



**HUON VALLEY  
COUNCIL**

**SUMMARY OF REPRESENTATIONS  
AND PLANNING AUTHORITY  
RESPONSES TO THE DRAFT HUON  
VALLEY LOCAL PLANNING  
SCHEDULE**

**REPORT MADE UNDER SECTION 35F  
OF THE *LAND USE PLANNING AND  
APPROVALS ACT 1993***

**JANUARY 2023**

## **INTRODUCTION**

This Report has been prepared for submission to the Tasmanian Planning Commission (the TPC) in accordance with the requirements of section 35F of the *Land Use Planning and Approvals Act 1993* (the Act).

On 16 December 2021 the TPC advised the Planning Authority that the Draft Local Planning Schedule (the Draft LPS) met the relevant Criteria and directed the Council as the Planning Authority to exhibit the Draft LPS in accordance with Sections 35C and 35D of the Act for 60 days from 24 January 2022.

The Council exhibited the Draft LPS from 24 January 2022 in accordance with Sections 35C and 35D of the Act.

By arrangement with the TPC, the exhibition period was subsequently extended until 31 May 2022.

Additionally during the exhibition period, the Planning Authority also provided information about the Draft LPS at six community workshops, on social media, via a letter drop to all property owners, and through its customer service portals.

The requirements of Section 35C and Section 35D of the Act have been met.

There were 36 representations received during the exhibition period and 377 received during the 'extension' period.

The representations received are summarised in this Report along with Council's responses as the Planning Authority.

## **GENERAL RESPONSE - LANDSCAPE CONSERVATION ZONE**

With respect to the Landscape Conservation Zone (LCZ) this section 35F Report has been prepared on the basis of the principles of paragraph 2.1 on the attached Memorandum from ERA Planning and Environment dated 5 September, 2022 (the ERA Memo).

This is consistent with the approach taken for development of the Local Provisions Schedule (LPS) in the first instance and has been applied individually to each representation accordingly.

Notwithstanding the individual responses provided in this section 35F Report, based upon the representations received taken as a whole, the Council has identified concern with the application of the Landscape Conservation Zone generally to properties within the Huon Valley.

The Huon Valley has unique topography, land title structure (with a large proportion of lots between 1ha and 10ha in size), historical residential and rural land use and a broad Valley landscape. In addition urban, farming and agricultural land and areas of native vegetation are in close proximity to each other.

As a result, many of these property titles have been developed with residential and rural uses and development with often large, cleared areas in addition to areas of native vegetation on the land.

Whilst the landscape values of the native vegetation may be appropriate for the LCZ, the use of the balance of the land for residential and rural purposes (including hobby farming) does not fit well within that zone. In essence the protection sought to be gained for the landscape does not reflect the entirety of the land.

The Council acknowledges the concerns raised in the representations and that the LCZ is difficult to apply to land in these circumstances.

The Council has generally described its landscape values as set out in the ERA Memo which includes identified lots that had 80% native vegetation coverage based upon TasVeg 4.0. The identification of landscape values has also included consideration of the presence of either the Natural Assets or Scenic Protection Codes.

There are concerns as to the use of the proprietary habitat model generally as part of the vegetation model and as based upon the Regional Ecosystem Model (REM) which is not current or up to date. The Council acknowledges that the REM involves a combination of both vegetation and habitat modelling and as such may over-estimate "native vegetation" coverage for this reason. Inclusion of habitat does not reflect the LCZ purposes for landscape.

The Council has not undertaken ground truthing to define what the landscape values of the Huon Valley are in the first instance, and secondly, what, of those values, are identified for protection and conservation. If evidence can be provided otherwise then the LCZ may not be correctly applied to that land title.

It is also important to note that Council has applied an assumption that *“much of the areas of bushland have been spared from historical clearing due to being considered suboptimal for traditional horticultural activities.”* There is though a significant amount of land in the Huon Valley that has been previously used as cleared rural land but, in recent years, has regrown with native vegetation. This land may still have those rural opportunities available to them notwithstanding they may be presently viewed as part of the current landscape.

Again this land has not been ground truthed and evidence may be provided to challenge the landscape values of the land against the rural use opportunities that may be available. This evidence may result in the LCZ not being correctly applied to that land title.

Council therefore acknowledges that application of the LCZ, as applied in the Draft Scheme, is subject to some uncertainty.

As a consequence the Council as a Planning Authority will proceed to the hearing on the section 35F Report taking into account the following principles on application of the LCZ:

- a. While the Council has applied the stated criteria, where evidence is provided to the hearing that demonstrates that the property title is not consistent with that criteria then application of the LCZ may not be the appropriate zone and an alternative zone will be considered.
- b. The Council has not taken into account current use of the land to the extent that there is potential loss of amenity for an existing landowner by transitioning from the current zone to LCZ. In particular, application of LCZ may have been applied to operational rural properties and therefore is likely in some circumstances to limit farming practices. To suggest that a landowner relies upon existing use rights does not provide any certainty of use of the land.

As a result of existing use and development there are many land titles where the application to the entire title would be incongruous to the existing use and development of the land and there are many circumstances where application of the LCZ would be justified for part but not to the entirety of a property.

In these circumstances the Council requests consideration of:

- i. The application of split zoning to protect the necessary landscape values whilst not restricting use of land that has no landscape values; or
- ii. The application of an alternate zone with reliance on the Natural Values and Scenic Protection Codes over the relevant portions of the land the subject of landscape values.

## MEMO

To: Lyle Ground, Manager Environmental Services, Huon Valley Council  
Michael Bartlett, Manager Development Services, Huon Valley Council

From: Clare Hester, Manager Planning, ERA Planning and Environment

Date: 5 September 2022

Re: Application of Landscape Conservation Zone

### 1. INTRODUCTION

Huon Valley Council (Council) has requested planning advice from ERA Planning and Environment (ERA) on the application of the Landscape Conservation Zone in the Huon Valley, Local Provisions Schedule (Huon Valley LPS) to assist Council in responding to representations objecting to the application of the Landscape Conservation Zone.

In providing this advice, consideration has been given to the zone and code application guidelines prepared in accordance with Section 8A of the *Land Use Planning and Approvals Act 1993* (the guidelines), a comparison of the Rural Zone under the State Planning Provisions (SPP's) with the Rural Resource Zone under the *Huon Valley Interim Planning Scheme 2015* (HVIPS) and previous decisions of the Tasmanian Planning Commission (TPC) regarding the application of the Landscape Conservation Zone.

### 2. ZONE AND CODE APPLICATION GUIDELINES

#### 2.1 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.*

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.*

The guidelines identify the following guidelines for the application of the Landscape Conservation Zone. A response to each is outlined below.

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.*

#### Response to LCZ 1:

The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the river and tributary waterways is a key characteristic and landscape value of the Huon Valley. Much of the areas of bushland have been spared from historical clearing due to being considered suboptimal for traditional horticultural activities. This landscape is considered an important scenic backdrop to the Huon Valley, contributes to the

sense of place for the community and plays an important role in the tourism industry. It is a defining visual characteristic for the Huon Valley. Accordingly, this landscape value on a municipal level, should be protected from inappropriate development, both in terms of location and intensity.

The application of the Landscape Conservation Zone at the first level of selection identified lots that had 80 % native vegetation coverage and the presence of either the Natural Assets or Scenic Landscape Code overlay (ie areas identified for protection and conservation). Given these constraints of each lot, it was considered there is potential for small scale use or development only, not the scale of use and development that is permitted in the Rural Zone.

In terms of 'large areas of native vegetation' as referenced in the LCZ 1 guideline. This was attributed to a minimum native vegetation patch size of 20 ha, which directly links to the Landscape Conservation Zone use standard 22.5.1 P1 minimum lot size of 20 ha.

*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;*
- 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.*

Response to LCZ 2:

Where the Landscape Conservation Zone was applied, the lot was also subject to the Natural Assets Code overlay and/or the Scenic Landscape Code overlay. The mapping for the 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.

The Huon Valley is recognised as having 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.

*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.*

Response to LCZ 3:

This was addressed by using the following selection criteria to select land suitable to the Landscape Conservation Zone:

- Three or more adjoining properties
- Borders existing Environmental Management or Environmental Living properties intended to transfer to Landscape Conservation Zone.
- If less than three adjoining properties, the total area of these properties is at least 20 ha.

*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).*

the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.

The Rural Resource Zone, under the HVIPS, includes three permitted use classes that include *Education and Occasional Care* (if for home-based childcare) or *Residential* (if a home-based business or an extension of an existing dwelling), in addition to *Resource Development*, where the Rural Zone includes 15 permitted uses ranging from an *Extractive Industry* to *Resource Processing, Storage* (if for contractors yard, freezing and cooling storage, grain storage, liquid, solid or gas fuel depot, or a woodyard), and *Utilities*.

The Rural Resource Zone has 24 discretionary uses, with the Rural Zone having 20 discretionary uses that include additional uses to that currently allowable in the Rural Resource Zone such as Custodial Facility, Educational and Occasional Care (unrelated to a rural resource use), Food Services (unrelated to the agricultural produce from the region), and Transport Depot and Distribution (unrelated to a rural resource use), and Visitor Accommodation (with no qualifications other than if not listed as permitted).

As Council is aware, it is only if a use is a discretionary use, do the zone purpose statements need to be considered. For the Rural Resource zone, the zone purpose statements under clause 26.1.1.6 refers to: *opportunities for economic development that is compatible with agricultural and timber harvesting activities, environmental and landscape values*. The corresponding zone purpose statements for the Rural Zone make no reference to compatibility with environmental and landscape values.

Similarly, the development standards in the Rural Resource Zone include provisions under clause 26.4.3 that require the consideration of clearance of native vegetation in a planning assessment. If clearance of native vegetation is proposed, the corresponding performance criterion for clause 26.4.3 P1 requires:

*The location of buildings and works must satisfy all of the following:*

- (a) be located on a skyline or ridgeline only if:*
  - (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;*
  - (ii) significant impacts on the rural landscape are minimised through the height of the structure, landscaping and use of colours with a light reflectance value not greater than 40 percent for all exterior building surfaces;*
- (b) be consistent with any Desired Future Character Statements provided for the area;*
- (c) be located in an area requiring the clearing of native vegetation only if:*
  - (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;*
  - (ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures.*

In addition, exterior building surfaces must be coloured with a light reflectance value not greater than 40 percent (clause 26.4.3 A2) with the corresponding performance criterion requiring buildings to have an external finish that is non-reflective and coloured to blend with the rural landscape.

The development standards for the Rural Zone are limited to building height (12 m) and setbacks (5 m). Moreover, the corresponding performance criteria for these development standards do not have regard to natural and landscape values.

The removal of the environmental and landscape value considerations in the Rural Zone is consistent with the zone application guidelines in that the Landscape Conservation Zone and the Environmental Management Zone, are identified as the suite of environmental zones to manage use and development in natural areas.

#### 4. COMMISSION DECISIONS

A high level review was undertaken of previous TPC decisions regarding the application of the Landscape Conservation Zone. There is in my opinion, a lack of consistency of the application of this zone throughout Tasmania. However, the Flinders LPS decision, appears to provide some clarification as to the TPC's position on the application of the zone.

- Para 324. *The Landscape Conservation Zone guidelines in the context provided by the zone purpose, require the Zone to be applied to land with landscape values. LCZ 1 is the key guideline, and its application is contingent on identification of landscape values. LCZ 2, like LCZ 1 (after it has established landscape values as the condition of its application), lists the types of landscapes that the zone might be applied to i.e. bushland areas, large areas of native vegetation, or other areas of locally or regionally important native vegetation. LCZ 2 also provides for the Zone to be applied to areas of bushland or native vegetation that are 'not otherwise reserved,' but this is dependent on meeting the remainder of LCZ 1, which indicates that the Zone is only appropriate for use and development of a 'small scale.'*
- Para 325. *Landscape is defined in the Macquarie Dictionary as 'a view or prospect of rural scenery, more or less extensive, such as is comprehended within the scope or range of vision from a single point of view.' Value is defined as 'that property of a thing because of which it is esteemed, desirable, or useful, or the degree of this property possessed; worth, merit, or importance.' Therefore, in the context of Guideline No. 1 and the Zone purpose, landscape value is taken to mean that the land must be significantly visible from surrounding areas and must be perceived to have positive value that is important or beneficial to the degree that it warrants specific control of its use. Otherwise, the impacts on natural and scenic values can be managed through the Priority Vegetation Area and Scenic Protection Area overlays.*
- Para 326. *Conservation covenants, the Priority Vegetation Area overlay and the Scenic Protection Area overlay all indicate that land might have landscape value. That these provisions routinely overlap with the Landscape Conservation Zone is unsurprising given the Zone is intended to be applied to areas of bushland and native vegetation. However, the Priority Vegetation Area overlay and the Scenic Protection Area overlay do not control use; that is primarily the domain of zones, so the ultimate question is whether the scale and type of uses provided by a zone are appropriate and necessary if land has landscape value. Unless such values are significant enough to warrant use and development being curtailed to a small scale, then conservation covenants, the Priority Vegetation Area overlay and the Scenic Protection Area overlay, can operate perfectly well under the provisions of another zone, such as the Rural Zone, which provides for a more expansive use and development options.*

I do concur that the control of use is primarily the domain of the zones and therefore in considering the application of the Landscape Zone or for example, the Rural Zone, regard needs to be given to the intensity of use appropriate to the site; noting the Landscape Conservation Zone is identified as only appropriate for use and development of a 'small scale'.

As previously discussed with Council, I do not concur with this TPC decision that, *in the context of Guideline No. 1 and the Zone purpose, landscape value is taken to mean that the land must be significantly visible from surrounding areas.* If the intent of the guidelines was this requirement, then it is opined that the guidelines would have described this significant visibility requirements in LCZ1 or in LCZ2 as for example, significant constraints are identified for LCZ2 (b), RZ3 (b), significant natural values for AZ6 (c) or significant ecological, scientific, cultural, or scenic values, in accordance with EMZ1.

Moreover, landscape values that are significantly visible from surrounding areas in my opinion, fall within the domain of the application of the Scenic Protection Code:

- SPC 1 The scenic protection area overlay and the scenic road corridor overlay may be applied to land identified at the local or regional level as important for the protection of scenic values. These may include areas:*
- (a) containing significant native vegetation or bushland areas with important scenic values (such as skyline areas); or*
  - (b) identified for their significant scenic views.*
- SPC 2 The scenic protection area overlay and the scenic road corridor overlay should be justified as having significant scenic values requiring protection from inappropriate development that would or may diminish those values.*

It is my opinion that the guidelines for the application of the Landscape Conservation Zone provides examples of what is meant by landscape values, including bushland areas, large areas of native vegetation, or areas of important scenic values.

## 5. CONCLUSION

The following is a summary of the key points from the above analysis:

- In terms of landscape values, the vegetated hills, and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the river and tributary waterways is a key characteristic and landscape value of the Huon Valley. Much of these bushland areas have been spared from historical clearing due to it being considered suboptimal for traditional horticultural activities. This landscape is considered an important scenic backdrop to the Huon Valley, contributes to the sense of place for the community and plays an important role in the tourism industry. It is a defining visual characteristic for the Huon Valley. Accordingly, this landscape value on a municipal level, should be protected from inappropriate development.
- The Rural Zone does not, unlike the Rural Resource Zone in the HVIPS, include standards that go to managing the siting and scale of use and development in light of landscape characteristics. For example, the priority towards siting of development in existing cleared areas and not on skylines or ridgelines
- The breadth of allowable uses is significantly greater in the Rural Zone than in the Rural Resource Zone. Not only are there additional discretionary uses but an increase in permitted uses in the Rural Zone that have the potential to create significant disturbance of landscape characteristics as a result of their use characteristics.
- Additionally, the Rural Zone purpose statements do not mention landscape values as compared to the Rural Resource Zone which is relevant to assessment of discretionary uses.
- The application of the Rural Zone (RZ1) specifically requires consideration whether the land is more appropriately included within the Landscape Conservation Zone for the protection of specific values; this in my opinion reflects the policy difference from the Rural Resource zone around use, and landscape and natural values.
- The Landscape Conservation Zone together with the Environmental Management Zone, provide the suite of environmental zones to manage use and development in natural areas.
- While the Natural Assets Code does include standards managing development, the assessment is in relation to the biodiversity impact not landscape impact. While the Scenic Protection Code does include standards managing visual impact of development, neither code manages impacts arising from use.

Accordingly, in response to the representations raising concerns with the application of the Landscape Conservation Zone and in particular, representations, that seek a transition from the Rural Resource to Rural, the key considerations include: how the site contributes and reflects the landscape values of the Huon Valley; whether the site is, or contributes to, a large area of native vegetation and bushland; and whether small scale use or development is appropriate rather than the intensity of use and development allowable in the Rural Zone.

#### Response to LCZ 4:

Formally reserved state land was removed from the property selection.

**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.*

#### Response:

The note recognises the Landscape Conservation Zone together with the Environmental Management Zone as the suite of environmental zones to manage use and development in natural areas. This guidance is reinforced by the removal of the environmental and landscape value considerations in the Rural Zone.

### 2.2 Rural Zone

The zone application guidelines for the Rural Zone are as follows:

- RZ 1** *The Rural Zone should be applied to land in non-urban areas with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area, and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.*
- RZ 2** *The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.*
- RZ 3** *The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:*
- (a) it can be demonstrated that 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;*
  - (b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;*
  - (c) the land is identified for the protection of a strategically important naturally occurring resource which is more appropriately located in the Rural Zone and is supported by strategic analysis;*
  - (d) the land is identified for a strategically important use or development that is more appropriately located in the Rural Zone and is supported by strategic analysis; or*
  - (e) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.*

The zone application guidelines specifically require, in the application of the Rural Zone, consideration of whether the land is more appropriately included within the Landscape Conservation Zone for the protection of specific values.

### 3. RURAL ZONE vs RURAL RESOURCE ZONE

It is my opinion, there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering

## **GENERAL RESPONSE - AGRICULTURE ZONE**

The Council acknowledges that the assessment of agricultural potential in the Huon Valley is difficult due to a range of factors.

As is the case with the LCZ, topography, land size, existing development and the mixed farming/native vegetation of titles all makes this a complex and almost case by case analysis.

Council has applied Guideline No.1 for application of the Agriculture zone however Council acknowledges that:

- A detailed assessment of agricultural potential or constraints has not been carried out.
- The high value of land per ha on smaller titles was not adequately considered.
- Existing use and infrastructure on titles has not been taken into account.
- There was no ground testing of the proposed Agricultural Zoning titles.

## **RESPONSE TO REPRESENTATIONS**

1.	Richard and Sally Robinson
Matters raised	<p>The representation requests 300 Esperance Coast Road, Brooks Bay (PID: 7681830; CT: 45391/1) be zoned Rural Resource rather than Environmental Living.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Neighbouring properties are currently zoned as Rural Resource, namely 320 Esperance coast Road, 23 and 23A White Cliffs Road. Neighbouring properties range from a much smaller land area through to two larger properties.</li> <li>2. Basis of request: <ul style="list-style-type: none"> <li>• Micro vineyard (circa 2 acres) on the property, which is more aligned to the Rural Resource zoning, and would enable an application to be made for a micro cellar door which is currently not possible under the current zoning regulations. There is no intention of commercial production of wine on the property.</li> <li>• Neighbours who are already zoned Rural Resource use their land for grazing sheep or cattle. Representor has been suitably maintaining their fences to enable neighbours' rural activities which are rightly aligned to the Rural Resource zone.</li> </ul> </li> </ol> <div data-bbox="432 1153 979 1552" data-label="Image"> </div> <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP’s. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Surges Bay, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living (area D) in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and the majority of lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>																																																												
Recommended action	<p>Change this site to Rural Living D and most other sites in this area of Environmental Living zoned land. Specifically, the titles includes:</p> <table><tr><td>125584/9</td><td>101367/1</td><td>118988/7</td><td>156601/6</td><td>138584/4</td></tr><tr><td>118988/6</td><td>138584/2</td><td>149578/1</td><td>156601/4</td><td>104331/2</td></tr><tr><td>172577/12</td><td>172577/11</td><td>33048/4</td><td>159437/2</td><td>156601/8</td></tr><tr><td>156601/3</td><td>33048/2</td><td>156601/2</td><td>104331/1</td><td>135217/1</td></tr><tr><td>26693/1</td><td>45391/4</td><td>143569/1</td><td>125584/13</td><td>25020/1</td></tr><tr><td>228201/3</td><td>104331/4</td><td>111336/1</td><td>125584/1</td><td>200380/1</td></tr><tr><td>159437/4</td><td>125584/14</td><td>104331/6</td><td>104331/5</td><td>159726/1</td></tr><tr><td>125584/3</td><td>125584/7</td><td>159726/2</td><td>125584/2</td><td>45391/5</td></tr><tr><td>125584/8</td><td>30990/1</td><td>33553/2</td><td>33553/3</td><td>45391/1</td></tr><tr><td>156601/1</td><td>138584/1</td><td>45391/3</td><td>33553/4</td><td>125584/4</td></tr><tr><td>159437/5</td><td>148064/2</td><td>159437/3</td><td>156601/7</td><td>156601/9</td></tr><tr><td>33048/1</td><td>156601/5</td><td>125584/5</td><td>26693/2</td><td>143569/2</td></tr></table>	125584/9	101367/1	118988/7	156601/6	138584/4	118988/6	138584/2	149578/1	156601/4	104331/2	172577/12	172577/11	33048/4	159437/2	156601/8	156601/3	33048/2	156601/2	104331/1	135217/1	26693/1	45391/4	143569/1	125584/13	25020/1	228201/3	104331/4	111336/1	125584/1	200380/1	159437/4	125584/14	104331/6	104331/5	159726/1	125584/3	125584/7	159726/2	125584/2	45391/5	125584/8	30990/1	33553/2	33553/3	45391/1	156601/1	138584/1	45391/3	33553/4	125584/4	159437/5	148064/2	159437/3	156601/7	156601/9	33048/1	156601/5	125584/5	26693/2	143569/2
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Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.				
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.				


<b>2.</b>	<b>Department of Education</b>
Matters raised	<p>The representation requests Franklin Primary School (PID: 5709406), Cygnet Library (PID: 5851795; CT: 243024/1) and Wayraparattee Child and Family Centre (PID: 5255061; CT:164121/1) be zoned Community Purpose.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. These locations are key community facilities providing educational or community based services.</li> <li>2. Franklin Primary School and Wayraparattee Child and Family Centre are proposed to be zoned for Village.</li> <li>3. Cygnet Library is proposed to be zoned for Local Business.</li> </ol>  <p>Figure 1. Site location and existing zoning (Franklin Primary School - PID: 5709406)</p>



Figure 2. Site location and existing zoning (Cygnet Library - PID: 5851795)



Figure 3. Site location and existing zoning (Wayraparattee Child and Family Centre - PID: 5255061)

Planning  
Authority  
response

Franklin Primary School (PID: 5709406)

The proposed Village Zone is a transition of the existing zone, noting this area of Franklin has a high degree of use mix, which is consistent with the *Section 8A Guideline No. 1 - Local Provisions Schedule (LPS): zone and code application*. Furthermore, education and occasional care is a permitted use in the zone, with the Village Zone providing greater flexibility for the site in terms of use than the Community Purpose zone.

Notwithstanding, if the Department of Education's preference is to have the site zoned Community Purpose, this is also consistent with the Section 8A Guidelines, given the Franklin Primary School is a key community facility. Accordingly, the Planning Authority has no objection to the site being zoned Community Purpose.

