

**From:** "Josh Evans" <jgemailx@gmail.com>  
**Sent:** Fri, 3 Jun 2022 13:26:52 +1000  
**To:** "Huon Valley Council" <hvc@huonvalley.tas.gov.au>  
**Subject:** Draft LPS representation  
**Attachments:** Draft LPS Representation - Multiple properties Crouchs Hill Road - fixed.pdf, Draft LPS Representation - Josh Graeme-Evans (156729-1) - fixed.pdf, Representation - Scenic Code - Final - fixed.pdf

Good afternoon,

On Tuesday night (31.5.22) I submitted three representations to Council for the draft LPS (as per image below).

I have just reviewed the submitted files and noticed that there was a pdf compilation error and a couple of typos which as the potential to confuse readers.

Please accept these attachments as replacements for the ones originally submitted.

Regards  
 Josh

<input type="checkbox"/>	☆	📧	To: Huon	LPS Representation - Please find attached a draft LPS representation in relation to the Scenic Protection Area (HUO-C8.1.4) on Crouchs Hill, Lucaston ...	📎	May 31
<input type="checkbox"/>	☆	📧	To: Huon	LPS Representation - Please find attached a LPS representation in relation to a group of five properties within Crouchs Hill Road, Lucaston. All respectl...	📎	May 31
<input type="checkbox"/>	☆	📧	To: Huon	LPS Representation - Please find attached a LPS representation in relation to my property at 164 Crouchs Hill Road, Lucaston (Title reference - 156729-...	📎	May 31

31 May 2022

General Manager  
Huron Valley Council  
Huronville TAS 7109

**Representation for advertised draft Local Provisions Schedule (LPS) documents with respect to multiple properties located in Crouchs Hill Road, Lucaston**

I hereby submit a representation relating to the draft Local Provisions Schedule.

As a representative for a group of properties that have been historically acquired for residential purposes in Crouchs Hill Road – Lucaston, we collectively oppose the application the Landscape Conservation Zoning and contend that the Rural Living Zone would be the most appropriate zoning in accordance with the *Section 8A Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application* guidelines.

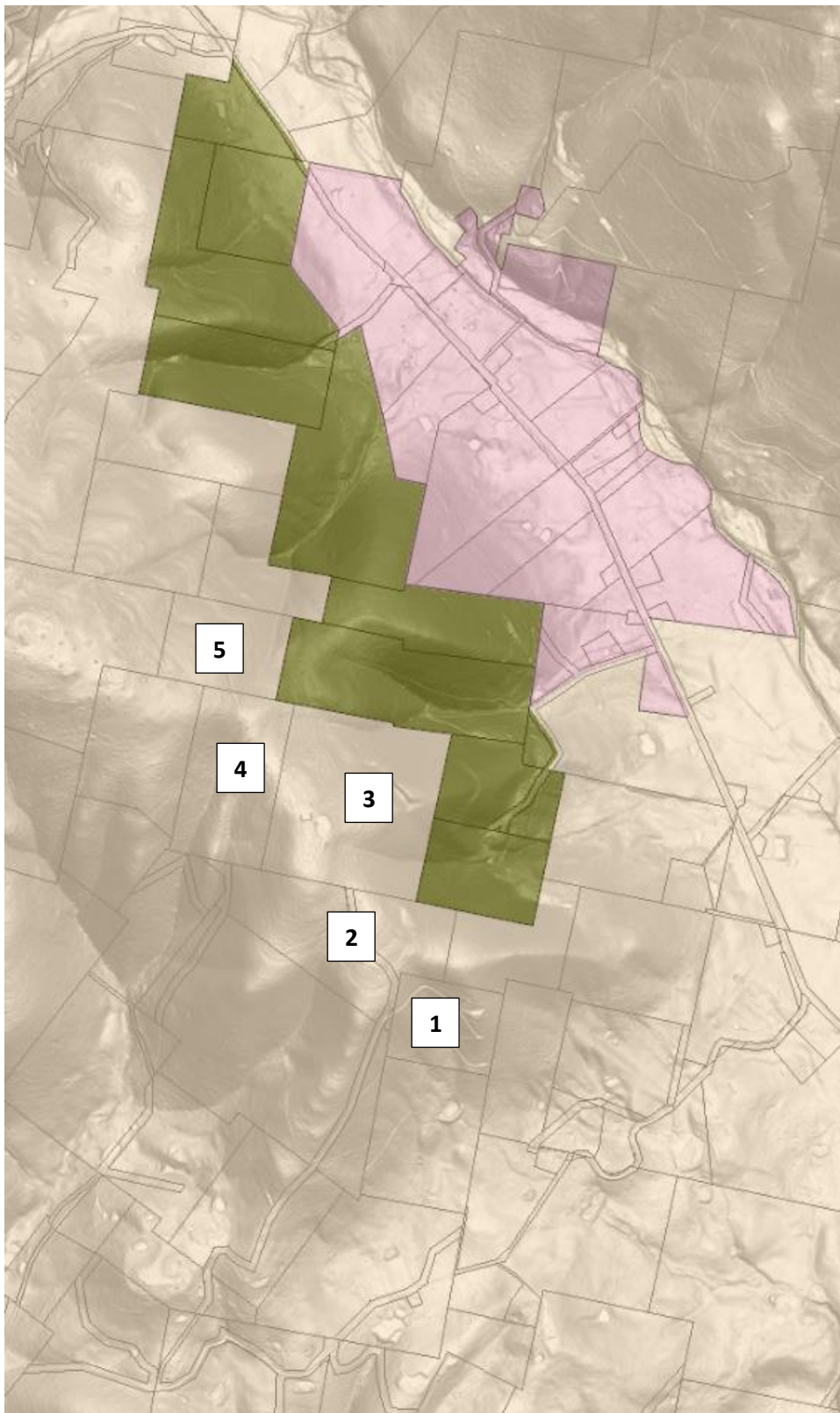
**Key points**

- all properties in Crouchs Hill Road were acquired for residential purposes
- significant investment has been made for this purpose including a \$100 000 road investment to Council specifications on a Public Reserve Road
- multiple residential dwellings have been established and further planning applications for residential dwellings are being developed or are with Council
- there is no risk of further densification or development
- the location is in commuting distance to Huronville, and is closer to essential services than many other townships within the Huron Valley Region
- the remaining undeveloped properties have established clearings and house sites suitable for residential development that were established at time of property purchase.
- the past intentions of the Government to utilise the land capability of the area is evidenced by the Public Reserve Road
- the area is in close proximity to another Rural Residential Zone
- the properties most closely meet the criteria for the Rural Living Zone under the S8A Guidelines
- the requirements of the Southern Tasmania Regional Land Use Strategy 2010-2035 can be satisfied

**Table 1: Listing of property owners and key details**

#	Title reference	Address	Details
1	181146/1	128 Crouchs Hill Road	<p>Property size: 6.0 Ha</p> <p>This property is owned by Jye Edwards. It was acquired in 2020 with the intention of building a home.</p>
2	152441/1	154 Crouchs Hill Road	<p>Property size: 12.6 Ha</p> <p>This property is owned by Margaret Sonneman. It was acquired in 2012. A home was constructed and approved for occupancy in 2019.</p> <p>Margaret Sonneman is an award-winning artist and the residence is used for home-based business activities.</p>
3	156729/1	164 Crouchs Hill Road	<p>Property size: 18.3 Ha</p> <p>This property is owned by Josh Graeme-Evans. It was acquired in 2009 with a view to building a home on the existing building site.</p> <p>A preliminary planning application was submitted to Council in 2021. A Planning Application is currently being prepared.</p>
4	168847/1	200 Crouchs Hill Road	<p>Property size: 10.6 Ha</p> <p>This property is owned by Peirce and Christina Baehr. It was acquired in 2008 with a view to building a home and establishing a faith-based hostel to accommodate interstate seasonal workers.</p> <p>A home and the hostel was established in 2018. A planning application is currently with Council for a further development to the hostel.</p>
5	169521/1	230 Crouchs Hill Road	<p>Property size: 7.0 Ha</p> <p>This property is owned by Jingyuan He and Junting CUI. It was acquired in 2022 with the intention of building a home. Building plans have been drafted and a planning application is currently being prepared.</p>

**Figure 1: Current zoning under the Interim Planning Scheme**



## Compliance with the Southern Tasmania Regional Land Use Strategy

**Table 2:** *STRLUS - 19.5 Regional Settlement Strategy (relevant extracts)*

Planning for rural living opportunities to minimise detrimental impacts	<p><b>No detrimental impacts.</b></p> <p><b>The application of RLZ would make use of existing access, infrastructure, house sites and cleared areas.</b></p> <p><b>Existing tree lines in combination with the Natural Assets Code and Scenic Code protect Natural Scenic values. It is also noted that residential development is consistent with nearby properties at equivalent or higher elevation.</b></p>
Minimising inappropriate residential development in areas at risk from hazards such as sea-level rise, flooding and bushfire	<p><b>Properties have existing clearings</b></p> <p><b>Risks appropriately managed through bushfire management plans and building design.</b></p>
Maximising use of existing infrastructure	<p><b>Properties have existing house sites and high quality access on a roadway built on a Public Road Reserve and to Council specifications.</b></p>
Minimising pressure on duplication of services in remote areas	<p><b>N/A – will not add to duplication of services</b></p>
Avoiding the creation of any further environmental issues caused by on-site wastewater disposal	<p><b>Any issues here are appropriately managed through wastewater system design.</b></p>
Protecting distinct landscape character.	<p><b>Residential use is in keeping with surrounding properties. Existing tree lines in combination with the Natural Assets Code and Scenic Code protects Natural Scenic values.</b></p>

**Table 3:** *STRLUS - 19.5 Regional Policies*

#		
SRD 1.3	<p>Support the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. Land not currently zoned for such use may only be zoned for such use where one or more of the following applies:</p> <p>a. Recognition of existing rural living or environmental living communities, regardless of current zoning. Where not currently explicitly zoned for such use,</p>	<p><b>SRD 1.3</b></p> <p>The properties should have been zoned Environmental Living in the IPS as per adjoining lots.</p>

	<p>existing communities may be rezoned to rural living or environmental living provided:</p> <p>(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; and</p> <p>(ii) only limited subdivision potential is created by rezoning.</p> <p>b. Replacing land currently zoned for rural living purposes but undeveloped and better suited for alternative purposes (such as intensive agricultural) with other land better suited for rural living purposes, in accordance with the following:</p> <p>(i) the total area rezoned for rural living use does not exceed that which is back-zoned to other use;</p> <p>(ii) the land rezoned to rural living use is adjacent to an existing rural living community;</p> <p>(iii) the land rezoned to rural living use is not designated as Significant Agriculture Land;</p> <p>(iv) the land rezoned to rural living use is not adjacent to the Urban Growth Boundary for Greater Hobart or identified for future urban growth; and</p> <p>(v) the management of risks and values on the land rezoned to rural living use is consistent with the policies in this Strategy.</p> <p>c. Rezoning areas that provide for the infill or consolidation of existing rural living communities, in accordance with the following:</p> <p>(i) the land must predominantly share common boundaries with:</p> <ul style="list-style-type: none"> <li>• existing Rural Living zoned land; or</li> <li>• rural living communities which comply with SRD 1.3(a);</li> </ul> <p>(ii) the amount of land rezoned to rural living must not constitute a significant increase in the immediate locality;</p> <p>(iii) development and use of the land for rural living purposes will not increase the</p>	<p><b><u>SRD 1.3 a (i)</u></b> The subject properties adjoin the Crabtree settlement and RLZ/ELZ properties.</p> <p><b><u>SRD 1.3 a (ii)</u></b> There is no or limited subdivision potential.</p> <p><b><u>SRD 1.3 b</u></b> Not applicable – the land is not suitable for alternative purposes</p> <p><b><u>SRD 1.3 c (i)</u></b> There are common boundaries to RLZ/ELZ properties</p> <p><b><u>SRD 1.3 c (ii)</u></b> Not a significant increase</p> <p><b><u>SRD 1.3 c (iii)</u></b> There are no conflicts with other land uses. Residential</p>
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	<p>potential for land use conflict with other uses;</p> <p>(iv) such areas are able to be integrated with the adjacent existing rural living area by connections for pedestrian and vehicular movement. If any new roads are possible, a structure plan will be required to show how the new area will integrate with the established Rural Living zoned area;</p> <p>(v) the land rezoned to rural living use is not designated as Significant Agricultural Land;</p> <p>(vi) the land rezoned to rural living use is not adjacent to the Urban Growth Boundary for Greater Hobart or identified for future urban growth; and</p> <p>(vii) the management of risks and values on the land rezoned to rural living use is consistent with the policies in this Strategy.</p>	<p>use is the primary existing and intended use of the land.</p> <p><b><u>SRD 1.3 c (iv)</u></b> Future integration is possible. There are existing trails connecting properties</p> <p><b><u>SRD 1.3 c (v)</u></b> Land is not Significant Agricultural.</p> <p><b><u>SRD 1.3 c (vi)</u></b> Not adjacent to Urban Growth Boundary and not identified for future urban growth.</p> <p><b><u>SRD 1.3 c (v)</u></b> Risks and values of the land can be managed in accordance with the policies in the STRLUS.</p>
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## Zone Use analysis

### Rural Living – Zone purpose and Use Table commentary

Rural Residential is the best fit under the S8A Guidelines.

The Rural Residential Zoning purpose matches the intentions of property owners and their historic investment decisions to date. Property owners 1 to 5 have made significant investments towards the residential use, including substantial investments in road upgrades to Council specifications along the Public Reserve Road. Property Owners 2 and 4 have established residential dwellings. Property Owners 1,3 and 5 are progressing Planning Applications for residential development.

The Rural Residential Zone closely aligns with intended use and land capability and gives appropriate levels of certainty to the Property Owners.

**Table 4: Rural Residential Zone – Use Table extract with commentary**

Use Class	Qualification	Comments
<b>No permit required</b>		
Residential	If for single dwelling	All properties have been acquired for residential use as the primary intention.  Properties 2 and 4 have established dwellings.  Professional services have been engaged and planning applications for residential dwellings are currently being progressed for Properties 1, 3, and 5.
Resource Development	If for grazing	There are existing field areas and grazing opportunities across the properties.  It is the intention of some of the property owners to conduct grazing activities.
<b>Permitted</b>		
Residential	If for a home-based business	Properties 2 and 4 are currently engaged in home-based business activities including Artistry.  It is the intention of Property Owner 3 to also engage in home business activities that would be sensitive to



		surrounding residential amenity.
Visitor Accommodation	If for grazing	Property 4 is currently runs a Visitor Accommodation business for interstate seasonal workers.  Property owner 3 also intends to conduct some form of Visitor Accommodation in the future.
<b>Discretionary</b>		
(All)		The primary intentions of property owners 1 to 5 are covered by “No permit required” and “Permitted” Uses.  The list of discretionary uses provide some additional options into the future.

## Landscape Conservation Zone – Zone purpose and Use Table commentary

The Landscape Conservation Zone is not a good fit for Properties 1 to 5 under the S8A Guidelines.

The Purpose and Zone table for Landscape Conservation Zoning does not appropriately match the intentions of property owners and the investment decisions to date.

Property owners 1 to 5 all bought the properties with a primary motivation for residential use and secondary intentions to support a range of other uses which are fully supported by the “No Permit Required” and “Permitted” Use Classes in the Rural Living Zone.

Under the Landscape Conservation Zoning, the intended uses of the property owners become “Discretionary”, thereby taking away certainty of use. This is not appropriate when Natural Justice and historic investment decisions are taken into account, along with land capability considerations – which is a stated Objective under the *Land Use Planning and Approvals Act 1993*.

Whilst the Property owners are sympathetic to natural values, the conservation of landscape values has not been a primary motivation in investment decisions made to date.

The use of Landscape Conservation Zoning will establish a significant conflict in purpose between the intended residential use and amenity of the properties, versus the purpose of the Zone which is to prioritise landscape values.

**Table 5: Landscape Conservation Zone – Use Table extract with commentary**

Use Class	Qualification	Commentary
<b>No permit required</b>		
(Nothing linked to intended purpose)		There are no “No permit required” uses that support the intended use of Properties 1 to 5.
<b>Permitted</b>		
Residential	If for a:  (a) home-based business; or  (b) single dwelling located within a building area, if shown on a sealed plan.	(b) There are no designated building areas on properties 1 to 5, thereby making future residential development “Discretionary”.  “Discretionary” residential use is not aligned with the intended use of the Property Owners.
<b>Discretionary</b>		
Visitor Accommodation		Use Class of “Permitted” would be more appropriate.  Property 4 is currently runs a Visitor Accommodation

		<p>business for interstate seasonal workers.</p> <p>Property owner 3 also intends to conduct some form of Visitor Accommodation in the future.</p>
Residential	If for a single dwelling	<p>The “Discretionary” nature of this Use Class will create financing issues for a number of the Property Owners undertaking residential development.</p> <p>In addition, the “Discretionary” nature of approvals and the building requirements of the Zone gives rise to significant concern that investments made to date will entirely wasted.</p> <p>A number of planning applications are in progress. Professional engagements have made or are in progress with services provided in relation to drawings and assessments made in relation to existing building sites and existing planning controls.</p> <p>A forced location change or inability to build, or significant changes to planning requirements due to the new zoning and its requirements will result in significant wastage and sunk costs.</p> <p>In general, the zone does not give the appropriate level of certainty as to intended use in accord with past investment decisions.</p>

## Analysis of S8A Guidelines

The zoning of Properties 1 to 5 to Landscape Conservation cannot be appropriately justified under the S8A Guidelines. The Rural Living Zone is the best fit under the S8A Guidelines.

**Table 6: S8A Guidelines - Landscape Conservation Zone**

S8A Guideline	Assessment
<p><b>LCZ1</b></p> <p>The Landscape Conservation Zone should be applied to land with landscape values that are <b>identified for protection and conservation</b>, 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.</p>	<p>The subject properties have not been identified for protection and conservation in accordance with LCZ1:</p> <ul style="list-style-type: none"> <li>• there are no conservation covenants in place</li> <li>• the property has not been identified for protection and conservation through any other rigorous process or on the ground</li> <li>• No threatened flora species listed under Schedule 3, 4 or 5 of the <i>Threatened Species Protection Act 1995</i> or under the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> have been identified in Natural Value Assessments</li> <li>• No threatened fauna species listed under Schedule 3, 4 or 5 of the <i>Threatened Species Protection Act 1995</i> or under the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> have been identified in Natural Value Assessments</li> <li>• a representation to contest Scenic Code HUU-C8.1.4 has been submitted. The scenic quality of the subject area is low and unremarkable in the context of its surroundings. The Crouchs Hill area covered by Properties 1 to 5 is frequently obscured from view and is a significant distance away from the Huon Highway and popular tourist locations. It is not in any way a dominant or high-quality scenic feature.</li> </ul>

S8A Guideline	Assessment
<p><b>LCZ2</b></p> <p>The Landscape Conservation Zone may be applied to:</p> <ul style="list-style-type: none"> <li>a. large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation;</li> <li>b. land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or</li> <li>c. land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.</li> </ul>	<p><b>LCZ2</b></p> <ul style="list-style-type: none"> <li>(a) no threatened native vegetation communities, threatened species or other locally or regionally important native vegetation have been identified with on the ground surveys.</li> <li>(b) the Natural Assets Code and Scenic Protection Code apply to a portion of the subject area covered by properties 1 to 5, however it is understood the that Natural Assets Code is based upon unreliable data which does not correspond with an on-ground survey. A representation objecting to the Scenic Protection Code HUO-C8.1.4 has been submitted (see comments above).</li> <li>(c) Properties 1 to 5 are not ELZ properties. Arguably they should have been zoned ELZ in the IPS. The primary use and intention of the properties is for residential use and living. Whilst conservation is generally supported, it is not the primary intention upon which investment decisions have been made.</li> </ul>
<p><b>LCZ3</b></p> <p>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.</p>	<p><b>LCZ3</b></p> <p>Each title is substantially less than the 50ha minimum lot size prescribed in SPP - 22.5.1 A1. Refer to the table of property details above.</p>
<p><b>LCZ4</b></p> <p>The Landscape Conservation Zone should not be applied to:</p> <ul style="list-style-type: none"> <li>a. land where the priority is for residential use and development (see Rural Living Zone); or</li> <li>b. State-reserved land (see Environmental Management Zone).</li> </ul>	<p><b>LCZ4</b></p> <ul style="list-style-type: none"> <li>(a) The priority for all properties in this representation is for residential use and development</li> <li>(b) The properties are not State-reserved land.</li> </ul>

