

X 125 Bakers Creek Road, Lucaston

* Rural Living zoned area

When I purchased my property in 2008 it was zoned Rural Residential. It is part of a long standing settlement pattern (see LIST grey scale map surrounding area to my Property at 125 Bakers Creek Road, Lucaston)

My property is 8.5 Kilometres from a major town (Huonville). Ten kilometres from a major town is one criteria for consideration for application of the Rural Living Zone (RLZ), (*Providing For Housing Needs, page 108 on the Huon Valley Council website as at 17th May 2023*).

The settlement community pattern in which my Property is located is that of a residential area on land that arguably cannot be defined as RZ as per my Submission. The Property and adjoining settlement community is land that is not suitable to contribute to the state strategy of maintaining and protecting agricultural land nor contribute, as highlighted in the agricultural zoning definitions.

Buffer zones

After discussion with Council on the 17th May 2023 Council stated that a Rural Zone (RZ) buffer would be required between Agricultural Zone (AZ) and Rural Living Zone (RLZ). This requirement would automatically negate my appeal for a change in zoning from RZ to RLZ. However, please note that the Huon Valley website reference *Providing For Housing Needs, Rural Living zone section*, states 'Where (underlining mine) adjacent to rural resource zone a setback buffer distance be required..', page 108 as at 17th May 2023. It is only stating a buffer zone requirement when the proposed RLZ is adjacent to RZ.

There are many instances across the Huon Valley Municipality where Rural Living zones do not have such buffers. For example, properties at the corner of Bakers Creek Rd and Lucaston Rd are zoned as Rural living, and yet they are adjacent to agricultural zoning and rural zoning (as highlighted in the LIST document provided).

Rural living zone application

According to the Southern Tasmania Regional Land Use Strategy 2010-2035, Section SRD 1.3(a) :

a. Recognition of existing rural living communities, regardless of current zoning. Where not currently explicitly zoned for such use, existing communities may be rezoned to Rural Living provided:

- i. the area of the community is either substantial in size or adjoins a settlement and will not be required for any other settlement purpose; and*
- ii. only limited subdivision potential is created by rezoning.*

The definition of 'substantial' has not been clarified, either in the glossary of the STRLUS nor by Council in my discussions with them. I would therefore argue that that this is open to interpretation and could allow for rezoning of my property. I base this on:

1. The current use of my property and surrounding properties,
2. The size of mine and surrounding properties;

3. And the positioning of multiple residents in close proximity to each other

All of these are factors of a similar configuration to the currently zoned Rural Living area at the start of Bakers Creek Rd (refer to LIST zoning overlay document).

These properties are not currently being used, nor are they viable for, agricultural purposes.

Huon Valley Land Use and Development Strategy

As per the Huon Valley Land Use and Development Strategy document; changing the zoning to Rural Living would have zero impact on the Council's capacity to provide or fund infrastructure as;

- the area does not have town water; and
- electricity is already readily available (this is provided through Aurora and is not Council responsibility); and
- the block has multiple access points already in place, and
- It would not sterilise or make more difficult the access to the natural or physical resources of the area given that the land is not suitable for agriculture (see nutrient report) and does not have a vegetation priority overlay.

The application of RLZ to my Property and connecting small properties will not contribute to incremental continuous increase within the Rural environment as the Property has been established historically for many decades and is connected to surrounding small properties which range approximately from .405 hectares to 3 hectares in size.

Additional points in support of my application

My Submission complies with the requirements under section 32 of *Land Use Planning and Approvals Act 1993* for the contents of a LPS.

125 Bakers Creek Road (my Property) has no Historic Heritage Act overlays such as scenic protection Code, scenic protection area, scenic protection Corridor.

The Property is not identified as a land slip hazard according to the land slip hazard code, medium and low density hazard bands.

1-4-2020

To whom it may concern.

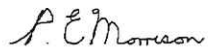
I have been asked to do an assessment on the viability of any sort of crop production on the property belonging to Gail O'Brien at 125 Bakers Creek Rd, Bakers Creek, and Property ID 7716503.

On viewing the property the first issue that became apparent is that there would not be enough room to be able to plant a crop in a big enough area to be profitable, build a water source or infrastructure to store or process the produce.

The second issue that I can see is how close the neighbours are. This makes it nearly impossible to have a buffer area between any crop and the neighbour's property so that there are no issues with any sort of spray drift moving onto the neighbour's property. The other issue with neighbours being close is not being able to mitigate any noise produced in the production of the crop.

Because of the above issues I cannot see how there can be any profitable crop planted on this property.

Peter Morrison



Senior Agronomist

Nutrien
Ag Solutions.



Zoom Level 14
500 m



125 BAKERS CREEK RD LUCASTON



Map information in [125 BAKERS CREEK RD LUCASTON]

Titles

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PID	7716503
Parcel Address	125 BAKERS CREEK RD
CT	232815/1
Tenure Type	Freehold Title
Locality	LUCASTON
Improvements	DWELLING
Area	10610.012

Overlays

Bushfire Prone Areas

NOTE: Additional codes are not mapped and may be triggered based on description

Links

[Priority Veg Report](#)

Zones

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