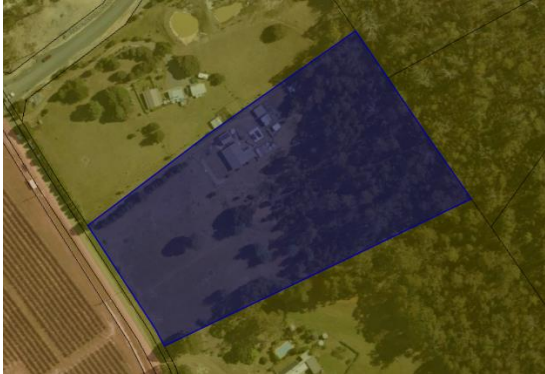
Cygnet Library - PID: 5851795

The proposed Local Business is a transition of the existing zone. The use of the Local Business zone is considered to be consistent with the Section 8A Guidelines, noting some community facilities and services may be zoned the same as the surrounding zone, if the zone is appropriate for the nature or scale of the intended use, such as

	<p>a small-scale place of worship, public hall, community centre or neighbourhood centre. The Cygnet library is considered to be a small-scale community use.</p> <p>Notwithstanding, given the site adjoins other community facilities including St James Catholic College, which is zoned Community Purpose and therefore any change to the zone to Community Purpose will not create a relatively small parcel of land as a spot zone, the Planning Authority does not object to the site being zoned Community Purpose.</p> <p><u>Wayraparattee Child and Family Centre PID: 5255061</u></p> <p>The proposed Local Business is a transition of the existing zone. The use of the Local Business zone is considered to be consistent with the Section 8A Guidelines, noting some community facilities and services may be zoned the same as the surrounding zone, if the zone is appropriate for the nature or scale of the intended use, such as a small-scale place of worship, public hall, community centre or neighbourhood centre. The Wayrapartee Child and Family centre is considered to be a small-scale community use. Furthermore, Community Meeting and Entertainment is a permitted use in the zone and a change of zone would result in a spot zone.</p> <p>Notwithstanding, the Planning Authority does not object to the site being zoned Community Purpose.</p>
Recommended action	Change sites to Community Purpose
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>3.</b>	<b>Tyler Duffield</b>
Matters raised	<p>The representation requests 25 Turn Creek Road, Grove (PID: 7280551; CT: 25598/4) be zoned for Rural Living B, rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Noting inconsistencies with proposed zoning and submit that the obvious zoning for the property should be Rural Living B: <ol style="list-style-type: none"> <li>As for the requirements set out in 22.0 Landscape Conservation Zone.</li> <li>The lot size in question is 2.51 hectares, whereas the minimum lot size for this zoning is 50.00 hectares.</li> <li>Buildings are not set back the required 20 metres from a side boundary.</li> </ol> </li> </ol>

	<p>(d) The lot is across the road from Hansen's Orchards, a major agricultural producer, and their property, including a frost fan is less than 200 meters from the residence.</p> <p>(e) Specific instructions were given to councils with regard to lots such as this being inappropriate for zoning Landscape Protection.</p> <p>2. As for the current use/state of the lot:</p> <p>(a) Dwellings, sheds and improvements were built on the lot in the 1980s.</p> <p>(b) The majority of the lot is cleared paddock, and the majority of the lot currently uncleared was cleared less than 10 years ago.</p> <p>(c) The main purpose of the lot for the past 35 years has clearly been residential &amp; home business based, as is the case with the other lots in Turn Creek Road.</p> <p>(d) The block has often been home to a small number of grazing or hobby animals.</p> <p>(e) The block is 2.51 hectares.</p> <p>(f) The current state and historical use of the block fits perfectly with Rural Living Zone B.</p> <p>3. A note on the 'natural justice' of a fairer zoning</p> <p>(a) The lot is currently subject to all of the negatives of rural living in terms of both distance from amenities, poorly kept roads, and impacts on peaceful existence from the activities of neighbours.</p> <p>(b) These negatives include being subject to general agricultural noise and nuisance from the opposite agricultural business and unreasonable amounts of agricultural noise from frost fans which are, for whatever reason, outside of any jurisdiction or regulation.</p> <p>(c) It would seem only fair that these negatives should be offset by the positives of rural land ownership, which would be seriously limited by the proposed zoning.</p> <p>4. A note of the development of 'Bullock Hill' and the notes regarding flora and fauna supposedly attached to the lot:</p> <p>(a) An attachment to the proposed zoning interactive map outlines 'priority vegetation' covering some parts of the lot – this map clearly overstates the uncleared portion of the lot and does not reflect the fact that until a few years ago the cleared portion extended much further and what has grown back is a mix of conifer and scrub.</p> <p>(b) Any environmental value of the uncleared part of the block would seem somewhat overstated – I note the reliability of the assessment is listed as 'variable'.</p> <p>(c) The Rural Living Zone B zoning would clearly give satisfactory protection to these parts of the lot, which are not particularly suitable for further clearing or development.</p> <p>(d) The notion that the lot adjoins an area requiring significant protection must be untrue as the council approved the subdivision and</p>
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	<p>development of the land to the rear, known commonly as ‘Bullock Hill’ – this subdivision has taken place with significant cuts into the land, sealed roads, and major site works.</p> <p>(e) The council further approved the removal of their condition requiring the developer to install underground power and the area received above ground power.</p> <p>(f) The lot in question is therefore adjoined only by residential type lots of around one or two hectares in size.</p> <p>5. A note on the direction of development in the Huon Valley:</p> <p>(a) The pandemic has shown the problem of putting all of the valley’s economic eggs in the fruit production and tourism baskets.</p> <p>(b) If the valley wants to be more than a destination for day-trippers or a commuter suburb of Hobart, it needs to allow residents to make better use of their land.</p> <p>(c) Residents will not be able to do anything but drive out of the valley if they are subjected to needlessly restrictive land use controls.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPPs.</p> <p>The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Grove, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for this area, their characteristics are akin to a Rural Living area in terms of lot size and</p>

	<p>density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and to ensure a consistent pattern of applying the Rural Living Zone, this site and the lots within Grove that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area C).</p>																																																		
Recommended action	<p>Include this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living C. Specifically, the title references include:</p> <table><tr><td>180249/25</td><td>180249/20</td><td>180249/28</td><td>33461/2</td><td>180249/24</td></tr><tr><td>181367/6</td><td>181367/18</td><td>180249/1</td><td>181367/15</td><td>161389/2</td></tr><tr><td>45249/1</td><td>25598/8</td><td>25598/5</td><td>181367/10</td><td>181367/8</td></tr><tr><td>33461/3</td><td>181367/13</td><td>33461/1</td><td>168574/2</td><td>181367/11</td></tr><tr><td>181367/14</td><td>31675/2</td><td>181367/5</td><td>181367/2</td><td>181367/16</td></tr><tr><td>181367/7</td><td>25598/4</td><td>181367/17</td><td>180249/26</td><td>181367/12</td></tr><tr><td>168574/1</td><td>180249/23</td><td>161389/1</td><td>181367/3</td><td>25598/3</td></tr><tr><td>111552/1</td><td>29620/1</td><td>181367/9</td><td>130807/7</td><td>181367/4</td></tr><tr><td>8304/1</td><td>180249/22</td><td>180249/27</td><td>142886/1</td><td>180249/21</td></tr><tr><td>181367/19</td><td></td><td></td><td></td><td></td></tr></table>	180249/25	180249/20	180249/28	33461/2	180249/24	181367/6	181367/18	180249/1	181367/15	161389/2	45249/1	25598/8	25598/5	181367/10	181367/8	33461/3	181367/13	33461/1	168574/2	181367/11	181367/14	31675/2	181367/5	181367/2	181367/16	181367/7	25598/4	181367/17	180249/26	181367/12	168574/1	180249/23	161389/1	181367/3	25598/3	111552/1	29620/1	181367/9	130807/7	181367/4	8304/1	180249/22	180249/27	142886/1	180249/21	181367/19				
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<b>4.</b>	<b>Rachel and Shaun Dale</b>
Matters raised	<p>The representation requests Lot 1, Huon Highway (PID: 2818463; CT: 152300/1) remains zoned as Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p>


	<ol style="list-style-type: none"> <li>1. The intended planning outcome of the application of the Landscape Conservation Zone, coupled with the Natural Assets Code and Agriculture Zone, in the Huon Valley LPS is: <ol style="list-style-type: none"> <li>(a) To preserve the 'character' of the Huon Valley by preserving low land agriculture areas and the vegetated hills and mountains that frame it;</li> <li>(b) Contribute to the conservation of flora, fauna and ecological communities found in the Valley, particularly those that are rare or threatened; and</li> <li>(c) Where appropriate, allow for small scale low impact development that compliments the natural environment it is contained within.</li> </ol> </li> <li>2. When the mapping of the zones was undertaken, CT 152300/1 was fully vegetated and would have met the criteria for Landscape Conservation Zone. Prior to the release of the draft LPS, a Forest Practices Plan was initiated and approximately 75% of the Title has now been cleared and will be converted to pasture to as per the provisions of the Forest Practices Plan.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	Confirmed Forest Practices Plan MJS 0757 allows for the permanent conversion of native vegetation to pasture. Considering this information, the site characteristics better align with the <i>Guideline 1 Zone and Code Application</i> for application of Rural zone.
Recommended action	Modify the draft LPS to Rural for 152300/1
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

5.	Michael McGrath
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Matters raised	<p>The representation queries the rezoning of 30 Cowmeadows Road (PID: 5854953; CT: 125511/1) to Agriculture Zone.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property was historically an orchard which no longer exists and has not for many years.</li> <li>2. Of the seven properties surrounding and abutting the property, six are zoned as Rural. This does not include the two properties on the other side of Channel Highway which are also zoned as Rural.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i></p> <p>RCMG undertook further investigation as to the site's suitability for inclusion within the Agriculture Zone determined that the most appropriate zoning for the site is Rural, along with CT 125503/1 and CT 28992/4.</p>
Recommended action	Modify draft LPS to include 125511/1, CT 125503/1, and CT 28992/4 to Rural
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>6.</b>	<b>Michael and Janet McGlynn</b>
Matters raised	The representation requests 8520 Channel Highway, Woodstock (PID: 2247277; CT: 139543/4) remains zoned as Rural rather than Agriculture.


	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is 8.9ha with no access to water (house run on tank water with a small dam) and land is noted as a Landslide Hazard Area.</li> <li>2. Land Capability- minimum irrigated Perennial Horticulture is 10ha, property is 8.9ha and therefore not within the Enterprise Cluster and minimum title sizes (2016). For titles to be considered potentially suitable for ES1, ES2 or ES3 they also needed to have access to an irrigation supply. The ALMP developed a conservative method to determine if there was potential access to irrigation resources. A 3km buffer was provided for around existing water allocations, functional bores (flow rate &gt;10l/sec) and major watercourses. The methodology also considered topography to determine if pumping would likely be economically viable. This conservative method has contributed to many titles being mapped as potentially suitable for ES1, ES2 or ES3, however, local scale assessment might determine that there is little to no potential for water resources, which could then impact on their potential for consideration for the Agricultural Zone.</li> <li>3. When considering the physical limitations for agricultural use of a title or area the Tasmanian Land Capability classification system is a useful tool to utilise. The Land Capability system incorporates the following site characteristics: <ul style="list-style-type: none"> <li>• Climatic limitations (temperature, altitude, rainfall)</li> <li>• Soil limitations (soil depth, salinity, coarse fragments and rock outcrops)– on the same hill as Duggans quarry</li> <li>• Wetness limitations (soil drainage, flood risk)</li> <li>• Erosion (water erosion, wind erosion, mass movement)</li> <li>• Complex topography.</li> </ul> </li> <li>4. Land Capability Report shows the site has generally low land capability class. Steep slopes, stoniness, susceptibility to erosion and sodic subsoils mean the entire site is unsuitable for cropping of any kind. Additionally, its lack of access to water renders it unsuitable for horticulture. The land is theoretically suitable for pastoral uses, but its small (&lt;10 Hla) size would make such applications un-economical.</li> <li>5. Duggans Mining Lease runs the full length of our property as land suitable for mining rock.</li> <li>6. Telstra has fibre optic cable from the new tower at Duggans plus Telstra right through the front. Cannot be certain on cable depths due to animal grazing and movement.</li> </ol>
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	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Significant Agriculture in the interim planning scheme, in accordance with AZ 2 Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</p> <p>The representation included a Land Capability report that supports a zoning of Rural. This representation including the land capability report has been considered by RMCG Agriculture Consultants who have concluded that it has been demonstrate that the Agriculture Zone is not the most appropriate zone for the land in accordance with AZ6 (e). Accordingly, the Planning Authority has no objection to the site being zoned Rural.</p>
Recommended action	Change site to Rural Zone in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>7.</b>	<b>Paul Ryder and Jane Wilson</b>
Matters raised	<p>The representation requests that the lower 1Ha of 27 Kent Street, Franklin (PID: 2842148; CT: 145083/1) be zoned Low Density Residential rather than Agriculture.</p> <p>OR</p> <p>The representation proposes a change to the planned zoning for the area associated with 27 Kent Street, Franklin (PID: 2842148; CT: 145083/1) and surrounding areas.</p>

	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The proposed zoning does not reflect most of the usage for this area, nor does it support the longer-term government objective for future sustainable growth and affordable housing for Tasmania and the Huon Valley.</li> <li>2. The planning proposal identifies an area for Urban Growth Boundary and possible Long Term Residential development. This would create a consistent area of potential growth above the main highway and current Franklin buildings, supporting possible future development across the main Franklin precinct.</li> <li>3. The existing access to roads, water, sewerage and other council infrastructure reduces or eliminates future government infrastructure development costs that would be required to support new developments. Also, given existing roads and infrastructure, the increased proposed potential housing developments would have minimal or no impact on traffic congestion through Franklin.</li> <li>4. The proposal would not impact the Huon River foreshore or village and the skyline, whilst contributing to the controlled sustained growth of the Franklin precinct.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>A rezoning to Low Density Residential as requested or a zoning change for the area more generally, would require a detailed local strategic analysis such as a structure plan and therefore the Low Density Residential is not supported.</p> <p>The land is split zoned Rural Resource and Significant Agriculture under the interim planning scheme. In accordance with AZ2: Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ6. In accordance with AZ6, RCMG undertook further investigation as to the site's suitability for inclusion within the Agriculture Zone and they determined that the current Agriculture zoned area on the site and surrounding area is the most appropriate zone for the site.</p>

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>8.</b>	<b>Grant and Karen Beadle (Ireneinc Planning and Urban Design)</b>
Matters raised	<p>The representation requests 11 Aurora Court, Southport (PID: 3555466; CT: 174299/1) be retained in the Low-Density Zone, rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Retaining the current zoning is consistent with the State Policies, regional and local strategies.</li> <li>2. The site has landscape values present and protected through proposed Natural Asset mapping; however, the area is not large, and the vegetation is fragmented, both internally and because of the adjoining zoning, use, and development including the extent of urban areas cleared land. The site has not been mapped within the Scenic Protection overlay nor has the adjoining land, and therefore it is deduced the site hosts no recognised scenic values.</li> <li>3. Reference made to <i>Southern Regional Land Use Strategy</i>; <i>Huon Valley Land Use and Development Strategy, adopted 2007</i>; and <i>State Policies</i>.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site has characteristics that meet the selection criteria for the Landscape Conservation Zone, particularly given its proximity to the coastal reserve. However, given the:</p> <ul style="list-style-type: none"> <li>• site adjoins boundaries to the north, west and south, land to be zoned Low Density Residential</li> </ul>

	<ul style="list-style-type: none"> <li>• is part of an existing low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development and there is no strategic intent to develop the area at higher densities</li> <li>• the site is approximately 9,000 m<sup>2</sup></li> <li>• The coastal reserve is substantially cleared of vegetation</li> <li>• The site is to be subject to the Natural Assets Code (priority veg)</li> </ul> <p>The zoning of the site as Low Density Residential is considered to be consistent with LDRZ 1 (c) and the most appropriate zone for the site.</p>
Recommended action	Change to Low Density Residential in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>9.</b>	<b>Conservation Landholders Tasmania</b>
Matters raised	<p>The representation supports the rezoning of 47 out of 58 properties with conservation covenants to Landscape Conservation, with a further 8 properties with conservation covenants to be zoned Environmental Management. The representation also agrees with the Planning Authority's decision to apply the Rural Zone to CT 178072/1 at Lot 1 Browns Road, Ranelagh, and CT 105543/1 and 229145/1 at Huon Highway, Dover, and to apply the Agriculture Zone to CT 166918/2 at 100 Randalls Bay Road, Randalls Bay, on the basis of mixed use.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Conservation Landholders Tasmania agrees that the 47 titles should be rezoned to Landscape Conservation based on Planners Portal advice when read together with Guidelines LCZ2, RZ1 and AZ6, as these titles invariably contain values that make them suitable for Landscape Conservation and the natural values within these Reserves have already been identified for protection and conservation by the Minister for Environment.</li> </ol>
Planning Authority response	Noted
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>10.</b>	<b>Don Latham (Gray Planning)</b>
Matters raised	<p>The representation proposes that the zoning of 388 Scotts Road, Cairns (PID: 3248757; CT: 165935/2) Bay be changed from 'Significant Agriculture' to 'Rural Resource', similar to adjacent land found to the south and west.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The properties and the land immediately surrounding the property is predominantly classified as Class 5 and Class 6 land with none of the land examined is prime agricultural land as defined under the State Protection of Agricultural Land Policy 2009.</li> <li>2. The property has limited agricultural potential due to limitations of soil depth and erosion hazard and currently is only subject to limited grazing. The change in zoning from 'Significant Agriculture' to 'Rural Resource' would reflect the land capability of the property.</li> <li>3. The pastures examined on the property were generally poor, with a mix of native and improved species found, with significant weed ingress including a significant matt of moss species in areas of the property. The moss indicating poor drainage, wet soil conditions and a lack of good winter sunlight on parts of the property. A significant area of the property close to Scotts Road is segregated from the main paddock area by two drainage lines, both of which are eroded, and the larger drainage line close to Scotts Road features a few small dams mostly filled with rushes. The eroded gullies have in place been filled with rubbish and other debris in an attempt to slow erosion, which has largely been unsuccessful as the soils are likely to be dispersive.</li> <li>4. The site is inferred to be underlain by Permian sediments of Upper glaciomarine sequences of pebbly mudstone, pebbly sandstone and limestone; with a smaller area of Jurassic dolerite on the eastern side of the property, which is consistent with much of the surrounding environment. Based upon field survey of soils and rock exposures the actual geological pattern differs slightly from the mapping, with no dolerite evident on the property.</li> <li>5. One main soil type was observed across the property, associated with the main rock type. Survey of the property indicates that the soils are derived from Permian sediments of pebbly mudstone, sandstone, and limestone. The soils examined were generally shallow (Figure 9) and in places feature a very high stone content (figure 10). Soils derived from Permian sediments</li> </ol>


	<p>have known potential for soil dispersion, and evidence of dispersive subsoils were observed in the eroded gullies on the site. The soils displayed a duplex profile of fine sandy silt topsoils, overlying mottled grey and yellow silty clay subsoils, with a variable stone content. The soil are classified according to the Australian soil classification as Sodosols due to the expected high sodium content of the soils. The soils are generally poor agricultural soils and are limited by erosion potential, stone content, rooting depth, impeded drainage, and poor nutrient status.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Significant Agriculture in the interim planning scheme, in accordance with AZ 2 Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</p> <p>RMCG undertook further site-specific analysis for the site and concluded the Agriculture Zone is not the most appropriate zone for the land in accordance with AZ6 (e). Accordingly, the Planning Authority has no objection to the site being zoned Rural.</p>
Recommended action	Change site is Rural Zone in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>11.</b>	<b>Tim and Kerrie Doyle</b>
Matters raised	The representation objects to 7558 Huon Highway, Strathblane (PID: 7814744; CT: 100016/1) being zoned Landscape Conservation.


	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Need to clear more land to address our bushfire management plan and has recently been granted permission under the current zoning to operate a timber manufacturing/furniture business that would include the value adding of the timber felled for fire management, turning it into furniture grade timber.</li> <li>2. Need to fall some trees to give house site better access to direct sunlight to utilise solar power to home and business.</li> <li>3. Applied for a FPP, although under current zoning can clear a certain amount of land each year without permission. The rezoning of the land will have a huge financial impact on future plans for home, business and safety for owners.</li> <li>4. There is a Priority Vegetation Overlay proposed on the property that would further restrict owner's ability to protect themselves and their property which includes their business, approved in December 2021, in the advent of a bushfire. Where the business is operating there is a need to clear more vegetation to protect it from bushfire and from falling trees. Business model is based on current zoning.</li> <li>5. Two timber industry experts have walked over the property due to a FPP that owners were implementing and they have seen no evidence of blue gum/swift parrot habitat, the areas all around the property have been logged with seemingly no objection.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p>

	<p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site has more than 80% native vegetation with a class 2 waterway running parallel to the eastern property boundary and forms part of a larger contiguous bushland area.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

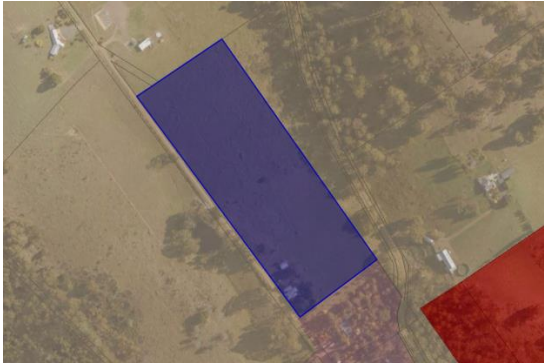
<b>12.</b>	<b>Matthew Anning (Ireneinc Planning and Urban Design)</b>
Matters raised	<p>The representation requests 663 North Huon Road, Judbury (PID: 3041596; CT: 229333/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. According to state aerial imagery, the site is approximately 2.5ha and is predominantly cleared for agriculture with two existing buildings: a hay shed and a storage shipping container. The site has frontage onto North Huon Road in the northeast and the Huon River in the southwest.</li> <li>2. The topography of the site responds to the site's location in relation to the river and stream with a south-south-easterly slope aspect. The lowest part of the site is at the river frontage, and the topography of has a variance of approximately 30m across its entirety.</li> <li>3. The site was mapped in 2016 under the Land Potentially Suited for Agriculture mapping, as class 2A Potentially Constrained. The constraints of the category include the small land size in proportion to high capital value and the site not adjoining a residential zone. Hence</li> </ol>

	<p>the land capability mapping of the site indicates that the potentially constraining small size and steep topography may limit the agricultural uses of the site to pasture and grazing. Such constraints limit the sites overall agricultural value.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i></p> <p>The submission has been reviewed by RMCG in accordance with AZ6, who have concluded that the most appropriate zoning is Agriculture. Accordingly, in accordance with AZ 2 the site should remain in the Agriculture Zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>13.</b>	<b>Patrick and Alison Ryan (Ireneinc Planning and Urban Design)</b>
Matters raised	<p>The representation requests 649 North Huon Road, Judbury (PID: 3041561; CT: 102364/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The site comprises of approximately 2ha of undeveloped vacant land. The site has frontage onto North Huon Road in the northeast and the Huon River in the southwest. There is a natural stream running through the south of the site that runs into the Huon River and includes a dam.</li> </ol>


	<p>2. The topography of the site responds to the site's location in relation to the river and stream with a south-south-easterly slope aspect. The lowest part of the site is at the river frontage, and the topography of the site is relatively steep rising at a gradient of 1:5 from the river towards the road.</p> <p>3. The site is largely cleared for agriculture and pasture and has patches of vegetation around the stream and along the road frontage.</p> <p>4. The site was mapped in 2016 under the Land Potentially Suited for Agriculture mapping, as class 2A Potentially Constrained. The constraints of the category include the small land size in proportion to high capital value and the site not adjoining a residential zone. Hence the land capability mapping of the site indicates that the potentially constraining small size and steep topography may limit the agricultural uses of the site to pasture and grazing. Such constraints limit the sites overall agricultural value.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i></p> <p>The submission has been reviewed by RMCG in accordance with AZ6, who have concluded that the most appropriate zoning is Agriculture. Accordingly, in accordance with AZ 2 the site should remain in the Agriculture Zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>14.</b>	<b>TasWater</b>
Matters raised	The representation supports the Draft Huon Valley Local Provisions Schedule.
Planning Authority response	Noted
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>15.</b>	<b>Steven Milverton (Gray Planning)</b>
Matters raised	<p>The representation considers 46 Percy Street, Port Huon (PID: 2705119; CT: 145872/2) be zoned Rural Living B rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The application of Rural zoning to the subject site at 46 Percy Street currently used for the purposes of a dwelling that is located in the south west corner of the subject site within the property, has closely adjacent residential use and development and is of a very small size unable to realistically support any primary industry or agricultural use is considered inappropriate and is not in accordance with the recommended application of the Rural zone as outlined in the TPC's Section 8A Guideline No.1 LPS zone and Code application guidelines.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>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:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) the land is within the Environmental Living Zone in an interim planning scheme...</li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, whilst it is recognised that the rezoning would provide for limited subdivision, given the land is not part of a recognised Rural Living or Environmental Living community and the proportion of lot sizes between 1 ha – 10 ha in the LGA, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land.</p> <p>Accordingly, the Rural Zone is considered to be the most appropriate zone for the lot.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>16.</b>	<b>Justin and Amy Ward (Gray Planning)</b>
Matters raised	<p>The representation requests 230 Fyfes Road, Mountain River (PID: 5685424; CT: 235100/1) be retained as Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p>

	<ol style="list-style-type: none"> <li>1. New 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.</li> <li>2. Owners 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.</li> <li>3. 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.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural Zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site adjoins Wellington Park, is substantially covered in native vegetation and includes steep slopes connecting Wellington Park.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and</p>

	tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>17.</b>	<b>Graeme Corney</b>
Matters raised	<p>The representation requests the Urban Growth boundary in Franklin Heritage Area be reconsidered.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The Heritage Area itself should be considered as a combination of urban heritage places and rural heritage places. The Heritage Area should not be interpreted as potential for Urban Growth.</li> <li>2. Franklin is a quintessential English village which has a well formed urban townscape with a rural backdrop -with no intermediate suburban infill. That is one of the strongest characteristics of Franklin and should be protected by zoning provisions.</li> <li>3. Zoning should specifically prohibit further residential subdivisions on the hills overlooking Franklin.</li> <li>4. The Urban Growth boundary would be more appropriately somewhere around the 20m contour line. This would confine urban growth to a small area of consolidation to the back of the existing village area and would be well screened from the main road. Importantly the rural backdrop would be retained.</li> </ol>
Planning Authority response	The application of the Village Zone and Low Density Residential is consistent with that under the interim planning scheme. Further, their application is considered to be consistent with the Section 8A Zone and Code Application Guidelines. Any change to these zones and to that end, the town boundary would require a detailed strategic analysis such as the preparation of a structure plan or master plan for the town.