**Table 7: S8A Guidelines – Rural Living Zone**

S8A Guideline	Assessment
<p><b>Purpose statements</b> The purpose of the Rural Living Zone is:</p> <p><b>11.1.1</b> - To provide for residential use or development in a rural setting where: (a) services are limited; or (b) existing natural and landscape values are to be retained</p> <p><b>11.1.2</b> - To provide for compatible agricultural use and development that does not adversely impact on residential amenity</p> <p><b>11.1.3</b> - To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.</p> <p><b>11.1.4</b> - To provide for Visitor Accommodation that is compatible with residential character</p>	<p><b>11.1.1</b> - Properties 1 to 5 were purchased for residential use.</p> <p>(a) The existing dwellings and building sites are in an off-grid locations with limited services.</p> <p>(b) Natural landscape values are present and will be largely retained.</p> <p><b>11.1.2</b> – Properties 1 to 5 contain spaces suitable for small-scale agriculture use that would not impact residential amenity</p> <p><b>11.1.3</b> – Properties 1 to 5 will support other uses in ways that will not result in a loss of amenity. Properties 2 and 4 already provide this.</p> <p><b>11.1.4</b>- Property 4 is currently providing Visitor Accommodation in a way that is compatible with residential character.</p>
<p><b>RLZ1</b></p> <p>The Rural Living Zone should be applied to:</p> <p>(a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity; or</p> <p>(b) land that is currently a Rural Living Zone within an interim planning scheme or a section 29 planning scheme,</p> <p>unless RLZ 4 below applies.</p>	<p><b>RLZ1</b></p> <p>(a) The lots are larger and vary in size between 6 and 18.3 ha. Average lot size is 10.9 ha. The lots are perfectly suited to a mix between residential and lower-order activities. This reflects the current situation for properties 2 and 4 which have existing residential dwellings and give priority to this use, but are supported by Visitor Accommodation and Artistry small business.</p> <p>(b) RLZ1(a) applies (refer above)</p> <p>RLZ4 does not apply (refer below)</p>
<p><b>RLZ2</b></p> <p>The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</p> <p>(a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional</p>	<p><b>RLZ2</b></p> <p>(a) Updated local land use strategy is yet to be developed by Huon Valley Council. Application is consistent with STRLUS (see above).</p> <p>(b) Arguably, the land should have been zoned as ELZ with the transition to IPS. The prior Huon Planning Scheme 1979</p>

<p>land use strategy and endorsed by the relevant council; or</p> <p>(b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater.</p>	<p>provided for “Permitted” residential use on Properties 1 to 5. All properties were purchased with residential use as the primary intention. Rural Living Zone D would be the appropriate zoning.</p>
<p><b>RLZ3</b></p> <p>The differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on :</p> <p>(a) a reflection of the existing pattern and density of development within the rural living area; or</p> <p>(b) further strategic justification to support the chosen minimum lot sizes consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.</p>	<p><b>RLZ3</b></p> <p>Rural Living Zone D is recommended based upon the lot sizes detailed in the table above.</p>
<p><b>RLZ4</b></p> <p>The Rural Living Zone should not be applied to land that:</p> <p>(a) is suitable and targeted for future greenfield urban development;</p> <p>(b) contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see Landscape Conservation Zone), unless the values can be appropriately managed through the application and operation of the relevant codes; or</p> <p>(c) is identified in the ‘Land Potentially Suitable for Agriculture Zone’ available on the LIST (see Agriculture Zone), unless the Rural Living Zone can be justified in accordance with the relevant regional land use strategy, or</p>	<p><b>RLZ4</b></p> <p>(a) Not applicable – not targeted for future greenfield urban development</p> <p>(b) Whilst properties 1 to 5 contain Natural Landscape Values, these values are no more significant than those found in surrounding areas in the patchwork of cleared and uncleared hills that characterise the area. These values will be protected by the Natural Assets Code. A representation to contest Scenic Code HUO-C8.1.4 has been submitted as its scenic quality is low and unremarkable in the context of its surroundings. The Crouchs Hill area covered by Properties 1 to 5 is frequently obscured from view and is a significant distance away from the Huon Highway and popular tourist locations. It is not in any way a dominant or high-quality feature.</p>

<p>supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council</p>	<p>There are no conservation covenants on the properties and on-ground Natural Values assessments have not identified</p> <p><b>(c)</b> Not applicable – not identified as “Land Potentially Suitable for Agriculture Zone”</p>
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### **Natural justice considerations**

Not applying the Rural Living Zoning is anticipated to have natural justice issues with respect to property financing and the intentions of the property owners to use their properties for residential purposes as was their original intention when acquired under the *Huon Valley Planning Scheme 1979*.

The majority of properties noted in this submission were purchased under the former planning scheme when residential use was "Permitted".

Not having residential use as permitted will cause adverse issues in relation to property financing and remove pre-existing residential development rights upon which significant investment decisions have already been made. There is potential under the draft LPS to render worthless, the substantial investment of time and money by existing owners in progressing residential development, including significant sums of money invested in access and road upgrades to specification.

With respect to the financing issue, the local bank manager at the Commonwealth Bank in Huonville has advised that 50% deposits will be required in instances where residential use is listed as "Discretionary" for vacant lots and that building is significantly more difficult under this Use Class. The financing issue has also been acknowledged by Glamorgan Spring Bay Council in the Section 35F Report to the Local Provisions Schedule for the Municipality – refer to Attachment 1 below.

## Attachment 1 – Extract from Glamorgan Spring Bay Council – Section 35F Report

Local Provision Schedule  
Section 35F Report



Representations that seek such changes, regardless of extent, cannot be considered without revoking the transitional status of these provisions. This entails Council justifying the provisions as if they do not exist and involves significant risk that the same or similar provisions may not be approved as part of the LPS. This process would create significant risk for the Council and the affected property owners.

Absent a significant change in policy position by the Council, the reality is that changes cannot be made to the transitional provisions.

Representation 33 is the exception to this, because the matters under discussion relate to the translation of existing provisions to a different type of control under the SPP and LPS structure. This issue will require further examination through the hearings to confirm that the transitional status will not be revoked as a result.

### Landscape Conservation zoning and Conservation Covenants

Reps 1, 2, 6, 7, 11, 18, 45, 48, 53, 55, 56

Many representations have demanded the landscape conservation zone as they have conservation covenants over their property. It is understood that these submissions have been encouraged by Conservation Landholders Tasmania, based on the Commission's Guideline number 1.

Discussions with the Tasmanian Land Conservancy provided further clarity for the representations regarding this issue. Landscape Conservation zoning is preferred for conservation covenanted land because it provides for the assessment of vegetation removal and does not allow for extractive industries.

The Guideline statements are inconsistent with the zone provisions, which also lack clear guidance about application of priority vegetation and scenic management overlays within the zone. The requests are consistent with guidelines LCZ 1, 2 and 3.

The landscape conservation zone cannot regulate biodiversity, which is done through the Priority Vegetation overlay and Natural Assets Code. Guideline LCZ 4(a) provides the following:

*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).*

*Note: The Landscape Conservation Zone is not a replacement zone for the Environmental Living Zone in interim planning schemes. There are key policy differences between the two zones. The Landscape Conservation Zone is not a large lot residential zone, in areas characterised by native vegetation cover and other landscape values. Instead, the Landscape Conservation Zone provides a clear priority for the protection of landscape values and for complementary use or development, with residential use largely being discretionary.*

*Together the Landscape Conservation Zone and the Environmental Management Zone, provide a suite of environmental zones to manage use and development in natural areas.<sup>1</sup>*

While it is not a planning issue, there is a risk to the property owners that the requested change to the Landscape Conservation zone may affect financing for properties. Guideline No. 1 very clearly states that residential purposes should be directed to the Rural Living zone.

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<sup>1</sup> P20 Guideline 1

Josh Graeme-Evans  
Crouchs Hill Road  
LUCASTON 7109

31 May 2022

Jason Browne  
General Manager  
Huron Valley Council  
40 Main Road  
HUONVILLE 7109

Dear Mr Browne

**RE: Huon Valley Draft Local Provisions Schedule (LPS) – representation to change property zoning from Landscape Conservation to Rural**

Please accept this representation in relation to my property at 164 Crouchs Hill Road, Lucaston (Title Reference 156729—1).

I object to the proposed Landscape Conservation Zone. If the Planning Authority will not accept an argument for the Rural Living Zone (which is made in relation to a group of properties along Crouchs Hill Road in a separate submission), then I contend Rural Zone is the next most suitable zone for this property under the Tasmanian Planning Scheme.

**Background information**

I acquired the property in 2009 with the primary intention to build a residence and a secondary intention to establish a small-scale joinery workshop to produce high-quality eco-friendly furniture, using locally sourced timber and where possible, from onsite sources using selective harvesting practices, subject to the establishment of a forest practices plan.

I also considered building a secondary dwelling “granny flat” to accommodate an elderly relative and potentially establishing “Pod” style short-term accommodation.

These intended uses were fully supported by the *Huon Planning Scheme 1979* at the time of purchase (see Attachments 1A and 1B). Single and ancillary dwellings were “Permitted” uses. Joinery workshop operations were supported by the “Discretionary” use classes of “Cottage Industry” and “Timber Mill”. Short stay accommodation was supported by “Motel” discretionary use class.

The purchase was made possible by the **Residential Use** class being “**Permitted**” under the Rural Zone within the *Huon Planning Scheme 1979*. This facilitated the provision of finance from the Commonwealth Bank.

Up until the introduction of the IPS, the property was considered a “Rural-Residential” property by banks, property valuers (see Attachment 3) and the Valuer General (Attachment 4).

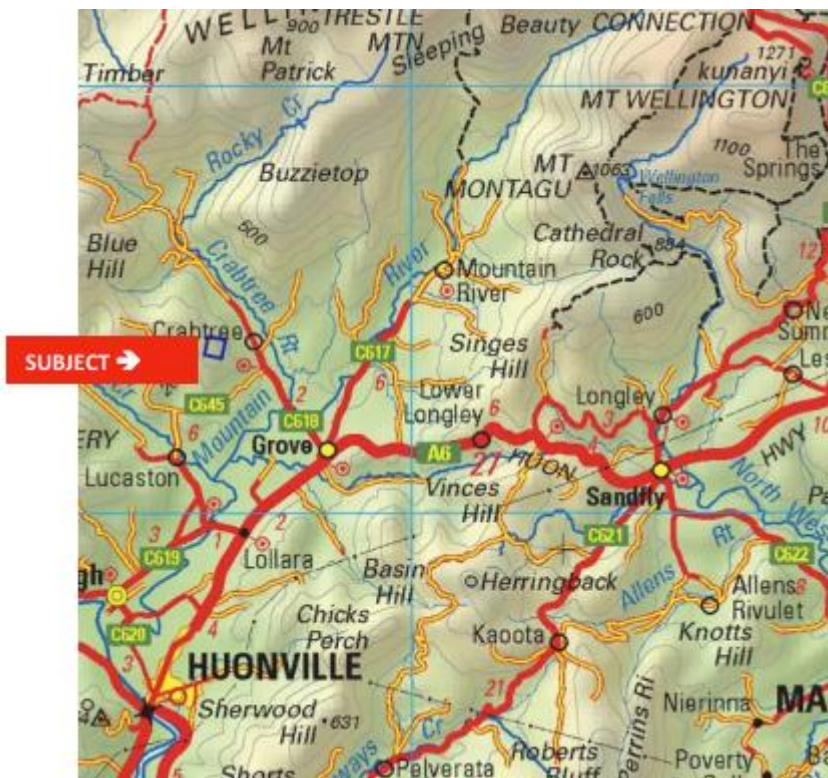
## Property location and characteristics

An overview of the property location is provided in Figures 1, 2, 3 and 4.

The property is within the “Lucaston” town boundary, but is 850m due west from the Crabtree town centre. It is located 7.9km by line of sight to the Huonville Town Centre (which is due South) and a distance of 3.5km by line of sight to Grove (which is to the South-East).

The property has traditionally been considered a “**Rural-Residential**” type property – refer to a Valuation Report extract (Attachments 3A) and Valuer-General Statement (Attachment 4) and is surrounded by other properties used for rural residential living and rural business type purposes.

**Figure 1: high-level regional view**



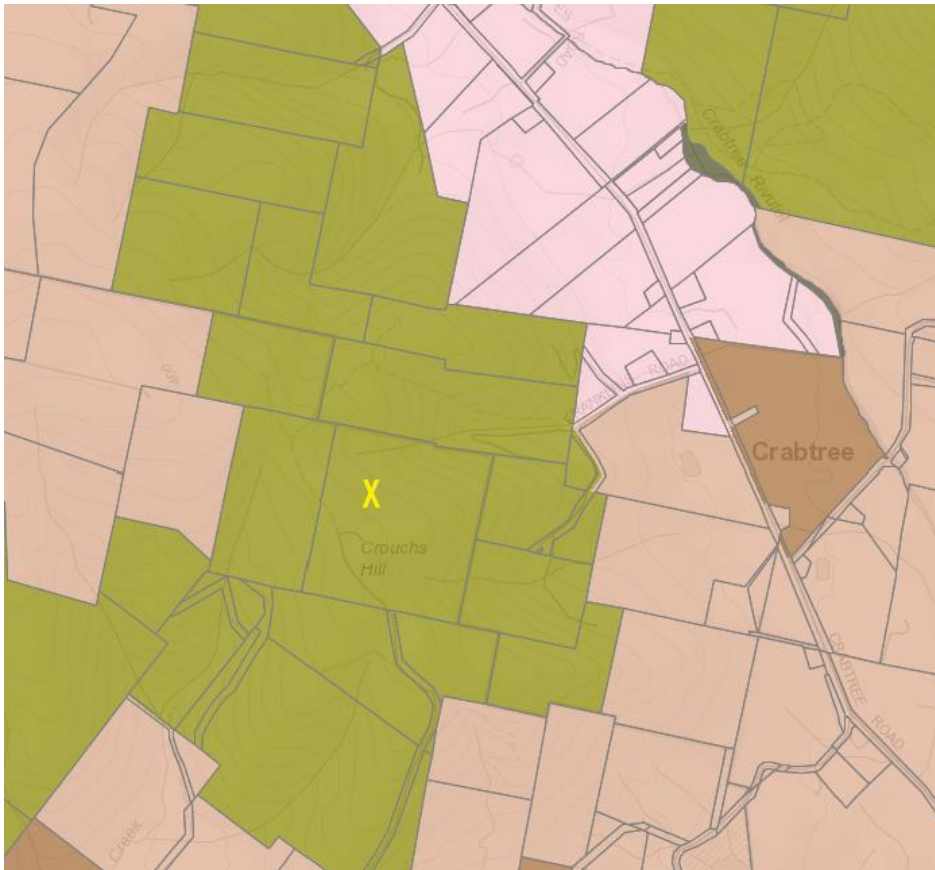
## Services proximity

The property is **off-grid** and is **therefore not reliant** on town water and electricity.

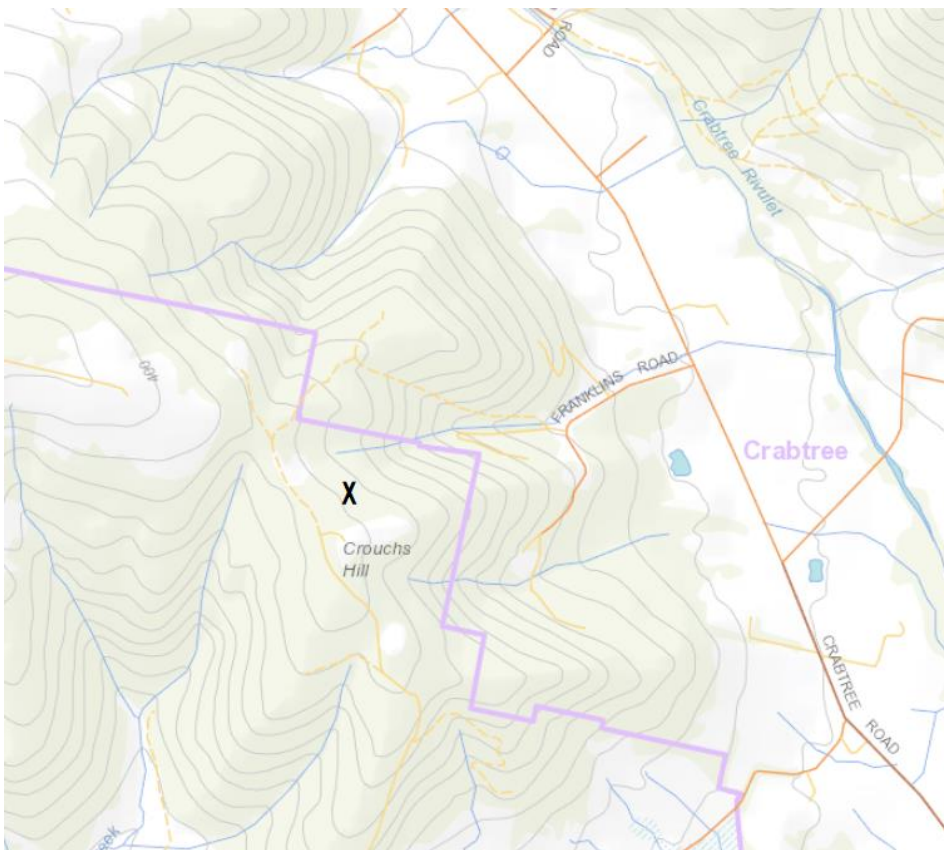
Property access is via an established Council road plus a 1.1km segment of upgraded Public Road Reserve that has been built to Council standards (refer to Attachment 5) and equals or exceeds the standard of Council maintained roads in many areas following significant investment.

The property is daily commuting distance to Hobart and a five-minute drive to Huonville on existing roadways that are maintained by Council or have been built to Council standards. The property is of **equal commuting distance to Hobart as Huonville** and is closer to the major service centres than many other small townships within the Municipality.

**Figure 2: draft LPS overview**



**Figure 3: Topographic overview**



**Figure 4: ERSI imagery**



***Land area and characteristics***

The land area is 18.25ha, with cleared areas currently comprising of approximately 12%.

The cleared areas used to be more extensive. The property was historically used for logging operations. A former homestead (on the adjoining property to the West) used a portion of the property for agricultural purposes. In more recent years a cleared field area to the north-west has been subject to significant native vegetation regrowth.

The terrain is undulating with moderate slopes and poor-quality rocky soils which have limited agriculture potential. There is also limited to no use available for conventional forestry operations, given the economics of the industry.

The land therefore, only has genuine capacity for housing and small business activities and there is an obligation through the Objectives of the ***Land Use Planning and Approvals Act 1993*** to fully consider land use capability when making planning decisions.

### ***Adjoining and nearby properties characteristics***

The property adjoins a cluster of Environmental Living and Rural Residential Zoned properties to the East

The details of nearby and adjoining properties are provided in a separate representation which makes the case for a Rural Living Zoning to be applied to four surrounding properties which adjoin the cluster of Rural Residential and Environmental Living zoned properties.

### ***Intended land use and development***

As detailed in background information, the property was acquired with the primary intention to build a residence.

There are also a number of intended secondary intentions for the property. These include:

- Workshop/joinery – furniture making
- Pod-style visitor accommodation
- Storage yard (to be decided – unlikely to be a long-term requirement)

All of these uses were supported by the *Huon Planning Scheme 1979* (see Attachments 1A and 1B) at the time the property was purchased in 2009. The building of a “granny flat” was considered at an earlier time, but is no longer supported under the IPS or the TPS.

Investments made in the property to date have included:

- Contributions towards a \$100k road upgrade to Council specifications along a Public Reserve Road – to improve access for residential use
- Productive garden set-up for home use
- Multiple surveys:
  - 1x boundary
  - 1x road improvements
  - 2x residential building site
- Property security costs
- Council rates
- Land Tax
- Purchasing of materials for a future build
- Purchasing of tools and equipment for a joinery operation
- Engagement of professionals to progress planning applications
- Maintaining the cleared area of the property that was established at time of purchase so that it will be in good condition for future grazing activities

## ***Residential development***

In 2021 I submitted a Preliminary Planning Application to Council (see Attachment 6A).

I have concerns that the building requirements for the new Landscape Conservation Zoning will not support my planned residential build at its current location. Significant work and investment have been undertaken to date, based on a build at the established house site and professional services have been engaged. The existence of the housing site in its current location was the very reason for having purchased the property in the first place. I am also concerned that the site coverage of 400m<sup>2</sup> will not be sufficient when taking into account the intended construction of a workshop/joinery and when noting that decent roof area is beneficial for rainwater harvesting.

Whilst the surrounding trees, surveyed at 20m tall (see Attachment 2) will ensure that a future residence is obscured from view, LCZ contains a requirement for buildings to be not less than 10m below ridgelines. I am concerned that this will conflict with my planned architectural build, that whilst being designed to fit into its surroundings, may be contested by Council. If the Council forces me to not build in this location through LCZ, then I will experience a huge loss in time and money.

Residential development activities have included the following to date:

- Significant road investment to Council specifications (see Attachment 5)
- Four survey engagements (1x boundary, 1x road improvements, 2x building site)
- Bushfire assessment, Geotechnical assessment, Drafter engagements x2
- Submission of preliminary planning assessment
- Purchase of materials

### **Photo 1– view from the house site (looking north-east)**





**Photo 2 - Field area**



**Photo 3 – Home garden establishment**



### ***Workshop (joinery) site***

- the development of the joinery workshop has been delayed due to the unavailability of finance on rural properties post the introduction of the IPS
- the site for the workshop is perfectly situated
- I have serious concerns that the Landscape Conservation Zone will not support a planning application for the workshop.

