



**NEIL SHEPHARD
& ASSOCIATES**

Planning and Development Consultants

SUBMISSION TO TASMANIAN PLANNING COMMISSION HEARING - HUON VALLEY LPS

REP 94 – SELENA MEURE

Re: Application of Landscape Conservation Zone to 139 Esperance Coast Rd, Surges Bay (CT 125584/4; PID 1766745)

LPS Map reference: MAP 18

The owner of the subject property, Ms Selena Meure supports Council's recommendation to zone the subject and surrounding properties Rural Living.

THE CONTEXT OF 139 ESPERANCE COAST RD

The subject property is part of a 8 lot subdivision with titles ranging from 1ha to 1.7ha.

The overall subdivision is centred on a 67m long cul-de-sac.

The overall subdivision is surrounded by similar sized properties to the northwest, southwest southeast – all currently within the Environmental Living Zone.



DEVELOPMENT WITHIN THE OVERALL SUBDIVISION

Individual titles within the subdivision have been fenced and various degrees of clearing have taken place, and a large amount of residential development.



When my client Ms Meure purchased the land in 2019 there was already a shed on the land and an area cleared for a house to be built. She has since added steps to the shed and a water tank to collect roof run-off. The cleared area still exists and it is Ms Meure's intention to build a house there.

The lot also contains a driveway and is infested with weeds: cutting grass, blackberries, thistles, fireweed and bracken to name a few.

Neighbours property are similar, but developed have been in the last 18 months whilst retaining larger and established trees.

Ms Meure has observed that the impact of the cutting grass and the poor shallow mudstone appears to have contributed to regular tree falls.

Ms Meure has provided photos of the property illustrating the above, and these are attached along with a site plan indexing the location of the photos.

COUNCIL'S ZONING SELECTION CRITERIA

On page 39 of Council's Draft LPS Supporting Report (dated 7/1/22) it is stated that:

The Landscape Conservation Zone has been applied to most land currently zoned Environmental Living Zone in the Interim Planning Scheme and where appropriate some additional land previously zoned Rural Living, Rural Resources and Significant Agricultural under the Interim Planning Scheme, in accordance with the Zone Application Guidelines.

On page 40 of the same report the relevant selection criteria and process for Council are summarised:

First dot point...*All natural vegetation features were extracted from the TasVeg 4.0 layer and intersected with the parcels layer to determine a percentage cover of native vegetation for each lot. 80% native vegetation cover was used as the minimum coverage for selection as potential LCZ properties.*

The TasVeg 4 and the aerial photos layers on The LIST clearly show >80% vegetation cover of the overall subdivision, at a low-resolution level and without ground-truthing. However, this is not consistent with the current circumstances of development and land management, notably the cleared areas, poor quality natural vegetation values, and weed infestation. It is therefore arguable whether the first relevant selection criterion is met.

- For the subject and surrounding properties, their values are more consistent with Rural Living in terms of lot size, density and development.
 - Their primary use is residential albeit within a rural setting.
 - The landscape values are capable of being maintained under the Rural Living Zone provisions, noting that the Scenic Landscape Overlay still applies.
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SECTION 8A GUIDELINES NO 1

In terms of the Section 8A Guidelines No 1:

In respect of LCZ 1

- The subject property is not a large area of native vegetation. It is only 1ha.
- The natural values on the relevant land are significantly compromised.

In respect of LCZ 2

- The subject land is shown in the REM layer but has not been ground-truthed. The TASVEG 4 classification of the asserted vegetation is (DAM) *Eucalyptus amygdalina* forest on mudstone. DAM is not threatened under the Tasmanian Nature Conservation Act 2002. The property is therefore not significantly constrained through the application of the *Natural Assets Code*
- The land is not within an interim planning scheme *Environmental Living Zone*
- The subject property does not meet the LCZ 2 application guideline.

In respect of LCZ 3

- The subject property does not adjoin two or more properties with the same landscape values. Adjoining properties in the same subdivision contain a dwellings, outbuildings, driveways and heavily modified landscape.
- The subject property does not border existing Environmental Management or Environmental Living properties.
- The subject property does not meet the LCZ 3 application guideline.

