

From: Danielle Gray
Sent: Wed, 16 Mar 2022 16:53:55 +1100
To: Information Management
Cc: Amy Ward
Subject: draft LPS representation 230 Fyfes Road Mountain River
Attachments: HVC draft LPS representation 230 Fyfes Road Gray Planning on behalf of Ward
16.03.2022.pdf

To the attention of the General Manager

Dear Sir

Please find attached a representation from Gray Planning on behalf of Amy and Justin Ward that objects to the proposed Landscape Conservation zoning of 230 Fyfes Road at Mountain River under the draft LPS for the Huon Valley Council municipality.

If you wish to discuss, please contact the undersigned.

Regards
Danielle

Danielle Gray B.Env.Des, MTP, MPIA
Principal Consultant
Gray Planning

M: 0439 342 696
P: 03 6288 8449
E: danielle@grayplanning.com.au
W: www.grayplanning.com.au
A: 224 Warwick St, West Hobart, TAS, 7000



Danielle Gray, Principal Consultant
Gray Planning
224 Warwick Street
West Hobart TAS 7000

16 March 2022

General Manager
Huon Valley Council
PO Box 210
Huonville TAS 7109

Dear Sir,

Representation for advertised draft Local Provision Schedule (LPS) documents, Huon Valley Council with respect to proposed zoning of 230 Fyfes Road, Mountain River.

Gray Planning has been engaged by Amy and Justin Ward who are the owners of 230 Fyfes Road at Mountain River to submit a representation that objects to the proposed Landscape Conservation zoning as proposed in the zone mapping provided as part of the draft LPS documentations currently being advertised by Huon Valley Council.

The owner of the subject site opposes the zoning of their property from the current Rural Resource zone to the proposed zoning of Landscape Conservation on the basis that this zoning is not justified under the TPC's Section 8A Guideline No.1 LPS zone and Code application guidelines when considered against the characteristics of the subject site and surrounding area.

The owners also have serious concerns about the ongoing viability of their land for primary industry purposes in the form of beef cattle farming under the proposed Landscape Conservation zone.

Commentary against the TPC's Section 8A Guideline No.1 LPS zone and Code application guidelines is provided within this representation as well as commentary on land characteristics and existing land use.

It is further considered that Council has not undertaken sufficient analysis of the subject site as well as other similarly affected properties to justify a rezoning from a rural zoning to an environmentally focussed zoning that focusses solely on landscape values.

The subject site at 230 Fyfes Road has no evidence of, or any documented threatened vegetation communities, no evidence of, or documented threatened species, does not have more than 80% native vegetation cover, is not on a prominent skyline or ridgeline and has no identified or documented landscape values.



It is considered the rezoning in the absence of any identified values is not in accordance with the recommended application of the Landscape Conservation zone as outlined in the TPC's Section 8A Guideline No.1 LPS zone and Code application guidelines.

On that basis, this representation opposes the proposed Landscape Conservation zoning of the subject site as proposed under the advertised draft LPS documentation. Instead, it is considered the subject site is more appropriately retained as a rural zoning on a like for like transition from Rural Resource under the current Interim Planning Scheme to the Rural zone under the Huon Valley LPS.

The subject site

The subject site is 230 Fyfes Road at Mountain River (CT-235100/1) and is currently wholly zoned Rural Resource zone under the *Huon Valley Interim Planning Scheme 2015* as shown overleaf in Figure 3.

The subject site measures marginally around 68 hectares in total area. The subject site has frontage onto Fyfes Road to its southern frontage boundary.

Of the site area, around 20 hectares of the subject site is cleared of native vegetation across a large primary area measuring around 19 hectares in area (which also contains the dwelling and all outbuildings) and two smaller cleared areas south of this larger area measuring around 0.5 hectares each. This equates to around 20 hectares of the subject site being historically cleared pasture out of the overall 68 hectare site area. This equates to the subject site having vegetation cover of no more than 70%.

Clearing on the property is historical clearing that appears to be linked with the grazing history of the subject site with the property having been used for keeping and grazing of livestock including beef cattle since the early to mid 20th century. Cleared areas comprise the area occupied by the dwelling and outbuildings, pasture used by grazing beef cattle herds, several dams and pasture interspersed with various trees species including exotic species and wattle.

