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Sent: Tue, 31 May 2022 10:23:52 +1000
To: hvc@huonvalley.tas.gov.au
Subject: Representation Duggan 789 Judds Creeks Road Judbury
Attachments: Representation Duggan 789 Judds Creek Road.pdf

Att: The General Manager

Our LPS representation attached to this email -
Kind Regards

Chris Duggan



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30 May 2022
The General Manager
Huon Valley Council
PO Box 210
Huonville TAS 7109

Dear Sir,

**RE: Draft Huon Valley Local Provisions Schedule
Representation for the Huon Valley Council's advertised zoning of 789 Judds Creek Road JUDBURY
Current zone Rural Resource proposed zone Landscape Conservation PID 3328802**

We, Winsome Violet Duggan and Christopher Wayne Duggan of 789 Judds Creek Road Judbury would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft LPS submission. I believe that the more appropriate zone of Rural should be applied as it better fits with the land characteristics, surrounding similar zoned folios, historical use, and recognised land improvements.

We are requesting Council to accept our representation (submission) to the LPS planning changes and that we now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to our property.

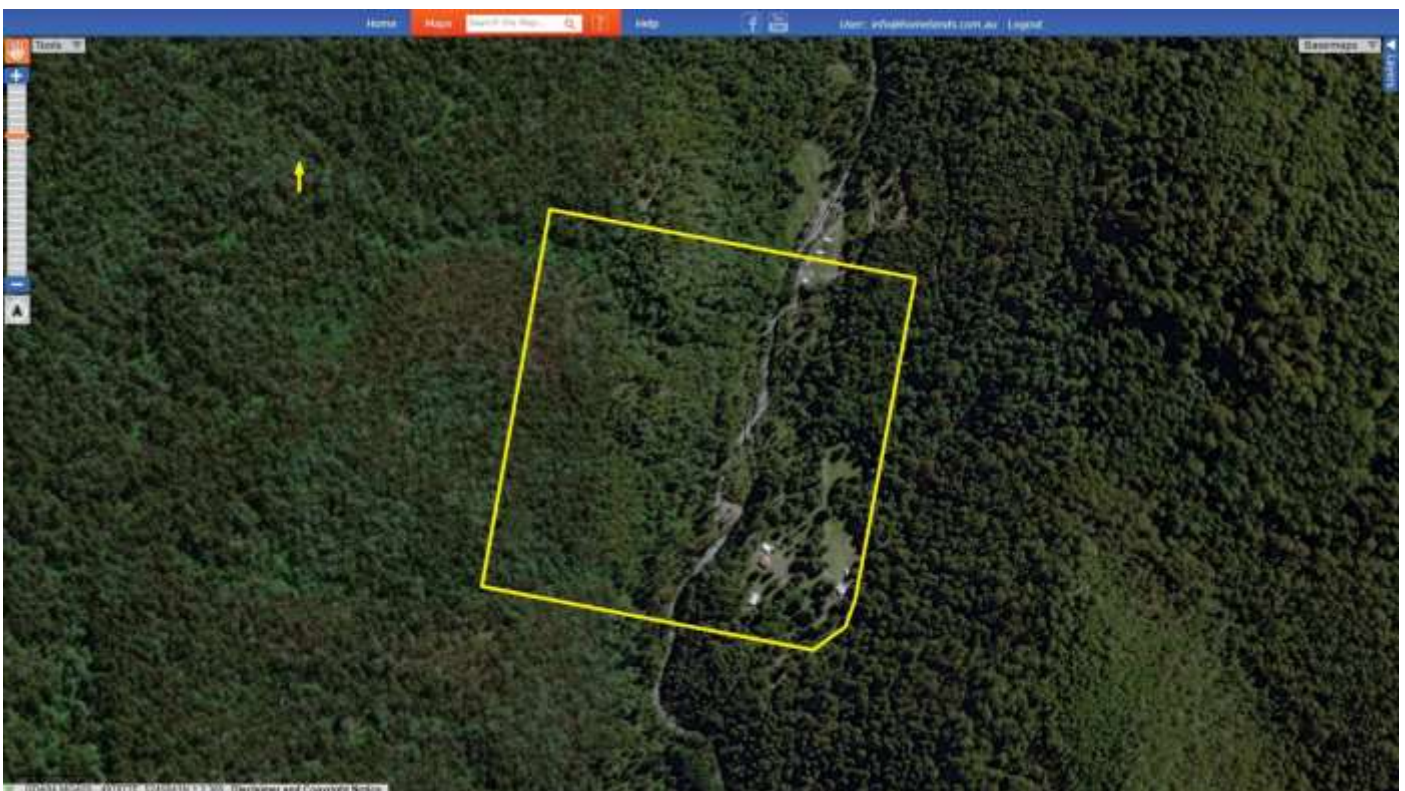


Figure 1 – Property Boundary 789 Judds Creek Road

Use and Development of Rural Resource Interim Planning Scheme

Our property is currently zoned Rural Resource (see Figure below) under the Huon Valley Interim Planning Scheme (HVIPS). The purpose of the zone is broadly for 'resource development uses', and the protection of rural resources.

The application of *Rural Zone* best meets the *Zone Purpose Statements* from the *HVIPS 2015* zoning of this land compared to *Rural Resource*, and correcting the application of this new zoning name to our property will allow us to continue along our path of using this land as we have intended since our purchase of our property in 1993.

We consider that the proposed application of *Landscape Conservation* will negatively affect the property, and as such we do not deem it relevant to be moved to.

Our ongoing and historical use continuing to sustainably cut firewood, camp out, possibly to build some extra off-grid cabin in years to come some of our now-growing grandchildren will in fact need to return to the 50 acres and live on site

