protected.

Given the area is bushfire prone we are keen to be able to actively manage the risk to surrounding properties as well as our own.

Are you challenging a Natural Assets Code?	Yes,	
<p>Modelling appears to be incorrect. We do not believe there are Blue Gums on Property and therefore a Swift Parrot potential habitat is not appropriate. Etc. Modelling needs to be updated or retreated to reflect the actual Natural Values present.</p> <p>This needs to be ground truthed to verify. We are not experts but have not seen potential swift parrot habitat on the property</p> <p>There is also an area of “wet heathland” on the edge of the property. We believe it is likely that the imaging used for this does not show clearly what the area is. We do not believe this area meets the definition of wet heathland, being an area cleared by our neighbour for cultivation.</p>		
Are you challenging a Scenic Protection Code?		No
Are you challenging any other Overlay?		No
<p><i>Previous Overlays:</i> Biodiversity Protection Area,Bushfire Prone Areas,Landslide Hazard Area,Scenic Landscape Corridor,Waterway and Coastal Protection Areas</p> <p><i>Proposed Overlays: Bushfire-prone areas,Low landslip hazard band,Medium landslip hazard band,Priority vegetation area,Scenic road corridor,Waterway and coastal protection area</i></p> <p><i>This is not an all-inclusive list, just what was exhibited by Council in Appendix 61.</i></p>		

Owner / Representer: Eve Merfield and Anthony Munnings			Location address: 153 Kent Beach Road, Dover		
CT	PID	Area Size	IPS	Council LPS (Post 35F)	Requested Zone/s
15529/1	5266203	0.20 ha	13.0 Rural Living	Rural Living	Rural Living

Location of title.



LEGEND		
■ General Residential	■ Light Industrial	■ Community Purpose
■ Low Density Residential	■ General Industrial	■ Recreation
■ Rural Living	■ Rural	■ Open Space
■ Village	■ Agriculture	■ Future Urban
■ Local Business	■ Landscape Conservation	■ Particular Purpose
■ General Business	■ Environmental Management	■ Split*

*Split Zones please consult Draft-HVC-LPS data Appendix 61 and later 35F documentation.

**Light Blue Border shows owner's land in question.

Viewshed: 0% Coverage



Huon Valley Zoning Association's Viewshed Map:

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5 - 8	VIEWShed		

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Property Description

This is a small houseblock with a house and shed on

We accept Councils decision to zone this title as Rural Living Zone.

Current use of title

This is a small houseblock with a house and shed on

We accept Councils decision to zone this title as Rural Living Zone.

How does the title not meet Council's proposed Zone

We accept Councils decision to zone this title as Rural Living Zone.

How does the title meet Requested Zone/s

We accept Councils decision to zone this title as Rural Living Zone.

Are you challenging a Natural Assets Code?		No
Are you challenging a Scenic Protection Code?		No
Are you challenging any other Overlay?	Yes Yes, We are	
<p>The appropriateness of the Coastal inundation investigation overlay is raised. We note that this has been based off modelling. We require full open disclosure of this modelling's data and assumptions. It appears to be based on theoretical risk. Is Council prepared to compensate or reimburse additional costs imposed on us for development in relation to this overlay?</p> <p>We have already had very significant cost imposed on us by Huon Valley Council due to this theoretical risk when we tried to boundary adjust the property. Council staff themselves did not appear to understand what this meant, would not leave the office to visualise the issue, and changed their mind part way through the process leaving us thousands of dollars out of pocket.</p> <p><i>Previous Overlays: Biodiversity Protection Area, Bushfire Prone Areas, Coastal Erosion Hazard Areas, Waterway and Coastal Protection Areas</i></p>		

Proposed Overlays: Bushfire-prone areas, Coastal erosion investigation area, High coastal erosion hazard band, Medium coastal erosion hazard band, Priority vegetation area, Waterway and coastal protection area

This is not an all-inclusive list, just what was exhibited by Council in Appendix 61.

Additional Notes:

Rep# 178.

Owner / Representer: Eve Merfield and Anthony Munnings			Location address: 151 Kent Beach Road, Dover		
CT	PID	Area Size	IPS	Council LPS (Post 35F)	Requested Zone/s
104783/5	1452412	3.46 ha	13.0 Rural Living;26.0 Rural Resource	Landscape Conservation;Rural Living	Rural Living

Location of title.