In respect of LCZ 4

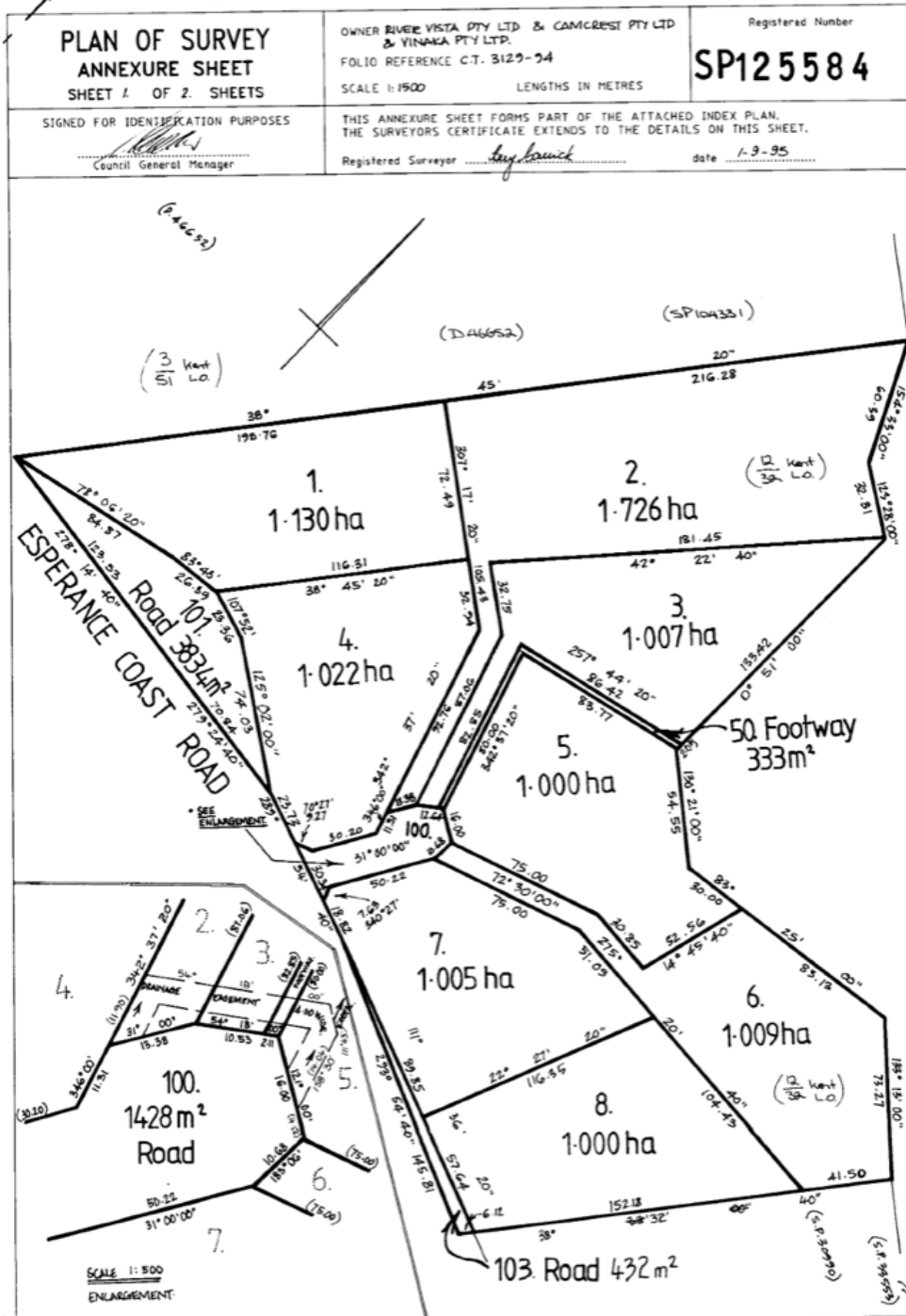
- The subject property as well as the broader subdivision has been designed an approved for residential use and development.
- The subject property does not meet the LCZ 4 application guideline.