The subject site contains a single dwelling and multiple outbuildings. The existing dwelling was constructed in 1998 and replaces an earlier dwelling destroyed in the 1967 bushfires.

The subject site has vehicular access only from Fyfes Road.



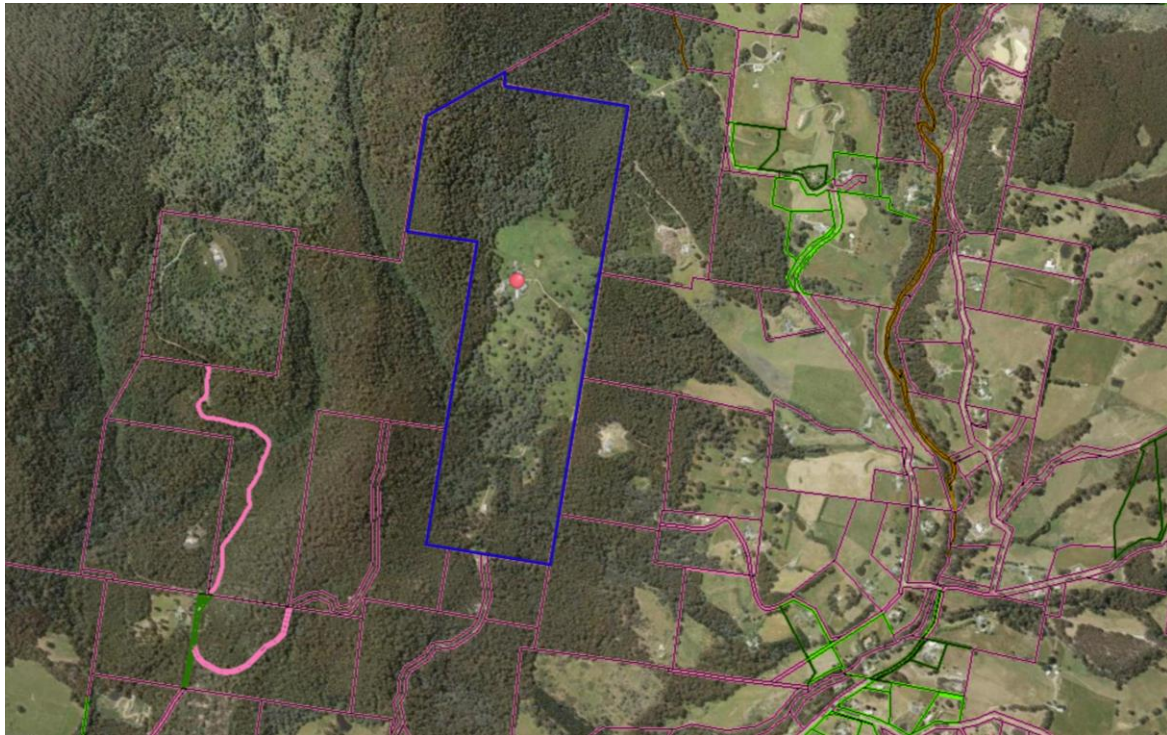


Figure 1. 230 Fyfes Road outlined. The property contains a single dwelling (approximate location indicated with red marker) and outbuildings and contains pasture. Source: TheLIST, sourced 11 March 2022, no nominated scale.

The subject site has a history since the 1940's as being used for grazing and livestock purposes in the form of beef cattle.

This use continues to the present day and this use is well served by the outbuildings, dams and large cleared areas of fenced pasture the subject site provides.

These characteristics are the overriding reason the owners purchased the property in 2016 as they have continued the pastoral and grazing and animal husbandry use of the property.

The subject site has a single dwelling as well as multiple large outbuildings that are used for primary industry purposes including a machinery shed constructed around 2005.

The combined floor area of the dwelling and outbuilding exceed 700sqm in floor area with around 400sqm of floor area being outbuildings to facilitate the use of the property for animal husbandry and pastoral purposes.

