

Submission to Tasmanian Planning Commission hearing, 25 July 2023

Geoffrey and Irene Swan, Lonnavele

Since 2015 I have attended either in person, or more recently online, almost every Ordinary Meeting of the Huon Valley Council. As a contributing editor for Tasmanian Times in July 2021 I published the first of a series of articles about the flawed General Manager recruitment process.

Following an investigation by the Auditor General Mr Browne's appointment was subsequently referred to as a "flawed recruitment." Having spent months in my investigations, and after making contact with the two other highly qualified shortlisted candidates out of 85 applications, I am of the view it was a "corrupted" appointment.

I mention this because this and other matters of the Huon Valley Council is at the core of our submission as my wife Irene and I sit here today.

I have closely followed the Huon Valley Council for eight years and it goes to the heart of what I believe continues to be a dysfunctional Council; with a chequered history of a failed four million dollar investment, a Board of Inquiry that led to the sacking of all Councillors and the two year appointment of an Administrator. The ongoing conflict of interest issues around the appointment of the now conflicted General Manager is just one more failure of this Council.

Importantly, some of the core management and planning staff, and our now Mayor who was involved in the flawed recruitment, are still with this Council to this day.

I have been online for 18 out of 19 days of these TPC Panel hearings. It is now my considered view, that the poor, if not incompetent planning efforts of this Council in the 35F report, the lack of any previous action on any strategic reviews into land use planning, and the almost total lack of involvement in these hearings by the General Manager, the Mayor and any of our current Councillors (apart from Cr Jessop); that this entire Local Provisions Schedule (LPS) process now ongoing with the Huon Valley Council is fundamentally flawed.

This is yet another failure of this Council to properly represent and care for our Huon Valley communities and ratepayers.

I believe as a Panel you have three options:

- Accept the 35F report with "considerable" changes to the outcomes as a result of these hearings
- Direct Council to immediately complete their strategic planning and land use strategies, and then to start the LPS process over again
- The Tasmanian Planning Commission takes over the entire planning and LPS process for the Huon Valley

I first met Caleb Elcock in February 2022. Caleb let me know he had read some 4,800 pages of documents held by Council about the planning zone changes. It was Caleb who discovered that Council had resolved in their 22 May 2019 meeting that:

Letters be sent to the property owners whose properties are recommended to change to a zone that is not the matching or comparable zone to advise them of the recommendation.

At the February and March 2022 meetings of Council I asked our Council to honour their resolution of May 2019. I also attended a Town Hall meeting on the LPS in March and I asked again.

The responses were the usual bureaucratic bumph, but in short it was about not having any budget, and that Council had already exceeded their statutory requirements of informing their ratepayers by placing two ads in the newspaper.

Following discussion on Facebook, in early April 2022, fifteen of us met at the D&S café in Huonville to share our concerns about the new zoning changes. Twelve from that initial meeting have since presented to these hearings.

Because of my experience with Council over the years I took the lead at that time. I made contact with Samuel McCrossen at the TPC, and together with additional efforts from others, we ultimately forced Council to act and succeeded in getting a 30 day extension for submissions through until 31 May, 2022.

Following increased community pressure with letters to Councillors and further activity on social media, it was at the 27 April 2022 Council meeting that the former Council once again resolved to send all ratepayers a letter about the LPS zone changes.

However, it would be another 15 business days before ratepayers began to receive these letters with less than 10 days remaining for people to possibly engage a planner and to respond with a representation about their zoning situation.

Our Huon Valley has been reported to have a functional literacy issue impacting up to 64% of the population. The Huon Valley is also a historic rural and agricultural community with many families spanning some five generations or more. Many of these families do not have access to the internet or to social media, and trying to comprehend something as complex as planning is beyond most people, which I am sure you will agree.

It is no surprise that to this day we are still hearing of people in this community who are completely unaware of this LPS process and as yet have no idea what it may ultimately mean for their properties.

The “lucky ones” are the 417 people who have managed to provide a submission, albeit a good number of those used a boiler plate letter which was provided by the purposely formed Huon Valley Zoning Association.

It meant these people had some “skin in the game” and a chance to appear at one of the 20 or more days of these hearings and theoretically, at no cost.

What the Commission and Council may not realise is that a good number of these people who did take the first step, have since been petrified to attend these hearings.

We have heard of people suffering PTSD over their engagements with Council and not being able to now sit in the same room as any Council officers; on around Day 5 we observed one respondent turn up to the hearing on his appointed day but when he saw all the suits he immediately left the room; and there are others who have needed assistance in presenting because of fear and anxiety, or because of a complete lack of understanding of planning and this process.