Moving from the Landscape Conservation Zone to the Rural Zone is the most appropriate outcome because our property meets the criteria for the Rural Zone and not the criteria for the Landscape Conservation Zone. The property is rural and being used for rural purposes.

The LCZ should not be applied because the Priority vegetation report is inaccurate regarding the vegetation types and species and/or extent of them as well as the comparisons with Forestry. We are not on a scenic route corridor. Our representation is in opposition of the proposed LCZ under the draft Huon Local Provisions Scheme. Keeping **like for like** in mind for the assessment, this property is more appropriately zoned as Rural (Huon LPS) having changed from Rural Resource under the Interim Planning Scheme 2015.

Under the HVIPS Residential use is permitted in the zone only if a home-based business or an extension or replacement of an existing dwelling. Residential use is discretionary only if for a single dwelling.

The Planning Scheme currently states that any sensitive use (which includes residential use) must ensure that it does not unreasonably convert agricultural land or conflict with or fetter non-sensitive uses.

*Resource development is listed as a 'No Permit Required' use if for agriculture, crops, horse stud, tree farming (amongst other uses), with intensive animal husbandry

*Discretionary' use. This would likely not restrict the use of the land for a hobby farm.

Draft Huon Valley Draft Local Provision Schedule

Under the Draft Huon Valley Draft Local Provision Schedule (HOU LPS) the site is proposed to be zoned as Landscape Conservation. The purpose of this zone is to protect, conserve, and manage landscape values, and for compatible use or development that does not adversely impact the protection, conservation and management of the landscape values.

Use and development

Within this zone residential use is permitted if for a home-based business, or for a single dwelling. Resource Development is a 'discretionary' use if not for intensive animal husbandry or plantation forestry. As such under the new zoning, it is likely that a development application would be required for a hobby farm, which would need to demonstrate that it is 'compatible with landscape values' having regard to the scale of the use, type of use, and landscape values of the site and surrounding land.