Outbuildings at the subject site include a large eight bay machinery shed, storage outbuilding, greenhouse, animal shelter and carport, in addition to the dwelling measuring around 300sqm in floor area.





Figure 2. 230 Fyfes Road outlined. The subject site has an undulating gradient and elevation where 80% of the subject site sits below the 400m contour. This is a substantially lower elevation than Wellington Park Management Trust land to the west that peaks at 880m elevation. Source: TheList, sourced 11 March 2022.

The above Figure 2 shows elevation and contour data sourced from The List. The elevation contours confirm the subject site is elevated on a hillside but it is not on a skyline area and is not on any prominent ridgeline.

The subject site in fact sits close to 500m below the nearest ridgeline to the west which sits at around 880m in elevation.





Image.1. Looking west toward the dwelling and outbuildings at the subject site. Source: realestate.com.au, sourced March 2022, images taken 2015.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Image.2. Looking east from within the subject site toward one of the dams. Source: realestate.com.au, sourced March 2022, images taken 2015.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Image.3. Looking east from within the subject site toward one of the dams. Evident are beef cattle at the subject site which remain at the property. Source: realestate.com.au, sourced March 2022, images taken 2015.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Image.4. Looking south east from within the subject site toward the dwelling and outbuildings within the cleared area in the north part of the subject site. Source: realestate.com.au, sourced March 2022, images taken 2015.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Image.5. Looking west from within the subject site toward the dwelling. Source: realestate.com.au, sourced March 2022, images taken 2015.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Image.6. Looking north east from within the subject site. Source: realestate.com.au, sourced March 2022, images taken 2015.

Owner concerns with respect to the proposed rezoning

Given the owners purchased the property in 2016 to continue the farming use of the property for cattle and pasture, there is considerable concern regarding the proposal to rezone the property from Rural Resource which facilitates the farming use of the property to Landscape Conservation where the primary objective is environmental conservation in terms of the protection, conservation and management of landscape values.

Concerns outlined by the owners include:

- Under Landscape Conservation any sort of farming is discretionary, not permitted. We feel that having to obtain planning approval to run stock in existing paddocks, on a property that has farming history going back to the 1940's is excessive.

- Under Landscape Conservation we would require planning approval to put up a basic farm structure such as a hay shed or horse shelter. This seems like an unnecessary burden for a property that is set up for livestock.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244

- Under the Landscape Conservation development standards for buildings and works the acceptable site coverage is 400m². Our current house plus ancillary buildings total over 700m². I understand that there's also "permitted solutions", however we had issues with this in WA where we placed an application addressing all the performance criteria, but were advised by the planning department it would have to go to council vote where their recommendation (planning department) would be to reject it because it did not meet the acceptable solution. This for us potentially means we can't ever have a patio, erect further farming infrastructure etc.

- Landscape Conservation has much harsher restrictions on what materials can be used. For example, our house is currently white, which is the colour recommended by the manufacturer to use with the cladding on our house. White would not be permitted under the new scheme and I'm assuming we would have to change if we were to obtain approval to make any external modifications to our home. Restrictions of such a nature seem unnecessary, as there are only a couple of other houses over the other side of the valley that can see our home and they are over 2km away.

We really feel that Rural zoning is in keeping with the nature of the property, and re-zoning to Landscape Conservation would cause harsh and unfair restrictions.



Current zoning

The subject site at 230 Fyfes Road is currently zoned Rural Resource under the *Huon Valley Interim Planning Scheme 2015*.

This zoning is widely applied to surrounding properties to the north, east and south. There is also very large areas of land managed by the Wellington Park Management Trust to the west that is zoned Environmental Management while there are small areas of properties to the south west and east zoned Environmental Living. These Environmental Living zoned properties appear to have features such as natural watercourses or 100% cover of thick Eucalyptus forest and understorey.

The majority of properties currently zoned Rural Resource under the Interim Planning Scheme have large cleared areas. Many have grazing and agricultural use evident.

