

Shane Westley

PO Box 606, Launceston 7250

[westleys25@yahoo.com.au](mailto:westleys25@yahoo.com.au)

21<sup>st</sup> December 2018

Mr. Martin Gill

General Manager

Meander Valley Council

Po Box 102, Westbury 7303

[planning@meander.tas.gov.au](mailto:planning@meander.tas.gov.au)

RE: Meander Valley Draft Local Provisions Schedule

Dear Mr. Gill,

Thank you for the opportunity to make representation to the Draft Meander Valley Local Provisions Schedule (Draft LPS).

I would also like to acknowledge the effort of detail by Meander Valley Council and staff to present the requirements of the Tasmanian Planning Commission in the prescribed format which is not an easy feat given the complexity of multiple planning instruments.

I have taken this opportunity to bring to your attention some of the provisions in the Draft LPS which I believe should be reviewed to provide a better solution in the longer term. Some of these issues are contrary to the previous planning intentions which were one of the reason why I have purchased property within the Meander Valley.

Some of these proposed changes as a result of the Draft LPS have implications for my own property and surrounding local area not to mention effects across the Meander Valley as a whole. I feel strongly about these issues and believe, in some instances, that there is a better solution to what has been proposed. Explanations of my concerns are provided, and solutions proposed with mapping where necessary (refer attachment).

Please take the time to consider my representation seriously and feel free to contact me at any time if you require clarification.

I would also prefer that my representation was kept confidential particularly since I have referenced land parcel identifiers which effect my property and surrounds.

Regards,



Shane Westley

## Attachment

### 1. Zone naming convention

RE: Naming of the Draft LPS Zone (Particular Purpose Zone – Larcombes Road) to replace current Zone

Particularly in reference to the Zone proposed for land on which my current property lies within, as it does not provide the reader with a basic indication of the land use which I believe would be helpful in future.

Currently my property is zoned as “Environmental Living”

The tenure of my property and several in the adjacent areas have been voluntarily and intentionally registered under environmental “Conservation Covenants”. This allows for retention of the natural values of the area while restraining uses that would otherwise reduce the aesthetic and lifestyle values retained by this zoning intention.

Currently this zoning is “Environmental Living” and clearly articulates a description of the intended land use of the property in this zone.

The draft LSP proposes that the current zone be changed and renamed as Particular Purpose Zone – Larcombes road.

It is difficult to understand how this description is deemed appropriate given that the description Particular Purpose Zone – Larcombes Road does not convey a use of the land.

I would like to propose that the naming of the Zone be reviewed, and a change considered to a description that is more meaningful to the purpose of the land use in the zone for example to:

Particular Purpose Zone – Natural Values Amenity Living (Larcombes Road).

I believe a zone description in alignment with what I have suggested gives clarity within the planning scheme reference - PPZ, provides a description of use – Natural values amenity living and provides geographical reference – Larcombes Road ie. The What, Why and Where.

## 2. Zoning Proposed

Re: Application of the Draft LSP with respect to the Natural Assets Code

“The draft LPS includes a map overlay for vegetation protection through the Natural Assets Code, based on the Regional Ecosystem Model (Refer Section 4.1.1 and Appendix A). The overlay is the mechanism whereby important habitat is identified. However, the SPP’s restrict the application of the Code to specific zones and does not allow consideration of the priority vegetation area in the Agriculture Zone, which makes up the largest portion of the Meander Valley land area.”

The MVC should resolve the issue where the proposed zoning in the Draft LPS is “Agriculture” and there is clearly a majority of land parcel mapped under the overlay for vegetation protection through the Natural Assets Code. This creates an inconsistency if the current proposed zoning LPS remains in place.

Section 8A Guideline No.1 – Agriculture zone – Zone application Guideline AZ5 states that:

Titles may be split-zoned to align with areas potentially suitable for agriculture, and areas on the same title where agriculture is constrained. This may be appropriate for some larger titles.