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>18.</b>	<b>Amelia Hannaford and Jamie Smith</b>
Matters raised	<p>The representation is regarding both the proposed re-zoning of PID: 5857214; CT: 209116/1 from Rural Resource to Landscape Conversation and to the Priority Vegetation Report that supports the Natural Assets Overlay.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. In the proposed plan, all the North, East and Southern properties surrounding the property remain Rural or Significant Agriculture, while the property with and the Porta Drive subdivision are re-zoned Landscape Conservation.</li> <li>2. As part of the process towards submitting a planning application and mindful of the Biodiversity Overlay which identified Eucalyptus Amygdalina on Sandstone Substrate as the threatened species, a Natural Values Assessment from the well-regarded Mark Wapstra at Ecotas was conducted. This identified this species and where it is growing as well as assessing all the land's natural values. A map provided by Ecotas identifies the areas of the Amygdalina on the land.</li> <li>3. The new Priority Veg report for this property makes no mention of the Amygdalina and only of the Leptosperum Scoparium and further advises of two threatened species habitats that have not previously been identified in the current Biodiversity Overlay nor are they identified in the Natural Values Assessment.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural Zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is in proximity to the Huon River, is elevated and contributes to a large bushland area.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>19.</b>	<b>Kent and Trudy Wells</b>
Matters raised	<p>The representation requests 48 Packers Road, Huonville (PID: 7887505; CT: 103630/9) be zoned Rural Living rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property (11.42ha) with house &amp; several sheds, is currently used to agist horses and produce hay.</li> <li>2. The reason the property is not being used for more significant Agricultural or Rural Activity is that there is a lack of top soil. The average Top Soil depth</li> </ol>

	<p>would be under 4cm, with below that a Hard Grey Pan (known locally as "Native Cement"), below which is either rock (mainly mudstone) on the ridges or clay in the lower areas.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>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:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) the land is within the Environmental Living Zone in an interim planning scheme...</li> </ul> <p>The STRLUS (see regional policy SRD1.3) support the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. Furthermore, there is no local strategic analysis consistent with the STRLUS that supports this land being zoned Rural Living. Accordingly, the Rural Zone is considered to be the most appropriate zone for the lot.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>20.</b>	<b>Leprena Trust</b>
Matters raised	The representation requests PID: 5268145; CT: 203411/1 at Sullivans Point, Recherche Bay be zoned Rural rather than Environmental Management and a Scenic


Protection Area be applied over part of the Southport Conservation Area (includes State and National Heritage listed areas) and adjoining private land.

Representation general comments:

1. The Leprena Trust Land at PID 5268145 is currently mixed use, native vegetation managed for future bee keeping, consistent with Rural Zone application. The Rural Zone was applied at the time of the Esperance Planning Scheme, when the Leprena Trust acquired the land. Bee keeping activity here aligns with Section 8A – Guideline No 1 LPS.
2. The Rural Zone, if applied to PID 5268145, affords it a buffer from adjoining incompatible development in the Southport Conservation Area and crown land foreshore. Bee keeping activities, once established, will focus on adjoining tea tree and blue gum strands on PID 5268145 and bees can access adjoining areas in the conservation area and foreshore. Bee hives placed at the boundary of PID 5268145 will be near where tea tree is most prevalent. A Rural Zone applied to PID 5268145 will protect this use and activity from fettering that may be caused by development in the adjoining Southport Conservation Area and foreshore zoned Environmental Management.
3. If PID 5268145 remains as an Environmental Management Zone (or, alternately, is placed into the Landscape Conservation Zone), the development set back is only 10 to 20m, which will fetter the bee keeping Rural Use on PID 5268145.
4. A Rural Zone application will enable a 200m development buffer from adjoining development and will prevent fettering of Rural use for bee keeping at PID 5268145.
5. Scenic Protection Area be applied over the proposed Blackswan Lagoon Scenic Protection Area. All private landholders (Tasmanian Land Conservancy, Mr M Vaughan and Leprena Trust, as well as other key stakeholders, are supportive of this proposal and as such: the Scenic Protection area application may only be a minor amendment and not require re-advertising of the draft LPS.



Figure 1. Site location and existing zoning (PID: 5268145)

	 <p>Figure 2. Site location and existing zoning (Proposed Scenic Protection Area)</p>
Planning Authority response	<p>The site is currently zoned Environmental Management. The Environmental Management Zone can be applied to private land containing significant values identified for protection or conservation and where the intention is to limit use and development.</p> <p>The Rural Zone includes 15 permitted uses ranging from an Extractive Industry to Resource Processing, Storage (if for contractors' yard, freezing and cooling storage, grain storage, liquid, solid or gas fuel depot, or a woodyard), and Utilities. Furthermore, the Rural Zone has 20 discretionary uses, such as Custodial Facility, Educational and Occasional Care, Food Services, and Transport Depot and Distribution, and Visitor Accommodation (with no qualifications other than if not listed as permitted). Accordingly, the intensity of the use allowable under the Rural Zone is not considered appropriate for the site characteristics, being a vegetated peninsula.</p> <p>The land is not subject to a scenic protection overlay under the interim planning scheme. Whilst the planning authority does not disagree that this area has significant landscape values, the application of the overlay requires a detailed scenic values analysis prepared by a suitably qualified person. Accordingly, the overlay cannot be applied without this analysis and therefore its application is not supported by the planning authority at this time.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>21.</b>	<b>Pakana Services</b>
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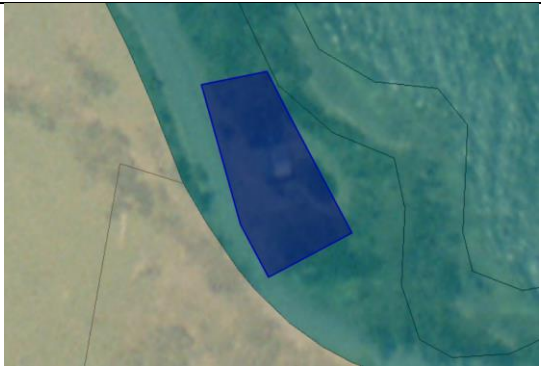
Matters raised	<p>The representation supports Leprena Trust's representation regarding the proposed Blackswan Lagoon Scenic Protection Area.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The area has very high scenic value for the features: Heritage, Landform, Water form, Vegetation, and Native Wildlife features (visual values), consistent when applying the '2018 Guidelines for Scenic Values Assessment Methodology and Local Provision Schedules to assist Southern Tasmania Councils with the scenic protection code'. Scenic protection is critical to the protection of these values.</li> <li>2. Supports the proposed Table 8.1, Management Objectives for no new tracks and infrastructure within public lands and development on private land located and designed to blend with the landscape and not be obtrusive. This is consistent with current statutory management plan for the Southport Conservation Area and Foreshore areas within the proposed Scenic Protection Area 'Tasmanian Parks and Wildlife Service (TPWS) South Port Lagoon Conservation Area George III Monument'.</li> </ol>
Planning Authority response	<p>The land is not subject to a scenic protection overlay under the interim planning scheme. Whilst the planning authority does not disagree that this area has significant landscape values, the application of the overlay requires a detailed scenic values analysis prepared by a suitably qualified person. Accordingly, the overlay cannot be applied without this analysis and therefore its application is not supported by the planning authority at this time.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>

<b>22.</b>	<b>State Emergency Service</b>
Matters raised	<p>The representation raises matters related to flood-prone area hazards, coastal inundation hazards and zoning.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The State Emergency Service (SES) notes that a Flood-Prone Areas Hazard Overlay, has not been included as part of the draft LPS. The Flood Risk Area mapped in the Huon Valley Interim Planning Scheme has not transitioned over into the draft LPS. SES note that the decision to not transition this layer into the</li> </ol>


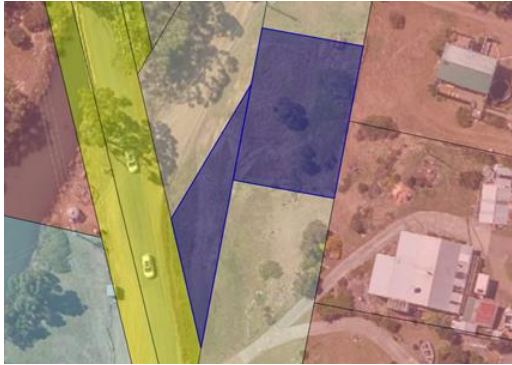
	<p>draft LPS was made based on the need to update the Flood-Prone Areas Hazard mapping to include flood risk areas from the following studies: Huon Valley Flood Resilience 2017; Mountain River Flood Study 2018; Kermadie River Flood Study 2018; Skinners Creek Flood Study 2018.</p> <ol style="list-style-type: none"> <li>2. SES urge the Planning Authority to introduce a Flood-prone Areas Hazard Overlay into the draft LPs as soon as practicable, recognising that the Overlay provides utility not only for the decision-making capability of the Planning Authority, but also to the public as a flood risk communication and planning tool. In the absence of the Overlay, SES consider it is not reasonable to expect the public to be able to extract, understand and respond appropriately to the flood risk information contained in the flood studies described above, thereby introducing a community safety risk into the Municipal Area.</li> <li>3. SES notes the draft LPS has incorporated the Coastal Inundation Hazard Code and Overlay. The Code overlay mapping, and Code list in LAT – Table C11.1 – Coastal Inundation Hazard Bands AHD Levels, have been informed by the appropriate data source, (Coastal Hazards Technical Report, prepared by the Department of Premier and Cabinet (DPAC) in 2016), and prepared in accordance with the TPC Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application. SES supports the use of this information in the draft LPS to enable the full application of the Code and the Director’s Determination – Building Requirements for Coastal Inundation Hazard Areas, which commenced on the 16 March 2020, and will apply when the LPS is made.</li> <li>4. SES notes there are changes in zoning in the transition from the Interim Planning Scheme to the draft LPS. SES supports the use of zones that provide for the management of density in flood-prone and coastal inundation hazardous areas.</li> </ol>
Planning Authority response	<p>The commission requested additional information from the Planning Authority to that identified in recent flood studies (of which the inundation overlay was based on for the draft LPS):</p> <ul style="list-style-type: none"> <li>• Huon Valley Flood Resilience 2017</li> <li>• Mountain River Flood Study 2018</li> <li>• Kermadie River Flood Study 2018</li> <li>• Skinners Creek Flood Study 2018</li> </ul> <p>Given the Planning Authority does not have the additional information required the intention is to transition the existing Riverine Inundation Hazard Area Overlay in the HVIPS to the draft LPS. To this end the request is supported.</p>
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

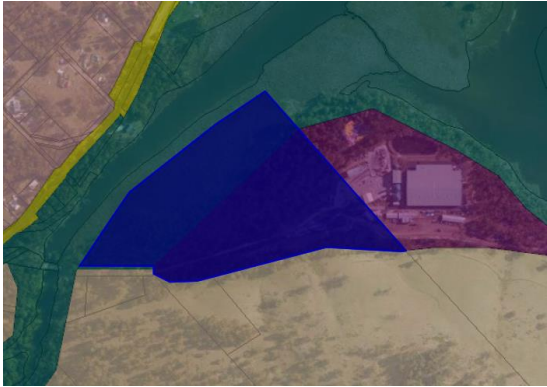
<b>23.</b>	<b>SOS Labour Solutions</b>
Matters raised	<p>The representation requests 981 Esperance Coast Road, Surveyors Bay (PID: 5260936; CT: 138269/3) be zoned Rural or Low Density Residential rather than Environmental Management.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property zoning is an anomaly for the area given its use and size of the property. The building has been used continuously for residential purposes since it is construction around 1950. There are no Reserve Management Plans for the site or for the adjoining properties owned by Crown Land Services and managed by Parks and Wildlife. Residential use is not permitted under the proposed zoning unless used for the accommodation of reserve management staff. It is unlikely that the property will be used by reserve management staff as the adjoining conservation area is a narrow strip of foreshore reserve approximately 30m width which extends from Barretts Bay to the north to Huon Point in the south, a distance of approximately 5.5 km.</li> <li>2. Included within this conservation area is the operations centre for Huon Aquaculture which is zoned Rural Resource and a number of properties zoned Low Density residential located at Surveyors Bay. The conservation area is not subject to any planned maintenance by Parks and Wildlife staff.</li> <li>3. Low Density Residential would allow for the continued use of the property as residential use as a single dwelling, or for visitor accommodation. A low-density zoning would be compatible with other properties in the area with a similar use and land size. The size of the property (1,239 square metres), and the natural terrain will prevent overdevelopment of the site resulting in loss of amenity. The small site and restrictive use of the area available for development means that any residential use of the site will not impact on nearby properties which are currently used for cattle grazing and livestock feed.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Management under the HVIPS and Environmental Management and the draft LPS. The site is surrounded by land zoned Environmental Management and the Surveyors Bay Conservation Area.</p> <p>The site has non-confirming use rights in accordance with clause 9.1. It is highlighted that there are several sites with similar site characteristics and application of zones to this site, including CT 138269/2 and CT 138269/1. There is no strategic intention to have these properties as a recognised residential area and should the application of the Landscape Conservation occur then the Planning Authority would be required to revisit all sites within the Local Government Area with these characteristics. Accordingly, to avoid spot zones and ensure a consistent application of zones, the most appropriate zone for this site is the Environmental Management Zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>24.</b>	<b>Alan Quarmby</b>
Matters raised	The representation requests the narrow Utility zone along Huon Highway, Southport (PID: 3577892; 17705/1) be zoned Rural Living and Lot 2 Wilson's Road, Southport (PID: 3577892; CT: 100088/1 and 201428/1) be zoned General Residential.

	 <p>Figure 1. Site location and existing zoning PID: 3577892; CT: 17705/1</p>  <p>Figure 2. Site location and existing zoning PID: 3577892; CT: 100088/1 and 201428/1</p>
Planning Authority response	<p><u>PID: 3577892; CT: 17705/1</u></p> <p>The folio plan for the certificate of title identifies this area for road widening. In accordance with UZ1 the land is intended to be used as a State Highway and should therefore remain as the Utilities Zone.</p> <p><u>PID: 3577892; CT: 100088/1 and 201428/1</u></p> <p>This site is zoned Rural Resource under the HVIPS. In accordance with LDRZ1 The Low Density Residential Zone should be applied to residential areas. As the Rural Resource zone cannot be considered a 'residential area' the Low Density Residential Zone cannot be applied through the LPS process.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>25.</b>	<b>Huon Aquaculture Company</b>
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Matters raised	<p>The representation requests 85 Whale Point Road, Port Huon (PID: 2536626; CT: 142071/3) be zoned Rural Resource rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This title is currently zoned General Industrial under the Huon Valley Interim Planning Scheme. The balance of the site (CT14207/4) is proposed to remain in the General Industrial Zone and maintain the site specific qualification (HUO-19.1) that allows for an additional Discretionary Use Class being Resource Development 'only for aquaculture or a marine farming shore facility.' Whilst the site specific qualification applies to CT 142071/3 under the Interim Planning Scheme, it has not been carried forward to the draft LPS due to the fact that Resource Development is a Discretionary Use Class in the Landscape Conservation Zone.</li> <li>2. The subject site does not meet the first four criteria for application of the Landscape Conservation Zone given it is currently zoned General Industrial and is not a 'spot zone'.</li> <li>3. HAC engaged EcoTas to undertake a natural values assessment of the entire 85 Whale Point Road site including the land subject of this submission. It is clear that whilst the DOV (Eucalyptus Ovata) community runs as a strip through the site, there are areas of the site on the eastern side that are already developed and have no vegetation value. Further, the report discusses that the DOV community is largely regenerated and not of high quality.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is currently split zoned General Industrial and Environmental Management under HVIPS. The site is proposed to be split zoned Environmental Management for zoning continuity and natural values, together with the Landscape Conservation zone. The Landscape Conservation Zone is being applied due to the constrained nature of the site as a result of a threatened vegetation community and being on the edge of the Huon River and the subsequent landscape values it affords. That is, the intensity of use and development that the Rural Zone provides for is inappropriate for this site.</p>

Recommended action	No modification to draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>26.</b>	<b>Jeanette and Edmund Gormley</b>
Matters raised	<p>The representation requests 171 Caseys Road, Nicholls Rivulet (PID: 1837638; CT: 126620/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. New zoning prohibits any hobby farm, agricultural activities and future ventures. Owners have kept goats for cheese making for years until recently and have in the past had several home-based businesses. Property has hobby farm ventures all around new zoning could limit owner's potential and property value.</li> <li>2. The accuracy of the data used to make assumptions on the vegetation type and coverage on the land is inaccurate. The land has previously been logged and cleared as there are logging tracks on the property and no special species of significance. The wildlife here can be found all down the valley and goshawks, eagles and kites are seen all down the valley and owner's agricultural endeavours make no difference to their habitat. The property has always been Land for Wildlife and under the Rural Resource zone would still be and would enable the family to pursue hobby farming which is limited by the Landscape Conservation zone.</li> <li>3. Please reinstate to Rural Living and not Landscape Conservation.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	Home-based business and resource development are permitted and discretionary uses in the Landscape Conservation Zone. The predominantly vegetated state and location (bordering Mount Wellington National Park) of the site align with the Section 8A application criteria for Landscape Conservation Zone.
Recommended action	No change
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>27.</b>	<b>Stuart Smith</b>
Matters raised	<p>The representation requests the specified land area (PIDs: 7767263, 7767255, 7767247, 2197695, 5852819, 7579377, 2713186, 7668919, 2713194, 2029659, 2538066, 2029640, 2029667, 2029675, 2029683, 2029691, 2029704, 2197716, 2246354, 2796866, 2246442, 2246434) in Cygnet Coast Road, Wattle Grove be zoned Rural Living Zone and not proposed Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Of these 22 properties, 17 properties have existing residences, 3 properties are in the design/planning phase, and 2 properties are of unknown status. Every block has access to either a road maintained by Huon Valley Council or via a private access road, and electricity is available at the perimeter of every block. 10 of the 22 blocks were created through a major subdivision permitted / approved by Huon Valley Council for rural living. These 10 blocks are each roughly 3.5 hectares in size. At the time of subdivision, and by approving such subdivision Huon Valley Council clearly saw this area as a rural residential community, and people purchased these blocks of land with the intent to build a residence and undertake associated development.</li> <li>2. Within these 22 properties (71 hectares) there are four distinct areas of native vegetation. NV1 totals 18.15 hectares, NV2 totals 2.45 hectares, NV3 totals 1.0 hectares, and NV4 totals 7.7 hectares. Combined they represent 29.3 hectares, or about 43% of the total area of PB1. These four areas display a non-continuous native vegetation corridor and therefore it is not conducive to native fauna habitat. It falls well short of the 80% minimum native vegetation required for the Landscape Conservation Zone (SPP).</li> <li>3. The documents used by Huon Valley Council to determine the extent of Native Vegetation appear to be outdated by recent development and construction, and the native vegetation area will further be reduced by the 3 properties that will be submitting for planning applications sometime this year. It further appears that Huon Valley Council are using larger areas of</li> </ol>

	<p>adjacent land which exhibit near 100% native vegetation cover, to justify including areas such as PB1 (which has less than 45% native vegetation cover), to create an average of 80% native vegetation cover across the entire area. This is clearly manipulation of numbers to suit a preferred outcome.</p> <p>4. Under the proposed rezoning to Landscape Conservation Zone the property value will be decimated. As per clause 22.2 the approval for a dwelling will now be discretionary, and under clause 22.4.3 a development application will be rejected as 65 Brooke Street does not have a frontage to a road that is maintained by a road authority.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Petcheys Bay and Wattle Grove, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living (area D) in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied.</p> <p>Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the</p>

	<p>zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>																																			
Recommended action	<p>Include this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. The specific titles include:</p> <table><tr><td>47314/1</td><td>149310/1</td><td>165572/1</td><td>240675/1</td><td>238889/1</td></tr><tr><td>141903/2</td><td>120423/6</td><td>120423/3</td><td>120423/7</td><td>141160/1</td></tr><tr><td>201011/1</td><td>146285/2</td><td>47314/2</td><td>140121/4</td><td>149310/3</td></tr><tr><td>167756/2</td><td>165573/2</td><td>34527/3</td><td>120423/4</td><td>202696/1</td></tr><tr><td>165213/2</td><td>165213/1</td><td>34527/2</td><td>47314/3</td><td>161127/1</td></tr><tr><td>146285/1</td><td>140121/3</td><td>120423/8</td><td>120423/2</td><td>120423/5</td></tr><tr><td>140121/5</td><td>149310/2</td><td></td><td></td><td></td></tr></table>	47314/1	149310/1	165572/1	240675/1	238889/1	141903/2	120423/6	120423/3	120423/7	141160/1	201011/1	146285/2	47314/2	140121/4	149310/3	167756/2	165573/2	34527/3	120423/4	202696/1	165213/2	165213/1	34527/2	47314/3	161127/1	146285/1	140121/3	120423/8	120423/2	120423/5	140121/5	149310/2			
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Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.																																			
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.																																			

<b>28.</b>	<b>Ochre-Rain</b>
Matters raised	<p>The representation supports Leprena Trust's representation regarding the proposed Blackswan Lagoon Scenic Protection Area.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The proposed Blackswan Lagoon Scenic Protection Area would provide greater protection of the area's unique aesthetic and historically significant features. The proposed classification would prevent inappropriate development in the area that would have a devastating impact on the scenic and other values in the area such as the Aboriginal cultural values, historic heritage values and natural values.</li> </ol>
Planning Authority response	The land is not subject to a scenic protection overlay under the interim planning scheme. Whilst the planning authority does not disagree that this area has significant landscape values, the application of the overlay requires a detailed scenic values analysis prepared by a suitably qualified person. Accordingly, the overlay

	cannot be applied without this analysis and therefore its application is not supported by the planning authority at this time.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority's recommendation meets the LPS criteria.

