

From: Chloe Lyne
Sent: Fri, 25 Mar 2022 12:42:45 +1100
To: Huon Valley Council
Cc: Compliance
Subject: Submission to HVC Local Provisions Schedule
Attachments: Submission to Huon Valley Council Local Provisions Schedule.pdf

Afternoon

Please find attached a submission made on behalf of the Huon Aquaculture Company in relation to their Grow Out Facility at 85 Whale Point Road.

Can you please confirm receipt

Kind Regards

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March 25, 2022

Huon Valley Council
General Manager
hvc@huonvalley.tas.gov.au

Dear Jason

Representation – Draft Local Provisions Schedule – Huon Aquaculture Company – 85 Whale Point Road

I act on behalf of the Huon Aquaculture Company in this matter and wish to lodge a representation against the proposed rezoning of Landscape Conservation to Certificate of Title 142071/3 under the Tasmanian Planning Scheme Draft Local Provisions Schedule.

Figure 1: Subject site



This title is currently zoned General Industrial under the Huon Valley Interim Planning Scheme. The balance of the site (CT14207/4) is proposed to remain in the General Industrial Zone and

maintain the site specific qualification (HUO-19.1) that allows for an additional Discretionary Use Class being Resource Development *'only for aquaculture or a marine farming shore facility.'*

Whilst the site specific qualification applies to CT142071/3 under the Interim Planning Scheme, it has not been carried forward to the draft LPS due to the fact that Resource Development is a Discretionary Use Class in the Landscape Conservation Zone.

It is not the use status for Resource Development that is of concern to my client and future expansion options of the Grow Out Facility but rather the use and development standards that would be applicable under the Landscape Conservation Zone.

In accordance with Council's Supporting Report for the Huon Valley Draft Huon Valley Local Provisions Schedule it is understood that the Landscape Conservation Zone has been applied in accordance with the Application Guidelines to:

- *most land currently zoned Environmental Living Zone under the Interim Planning Scheme; and*
- *where appropriate, to some land previously zoned Rural Living, Rural Resource or Significant Agricultural under the Interim Planning Scheme and previous draft LPS.*

Also, accordance with the Zone Application Guidelines, the application of these zones to some land has also required adjustments to some zones that are to apply, for example, to:

- *(a) reduce potential 'spot zoned' areas;*
- *(b) incorporate the advice of Council's consultants as outlined in the Supporting Report, for example in:*
 - *section 2.4.5.2 Application of the Rural Zone and the Agriculture Zone, and*
 - *section 2.4.5.3 Application of the Landscape Conservation Zone*

The subject site does not meet the first four criteria for application of the Landscape Conservation Zone given it is currently zoned General Industrial and is not a 'spot zone' It is assumed that the basis for the application of the zoning is in accordance with Section 2.4.5.3 of the Supporting Report.

On reviewing the selection criteria listed in Section 2.4.5.3 for application of the Landscape Conservation Zone it appears the site would have firstly been considered given it is predominantly covered by native vegetation. Properties with an area less than 20ha were then removed from consideration. The subject site has an area of 12.65ha.

Whilst the site has an area below the minimum threshold, it seems the property was then included on the basis that it has significant constraints on development through the application of the Natural Assets Code across most of the site. As noted in the Supporting Report the application of the Natural Assets Code is based on best available data.

HAC engaged EcoTas to undertake a natural values assessment of the entire 85 Whale Point Road site including the land subject of this submission. A copy of this report can be made

available to Council upon request to ensure its contents are not made publicly available. Figure 2 below is the revised mapped vegetation communities across the site from that report.