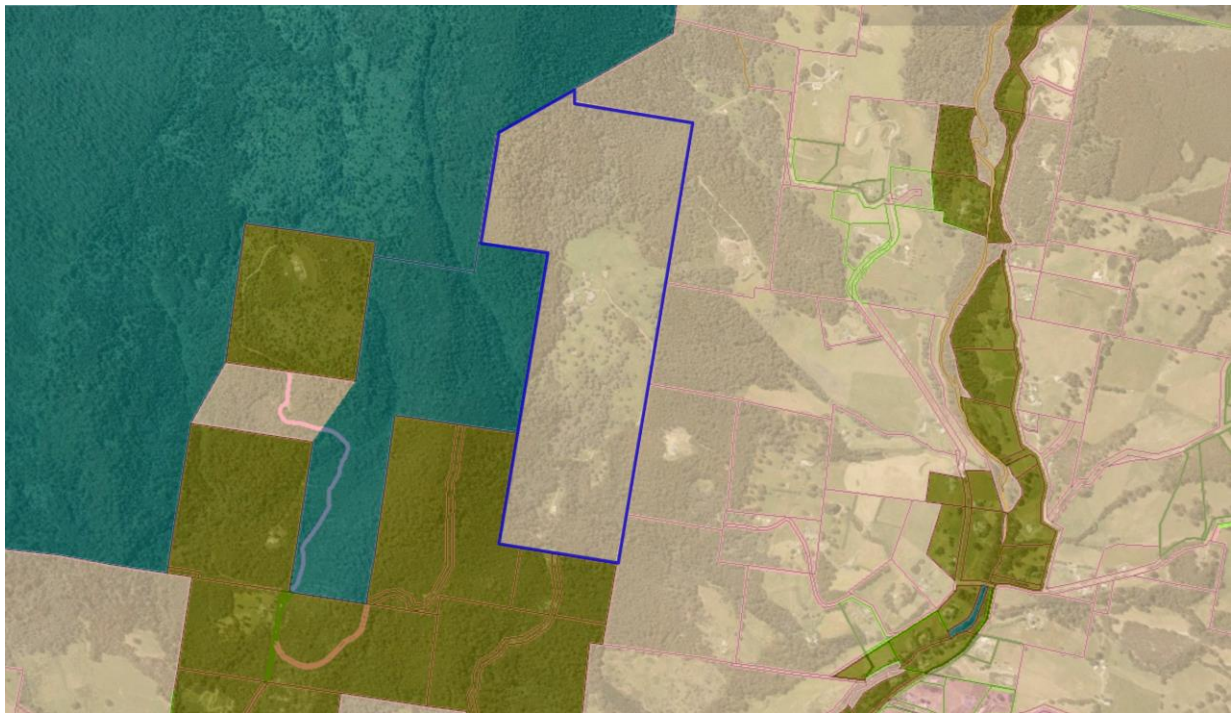


Figure 3. The subject site 230 Fyfes Road shown outlined. The subject is site is currently zoned Rural Resource. The above mapping shows the extent of Rural Resource zoned land (beige) that typically comprises properties that have some native vegetation cover but also large cleared areas. Environmental Living zoned properties (green) are typically 100% covered with native vegetation while land managed by the Wellington Park Management Trust is zoned Environmental Management (aqua). Source: TheLIST, sourced 11 March 2022, no nominated scale.



Proposed zoning under the draft Huon Valley LPS

The advertised draft LPS for Huon Valley Council shows the subject site to be rezoned from Rural Resource to Landscape Conservation.