<b>29.</b>	<b>Tasmanian Land Conservancy (Leigh Walters)</b>
Matters raised	<p>The representation supports Leprena Trust's representation regarding the proposed Blackswan Lagoon Scenic Protection Area.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The TLC is one of three private land holders over which the proposed scenic protection area will be applied, and we are aware that all are supportive of proposed Blackswan Lagoon Scenic Protection Area. As such the Scenic Protection area application may only be a minor amendment and not require re-advertising of the draft LPS.</li> <li>2. The current Tasmanian Government is willing to alter reserve management plans to facilitate private commercial development, and as such there is no guarantee that the protection of the area's scenic values will be afforded into the future through TPWS statutory management plans. The scenic values on the foreshore of the TLC property, and at Little Lagoon Beach and Blackswan Lagoon, have been at serious risk due to inappropriate track and infrastructure proposals arising through commercial in confidence projects submitted to the Department of State Growth Office of the Coordinator-General's Expression of Interest process, as well as the TPWS' 'Next Iconic Walk' process.</li> <li>3. It is imperative that local planning measures afford appropriate protection to this area's scenic values through the application of the proposed Scenic Protection Area. The Scenic Protection Area management objective reiterates this intent and provides a mechanism within the local planning framework for the highest level of scenic protection that this locally and nationally important area deserves.</li> </ol>
Planning Authority response	The land is not subject to a scenic protection overlay under the interim planning scheme. Whilst the planning authority does not disagree that this area has significant landscape values, the application of the overlay requires a detailed scenic values analysis prepared by a suitably qualified person. Accordingly, the overlay

	cannot be applied without this analysis and therefore its application is not supported by the planning authority at this time.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority's recommendation meets the LPS criteria.

<b>30.</b>	<b>Jean-Pierre Thebault, Ambassador of France to Australia</b>
Matters raised	<p>The representation supports Leprena Trust's representation regarding the proposed Blackswan Lagoon Scenic Protection Area.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. We request that the Planning Commission directs the local Planning Authority, under section 35K(1)(a) of Lands Use Planning and Approvals Act 1993 (the Act), to modify the Huon Valley Council draft Local Provisions Schedules in accordance with Leprena Trusts Blackswan Lagoon Scenic Protection Area request and enable readvertising and exhibition.</li> <li>2. This area is of outstanding historical significance to Tasmania, Australia and France, as it marks the location if the first landing place of French explorers in 1792-93 and friendly encounters with local populations. Recherche Bay is the first contact of event between the Lyluquonny (Tasmanian Aboriginal peoples) and the French (friendly running races and spear throwing competitions in 1793, and is the place of great cultural significance with numerous Aboriginal heritage living and burial sites.</li> <li>3. The area also held central European scientific endeavours (astronomical observatories, and scientific collections of animals and plants in 1792-93, including the first type specimen for Eucalyptus) and enterprise (bay whaling and convict coal mining during the early 1800's).</li> <li>4. The site holds native wildlife features of acute scenic integrity level, including sea-eagle nests, major local breeding areas and threatened vegetation communities, making its protection of paramount importance.</li> </ol>
Planning Authority response	The land is not subject to a scenic protection overlay under the interim planning scheme. Whilst the planning authority does not disagree that this area has significant landscape values, the application of the overlay requires a detailed scenic values analysis prepared by a suitably qualified person. Accordingly, the overlay cannot be applied without this analysis and therefore its application is not supported by the planning authority at this time.

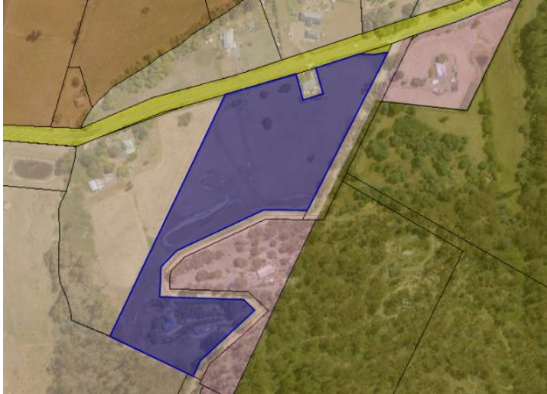
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority's recommendation meets the LPS criteria.

<b>31.</b>	<b>Joe Shemesh</b>
Matters raised	<p>The representation supports Leprena Trust's representation regarding the proposed Blackswan Lagoon Scenic Protection Area.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Inappropriate tourism developments under the current planning scheme would impact on the cultural significance of an environment that deserves to be conserved for future generations.</li> </ol>
Planning Authority response	The land is not subject to a scenic protection overlay under the interim planning scheme. Whilst the planning authority does not disagree that this area has significant landscape values, the application of the overlay requires a detailed scenic values analysis prepared by a suitably qualified person. Accordingly, the overlay cannot be applied without this analysis and therefore its application is not supported by the planning authority at this time.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority's recommendation meets the LPS criteria.

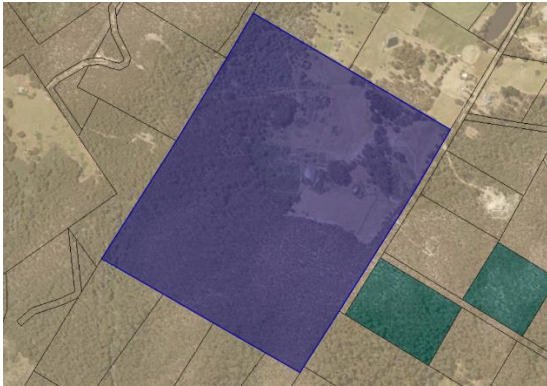
<b>32.</b>	<b>Professor Jean-Philippe Beaulieu</b>
Matters raised	<p>The representation supports Leprena Trust's representation regarding the proposed Blackswan Lagoon Scenic Protection Area.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Recherche Bay and the Black Swan Lagoon area are a site of unique importance for the history of early contacts between French of the d'Entrecasteaux expedition and aborigines people from Tasmania in 1793.</li> </ol>

	<p>These contacts took place in Recherche Bay peninsula, and mostly in the Blackswan lagoon area and on the beach in February 1793.</p> <p>2. The Blackswan lagoon and the beach were the location of a very precious moment in a mostly dark history of contacts between the first people and the newcomers in Australia. The importance of Recherche Bay is now well established, but it is time to underline that the Blackswan lagoon and the beach are equally important and should be preserved for the generation to come. First, because of the symbol for humanity, but also because it is a mostly untouched area of first contact, that should be one day scientifically studied by archaeologists.</p>
Planning Authority response	The land is not subject to a scenic protection overlay under the interim planning scheme. Whilst the planning authority does not disagree that this area has significant landscape values, the application of the overlay requires a detailed scenic values analysis prepared by a suitably qualified person. Accordingly, the overlay cannot be applied without this analysis and therefore its application is not supported by the planning authority at this time.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority's recommendation meets the LPS criteria.

<b>33.</b>	<b>Joel Wright (GHD)</b>
Matters raised	<p>The representation requests 56 Lanes Road, Glen Huon (PID: 1869218; CT: 140811/1) be zoned Rural Living A rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. In review of the Section 8A Guideline No. 1 - Local Provisions Schedule, the Subject land's existing use and development is more consistent with the purpose of the Rural Living Zone than the Rural Zone. Zoning the land to Rural Living A would be consistent with the Zone Application Guidelines RLZ1 (a) and RLZ 2 (b).</li> <li>2. Land Capability on the LIST shows the site as being Class 5-6 and not within an irrigation district. The Subject Land and surrounds are shown as potentially constrained or excluded from study area in the layer 'Land Potentially Suitable for Agriculture Zone'.</li> <li>3. The application of the Rural Living Zone would be in recognition of an existing rural living community, and only limited subdivision potential is</li> </ol>


	<p>created by rezoning, as only one or two additional lots may be created. There is existing road frontages and land does not adjoin or fetter land for agricultural purposes. The land is not within proximity to future urban growth areas (SDR1.3c). The land predominately shares common boundaries with an existing rural living community. The land is subject to limited risks and natural values that would result in management issues from rezoning.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>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:</p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA as having a substantial portion of lots being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha). Therefore, whilst it is recognised that the rezoning would provide for limited subdivision and adjoins an existing Rural Living area, due to the number of lots in the LGA that would also have these characteristics, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land.</p>

	Accordingly, the Rural Zone is considered to be the most appropriate zone for the lot.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority's recommendation meets the LPS criteria.

<b>34.</b>	<b>Penelope Ellicott</b>
Matters raised	<p>The representation requests 64 Klynes Road, Lymington (PID: 3262241; CT: 106052/1) remains zoned Rural A and Rural B rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Remains zoned Rural A and Rural B.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The property is currently Rural Resource and is proposed to transition to Rural. The representors' request cannot be supported as there is no opportunity within SPP to retain or zone types outside of the SPP's.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority's recommendation meets the LPS criteria.


<b>35.</b>	<b>Michael Vaughan</b>
Matters raised	<p>The representation supports Leprena Trust's representation regarding the proposed Blackswan Lagoon Scenic Protection Area.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The area has very high scenic integrity level (for visual heritage, landforms, vegetation, and native wildlife values), and full preservation should be the visual quality objective, and the scenic values should be left unmodified, consistent when applying the '2018 Guidelines for Scenic Values Assessment Methodology and Local Provision Schedules to assist Southern Tasmanian Councils with the scenic protection code'.</li> <li>2. The current government is willing to alter reserve management plans to facilitate private commercial development, and as such there is no guarantee that the protection of the area's scenic values will be afforded into the future through TPWS statutory management plans. It is imperative that local planning measures afford the appropriate protection to this area's scenic values through application of the proposed Scenic Protection Area.</li> <li>3. It is crucial that this Scenic Protection Area be created as it is one of the few last corners of Tasmania where the visual impacts of humans activities are barely visible. This in itself is worth preserving and celebrating. The Scenic Protection Area management objective reiterates this intent and provides mechanism within the local planning framework for the highest level of scenic protection that this locally and nationally important area warrants.</li> </ol>
Planning Authority response	The land is not subject to a scenic protection overlay under the interim planning scheme. Whilst the planning authority does not disagree that this area has significant landscape values, the application of the overlay requires a detailed scenic values analysis prepared by a suitably qualified person. Accordingly, the overlay cannot be applied without this analysis and therefore its application is not supported by the planning authority at this time.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority's recommendation meets the LPS criteria.


<b>36.</b>	<b>Andrew Young and Scott Cunnington</b>
Matters raised	The representation requests 173 Lanes Road, Glen Huon (PID: 2122378; CT: 39076/1) be zoned Rural Living rather than Landscape Conservation.

	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The Property is a cleared lifestyle acreage plot of approximately 3.2 hectares. Approximately 90% of the Property was cleared of trees decades ago - leaving only about 10% tree vegetation. Much of the remaining vegetation comprises mostly non-commercial apple and olives trees, plus non-native established deciduous trees (eg Silver Birch). Given the land clearing and majority of non-native trees, the vegetation on the Property is very different to the vegetation on adjoining properties (which feature mostly native trees). The Property is not on a hill top or ridge line, and there is no continuous forest with adjoining properties.</li> <li>2. The Property does not meet the LCZ 1, 2 and 3 and although some neighbouring properties may meet the LCZ application guidelines, this property does not. This property should be zoned in accordance with its own characteristics. The Property's zoning should not be dictated by the characteristics of some neighbouring properties (for whom a LCZ zoning may be appropriate).</li> <li>3. The property does meet the RLZ 1 guidelines as the property is 3.2 ha. It contains non-commercial hobby farm (apples and olives), but is primarily a family home. Given its 3.2 ha size, it would be appropriate to fall within Rural Living Zone A or B. The Property is part of a well established rural lifestyle community with blocks ranging from under 1ha to greater than 10 ha.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p>

	<p>In reviewing this representation received and others in the Environmental Living Zone of Glen Huon, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>Importantly, there is no strategic intention for this site and the broader Environmental Living area, which is significant in size, to be an area of residential use and development within a rural setting and given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>37.</b>	<b>Steven Gibson</b>
Matters raised	<p>The representation requests 23 Flakemores Road, Eggs and Bacon Bay (PID: 7579617; CT: 30982/6) does not undergo any planning zone changes.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. A zoning change will adversely affect owner.</li> </ol>

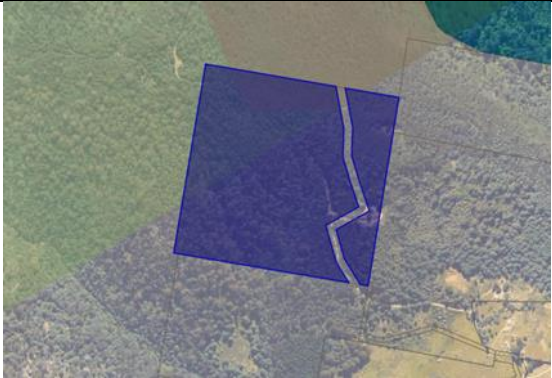
	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The request is not on a Local Provisions Schedule matter, rather the general principle of applying a new Tasmanian Planning Scheme. Notwithstanding this, the lot characteristics most suit Landscape Conservation Zone.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>38.</b>	<b>Olivia Direen and Fred Thorpe</b>
Matters raised	<p>The representation opposes the change of zoning to 22 Judds Creek Road, Judbury (PID: 7384676; CT: 30595/1).</p> <p>Representation general comments: None</p>  <p>Figure 1. Site location and existing zoning</p>


Planning Authority response	<p>While no substantive supporting information was provided in objection to the Landscape Conservation Zone the following justification is provided.</p> <p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP’s. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Judbury, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for these lots, their characteristics are akin to a Rural Living (area C) in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied.</p> <p>Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area C).</p>										
Recommended action	<p>Change proposed zone to Rural Living C together with:</p> <table><tr><td>131119/2</td><td>46513/2</td><td>30595/1</td><td>29618/1</td><td>113653/1</td></tr><tr><td>113652/1</td><td>172374/1</td><td>172374/2</td><td>131119/1</td><td></td></tr></table>	131119/2	46513/2	30595/1	29618/1	113653/1	113652/1	172374/1	172374/2	131119/1	
131119/2	46513/2	30595/1	29618/1	113653/1							
113652/1	172374/1	172374/2	131119/1								
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>										

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>39.</b>	<b>Caleb Elcock (Gray Planning)</b>
Matters raised	<p>The representation objects to the proposed Landscape Conservation zoning and Priority Vegetation Area overlay application to 106 Mitchells Road, Crabtree (PID: 5695438; CT: 246888/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. 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, absence of any natural or landscape values and the absence of any assessment by Council that identifies values or particular environmental attributes as outlined in this representation.</li> <li>2. The owner of the subject site has had a recent Natural Values assessment (see Appendix A) that confirms the subject site has no threatened species and no threatened communities. While the vegetation community mapping of the subject site differs between Tas Veg 4.0 mapping on The List and the assessment undertaken by ECOTas which included site inspections and ground truthing of species present, none of the noted Eucalyptus communities are included in schedule 3A of the Nature Conservation Act 2002.</li> <li>3. It is considered that the Tasmanian Planning Commission instead consider a 'like for like' zoning of Rural for the subject site at 106 Mitchells Road which is compatible with its lack of any identified values, its lower hillside setting close to the valley floor, and being immediately adjacent to Rural zoned land which has been widely applied in the surrounding area to properties with similar characteristics including use, tree over, application of overlays, topography, size and gradient.</li> <li>4. The subject site does have a waterway area mapped, but is not in a coastal setting and does not meet any of the guidelines for having a Biodiversity Protection Area under the current Interim Planning Scheme or a Priority Vegetation Area under the upcoming Tasmanian Planning Scheme and Huon Valley Council LPS overlay applied. The proposed Priority Vegetation Area overlay must be removed as applying to 106 Mitchells Road given there is considered no argument at all justifying its application.</li> </ol>


	 <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Planning Authority does not concur that the Rural Resource zone and the Rural zone are like-for-like zones and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site adjoins the Russell Ridge Conservation Area and has a steep slope reaching from approximately the 340m contour up to the 460m contour. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p> <p>It is also highlighted that the REM identified the vegetation as being of local importance and is bordered by a conservation area on two boundaries. Accordingly, the application of the priority vegetation overlay is appropriate.</p>
<p>Recommended action</p>	<p>No modification to the draft LPS is required.</p>

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>40.</b>	<b>Carl Hinson and Sarah Harris</b>
Matters raised	<p>The representation requests 396 Lady Bay Road, Southport (PID: 5270667; CT: 115676/1) remains Rural Living zone or split zoned Landscape Conservation and Rural Living.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Landscape Conservation Zone rule will prohibit: <ul style="list-style-type: none"> <li>• Future subdivision</li> <li>• Landscaping required to assist around the building drainage, as there is running water from a Council under-road culvert freely flowing onto the property.</li> <li>• Tree clearance for firebreak (owners have been advised by TasFire that the 30m high trees need a bushfire setback of 100m); fencing to keep out neighbour's stock; future road powerline provision or easements for such infrastructure; and bush fire road escape hazard.</li> <li>• Cutting and removal of dead trees for use as firewood, minimising bush fire fuel hazard.</li> <li>• Upkeep of existing access trails to collect firewood.</li> </ul> </li> <li>2. If property cannot remain Rural Living, it is suggested to be given split zone status extending from the seasonally flowing creek which runs tangentially through the property. The southern side of this creek should become LCZ and the northern side retains Rural Living zone status.</li> </ol>
	 <p>Figure 1. Site location and existing zoning</p>

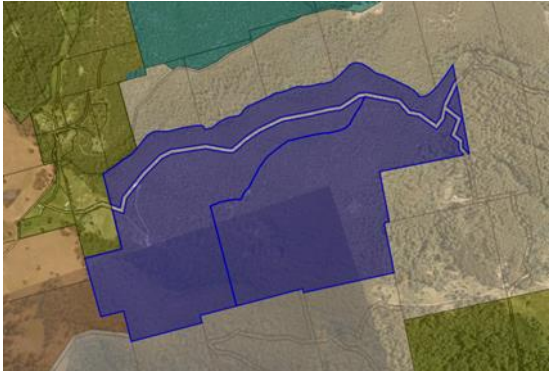
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for this lot (115676/1) and the adjoining lot (115677/1), their characteristics are akin to a Rural Living (area C) in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and the adjoining lot 115677/1 identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area C).</p>
Recommended action	Change this site and the adjoining lot (115677/1) in the draft LPS to Rural Living C
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>41.</b>	<b>Ashdon Hall Pty Ltd - Stephen Eedy</b>
Matters raised	<p>The representation advises that 215 Esperance Coast Road, Surges Bay (PID: 7292798; CT: 26693/2) would be more appropriately be zoned Rural Living than proposed Landscape Conservation.</p> <p>Representation general comments:</p>

	<p>1. Rural Living zone allows for:</p> <ul style="list-style-type: none"> <li>• The protection of days and times for non-residential use.</li> <li>• A greater choice for exterior building surface colours.</li> <li>• Building addition or alteration.</li> <li>• Visitor accommodation being permitted use.</li> <li>• Agricultural use in the form of planting an orchard of assorted fruit/nut trees and sheep grazing.</li> </ul>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Surges Bay, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living (area D) in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p>

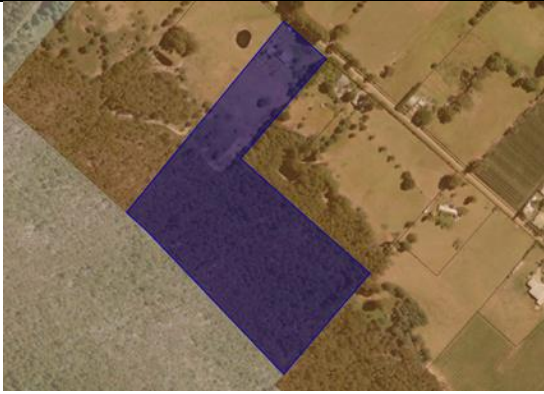
	Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and majority of the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).				
Recommend action	Change this site in the draft LPS to Rural Living D. The specific title references in this area include:				
	125584/9	101367/1	118988/7	156601/6	159437/5
	118988/6	138584/2	149578/1	156601/4	33048/1
	172577/12	172577/11	33048/4	159437/2	109631/1
	156601/3	33048/2	156601/2	104331/1	135836/1
	26693/1	45391/4	143569/1	125584/13	148064/2
	228201/3	104331/4	111336/1	125584/1	156601/5
	159437/4	125584/14	104331/6	104331/5	104331/3
	125584/3	125584/7	159726/2	125584/2	156940/9
	125584/8	30990/1	33553/2	33553/3	125584/5
	156601/1	138584/1	45391/3	33553/4	232952/1
	138584/4	200380/1	159437/3	156601/7	143569/3
	104331/2	159726/1	156601/9	26693/2	33048/3
	156601/8	45391/5	143569/2	45391/8	45391/2
	135217/1	45391/1	109629/1	142280/10	148064/1
	25020/1	125584/4	125584/10	138584/3	125584/6
	101367/2				
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.				
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.				

<b>42.</b>	<b>Elaine and Peter Smith (Gray Planning)</b>
Matters raised	<p>The representation requests 50 Constance Road, Cygnet (PID: 5857599; CT: 167107/1 and 167107/2) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. 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 assessment by Council that identifies values or particular environmental attributes as outlined in this representation.</li> </ol>


	<p>2. It is considered that the Tasmanian Planning Commission instead consider a 'like for like' zoning of Rural for the subject site at 50 Constance Road which is compatible with the historical forestry land use of the subject site, its lack of any identified values, its hillside setting (as opposed to a ridgeline or skyline setting), and being immediately adjacent to Rural zoned land which has been widely applied in the surrounding area to properties with similar characteristics including use, tree over, application of overlays, topography, size and gradient.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site forms part of a large bushland area that adjoins the Snug Tiers. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>43.</b>	<b>Ben and Sharna Rainer</b>
Matters raised	<p>The representation requests 259 Bakers Creek Road, Lucaston (PID: 7887628; CT: 52828/3) be zoned Rural Zone or Rural Living Zone C rather than Agriculture Zone.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners do not believe that the land meets the definition of agricultural land, as defined in the State Planning Provisions. As such, <i>2.0 Planning Scheme Purpose</i> is to provide complementary regulations and provisions for use and development of land. However, in this instance, the zoning instead proves to be unnecessarily restrictive.</li> <li>2. The 2.2 acres of pasture is on a slope of 20-25 degrees (as seen on the LIST). The soil quality is poor and water retention on the slope is minimal which has resulted in the existing pasture being unable to support grazing or baling. The land is severely constrained for agricultural pursuits due to the outlined limitations. The land instead has a lifestyle or hobby scale character that is unlikely to support agricultural enterprise at a commercially viable scale. The land is currently not being used for any agricultural pursuits due to the outlined limitations.</li> <li>3. Owners believe the following zoning is better suited to the characteristics of the land: <ol style="list-style-type: none"> <li>(a) Rural zone – the agricultural use of land is limited as a result of topographical and environmental characteristics, and the zoning provides a broader range of discretionary uses – and hence owner’s possibilities for the land.</li> <li>(b) Rural Living Zone C (minimum lot size 5 hectares) – services are limited and the address has existing natural and landscape values. This zoning would still provide for compatible small-scale agricultural use and development, while not having an adverse impact on residential amenity. The Rural Living Zoning would not hinder agricultural use of neighbouring land.</li> </ol> </li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6. In accordance with AZ6, RMCG undertook a site-specific analysis and concluded that the Agriculture Zone is the most appropriate zone for the land in accordance with AZ6 (e). Accordingly, the Planning Authority has no objection to the site being zoned Rural.</p> <p>Furthermore, RMCG supported rural zoning for this cluster more generally which includes the subject representation and representation 73 (CTs: 119725/2, 52828/2), representation 51 (CT 119725/1) and representation 55 (CT 207407/1). Note, RMCG identified representation 73 (CT 147069/1) to be split zoned Rural / Agriculture and representation 122 (CT 12206/5) to be retained in the Agriculture zone.</p>
Recommended action	Change this site, 119725/1, and CT 207407/1 to Rural in the draft LPS.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>44.</b>	<b>Martin and Robyn Bell (Ireneinc Planning and Urban Design)</b>
Matters raised	<p>The representation requests 740 Lymington Road, Lymington (PID: 5852472; CTs: 199168/1, 108515/1 and 108515/2) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. It is considered that the subject land does not meet the criteria in the following ways:</li> </ol>