Our people are not planners. Our people generally have little to no experience in dealing with government process, or in comprehending what is truly difficult material to read and understand. Even being on public display in this room is intimidating to many.

I would like to say this is no reflection on you as a Panel.

In the past 18 days I have observed these hearings and the professionalism and the way you have each conducted yourselves is commendable and I would like to thank you for that. No one has been rushed and full and open engagement has been encouraged and welcomed.

What has been obvious however, is the unwavering and determined nature of the consultants to defend their initial decisions regarding the 35F report. It has also been noted that Council’s representative whilst appearing vague at times, has all too readily simply agreed with the comments of their \$210 per hour consultants.

I am not here to criticise the people now involved in these hearings, they are simply doing their job as required, but I do feel it is appropriate to pass comment.

I have heard from others who have not appreciated the way their representation has been discussed, how the consultants have appeared rude, and how it was evident the planning authority have not done the bare minimum of research.

There has been an almost total lack of ground truthing and certainly no engagement with the landowners throughout this process. As a panel you have observed the many significant mistakes in the 35F report.

You will have noted Council's own massive reassessment from the initial draft LPS of RLZ areas where clusters of RLZ and ELZ were proposed to go to LCZ. After the exhibition was over, and as a response to a number of the representations, Council reassessed many of those areas in the 35F report with a more than 40% about face where those ELZ to LCZ went to a revised ELZ to LCZ and RLZ.

As has been necessary you have made numerous directions to the planning authority and only last week we heard a consultant joke and saying no more directions please.

You have listened to stories of absolute anguish from many. You have heard of lost dreams, of people potentially losing hundreds of thousands of dollars, and people have been asking how can this be.

There are families who have rightly inherited their properties from deceased parents only to be told they cannot now subdivide to allow all siblings to share and be able to live alongside one another. You have heard of existing businesses and livelihoods now being at risk should the views of the Council planning authority have their way.

Another from a generational farmer who has been farming his land for 20 years and in his own words described how he has the best topsoil in Tasmania because of his hard work. He is a farmer who provides food boxes into this community and gourmet produce to top restaurants who is now at risk of losing all of that.

His story of not being able to have a food stall in his driveway is something that has also impacted our personal situation which I will get to later.

Perhaps there is no better illustration of what I consider absolute incompetence, than the discussions around the Cannery in Cygnet. We had a consultant speaking to this representation on the understanding it is still operating as a Cannery when it has been for some years now a variety of small business ventures, and until recently a once thriving restaurant.

No one had obviously visited the premises; the consultant was from up North of our state ... but even Council, who are less than 20km away didn't even correct the consultant's comments on what is happening on that title.

You have correctly referred to this being a direction of the State Government and that as a Commission you are simply following the legislative requirements laid down, and that there are certain matters beyond the scope of this LPS process.

By my count, less than 50% of the 417 respondents have actually turned up for these hearings. That is likely for a number of reasons.

Fear and anxiety as I mentioned earlier. The length of time since they first made their submission, and I have heard from some who despite making a submission, have since wondered what difference will appearing in person make ... "It is all too hard and the decisions have already been made by the powers to be."

A number of us on social media have been encouraging and reminding people of the importance to turn up and speak to these hearings. The Zoning association have been posting the TPC hearing schedule on Facebook.

At the outset I want to advise my initial reason for putting in a submission for the LPS zoning was to have some “skin in the game” so as to be a part of the process.

Going from Rural Resource to Rural was at first no big deal to our situation ... certainly nothing like the many concerns of others over the Landscape Conservation Zone, Agricultural and Rural Living zones.

However, the more I looked into this, and after watching these hearings, the more I realised there is an opportunity for ourselves and our neighbours and that there is no one else who is going to be interested in where we live out here in Lonnavaale.

It was 15 years almost to this day, when in July 2008 my wife Irene and I moved into our now 120 year old timberman’s cottage in Lonnavaale. It was cold, wet and foggy, and we had arrived with our two little dogs with every intention of sleeping on the floor in front of the wood fire until all our belongings arrived in our sea containers.

That was not to be once we discovered our house was full of rats and possums, the toilet bowl was broken, there was no shower to speak of and our water supply was reliant on a water pump on the edge of the river running off a 100m extension power lead laid on top of the grass.

In hindsight we realised we had paid way too much for our 5 acres of paradise bordering the Russell River; but it was our rural dream and we were both highly motivated. I had come from a very successful but highly stressful life long career in executive management positions across Auckland, Sydney and Perth. Irene had retired from her professional and exhausting career in Sydney as a much sought after trauma therapist.