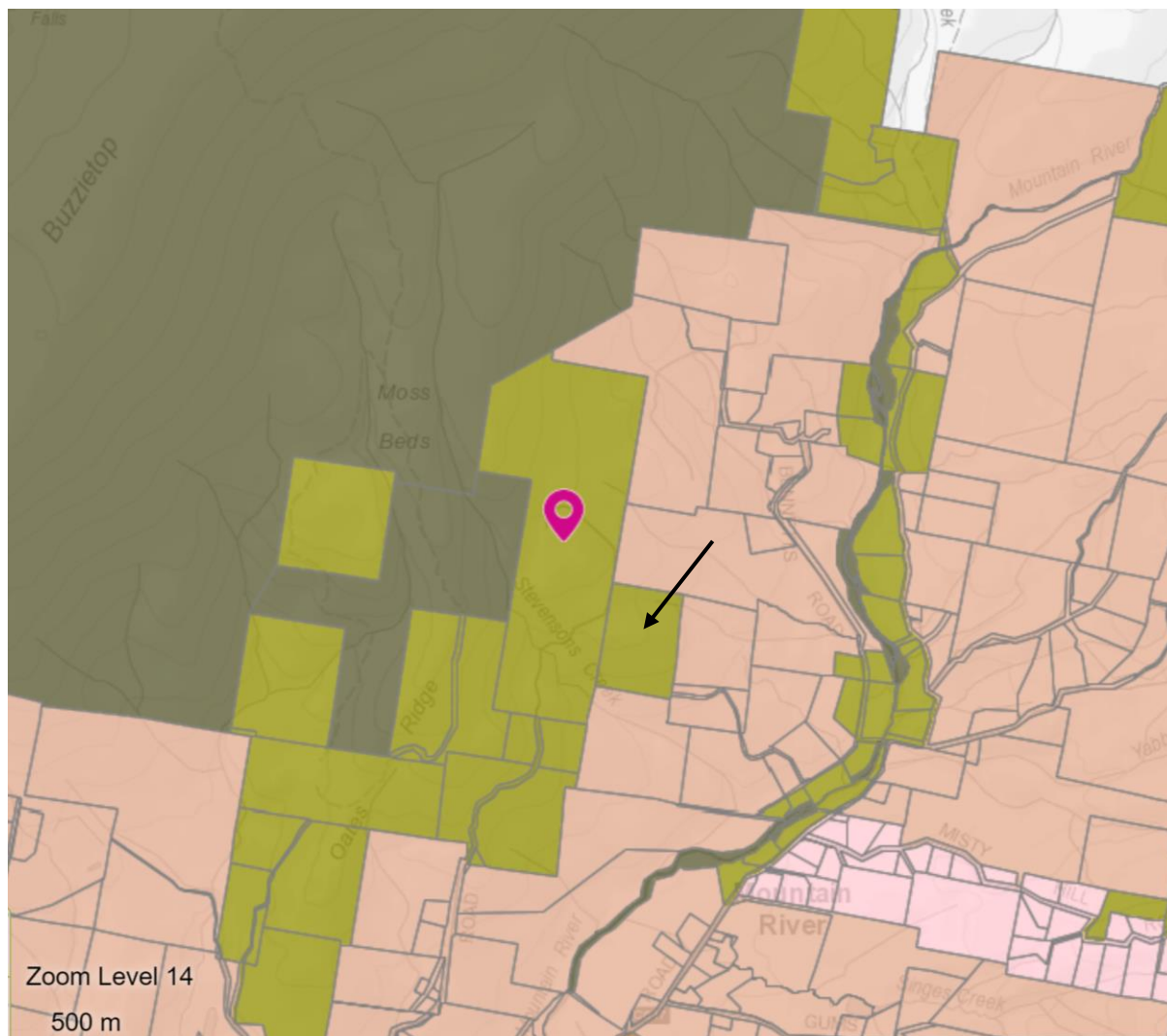


Figure.3. Proposed draft LPS zoning of the subject site (shown marked) to be rezoned to Landscape Conservation. Source: TheList, sourced 9 March 2022, no nominated scale.

The above mapping shows only two properties in the surrounding area are proposed to be rezoned from the current rural zoning (Rural Resource) to Landscape Conservation (green). These include the subject site (marked with a pink marker) and 124 Wattle Hill Road (arrowed) that is immediately adjacent to the subject site at 230 Fyfes Road.



Council’s rationale for rezoning to Landscape Conservation as per their supporting LPS document dated November 2021.

The supporting document was reviewed by Gray Planning as part of the background review undertaken to prepare this representation.

Comments are made against of the Landscape Conservation zone application guideline comments from Council as follows:

Table 12

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

Response to Council comments:

The subject site does not have 80% (or more) vegetation cover as discussed earlier in this representation. The subject site has around 30% of historically cleared areas to support the subject site having been used for cattle grazing and farming since the 1940’s. This cattle farming use has operated for approximately 80 years.