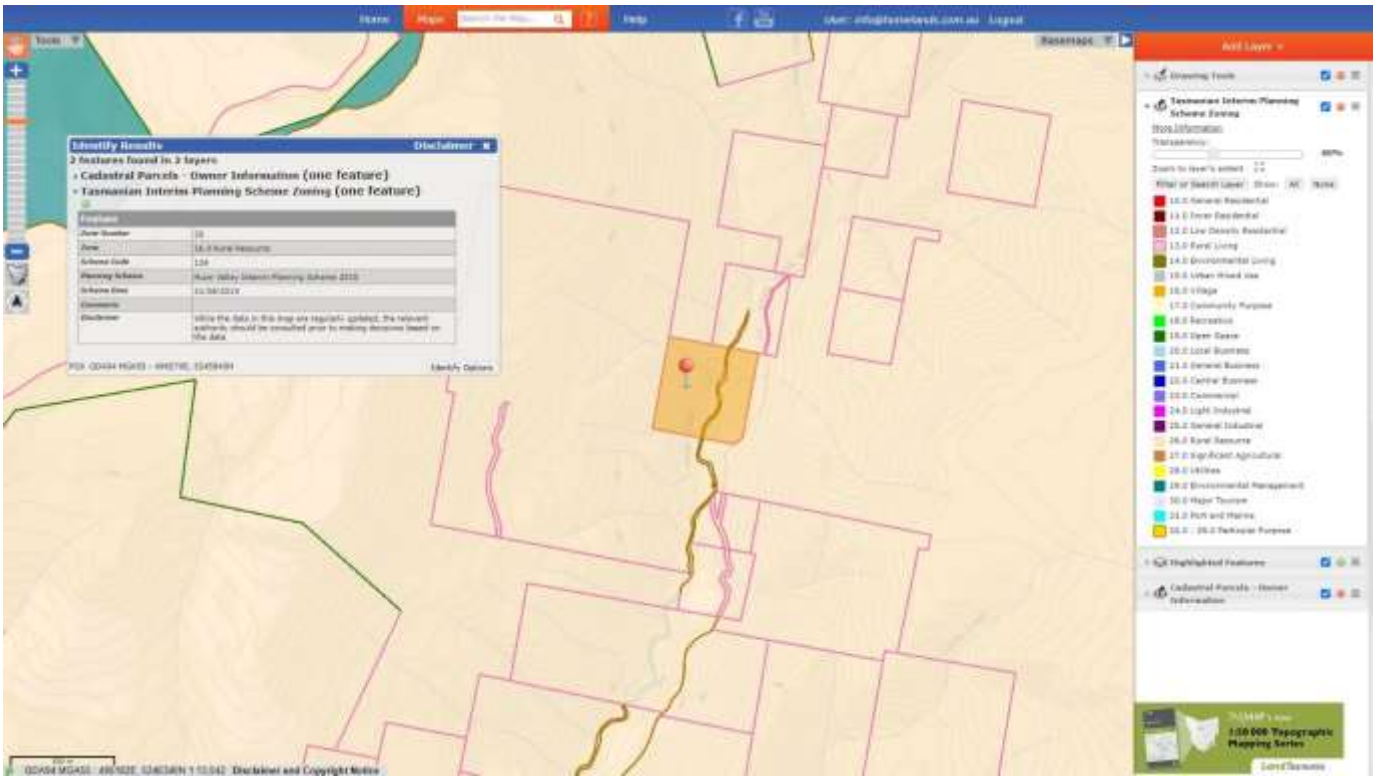


Figure 2 - Current zoning of the subject property & surrounds

We have a large family of 5 children, 20 grandchildren, most of them are in and around their early 20's, and also 9 great grandchildren, the oldest being 13 years old.

We purchased this property, then zoned Rural, in 1993 mainly for the purpose of securing a long term source of our family's main heating and cooking resource, firewood. 90% of all the trees on this 50-acre lot are all less than 50 years old. The LISTmap image below clearly shows that almost all of the land was totally treeless. Clear proof that in the 1960's this 50 acre lot and most of the surrounding 600 acres was cleared for farming purposes and rural use. As the Rural use diminished in the late 60's regrowth started to take over again. The property was used as a small dairy farm by the original land grant family, Wallis.



Figure 3 - 1960's aerial image

In the mid-1980's the Wallis family moved their small herd of milking cows and farm animals further South on Judds Creek at Judbury itself, leaving this 50-acre lot to its own resources becoming overgrown with mainly 50% of the trees growing back being Silver Wattle, 20% Stringy Bark and 20% Blackwood, Bal Dogwoods, etc.

The farm was fully fenced on the perimeter and there is a cosy 2-room vertical board hunters camping shack still on site since approx. 1960.

The Wallis family sold the old "Winter Run" farm, as they called it, to a Mr. Merrill Lewis in about 1985. Mr Lewis decided to move on to the farm and began using the 50 acres as a self-sufficient rural farm. He had a 1940's 3-bed, 1 bathroom cottage delivered to the property and installed a new septic system, all council-approved for residential occupancy.