**Photo 4 – Workshop site**



### ***Storage yard for equipment hire business***

I own a part share in a long-term equipment hire business. The property in recent weeks has served as a temporary storage location for equipment whilst the future of the business is being assessed. Some of the equipment has been sold and is currently advertised for sale.

Whilst I think it is unlikely that a Storage Yard use will be required in the longer-term, I will make a determination shortly and will submit a planning application in the coming weeks if necessary.



### Adverse impacts from TPS to date

- I was previously unaware of IPS zoning changes
- The IPS changed my property zoning from “Rural” under the *Huon Planning Scheme 1979* which included “Permitted” residential use, to “Rural Resource” under the IPS which has “Discretionary” residence use.
- This change meant that I was unable to refinance my property and therefore was unable to obtain funds to build the workshop/joinery as I had planned to earlier.

### Suitability of LCZ vs RZ

Table 1 details a comparison of the suitability of LCZ to RZ as applied to my intended use and investments made in the property to date.

**Table 1: Analysis of LCZ vs RZ impacts**

Intended usage	Zone	
	Landscape Conservation	Rural
Residential  (Land was purchased for residential use, which was “Permitted” under the <i>Huon Planning Scheme 1979</i> )	Discretionary  Zone Purpose gives precedence to Natural Values over residential use.  Additional building requirements of the Zone requirements have the potential to conflict with pre-existing plans and investments.	Discretionary, but preferable  Zone Purpose does not give precedence to Natural Values over residential use.  Residential planning and investment to date has been based upon the requirements of the Rural Resource Zone under the IPS.
Workshop/joinery	Uncertain as to whether supported  Building requirements are detrimental to proposed development.	Supported - Discretionary
Storage Yard	Not supported	Supported - Discretionary
Visitor Accommodation	Supported - Discretionary	Supported - Discretionary
Other	Land capability is not supported due to a limited range of available uses, all of which are discretionary.	A range of available rural uses give options into the future and support available land capability.

### **Natural values - no evidence of threatened species or vegetation communities**

The land is not covered by a conservation covenant.

The Natural Assets code covers the property, however no threatened native vegetation communities, threatened species or other locally or regionally important native vegetation have been identified through on the ground surveys.

I have been provided with the Natural Values assessments for adjoining properties to the East and West of my property (Title reference: 152441-1 and 168847-1). These surveys indicate that are no threatened native vegetation communities, threatened species or other locally or regionally important native vegetation have been identified

I can provide further evidence in this regard once a survey on my own property is completed.

### **Landscape values**

A representation to contest Scenic Code HUC-C8.1.4 has been submitted as the Crouchs Hill area and ridgeline form an unremarkable part of the Huon Valley landscape.

The Crouchs Hill area was not listed as a Hilltop Preservation area in *Huon Planning Scheme 1979*.

### **Historical usage**

The proposed application of LCZ is not consistent with historical patterns of usage and artefacts found onsite.

Attachment 7 shows that the property has been used over time and was extensive cleared.

In addition to historical usage, the Road Reserve also shows a historical intention to utilise the land capability for residential and/or business use.

## Analysis of S8A Guidelines

The zoning of the subject property to the Landscape Conservation cannot be appropriately justified under the S8A Guidelines. The Rural Living Zone is the best fit under the S8A Guidelines.

**Table 2: S8A Guidelines - Landscape Conservation Zone**

S8A Guideline	Assessment
<p><b>LCZ1</b></p> <p>The Landscape Conservation Zone should be applied to land with landscape values that are <b>identified for protection and conservation</b>, 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.</p>	<p>The property has not been identified for protection and conservation in accordance with LCZ1:</p> <ul style="list-style-type: none"> <li>• there are no conservation covenants in place</li> <li>• the property has not been identified for protection and conservation through any other rigorous process or on the ground</li> <li>• No threatened flora species listed under Schedule 3, 4 or 5 of the <i>Threatened Species Protection Act 1995</i> or under the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> have been identified in Natural Value Assessments for adjoining properties</li> <li>• No threatened fauna species listed under Schedule 3, 4 or 5 of the <i>Threatened Species Protection Act 1995</i> or under the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> have been identified in Natural Value Assessments for adjoining properties</li> <li>• a representation to contest Scenic Code HUO-C8.1.4 has been submitted. The scenic quality of the subject area is low and unremarkable in the context of its surroundings. The Crouchs Hill area covered by Properties 1 to 5 is frequently obscured from view and is a significant distance away from the Huon Highway and popular tourist locations. It is not in any way a dominant or high-quality scenic feature.</li> </ul>

S8A Guideline	Assessment
<p><b>LCZ2</b></p> <p>The Landscape Conservation Zone may be applied to:</p> <ul style="list-style-type: none"> <li>a. large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation;</li> <li>b. land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or</li> <li>c. land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.</li> </ul>	<p><b>LCZ2</b></p> <ul style="list-style-type: none"> <li>(a) no threatened native vegetation communities, threatened species or other locally or regionally important native vegetation have been identified with on the ground surveys on adjoining properties.</li> <li>(b) the Natural Assets Code and Scenic Protection Code apply to the property, however it is understood that the Natural Assets Code is based upon unreliable data which does not correspond with an on-ground survey. A representation objecting to the Scenic Protection Code HUO-C8.1.4 has been submitted (see comments above).</li> <li>(c) The primary use intention of the property is for residential use. Whilst conservation is generally supported, it is not the primary intention upon which investment decisions have been made.</li> </ul>
<p><b>LCZ3</b></p> <p>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.</p>	<p><b>LCZ3</b></p> <p>The title is substantially less than the 50ha minimum lot size prescribed in SPP - 22.5.1 A1. Refer to the table of property details above.</p>
<p><b>LCZ4</b></p> <p>The Landscape Conservation Zone should not be applied to:</p> <ul style="list-style-type: none"> <li>a. land where the priority is for residential use and development (see Rural Living Zone); or</li> <li>b. State-reserved land (see Environmental Management Zone).</li> </ul>	<p><b>LCZ4</b></p> <ul style="list-style-type: none"> <li>(a) The priority is for residential use and development as evidenced by investments made to date and activity in adjoining properties.</li> <li>(b) The property is not State-reserved land.</li> </ul>

**Table 3: S8A Guidelines – Rural Zone**

<b>S8A Guideline</b>	<b>Assessment</b>
<p><b>Purpose statements</b> The purpose of the Rural Zone is:</p> <p><b>20.1.1-</b> To provide for a range of use or development in a rural location:</p> <p style="padding-left: 40px;"><b>(a)</b> where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;</p> <p style="padding-left: 40px;"><b>(b)</b> that requires a rural location for operational reasons;</p> <p style="padding-left: 40px;"><b>(c)</b> is compatible with agricultural use if occurring on agricultural land;</p> <p style="padding-left: 40px;"><b>(d)</b> minimises adverse impacts on surrounding uses.</p> <p><b>20.1.2-</b> To minimise conversion of agricultural land for non-agricultural use.</p> <p><b>20.1.3-</b> To ensure that use or development is of a scale and intensity that is appropriate for a rural location and</p>	<p><b>20.1.1-</b> Rural Zone under TPS is a <b>“like for like”</b> (or closest) mapping to the Rural Resource Zone under IPS</p> <p style="padding-left: 40px;"><b>(a)</b> Agricultural use is limited due to topography and poor rocky soils</p> <p style="padding-left: 40px;"><b>(b)</b> The property is in a location where it is able to support a range of rural operations</p> <p style="padding-left: 40px;"><b>(c)</b> As per <b>“(b)”</b></p> <p style="padding-left: 40px;"><b>(d)</b> As per <b>“(b)”</b></p> <p><b>20.1.2 –</b> There are no agriculture conversion issues for the subject property</p> <p><b>20.1.3 –</b> Properties 1 to 5 will support other uses in ways that will not result in a loss of amenity. Properties 2 and 4 already provide this.</p>
<p><b>R1</b></p> <p>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><b>RL1</b></p> <p>The land is in a non-urban area.</p> <p>There is limited or no potential for agriculture due to topography and poor rocky soils</p> <p>The land is not suitable for Landscape Conservation Zoning for the reasons provided above.</p>
<p><b>RL2</b></p> <p>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><b>RL2</b></p> <p>The land is not suitable for the Agricultural Zone (for the reasons listed above) and is not published on the LIST as ‘Land Potentially Suitable for Agriculture Zone’.</p>
<p><b>RL3</b></p> <p>The Rural Zone may be applied to land identified in the ‘Land Potentially Suitable for Agriculture Zone’ layer, if:</p>	<p><b>RL3</b></p> <p>The land is not suitable for the Agricultural Zone (for the reasons listed above) and is not published on the LIST as ‘Land Potentially Suitable for Agriculture Zone’.</p>



<p><b>(a)</b> 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>(b)</b> it can be demonstrated that there are significant constraints to agricultural use occurring on the land;</p> <p><b>(c)</b> 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><b>(d)</b> 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><b>(e)</b> it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land</p>	
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## Summary of objections

- the intended use of the property aligns with the “Rural Residential” style zoning of the Rural Zone under the *Huon Valley Planning Scheme 1979* when purchased in 2009
- the primary intended use is residential, which conflicts with the purpose of the Landscape Conservation Zone
- secondary intended uses align closely with the RZ, but do not align closely with LCZ
- the inherent land capability aligns to RZ
- the Rural Zoning is the closest “like for like” zoning for the Rural Resource Zoning under the IPS
- the property has not been identified for protection and conservation through any other rigorous process or on the ground and there is no Conservation Covenant in place
- there is a scenic overlay over the property, however this is contested in a separate representation. The Crouchs Hill area is an unremarkable component in the Huon Valley landscape
- The proposed application of LCZ is not consistent with historical usage and historical landscape values
- the Landscape Conservation Zoning is the least suitable for the property and creates natural justice given the significant levels of investment that have been made towards primary intended usage, including and with respect to a Planning Application currently being developed based upon the requirements of the Rural Resource Zone under the IPS.
- the Rural Living Zone is the most suitable zoning for the property (and adjoining properties) in accordance with the S8A Guidelines and the STRLUS and a separate representation has been submitted in relation to this.
- If RLZ is not applied, then the next most suitable zoning is RZ as outlined in this representation.

## Attachment 1A – Huon Planning Scheme 1979

This details the allowable usage for the subject property when purchased in 2009.

Huon Planning Scheme 1979

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### PART 3 USE OF LAND IN ZONES

#### 3.1 RESTRICTIONS ON USE OF LAND

Subject to the provisions of Parts 2, 4, 5 and 7 of this Scheme, no person shall develop any land other than in accordance with the provisions of this Part.

#### 3.2 CLASSIFICATION OF LAND USE

For the purposes of applying land and building use control in accordance with the Table of Zones in Schedule No.3, all uses are to be classified in accordance with the Schedule No.2 entitled “Table of Use Classes”.

#### 3.3 TABLE OF ZONES

The purposes for which lands and buildings may be used are shown in the Schedule No.3 entitled “Table of Zones”. In that Schedule:-

3.3.1 The letter ‘P’ means that the Council will grant a permit for the use of land conditionally or otherwise provided it complies with all relevant development standards of this Scheme.  
**Amendment BF-4 24/1/95**

3.3.2 The letter ‘A’ means that the Council has the discretion to grant a permit or refuse to grant a permit for the use of land.  
**Amendment BF-4 24/1/95**

3.3.3 The letter ‘X’ means that the use is prohibited.

3.3.4 The letter ‘P1’ means that the use or development of land may take place without obtaining a permit, provided the use or development complies with all relevant development standards of this Scheme, and a permit is not required by Schedule 11 of this Scheme.  
**Amendment bf-4 24/1/95**  
**Amendment PSA-2/2013 28/11/13**

**SCHEDULE 3**  
TABLE OF USE ZONES

	USE CLASS	CLOSED RESIDENTIAL	RESERVED RESIDENTIAL	LOW DENSITY RESIDENTIAL	VILLAGE	RURAL RESIDENTIAL	SEMI RURAL RESIDENTIAL	BUSINESS COMMERCIAL	LIGHT INDUSTRIAL	INTENSIVE RURAL	HILL TOP PRESERVATION	CONSERVATION	RURAL
1.1	Single Dwelling Amendment BF-1 24/1/95	P1* (3)	P1* (3)	P1 (3)	P1 (3)	P1 (3)	P1 (3)	A	X	P	A	X	P
1.2	Other Residential Buildings	A	A	X (2)	A	A	A	A	X	X	X	X	A+
1.3	Motels	X	X	X	A	X	X	A	A	X	X	X	A+
1.4	Health Centre Amendment D2-2 31/8/84	A	A	A	A	A	X	P	A	A	X	X	A <sup>7</sup>
1.5	Caravan Parks	X	X	X	A	X	X	A	A	X	X	X	A+
1.6	Grouped House and Apartment(s) Amendment CB 7/5/03 Amendment BI-3 26/9/95 & Amendment BF-1 24/1/95	A	A	X	A	X	X	A***	X	X	X	X	X
1.7	Dwelling & Ancillary Apartment Amendment BH-4 26/9/95 & Amendment BF-7 24/1/95	P	P	P	P	P	P	X	X	P	P	X	P
2.1	Retail Shops and Businesses	X	X	X	A	X	X	P	X	X	X	X	X
2.2	Filling Stations and Other Retail Services	X	X	X	A	X	X	A (1)	A	X	X	X	X
2.3	Outdoor Advertising Stations	X	X	X	X	X	X	A	A	X	X	X	X
2.4	Rural and Agricultural Retail Supply Services (5)	X	X	X	X	X	X	X	A <sup>0</sup>	X	X	X	X
3.1	Professional	A**	X	X	A	X	X	P	A	X	X	X	X
3.1.1	Consulting Rooms or Surgeries Amendment BF-7 24/1/95, Amendment AT-3 29/7/92	A**	X	A	A	X	X	P	X	X	X	X	X
3.2	General Offices	X	X	X	A	X	X	P	A	X	X	X	X
3.3	Warehouses and Agencies	X	X	X	X	X	X	A	A	X	X	X	X
3.4	Car Saleyard	X	X	X	X	X	X	A	A	X	X	X	X
3.5	Storage and Depots	X	X	X	X	X	X	A	P	A+	X	X	A+
3.6	Funeral Parlour Amendment BF-7 24/1/95	X	X	X	X	X	X	P	A	X	X	X	X
4.1	Service Industry	X	X	X	X	X	X	A	P	X	X	X	X
4.2	Light Industry	X	X	X	X	X	X	X	P	X	X	X	X
4.3	General Industry	X	X	X	X	X	X	X	A	X	X	X	X
4.4	Special Industry	X	X	X	X	X	X	X	A	X	X	X	A+
4.5	Mining Operations	X	X	X	X	X	X	X	X	X	X	X	A+
4.6	Cottage Industry Amendment M 11/12/86	X	X	X	P	X	X	P	P	A+	X	X	A+
4.7	Rural Industry Amendment AT-1 19/2/93	X	X	X	A	X	X	X	P+	A+	X	X	A+
4.8	Timber Mill Amendment BF-7 24/1/95	X	X	X	X	X	X	X	A	X	X	X	A
4.9	Fuel Depot Amendment BH-4 26/9/95 & Amendment BF-7 24/1/95	X	X	X	X	X	X	X	A	X	X	X	A
4.10	Motor Repair Garage Amendment BH-4 26/9/95 & Amendment BF-7 24/1/95	X	X	X	A	X	X	X	P	X	X	X	X

TABLE OF USE ZONES  
(Continued)

	USE CLASS	CLOSED RESIDENTIAL	RESERVED RESIDENTIAL	LOW DENSITY RESIDENTIAL	VILLAGE	RURAL RESIDENTIAL	SEMI RURAL RESIDENTIAL	BUSINESS COMMERCIAL	LIGHT INDUSTRIAL	INTENSIVE RURAL	HILL TOP PRESERVATION	CONSERVATION	RURAL
5.1	Agriculture Amendment BF-7 24/1/95	X	P1(4)	P1(4)	P1(4)	P1(4)	P1(4)	X	X	P1(3)	A	X	P1(3)
5.2	Market Gardening	A	A	A	A	A	A	X	X	P	A	X	P
5.3	Woodland	X	X	P	X	P	P	X	X	A	P	X	P
5.4	Intensive Agriculture Amendment BF-7 24/1/95	X	A	A	A	A	A	X	X	P1	A	X	P1
5.5	Land Clearing	A	A	A	A	A	A	A	A	P	A	A	P
5.6	Racing Stables Amendment BI-2 26/9/95	X	X	X	X	A	A	X	X	A	X	X	P
5.7	Tourist Operations Amendment M-3 11/12/86	X	X	A	A	A+	A	A	X	A+	X	X	A+
5.8	Kennels Amendment BI-2 26/9/95	X	X	X	X	A	A	X	X	A	X	X	P
6.1	Administration	X	X	X	A (4)	X	X	A (4)	A (4)	A (4)	X	X	X
6.2	Colleges	X	X	X	X	X	X	X	X	X	X	X	A+
6.3	Primary Schools	A	A	A	A	A	X	X	X	X	X	X	A+
6.4	Cultural Buildings	A	A	A	A	A	A	A	X	X	X	X	X
6.5	Clubs and Hotels	X	X	X	A	X	X	A	X	X	X	X	A+
6.6	Recreational Buildings	X	X	X	A	X	X	A (1)	X	A+	X	X	A+
6.7	Sports Grounds and Burial Grounds	X	X	X	A	X	X	X	X	A+	X	X	A+
6.8	Parks and Playing Fields	A	A	P	P	P	A	A	X	A+	X	X	P+
6.9	Playgrounds	P	P	P	P	P	A	A	A	P+	A	X	P+
7.1	Car parks and Lock-up Garages	X	X	A	A	A	X	A	A	X	X	X	A
7.2	Goods Transit and Utilities	X	X	X	X	X	X	X	P	X	X	X	A+
7.3	Public Utilities Amendment BF-7 24/1/95	A	A	A	A	A	A	A	P	A	A	X	A
7.4	Miscellaneous	X	X	X	X	X	X	A	A	X	X	X	A+

\* Denotes subject to services being satisfactorily provided.