In the absence of any landscape values assessment undertaken by Council as part of their background assessment, it is considered that there is no information that supports the subject site as having any particular or identified landscape value.

As already noted in this representation against Figure 2, the subject site is not located in or close to the skyline or on any prominent ridgeline.



<p>LCZ 2 The Landscape Conservation Zone may be applied to:</p> <p>(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;</p> <p>(b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or</p> <p>(c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.</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>
--	--

Response to Council comments:

The subject site has no documented evidence of any threatened species or threatened species habitat. The Council comment admits to data being deficient in any those areas with limited access or that are remote. It is considered that where Council admits to there being insufficient data, properties should not be rezoned to Landscape Conservation where there is no data, analysis or studies that identify environmental or landscape values to support this rezoning.



<p>LCZ 3 <i>The Landscape Conservation Zone may be applied to a group of titles with landscape values that are less than the allowable minimum lot size for the zone.</i></p>	<p>This was addressed by using the following selection criteria to select LCZ suitability:</p> <ul style="list-style-type: none"> • Three or more adjoining properties • Borders existing Environmental
--	---

Version-26 November 2021
 LPS-HUO-TPS

	<p>Management or Environmental Living properties intended to transfer to LCZ.</p> <ul style="list-style-type: none"> • If less than three adjoining properties, the total area of these properties is at least 20 ha.
--	--

Response to Council comments:

There has been no landscape analysis undertaken by Council as part of their LPS preparation.

In the absence of any landscape analysis undertaken by Council, it cannot be confirmed by Council that the subject site has any particular landscape values. Likewise, the absence of any landscape analysis means that the subject site as well as others to be rezoned to Landscape Conservation have no known scenic values.

It is clear the subject site when looking at contours and elevation is not on a prominent ridgeline and does not sit on a skyline area, as confirmed against Figure 2.

There are no planning scheme definitions for either ‘skyline’ or ‘ridgeline’.

The Minister's Urban Skylines and Hillfaces Committee (2000) defined the skyline as "the silhouettes of hills and ridge lines against the sky" and hillfaces as "the sides of hills and include those ridgelines below the skyline".

When considering the above definition, the subject site is on a ‘hillface’ but is not on a skyline area and is not on a ridgeline.

Without any documented analysis of landscape values and absence of any know landscape values afforded to the subject site, it is considered unreasonable and inappropriate for the subject site to be rezoned to a zone that prioritises “*protection, conservation and management of landscape values*”.

<p>LCZ 4 <i>The Landscape Conservation Zone should not be applied to:</i></p> <p>(a) <i>land where the priority is for residential use and development (see Rural Living Zone); or</i></p> <p>(b) <i>State-reserved land (see Environmental Management Zone).</i></p>	<p>Formally reserved state land was removed from the property selection.</p>
---	--

Response to Council comments:

The subject site is not prioritised for residential use and is not state reserved land.

Endorsed Council documents

The following endorsed Council documents have been taken into account in relation to preparation of the draft LPS.

<u>Appendix 33</u>	2016	<i>Huon Valley NRM Strategy (17.058.16)</i>
<u>Appendix 48</u>	2018	<i>Huon Valley Weed Management Strategy (2018-2023)</i>

Response:

The above confirms that the background research from Council involves consideration of the Huon Valley NRM Strategy and a Weed Management Strategy.

The NRM Strategy was reviewed and there is no consideration of the identification of landscape or scenic values in the municipal area.

As already noted, there has been no landscape analysis undertaken by Council, no scenic values analysis and no analysis on identifying prominent ridgelines or skyline areas including those of particular scenic value.

The subject site has not been identified as containing any threatened species or threatened species habitat.

In the absence of any known particular environmental values, no known or identified landscape or scenic values and no identified threatened species or species habitat, it is considered there is no justification at all for the rezoning of a partially cleared farming property used for over 80 years as a farm to Landscape Conservation.


It should also be noted that TasVeg 4.0 mapping incorrectly maps the historically cleared pasture used for beef cattle grazing within the subject site as 'native grasslands'.