Unknown to us at the time was the fact that the Huon Aquaculture Hatchery 2km upstream from our property was discharging 26 million litres of fish farm sewerage into our river every day of the year from their antiquated and no longer best practice flow through fish farm.

The Huon Valley Council had wrongly classified the river as a lowland river when it is a mountain stream and this new development did not require a planning application under the Esperance Planning Scheme, and therefore did not require a permit. Importantly, Council failed to place any environmental controls on this now large industrial scale hatchery.

More incompetence and political influence from this Council.

With a background in architecture and having attended week long hands on courses in strawbale house building, and another on cheesemaking in Victoria, just before I made an offer on our property, we were considering building a strawbale house with the possibility of a cheesery in the Huon Valley.

This was also the time when the much lauded TV series “The Passionate Apprentices” was being aired on SBS. This was a delightful series about John the Knifemaker living in Lower Longley with images of him bathing in an old outdoor bathtub heated from a fire underneath, of Yves the Bee Keeper and of John the Baker who to this day is still the Baker in Ranelagh with his extremely popular “Summer Kitchen” brand.

It was also the time when there were numerous well attended \$50 to \$80 courses at the local LINC library on keeping goats, growing vegetables, and living off the land, and in 2015 Mathew Evans became famous for his Gourmet Farmer series.

After purchasing a seriously run down “renovators delight”, my first mistake was to take on Peter and Frances Bender from Huon Aquaculture over their pollution of our river, a saga that involved the Huon Valley Council, the EPA, submissions and in person presentations to a Senate Inquiry, and more recently the same before the Legislative Council Fin Fish Inquiry, members of Parliament, a formal meeting with Premier Hodgman and considerable media coverage.

The many people in our Huon Valley connected to fish farming and the many business people connected to the Benders has meant we have suffered immensely, to this day.

During the time of the recent Council elections when I ran for Councillor and Mayor, ten of my corflute signs were stolen, or graffitied with the word “scum” and swastika signs; and further South there was an active on the street campaign allied to another candidate, telling people to not vote for Swan. Despite these campaigns against me I ended up being only 53 votes short of being on Council.

Since purchasing our property we have farmed, slaughtered and butchered our own pigs, milked our Jersey cow for cheese, ice cream and butter. We have raised ducks, geese and chooks, and bred rabbits for restaurants.

By all reports Lonnvale some 100 years ago was once a community of some 60 families. There was a weekly visit from a greengrocer and a butcher, another selling shoes and clothing to the many small sawmill families living out this way.

Our property which is 10km from Judbury, has the only street light outside the corner of our fence. Reportedly it was there so that log truck drivers could stop and check their loads at night. The front room in our house was once the local telephone switchboard.

Across the road from us, and still standing, was the local one room school that at times was teaching up to 30 children. Another neighbour, whose 8 children attended that school, told us of how they would put out a saucer of milk for the Tasmanian Tiger that came down from the hills at night.

Lonnvale back some 15 years ago was very different to today. An adjoining neighbour of ours during a conversation would stop mid-sentence and swivel his head whenever a car drove along Lonnvale Road. Chuck, who has since passed, hadn’t travelled into Hobart for 25 years ... telling us he saw no need to go into the city.

In 2010 I approached our Council about placing a wooden food stall in our driveway fronting onto Lonnvale Road to sell home baked fresh bread, jams, pickles and relishes.

“No, you cannot” was Council’s response. “You live in a Rural Resource zone and that is not a permitted activity” she said. When I asked how is it that people down the road have a stall selling apples and potatoes, the response was “Do you wish to make a complaint”.

When we later sought to remortgage in order to have more capital for our renovations it took us six months. Our broker contacted 64 lending institutions, including the big banks, before we finally found a small finance company in Victoria. It had nothing to do with our ability to service the mortgage, it was because we were zoned in the risk averse Rural Resource zone.

My next grave mistake was to listen to our neighbours and the many locals in our Valley who said to us “just renovate and build, don’t go through Council”, they said ... just do it then apologise. This was how it had always been done ... and we have since heard some very colourful stories.

It was almost six years ago, 20 October 2017, that my wife Irene and I sat in this very room in front of Michael Bartlett, the then manager development services and three of his staff.

This was to be our fourth face to face meeting with this Council since we had our Development Application for a Tourism venture at 1046 Lonnvale Road, which was approved 28 January 2011.

This meeting was an hour long and on no less than 6 occasions Mr Bartlett told us that Graham Reardon, Council’s in house Building Surveyor had left the Huon Valley Council, and they did not know what they were going to do.

When Irene asked them to please just give us a list of what we now have to do to so that we could continue our building they could not, or would not, advise us ... they said, we cannot provide you with any such advice.