	<p>(a) 60.5% of the land is currently used for grazing. In addition, even though the TASVEG 4.0 mapping includes cleared and grazed parts of the subject land the percentage of CT199168/1 mapped as FAG (Agricultural Land) exceeds 22%. The area of this lot with vegetation coverage is therefore less than 80%.</p> <p>(b) The undeveloped vegetated area of the subject land is not contiguous with the neighbouring lots on the opposite side of the road also in the Landscape Conservation Zone, and the land is otherwise adjoining land in the Rural Zone.</p> <p>(c) The area of the subject land within the Biodiversity Code (current HVIPS being the same as the Draft LPS), while being over 60%, includes areas of trees over paddock currently used for grazing.</p> <p>(d) The subject land forms part of a cluster with the lots to the east however as there are 4 lots on the eastern side of the road, removing the subject land from the cluster would not affect the zone of these other lots. Rural zoning of the subject land would be, on the basis of the above, a consistent approach of the neighbouring adjoining land to the north, west and south.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts resulted in this site together with the cluster of sites zoned Landscape Conservation under the draft LPS in this area being zoned Landscape Conservation. Combined</p>

	<p>these sites have a bushland area of over 20 ha, steep slopes and proximity to the Huon River.</p> <p>Upon review of the representation. It was determined that the bushland area was not entirely contiguous and with the sites' native vegetation being subject to the Natural Assets Code, the more appropriate zone for this site and other's in this cluster, in accordance with RZ1 and RZ3 (b), is Rural.</p>
Recommended action	<p>Change site to Rural in the draft LPS and other sites in this cluster including:</p> <p>199168/1      5852528      8963/1      8963/2      225673/1</p>
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>45.</b>	<b>Shane Johnson</b>
Matters raised	<p>The representation requests zoning amendments for 7 properties and various titles in Franklin, listed below:</p> <ul style="list-style-type: none"> <li>• 43 New Road (PID: 2641047; CT: 144704/1) from Rural to Low Density Residential (LDR), Rural Living B and Landscape Conservation.</li> <li>• 39 New Road (PID: 7556001; CT: 38804/1) from Village to Low Density Residential.</li> <li>• 24 Old Road (PID: 5708884; CT: 53331/1) from Village to Low Density Residential.</li> <li>• (26) Old Road (PID: 5708876; CT: 102910/1) from Rural to Rural Living B.</li> <li>• 48 Old Road (PID: 2123768; CT: 137432/2) from Rural to Rural Living B and Landscape Conservation.</li> <li>• Lot 1 Huon Highway (PID: 9939928; CT: 101857/1) from Village, Rural and Rural Living B to Village (reduced), Low Density Residential and Rural Living B (enlarged).</li> <li>• 14 Temperance Lane (PID: 7672221; CT: 30484/1) from Village to Low Density Residential.</li> <li>• Various Titles without frontage to Huon Highway</li> </ul> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The purpose of the representation is to: <ol style="list-style-type: none"> <li>(a) Retain the rural backdrop, narrow, low infrastructure lanes and linear town and prevent creeping suburbia. This in keeping with the Heritage</li> </ol> </li> </ol>

	<p>Area Assessment by Corney. This would constrain residential growth generally to the 20m contour. This would be within the limits of existing road and water and sewerage infrastructure and would preserve the views to and from foreshore.</p> <p>(b) Allow for limited Rural Living sub-division of land currently zoned Rural but incapable of intensive agricultural use. There would be a total increase of three (3) new Rural Living titles at 48 Old Rd (one) and 43 New Rd (two).</p> <p>(c) Provide two (2) new Low Density Residential blocks at 43 New Road and a land bank of four (4) other potential Low Density Residential blocks.</p> <p>(d) Preserve the area of bush behind the town i.e. between Old Road and New Road and on the hilltops.</p> <p>2. The proposed zone change to 48 Old Road fulfils the purpose of the Zone and Code Application as provided in Section 8A Guidelines No. 1. Rural zone is not appropriate as the agricultural purposes cannot be met and the property sits within a community of Rural Living B zoned properties and bushland. A split zoning of Rural Living B and Landscape Conservation does fulfil the zone purposes. Such zoning best provides for future likely use, provides reasonable sub-division potential, preserves heritage and character values, protects natural values and buffers rather than conflicts with nearby and adjacent sensitive use. Split zoning is not common and nor is it usually desirable. However, it is appropriate for this site which is a mix of small hobby farm and regenerated bushland. Split zoning also has precedent in Franklin.</p> <p>3. It is proposed, regarding 43 New Road, that the land to the east of a line formed from the cadastral point at the south-east corner of 39 New Road, Franklin (CT 38804/1) to the cadastral point at the north-east corner of 24 Old Road, Franklin (CT 53331/1) be zoned Low Density Residential. This line generally corresponds with the 20m elevation. It is proposed that the land to the west of the line described above to a line formed between the cadastral point at the north-west corner of 62 Old Road, Franklin (CT 137432/1) and the cadastral point at the south-east corner of New Rd. Franklin (CT 144704/4) be zoned Rural Living B. The balance of the land to be zoned Landscape Conservation. The proposed re-zoning will create four new lots which will have a modest effect on the amount of housing stock in Franklin without the need for any new infrastructure. A split zoning of Low Density Residential, Rural Living B and Landscape Conservation also fulfils the zone purposes to the greatest extent in what is a difficult planning site. Such zoning best provides for future prospective use, provides reasonable sub-division potential, preserves heritage and character values, protects natural values and buffers rather than conflicts with adjacent sensitive use. Split zoning of this nature is not common and nor is it usually desirable. However, it is appropriate for this reasonably unique site. Also, split zoning of 43 New Road as proposed will facilitate subdivision creating new titles</p>
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	<p>which will become single zoned which will lessen this as an issue. Split zoning also has precedent in Franklin.</p> <ol style="list-style-type: none"> <li>4. Representation seeks to have an area of Franklin currently zoned Village rezoned to Low Density Residential. This affects the following titles- 39 New Road, 24 Old Road, the portion of the title at Lot 1 Huon Highway between a line formed from the cadastral point at the south-west corner of 24 Old Road and the cadastral point at the north-west corner of 14 Temperance Lane and the line formed from the south-west corner of 11 New Road and the cadastral point at north-east corner of Temperance Lane and 14 Temperance Lane.</li> <li>5. Representation seeks to have an area of Franklin currently zoned Rural rezoned to Rural Living B. This affects the following titles- entire title at Old Road (CT 102910/1) and the portion of the title at Lot 1 Huon Highway which is currently zoned Rural. Neither parcel is large enough for agricultural activity, they adjoin the settlement of Franklin and an existing cluster of Rural Living B properties. Rural Living zoning will recognise the current and future use of this land and provide a transition from the urban zonings that they border.</li> <li>6. Representation requests that the Scenic Protection Area overlay on the hillside behind Franklin be extended to include further areas of bush on the upper hillside that provide the scenic backdrop behind Franklin. The land is the area of bush visible from Huon and Channel Highway that form the backdrop to Franklin. This extends the existing overlay which is to the south-west of Franklin further north to include the hillside to the north of Price's Creek (Hope Hill). The hillside behind Franklin is fundamental to its heritage and landscape values. The mix of cleared (previously orchard) land and the wooded hilltops frame and re-enforce the linear character of the township. The Draft LPS recognises the value of the wooded hilltops to the west and south-west of the township with the application of a Scenic Protection Area. These values are no less on the land to west and north-west of the township.</li> <li>7. Representation seeks to have an area of Franklin currently zoned Village rezoned to General Residential and/or Low Density Residential (all areas in Franklin which are currently zoned Village but do not have direct frontage to Huon Highway.) Franklin's built character is derived from its linear development and lack of engineered road infrastructure away from Main Road (Huon Highway). All commercial activity occurs along Main Road. Commercial activity in greenfield Village zoned land will erode those values and cause a loss of amenity due to increased traffic on inadequate road infrastructure.</li> <li>8. Application of Rural Living Zone: <ol style="list-style-type: none"> <li>(a) The Enterprise Scale Analysis included in the Decision Tree (2018) by AK Consultants provide clear guidance on the appropriate rural zoning. 43 New Rd (CT 144704/1), 48 Old Rd. (CT 137432/2), Old Rd (CT 102910/1) and Lot 1 Huon Hwy (part) (CT 101857/1) can be assessed using this</li> </ol> </li> </ol>
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guidance. All of these properties exhibit domestic scale characteristics as defined in the Enterprise Scale Analysis (p24):

- (i) They contain little or no use for agriculture.
- (ii) They range in size from 1-8ha.
- (iii) The land capability is variable.
- (iv) They contain moderate to significant (agriculture) constraints.
- (v) Two of the properties contain residences on the title.
- (vi) Other residences are in close proximity.
- (vii) There is little or no connectivity to an unconstrained title.

(b) These properties provide opportunities for rural residential lifestyles without risking loss of agricultural resource. In doing so, they contribute to buffering at the rural/residential interface.

(c) They are part of a cluster with domestic scale characteristics where (agricultural) potential is negligible. They are, in effect, already converted and would be considered an established Rural Living Area.

9. Use of Split or Multiple Zoning:

(a) LUPAA and the Practice Notes are generally silent on the use or desirability of split or multiple zones on a single title. However, Practice Note 7 does provide guidance on how to best apply split zones. The examples used here show that where possible split zone boundaries should join cadastral points.

(b) In the representations with respect to 43 New Rd., Franklin, 48 Old Rd., Franklin and Lot 1 Huon Hwy., Franklin the zone boundaries across titles join cadastral points. Therefore, the application of split zones meets the guidelines contained in the Practice Notes.



Figure 1. Site location and existing zoning (43 New Road, Franklin PID: 2641047)



Figure 2. Site location and existing zoning (39 New Road, Franklin PID: 7556001)



Figure 3. Site location and existing zoning (24 Old Road, Franklin PID: 5708884)



Figure 4. Site location and existing zoning (26 Old Road, Franklin PID: 5708876)

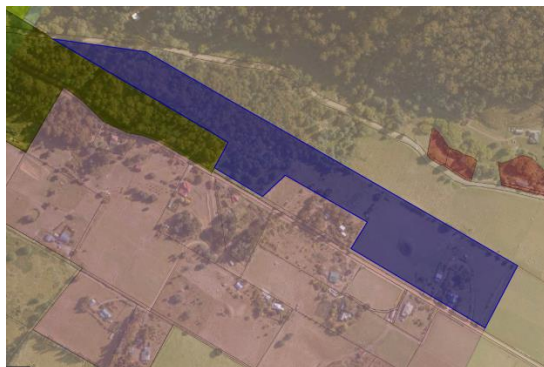


Figure 5. Site location and existing zoning (48 Old Road, Franklin PID: 2123768)

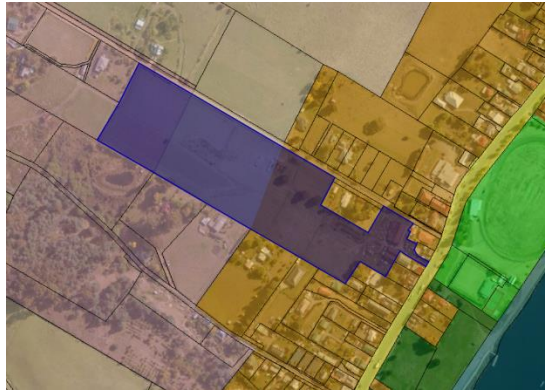
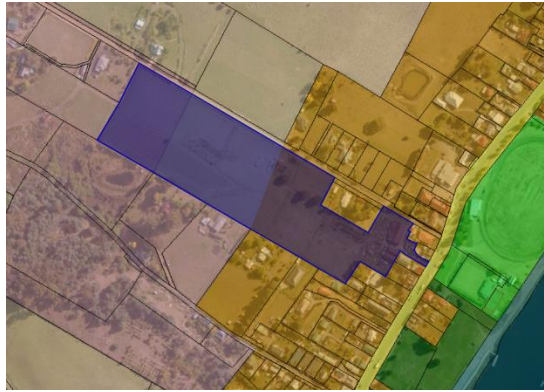




Figure 6. Site location and existing zoning (Lot 1 Huon Highway, Franklin PID: 9939928)



Figure 7. Site location and existing zoning (14 Temperance Lane, Franklin PID: 7672221)

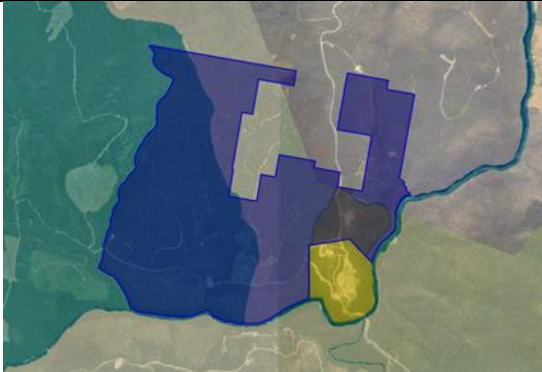
	 <p>Figure 6. Site location and existing zoning (Lot 1 Huon Highway, Franklin PID: 9939928)</p>  <p>Figure 7. Site location and existing zoning (14 Temperance Lane, Franklin PID: 7672221)</p>
Planning Authority response	The identified changes whilst not individually significant, together represent changes that should be undertaken at a township level. That is a detailed strategic analysis in the form of a structure plan or master plan is required to ensure the change in Village zone area together with an increase in Low Density zoned area and Rural Living zoned area is an appropriate response to the current strategic opportunities and constraints of Franklin and the Municipal Area more generally.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


Matters raised	<p>This representation requests 250 Turn Creek Road, Grove (PID: 3594166; CT: 44169/2) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. 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 for both Landscape Conservation and Rural zones with respect to the subject site characteristics. The subject site 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.</li> <li>2. It is considered that the Tasmanian Planning Commission instead consider a 'like for like' zoning of Rural for the subject site at 250 Turn Creek Road which is compatible with the size and extent of vegetation cover on the subject site, its lack of any identified values, its hillside setting close to the nearby valley floor (as opposed to being located on a ridgeline or skyline setting), its large cleared pasture areas and being immediately adjacent and opposite to properties proposed to retain their rural zone under the LPS.</li> <li>3. The owners previously ran farming properties in Queensland before purchasing the property to continue primary industry activity including growing zone appropriate agricultural crops such as Kunzea and therefore have serious concerns about the ongoing viability of their land for primary industry farming purposes under the proposed Landscape Conservation zone.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Planning Authority does not concur that the Rural Resource zone and the Rural zone are a like-for-like zones. To this end, there is a clear policy distinction between the Rural</p>

	<p>Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site above the 170 m contour.</p> <p>In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site contains substantial areas of bushland and is part of a larger bushland area covering the Basin Hill. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the site above the 170 m contour.</p>
Recommended action	Split zone the site so the area below the 170 m contour is zoned Rural and the area above the 170 m contour is zoned Landscape Conservation in the draft LPS.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>47.</b>	<b>Sustainable Timber Tasmania</b>
Matters raised	<p>The representation requests PID: 3392361, CT: 137917/1 be rezoned from Southwood PPZ to Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The Southwood Mill does not operate from the subject site and does not require the property for its operations. Sustainable Timber Tasmania (STT) submits that there is therefore no reason for the Southwood Particular Purpose Zone to be applied to any portion of the property.</li> <li>2. Before the Commission can approve a draft LPS, it must be satisfied that that LPS satisfies the LPS criteria set out in s.34 of the LUPA Act. The LPS criteria include, among other things, that the draft LPS furthers the</li> </ol>

	<p>objectives set out in Schedule 1 of the LUPA Act, and that it is consistent, as far as practicable, with the regional land use strategy relevant to the area. STT submits that these objectives and policies would be better served by zoning the entire property Rural, in line with surrounding PTPZL.</p> <ol style="list-style-type: none"> <li>3. There is a small contingency dam within the relevant area of the property which is connected to the Southwood Mill, but it is not expected that the proposed rezoning would have any impact on this dam. Beyond this, STT is not aware of any part of the property being put to any use in connection with the Southwood Mill. Nor is STT aware of any plans for any part of the property to be put to such a use in future. It is noted that no such expansion could occur into PTPZL without STT's involvement as forest manager.</li> <li>4. For the above reasons, STRLUS does not require the Southwood PPZ to extend to the property. There is at present little prospect that the Southwood Mill will expand to utilise the property, and so SEO 1.3 is not served by the current and proposed zoning of the property. Similarly, changing the zoning of the Property would not impact upon the operations of the Southwood Mill in any way, given that it is not currently used for any purpose relevant to the Mill's operations. Therefore, the Southwood PPZ ought to be limited to the leased Mill Site only.</li> <li>5. STT submits that the above objectives would be better served by zoning the entire Property in such a way that it can be used for forestry operations, which is a prohibited use within the Southwood PPZ.</li> <li>6. By zoning the entire property as Rural Zone, no permit would be required for Resource Development. This would provide consistency with forest operations within other PTPZL in the Huon Valley Municipal Area and allow the land to be sustainably utilised in accordance with the Schedule 1 objectives set out above. It would also have no impact on the operations of the Southwood Mill on the neighbouring Mill Site, and so would not be inconsistent with the relevant policy in STRLUS.</li> <li>7. For the above reasons, STT can see no strategic value in any part of the property falling within the Southwood PPZ. It is considered that it would better serve the Huon Valley Municipal Area for the property to be zoned Rural in its entirety. This would achieve the purposes set out in Schedule 1 of the LUPA Act by: <ol style="list-style-type: none"> <li>a) promoting the sustainable development of natural and physical resources;</li> <li>b) facilitating economic development;</li> <li>c) allowing for sound strategic planning; and</li> <li>d) fully and strategically putting the land capability in the Huon Valley Municipal Area to valuable use.</li> </ol> </li> </ol>
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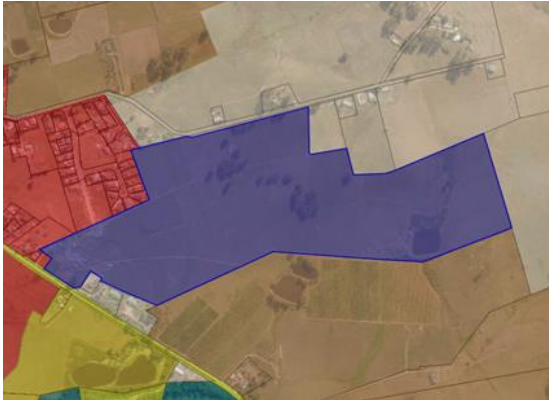
	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	Change to Rural zone as the Southwood Mill does not operate from the subject site and does not require the property for its operations. The PPZ has no purpose.
Recommended action	Change site to Rural in the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>48.</b>	<b>Victoria Horton-Szar &amp; Richard Gooding</b>
Matters raised	<p>The representation requests 44 Klasen Road, Police Point (PID: 7345765; CT: 28070/3) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The Klasen road area is 14 lifestyle blocks from a subdivision in the 1980's. 9 have dwellings are completed. Owner is concerned about not being able to build a home dwelling on land and feels land will be devalued.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Police Point, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this area that is currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>

Recommended action	Include this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. The specific sites include:				
	119908/1	200641/1	155404/6	28070/9	105710/1
	109457/5	142096/1	28070/12	30128/7	125750/3
	28070/15	115370/1	28070/10	131668/1	142096/6
	28070/11	28070/3	28070/8	131668/2	249930/1
	169211/1	40745/2	33528/6	24422/1	33528/3
	212369/1	44038/1	170686/1	28070/14	109457/4
	33528/2	29768/1	159372/2	28070/7	169211/2
	149479/1	30128/6	159362/1	33528/1	149479/2
	39100/1	152177/1	159372/3	157053/1	28070/1
	52924/1	33528/4	40745/1	33528/5	152176/1
	125750/2	105711/1	28070/2	44038/4	142096/2
	125750/1	39100/3	28070/4	118218/1	142096/3
	28070/16	31370/2	155404/5	245000/1	159372/1
	28070/13	170686/2			
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.				
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.				

<b>49.</b>	<b>Aidan Direen</b>
Matters raised	<p>The representation requests 7368 Channel Highway, Cygnet (PID: 3529444; CT: 174032/1) be zoned Rural Living rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Agriculture zoning will compromise the future development of the Cygnet township. The more compatible and sustainable zone of Rural Living is more appropriate. It is consistent with the current uses of the property and future town expansion, in the development and use of existing infrastructure and services. Strategically changing the zoning to Rural Living creates opportunity for Council to plan for the extension of residential development into a zoning that is compatible with the adjoining zones.</li> <li>2. The property has had extensive pressures for a number of years for subdivision development as a logical extension of the residential development of the township of Cygnet. This is consistent with good planning principles in not fragmenting residential development and to maximise the use of available infrastructure and services available.</li> </ol>


	<p>3. The property is not suitable for major irrigation uses for agriculture purposes and does not have its own water supply and is supplemented by the town water supply. As the property borders a residential zone, it makes irrigation for commercial purposes unviable. The Agriculture Zone proposed has serious potential to cause conflict and interference with other land uses, ie: irrigation spraying and farm machinery.</p> <p>4. By changing to Rural Living zone, all natural landscape values can be retained. The ambience of the town is maintained while still providing planning opportunities to meet the needs of the community long term.</p> <p>5. The property has plans for future expansion to include hobby farming and caravan stays as a tourist attraction. The Rural Living Zone is consistent with these intentions and land use strategy uses. This will also provide significant economic benefits to the region and is compatible with recommended changes.</p> <p>6. Owner has a Planning Scheme Amendment and Subdivision dated 30 September 2020, which is evidence of the use of the property for Urban Growth which is in total breach of the intent of the Agriculture Zone. Owner also has an independent report of the viability of the land for agriculture purposes and confirms that the Rural Living Zone is the appropriate zone for the sustainability of the property.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>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:</p> <ul style="list-style-type: none"> <li>a) <i>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</i></li> <li>b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is</p>

	<p>highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Given the land is not part of a recognised Rural Living or Environmental Living community and the proportion of lot size between 1 ha – 10 ha in the LGA, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>Furthermore, RMCG undertook an analysis in accordance with AZ1 (a) RMCG undertook further investigation and analysis as to each site's suitability for inclusion within the Agriculture Zone. It was concluded that the application of the Agricultural Zone was the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>50.</b>	<b>Tasmania Fire Service</b>
Matters raised	<p>The representation is limited in scope to the proposed bushfire-prone areas overlay.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Between 2017 and 2019 TFS worked with Local Government to develop bushfire-prone areas mapping for inclusion in each Council's planning scheme. In 2018 TFS and Huon Valley Council collaborated to produce mapping for the Huon Valley Municipal Area. A bushfire-prone areas overlay was subsequently incorporated into the Huon Valley Interim Planning Scheme 2015 in 2020 following the Tasmanian Planning Commission's approval of Draft Amendment PSA-3-2019. The bushfire-prone areas overlay has now been carried forward into the draft Huon Valley LPS.</li> <li>2. Application of the bushfire-prone areas overlay is essentially determined by proximity to unmanaged vegetation (bushfire fuels). As settlements expand and land use patterns change, it will be necessary to periodically review and update the bushfire-prone areas overlay.</li> <li>3. Since the overlay was prepared in 2018, TFS is aware that a number of significant subdivision projects have progressed. For example, the early stages of residential subdivisions at 136-138 Main Road, Huonville and 38</li> </ol>


	<p>Coolstore Road, Huonville have now been constructed. In both cases, the expansion of the urban footprint has removed grassland fuels that existed when the overlay was originally developed. It is likely that some existing properties could now be removed from the overlay, where application of minimum bushfire requirements is no longer necessary to achieve an acceptable level of residual risk. While such revisions are likely to be relatively minor in the broader context, they would potentially be of significant advantage for the affected landowners.</p> <p>4. It is therefore recommended that Council work with TFS to review the current status of subdivision activity and to identify suitable revisions to the bushfire-prone areas overlay. It is expected that any proposed revisions would be limited to removing properties from the overlay as opposed to expanding the overlay to apply to properties that are not currently designated as bushfire-prone. Revisions of this nature are unlikely to increase detriment to any person or require re-exhibition of the draft LPS. Further, it is TFS's understanding that the draft LPS version of the overlay is not subject to the transitional provisions under Schedule 6, clause 8D of the Act (meaning modifications to the overlay are not precluded).</p>
Planning Authority response	Planning Authority has no objection to making changes to the overlay as requested by the Tasmania Fire Service.
Recommended action	As per advice from TFS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>51.</b>	<b>Ronette Piva</b>
Matters raised	<p>The representation requests 249 Bakers Creek Road, Lucaston (PID: 9267054; CT: 119725/1) be zoned Rural or Rural Living Zone C rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Owner does not believe the land meets the definition of agricultural land as defined in the State Planning Provisions. The land is restricted for agricultural use by both its size and shape. As such, the <i>2.0 Planning Scheme Purpose</i> is not being met. This states that the purpose is to provide complementary regulations and provisions for use and development of land, however, in this instance the zoning instead proves to be unnecessarily restrictive.</li> </ol>