He also started planting crops, potatoes mainly. Milking cows, some goats in paddocks, lots of free-range chickens and occasionally pigs. He built a large 12m x 8m machinery shed to house a tractor, slasher, rotary hoe, farm trailer and 4WD farm ute. He also built a 9m x 6m steel shed to store hay, firewood, motor car and stock feed.

We as a family purchased this property in 1993 and since then have used the 50 acres in a similar self-sufficient manner. As the home is heated by a wood heater and a combustion stove used for cooking along with an outside campfire and pizza oven, we use a lot of wood. All sourced sustainably from the 50 acres. We even use portions of the thousands of Silver Wattles to cook and heat. One of my daughters has been living on this hobby farm since 1995 and her four oldest children are now out on their own. The two youngest are still enjoying almost cost-free off-grid living.

We have been using the treed area of around 35 acres to cut firewood not only for this home on 50 acres, but also for heating my home in Glen Huon, my son's home in Margate, my other 4 daughter's homes and now for 6 homes that some of my grandchildren live in, all trying to keep heating costs down to a minimum and to all be able as a family spend good quality time together cutting, splitting, carting and storing our own firewood is a great blessing to all the family.

The thought that someone could suggest that this property should meet the need to be considered LC2 rather than us as the rural property it is seems unwarranted, unsubstantiated and would rob me and my family of the resource to keep warm and keep costs in hand.

We plan to continue to use this property as we have since 1993. For nearly 30 years we have been cutting firewood, thinning out certain trees and types of trees and it seems as if we are not even making a mark on the treed areas at all. This is a living/working small hobby farm area of about 15 acres with the balance being fast-growing but young trees, not original old growth. This doesn't warrant a tag of "must be conserved" or endangered flora or fauna.

Figure 4 below shows a LISTmap image of a tree canopy height overlay which clearly shows there are no large old trees and only one medium height tree in the far North-East corner of the 50 acres, shown with an orange-coloured glow. The pale yellow represents young trees and the purple areas are pasture or cleared or semi-cleared areas.