Our approved DA was a “paddock to plate” tourism business to include a cheesery, outdoor café, commercial kitchen and BnB accommodation in a relocated fruit pickers hut. Also included in our DA description were training courses in cookery, butchery, art and photography.

Twelve months earlier, yet another Council stumbling block, was when Mr Bartlett told us our DA had expired because we had not completed any substantial works.

When I pointed out that we had completed and installed our Council stipulated \$25,000 septic system complete with SPP approval, plus the required seven parking bays, the required road access, our bushfire ready water tanks; and that Shane Wells, Council’s planner at the time had advised us in writing that our DA would not expire, Mr Bartlett responded and said “Shane doesn’t work here anymore,” and he told us we needed to start the DA process all over again.

“His letter is on Council letterhead”, I said. “We will see you in Court then”, said Mr Bartlett.

What followed at yet another meeting with Mr Bartlett was a discussion about what our proposed Café was to be. “Is it a place where I can call in for a sandwich,” he asked.

We then explained it was a local Café in the middle of the bush some 25 minutes from Huonville. Our plans were to open it three nights a week. A meeting place for our neighbours in Lonnvale to enjoy a chef’s menu, enjoy a beverage and some hearty food.

I should add this was well before the now very popular Rivers Edge Camping ground just 2km up the road from was up and running.

Still not understanding, Mr Bartlett finally conceded and suggested a minor amended DA at a cost of \$480 and that would settle our DA issue.

Following our plans to open a paddock to plate Café, Irene and I both completed our food handling certificates at Drysdale TAFE in Hobart. At age 58 I then continued on to complete their three year course in Commercial Cookery.

It was also a time when I was obsessively purchasing large quantities of chef quality cook books, appliances for mincing, sausage making, baking, bread making, cheese making and even a small alcohol still following advice from Liquor and Licensing that using my home made liquors in chocolates for our Café would be acceptable.

During this time, I also set about hands on renovating an interior room in our house to the commercial kitchen specifications provided to me by the then Environmental Manager at Council, Scott Edwards.

This meant gutting the room, tiling the floor and walls, coving tiles, building a walk-in cool room, a walk-in pantry, new plumbing to commercial standards, air conditioning, ventilation, high lux lighting, stainless steel commercial benches and sinks, a commercial grade dishwasher and a gas burner stove.

According to Council, because we were, and still are, in a Rural Resource zone, we were not allowed to install any cooking appliance more than 2HP, no hot chip cooker and no commercial gas stove. We were also not permitted to employ anyone to work in our commercial kitchen or café unless they were living in our home.

We subsequently purchased a 100 year old fruit pickers hut from Ranelagh and relocated it onto our property. This was to be a BnB (before the time of AirBnB) and a place for our families from the mainland to stay.

We were spending cash money at the time and it is no surprise that we found we had no end of local plumbers, an excavator business, an apprentice builder, concreters and electricians all happy to take our cash ... fully aware we were building without Council permits.

Life was very busy and energetic.

We also built some deck extensions, concrete paths and an outside deck structure which would be our future Café space. We spent considerable money trenching power cables and plumbing across our property in keeping with our DA plans.

We met with the Dairy Industry Authority who tried to tell us there was no future for any small Cheesemakers in Tasmania, and that we could not make cheese in our commercial kitchen, that a separate kitchen was required.

Undaunted, we poured yet another concrete slab for a cheese room, ran more plumbing and an electricity supply.

Then the penny dropped.

I realised that we would need a food licence from Council. I wrote to Council and apologised.

The then compliance officer wrote back asking me to give good reason within 14 days why Council shouldn't demolish all of our "illegal" building works.

We were shattered. We tried to reach out but Council would not even entertain meeting with us to discuss our situation. I do need to say we were not as familiar with local Council processes as we are today and I ultimately sunk into depression.

Like many people who come into small communities like the Huon Valley, our view was Council is there to collect rates, grade the roads and attend to rubbish.

Because Council would no longer provide Building Surveyor services, and because the departing Surveyor would not take our project onto his new employ in Kingston (and we pleaded), we set about finding a Building Surveyor who would take on our project.

What has followed is yet another travesty of bureaucracy of three failed Building Surveyors, revised drawings, a new Bushfire Report and I am this week now needing to again obtain another owner builder certificate and a white card.

This has all cost us an additional \$10,000 and we are still none the closer.

Our dream to have a small business ticking away in our retirement is now beyond us. Irene celebrated her 80th birthday earlier this month and we are now both very tired, broken and are enduring financial stress.

Our dream has been destroyed. We have lost all motivation, we are now 15 years older, we both now have bilateral knee replacements and our house and property are in a complete mess.