+ Denotes the use is prohibited where the land had direct access to the Huon Highway between Huonville and the Municipal boundary at Vines Saddle. **Amendment M-4 11/12/86**

(1) Amendment X-1 26/11/87

(2) Amendment AO-9 15/2/91

(3) Amendment BF-4 24/1/95

(4) Amendment BF-7 24/1/95

(5) Amendment BU - 7/5/99

\*\* Refer to Clause 3.8

**Amendment BS 27/2/98**

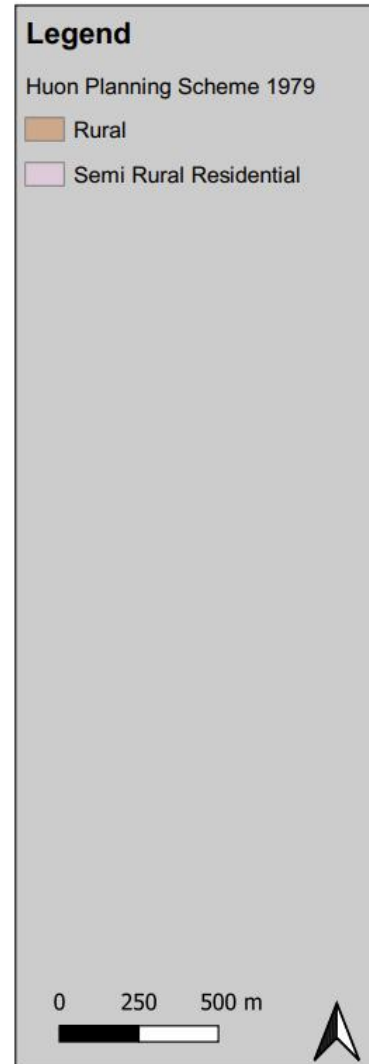
° Refer to Clause 3.9

**Amendment BU 7/5/99**

\*\*\* Refer to Clause 3.11

**Amendment CB 7/5/03**

Attachment 1B – Huon Planning Scheme 1979 – Zone maps



# HUON PLANNING SCHEME 1979

## THE PLAN

BOUNDARY OF SCHEME



### ZONES

#### RESIDENTIAL

- Closed
- Reserved
- Low Density
- Rural
- Village
- Semi Rural



#### BUSINESS

- BA Commercial



#### INDUSTRIAL

- IA Light



#### RURAL

- Intensive Rural
- Rural



#### CONSERVATION

- Hill Top Preservation



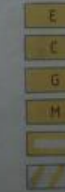
#### PUBLIC OPEN SPACE

- Public Purposes



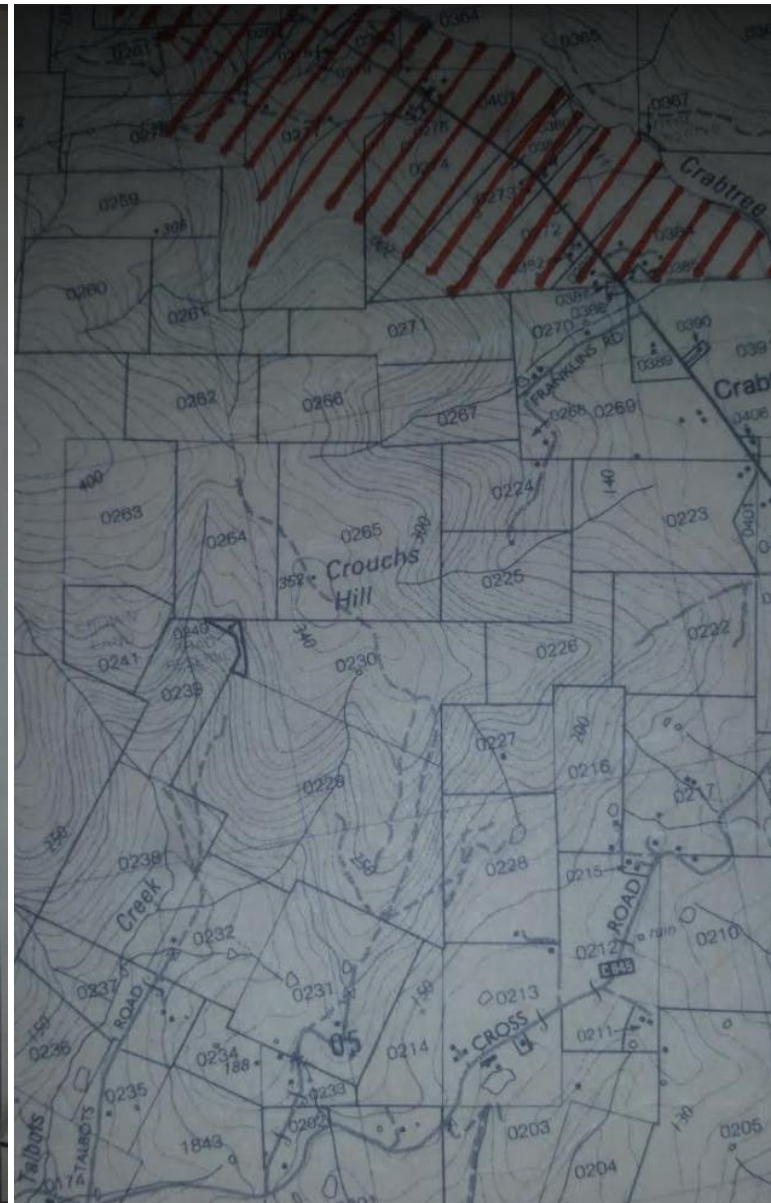
#### PUBLIC PURPOSES

- Educational
- Civic and Cultural
- Government
- Municipal

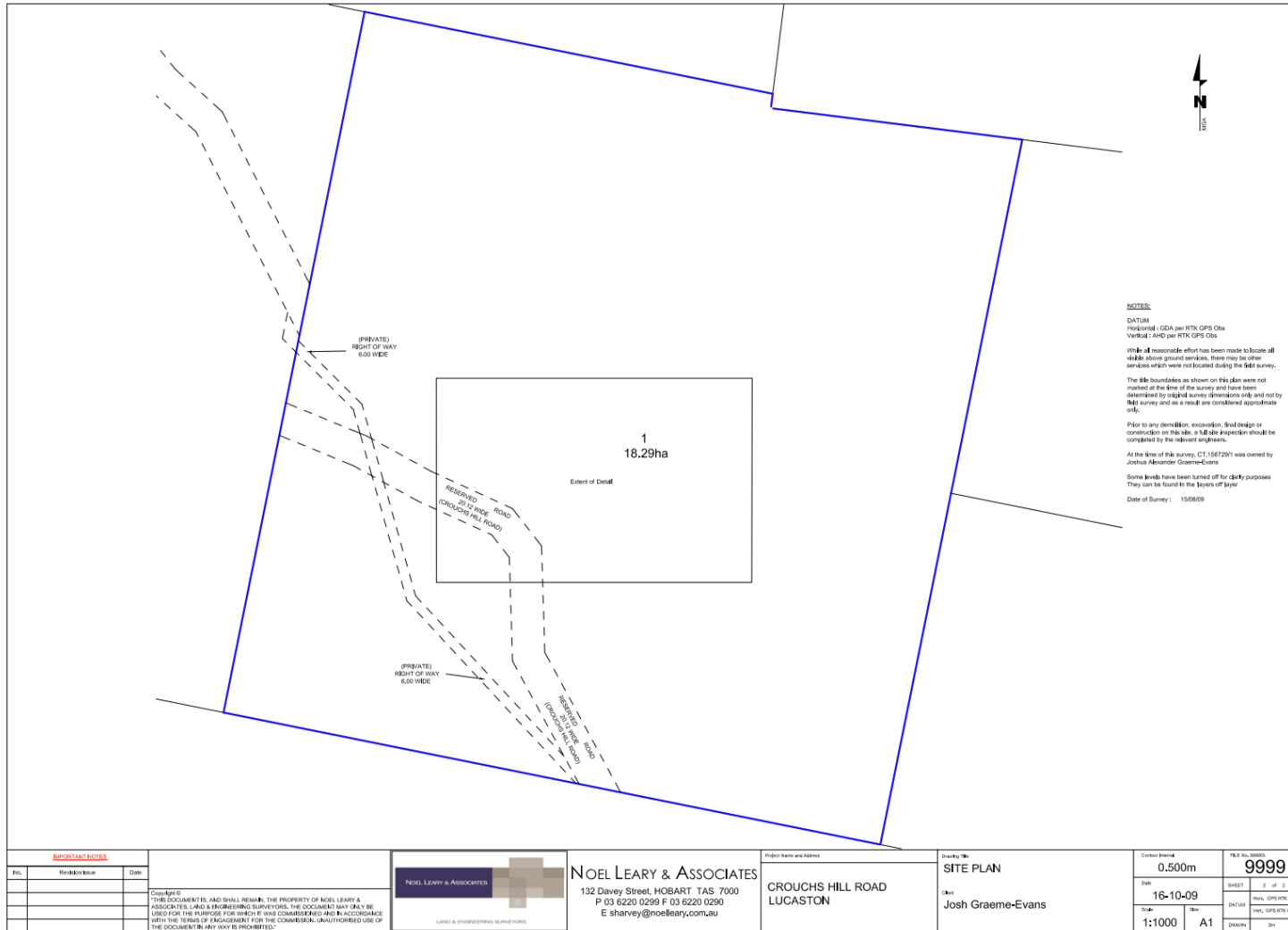


#### NATIONAL PARKS AND WILDLIFE SERVICE

#### FORESTRY COMMISSION

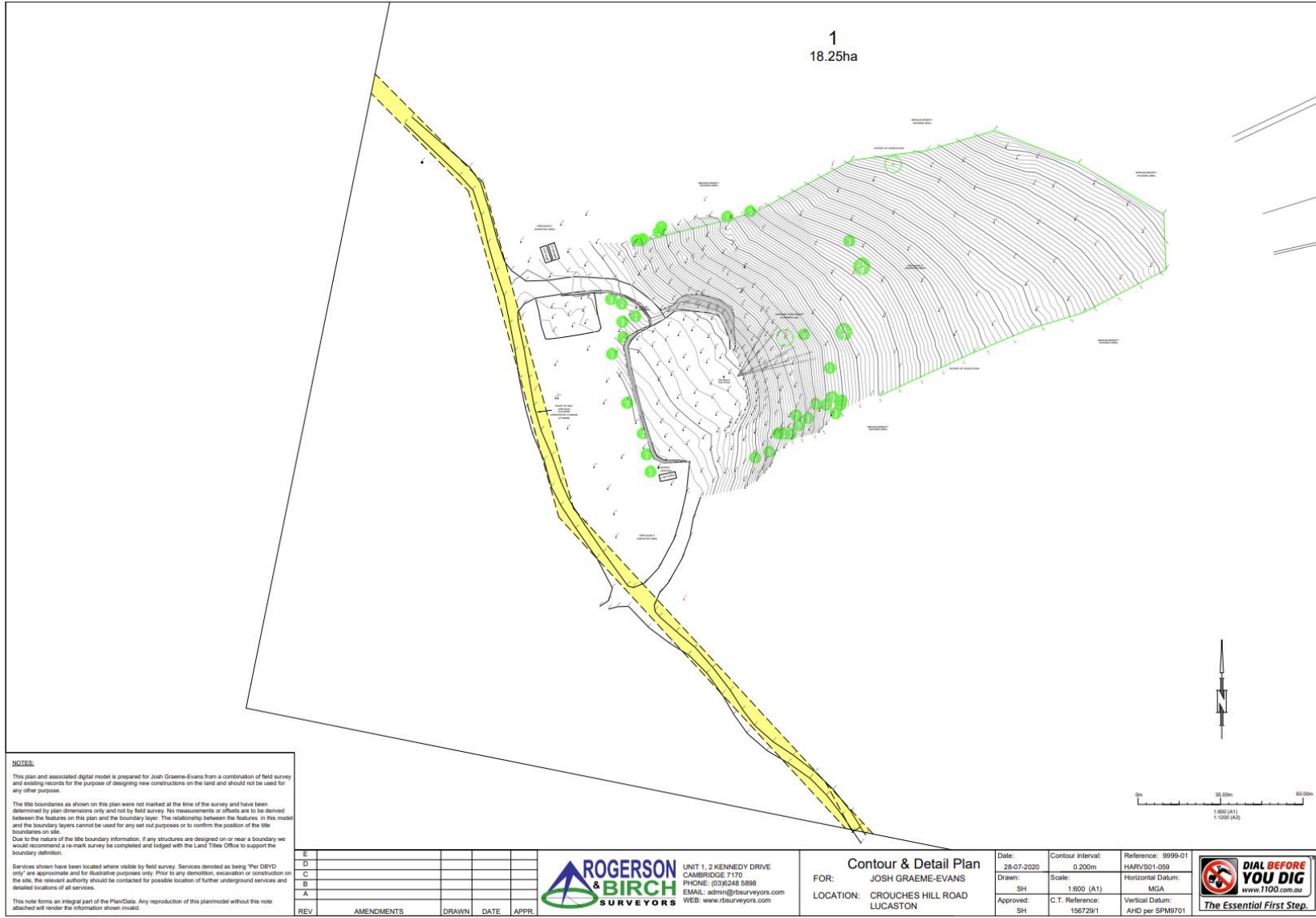


Attachment 2



<b>IMPORTANT NOTES</b>				<b>NOEL LEARY &amp; ASSOCIATES</b> 132 Davey Street, HOBART TAS 7000 P 03 6220 0299 F 03 6220 0290 E sharvey@noelleary.com.au	Project Name and Address <b>CROUCHS HILL ROAD                  LUCASTON</b>	Drawn By <b>SITE PLAN</b> Check <b>Josh Graeme-Evans</b>	Contract Number	FILE NO. (LUCAS)
No.	Rank/Revision	Date					0.500m	9999
Copyright © THIS DOCUMENT IS AND SHALL REMAIN THE PROPERTY OF NOEL LEARY & ASSOCIATES, LAND ENGINEERING SURVEYORS. THE DOCUMENT MAY ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMERCIALLY AND IN ACCORDANCE WITH THE TERMS OF ENGAGEMENT FOR THE COMMERCIAL UNAUTHORISED USE OF THE DOCUMENT IN ANY WAY IS PROHIBITED.			LAND & ENGINEERING SURVEYORS		Date <b>16-10-09</b>		SHEET 2 of 2	
					Scale <b>1:1000</b>		DATUM Hori., GPS RTK Obs Vert., GPS RTK Obs	
					Size <b>A1</b>		DRAWN SH	





**NOTES:**

This plan and associated digital model is prepared for Josh Graeme-Evans from a combination of field survey and existing records for the purpose of designing new constructions on the land and should not be used for any other purpose.

The title boundaries as shown on this plan were not marked at the time of the survey and have been determined by plan dimensions only and not by field survey. No measurements or offsets are to be derived between the features on this plan and the boundary lines. The relationship between the features in this model and the boundary lines cannot be used for any set out purposes or to confirm the position of the title boundaries on site.

Due to the nature of the title boundary information, if any structures are designed on or near a boundary we would recommend a re-mark survey be completed and lodged with the Land Titles Office to support the boundary definition.

Services shown have been located where visible by field survey. Services denoted as being "Per DBYD only" are approximate and for illustrative purposes only. Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted for possible location of further underground services and detailed locations of all services.

This note forms an integral part of the Plan/Data. Any reproduction of this plan/model without this note attached will render the information shown invalid.

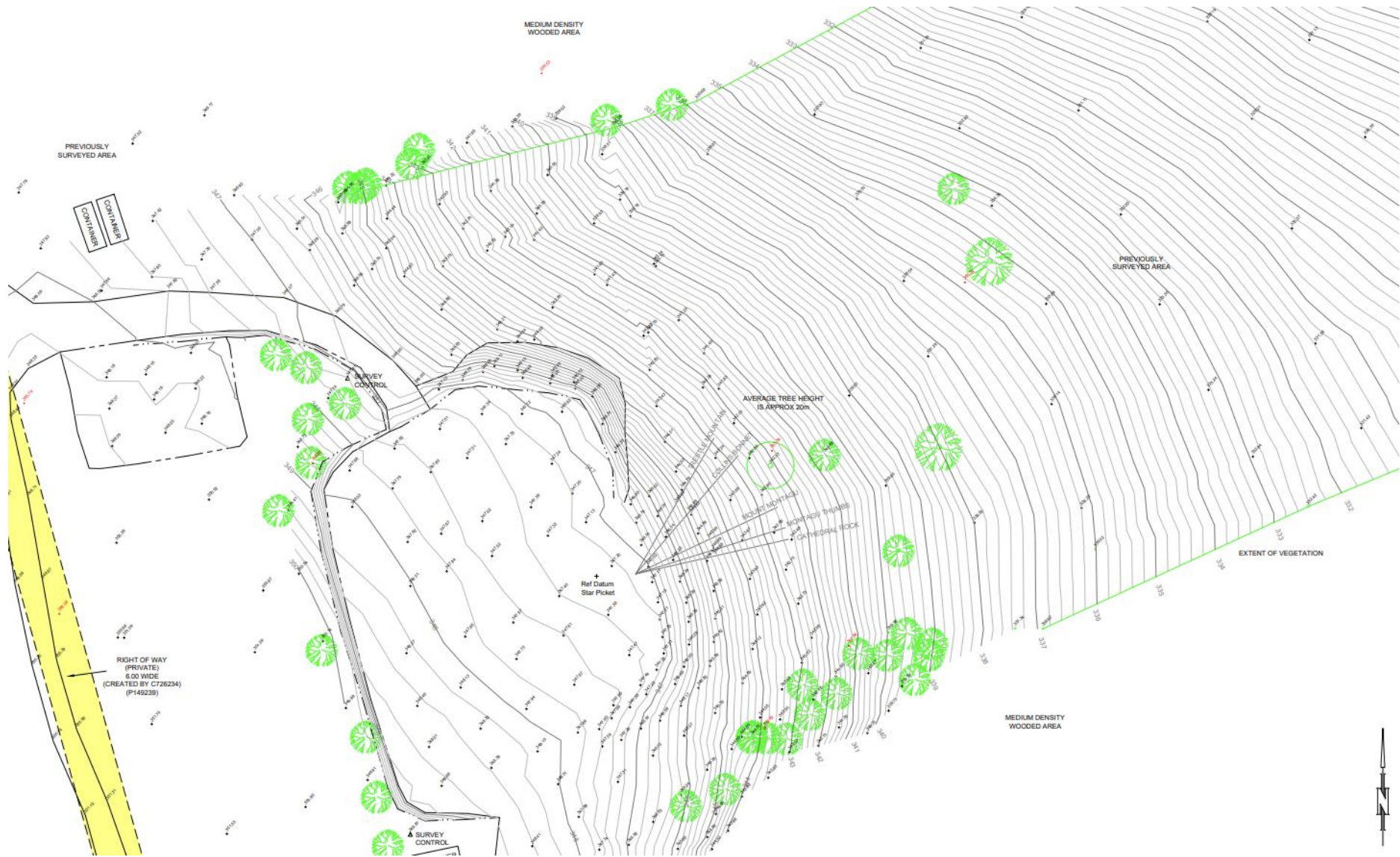
REV	AMENDMENTS	DRAWN	DATE	APPR.
E				
D				
C				
B				
A				

**ROGERSON & BIRCH SURVEYORS**  
 UNIT 1, 2 KENNEDY DRIVE  
 CAMBRIDGE 7170  
 PHONE: 0316248 8988  
 EMAIL: admin@rsurveyors.com  
 WEB: www.rsurveyors.com

**Contour & Detail Plan**  
 FOR: JOSH GRAEME-EVANS  
 LOCATION: CROUCHES HILL ROAD  
 LUCASTON

Date:	28-07-2020	Contour Interval:	0.200m	Reference:	9999-01
Drawn:	SH	Scale:	1:600 (A1)	Horizontal Datum:	HARV501-059
Approved:	SH	C.T. Reference:	156729/1	Vertical Datum:	MGA





## Attachment 4 – Valuer General Report from 2009

### Attachment 3A – extract from a Property Valuation report – March 2015 (prior to IPS)

Pid 2953681, Crouchs Hill Road  
Lucaston, TAS 7109  
Our Reference: 6000297



## 1.0 Executive Summary

<b>Instructing Party</b>	Mr Joshua Graeme-Evans
<b>Client / Authorised Party</b>	Mr Joshua Graeme-Evans
<b>Valuation Purpose</b>	Pre-sale advice and potential first mortgage security purposes
<b>Property Address</b>	Pid 2953681, Crouchs Hill Road, Lucaston, Tasmania 7109
<b>Property Description</b>	The property comprises a vacant, forested, hilltop, rural residential allotment with a total land area of approximately 18.25 ha.
<b>Certificate of Title</b>	Volume 156729 Folio 1
<b>Registered Proprietor</b>	Joshua Alexander Graeme-Evans
<b>Encumbrances</b>	Reservations and Conditions in the Crown Grant, if any; Bisected by a burdening 6.00m wide Right of Way.
<b>Total Land Area</b>	Approximately 18.25 ha
<b>Zoning</b>	"Rural"
<b>LGA</b>	Huon Valley Council
<b>Interest Valued</b>	Fee simple with vacant possession
<b>Conditions Precedent to Issue of Mortgage Funds</b>	This valuation should be referred to the valuer before reliance for first mortgage purposes.
<b>Key Assumptions</b>	The instructions and subsequent information supplied contain a full disclosure of all information that is relevant.
<b>Recommended Documents to Sight</b>	Schedule of Easements.

Attachment 3B – extract from a Property Valuation report – March 2015 (prior to IPS)

Pid 2953681, Crouchs Hill Road  
 Lucaston, TAS 7109  
 Our Reference: 6000297

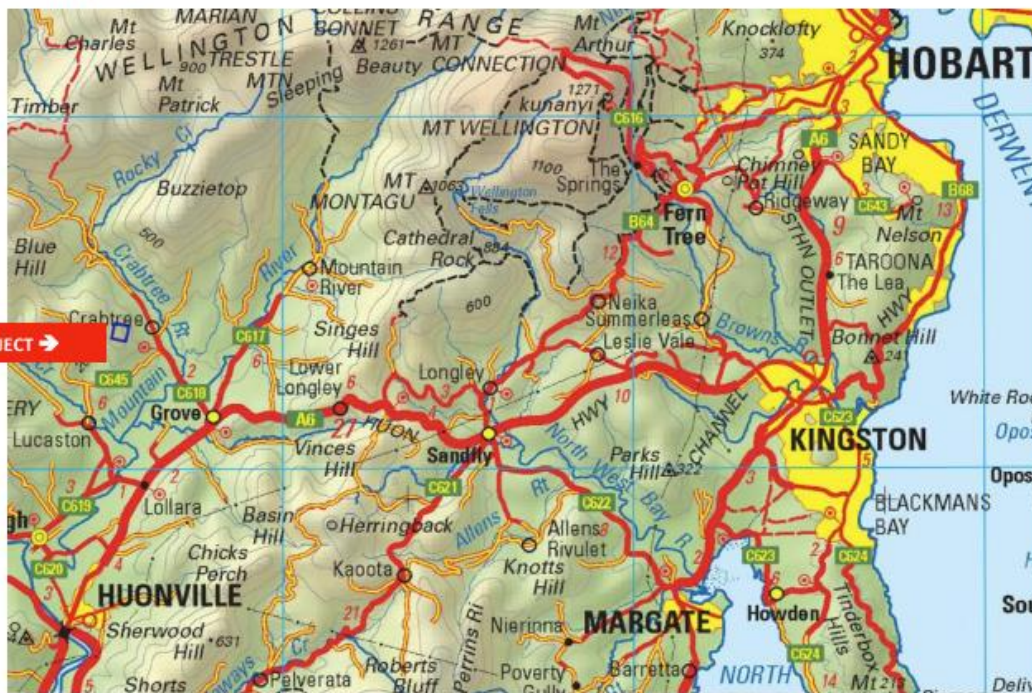


## 2.0 Location

The property is situated within a rural-residential area in the Huon Valley district and is approximately 38 kms southwest of Hobart. Shops, schools and other community facilities are provided at Huonville, within approximately 9 kms to the south.