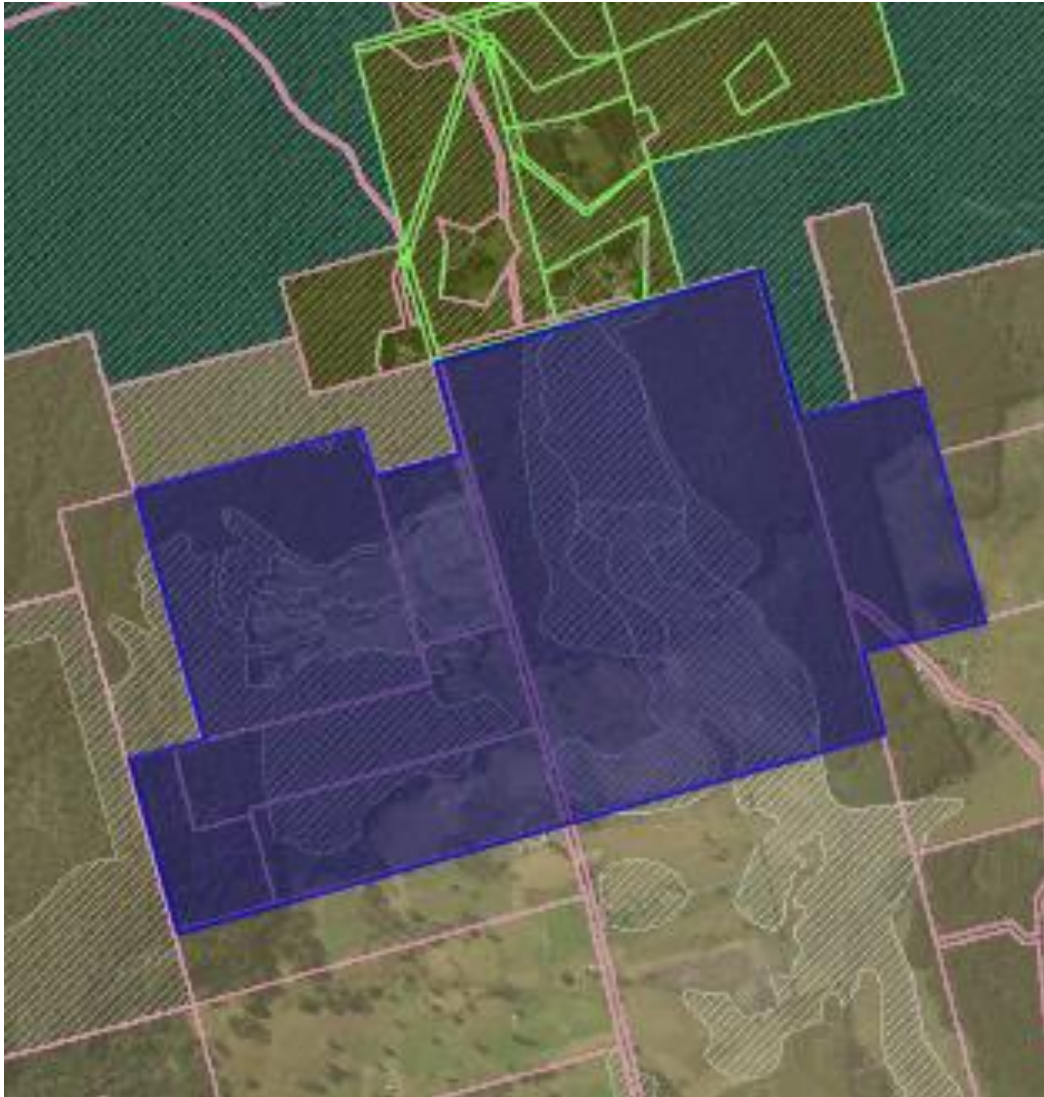
Section 8A Guideline No.1 – Agriculture zone – Zone application Guideline AZ6 states that:

Land identified in the ‘Land Potentially Suitable for Agriculture Zone’ layer may be considered for alternate zoning if:

- (a) local or regional strategic analysis has identified or justifies the need for an alternate consistent with the relevant regional land use strategy, or supported by more detailed
- (b) for the identification and protection of a strategically important naturally occurring resource which requires an alternate zoning;
- (c) for the identification and protection of significant natural values, such as priority vegetation areas as defined in the Natural Assets Code, which require an alternate zoning, such as the Landscape Conservation Zone or Environmental Management Zone;
- (d) for the identification, provision or protection of strategically important uses that require an alternate zone; or
- (e) it can be demonstrated that:
  - (i) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;
  - (ii) there are significant constraints to agricultural use occurring on the land; or
  - (iii) the Agriculture Zone is otherwise not appropriate for the land.

Surely these guidelines should be considered where there are properties that would be zoned differently if the MVC Natural Assets Code was applicable and taken into account where the majority of land title was constrained for agriculture development. In these cases, it would appear to be more appropriate for these titles to be included in either “Rural” or “Landscape Conservation” where the natural assets are recognised.

Please refer to attached mapping and explanation below as an example where this may apply:



The Blue Shaded area is proposed as “Agriculture” zone under the Draft LPS (currently zoned “Rural Resource”). The hatched area is the Natural values asset layer that includes priority vegetation and wetlands flood mapping. Therefore, indicating that the restraint on agricultural use is significant in these areas even though they are proposed to be zoned as “Agriculture”.

### 3. Personal Impact from Draft LPS

RE: Current land sale negotiation

Currently my property is zoned as “Environmental Living” under the interim planning scheme.

My intention and indeed the situation currently unfolding at present is that I am in negotiations with a land owner adjacent to my property. The owner has offered to negotiate the sale of part of their property to me.

The current tenure of this land is “Rural” however when the natural values of the majority of this land is taken into account both surveyed and Natural Assets overlay then approximately 65 to 70% of the title would be more appropriately zoned as “Environmental Living” or “Environmental Management”.

This would be identified as ‘Particular Purpose Zone – Larcombes Road’ or ‘Landscape Conservation Zone’ under the current Draft LPS zoning format.

The land is currently under a Private Timber Reserve and also effected by wetlands and is identified in the Flood zone mapping which would restrain agricultural use of the property to the remaining approx. 30% of the land use. Therefore to be zoned agriculture under the draft LSP is inconsistent with the intent of that zoning.

The current negotiation is for the purchase of land that contains high value natural assets such as mapped endangered vegetation in some areas. It would be advantageous to include this land into ‘Particular Purpose Zone – Larcombes Road’ or ‘Landscape Conservation Zone’ under the current Draft LPS zoning format prior to purchase.

The owner of the property has advised in emails dated 13<sup>th</sup> & 19<sup>th</sup> December 2018 that they have agreed to negotiate the purchase of part of their title by me.

I have confirmation (email) from the owner that (1) this is a land sale negotiation (2) the owner is in agreement to change the zoning to PPZ- Larcombes Road as described in the Draft LPS and (3) remove the PTR from the land negotiated for sale.

If this sale is negotiated and occurs during the transition of the current interim MVC planning scheme to the proposed draft LPS it would be advantageous to request clarity on how the MVC are planning to accommodate a negotiated purchase of the property in this case. Also, a request that the eventual zoning of the proposed purchase be approved as “Particular Purpose Zone - Larcombes Road” or equivalent when the new planning scheme is ratified.