	<p>2. The land is 2 acres in size, with 1.1 acres of pasture on a slope of 20 degrees. The soil quality is poor and water retention on the slope is minimal which has resulted in the existing pasture being unable to support grazing or baling. There is also no existing access to dam or underground water on the property which means the land is impossible to use for agricultural pursuits, development or cultivation. The land instead has a lifestyle character that will not support agricultural enterprise at any scale.</p> <p>3. Rural zoning would be more suitable as the agricultural use of the land is extremely limited as a result of size, topographical and environmental characteristics. The Rural zoning provides a broader range of discretionary uses and hence our possibilities for the land.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> In accordance with AZ6 RMCG undertook a site-specific analysis and concluded that the Agriculture Zone is not the most appropriate zone for the land in accordance with AZ6 (e).</p> <p>Accordingly, the Planning Authority has no objection to the site being zoned Rural.</p>
Recommended action	Change to Rural in the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>52.</b>	<b>Robert Patterson</b>
Matters raised	<p>The representation requests 70 Dillons Road, Gardeners Bay (PID: 5861803; CT:13972/1) be zoned Rural rather than Landscape Conservation Zone.</p> <p>Representation general comments:</p>


	<ol style="list-style-type: none"> <li>1. "I have only recently become aware of this issue and therefore request that this intention to submit a full submission at some future date when I can gather information which I believe will correct this reports assertions."</li> <li>2. Hartzview as it has been known since 1988 consists of 50 ha that has been farmed since 1874. Since that time Hartzview has been used for grazing, small fruit production and since 1988 wine production. A cellar door was opened in 1992. Tourist Accommodation was commenced in 1992.</li> <li>3. The property in question is 6.235 ha with the balance approximately 43 ha remaining as Rural.</li> <li>4. Covid 19 has had a significant impact on owner's Cellar Door with the closure of their cafe. Since that time, the business has restructured and now includes commercial garlic production and increased visitor accommodation. Plans are currently being prepared for an extension to the current accommodation and will be submitted to Council in the next few weeks. Additional accommodation is planned in the next few years. Increased accommodation will enhance the visitor experience of the existing working farm.</li> <li>5. Reasons why owner believes Landscape Conservation is not appropriate for title 237940/1, supported by Natural Values assessment by ECOtas: <ol style="list-style-type: none"> <li>(a) This part of the property was extensively cleared as shown in the attached Report by ECO Tas Fig 9a, an aerial photograph taken in 1976 the year we purchased the whole 50 ha. Extensive areas were cleared and primarily used for summer grazing. We hope to restock when our new fencing program is completed. There is a small dam.</li> <li>(b) This land cannot be seen viewed from either the Woodbridge Hill Road or the Nicholls Rivulet Road due to the general convex nature of the adjacent properties. There appear to be no potential sky lining issues.</li> <li>(c) As shown in the attached report is unlikely that the existing vegetation coverage in the western portion of this land will not be disturbed as the relatively steep nature of this land would prevent building. Potential Landslip issues.</li> <li>(d) The attached advice from Council in relation threatened Flora and Fauna by ECOtas together with associated Appendices clearly demonstrates that Council data on which the decision was primarily based was apparently inaccurate. This was confirmed by this detailed on-site survey.</li> <li>(e) There are no threatened Fauna and Flora species.</li> </ol> </li> </ol>
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	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	Site is zoned Rural Resource under the HVIPS and Rural under the draft – LPS.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>53.</b>	<b>Susan Nelson</b>
Matters raised	<p>The representation requests Lot 3, 884 Glen Huon Road, Glen Huon (PID: 2832441; CT: 141186/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The lot is very similar in topography, environment and size to the adjoining lots to the east which are zoned Rural.</li> <li>2. There are significant constraints to agricultural use on the land, mainly: <ul style="list-style-type: none"> <li>• topography is steep and unsuitable for agricultural uses;</li> <li>• soil is unsuitable for agriculture (shallow and rocky);</li> <li>• land has not previously been used for agriculture and has no potential for agricultural use.</li> </ul> </li> <li>3. The land is not integral to the management of the larger farm holding to the west. This lot is not utilised in conjunction with the adjoining agricultural land and all infrastructure required for the adjoining farm including hay shed, silos, dwelling, internal laneways, pump sites, and separate power supply are all situated on Lot 2 (CT: 141188) which is to be zoned Agriculture.</li> </ol>

	<p>4. This lot is within the Glen Houn village area and is consistent with the natural rural resource.</p> <p>5. All similar Lots in both size and natural resource in the vicinity are zoned Rural (1/227600, 1/231203, 1/235106, 4/141188, 1/17369 and 18/4364)</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>In accordance with the zone application guidelines (AZ2) land within the Significant Agriculture zone in an interim planning scheme should be included in the Agriculture zone unless considered consistent with AZ 6.</p> <p>RMCG undertook site specific analysis of the site in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Rural.</p>
Recommended action	Change to Rural in the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>54.</b>	<b>Russell Lempa</b>
Matters raised	<p>The representation requests 510 Maxfields Road, Franklin (PID: 7887708; CT: 105671/1) be solely zoned Rural rather than split zoned Landscape Conservation and Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The area of land zoned Landscape Conservation has an active gum plantation and has an established piggery. Owner is concerned new zoning will impact the agricultural use of the property.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Franklin, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>It is highlighted however that the area that currently contains a plantation can be zoned Rural in the draft LPS, noting the line of the split zone can be the road in the southern portion of the site zoned Environmental Living in the HVIPS.</p>
Recommended action	Change area south of road currently in Environmental Living Zone to Rural in draft LPS. Remainder of land north of this road to be Landscape Conservation.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


Matters raised	<p>The representation requests 221 Bakers Creek Road, Lucaston (PID: 7669663; CT: 207407/1) be zoned Rural Living A rather than Agriculture and requests an extension of the Lucaston Rural Living Zone along Bakers Creek Road and side roads.</p> <p>Neighbours Mrs Patricia Ann Pook and Dr Michael Pook will be submitting a separate representation for their land, PID 9267055 to be zoned Rural Living (B or C) which representor supports.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Natural Justice: <ol style="list-style-type: none"> <li>(a) The Agriculture zone does not reflect the “existing rural living” settlement pattern. For over 40 years Bakers Creek Road has been a Semi Rural Residential settlement of mainly hobby farms.</li> <li>(b) An Agriculture zoning would reduce amenity and value of our property due to usage restrictions.</li> </ol> </li> <li>2. Compliance with Tasmanian Planning Scheme, State Planning Provision: <ol style="list-style-type: none"> <li>(a) Owner’s Rates Notice Assessment #173906 states we are GenRate Residential and we would be potentially constrained under criteria 2a, Land Potentially Suitable for Agriculture GIS Layer.</li> <li>(b) The purpose of an Agriculture zone is “to protect land for the use or development of agricultural use by minimising conflict with or interference from non-agricultural uses”. However if applied to our property, it will cause land use conflicts; change the existing settlement pattern; impact on our amenity; create competition for finite water resources; intensify road degradation.</li> <li>(c) Our property and those of the Pooks have minimal agricultural viability and are not adjacent to significant tracts of agricultural land. Land capability on PID 9267055 eg. measured 5 and 6. Most properties along Bakers Ck Rd are residential hobby farms. (See Appendix 1 by Dr Michael Pook).</li> <li>(d) Rural Living zoning on our property and our neighbours would avoid conflict and interference. It allows for a continuation of the existing settlement. (See Appendix 2 Letters of Support)</li> <li>(e) Rural Living zoning would comply with its zone purpose “to provide for compatible agricultural use and development that does not adversely impact on residential amenity.”</li> </ol> </li> <li>3. Section 8a Guideline No. 1 LPS: <ol style="list-style-type: none"> <li>(a) “The Rural Living Zone should be applied to residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (eg hobby farming), but priority is given to the protection of residential amenity.” This is consistent with the existing hobby farming settlement along Bakers Creek Road.</li> </ol> </li> <li>4. Southern Tasmania Regional Land Use Strategy 2010/35:</li> </ol>
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	<p>(a) “Planning for rural living opportunities to minimise detrimental impacts” and to “Support the consolidation of existing settlement... Land not currently zoned for such use may only be zoned for such use where one or more of the following applies: 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:</p> <p>(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</p> <p>(ii) only limited subdivision potential is created by rezoning.”</p> <p>(b) A Rural Living zoning along Bakers Creek Road would minimise detrimental impacts; support the consolidation of the existing hobby farm settlement extending from the Lucaston Rural Living Zone at the start of Bakers Creek Road and create minimal if any subdivision potential.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>In accordance with the zone application guidelines (AZ2) land within the Significant Agriculture zone in an interim planning scheme should be included in the Agriculture zone unless considered consistent with AZ 6. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Rural.</p> <p>Furthermore, it is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA as having a substantial portion of lots being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha). Therefore, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p>
Recommended action	Change to Rural in the draft LPS

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>56.</b>	<b>Erik Hayward</b>
Matters raised	<p>The representation requests additional time to submit a full representation concerning Lot 2, Lonnavele Road, Lonnavele (PID: 1492174, CT: 112834/2).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have not had adequate opportunity to engage with what the HVC has planned for my property and I disagree with the proposed zoning. By copy of this letter I am requesting Council to accept my representation to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to my property."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The representation includes no substantive request for a change to a component of the Local Provision Schedule. The Planning Authority, consequently, cannot make significant comment or recommendation, other than to reiterate the application of the proposed zone and any applicable code overlays directly considered by the Section 8A Zone and Code Application Guidelines.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.


Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>57.</b>	<b>Timothy Sanderson</b>
Matters raised	<p>The representation requests additional time to submit a full representation concerning 54 Doodys Hill Road, Port Huon (PID: 2082919; CT: 236136/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have not had adequate opportunity to engage a planner, to properly review what the new zone means to my property and whether I agree or disagree with the proposed zone. By copy of this email/letter I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to my property."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The representation includes no substantive request for a change to a component of the Local Provision Schedule. The Planning Authority, consequently, cannot make significant comment or recommendation, other than to reiterate the application of the proposed zone and any applicable code overlays directly considered by the Section 8A Zone and Code Application Guidelines.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

58.	Sharon Bigwood, Lynette Collins, Gary Pedder and J. Pedder (Ian Stanley)
Matters raised	<p>The representation requests 870 Cockle Creek Road, Recherche (PIDs: 5268954 and 5268858; CT: 206982/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The proposed zoning of Landscape Conservation is inappropriate for a privately owned, freehold title given its historic use and current and possible future use. The property has been owned by the same family since 1969. It is used exclusively as a holiday home. The property has been partly cleared and contains numerous introduced flora species including 6-7 very large Macrocarpa trees. The trees are also a legacy as well as a marker for the European settlement creating the township of Ramsgate.</li> <li>2. It is illogical to impose a zone on a property to "protect, conserve and manage landscape values" that do not either exist or is only minuscule in the broader context of what is, in this case, the wide expanse of the Southwest National Park that abuts the property.</li> <li>3. The use of the land is more consistent with the zone purpose of the Rural Living Zone. Possible future uses can also be undertaken that are consistent with the zone purpose for this unique location under a Rural Living Zoning.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>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:</p> <ol style="list-style-type: none"> <li>a) <i>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</i></li> <li>b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ol> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA as having a substantial portion of lots being of a size typically associated with a rural-residential</p>

	<p>lifestyle (for example 26 % of lots are between 1 ha – 10 ha). Therefore, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The site sits within a broader, predominantly conservation and eco-tourism, landscape. It's this landscape, and the features that comprise it, that draws visitors to the area. In line with application guideline LCZ 2 (c), the primary intention for this area is to protect these landscape features while encouraging complimentary development.</p> <p>The most appropriate zone for the site is Landscape Conservation.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>59.</b>	<b>Nerissa Davis</b>
Matters raised	<p>The representation requests additional time to submit a full representation concerning 159 Rocky Bay Road, Deep Bay (PID: 2540713; CT: 142442/2).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have not had adequate opportunity to engage a planner to properly review what the new zone means for my property and whether I agree or disagree with the proposed zone. By copy of this email I am requesting Council to accept my representation (submission) to the LPS planning changes and I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission TPC in the near future to review any zone impacts or changes to my property."</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The representation includes no substantive request for a change to a component of the Local Provision Schedule. The Planning Authority, consequently, cannot make significant comment or recommendation, other than to reiterate the application of the proposed zone and any applicable code overlays directly considered by the Section 8A Zone and Code Application Guidelines.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>60.</b>	<b>Paul and Sandra Mommers</b>
Matters raised	<p>The representation objects to the Priority Vegetation Area overlay on 32 Pine Lodge Road, Glen Huon (PID: 9789455; CT: 140815/2).</p>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	The overlay extends onto transformed likely due to the presence of a raptor nest which the modelling has buffered. Given the provisions of the priority vegetation overlay will not have any meaningful application in the context of already transformed areas, the Planning Authority seeks to remove the priority vegetation overlay from transformed areas across the municipal area.
Recommended action	Retract overlay from non-native vegetation municipal wide in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.




<b>61.</b>	<b>Nora Bertoz</b>
Matters raised	<p>The representation requests Lot 16 Flakemores Road, Eggs and Bacon Bay (PID: 3578107; CT: 8131/16) be zoned Low Density Residential rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner believes Landscape Conservation Zone will impact ability to build as neighbours have already done and believes this zone will have a massive effect on future plans and value of the property.</li> <li>2. The first property of the subdivision is 20 Flakemores Road and remains zoned as Low Density Residential which is from the same development as owner's property. Other homes currently built in this location such as lot 11, 17 and 16c have been cleared ready to build on. Therefore, the owner's believes the property and the balance of titles in this location should remain the same zone as 20 Flakemores Road which is currently zoned Low Density Residential.</li> <li>3. The current vegetation overlay is not showing the current changes in this location to support the re-zone to Landscape Conservation.</li> </ol> 

	Figure 1. Site location and existing zoning														
Planning Authority response	<p>In addition to being entirely vegetated, 50% of the site is mapped and confirmed wetland. Property entirely constrained by the Waterway and Coastal Protection Code. More than two thirds of the property falls, within medium hazard band inundation mapping, meaning it is at direct risk being entirely inundated during 1% AEP storm events. The lot fronts the Eggs and Bacon Bay esplanade and beach meaning it has scenic values for the users of the public road and beach area.</p> <p>This is a significantly constrained property that is the product of what appears to be a historical subdivision that took little, if any, consideration of the site characteristics and constraints.</p> <p>Notwithstanding, the differences in use between Landscape Conservation Zone and Low Density Residential Zone will not have any meaningful impact on the outcome for this small lot. As such, the Planning Authority has no objection is to the application of the Low Density Residential Zone to this site and rely on the applicable overlays to assess impacts on landscape values.</p>														
Recommended action	<p>Change this site and others in the cluster to Low Density Residential in the draft LPS. The specific title references include:</p> <table><tr><td>8131/23</td><td>8131/15</td><td>8131/11</td><td>8131/17</td><td>8131/13</td></tr><tr><td>8131/18</td><td>8131/14</td><td>8131/10</td><td>8131/16</td><td>8131/12</td></tr></table>					8131/23	8131/15	8131/11	8131/17	8131/13	8131/18	8131/14	8131/10	8131/16	8131/12
8131/23	8131/15	8131/11	8131/17	8131/13											
8131/18	8131/14	8131/10	8131/16	8131/12											
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.														
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.														


<b>62.</b>	<b>Claire Byers</b>
Matters raised	<p>The representation requests additional time to submit a full representation concerning 76 Coal Mine Road, Gardners Bay (PID: 9051498; CT: 180148/2).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have not had adequate opportunity to engage a planner, to properly review what the new zone means to your property and whether you agree or disagree with the proposed zone. By copy of this email/letter I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to my property."</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The representation includes no substantive request for a change to a component of the Local Provision Schedule, noting the site is zoned Rural Resource under the HVIPS and Rural under the draft LPS. The Planning Authority, consequently, cannot make significant comment or recommendation, other than to reiterate the application of the proposed zone and any applicable code overlays directly considered by the Section 8A Zone and Code Application Guidelines.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>63.</b>	<b>Pierre Provin and Allison Fooks</b>
Matters raised	<p>The representation requests additional time to submit a full representation concerning 391 Garden Island Creek Road, Garden Island Creek (PID: 9356184; CT: 129059/4).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “We have not been given adequate opportunity to engage a planner and to properly review what the new zoning means to our property and to decide whether or not we agree with these changes a how they affect our plans to build a home. By copy of this email, we are requesting council to accept our representation (submission) to the LPS Planning changes and that I now included in the opportunity to provide more details and undertake a face to face review with the Tasmanian Planning Commission in the near future to review any zone impacts or changes to my property.”</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The representation includes no substantive request for a change to a component of the Local Provision Schedule. The Planning Authority, consequently, cannot make significant comment or recommendation, other than to reiterate the application of the proposed zone and any applicable code overlays directly considered by the Section 8A Zone and Code Application Guidelines.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>64.</b>	<b>Eric Johnson</b>
Matters raised	<p>The representation objects to Landscape Conservation zoning of Unit 2, 147 Vincents Road, Pelverata (PID: 3308326; CT: 167809/2).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The land is not comprised of 80% native vegetation coverage. The land was substantially cleared of over 50% native vegetation cover more than 41 years ago and this value has not substantially changed.</li> <li>2. The property has been farmed actively for over 60 years including for sawmilling, small fruits, vegetable crops and more recently for cattle breeding and fattening. No vegetation clearing of any significance has occurred since 1981.</li> <li>3. Current and future income from the property is essential to maintaining owner's livelihood and its land use should not be stymied by unwarranted environmental constraints.</li> <li>4. "I have also engaged a planner for any future formal interactions which may be needed with Council or the TPC. Unfortunately, the planner is too busy</li> </ol>


	<p>at this time to assist - hence this submission addressing the salient points of the objection.”</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Peverata, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>Importantly, there is no strategic intention for this site and the broader Environmental Living area to be an area of residential use and development within a rural setting and given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>65.</b>	<b>Lisa Sullivan and David Rowland</b>
Matters raised	<p>The representation objects to Rural zoning of 388 Cygnet Coast Road, Lymington (PID: 1502096; CT: 110282/1) and 380 Cygnet Coast Road, Lymington (PID: 1771798; CT: 116871/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The revised classification of Rural zoning means no single plot of land can be subdivided into less than 40 hectare lots and most neighbouring lots are less than 40 hectares.</li> <li>2. "We write to request more time be allowed for further investigation into the LPS changes and how they will effect our properties at the aforementioned addresses in Lymington. We have only recently become aware of the proposed changes to the rezoning of our properties. We have not had adequate opportunity to engage a planner, to properly review what the new zone means to our properties and whether we agree or disagree with the proposed zone. By copy of this email we are requesting Council to accept our representation (submission) to the LPS planning changes and that we now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to our property."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>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:</p> <ul style="list-style-type: none"> <li>a) <i>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</i></li> <li>b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, given the land is not part of a recognised Rural Living or Environmental Living community and the proportion of lot size between 1 ha – 10 ha in the LGA, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land. Accordingly, the most appropriate zone for the site is Rural.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>66.</b>	<b>Anne Holst</b>
Matters raised	<p>The representation requests 92 Frypan Road, Glen Huon (PID: 7672010; CT: 40644/2) be zoned Rural Living rather than Landscape Conservation Zone.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property has been used for agricultural purposes for the past four years and currently sheep are run on the property. It is entirely fenced, external fencing and into 15 small paddocks used for rotational grazing. There is a winter creek on the property that is separately fenced and no significant or priority vegetation. Some of the boundary of the property has native vegetation.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Appears to be an error in that there is no reason for this property or direction from the Commission. The site is zoned Rural Resource under the HVIPS.</p> <p>Change to Rural as Rural Living would be a spot zone and contrary to the Section 8A guidelines.</p>
Recommended action	Change to Rural in the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria



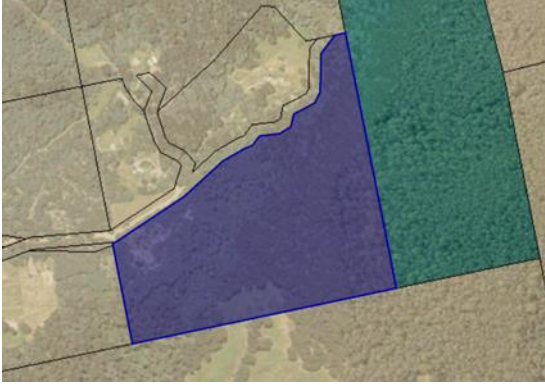
<b>67.</b>	<b>Paul Doust</b>
Matters raised	<p>The representation requests 91 Frypan Road, Glen Huon (PID: 1958878; CT: 133190/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Codes applying to the property include some medium landslip, low landslip, priority vegetation and some bushfire prone. Rural Living is more appropriate to the way the property is used.</li> </ol> 

	Figure 1. Site location and existing zoning
Planning Authority response	Property is in a comparatively isolated area of the Huon Valley. Surrounded by predominantly forestry land. This lot was not included in the original set of planning authority proposed Landscape Conservation properties. The planning authority therefore has no objection with it being Rural and, on reflection, the adjoining properties earmarked as Landscape Conservation Zone should be changed to Rural as there are negligible scenic values and landscape value mapping is somewhat course, with larger cleared areas and some silviculture included as native vegetation.
Recommended action	Change this site and the following sites to Rural in the draft LPS:  <div style="display: flex; justify-content: space-around;"> <span>54055/1</span> <span>133190/2</span> <span>208045/1</span> <span>40644/2</span> <span>133190/1</span> </div> <div style="display: flex; justify-content: space-around;"> <span>49931/1</span> <span>44120/1</span> <span>49931/3</span> <span>52787/1</span> </div>
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>68.</b>	<b>John Lockwood</b>
Matters raised	<p>The representation requests additional time to submit a full representation concerning 6095 Channel Highway, Garden Island Creek (PID: 9125994; CT: 175624/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have not had adequate opportunity to engage a planner, to properly review what the new zone means to your property and whether I agree or disagree with the proposed zone. I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to my property."</li> </ol>


	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The representation includes no substantive request for a change to a component of the Local Provision Schedule. The Planning Authority, consequently, cannot make significant comment or recommendation, other than to reiterate the application of the proposed zone and any applicable code overlays directly considered by the Section 8A Zone and Code Application Guidelines.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>69.</b>	<b>Glenn Corner</b>
Matters raised	<p>The representation requests additional time to submit a full representation concerning 144 Caseys Road, Nichlolls Rivulet (PID: 7475826; CT: 32417/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. In regards to the proposed changes in zoning: I was not notified of any upcoming changes by you, the council; I have not had adequate time to review what the new changes will mean for my property; I do not agree to changes to my property zoning without further information. With this email I am requesting Council to accept my representation to the LPS planning changes and that I now be included in the opportunity to undertake a review with the Tasmanian Planning Commission in the near future to review the impacts of zone changes to my property."</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The representation includes no substantive request for a change to a component of the Local Provision Schedule. The Planning Authority, consequently, cannot make significant comment or recommendation, other than to reiterate the application of the proposed zone and any applicable code overlays directly considered by the Section 8A Zone and Code Application Guidelines.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>70.</b>	<b>Jacinta and Dennis Cantwell</b>
Matters raised	<p>The representation objects to 21 Steeles Road, Nicholls Rivulet (PID: 7255428; CT: 243642/1) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. As the available public information is difficult to comprehend and also assess, we are unable to agree or disagree with the proposed changes. To be able to be adequately informed in relation to our own property undoubtedly requires engaging professionals in town planning and/or law, as has been Council's own advice. This is proving to be quite an onerous task with the upsurge in demand for such consultation services. Therefore, by way of this email, we request Council to accept our representation to the LPS planning changes and allow us to provide more detail to our submission. We also require a face to face review with the Tasmanian Planning Commission to review the impacts of any planned zone changes to our property.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Nicholls Rivulet, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined some of these lots in this area, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. However, for this site (243642/1) it was determined that due to the size of this lot, the contribution that it makes to a large bushland area and landscape values of the Huon Valley more generally, the most appropriate zone for the site is Landscape Conservation.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Matters raised	<p>The representation objects to 110 Garden Island Creek Road, Garden Island Creek (PID: 5862814; CT: 243866/1) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner has inherited property and grew up on the property. It was always used as farm land and although it is now somewhat grown up, owner fully intends to re-clear the paddocks to their former productivity and would also like to subdivide the unproductive land for children to put homes on. Owner believes the new zoning prohibits this, yet prior to the 1967 fires the land in question there was extra dwellings on the property and was productive cropping (fruit) property.</li> <li>2. "I have not had adequate opportunity to engage a planner, to properly review what the new zone means to my property and therefore I must disagree with the proposed zone. By copy of this email/letter I am requesting Council accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to my property."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Garden Island Creek, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values</p>