However, in one last gasp ... there is a zone option ... the reason we are here today.

At the 28 May 2023 Council meeting Councillor Jessop proposed a motion that in part stated and was resolved 6:3:

“That Council, acting as a Planning Authority, restates our commitment to the broad rural character of the Huon Valley and acknowledge the Region’s role in the State’s economy as a leading rural LGA” and that “Further that this motion be communicated to the Tasmanian Planning Commission by the end of this week.”

The response from the General Manager to a part of that motion stated:

There is particular issue with the following proposed statement (which is in the motion):

“We acknowledge that many are attracted to our community because of the opportunity to purchase in Rural Living areas and that meeting this demand will be done through a strategic process that will release more Rural Living land as well as providing increased density in some rural living areas. This will be part of the strategic process currently underway and will include consultation with existing landholders in these areas.

“The demand for rural living as stated is anecdotal and is not supported by any evidence or land use strategy.

“Whilst the Land Use Development Strategy will touch on Rural Living zones, a specific review of Rural Living land, provision of increased density in some rural living areas and inclusion of consultation with existing landholders in these areas is outside the scope of the strategic work being currently undertaken for the development of the Strategy.

“Council can make the statement but without making specific budget and resources available, a specific review will not occur and will unnecessarily raise expectations in the community. If Council wishes to make such a statement that it will deliver then a decision is required to resource such activity that will need to be scoped as a project and put through the appropriate procurement process before an activity can occur.

“To that extent it will not be part of the process that is ‘currently underway’”.

Throughout these hearings we have also heard Council’s consultants confirm there is no land use strategy in place for rural residential areas and that any such strategies could be up to three years away ... and that would initially be for areas like Cygnet and Franklin.

I also refer the Panel to the Huon Valley Council Submission, Draft Tasmanian Planning Policies, June 2023 which is enclosed.

This submission appears to be the outcome of Cr Jessop's motion. It is also not dated so I can only assume it was provided to the TPC by 26 May as the motion called for.

If this was the case, then I am very concerned after observing the recent July hearings that Council as a Planning Authority have not "listened or read" the details of that motion/submission.

The same Rural Living rhetoric was still being espoused this month by the Planning Authority.

The lengthy background I have provided in this presentation was to illustrate the Rural Living aspect of the Huon Valley. Whilst our story goes back some 15 years there are still families all over this Valley who are embracing the rural lifestyle, and by default, it is why they choose to live in this Valley despite the views of our urban living General Manager and other Council staff who do not themselves live in the Huon Valley.

My presentation is to also highlight the inadequacies of this Council over the years and to this day which must therefore cast serious doubt on their capabilities with the 35F report.

The fact that our Council have failed in their responsibilities to complete any Strategic Land Use Development Strategy must no longer be allowed to impact our ratepayers.

To continue business as usual, and to simply push any decision making out for a further three or more years, and to use budget and resources as an excuse is criminal and must not be allowed.

It is a further example of the ongoing incompetence of this Council when it comes to Planning and to assisting people to have a roof over their heads, or in our case, to allow us to realise what is our now destroyed dream.

During my campaign to be on Council, I said,

“we need a Council that instead of saying no you cannot do that ... we need a Council that says how can we help you”.

At the beginning of these hearing's we heard the Project Manager Strategic Land Use, Rong Zeng suggest the outcome of the LUDS would be completed by the end of August 2023.

We have since heard the first priorities of any strategic review will be areas like Cygnet and Franklin, and that these could be 2 to 3 years away.

I put to you that the Town of Lonna, (Lonnvale) will be way down the list, if at all even a consideration in the next 10 years.

On 20 March 2023 I wrote to Council seeking an explanation to the Planning Authorities statement to my representation in their 35F report which says in part:

The lot is zoned Rural Resource under the interim planning scheme. In accordance with RLZ 2 the Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:

- (a) 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; or*
- (b) the land is within the Environmental Living Zone in an interim planning scheme...*

Following necessary email follow up 4 April and 12 April, I finally received a response from Rong Zeng 13 April 2023 which stated in part.

“I understand that you have requested to zone your property as Rural Living, but this is not consistent with Guideline 1. To rezone to Rural, it requires the strategic analysis of the whole municipal area, which the Council is currently undertaking. Once the Strategic Land Use Development Strategy (subject to any further studies) is in place, anyone who wants to rezone must consider the strategy and then make a rezone application.”

Once again, I put to the Panel, in relation to where we live this is not going to happen in our lifetime.