Application of the Section 8A Guideline No.1 LPS zone and Code application guidelines with respect to the subject site and proposed zoning under the LPS

The proposed zoning of the subject site to be rezoned to Landscape Conservation is considered to be contrary to many guidelines contained in the Tasmanian Planning Commission's Section 8A Guideline No.1 LPS zone and Code application guidelines.

These guidelines outline the following recommendations for land to be zoned Landscape Conservation:

<p>22.0 Landscape Conservation Zone</p>  <p>Red 150, Green 146, Blue 0</p>	<p>The purpose of the Landscape Conservation Zone is:</p> <p>22.1.1 To provide for the protection, conservation and management of landscape values.</p> <p>22.1.2 To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.</p>	<p>LCZ 1 The Landscape Conservation Zone should be applied to land with landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values, where some small scale use or development may be appropriate.</p> <p>LCZ 2 The Landscape Conservation Zone may be applied to:</p> <ul style="list-style-type: none"> (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; (b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or (c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.
---	---	--

Zone	Zone Purpose	Zone Application Guidelines
		<p>LCZ 3 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>LCZ 4 The Landscape Conservation Zone should not be applied to:</p> <ul style="list-style-type: none"> (a) land where the priority is for residential use and development (see Rural Living Zone); or (b) State-reserved land (see Environmental Management Zone). <p><i>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.</i></p> <p><i>Together the Landscape Conservation Zone and the Environmental Management Zone, provide a suite of environmental zones to manage use and development in natural areas.</i></p>

Comments firstly have been made against each of the following purpose statements for the Landscape Conservation zone:

The purpose of the Landscape Conservation Zone is:

22.1.1 To provide for the protection, conservation and management of landscape values

Comment:

The subject site has no known landscape values. The subject site is located on a hillside but is not located on a prominent ridgeline or skyline area.

The Council have not undertaken any landscape analysis as part of their supporting documents for the draft LPS. In the absence of any identification of any noted landscape values and where these are located, land should not be rezoned across from a rural zone to the new Landscape Conservation zone.



22.1.2 To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.

Comment:

The subject site has no known landscape values. The subject site is located on a hillside but is not located on a prominent ridgeline or skyline area.

The Council have not undertaken any landscape analysis as part of their supporting documents for the draft LPS. In the absence of any identification of any noted landscape values and where these are located, land with no identified values should not be rezoned across from a rural zone to the new Landscape Conservation zone.

The subject site has been a working farm for around 80 years and contains around 30% of historically cleared areas.

TasVeg mapping flags that these cleared areas are 'native grasslands' comprising 'Lowland Grassland Complex'. However, photographs included as part of this representation suggest that they are pasture only and have been used for the grazing of cattle for a very long period of time (80+ years) and appear devoid of any apparent native grass species.



Comments have been made against each of the following zone application guidelines for the Landscape Conservation zone:

LCZ 1 The Landscape Conservation Zone should be applied to land with landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values, where some small scale use or development may be appropriate.

Comment:

The subject site has not been identified as having any landscape values. In fact, there has been no municipal analysis or study that identifies any areas with landscape values for protection and conservation within the Huon Valley municipal area.

The subject site does not have 80% site native vegetation coverage which is a threshold identified by Council in their supporting report and used as justifying application of the Landscape Conservation zone.

The Council have not identified any important scenic values or undertaken any such studies that identify what scenic values apply to the municipal area and where such values are evident.

In the absence of any known or identified values, it is considered inappropriate and unreasonable to rezone the subject site to Landscape Conservation.

LCZ 2 The Landscape Conservation Zone may be applied to:

(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;

Comment:

The subject site has less than 80% vegetation cover and has no documented evidence of any threatened native vegetation communities, threatened species or documented areas of locally or regionally important native vegetation.

(b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or

Comment:

The subject site contains a single dwelling and multiple outbuildings more than 700sqm of overall floor area.

The subject site has no identified significant constraints on development.



(c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.

Comment:

The subject site is currently zoned Rural Resource.

Council have not undertaken any study identifying landscape values or characteristics in the municipality and therefore it is considered cannot apply Landscape Conservation zoning to land not already zoned Environmental Living and with no known or identified values.

LCZ 3 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.