Figure 2: EcoTas revised vegetation mapping on subject site

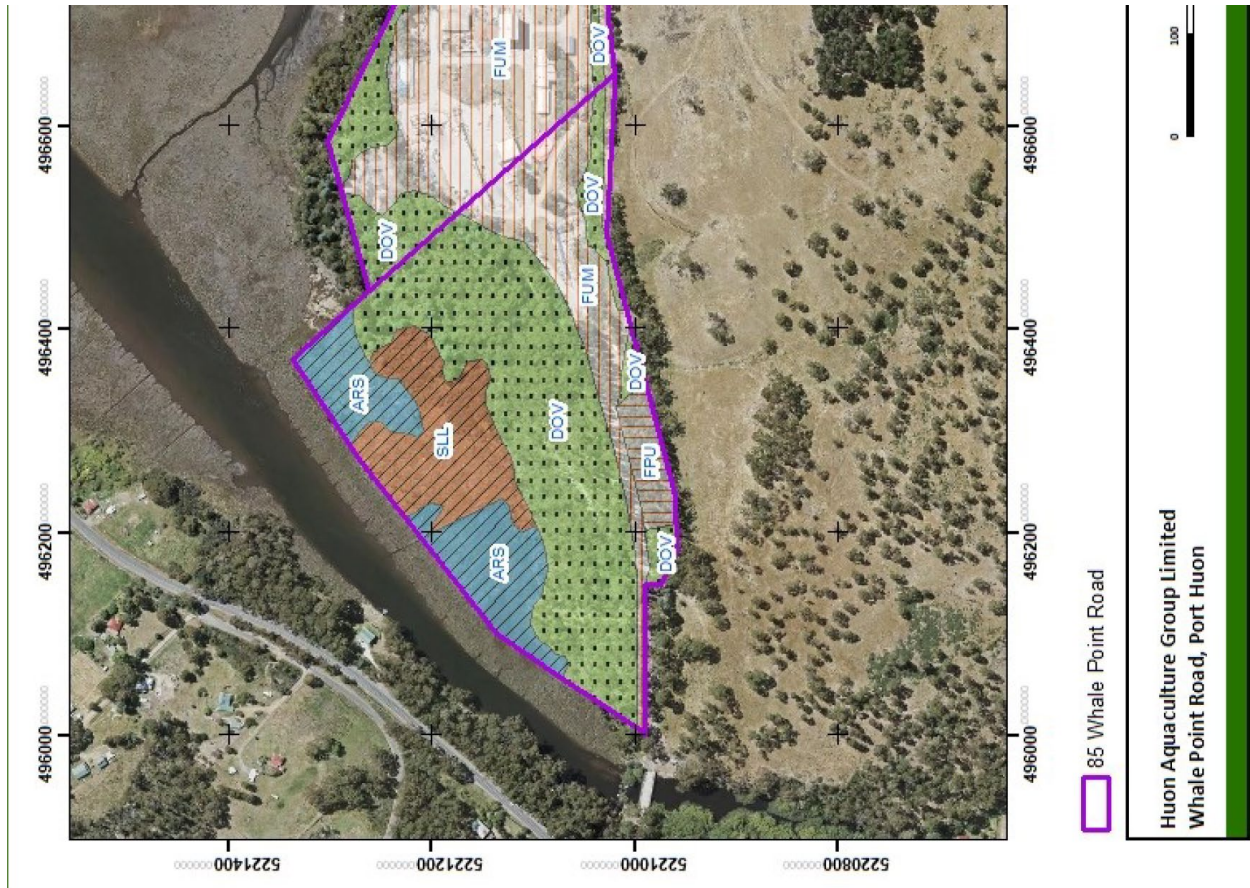


Figure 16b. Revised vegetation mapping for study area (aerial image underlay)
(refer to text for codes)

It is clear that whilst the DOV (*Eucalyptus Ovata*) community runs as a strip through the site, there are areas of the site on the eastern side that are already developed and have no vegetation value. Further, the report discusses that the DOV community is largely regenerated and not of high quality.

Based on this information, it is submitted that the application of the Natural Assets Code over most of the site is sufficient to ensure inappropriate vegetation removal does not occur. The zoning of the site as Landscape Conservation does not reflect its current use and unreasonably stymies any future expansion by HAC onto the site given the use and development standards under the Landscape Conservation Zone. It is submitted it is an unreasonable proposition to rezone land which is already partially developed for aquaculture purposes from General Industrial to a zone which is very restrictive in terms of use standards (there are no permitted standards) and where the permitted building envelopes are restrictive.

It is submitted that given the vegetation protections are in place via the application of the Natural Assets Code, that if the Council has a desire to remove the site from potential future General Industrial use, that the site should be included within the Rural Resource Zone, which is consistent with the proposed zoning of land to the north of the site and better reflects the current use of the site for Aquaculture.

I trust this matter will be given due consideration. Should you require any further information, please don't hesitate to contact me.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Chloe Lyne', written in a cursive style.

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