	<p>include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>Importantly, there is no strategic intention for this site and the broader Environmental Living area to be an area of residential use and development within a rural setting and given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>72.</b>	<b>Scott and Rose Wilson</b>
Matters raised	<p>The representation requests 394 Bakers Creek Road, Lucaston (PID: 3463414; CT: 176285/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The furthest record back the owner has found tells that the property was originally part of “Valley Farm” owned by Henry Oates (1868 - 1948) which was an orchid, dairy farm, and piggery. The property shows signs of being logged in the past and with old fences and the bush regrowth being relatively young. The property currently has a disused building of ill repair which is not on Huon Valley Council’s records, with its exact build date unknown. Owners are working with Huon Valley Council and Building Designers on what is best to do with this structure.</li> <li>2. Surrounding properties are a mix of Landscape Conservation and Rural Zone, even though coverage of bushland is similar amongst all properties.</li> <li>3. The application of Rural Zone best meets the Zone Purpose Statements from the HVIPS 2015 zoning of this land compared to Rural Resource, and correcting the application of this new zoning name to our property will allow us to continue along our path of using this land as we have intended since our purchase of it.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is extensively covered in native vegetation, adjoins the Russell Ridge Conservation Area and has a steep slope. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


**73.**

**Michael and Patricia Pook**

Matters raised	<p>The representation relates to PID: 9267055 incorporating 5 titles (CTs: 12206/7; 119725/2; 12206/6; 52828/2; 147069/1) in Bakers Creek Road, Lucaston and requests an extension of the Lucaston Rural Living Zone along Bakers Creek Road where appropriate. In particular, CT: 12206/7 and 119725/2 to be zoned Rural Living B, and CT: 12206/6, 52828/2 and 147069/1 to be zoned Rural Living C, rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Agriculture zoning does not comply with the purpose “to protect land for the use or development of agricultural use by minimising conflict with or interference from non-agricultural uses” as it will change the existing settlement pattern, impact on amenity, cause land use conflicts, create competition for finite water resources and intensify road degradation.</li> <li>2. The area has been shown to have minimal agricultural viability and is adjacent to significant tracts of agricultural land. Bakers Creek Road has more than 40 residential premises (including hobby farms) and 3 small agricultural businesses on the sealed section and approximately one kilometer of unsealed section.</li> <li>3. Rural Living on the land and that of neighbours would avoid conflict and interference as it allows for a continuation of the pre-existing settlement. This zoning would also comply with the zone purpose “to provide compatible agricultural use and development that does not adversely impact on residential amenity.</li> <li>4. Section 8a Guideline No.1 LPS: “The Rural Living Zone should be applied to residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming) but priority is given to the protection of residential amenity”. This is consistent with the pre-existing hobby farming settlement along Bakers Creek Road.</li> <li>5. Rural Living zoning of B or C would minimise detrimental impacts as discussed; support the consolidation of the existing hobby farm settlements extending from the Lucaston Rural Living Zone starting at Lucaston Road and create minimal, if any, subdivision potential.</li> </ol> <div data-bbox="427 1585 928 1957" data-label="Image"> </div> <p>Figure 1. Site location and existing zoning</p>
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Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site and the cluster of sites is Rural.</p> <p>Specifically, RMCG states: <i>We support Rural zoning for this cluster which includes Rep 73 (CTs: 119725/2, 52828/2), Rep 43 (CT 52828/3), Rep 51 (CT 119725/1), Rep 55 (CT 207407/1). CT 147069/1 (Rep 73) should be split zoned Rural/Agriculture. The balance of the cluster which includes Rep 73 (CT 12206/6, CT 12206/7 and balance of CT 147069/1) and Rep 122 (CT 12206/5) should be retained in the Agriculture Zone.</i></p>										
Recommended action	<p>Include this site and the lots within this cluster as listed by RMCG to Rural in the draft LPS:</p> <table><tr><td>119725/2</td><td>52828/2</td><td>52828/3</td><td>119725/1</td><td>207407/1</td></tr><tr><td>147069/1</td><td>12206/6</td><td>12206/7</td><td>147069/1</td><td>12206/5</td></tr></table>	119725/2	52828/2	52828/3	119725/1	207407/1	147069/1	12206/6	12206/7	147069/1	12206/5
119725/2	52828/2	52828/3	119725/1	207407/1							
147069/1	12206/6	12206/7	147069/1	12206/5							
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>										
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>										


<b>74.</b>	<b>Don Hasell</b>
Matters raised	<p>The representation requests 16 Longleys Road, Huonville (PID: 3064608; CT: 159985/1) be zoned Rural Living rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Rural zoning seems inappropriate given the extent of existing mixed-use activities of the surrounding area including tourism, hospitality, rural industry and rural residential living abutting the property.</li> <li>2. It would be desirable and appropriate to ensure the property and surrounding lands are not locked up in inappropriate and restrictive zoning, such as intensive rural. Part of the property was previously included in a surrounding village zone and this was removed some time ago. It is very clear that this area has been mixed use for some time, its proximity to Huonville and back to Hobart place it in an ideal rural residential area with opportunities for additional tourism and hospitality developments which contribute to the benefit of the community.</li> </ol>

	<ol style="list-style-type: none"> <li>3. The properties to the west of this property at the junction of Thompsons Road and Longleys Road are already zoned Rural Living.</li> <li>4. It is not viable to use the said property for agricultural use on this site due to the following reasons: <ol style="list-style-type: none"> <li>(a) Intensive farming practices would significantly impact Rural Living Neighbours;</li> <li>(b) Control of weeds with poisonous sprays would impact the residential area;</li> <li>(c) Cultivation causing high volumes of dust would impact the residential area;</li> <li>(d) Dogs and other domestic animals; and</li> <li>(e) Soil capability.</li> </ol> </li> <li>5. It is proposed that the property act as a buffer to properties further to the other residential properties.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is currently zoned Significant Agriculture. In accordance with the zone application guidelines (AZ2) land within the Significant Agriculture zone in an interim planning scheme should be included in the Agriculture zone unless considered consistent with AZ 6. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.</p> <p>With regard to the Rural Living request, it is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA as having a substantial portion of lots being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha). Therefore, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land.</p>
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>75.</b>	<b>William and Gaye Reynolds</b>
Matters raised	<p>The representation requests 26 Garden Island Creek Road, Garden Island Creek (PID: 1878245; CT: 130488/1) be zoned Rural Living B or C rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Inappropriate Zoning: <p>Owners oppose the proposed rezoning of the land from Environmental Living to Landscape Conservation and believe it should not be applied on the following basis:</p> <ol style="list-style-type: none"> <li>(a) The land does not satisfy the planning criteria and zone application guidelines for the Landscape Conservation Zone.</li> <li>(b) The proposed rezoning has been based on an incorrect assessment of the land (by matter of facts) by planners or planning consultants; and</li> <li>(c) The grouping of properties to assess the criteria is a flawed process because it ignores the characteristics of a particular property. Further, the zoning boundaries are not based on logical planning decisions having regard to lands which meet or do not meet the planning criteria.</li> </ol> </li> <li>2. Factual inaccuracy in information for zoning: <ol style="list-style-type: none"> <li>(a) Some of the justifications put by the HVC for the rezoning of the subject land are based on large scale spatial data analysis. No onsite inspection appears to have been undertaken and the proposed zoning is inappropriate. The property has less than 20% native vegetation.</li> <li>(b) The Priority Vegetation Report prepared by HVC is derived from large scale spatial analysis and it is noted that reliability is variable and potentially requires on-ground field verification. Threatened species have not been observed on the land and evidence has not been submitted they exist on the land.</li> <li>(c) The land does not meet the criteria for "Protection of land with the highest environmental values has occurred through the application of the ... the Landscape Conservation Zone." (p80). The subject land has been used for agriculture and rural residential use for the last 100 years and is predominantly devoid of native flora and protected fauna. There are large tracts of land within the Municipal Area which far better represent "land with the highest environmental values"</li> </ol> </li> </ol>

	<ul style="list-style-type: none"> <li>(d) P86 Riparian areas along the banks of Garden Island Creek, where native vegetation has been preserved and which form fauna corridors, do not form part of the title of the land.</li> <li>(e) The subject land is not covered by the Coastal Protection Plan or Conservation Covenants.</li> <li>(f) The land is not "Significant landscapes such as key skylines and ridgelines" (p100 LPS-HUO-TPS) warranting protection by the application of the Landscape Conservation Zone.</li> <li>(g) An inspection of the land will observe the land capability classification is under-estimated and the land has suitability for cropping, agriculture and grazing. The property has previously been used as a dairy, poultry farm, horticulture, irrigation, and race horse breeding and training. The land capability is better described as Land Class 4 being "Land well suited to grazing but which is limited to occasional cropping or a very restricted range of crops." The proposed zoning of Landscape Conservation is completely inconsistent with the land's past uses and land capability.</li> <li>(h) Garden Island Creek Road is not a scenic road corridor. It is a no through road, not used by tourists, and only services local residents and land-owners. Much of the road is un-sealed.</li> </ul> <p>3. Financial damages and loss in value:</p> <ul style="list-style-type: none"> <li>(a) There are material changes to permitted uses and development standards under the Landscape Conservation Zone in comparison to the existing zone. The proposed zoning will result in a reduction in permissible land uses (notably Residential), corresponding more difficult planning requirements for approvals for Discretionary Uses, and larger minimum lot sizes, resulting in a reduction in value of the land.</li> <li>(b) In particular, owners note a significant change in the minimum lot size of 6 ha under the existing Environmental Living zone to 50 ha under the draft Landscape Conservation zone would have a material negative impact on the value of the land. Hence Rural Living B or C zoning is suggested.</li> <li>(c) Owners put the HVC on notice the landowners may seek financial damages and their costs in the event there is a down zoning of the land.</li> </ul>
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	 <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Garden Island Creek, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>Importantly, there is no strategic intention for this site and this broader Environmental Living area to be an area of residential use and development within a rural setting and given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
<p>Recommended action</p>	<p>No modification to the draft LPS is required.</p>


Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>76.</b>	<b>Rowan Alden Hull and Craig Hull</b>
Matters raised	<p>The representation requests 6929 Huon Highway, Dover (PID: 5264187; CT: 227734/1) be fully zoned Landscape Conservation rather than split zoned Environmental Management and Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Guideline Number 1, issued by the Tasmanian Planning Commission under Section 8A of the LUPAA issues guidance for the purpose of assisting planning authorities to prepare the draft LPS. Guideline No.1 specifies that the Environmental Management Zone should be applied to land with significant ecological, scientific, cultural or scenic values. The Environmental Management Zone is generally applied to public lands such as world heritage areas, national parks, reserves and crown land. This Title appears to be the only land, with tenure held as private Freehold Title in the whole HVC Local Government Area, to have had the Environmental Management Zone applied under the LPS.</li> <li>2. The Priority Vegetation Report developed by the HVC is for the whole Title, so it is unclear why the Environmental Management Zone has been applied only to some parts. The Priority Vegetation Report has identified, based on modelling by the Regional Ecosystem Model, potential for the Title to be habitat for the following threatened fauna – Swift Parrot, Eastern Barred Bandicoot, Eastern Quoll and Tasmanian Devil. However, the adjacent property (31 Kent Beach Road; PID 7460296; CT 101364/2) which is proposed to have LCZ applied, is also identified in the PVR as potential habitat for three species of threatened fauna. As such, the Environmental Management Zone does not appear to have been applied on the grounds that the area has significant ecological value.</li> <li>3. The draft LPS has identified Reeves Hill as a Scenic Protection Area (reference number HUO-C8.1.22). The Environmental Management Zone proposed area is located on the lower slopes of Reeves Hill, but it has not been included in the application of the Scenic Protection Area Code. As such, the Environmental Management Zone does not appear to have been applied on the grounds that the area has significant scenic value.</li> <li>4. Owners recognise that the Title, along with the rest of the Huon Valley and indeed Australia was traditionally Aboriginal land and that all Country has important Cultural value for Indigenous Peoples. However, we are not aware of any particular cultural value of the area that would deem the</li> </ol>

	<p>Environmental Management Zone appropriate. Similarly, owners are not aware that the area has any particular scientific value.</p> <p>5. As such, owners have concluded that the Environmental Management Zone has been applied to this area of the Title, erroneously in the draft LPS.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>This site is privately owned and not part of the Tasmanian Reserve Estate. The application of the Landscape Conservation Zone across the entire property is consistent with the Zone and Code Application Guidelines.</p> <p>Accordingly, the Planning Authority has no objection to the application of Landscape Conservation Zone to the site.</p>
Recommended action	Include this entire site in the draft LPS as Landscape Conservation.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

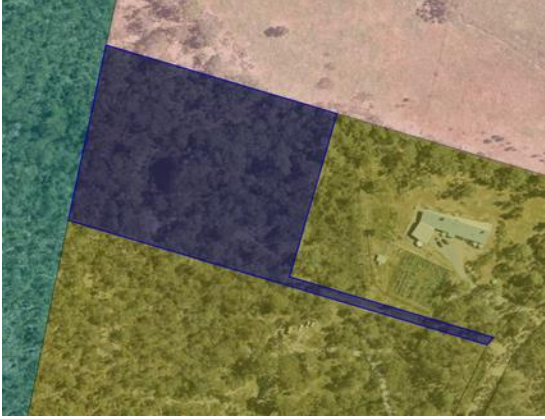
<b>77.</b>	<b>Ashika Gray</b>
Matters raised	<p>The representation requests 212 Rocky Bay Road, Deep Bay (PID: 3428002; CT: 170755/2) be split zoned Rural Living and Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "The following submission is made bound by the condition that the landholder has not had the opportunity to engage a planner or substantially review detail as to the affect that the new zoning will have on the title and that the Landholder requests an opportunity to undertake further research, seek further advice and conduct a face to face review of the provisions with the relevant authority."</li> </ol>

	<ol style="list-style-type: none"> <li>2. The landholder does not dispute the need for the scenic overlay but requests that the scenic overlay be amended to exclude areas of the title that do not impact the visual amenity from points mentioned in the HVLPS, specifically raising the scenic overlay marginally on the northern area of the title and significantly on the eastern valley end of the title.</li> <li>3. The Landholder suggests that the apex and south slope of the hill could potentially be re-zoned "Landscape Conservation" and the remainder as "Rural Living A". This would conserve the bulk of the land area and best of the forest whilst allowing rural living development along the road frontage on the lower slopes at the north of the block. This would bring the lower elements of the title in line with the rezoning to "Rural Living" of the surrounding titles to the North, West and South of the title and connect the "Landscape Conservation" area of the title to proposed similar areas under the HVLPS. Designating the lower slopes as "rural living" may have future benefit to the conserved area in that improved fire management is likely to be undertaken under this zoning thus protecting the ridge and upper slopes from fire fetch and thus lowering the intensity of any possible wildfire.</li> <li>4. The Landholders ask that the HVLPS acknowledge: <ol style="list-style-type: none"> <li>(a) The existence of an historic and existing road passing through the valley from the end of Rocky Bay Rd to Sky Farm Rd.</li> <li>(b) The existence of existing, maintained track on the ridge-line and several tracks extending from this track down the hill to the north.</li> <li>(c) The existence of a newly approved and cleared house site on the unnamed ridge to the North that has already impacted the ridge-line and thus presumably its scenic value.</li> <li>(d) That the land historically: has been extensively clear-felled, logged and burned; until quite recently has been used as a cattle run; and is currently used a wood and timber lot; for the harvest of native cherry and pepper and that it is thus this scenic snapshot that the HVLPS seeks to preserve rather than that of an untouched, un-managed woodland.</li> <li>(e) That the title includes existing dwelling, multiple sheds, extensive productive gardens, orchard, dams, tracks, paddocks, storage areas and managed forests.</li> <li>(f) That the current owner is presently working towards extensions of the agricultural production zone, aiming to continue harvesting timber without clearing or reducing tree cover and further the rehabilitation of the land and wildlife using sound silviculture and bushland management practice.</li> <li>(g) The proposed amendment of Thomas Hill and surrounds to "Landscape Conservation" would encapsulate an area where multiple "Rural Living" properties already exist.</li> <li>(h) The existing developments on this title and adjacent titles are already in line with the objectives of the "Rural Living" classification.</li> </ol> </li> </ol>
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	 <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes a ridgeline/hilltop, significant areas of vegetated slopes and two threatened vegetation communities (DAS and DGL), including foraging habitat for the swift parrot. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>Regarding the Rural Living request, it is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>78.</b>	<b>Tara Thurrowgood</b>
Matters raised	<p>The representation requests 80 Lowes Road, Garden Island Creek (PID: 2526313; CT: 141774/2) to be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have not been given adequate opportunity to engage a planner nor properly review what the new zoning means to my property and whether I agree or disagree with the proposed Zone. By copy of this email, I am requesting Council to accept my representation to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the TPC in the near future to review any Zone impacts or changes to my properties."</li> <li>2. The application of Rural Living Zone to 80 Lowes Road, Garden Island Creek best meets the Zone Purpose Statements from the HVIPS 2015 zoning of this land compared to Environmental Living, and correcting the application of this new zoning name to the property will allow owner to continue along the path of using this land as had intended since acquiring it.</li> <li>3. The application of Rural Zone to 94 Pottery Road, Garden Island Creek best meets the Zone Purpose Statements from the HVIPS 2015 zoning of this land compared to Rural Resource, and correcting the application of this new zoning name to the property will allow owner to continue along the path of using this land as owner had intended since acquiring it.</li> <li>4. Owner considers that the proposed application of Landscape Conservation will negatively affect the valuation of the properties, and as such deems it inappropriate to be moved to. If the Landscape Conservation zoning is applied, owner will have to consider further legal action for the loss of potential income, and devaluation if selling is necessary due to this property no longer serving owner's purposes.</li> </ol>

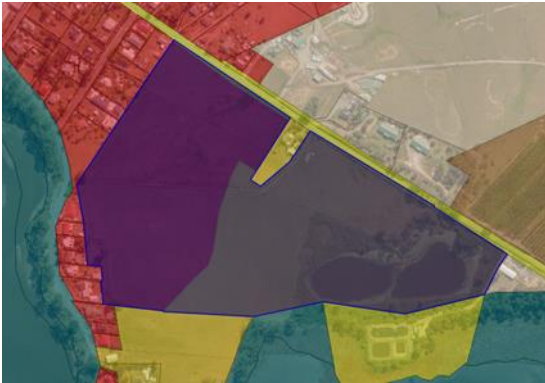
	 <p>Figure 1. Site location and existing zoning of 80 Lowes Road, Garden Island Creek</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Garden Island Creek, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. This site adjoins Echo Sugarloaf State Reserve, is entirely covered in native vegetation of which approximately two thirds is mapped as state and federal listed threatened <i>Eucalyptus Ovata Forest and Woodland</i>. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>79.</b>	<b>Tara Thurrowgood</b>
Matters raised	<p>The representation requests 94 Pottery Road, Garden Island Creek (PID: 5862830; CT: 226994/1) to be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have not been given adequate opportunity to engage a planner nor properly review what the new zoning means to my property and whether I agree or disagree with the proposed Zone. By copy of this email, I am requesting Council to accept my representation to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the TPC in the near future to review any Zone impacts or changes to my properties."</li> <li>2. The application of Rural Zone to 94 Pottery Road, Garden Island Creek best meets the Zone Purpose Statements from the HVIPS 2015 zoning of this land compared to Rural Resource, and correcting the application of this new zoning name to the property will allow owner to continue along the path of using this land as owner had intended since acquiring it.</li> <li>3. Owner considers that the proposed application of Landscape Conservation will negatively affect the valuation of the properties, and as such deems it inappropriate to be moved to. If the Landscape Conservation zoning is applied, owner will have to consider further legal action for the loss of potential income, and devaluation if selling is necessary due to this property no longer serving owner's purposes.</li> </ol>  <p>Figure 2. Site location and existing zoning of 94 Pottery Road, Garden Island Creek</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or</p>

	<p>Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is entirely covered in native vegetation, contains two areas of threatened <i>Eucalyptus tenuiramis forest and woodland on sediments</i>, is dissected by three class 3 waterways with two north south ridgelines separating these. The large area of mapped <i>Eucalyptus globulus</i> wet forest is primary foraging habitat for critically endangered swift parrot.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>80.</b>	<b>Lisa Litjens &amp; Alan Kemp</b>
Matters raised	<p>The representation is in regard to the Scenic Protection Area overlay missing from the proposed housing development on the Cygnet Channel Highway in Cygnet (PID: 3473524; CT: 167891/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This beautiful area has heritage status and affords a view of the Channel waterscape unavailable from elsewhere. It is the first view visitors to Cygnet receive and is loved and valued by residents. From a climate change perspective, we must not be removing scenic overlays, anywhere. It must</li> </ol>

	<p>be preserved. Additionally, the scenic overlay will improve pedestrian and cyclist safety on an increasingly busy road.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is split zoned General Residential and Future Urban.</p> <p>Of relevance is guideline SPC 3: <i>the scenic protection area and the scenic road corridor may only be shown on the overlay map for the following zones:</i></p> <ul style="list-style-type: none"> <li>(a) Rural Living Zone;</li> <li>(b) Rural Zone;</li> <li>(c) Agriculture Zone;</li> <li>(d) Landscape Conservation Zone;</li> <li>(e) Environmental Management Zone; or</li> <li>(f) Open Space Zone.</li> </ul> <p>Accordingly, the scenic protection overlay cannot be applied to the zones applicable to the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>81.</b>	<b>Kayla Roberts</b>
Matters raised	<p>The representation requests 38 Frypan Road, Glen Huon (PID: 7768741; CT: 49931/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Owner is concerned Landscape Conservation Zone will make it difficult in the future to build and create a business on the property without the ability to remove a few trees where needed. The property has been logged and</li> </ol>

	<p>cleared many times prior to current ownership, and whilst there is no intention of logging it, owner wishes to reserve the right to Rural Living and make decisions related to the property. Owner believes Landscape Conservation will also devalue the property, and owner's intrinsic rights as a landowner and ratepayer.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The lot is zoned Rural Resource under the interim planning scheme. In accordance with RLZ2 the Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. The site is not part of a community that is substantial in size, nor does it adjoin a settlement.</p> <p>The planning authority considers the Landscape Conservation zone as the most appropriate zone for the lot given its native vegetation coverage and its contribution to a larger bushland area.</p>
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