CONCLUDING SUBMISSION

- 139 Esperance Coast Road should be zoned Rural Living to maintain a consistent zoning approach.
- The adjacency and proximity of the subject property to other Rural Living character properties, and the absence or non-contiguity of natural asset values on fenced, and/or cleared adjoining lots, with or without existing dwellings, demonstrates that this property is best suited to a consistent zoning.
- A Rural Living zoning would be consistent with adjoining titles and context.
- An amendment that assigns the Rural Living Zone to 139 Esperance Coast Road and adjoining properties would be the appropriate translation of the zoning reflecting the reality of on-ground character, and that of the locality.

NS:4/5/23

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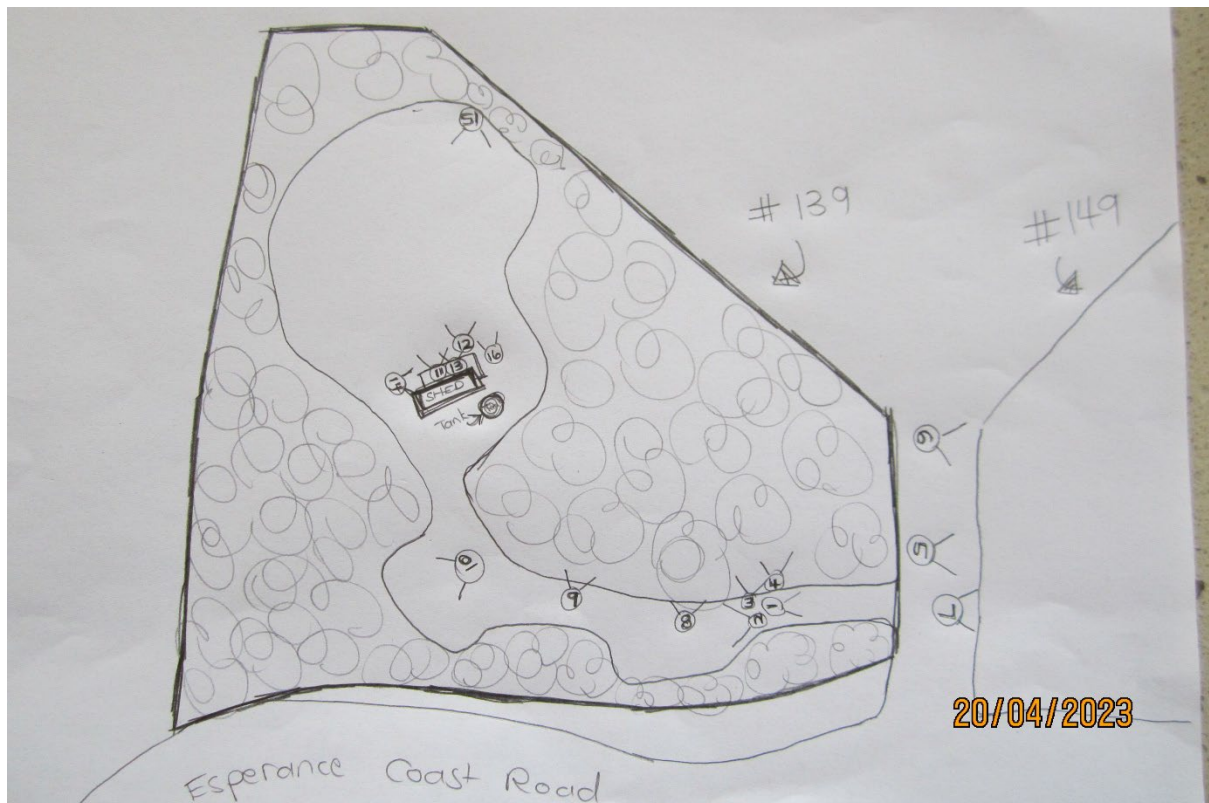


Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8



Photo 9



Photo 10



Photo 11



Photo 12



Photo 13



Photo 14



Photo 15



Photo 16