Finally, to come to the point of this second submission and to the reason I have decided to request to be zoned Rural Residential rather than Rural. Under RLZ we will have the option to subdivide our 2.22 hectare title into two smaller titles consistent with Rural Living B.

In doing so this will:

1. Assist in the housing and land crisis in our Huon Valley by allowing another family to build and live on a small rural title. In this case it is beside a river, it is on a main road already maintained by Council, and it will be part of an existing village community of upwards of 40 small rural titles in Lonnvale.
2. The site has unlimited access to water, there are no services for rubbish collection and there will be no additional requirements for Council road maintenance.
3. In the surrounding areas from Judbury through to Lonnvale there are three farmers, two of which have made representations, who own some 90% or more of the titles in this locality with land now proposed to be zoned Rural.

I would however suggest if the Planning Authority had properly ground truthed these farms, even just with a simple drive by, that the Agricultural zone would be far more appropriate than the Rural zone. Another oversight by this Council.

All around our title is land that was once a productive cherry farm, an apple orchard, and a sustainable milking dairy. These expanses of land are now being grazed by cattle and the dairy was converted to a eucalyptus plantation which was harvested in 2021.

4. It will place no more pressure on our Council to consider this zone change and to service an additional household in Lonnvale.
5. It will assist in compensating for our 15 years of duress and our lost income by providing us with the necessary capital to simply complete our building requirements to an approved stage, and to hopefully live the remaining days of our lives together in some sort of comfort.

I urge the Panel to please issue a Direction to the Planning Authority to review their 35F report decision for our property at 1046 Lonnvale Road as either a spot zone or on the basis that this area of Lonnvale does meet the criteria of a small village consisting of small holdings of residents wanting to enjoy a rural lifestyle away from any built up urban areas.

Thank you for listening.

That:

Council restates our commitment to the broad rural character of the Huon Valley and acknowledge the Region's role in the State's economy as a leading rural LGA.

We reiterate the principles defined in the forward of the 35F report and support the varied relationships that our residents and ratepayers have formed with their land and:

- **We restate our commitment to the varied lifestyle and subsequent land uses of the Huon Valley.**
- **We note and seek to continue the historical character of land use patterns, where rural and agricultural activities form a mosaic with natural areas, villages and dispersed Rural Living areas, that are in addition to our more urbanised town sites.**
- **We support the community's continued desire to use land for rural activities - as a lifestyle choice, an economic alternative for home-based earning and to operate legitimate and allowable rural businesses.**
- **We believe that the legal rural use of land is consistent with broader landscape values and does not require special zoning protection.**
- **We value the general landscape scene that we know, where valleys and hillsides display our productive and caring regard for this place, with treed ridgelines and distant mountaintops that provide a broader context for the place we live at the end of Tasmania.**
- **We support areas of special and unique scenic value being protected by the appropriate overlays and in some special cases this would include the use of the Landscape Conservation Zone.**

We acknowledge that while there are deficiencies in all zoning definitions and uses tables, the Agriculture, Rural and Rural Living zones are in keeping with the long-term strategic land use intent of this Planning Authority.

We acknowledge the urgent need for the release of residential land to accommodate our growing community and contribute to reducing housing stress across Tasmania. We will plan for the sustainable growth of our towns, villages and rural living hamlets. We acknowledge that many are attracted to our community because of the opportunity to purchase in Rural Living areas and that meeting this demand will be done through a strategic process that will release more Rural Living land as well as providing increased density in some rural living areas. This will be part of the strategic process currently underway and will include consultation with existing landholders in these areas.

Council is committed to the Strategic Land Use study currently underway and will expedite this to resolve long standing planning issues. We note that SGS consultants have provided a Huon Valley Consultation Discussion Paper, but stress that this is not the endorsed position of the Planning Authority. We note that this paper is focused on urban land use and does not explore the importance of the Rural Living Zone in the Huon Valley – and this does not mean that the Planning Authority does not consider this as an important land use application in the Huon Valley. The report does not discuss the importance

of Rural land in its own right (as opposed to significant Agriculture Zone). We note that it does not adequately document major developments either proposes or approved around Port Huon and directs that a separate map be produced and added to the discussion document. Furthermore, the Planning Authority directs that all future LUDS discussion documents will now be approval by the Planning Authority prior to public release.

Further that this motion be communicated to the Tasmanian Planning Commission by the end of this week.

Councillors Doyle, Thorpe, Armstrong, Jessop, Temby and Burgess voted for the motion and Councillors Gibson and Cambers-Smith voted against the motion.

GENERAL MANAGERS ADVICE:

The Council has approved the report to the Tasmanian Planning Scheme made in respect of representations to the Draft Local Planning Schedules as required under section 35F of the *Land Use Planning and Approvals Act 1993*. The Report has been submitted to the Tasmanian Planning Commission (TPC) and is currently being considered part of hearing by the TPC.