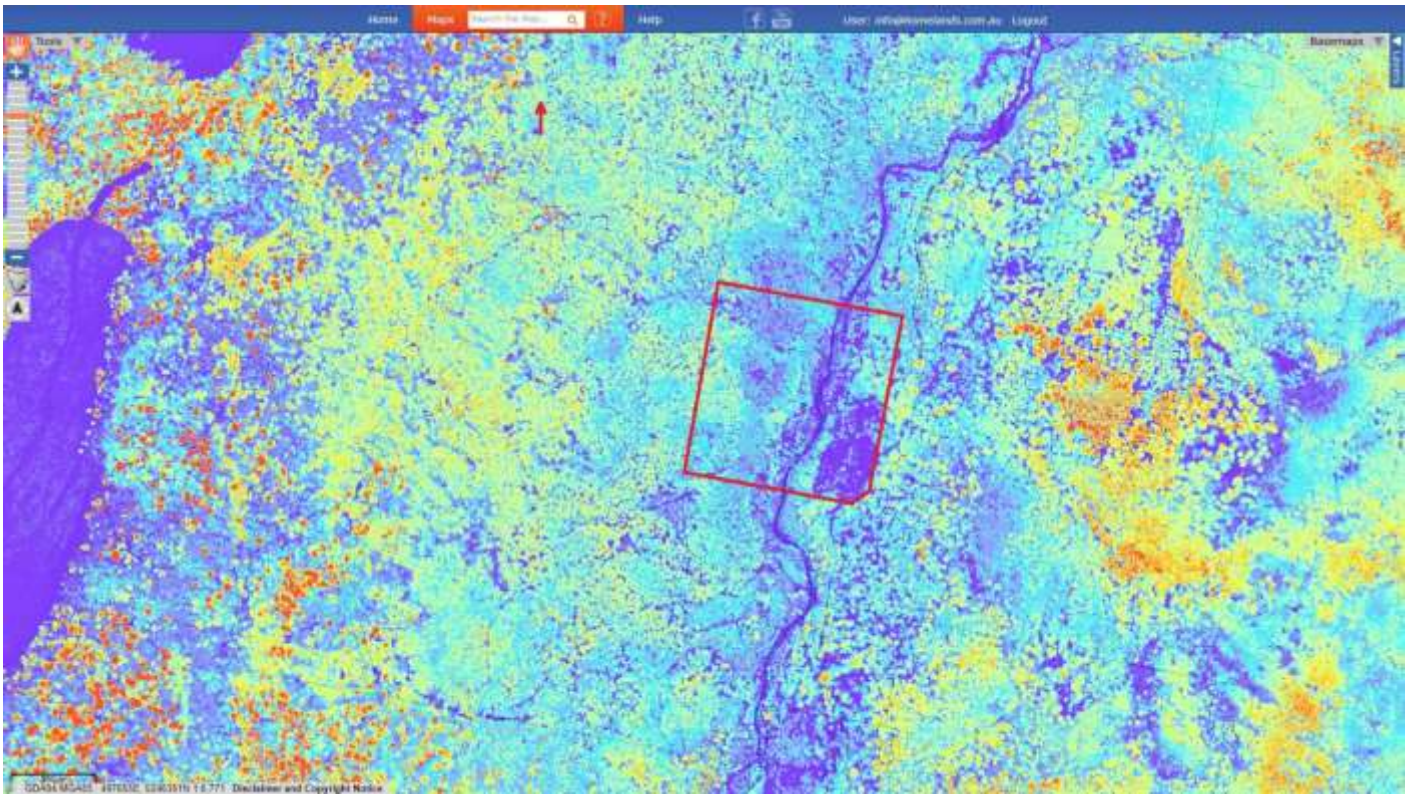


Figure 4 - Tree canopy heights

Neighbouring Comparisons & Threatened Species & Hazards Noted

Please see attached maps below that indicate the same land overlays, hazards and suggested Threatened species for not only my property but for all my surrounding neighbours (which is Forestry) The comparisons are the same and if not more on Forestry land, however you are suggesting I will be Landscape Conservation whilst my neighbours will remain Rural zoned.

*We cannot understand the drastic changes proposed for our property with these comparisons

One neighbour adjoining private land lot of 600 acres is just about to be deforested. The other neighbour is actively used state forest of thousands of acres that will be logged and is being logged now. These adjoining lands are remaining Rural so what, if any, proof is there that any of our property is within the criteria of a property that should be conserved?

<p>LCZ 2 <i>The Landscape Conservation Zone may be applied to:</i></p> <p>(a) <i>large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation;</i></p> <p>(b) <i>land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or</i></p> <p>(c) <i>land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of</i></p> <p>Src: Tbl 12 landscape values. LPS-HUO-TPS Supporting Report for the Huon Valley Draft Huon Valley Local Provisions Schedule</p>	<p>Addressed by ensuring properties contain the Natural Assets Code overlay. The Huon Valley Natural Assets code is based on the 'Regional Ecosystem Model' which selected priority vegetation patches based on a range of criteria including, threat status, threatened species habitat, relative reservation, local scale fragmentation, and relative rarity.</p> <p>It is important to note that modelling is based on best available data. Portions of the Huon Valley, especially those with limited road access or in remote areas, have had limited sampling and are somewhat data deficient.</p> <p>The Huon Valley is privileged to have a high diversity and abundance of threatened species, placing additional importance on protecting not only core habitat areas but natural ecological corridors between them that allow for species dispersion.</p>
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Figure 5

CZ 2 Reply

- (a) We question the threatened species on our property and we are asking you to assess our property
- (b) We do not exist on a scenic corridor
- (c) We are currently zoned Rural Resource NOT Environmental Living

Neighbouring Forestry land contained Threatened Species as mentioned previously suggested threatened species on our property needs to be thoroughly assessed for accuracy.

We are located in a remote area where insufficient data has not been available to support vegetation maps used to suggest the new Zone proposed to Landscape Conservation Zone.

I am confused about the last paragraph where you are so happy to have such a diverse and abundance of wildlife with the importance of species habitat and yet the areas of Forestry will continue to remove these habitats with leaving the species with nowhere to go. Yes they will move onto neighbouring private properties and we are ok with this but they are now having to establish themselves in territorial locations leaving them extremely vulnerable and in danger.

(We understand Forestry will not change their practices and we live out here knowing this, however we believe we should be zoned Rural the same as Forestry and not be penalized but happy to support the species displaced from forestry practices)

Please Note no scenic overlays marked for our property

Summary

We appreciate the opportunity to make this representation and as life-long Huon Valley residents from multi-generational Huon Valley families we love the area's rich history and everything that our land offers. We look forward to your consideration.