Surrounding properties are mostly small acreages used for rural residential purposes or as bush blocks.

### Location Plan



## 3.0 Tenure

Tenure	Freehold interest
Certificate of Title	Volume 156729 Folio 1
Registered Proprietor	Joshua Alexander Graeme-Evans
Encumbrances	Reservations and Conditions in the Crown Grant, if any; Bisected by a burdening 6.00m wide Right of Way.
Total Land Area	Approximately 18.25 ha

## Attachment 4 – Valuer General Report from 2009

### Attachment 3C – extract from a Property Valuation report – March 2015 (prior to IPS)

Pid 2953681, Crouchs Hill Road  
Lucaston, TAS 7109  
Our Reference: 6000297



<b>Native Title</b>	Unlikely
<b>Recommendation (Schedule of Easements)</b>	A recent Schedule of Easements has not been sighted.  We reserve the right to review our valuation in the event the Schedule of Easements reveals any information or discrepancies which may affect the value of the property.

## 4.0 Planning

<b>Local Government Authority</b>	Huon Valley Council
<b>Current LGA Town Planning Scheme</b>	Huon Planning Scheme 1979
<b>Current LGA Zoning</b>	"Rural"
<b>Planning Overlays</b>	This property is not subject to any overlay controls
<b>Heritage Issues</b>	Not listed

## 5.0 Land

### 5.1 Land Area

<b>Total Land Area</b>	Approximately 18.25 ha
<b>Identification</b>	Certificate of title and plan
<b>Source of Land Area</b>	The land area has been obtained from the Certificate of Title and Title Plan.

### 5.2 Physical Characteristics

<b>Slope</b>	The site has generally moderate slopes with some steeper sections in the north east corner.
<b>Aspect/Views</b>	The property has a predominantly north easterly aspect.  The property has extensive views of timbered hills and mountains.
<b>Altitude</b>	The property has an altitude ranging from approximately 220 to 352 metres above mean sea level.
<b>Drainage</b>	The property appears to have reasonable site run-off drainage.

Attachment 3D – extract from a Property Valuation report – March 2015 (prior to IPS)

Pid 2953681, Crouchs Hill Road  
Lucaston, TAS 7109  
Our Reference: 6000297



## 6.0 Water Resources

### 6.1 Water Resources

<b>Water Supply</b>	Water supply would need to be via roof collected rain water stored in tanks.
---------------------	--

## 7.0 Climate

### 7.1 Climatic Conditions

<b>Climate</b>	The property is within a region which is generally regarded as having a cool temperate climate.
<b>Rainfall</b>	According to data from the Australian Government Bureau of Meteorology weather reporting station at Grove the property has a long term average annual rainfall of approximately 740-750mm per annum
<b>Frost</b>	The property is subject to frosts.
<b>Hail</b>	The property can experience hail storms.
<b>Snow</b>	The property can experience periods of snow during colder periods.
<b>Wind</b>	The area can be affected by strong winds which can cause soil erosion, damage to crops and orchards. In extreme conditions damage can also be caused to buildings.

## 8.0 Services

The subject property is currently un-serviced.

<b>Electricity</b>	Mains electricity is not connected to the property.
<b>Domestic Water</b>	Domestic water supply would need to be via roof catchment to water storage tanks.
<b>Sewer</b>	Sewerage disposal would need to be via a septic tank system.

## 9.0 Improvements

The property is devoid of any structural improvements other than some minor fencing and a bush pole framework structure of no added value.

## 14.0 General Comments

The property comprises a vacant 'bush block' in Lucaston which is within the Huon Valley Region of southern Tasmania and is within daily commuting distance of Hobart City.

The allotment is accessed via Crouchs Hill Road which is an all-weather gravelled carriageway that receives limited maintenance and is therefore rough in places.

The property encompasses the top of Crouchs Hill which is positioned in the south western corner of the site. The balance land has a predominantly north easterly aspect and provides extensive views of timbered hills and mountains.

The majority of the site has a cover of native forest however **an area has been cleared and levelled as a future house site.** Mains electricity is not currently connected and it is likely that any potential purchaser would strongly consider a solar array rather than extending the mains supply to the property.

The property is bisected by a Right of Way which benefits adjoining owners. The Right of Way follows the alignment of the existing track through the property.

The market for such **rural residential bush blocks** appears to have strengthened over the past 6-9 months.

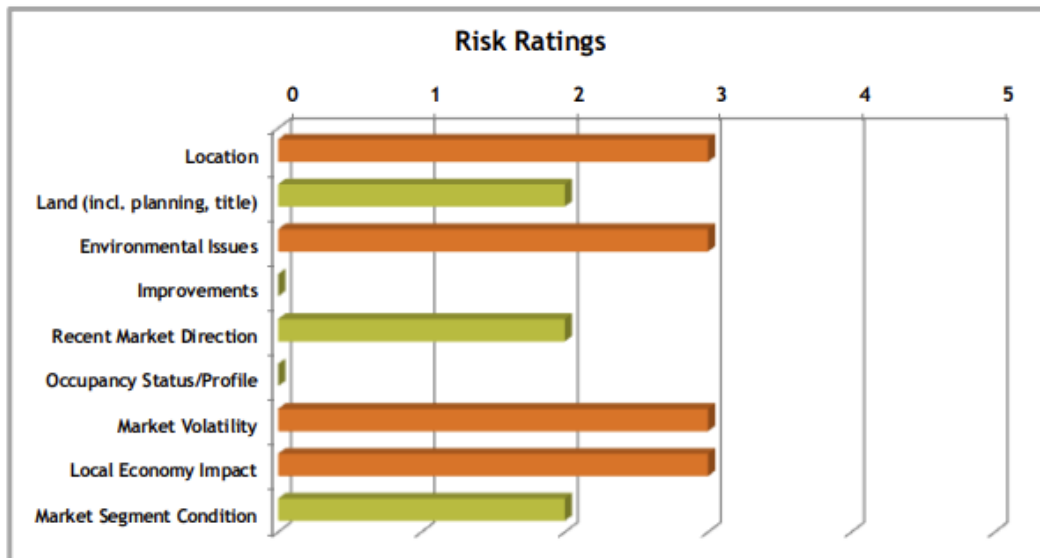
This valuation report is not currently addressed to a specific lender. The valuation should not be relied upon by any party, other than our client, and the valuer shall not have any liability or duty of care to any party who does so. Any party wishing to rely on this valuation should obtain the written consent of the valuation firm prior to doing so. This valuation is prepared on the assumption that any (authorised) lender who may rely on the valuation for first mortgage finance purposes and the (authorised) lender has complied with its own lending guidelines as well as prudent finance industry lending practices, and has considered all prudent aspects of credit risk for any potential borrower, including the borrower’s ability to service and repay any mortgage loan. Further, the valuation is prepared on the assumption that the lender is providing first mortgage financing at a conservative and prudent loan to value ratio.

The valuation firm does not make any guarantee, promise, warranty, representation or undertaking that the provision of the valuation report as part of a loan/finance application will result in mortgage finance being obtained which is dependant upon other lending criteria.

## 15.0 Property Analysis

### 15.1 Risk Ratings

Based on the attributes of the property the valuer has considered the risk profile of the property. The risk profile is considered to be best illustrated graphically, as follows:



Risk ratings: 1 - Low 2 - Low to medium 3 - Medium 4 - Medium to high 5 - High



# PROPERTY INFORMATION SHEET

VALUER GENERAL, TASMANIA

Issued pursuant to the Valuation of Land Act 2001

Property Id: 1941750

Municipality: HUON VALLEY

Property **CROUCHS HILL ROAD,**  
Address: **LUCASTON TAS 7109**

Rate Payers: BATES, BROOKE FRANCES  
CRAIG, AARON RAYMOND

Title Owners: C811314 TRANSFER to AARON RAYMOND CRAIG and BROOKE FRANCES  
CRAIG

Postal Address: 13C BROSANAN STREET,  
DIANELLA WA 6059

Land Use: Vacant-Rural Residential

Land Area: 17.5900 hectares

Title References: 208228 / 1  
156729 / 1

UPI References: GSY03

### Last Sales

Contract Date	Real Estate	Chattels	Other
22/07/2007	\$107,000	\$0	\$0
24/08/2006	\$85,000	\$0	\$0

### Last Valuations

Date Val	Levels At	Land	Capital	A.A.V.	Reason
11/03/2009	01/10/2008	\$103,000	\$103,000	\$4,120	REVALUATION
29/09/2002	01/10/2002	\$36,000	\$36,000	\$1,440	Revaluation

This data is derived from the Valuation List prepared by the Valuer General under the provisions of the Valuation of Land Act 2001.  
These values relate to the level of values prevailing at the dates of valuation shown.

While all reasonable care has been taken in collecting and recording the information shown above, this Department assumes no liability resulting from any errors or omissions in this information or from its use in any way.

SEARCH DATE : 26-May-2009 SEARCH TIME : 10.37 pm

**Attachment 5 – upgrade of road to Council standards– letter to Council February 2012 and subsequent photo of road current day (post \$100k upgrade)**



Hollie Newbon  
Administration Officer  
Huon Valley Council  
PO Box 210  
HUONVILLE TAS 7109

Dear Hollie

**REQUEST FOR COUNCIL TO PROVIDE MUNICIPAL STANDARD  
DRAWINGS FOR RURAL ROADS**

In a letter to Future Crouchs Hill Residents dated 27 January 2012, the Council advised that is happy to provide municipal standard drawings for rural roads to the resident or contractor.

I would appreciate if you could forward these drawings to the above address as we are considering a number of road upgrade options.

Regards

Joshua Graeme-Evans (156729/1)



## Attachment 6A – Preliminary Planning Application to Council

Thank you for considering this Preliminary Planning Assessment documentation.

Relevant information is provided both in this document and in the various other attachments to the submitted email.

### 1. Background

- I intend to build a home residence and develop associated yard space for private use at Crouch Hill Road, Lucaston. Title reference is 156729/1 and Property ID is 2953681.
- I need to know precisely what supporting information will be required in a full planning application to Council for this type of development in this location.
- I would like to achieve planning approval in the minimal amount of time possible and would like to be informed of any potential issues that could delay the planning approval process, so that I can work to address these issues in advance.

### 2. Information supporting the Preliminary Planning Assessment

Item	Item location	Description
Title search - Folio Text and Plan	Files attached to email	As requested in application form.
Title search – Schedule of Easements	File attached to email	As requested in application form.
Site Survey – high level	File attached to email	Survey information.
Site Survey – zoomed in	File attached to email	Survey information “zoomed in” to the building location.
Site overview	This document – see “3” below	This shows the location of the proposed residential development in the context of the property boundaries.
Site plan	This document – see “4” below	This provides a proposed layout of home residence, yard space and associated features.
Proposed buildings	This document – see “5” below	This shows the proposed building dimensions and floorplan, subject to further input from a professional building designer.
Site works	This document – see “6” below	Minimal site works are anticipated for the proposed development.  Some minor cutting works are anticipated to create the proposed retaining wall section of the perimeter masonry wall that encloses the yard space (see Section “4” below). Fill would be used to create a more even and consistent batter below the

**Attachment 6A – Preliminary Planning Application to Council**

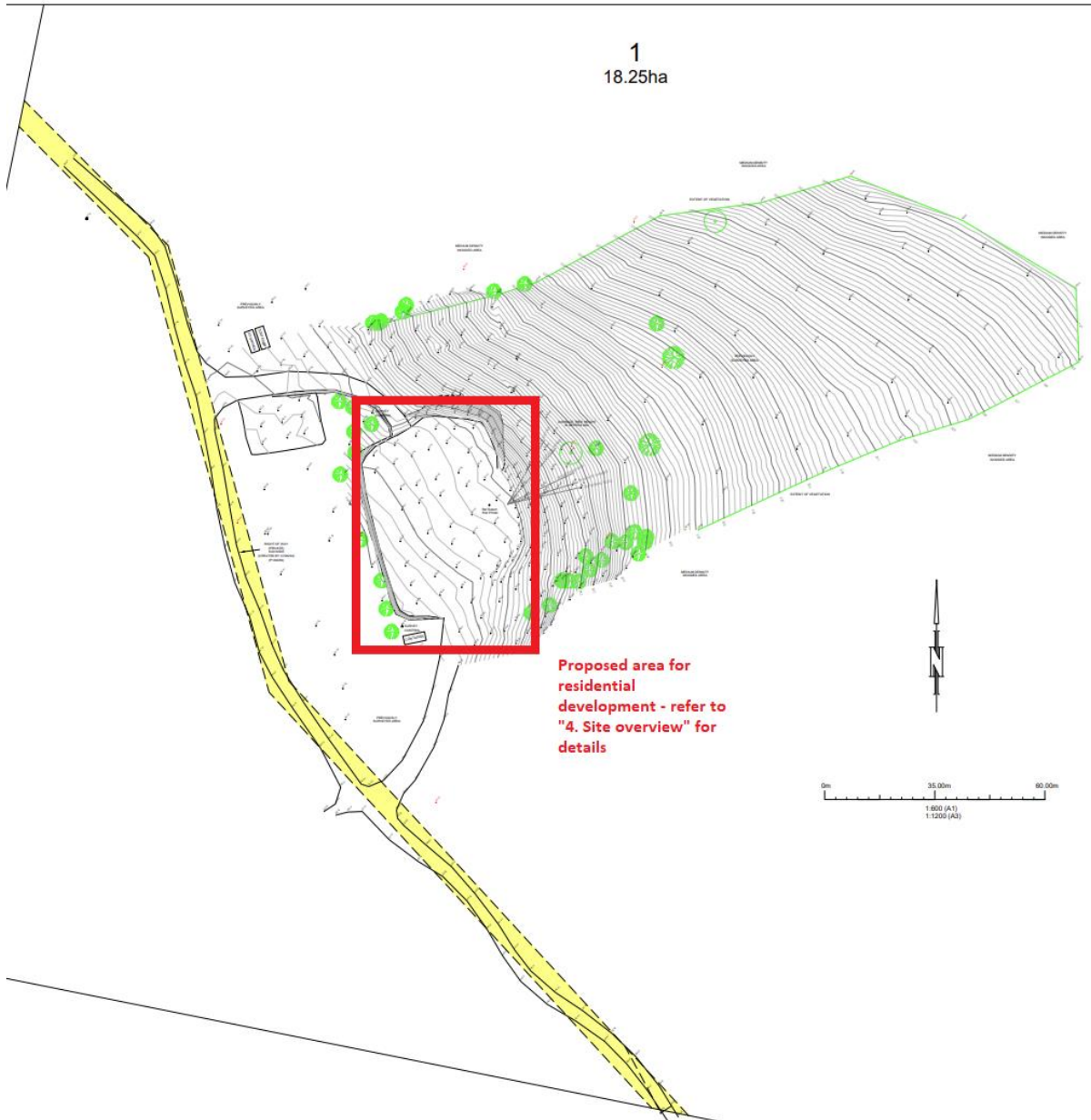
		proposed retaining wall, subject to the completion of engineering reports.
Drainage plan	N/A	Not detailed in this application.  To be developed.
Bushfire Hazard Management Plan	N/A	Not detailed in this application.  Consultant to be engaged.
Onsite wastewater management	N/A	Not detailed in this application.  Consultant to be engaged.
Survey of flora and fauna?	N/A	I am unclear as to whether this is required information for the Planning Application?
Land instability?	N/A	I am unclear as to whether this is required information for the Planning Application?
Landscaping plan?	N/A	I am unclear as to whether this is required information for the Planning Application?
Soil and water management plan?	N/A	I am unclear as to whether this is required information for the Planning Application?

**Attachment 6A – Preliminary Planning Application to Council**

**3. Site overview – residential development area**

Title reference is 156729/1

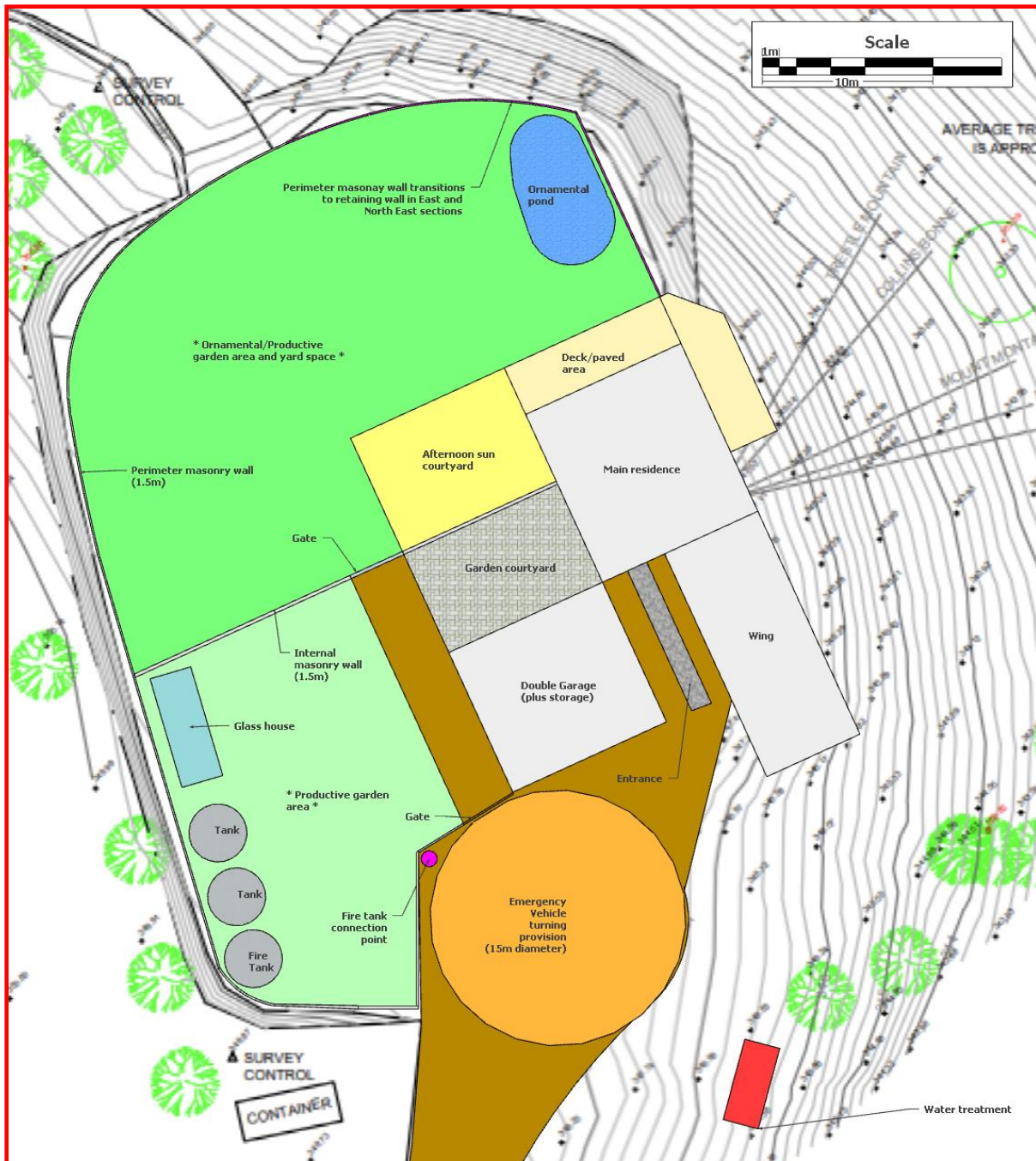
Contours = 0.2m



**Proposed area for residential development - refer to "4. Site overview" for details**

4. Site plan – details of residential development

A description of each build component is provided in the table below the diagram.