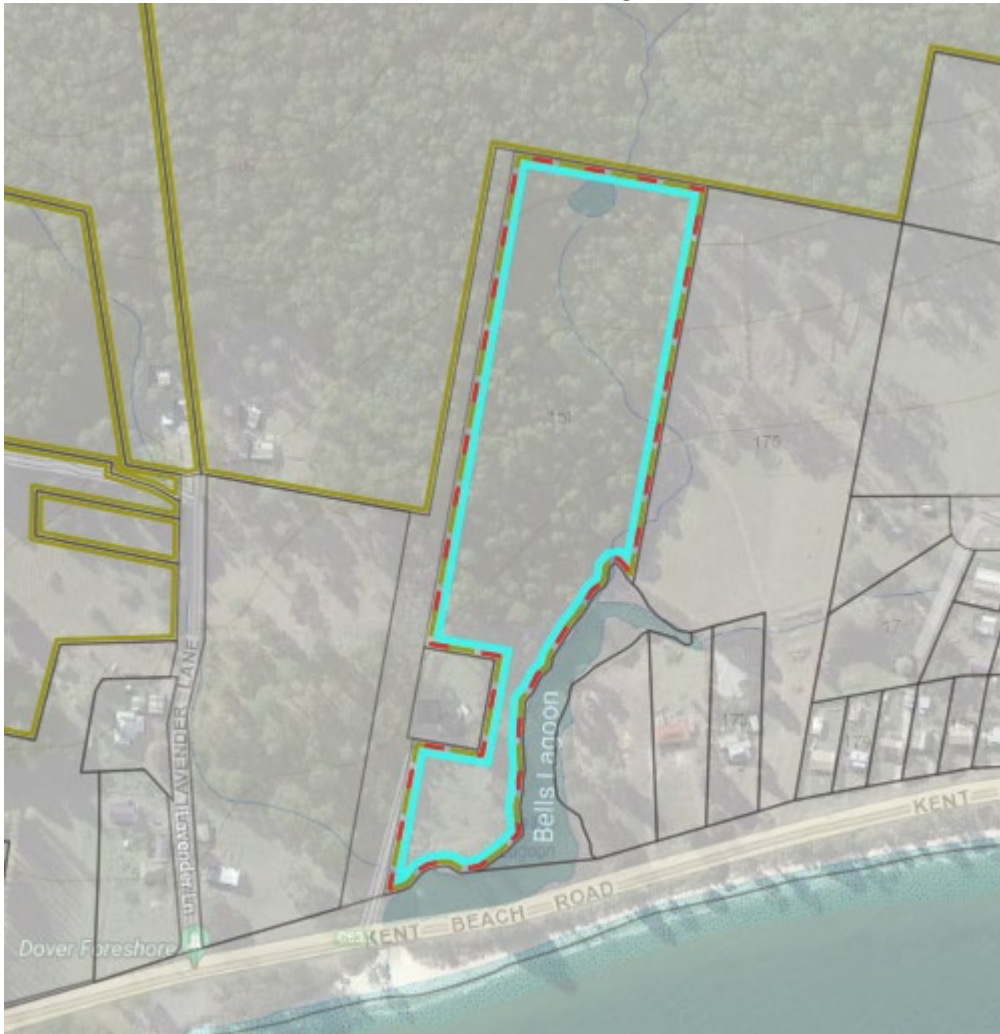


LEGEND		
■ General Residential	■ Light Industrial	■ Community Purpose
■ Low Density Residential	■ General Industrial	■ Recreation
■ Rural Living	■ Rural	■ Open Space
■ Village	■ Agriculture	■ Future Urban
■ Local Business	■ Landscape Conservation	■ Particular Purpose
■ General Business	■ Environmental Management	■ Split*

*Split Zones please consult Draft-HVC-LPS data Appendix 61 and later 35F documentation.

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Viewshed: 0% Coverage



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Property Description

There is conflicting advice on the councils recommendation for titles for 151 and 153 Kent Beach Rd, as one appears to recommend split zoning and one does not

We accept Councils decision to zone this title as all Rural Living Zone **with no split zoning**

Current use of title

We accept Councils decision to zone this title as Rural Living Zone **with no split zoning.**

How does the title not meet Council's proposed Zone

We accept Councils decision to zone this title as Rural Living Zone with **no split zoning.**

How does the title meet Requested Zone/s

We accept Councils decision to zone this title as Rural Living Zone **with no split zoning.**

Are you challenging a Natural Assets Code?		No
Are you challenging a Scenic Protection Code?		No
Are you challenging any other Overlay?	Yes Yes, We are	
<p>The appropriateness of the Coastal inundation investigation overlay is raised. We note that this has been based off modelling. We require full open disclosure of this modelling's data and assumptions. It appears to be based on theoretical risk. Is Council prepared to compensate or reimburse additional costs imposed on us for development in relation to this overlay?</p> <p>We have already had very significant cost imposed on us by Huon Valley Council due to this theoretical risk when we tried to boundary adjust the property. Council staff themselves did not appear to understand what this meant, would not leave the office to visualise the issue, and changed their mind part way through the process leaving us thousands of dollars out of pocket.</p> <p><i>Previous Overlays: Biodiversity Protection Area, Bushfire Prone Areas, Coastal Erosion Hazard Areas, Coastal Inundation Hazard Area, Landslide Hazard Area, Waterway and Coastal Protection Areas</i></p> <p><i>Proposed Overlays: Bushfire-prone areas, Coastal erosion investigation area, Future coastal refugia area, High coastal erosion hazard band, High coastal inundation hazard band, Low coastal erosion hazard band, Low coastal inundation hazard band, Low landslip hazard band, Medium coastal</i></p>		