Comment:

The subject site is around 68 hectares in area but has no known or identified landscape values in the absence of any such study undertaken by Council. The subject site sits on a hillface and is around 500m below the nearest skyline area. On this basis, the subject site sits well below any prominent ridgelines and is nowhere near the skyline.

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).*

Comment:

This guideline is not applicable to the subject site as the property is neither prioritised for residential use and development and is not state reserve land.

The subject site does have residential use but has been primarily used for beef cattle farming since the early-mid 20th century, a use that continues to the present day with the current owners.



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.

Comment:

This note under the Section No 1 8A Guidelines notes that the Landscape Conservation zone provides a clear priority for the management of landscape values.

In the absence of Council having undertaken any assessment or study identifying landscape, natural or scenic values within the municipality, it is questioned how this zoning can be applied.

It is considered that the zoning is incompatible with the historical and current farming land use of the subject site.

Table 22.2 of the State Planning Provisions for the Landscape Conservation zone confirms that many Resource Development uses are at best, discretionary.

It is noted that intensive animal husbandry (which arguably the property is currently used for) is Prohibited.

The application of the Landscape Conservation zone is considered in conflict with the ongoing viability of a primarily farming property which has been operated for farming purposes for over 80 years.

Many of the development standards place more onerous restrictions on the maximum permitted floor area (maximum permitted floor area of 400sqm) and location of development that are not currently applicable with the current Rural Resource zoning, while also prioritising the avoidance of vegetation removal.

The maximum permitted floor area is of concern to the owners of the subject site who already have a dwelling and farm outbuildings significantly exceeding the 400sqm threshold. This means that any new building proposed, even of very small size, would trigger a discretion.

Of most concern is the significantly more limited extent of use classes that can be considered in the Landscape Conservation zone compared to those that can be considered in the Rural Resource zone.

Of particular concern is the priority of Landscape Conservation which focusses solely on the protection, conservation and management of landscape values. This is not conducive to, or considered to facilitate the ongoing operation of a property with a long history of beef cattle farming and grazing.

It is considered where Council propose to rezone land from a rural land which facilitates agricultural use and development to an environmental conservation zone where the



conservation of landscape values is a priority, such a rezoning should be justified on an affected property having clearly identified landscape values that are identified as being important for the region.

As discussed, there are no landscape values identified for the Huon Valley Council municipal area at all. There have been no studies undertaken such as a landscape analysis by a suitably qualified and experienced person such as a landscape architect or similar.

There is no known mapping on TheList that identifies values as is the case for land with potential agricultural capability and land capability classification.

The only strategies relied upon are Council reports comprising a Weed Management Strategy and an NRM Strategy, neither of which make any particular reference to, or identification of landscape or scenic values in the municipal area.

It would appear that most properties have been identified as being candidates for the Landscape Conservation zone as a result of having 'large areas' of vegetation cover of a figure of at least 80% coverage and also currently being zoned Environmental Living. Neither of these apply to the subject site.

But beyond these, there is no other parameters or documented values that Council has relied upon to justify the rezoning to Landscape Conservation.



Request for the proposed rezoning to be reconsidered by Council and the TPC

The owner is requesting that the proposed zoning of the subject site to Landscape Conservation be reconsidered in context of the issues outlined in this representation.

The current and proposed application of the Landscape Conservation zone is considered inappropriate when assessed against the Section 8A Guideline No.1 LPS zone and Code application guidelines with respect to the subject site characteristics and the absence of any identified values or particular environmental attributes as outlined in this representation.

It is considered that the Tasmanian Planning Commission instead consider a 'like for like' zoning of Rural for the subject site at 230 Fyfes Road which is compatible with the long established farming land use of the subject site, its lack of any identified values, its hillside setting (as opposed to a ridgeline or skyline setting), its large historically cleared areas used for farming of beef cattle and being immediately adjacent to Rural zoned land which has been widely applied in the surrounding area.

Should you wish to discuss this representation, I may be contacted on 0439 342 696.

Yours faithfully



Danielle Gray B.Env.Des. MTP. MPIA

Principal Consultant, Gray Planning

On behalf of Amy and Justin Ward, owners of 230 Fyfes Road, Mountain River