## Attachment 6A – Preliminary Planning Application to Council

### Build components

<p><b>Main residence</b></p>	<p>Private residence – predominantly open-plan living space</p> <p>Construction – to be determined, likely insulated slab on ground with steel or timber framing. Clad with fire-resistant MgO board or Cement sheeting. May incorporate pre-cast concrete or rammed earth components. Will be built to BAL standards per assessment.</p> <p>Externals colours and finishes - predominately from Colorbond palette to fit into surroundings (e.g. Woodland Grey, Monument etc). May incorporate wood, steel or concrete elements.</p>
<p><b>Wing</b></p>	<p>Private residence – adds additional bedroom(s) and living space</p> <p>Construction –Steel framing. Clad with fire-resistant MgO board or Cement sheeting. May incorporate pre-cast concrete or rammed earth components. Will be built to BAL standards per assessment.</p> <p>End section of wing elevated above natural ground level by up to 2.5m.</p> <p>Externals colours and finishes - predominately from Colorbond palette to fit into surroundings (e.g. Woodland Grey, Monument etc). May incorporate wood, steel or concrete elements.</p>
<p><b>Double Garage</b></p>	<ul style="list-style-type: none"> <li>• Two car spaces plus storage</li> <li>• Laundry</li> <li>• Small utility bathroom</li> <li>• Internal access to house</li> <li>• Houses off-grid battery and controls and hydronic heating</li> </ul> <p>Construction: Uninsulated slab on ground with pre-cast concrete or concrete block walling. Will be built to BAL standards per assessment.</p> <p>Colour selection – Un-finished pre-cast concrete or colouring to matching house if concrete block construction.</p>
<p><b>Deck/paved outdoor living</b></p>	<ul style="list-style-type: none"> <li>• Non-combustible construction – concrete and/or steel frame for above ground portions</li> <li>• Steel and/or glass balustrades</li> <li>• Decking – cement board</li> </ul>
<p><b>Afternoon sun courtyard</b></p>	<ul style="list-style-type: none"> <li>• Sheltered area that gets the midday/ afternoon sun for outdoor living</li> <li>• Sun sail that can be put-up, taken down depending on season.</li> <li>• Free-standing 1.5m wall on south side to capture to/reflect solar energy</li> </ul> <p>Construction: concrete or rammed earth</p>
<p><b>Garden courtyard</b></p>	<ul style="list-style-type: none"> <li>• Enclosed garden space with easy access from kitchen</li> </ul>

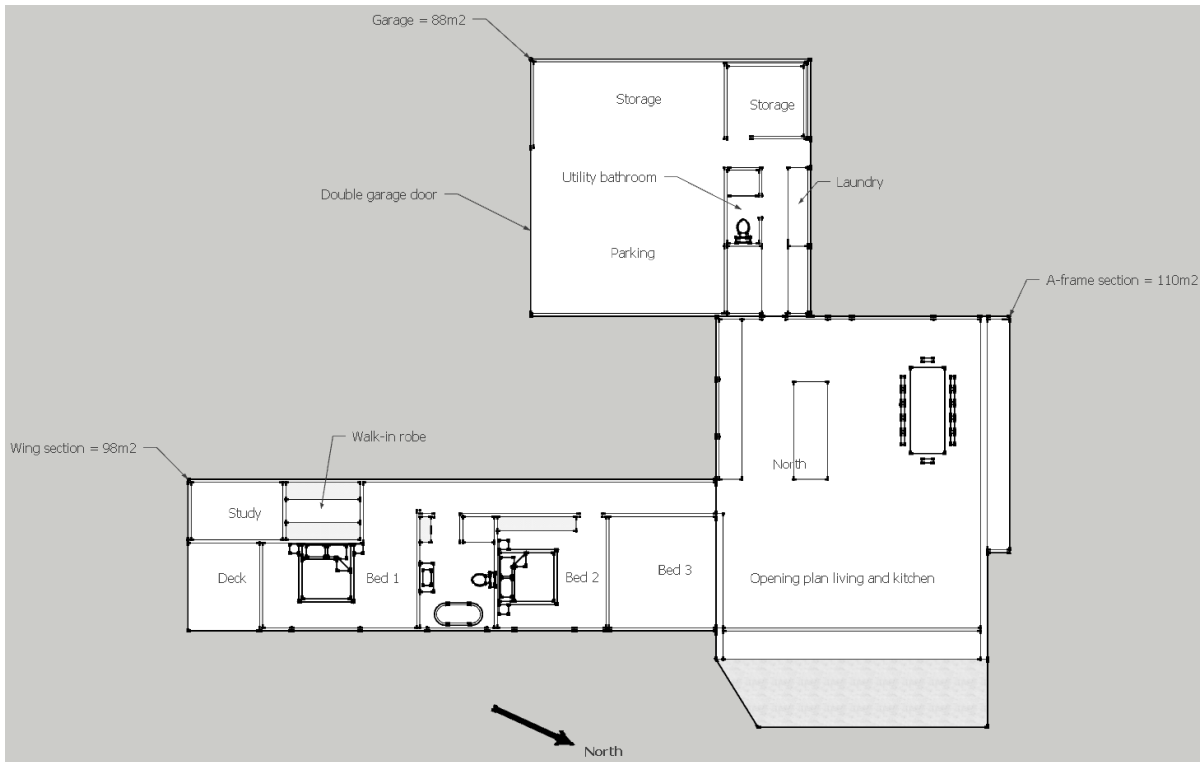
## Attachment 6A – Preliminary Planning Application to Council

	<ul style="list-style-type: none"> <li>Bordered by garage, house and free-standing 1.5m masonry wall.</li> </ul> <p>Construction: concrete slab and/or pavers</p>
<b>Entrance</b>	<p>Where a “wing” design is incorporated, the entrance will be mostly shaded.</p> <ul style="list-style-type: none"> <li>Stepping stones (large pavers)</li> <li>Gravel bed</li> <li>(Optional) fern garden</li> </ul>
<b>Pond</b>	<ul style="list-style-type: none"> <li>Pond to be fed from natural site drainage</li> <li>Maximum depth 300mm</li> <li>Rock-garden and native plantings to compliment garden space</li> </ul>
<b>Perimeter wall / retaining wall</b>	<ul style="list-style-type: none"> <li>Approx. 1.5 high masonry wall to contain wildlife from garden spaces</li> <li>In the North or North-East sections the internal (to the yard) wall height will decrease and a retaining wall component will be introduced</li> </ul>
<b>Productive garden space</b>	<ul style="list-style-type: none"> <li>Vegetables</li> <li>Fruit trees</li> <li>Composting</li> <li>Poultry space</li> <li>Glass house(s)</li> </ul>
<b>Ornamental/productive garden space</b>	<ul style="list-style-type: none"> <li>Lawn area with trees and garden as required</li> </ul>
<b>Emergency Vehicle turning provision</b>	<p>Emergency vehicles access is required for bushfire building compliance.</p>
<b>Water treatment</b>	<p>Type of system yet to be determined.</p> <p>Location is suggested pending professional advice.</p>
<b>Site works</b>	<p>Minimal site works are anticipated for the proposed development.</p> <p>Some minor cut and fill to create a more even and consistent batter below the proposed retaining wall is all that is anticipated, subject to the completion of engineering reports.</p>



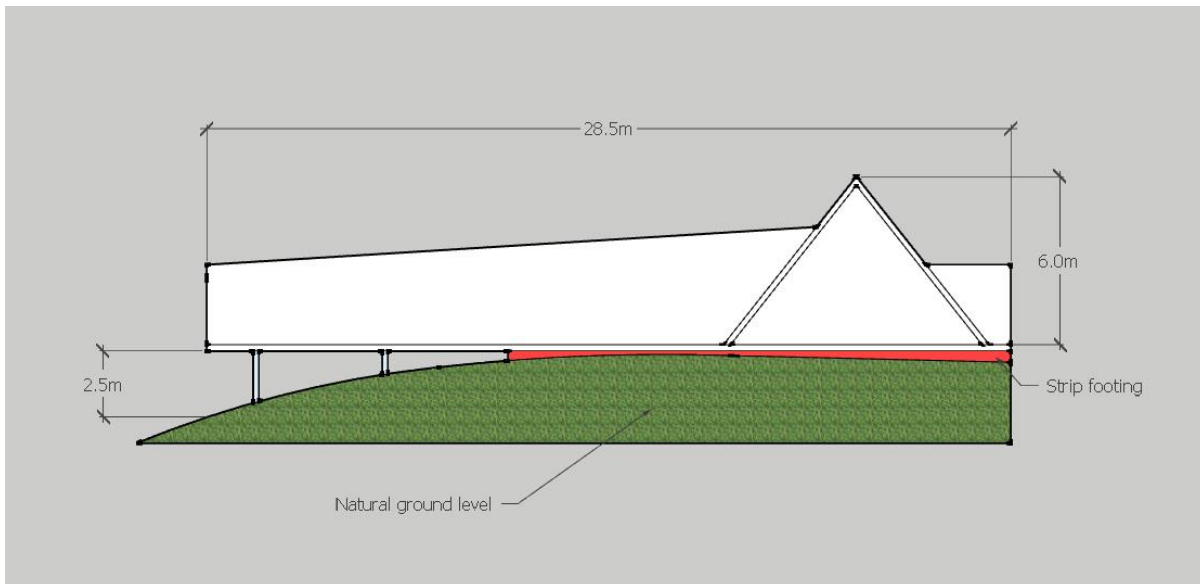
**Attachment 6A – Preliminary Planning Application to Council**  
**5. Proposed buildings**

**Floor plan**



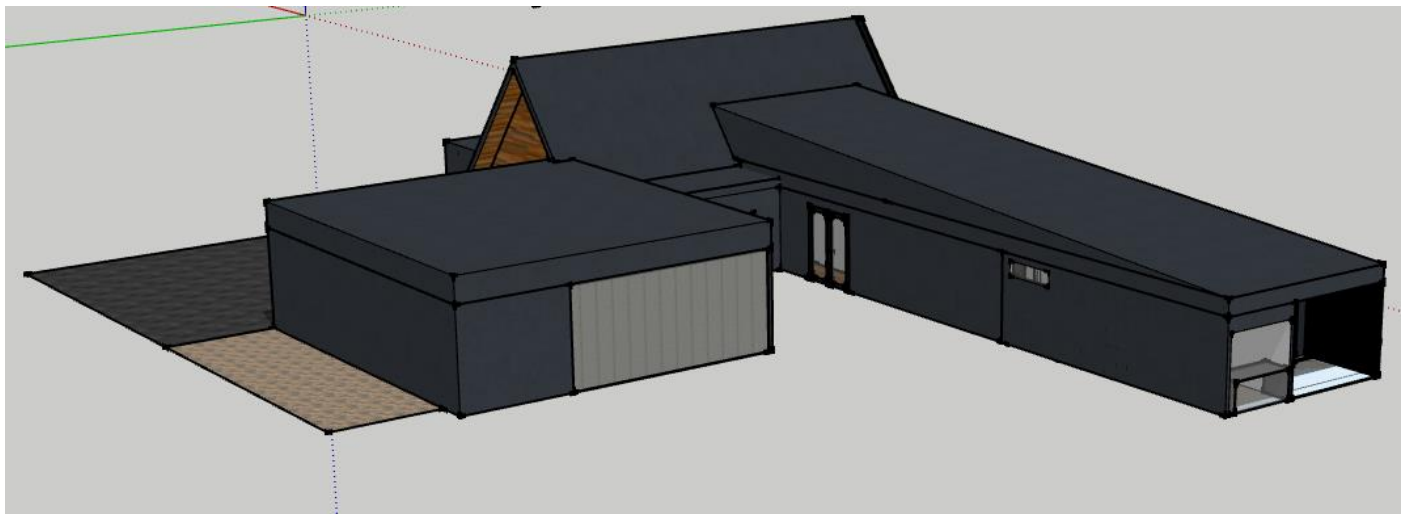
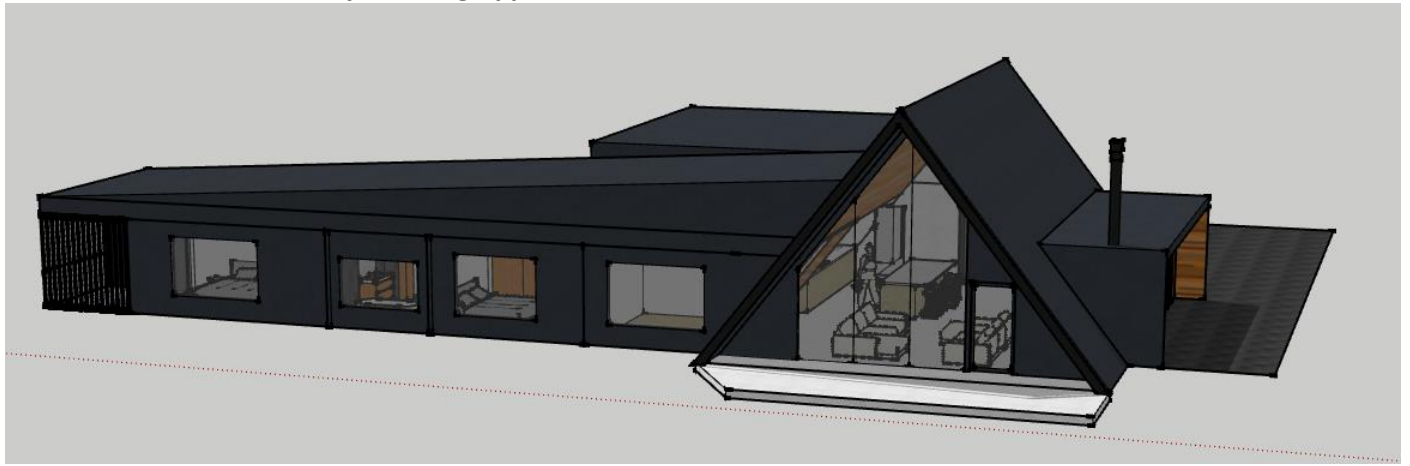
**Side view**

Note – the garage (not pictured below) is 3.3m high with flat roofline



**3D - Conceptual model images**

Attachment 6A – Preliminary Planning Application to Council



Attachment 6A – Preliminary Planning Application to Council  
6. Yard wall perspective

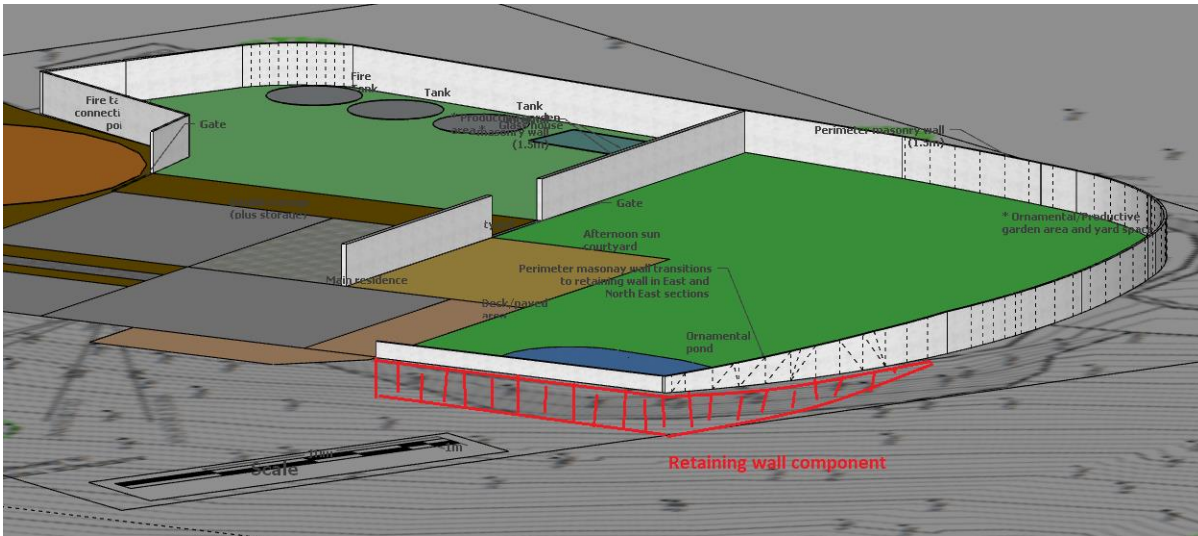


Photo – house site



## Attachment 7 – Historical property usage

### 1. Historical usage and historical landscape values

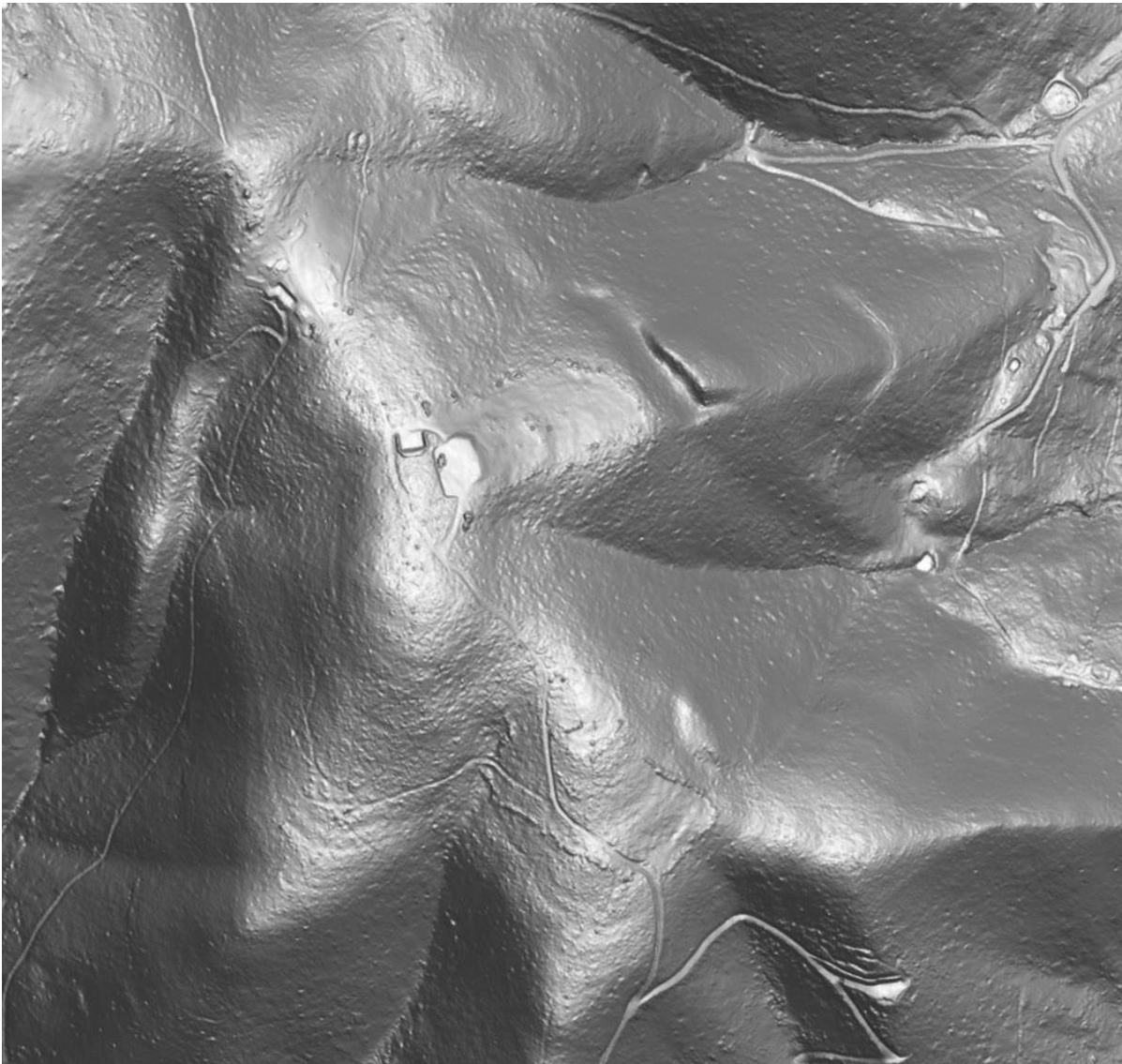
Crouchs Hill shows evidence of extensive historic landscape use that is not consistent with the application of the proposed application of the Scenic Code under the draft LPS.

This includes forestry operations, clearings, the construction of numerous tracks, homestead occupation and subsistence agriculture.

It is understood that much of the activity centered around a former homestead that was established along the ridgeline.