The purpose of the motion is not clear in the context of either the section 35F report of the hearings that are being held or indeed how such statements made by the Council, acting as a Planning Authority, will be able to be represented to the hearings or used by the TPC.

Whilst the statements can be made it is also not clear how they relate to the consideration of individual representations.

There is particular issue with the following proposed statement:

"We acknowledge that many are attracted to our community because of the opportunity to purchase in Rural Living areas and that meeting this demand will be done through a strategic process that will release more Rural Living land as well as providing increased density in some rural living areas. This will be part of the strategic process currently underway and will include consultation with existing landholders in these areas."

The demand for rural living as stated is anecdotal and is not supported by any evidence or land use strategy.

Whilst the Land Use Development Strategy will touch on Rural Living zones, a specific review of Rural Living land, provision of increased density in some rural living areas and inclusion of consultation with existing landholders in these areas is outside the scope of the strategic work being currently undertaken for the development of the Strategy.

Council can make the statement but without making specific budget and resources available, a specific review will not occur and will unnecessarily raise expectations in the community. If Council wishes to make such a statement that it will deliver then a decision is required to resource such activity that will need to be scoped as a project and put through the appropriate procurement process before an activity can occur. To that extent it will not be part of the process that is "currently underway".



HUON VALLEY COUNCIL

HUON VALLEY COUNCIL SUBMISSION

Draft Tasmanian Planning Policies, June 2023

The Huon Valley Council (the Council) welcomes the opportunity to comment on the Draft Tasmanian Planning Policies (TPPs).

The Council provided a submission to the previous round of TPPs consultation in November 2022. The Council's earlier position has not changed, see the previous submission attached.

In addition to the previous submission the Council encourages the Commission to consider the following comments:

1.0 SETTLEMENT

Rural Residential Settlement

With regards to 1.1.3 Strategy 8, the Council is concerned with the lack of attention given to rural residential settlement areas located outside the urban growth boundary. While the policy rightly focuses on and prioritises settlement and growth within the urban growth boundary, it is essential that the policy addresses the needs and development considerations of rural residential areas as well.

Rural residential is becoming a popular housing choice in Huon Valley in recent years and should be recognised for its contribution towards residential growth in TPPs. Rural residential settlements play a vital role in maintaining the fabric of our communities, preserving natural landscapes, and supporting sustainable agriculture and rural industries. By overlooking the specific challenges and opportunities of these areas, the policy may inadvertently neglect the well-being and development potential of rural communities.

To ensure comprehensive and equitable planning, the Council recommends the following principles be incorporated into the policy:

1. **Planning Framework: Recognise the Importance of Rural Residential Settlements**, and explicitly acknowledge the significance of rural residential areas in the policy document. Highlight the unique characteristics and value they bring to the overall regional development strategy, including their cultural heritage, environmental assets, and economic contributions.
2. **Define a clear Vision and Objectives for Rural Residential Settlements**: Establish a clear vision for the sustainable development of rural residential areas, aligned with the broader goals of the policy. Define specific objectives that cater to the unique needs and aspirations of these communities, such as preserving rural character, supporting local economies, and ensuring access to essential services.
3. **Tailor Planning Strategies for Rural Residential Areas**: Develop planning strategies that address the challenges and opportunities specific to rural residential settlements. Consider factors such as land use diversity, agricultural compatibility, infrastructure requirements, environmental

stewardship, and community connectivity. This tailored approach will facilitate appropriate and sustainable development in these areas.

4. **Infrastructure Provision:** Ensure that adequate infrastructure provisions are made for rural residential areas, including access to essential services such as roads, utilities, water supply, and sanitation. Recognise the challenges associated with providing infrastructure in remote or sparsely populated areas and develop strategies to address these challenges effectively. It is understood that developer contribution is mentioned in the draft TPPs, however, it can be further explored as to how the cost can be distributed reasonably between developers, utility providers and the Council.
5. **Environmental Protection:** Emphasise the preservation of natural resources and environmentally sensitive areas within and surrounding rural residential settlements. Implement measures to safeguard water bodies, wildlife habitats, and agricultural lands, taking into account the specific ecological characteristics of the region.
6. **Economic Opportunities:** Recognise and support economic opportunities within rural residential areas. Encourage the development of local businesses, agricultural initiatives, tourism, and other industries that can contribute to the economic sustainability and vibrancy of these communities.
7. **Encourage Community Engagement:** Foster meaningful engagement with rural residents and community stakeholders during the planning process. Seek their input, feedback, and local knowledge to ensure that the policies and strategies reflect the needs, aspirations, and values of the rural communities. Emphasise the importance of collaboration and partnership between local government authorities and rural residents.
8. **Provide Support and Resources:** Allocate adequate resources, technical assistance, and funding opportunities to assist rural residential communities in implementing sustainable development practices. Offer guidance and incentives for initiatives such as agricultural diversification, environmental conservation, heritage preservation, and small-scale entrepreneurship in rural areas.