Kind Regards



Winsome & Chris Duggan

Phone 0408 766 335

Email chris@homelands.com.au

Additional Maps & Images

Figure 6 below shows current property use divided into different sections with approximate land sizes -

3600sqm used for growing beans & greens in river loam

6800sqm Goat paddock & shelters

8700sqm House & 2 large sheds, house lawns & fruit garden, some covered.

4100sqm Milking cow paddock

2400sqm Pig paddock with mobile shelter

5300sqm Main veggies & small fruits

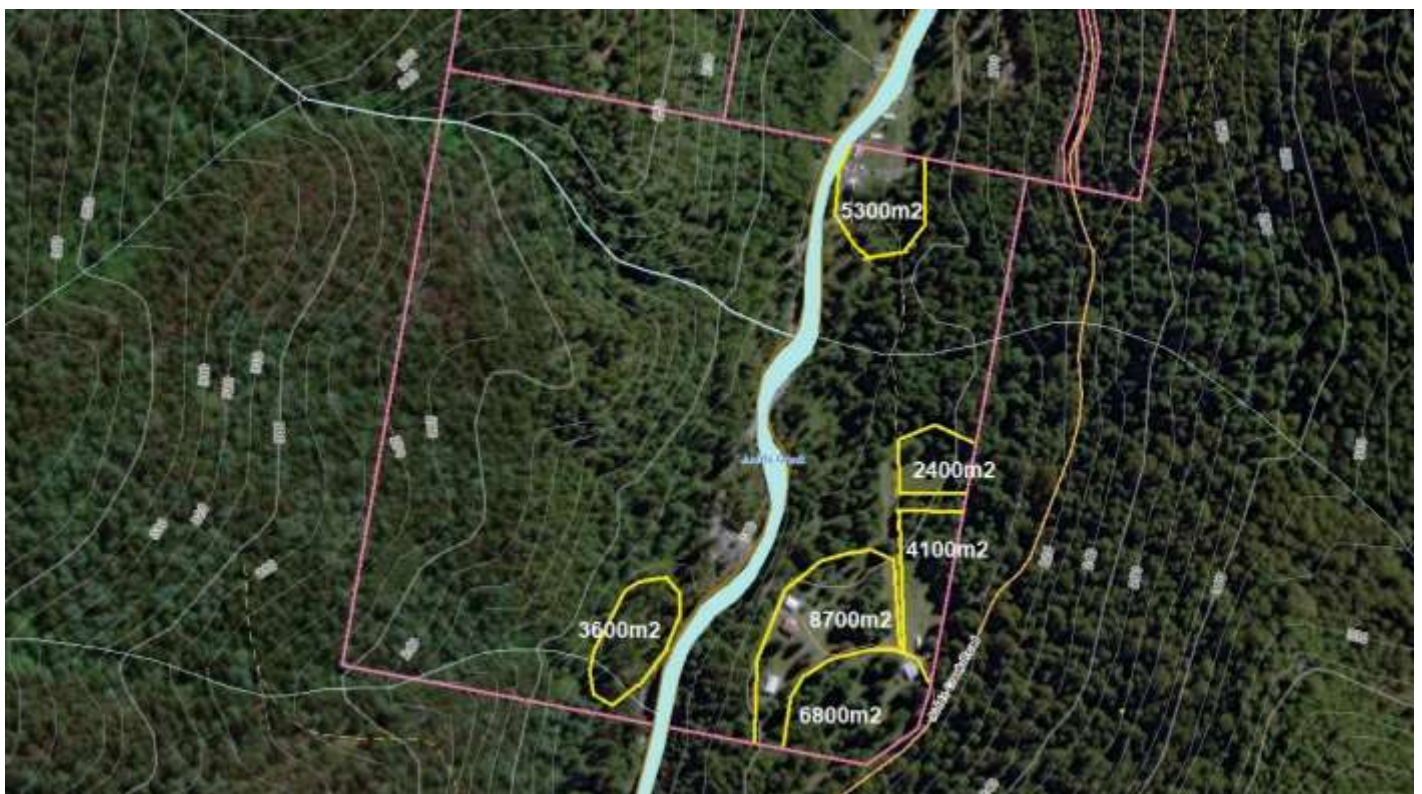


Figure 6 - Sections of current property use

The satellite image in figure 7 below offers a great insight to the types of regrowth that exist on this lot. The brighter, lighter tree-tops are all poor quality quick growing Silver Wattles. Not sought after or high value. The dark green tree-tops are mostly Stringy Bark and the balance mostly young Blackwoods.