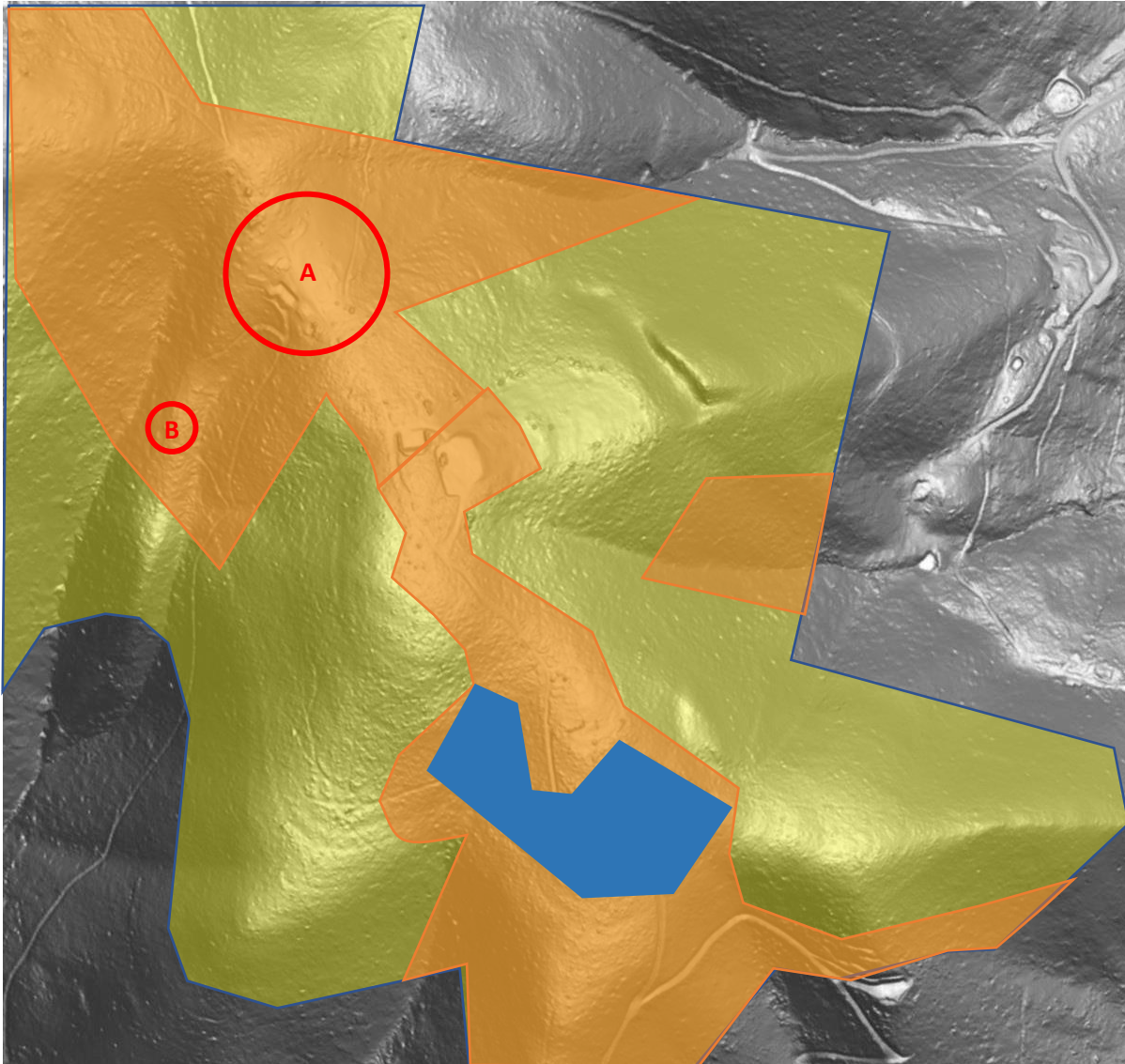
Image 2A below from Listmap “Hillshade Grey” shows extensive historic use of the land area including many historically formed tracks. This is followed by Image 2B which shows historic land clearing and land use verified by aerial images. Image 3A below is an aerial photo from 1946. It shows extensive cleared areas and past use, including homesteads, forestry, track networks etc.




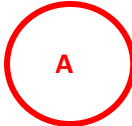

#### Image 2A – “Hillshade Grey” from Listmap



#### Image 2B – “Hillshade Grey” from Listmap, showing approximate area of Scenic Protection Area and key historic features

**Attachment 7 – Historical property usage**



-  Extensively cleared – 1946 (Aerial photo)
-  Extensively cleared – 1984 (Aerial photo)
-  Extent of proposed Scenic Protection Code (draft LPS)
-  Historic homestead and agricultural area
-  Historic ruin of subsistence dwelling/structure

**Image 3A/3B – Aerial photo from 1946 vs. current day**

Attachment 7 – Historical property usage



## Attachment 7 – Historical property usage

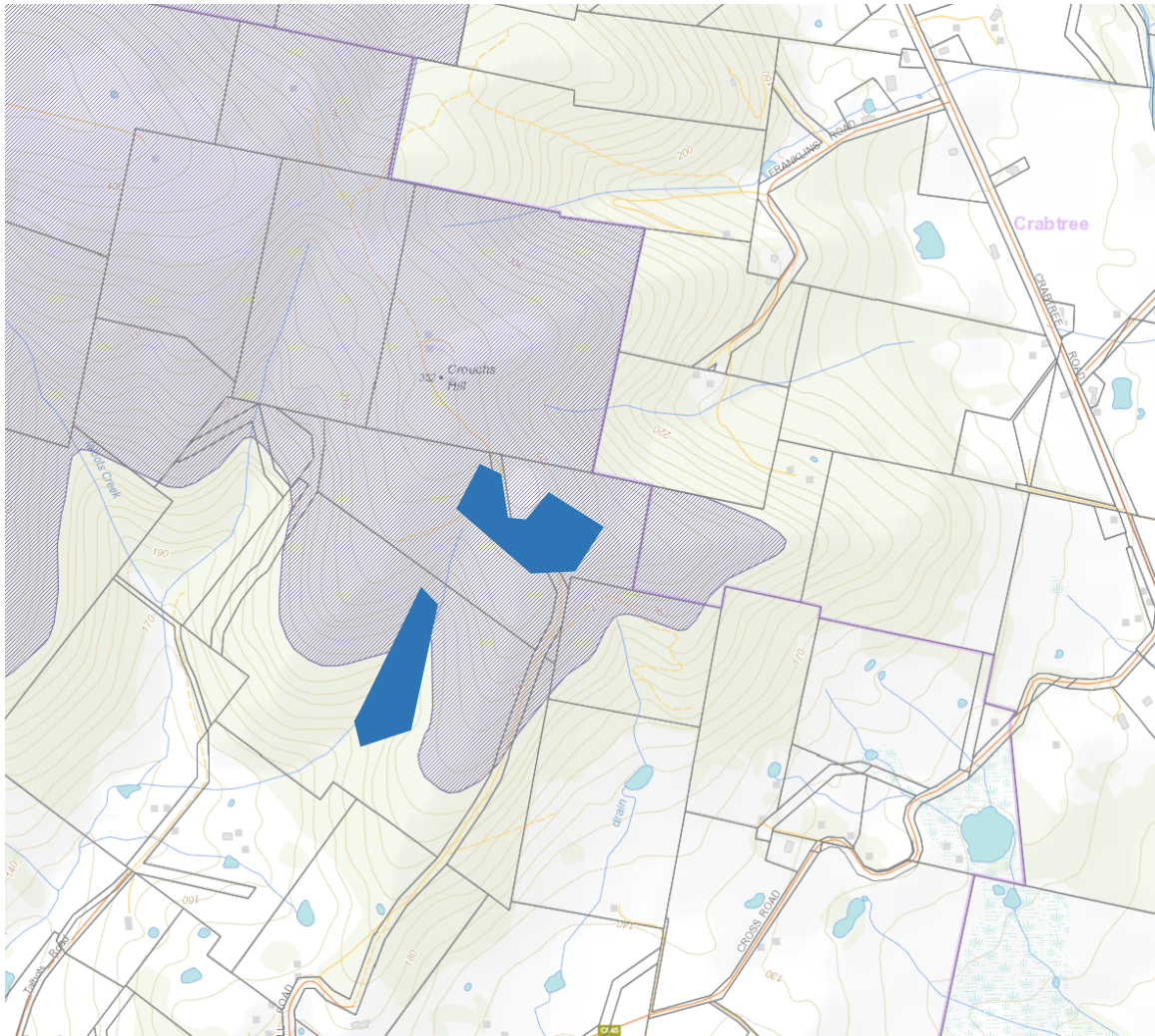
Image 4 below presents an aerial photo from 1984 and substantially cleared areas on the prominent South face which is overlaid with Image 5 – the proposed extent of Scenic Code HUO-C8.1.4 in the draft LPS.

**Image 4 – Aerial photo from 1984**



**Attachment 7 – Historical property usage**

**Image 5 – Proposed extent of Scenic Code HUC–C8.1.4 and land use in 1984**



Extensively cleared on prominent south area– 1984 (Aerial photo)



## Attachment 7 – Historical property usage

### Historical Artefacts

Image 6 below presents a number of historic artefacts from Crouchs Hill and ridgeline. These include (clockwise): “A” a collar from a working horse from a former homestead (found buried in a vegetable garden), “B” and “C” - a historical clearing showing (with vegetation regrowth) and the historic ruin of a subsistence dwelling/structure and “D” one of many historic tracks around the area.

Image 6 – historical artefacts (and context)



Josh Graeme-Evans  
Crouchs Hill Road  
LUCASTON TAS 7109

31 May 2022

General Manager  
Huon Valley Council  
Huonville TAS 7109

**Representation for advertised draft Local Provisions Schedule (LPS) documents with respect to HUO-C8.1.4 “Crabtree 3 (Crouchs Hill)” – proposed scenic protection area**

I hereby submit a representation relating to the proposed scenic protection area HUO-C8.1.4 – “Crabtree 3 (Crouchs Hill)” as detailed in the draft Local Provisions Schedule.

I oppose the scenic protection area on the basis that its application is not appropriately justified under the TPC’s *Section 8A Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application* guidelines.

**Summary of rationale**

This representation presents evidence that the subject area covered by the proposed scenic protection area:

1. Is not a dominant feature within the upper Huon Valley
2. Is not a framing feature of significance within the upper Huon Valley from most aspects
3. Is already constrained through the Natural Assets Code
4. Has been subject to significant historical land use, clearing and habitation consistent with historical landscape values of the local area.
5. That overall, the Scenic Protection Area is not required to maintain landscape values consistent with the existing and nearby character of the Huon Valley.

The HUO-C8.1.4 – “Crabtree 3 (Crouchs Hill) scenic area should be removed entirely from the Draft LPS or modified such that its application is limited to the more prominent and elevated “Mount Ruddy” area down to the 370m contour line.

Whilst the importance of maintaining landscape values is well documented in the Huon Valley Land Use and Development Strategy, the misuse of the Scenic Code can create significant costs, time delays and impediments to reasonable use which are not in line with historical precedents or the character or sense of place of the Huon Valley Region.

In fact, any use of the Scenic Code which focuses solely on “natural values” and ignores historical landscape values (which is the case with the subject area) will be detrimental to the Huon Valley. The Huon Valley has great appeal to residents and visitors alike through the patchwork of cleared and uncleared, developed and undeveloped properties in the hills of the region. A singular focus on “natural values” puts at risk both historical landscape values and land capability which will be progressively lost over time with vegetation regrowth.

## **Evidence in support of the position**

Evidence supporting each of the above positions is stated below. This is followed by commentary that directly addressed the S8A Guidelines. A series of photos is provided as further evidence in Attachments 1 and 2.

### **1. Not a dominant feature within the upper Huon Valley**

Attachment 1 presents a series of photos taken along the Huon Highway and from prominent locations within the local area.

These show that Crouchs Hill is a distant, non-dominant and unremarkable component of the Huon Valley landscape that sits below more prominent hills and mountain ranges in the Huon Valley landscape. It is located a significant distance of 3.6km to the Huon Highway (at the closest point), 3.6km to Grove, 6km to Ranelagh and 8km to the Huonville town center.

Crouchs Hill and the associated ridgeline (at level) is obscured from view from many, if not the majority of popular locations around the upper Huon Valley. When it is visible, it is clearly not a dominant or primary feature of the landscape. In nearly all instances, it is an unremarkable component that fits into the patchwork of the broader landscape.

The Crouchs Hill and ridgeline (up to 360m) sits immediately below the more prominent Mount Ruddy which contains a significant cleared area which is again in keeping with the historical landscape values of the wider Huon Valley (see section "4" below on historical usage) and a significant distance away from highly populated areas.

## 2. Not a framing feature within the upper Huon Valley

The most prominent and unobstructed view of Crouchs Hill and ridgeline from a populous area is arguably from the Orchard Rd suburban area at the northern end of the Huonville township.

From this location, the Crouchs Hill and ridgeline is at a distance of 6.4km, is low lying compared to other landscape elements and can hardly be considered a framing feature of any significance. The subject area merely fits into the patch work landscape and vistas of cleared and uncleared hillsides that characterise the region.

Attachment 1 provides further evidence as to why the subject area is not dominant feature, framing feature of significance in the Upper Huon Valley Region.

The photo below is taken from Pear Tree Close (within Orchard Road). For a larger image, refer to Attachment 1.

**Image 1 – view from Pear Tree Close, Huonville**



## 3. Already constrained through the Natural Assets Code

The Natural Assets Code in combination with Forest Practices System (consisting of the *Forest Practices Act 1985* and *Forest Practices Regulations 2007*) either prohibits, constrains, or ensures that vegetation harvesting is conducted in a responsible manner and with appropriate controls.

However, any such vegetation removal, should it be required as part of a planning application or otherwise, would be in perfect keeping with the historic land use of the subject site and the surrounding area.

#### **4. Historical usage and historical landscape values**

Crouchs Hill shows evidence of extensive historic landscape use that is not consistent with the application of the proposed application of the Scenic Code under the draft LPS.

This includes forestry operations, clearings, the construction of numerous tracks, homestead occupation and subsistence agriculture.

It is understood that much of the activity centered around a former homestead that was established along the ridgeline.

Image 2A below from Listmap “Hillshade Grey” shows extensive historic use of the land area including many historically formed tracks. This is followed by Image 2B which shows historic land clearing and land use verified by aerial images. Image 3A below is an aerial photo from 1946. It shows extensive cleared areas and past use, including homesteads, forestry, track networks etc.

**Image 2A – “Hillshade Grey” from Listmap**

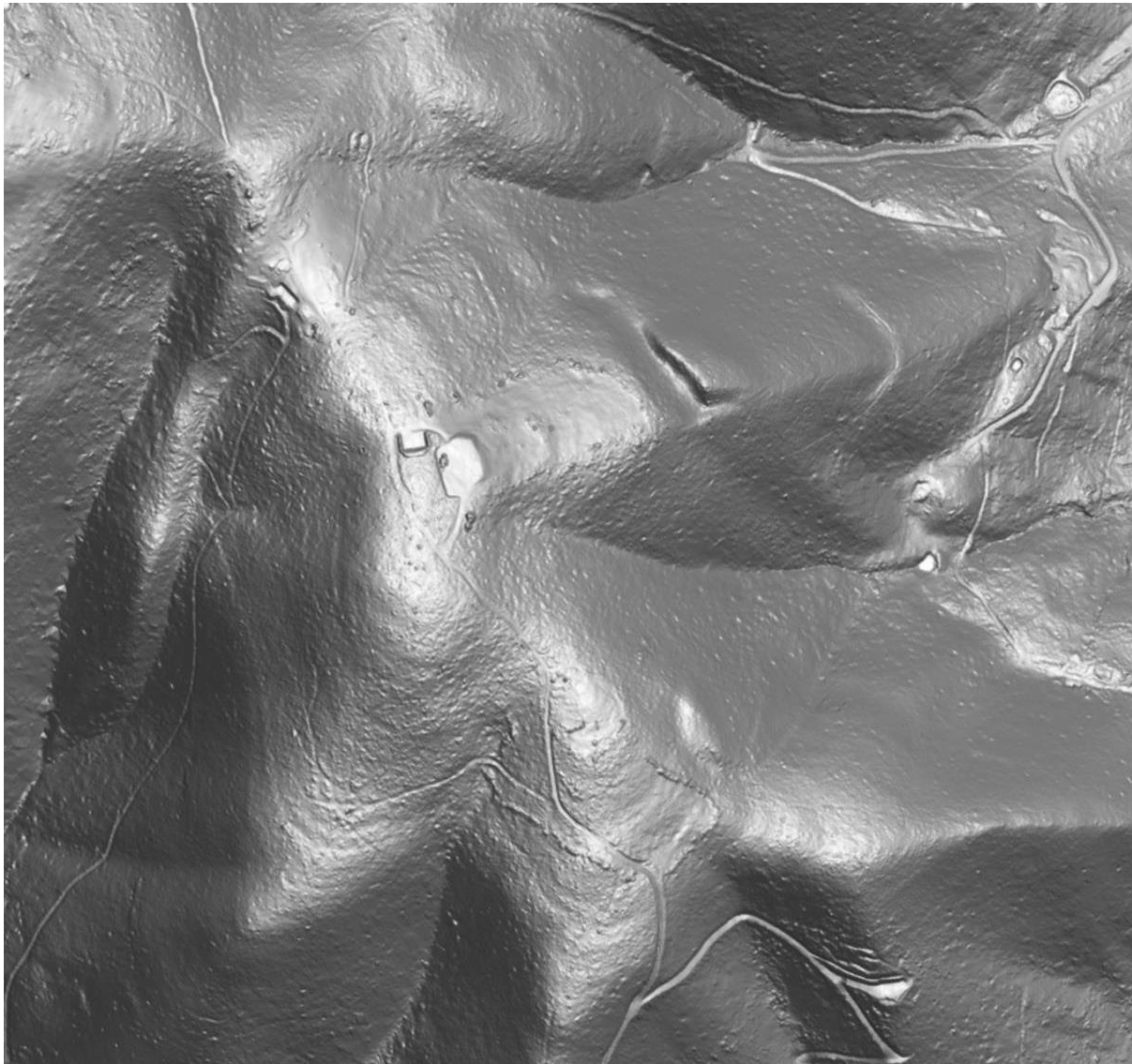
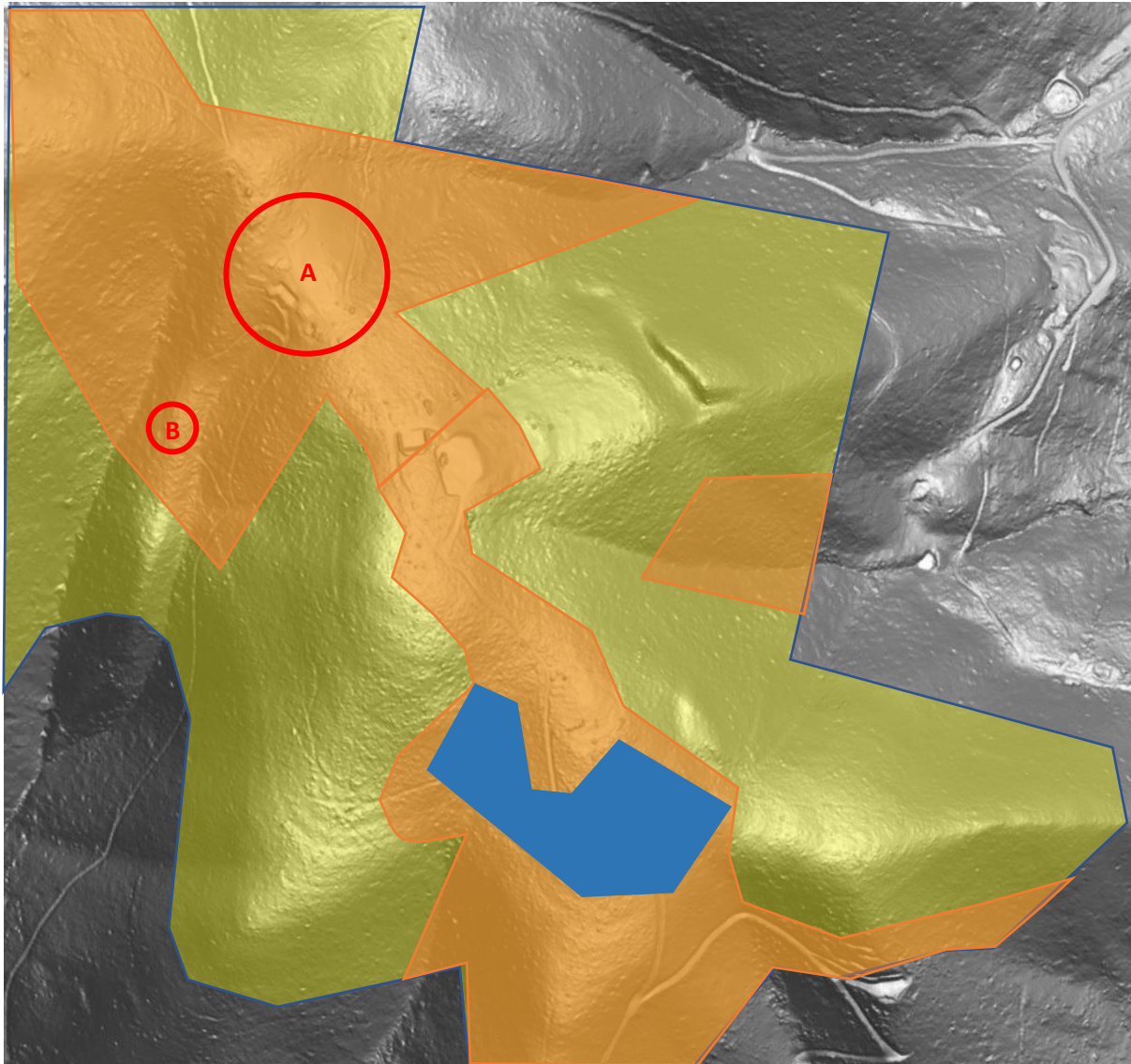


Image 2B – “Hillshade Grey” from Listmap, showing approximate area of Scenic Protection Area and key historic features