By incorporating these principles, we can ensure that the needs and potential of rural residential settlements are appropriately recognised and addressed. This inclusive approach will foster balanced regional development, promote community resilience, and preserve the unique character of our rural areas.

Housing Design

In 1.6.3, the Design policy (Section 1.6) provides valuable strategies for creating functional and sustainable urban spaces. However, it is crucial to emphasise the importance of implementation and enforcement to ensure that these strategies are effectively translated into action. Currently, the policy lacks specific guidelines or provisions for implementation.

To address this, it is recommended to include implementation guidelines that clearly state the requirement for incorporating energy-efficient and future-proofed housing design. These guidelines should emphasise the integration of these principles into the State Planning Provisions or Tasmanian Building Codes. By doing so, it will ensure that these considerations are not merely optional but are legally mandated and enforced in all relevant development projects. It will facilitate the incorporation of energy-efficient and sustainable design practices into the planning and construction processes, ultimately leading to tangible outcomes in terms of reduced carbon emissions and increased resilience to future challenges.

In 1.6.3 – 8(f), it is suggested to modify this beyond stormwater management alone to “maintaining water quality by promoting best practice monitoring systems, stormwater management, wastewater treatment in general onsite and reticulated approaches”.

2.0 ENVIRONMENTAL VALUES

Waterways, Wetlands and Estuaries

In 2.2.3 - 4, while Strategy 4 focuses on minimising impacts from use and development "in and around waterways, wetlands, and estuaries," it is important to recognise that impacts can occur beyond these immediate areas. Development activities can have indirect effects on waterways through groundwater and stormwater infrastructure.

To ensure comprehensive protection of water resources, it is recommended to expand the scope of Strategy 4 to address potential impacts from development activities throughout the catchment area. This includes considering the conveyance of pollutants via groundwater and stormwater infrastructure, which can affect water quality even from areas located at a distance from surface waters. By broadening the scope of Strategy 4 to encompass these considerations, the policy will better address the potential indirect impacts of development on waterways, wetlands, and estuaries, ensuring a more comprehensive and effective approach to water resource protection.

4.0 SUSTAINABLE ECONOMIC DEVELOPMENT

Sustainable Economic Development

In 4.0, The Sustainable Economic Development policy should consider revising the language around economic "growth" to align with the goals of climate change policies, wellbeing, and sustainability objectives. The term "growth" on its own can be perceived as incompatible with the need to address climate change and promote equality.

Instead of focusing solely on economic growth, the policy could also emphasise the concepts of economic resilience, transformation, and sustainability. This would reflect the recognition that unchecked growth is unsustainable and can contribute to exceeding planetary boundaries. By promoting a more balanced and holistic approach, the policy can better align with the objectives of addressing climate change, promoting wellbeing, and ensuring a more equitable distribution of resources and opportunities.

Furthermore, the policy could integrate principles of a circular economy, which emphasises reducing waste, recycling materials, and promoting resource efficiency. This approach would help minimise environmental impacts while fostering innovation and economic development.

Renewable Energy

In 4.5, regarding the Renewable Energy policy, it is important to note that not all forms of "bioenergy" are inherently carbon-neutral or environmentally friendly and can have negative environmental impacts. Additionally, certain bioenergy processes may generate emissions during their use, unlike true renewable energy sources.

Therefore, it is crucial to ensure that the promotion of bioenergy aligns with sustainable practices and avoids activities that contribute to environmental degradation. Emphasising the distinction between truly renewable energy sources and bioenergy can help prevent misleading perceptions and ensure a focus on environmentally beneficial solutions with following positive economic outcomes.

5.0 PHYSICAL INFRASTRUCTURE

Passenger Transport Modes

In 5.4.3 – 5, Physical Infrastructure - The policy should include the development of an active transport network in both urban and rural areas. Active transport is essential for promoting mode shift and sustainable transportation options in all regions. Rural populations can greatly benefit from dedicated walking and cycling infrastructure, especially considering the challenges posed by unsealed roads and the absence of designated pedestrian and cycling paths. Including active transport tracks in rural areas will contribute to achieving mode shift goals and improving accessibility for non-motorised transportation in these communities.