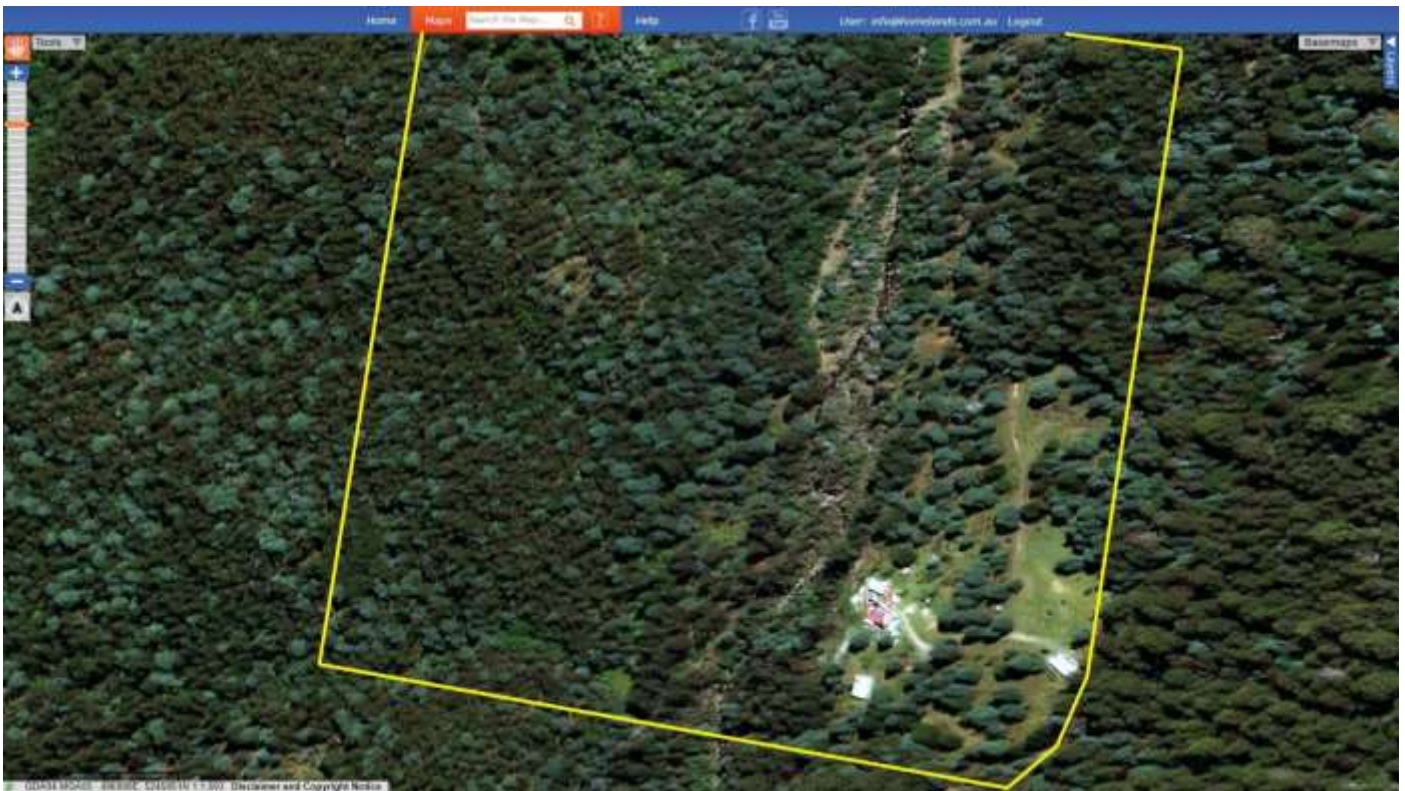


Figure 7 - Different tree types



Figure 8 - Zoomed out satellite image

Recent Property Photos (Taken May 2022)