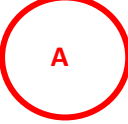

-  Extensively cleared – 1946 (Aerial photo)
-  Extensively cleared – 1984 (Aerial photo)
-  Extent of proposed Scenic Protection Code (draft LPS)
-  Historic homestead and agricultural area
-  Historic ruin of subsistence dwelling/structure

Image 3A/3B – Aerial photo from 1946 vs. current day



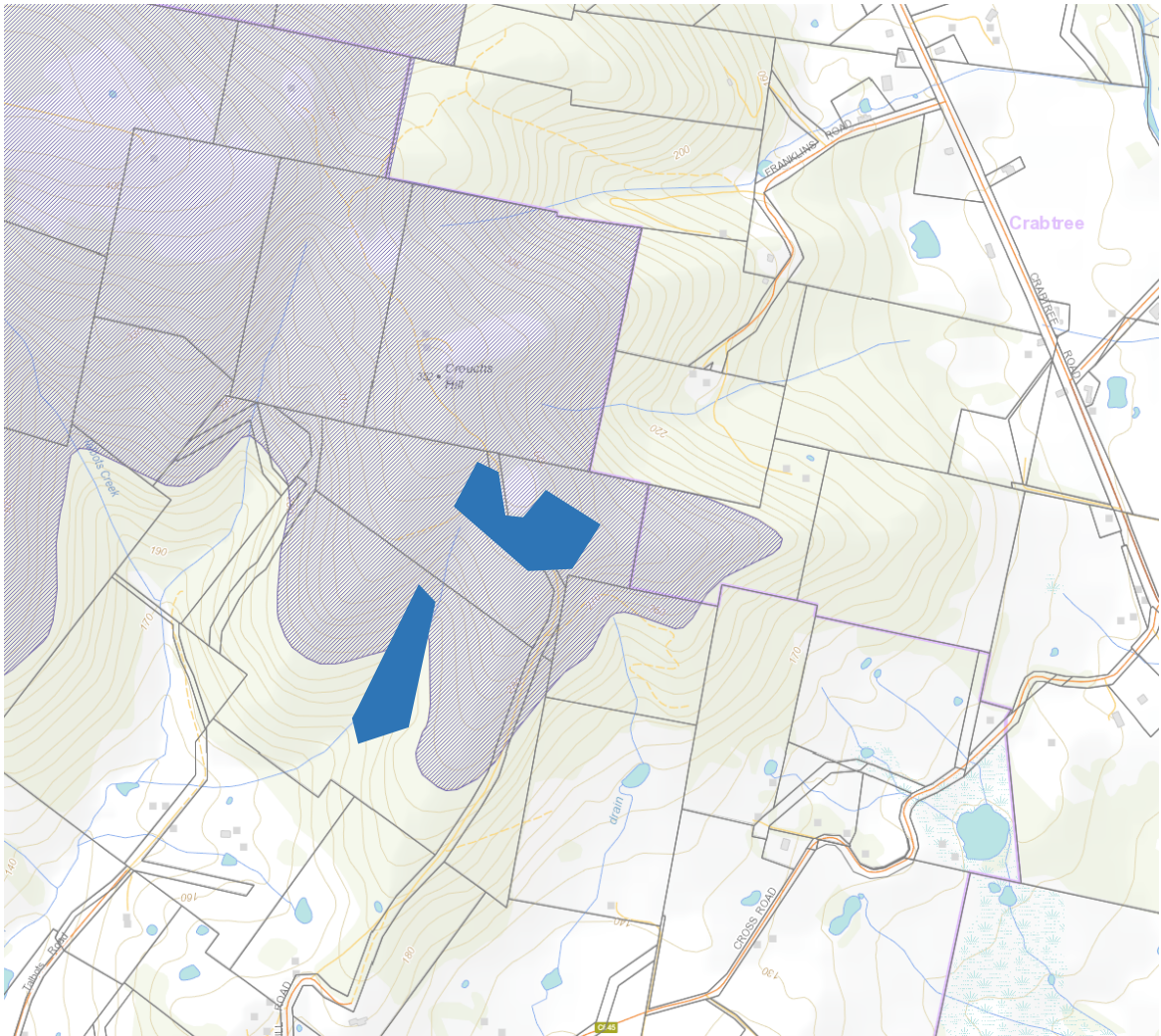
Image 4 below presents an aerial photo from 1984 and substantially cleared areas on the prominent South face which is overlaid with Image 5 – the proposed extent of Scenic Code HUO-C8.1.4 in the draft LPS.

**Image 4 – Aerial photo from 1984**





**Image 5 – Proposed extent of Scenic Code HUU–C8.1.4 and land use in 1984**



Extensively cleared on prominent south area– 1984 (Aerial photo)

### Historical Artefacts

Image 6 below presents a number of historic artefacts from Crouchs Hill and ridgeline. These include (clockwise): “A” a collar from a working horse from a former homestead (found buried in a vegetable garden), “B” and “C” - a historical clearing showing (with vegetation regrowth) and the historic ruin of a subsistence dwelling/structure and “D” one of many historic tracks around the area.

Image 6 – historical artefacts (and context)



**5. The Scenic Protection Area is not required to maintain landscape values consistent with the existing and nearby character of the Huon Valley.**

Scenic values extend to more than “Naturalness”. This is recognized in the *Huon Valley Land Use and Development Strategy* notes on Page 50.

**“...heritage extends beyond site-specific buildings or relics and includes an appreciation of entire landscapes as being significant from a spiritual and non-spiritual perspective”.**

A further extract from the document is provided below.

### Landscape and Natural Values

The Huon Valley is recognised for its unique landscapes and these are central to the tourism economy of the municipal area. Landscapes are also often central to a community’s sense of place. Significant cultural and historical sites or landscapes can easily be lost through insensitive use or development. It is therefore necessary that the landscape values<sup>3</sup> of the Huon Valley be identified and managed appropriately, while recognising that many landscapes within the municipal area remain working landscapes and are constantly evolving.

The existing rich cultural and natural heritage is intrinsically connected to the natural resources of the region. This is evident by the 57 sites (not buildings) of natural, historical and Aboriginal significance listed on the Register of the National Estate.

From a visual perspective, the Huon Valley is recognised for its unique landscapes – productive agricultural land, extensive areas of remnant vegetation and lush forests, together with the many natural coastal features, buildings and settlements. Although many of the most familiar landscapes are the product of clearing, forestry and farming practices since the 1850’s, they are appealing because of their aesthetic values. **The visual elements that are most valuable are:**

3

*The municipal area contains both Cultural Landscapes and Natural Landscapes. Cultural landscapes differ in that they are those areas where natural elements have been modified by human activity resulting in evidence layered in the landscape, which provide character and human associated with place.*

HUON VALLEY LAND USE AND DEVELOPMENT STRATEGY | GHD

The essential character of the Huon Valley Landscape, extends beyond Natural features. It includes historical and cultural landscape values, including cleared hillside areas and rural residential developments.

This scene is popularly portrayed in promotional material for Huon Valley experiences and in photos that characterise the Huon Valley.

Accordingly, the Scenic Code on Crouchs Hill is unnecessary to protect scenic values, which consist of a mixture of use in keeping with the character of the Huon Valley landscape.

Please refer to Images 7 and 8 below and to Attachment 2.

Image 7 below presents a view from main street in Ranelagh (C619) outside the Soldiers Memorial Hall and looking West to prominent hills in the Glen Huon. This type of view typifies much of the Huon Valley. It does not contain a Scenic Protection Area and nor does it need one.

**Image 7 – Ranelagh main street looking West to prominent hills in the Glen Huon**



**Image 8. View from Middle of Orchard Road, Huonville**



## Scenic Protection Area HUO-C8.1.4 as per draft LPS

### HUO-Table C8.1 Scenic Protection Areas

Reference Number	Scenic Protection Area Name	Description	Scenic Value	Management Objectives
HUO-C8.1.4	Crabtree 3 (Crouchs Hill)	<p>The Crabtree 3 (Crouchs Hill) Scenic Protection Area is located about 450m to the south west of Crabtree Road and to the south east of Mount Ruddy. It is located above the 250m contour and extends over the summit of Crouchs Hill and up to 430m in elevation up the slopes of Mount Ruddy.</p> <p>Crouchs Hill has a summit elevation of 352m and Mount Ruddy has an elevation of 440m.</p> <p>Crouchs Hill is a prominent landscape feature in the upper Huon Valley.</p> <p>It is predominantly forested with some cleared land on ridge lines and the summit of Crouchs Hill.</p>	<p>(a) The eucalypt forest on the ridgelines and skyline and steep slopes contributes to the naturalness of the Scenic Protection Area.</p> <p>(b) The Huon Highway is a State managed highway, which is promoted as part of the Huon Trail connecting Hobart with visitor destinations to the South.</p> <p>(c) The scenic values are often enhanced by dramatic weather conditions including storms, fog in the valley and snow-capped hills and mountains.</p>	<p>(a) That vegetation is maintained as the dominant landscape element when viewed from public roads and places;</p> <p>(b) That development and works avoids impact on skylines; and</p> <p>(c) That visual contrast between buildings and works and the natural bushland is minimised.</p>

## Evidence against the Section 8A Guidelines

Section 8A Guidelines	Response
<p>Code Purpose</p> <p>C8.1.1 To recognise and protect landscapes that are <u>identified as important</u> for their <u>scenic values</u>.</p>	<p>The value and purpose of the Code is not in dispute.</p> <p>The evidence presented in this representation shows that the subject area is not a significant feature within the context of its surroundings. It sits at a relatively low-lying hill/ridgeline within a patchwork of cleared/uncleared and developed/undeveloped hills within the local area. The subject area has had extensive historical use for human habitation, forestry and subsistence agriculture in keeping with the character of the Huon Valley.</p> <p>The subject area is a significant distance to the Huon Highway (3.6km at the closest point), the town Centre (8km) and to popular visitor locations. In the majority of these locations the subject area is obscured from sight by other landscape features and cannot be seen. When it can be seen it is not a prominent feature.</p> <p>It also appears that when considering what constitutes “Scenic Values”, the draft LPS ignores historical landscape values.</p> <p>What is also in dispute is the characterisation of the scenic values that require protection.</p>
<p>Overview</p> <p>The Scenic Protection Code applies to land shown within a:</p> <ul style="list-style-type: none"> <li>• scenic protection area overlay; or</li> <li>• scenic road corridor overlay.</li> </ul> <p>The code provides for individual scenic protection areas and scenic road corridors to be listed in the LPSs and for the specific scenic values and management objectives to be identified. The articulation of specific scenic values and management objectives allow for greater guidance in the assessment of discretionary applications against the code.</p>	<p>The Scenic Road Corridor Overlay does not apply to the subject area.</p> <p>The Scenic Protection Code HUO–C8.1.4 “Crabtree 3 (Crouchs Hill)” is proposed in the draft LPS.</p> <p>The Scenic Values listed in the draft LPS (see</p>


Section 8A Guidelines		Response
SPC 1	The scenic protection area overlay and the scenic road corridor overlay <u>may be</u> applied to land identified at the local or regional level as important for the protection of scenic values. These may include areas: (a) containing significant native vegetation or bushland areas with important scenic values (such as skyline areas); or (b) identified for their significant scenic views.	<p>The Huon Valley Council does not appear to have completed an assessment of Scenic Values that aligns with the <i>Guidelines for Scenic Values Assessment Methodology &amp; LPS (2018)</i>. Accordingly, such values have not been appropriately identified.</p> <p>Please refer to evidence within this representation which shows that the Crouchs Hill and ridgeline does not have high scenic value in the context of its surroundings.</p>
SPC 2	The scenic protection area overlay and the scenic road corridor overlay should be justified as having significant scenic values requiring protection from inappropriate development that would or may diminish those values.	<p>Insufficient justification is provided.</p> <p>The Scenic Value Statements are vague and do not appear to have followed the <i>Guidelines for Scenic Values Assessment Methodology &amp; LPS (2018)</i>.</p> <p>“(a) The eucalypt forest on the ridgelines and skyline and steep slopes contribute to the naturalness of the Scenic Protection Area”</p> <p><b>Response – the Crouchs Hill and ridgeline is not a skyline feature from any prominent or tourist related area within the Upper Huon Valley (refer to photo evidence). This statement is circular and does not provide appropriate context or reference to any particular viewing point.</b></p> <p>“(b) The Huon Highway is a State managed highway, which is promoted as part of the Huon Trail connecting Hobart with visitor destinations to the South”</p> <p><b>Response – Crouchs Hill and ridgeline is located a significant distance away from the highway. It is low-lying in the context of its surroundings, frequently obscured from view and not a prominent or skyline feature from most aspects. It fits into the landscape values of its surroundings which consists of clear and uncleared areas. Its “natural values” are detracted by nearby land at Mount Ruddy which are at higher elevation, prominent, cleared and subject to development consistent with what is seen in the hills of the Valley. The Scenic Code is not required to maintain landscape values of the area which consist of cultural and historical landscape values mixed with natural features. Refer to photo evidence and other information within this submission.</b></p>



Section 8A Guidelines		Response
		<p>“(c) The scenic values are often enhanced by dramatic weather conditions including storms, fog in the valley and snow-capped hills and mountains”</p> <p><b>Response – this value is not specific to the subject area.</b></p>
SPC 3	<p>The scenic protection area and the scenic road corridor may only be shown on the overlay map for the following zones:</p> <p>(a) Rural Living Zone;16  (b) Rural Zone;  (c) Agriculture Zone;  (d) Landscape Conservation Zone;  (e) Environmental Management Zone; or  (f) Open Space Zone</p>	SPC3 is <b>not in dispute</b> .

### **Attachment 1 – photos from the Huon Highway and other locations**

The following series of photos shows the prominence (or lack thereof) of the Crouchs Hill area and ridgeline from the Huon Highway and other notable populous locations in the Upper Huon Valley.

The Hill is marked with a green dot 

The photos along the highway progress from North to South, starting at Huon View Road.

1. Huon Highway showing Huon View Rd



2.



3.



4. (Not visible)



5.



6. (Not visible)





7.



**8. View from Tourist Stop – the subject site fits into the general patchwork of the valley. Its view is currently obscured by vegetation**



9. (Not visible)



10. (Not visible)



11.



12.



13.



14.





15.



16. (Not visible)



## 17. Willie Smiths Apple Shed



18. Pages Road



19. (Not visible)



20. Allens Road (not visible)



21.



22. Lollara Rd intersection -Huon Highway





23. (Not visible)



24. North Glen Rd (Not visible)



25. Longleys Rd



26.



27. Orchard Road intersection



28. Middle of Orchard Road



29. Pear Tree Close



30. Little Devil Backpackers (not visible)





31. Huon Valley town centre (not visible)



32. Huon Valley town centre (not visible)



33. Huon river bridge –visible at distance is 8.6km and non-prominent.



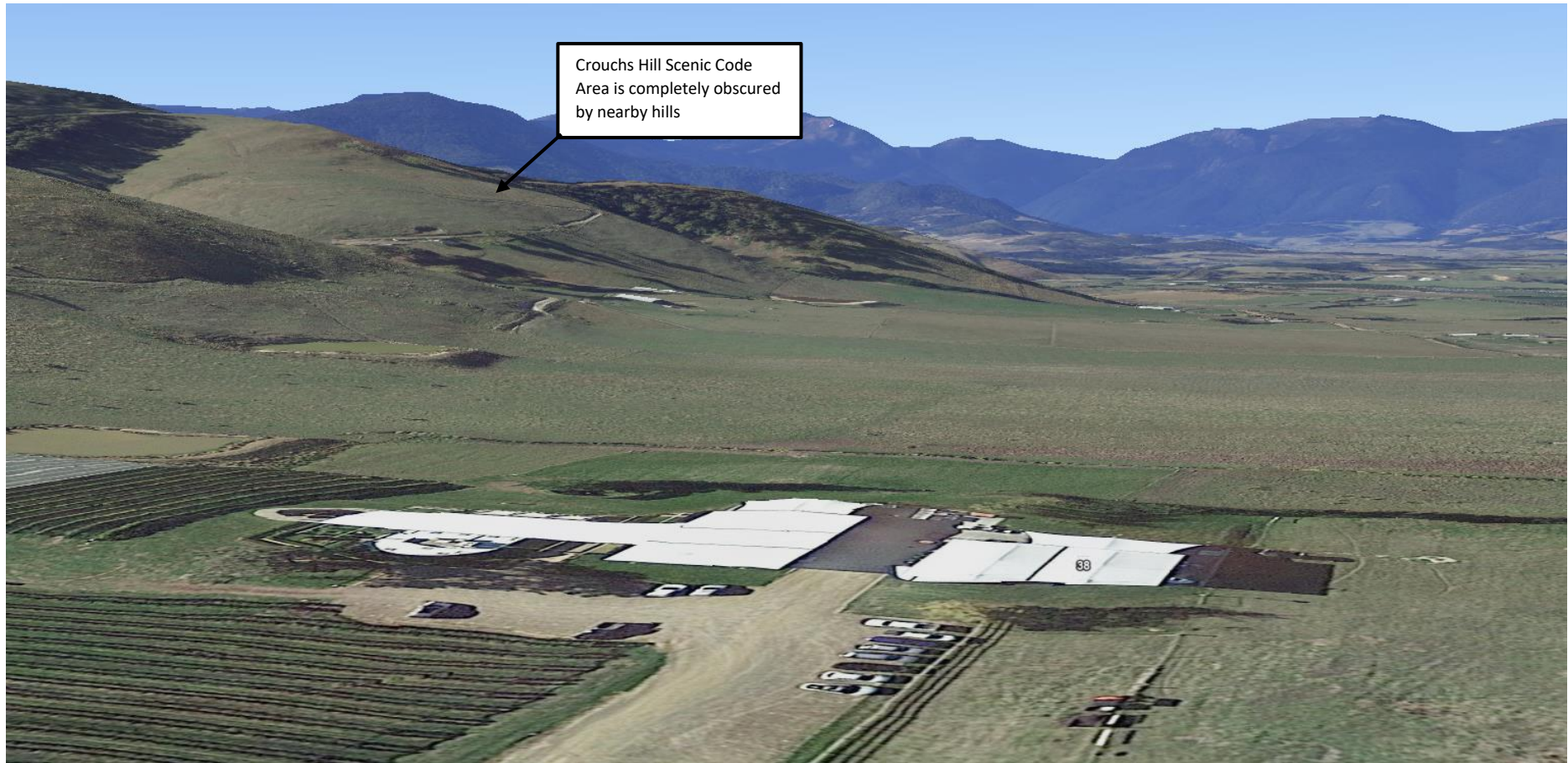
**Main Street Ranelagh – outside popular Summer Hill Bakery (not visible) – obscured by nearby hills**



**Ranelagh Show Grounds (not visible) – obscured by nearby hills**



Home Hill Vineyard (not visible) – obscured by nearby hills (Google earth image)



Confirmation from Google “Streetview” – image taken near entrance to popular Home Hill Vineyard – subject area is not visible



## Attachment 2 – the character and historical landscape values of the Huon Valley

The Huon Valley is not characterised solely by natural landscape values.

<https://lsj.com.au/articles/destination-guide-huon-valley/>



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## Destination guide – Huon Valley



AAA BY UTE JUNKER - APR 09, 2021 8:00 AM AEST

<https://www.huonvalleytas.com/local/about-huon-valley-tasmania/>





## **VISIT THE HUON VALLEY**

There is so much to see and do in and around the Huon Valley, it is worthwhile staying for a few nights, a week, or even longer!

For more information on all the towns and areas in the Huon Valley, go to our [visit the Huon](#) page which also includes a map of the Huon Valley.

<https://hobartandbeyond.com.au/place/huonville/>



The township of Huonville is just a 30-minute drive south of the central Hobart, travelling along the A6 highway in the heart of the Huon Valley. You will be captivated by the beautiful scenery during the journey, descending from the surrounding hills into a valley of surprises, with views of the majestic South West as its backdrop.

Situated on the banks of the stunning Huon River, Huonville offers a multitude of experiences, from breathtaking bushwalks to a riverside stroll, a picnic by the river to a fine dining experience and everything in between. Pick some fruit or taste the fruits of somebody else's hard labour at a nearby cellar door; throw a line in the river or get out on it in a variety of ways – something to suit everybody's taste in adventure.

With a rich and complex maritime history and rural heritage, delicious food and beverages, health and wellness retreats, picturesque coastline dotted with beautiful beaches, landscaped gardens and friendly artists and crafts people – many selling their wares at various weekend markets around the region. It is an area where you can totally immerse yourself and create your own personal adventure...

A variety of accommodation options are covered including self-contained cabins/cottages, quality B&Bs, farm stays, caravan parks, hotel-style rooms and backpacker's hostels.



<https://www.realestate.com.au/news/home-value-growth-in-huon-valley-pushes-prices-50-per-cent-higher/>

# Home value growth in Huon Valley pushes prices 50 per cent higher



Jarrad Bevan, Property journalist  
16 Sep 2019, 11:00am

*Sunday Tasmanian*



The Huon Valley was Tassie's top performer in a regional market report from CoreLogic.