82.	Carl Burden
Matters raised	<p>The representation requests 16 Sharpes Rd, Crabtree (PID: 7887687; CT: 157468/1) and adjoining PID: 1686219 (CT: 122351/2) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The application of Rural Zone best meets the Zone Purpose Statements from the HVIPS 2015 zoning of this land and would be the most “like for like”, least impacting and sensitive to the continued use of the land for which it was originally purchased and used. Uses which are currently permitted within the Rural Resource zone occur regularly on this property and the ability to do so is vital to both the owner’s rural contracting business and future plans for the property. Ten’s of thousands of dollars and years of work have been spent on developing the potential of this land to be used as a sustainable farm that utilizes all aspects of the property’s features.</li> <li>2. The property, consisting of two adjoining titles, has multiple improvements including a house, a large agricultural class 7a shed, numerous hay; farm supply; animal and machinery sheds/storage facilities. There is 3 phase power pole to supply the shed. There is a quarry for farm track development. The land is fenced for livestock and recently new fencing materials have been purchased to upgrade existing and create new paddocks. Owner’s business is in rural contracting and in part this involves use, storage and servicing of tractors, excavator, skid steer loader, trailers, farm equipment and implements etc. on the property. Many of these existing permitted business activities and uses are not permitted under the Landscape Conservation Zone.</li> <li>3. There is an existing track network throughout the property to multiple grazing areas which in the past had been cleared extensively. Prior to ownership, little to no management had occurred since past land clearing/logging activities which have resulted in weeds and regrowth. Owner has worked tirelessly to restore both pasture areas and improve the health of vegetated areas by thinning diseased or unhealthy trees.</li> <li>4. Correcting the application of this new zoning on my property will allow the continued use of the farming land and resources the property was purchased to utilize whilst ensuring any sensitive vegetation and habitat is protected as it currently is under state law. Unfortunately, Landscape conservation zoning would not serve any real purpose in protecting any sensitive vegetation as it’s already protected but would rather adversely affect the use of the developed or improved parts of the land.</li> <li>5. Further to this, the accuracy of the data used to make assumptions on the vegetation type and coverage on the land is inaccurate. The scenic protection overlay only covers a portion of the highest part of the property but strangely does not continue into the neighboring property which sits above and is far more visible from afar. There seems to be no consistency</li> </ol>

	<p>in the approach as to how sightings of animals or habitat is applied and or verified.</p> <ol style="list-style-type: none"> <li>6. Split zoning would be the only way a Landscape Conservation zone could be appropriately applied in part to the property, but in doing so a greater understanding and a correction of data on the natural values is required as the existing mapping does not help to understand the true on the ground situation.</li> <li>7. Owner considers that the proposed application of Landscape Conservation will negatively affect owner's business, future aspirations, valuation of property as well as the health of the land and as such does not deem it appropriate. If Landscape Conservation zoning is applied to the entirety of the property or inappropriately to part, owner will be considering further legal action as this property will no longer serve it's purpose for which it has been heavily invested in and lived.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site contains significant native vegetation coverage with steep slopes, contributes to a larger bushland area and borders a class 2 waterway.</p>

	<p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>83.</b>	<b>Alan and Rosalie Robson</b>
Matters raised	<p>The representation relates to 45 Graces Road, Glaziers Bay (PID: 1835210; CT: 129215/1).</p> <p>Representation general comments:          “We request a deferment of this zoning for the above property as we have not adequate opportunity to engage a planner, to properly review what this new zone means to the above property.”</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the</p>

	<p>SPP’s. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Glaziers Bay, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living zone, this site and lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>																																																	
Recommended action	<p>Include this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. Specific titles to be included in Rural Living include:</p> <table><tr><td>138476/1</td><td>241929/4</td><td>245457/1</td><td>118197/2</td><td>160800/4</td></tr><tr><td>176700/3</td><td>129215/5</td><td>163406/2</td><td>40279/1</td><td>118197/3</td></tr><tr><td>51992/1</td><td>174791/9</td><td>176700/7</td><td>41669/1</td><td>47388/1</td></tr><tr><td>41669/3</td><td>118197/4</td><td>176700/6</td><td>28222/1</td><td>51992/2</td></tr><tr><td>174791/1</td><td>175500/2</td><td>47273/1</td><td>138476/2</td><td>39295/1</td></tr><tr><td>160800/3</td><td>143303/1</td><td>41669/2</td><td>38636/1</td><td>129215/2</td></tr><tr><td>118197/6</td><td>129215/3</td><td>21971/1</td><td>129215/1</td><td>118197/1</td></tr><tr><td>250702/2</td><td>175500/8</td><td>15473/1</td><td>160800/2</td><td>176700/4</td></tr><tr><td>176700/5</td><td>153256/1</td><td>160800/1</td><td>163407/1</td><td></td></tr></table> <p>Other titles that require zone changes include:</p> <table><tr><td>176700/10</td><td>Zoned Rural</td></tr><tr><td>25652/1</td><td>Split zoned Rural Living and Environmental Management along the current HVIPS zone boundary</td></tr></table>	138476/1	241929/4	245457/1	118197/2	160800/4	176700/3	129215/5	163406/2	40279/1	118197/3	51992/1	174791/9	176700/7	41669/1	47388/1	41669/3	118197/4	176700/6	28222/1	51992/2	174791/1	175500/2	47273/1	138476/2	39295/1	160800/3	143303/1	41669/2	38636/1	129215/2	118197/6	129215/3	21971/1	129215/1	118197/1	250702/2	175500/8	15473/1	160800/2	176700/4	176700/5	153256/1	160800/1	163407/1		176700/10	Zoned Rural	25652/1	Split zoned Rural Living and Environmental Management along the current HVIPS zone boundary
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25652/1	Split zoned Rural Living and Environmental Management along the current HVIPS zone boundary																																																	

	233805/1 Split zoned Rural Living and Rural along the current HVIPS zone boundary
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

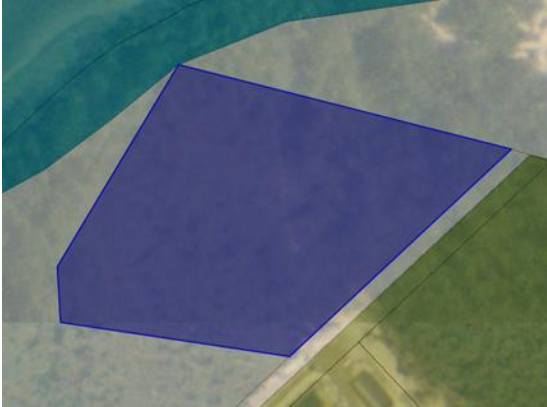


<b>84.</b>	<b>Manuel and Tracey Defelice (Olivia Jones)</b>
Matters raised	<p>The representation requests 35 Esperance Coast Road, Surges Bay (PID: 3397250; CT: 200380/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "The owners have not received any notifications and as such have not had adequate opportunity to engage a planner, to properly review what the zoning changes mean for their property in regards to the new scheme compared to the old. Without the contribution of a certified planner they do not feel they can confidently submit the detailed submission with the level of expertise required for something as important as the Zoning of their land moving forward. We request this letter/ email be accepted by Council as the submission/ representation to the LPS planning changes and that we now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission(TPC) in the near future to review any zone impacts or changes to the mentioned property."</li> <li>2. Owners believe the application of Rural Zone best meets the Zone Purpose Statements from the HVIPS 2015 zoning of this land compared to Landscape Conservation, and correcting the application of this new zoning name to the property will allow the owners to continue along the permitted path of using this land for its current purpose, and future uses, without the limitations afforded under the current proposed zoning.</li> </ol> 

	Figure 1. Site location and existing zoning
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site, which is adjacent to a coastal reserve and is part of a contiguous area of bushland overlooking Surges Bay.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate, noting a Rural Zone application would also result in a spot zone.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>85.</b>	<b>Lynne and Anton Compton (Olivia Jones)</b>
Matters raised	<p>The representation requests 5703 Huon Highway, Surges Bay (PID: 2667685; CT: 143213/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p>

	<ol style="list-style-type: none"> <li>1. “The owners have not received any notifications and as such have not had adequate opportunity to engage a planner, to properly review what the zoning changes mean for their property in regards to the new scheme compared to the old. Without the contribution of a certified planner they do not feel they can confidently submit the detailed submission with the level of expertise required for something as important as the Zoning of their land moving forward. We request this letter/ email be accepted by Council as the submission/ representation to the LPS planning changes and that we now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission(TPC) in the near future to review any zone impacts or changes to the mentioned property.”</li> <li>2. Owners believe the application of Rural Zone best meets the Zone Purpose Statements from the HVIPS 2015 zoning of this land compared to Agriculture, with consideration to its size and current use, not to mention surrounding properties being zoned more appropriately - Rural. Correcting the application of this new zoning name to their property will allow the owners to continue along using this land for its current purpose, and future uses, without the limitations afforded under the current proposed zoning.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The site is zoned Significant Agriculture in the HVIPS. In accordance with the zone application guidelines (AZ2) land within the Significant Agriculture zone in an interim planning scheme should be included in the Agriculture Zone unless considered consistent with AZ6. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>86.</b>	<b>Alison Callaghan</b>
Matters raised	<p>The representation relates to 1659 Pelverata Road, Pelverata (PID: 2204744; CT: 139603/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “I have not had an adequate opportunity to engage a planner or to properly review what the new zone means to my property and whether I agree or disagree with the proposed zone. By copy of this email I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face (or zoom) review with the Tasmanian Planning Commission in the near future to review any zone impacts or changes to my property.”</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Pelverata, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and contribution to a larger bushland area including Snug Falls Recreation Area, reflect the important landscape characteristics of the</p>

	<p>Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>Importantly, there is no strategic intention for this site and the broader Environmental Living area to be an area of residential use and development within a rural setting and given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>87.</b>	<b>Prue and Peter de Vries</b>
Matters raised	<p>The representation requests 1333 Lonnavele Road, Lonnavele (PID: 7589356; CT: 242407/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners have lived and worked this property for more than 35 years. It is a working farm, with originally a market garden and now under blueberry production along with owner's property at 1340 Lonnavele Road (this property is not being rezoned to LCZ). Owners also own and operate Sled Dog Adventures Tasmania and run an eco tourism business operating sled dog tours each winter with people travelling from all over Tasmania and the mainland to take a tour.</li> <li>2. Owners believe that the more appropriate zone of Rural should be applied because the property does not meet the Landscape Conservation Zone criteria but meets the criteria for Rural Zone under State Planning Provisions — Tasmanian Planning Scheme 2020 V3 (at as 19th February 2020) (TPS) which supports the Southern Tasmania Regional Land Use Strategy 2010-2035. Specifically, the Rural Zone criteria corresponds with land</li> </ol>

	<p>characteristics, surrounding similar zoned folios, historical use and alteration of the land, and recognised land improvements.</p> <ol style="list-style-type: none"> <li>3. The property has a dwelling and associated sheds/storage. As a working farm, over the past three decades there have been large commercial hothouses and market gardens. It is approximately 20% agricultural lands. At least 70% of the property is covered in regrowth. Forestry operations were conducted by private harvesters in the 1900's with remnants of old sawmills still evident today and for many years in the 80's, 90's and 2000's pig grazing occurred on many areas of the property for land clearing purposes. A bushfire went through the property in 1990.</li> <li>4. Owners have a large working sled dog kennel situated on the property and utilise trails that they have developed on the property to run dryland sled dog tours. This is Australia's southern-most working sled dog tour company and attracts a large and growing number of tourists from right across the country with the business seeing a significant growth per annum in visitation. The tours are recognised locally and internationally with growing acclaim.</li> <li>5. Responding to the proposed Landscape Conservation Zoning under the new Tasmanian Planning Scheme: <ol style="list-style-type: none"> <li>(a) LCZ1- The property is based at the lower slope of the hillside, and has a very gentle slope across much of the property. The property has been selectively logged in the 1900's, and farmed for a range of crops for many decades, from berries, to flowers, to vegetables and now under blueberry production. Large tracks of the property were cleared at different stages of ownership, but have since revegetated.</li> <li>(b) LCZ2- Owners question the threatened species and ask that the property be assessed as in the past 35 years we have not identified any threatened species on our property. Referring to LCZ (C) owners are currently zoned Rural Resource NOT Environmental Living. They are located in a remote area where insufficient data has not been available to support vegetation maps used to suggest the new Zone proposed to Landscape Conservation Zone. With reference to the last paragraph it notes that the Huon Valley is privileged to have a high diversity and abundance of threatened species and yet the areas of Forestry operations neighbouring the property will continue to remove these habitats.</li> <li>(c) LCZ3- There are three titles that border the property and are currently zoned Rural Resource. Two of those neighbouring properties are to move to the LCZ and the third will remain Rural Resource, due to it being state owned forest and is earmarked for logging. The two other properties have never had any development and are undisturbed bush with landscape aspect to the ridgeline and perfectly suits the Landscape Conservation Zoning.</li> </ol> </li> <li>6. It appears that there is glaring inequity in the application of the LC zoning to private land and Rural zoning to adjoining State forest, despite it being</li> </ol>
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the same 'landscape'. This approach sets up inequities in the impacts on private businesses such as the endeavors that owners undertake on the property. Regarding landscape, there is private land on the opposite side of the valley to the north of the property that is equivalent, or even higher elevation and that property is proposed to be zoned Rural.


7. The approach to zoning in the valley from all accounts has been inconsistent. If visual impacts on forested slopes are a concern (noting that the forestry operations adjoining our property will have a significant impact), then a scenic management overlay based on elevation and features is the appropriate approach, rather than the blunt instrument of zoning to boundaries that has a restrictive effect on existing primary industry and tourist enterprises. Long-standing agricultural and tourist operation uses should not be subject to discretions that may impede future enhancement of owner's operations.
8. Responding to the Rural Zone under the new Tasmanian Planning Scheme:
  - (a) RZ1- The Lonnvale community is Rural with a large number of properties farming cattle or sheep. Owner's property lends itself to a wide range of uses as already outlined from vegetable and fruit production, animal husbandry and tourism ventures. This property has areas of fertile soils from many years of improving soil conditions utilising organic and biodynamic farming principles. The vegetation maps show that the poroperty has the same or even less than neighbouring Crown Land as indicated and they will understandably remain zoned Rural.
  - (b) RZ2- The land is suited to some agriculture purposes as proven over decades of growing a wide variety of crops. (not suited to large areas of grazing for livestock) — but suited to a market garden.
  - (c) RZ3- The property lends itself to agricultural use and is not integral to the management of a larger farm holding within an Agricultural Zone.
9. Moving from the Landscape Conservation Zone to the Rural Zone is the most appropriate outcome for the property based on the information provided, as overall it meets the criteria for the Rural Zone and not so much the criteria for the Landscape Conservation Zone. The property is rural and currently being used for rural purposes.




	Figure 1. Site location and existing zoning
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zone and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is part of a contiguous area of bushland located on the lower slopes of Denison Ridge. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley.</p> <p>This site is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The Planning Authority notes that Resource Development (if not for intensive animal husbandry or plantation forestry) and a Tourist Operation are both discretionary use classes in the Landscape Conservation Zone.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>88.</b>	<b>Pilgrim Hill Association Inc.</b>
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Matters raised	<p>The representation requests 200 Crouchs Hill Road, Lucaston (PID: 3374104; CT: 168847/1) and 154 Crouchs Hill Road, Lucaston (PID: 2816046; CT: 152441/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Pilgrim Hill is a not-for-profit charity organisation that operates an off-grid, family-run Christian hostel for backpackers and working holiday makers. Pilgrim Hill is internationally supported and has received funding and development approval to erect further buildings for use in its work at 200 Crouchs Hill Road, Lucaston, including approval to construct a hall for use in hosting community events, such as the annual artist's festival. The long-term vision is to become self-supporting in outreach ministry through the hostel's visitor accommodation activity.</li> <li>2. 20 Crouchs Hill Road is currently used in the work of Pilgrim Hill. This site is owner's first priority in making this representation, as the proposed Landscape Conservation zone is inappropriate to existing activity and approved development. 154 Crouchs Hill Road is closely associated with Pilgrim Hill and may in time be acquired for the Association's use. We have therefore included it in this representation. Hereafter both properties are referred to as the "site".</li> <li>3. The site is not subject to a Conservation Covenant. The Landscape Conservation zoning choice is therefore optional and ill-suited to Pilgrim Hill's established activity in visitor accommodation. It is noted that the Landscape Conservation Zone defines Visitor Accommodation as a Discretionary use and therefore subject to restrictive hours that are not compatible with a traveller hostel, where guests stay for extended periods, sleep overnight, and use dining facilities outside specified times.</li> <li>4. The site is both a Scenic Protection Area and Priority Vegetation Area. However, the topographical location of Pilgrim Hill ensures that development and activity associated with the hostel does not interfere with the skyline or scenic bushland views from the valley. We would also point out that any use or development of the site is subject to the Natural Assets Code, which governs the clearance and conservation of vegetation and habitat and therefore operates in protection of this area. An alternative zoning to Landscape Conservation does not necessarily put the site at risk as a Scenic Protection Area and Priority Vegetation Area.</li> <li>5. Pilgrim's Hill activity and development as a hostel and community centre is committed to sustainable operation, with sensitivity to the <math>\text{E}\hat{\text{S}}\text{t}\hat{\text{G}}\text{E}</math> rural location. The Rural Zone classification supports this objective. It allows Visitor Accommodation without restrictive hours, while also ensuring site management as appropriate for this rural setting under the Natural Assets Code. Approved development and site use does not interfere with scenic skylines. The Scenic Protection Code will not be challenged by development at this site.</li> </ol>
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	<p>6. “We take this opportunity to acknowledge a community representation made on behalf of Crouchs Hill Road residents. This community representation submits that properties on Crouchs Hill Road (originally purchased as Rural Residential) were misclassified under the Interim Planning Scheme and that their most equitable classification under the Tasmanian Planning Scheme is Rural Living. We support this submission; but should the premise of interim misclassification be rejected, we revert strongly to this submission made by the Pilgrim Hill Association Inc.”</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zone and there is a clear policy distinction between the Rural Zone under the SPP’s and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is part of a contiguous area of bushland located on the lower slopes of Crouches Hill. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley.</p> <p>This site is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate. Furthermore, the site is subject to both the Natural Assets Code and the Scenic Protection Code.</p>

	<p>The Planning Authority notes that Visitor Accommodation and Community Meeting (if for a place of worship, art and craft centre or public hall) are both discretionary use classes in the Landscape Conservation Zone.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>89.</b>	<b>David Pannell</b>
Matters raised	<p>The representation is in regard to <i>The Particular Purpose Zone – Franklin Marine and Tourism Precinct, HUO-P3.0</i>.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The representor requests “ship building activities” is removed from <i>The Particular Purpose Zone – Franklin Marine and Tourism Precinct, HUO-P3.0</i> “To provide boat and ship building activities alongside education, recreation and tourism activities”.</li> <li>2. The representor raises concern of where a ship could realistically be built and launched in Franklin or the Port Huon marina which can accommodate larger boats.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The purpose of the Franklin Marine and Tourism Precinct is to <i>provide for boat and ship building activities alongside education, recreation and tourism activities</i>. Manufacturing and processing is a permitted use if related to boat or ship building.</p>

	<p>To remove 'ship building activities' as an allowable use in the zone would fundamentally alter the purpose of the zone.</p> <p>Accordingly, given the lack of detailed strategic analysis or justification for such a significant change to the use of the area, the zone should remain with no alterations.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>90.</b>	<b>Peter and Robyn Bishop</b>
Matters raised	<p>The representation requests 1371 Nicholls Rivulet Road, Nicholls Rivulet (PID: 7280041; CT: 53509/1, 53508/3, 53508/5, 53508/4) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "We have only recently become aware of the proposed new zoning on our property and have not had sufficient time to investigate what this means for our property or whether it is in fact a suitable zoning for our property and whether we agree or disagree with it. Nor have we had the opportunity to discuss it with a planner. By copy of this email/letter I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to my property."</li> <li>2. The property has 5 separate titles, 4 of which have had Landscape Conservation zoning (LCZ) proposed over them in the Huon Valley Draft Local Provisions Schedule. The property was originally a 30 acre property which owners subdivided in 1991 to form five 1 acre blocks and one 25 acre lot – which owners now live on. One of the 1 acre blocks had an existing residence that was sold many years ago, and another of them was not zoned LCZ.</li> <li>3. Owners have a number of specific concerns about the application of the LCZ on these lots, mainly: <ol style="list-style-type: none"> <li>(a) The land does not need to be LCZ to be protected.</li> </ol> </li> </ol>


	<p>(b) Inconsistency with uses in Nicholls Rivulet and original intent of the land use- With an application of the Natural assets code, along with other protections of species that are already in place, both of these zones provide for the protection of natural and landscape values, however one is aligned to the original intent of the subdivision as approved by council in 1991 and one constricts its use to a point where it will impact owner's ability to build and value of the land. They are situated in the most developed area of Nicholls Rivulet where new housing has continued to be established, within walking distance of other homes and the local bus stop. The size of the lots are not suitable for other purposes than Rural and if zoned otherwise they will be devalued greatly, potentially rendered unusable and possibly unsaleable. They were designed to be residential blocks within a natural setting but if zoned LCZ where residential use is discretionary and can be denied, the blocks become totally worthless. The SPP states that: "The Landscape Conservation Zone should not be applied to land where the priority is for residential use and development (see Rural Living Zone)". These blocks of land have been subdivided purely for residential purposes so re-zoning to LCZ is inappropriate. This is also supported by the Questions and Answers on the Tasmanian Planning Commission website.</p> <p>(c) Inconsistency with neighbouring properties- As the Rural zone applies to most surrounding properties, having a rural zoning on owner's blocks is much more appropriate. In 2019 HVC determined they would zone on a like for like basis and created a comparison table for each zone. As the property was zoned Rural Resource - the most likely comparison was for Rural. While it is understood that this decision by council was overturned, it was in fact the most fair comparison especially considering their prior approved subdivision. The neighbouring blocks alongside of two of these are also zoned rural, making Rural zoning the most practical Zone.</p> <p>(d) Threatened species not present- The natural flora and fauna living on the property are already protected by legislations such as the Nature Conservation Act, the Environmental Protection Agency, Tasmanian Threatened Species Protection the Nature Conservation Amendment and other state policies. The 3 one acre blocks are not home to any threatened fauna species as indicated on the Priority vegetation reports. In the 32 years that the owners have lived on this property, they have never sighted the Mount Mangana Stag beetle and its listed habitat is wet forest and woodland where our property is listed on TasVeg 3.0 as dry forest and woodland. As a keen bird watcher, owner has become familiar with the birds that live on the property and has never heard or sighted a swift parrot nor seen the Eastern Barred bandicoot on their land. The List Map overlays do not show any of these species present. Tasmanian devils do pass through the 25 acres but they</p>
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	<p>have never sighted them on the 3 one acre blocks. The List map overlay does show 2 sightings however, they are both on neighbouring properties.</p> <p>(e) Bushfire hazard management- As with the entire Huon Valley Council area, the properties are in an identified Bushfire-prone area. The ability to keep these lower blocks cleared of undergrowth is important to the Bush Fire Safety Plan and future residential development on them would also help maintain a level of safety for owner's home. Undergrowth is cleared on a semi regular basis to ensure the safety of owner's home on the 25 acres and need to continue to be able to do that. The 1 acre blocks are sloping uphill towards owner's home which left to themselves would pose an extreme fire danger.</p> <p>(f) Vegetation management- While native flora exists on these properties, they are also home to many invasive species such as hollyhock, heath, stinging nettles, blackberries, scotch thistles and a variety of other thistles. While much of the property has never been totally cleared, it has been milled quite heavily as seen in a 1965 aerial photo on the NRE website. Owners have taken their own firewood from the property over the last 32 years and are selective in what they take, ensuring the stability of the natural bushland and enjoying the privacy it provides. Owners also note that the current state aerial photo of the property contains a large amount of shadow that makes the trees appear far denser than they are. A large amount of the trees on the property are regrowth.</p> <p>(g) Financial inequity- Landscape Conservation Zone will cause financial hardship. Owner has been self- employed, doing manual work for most of their working life, and as a result superannuation is practically worthless. Owner has also given much of their life and time to serving in the Municipal Area of the Huon Valley. Owner has kept these blocks to sell at retirement which is just two years away. The loss of income from these will have a huge financial impact on owner's future and leave them in a very vulnerable position.</p> <p>(h) Maintaining existing land uses- Owners would be happy to have split zoning (LCZ) on the hill behind, which is land unsuitable for development, as long as it allows for a clearance for the Bushfire Safety Plan. Having Rural Zoning around owner's home will allow them to continue with current and intended use of the property.</p> <p>(i) The process undertaken to carry out the zoning application- In rolling out the planning reforms, the Tasmanian Government has stated that it is committed to providing opportunities for community involvement in the development and ongoing review of Government policy and legislation. At the minimum, owners would have expected a direct mail and/or email notifying them of the proposed changes to their zoning with a clear explanation of what that means for them. As it is, owners heard about this indirectly and have relied on the support of other</p>
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	<p>residents, friends and family to provide advice on the implications of this change and only receiving a letter from the council within the last 2 weeks. When speaking with the council, owners were advised to hire our own planning consultant at a cost of many thousands of dollars, which they simply do not have. This process, aside from posing a clear threat to owner's retirement savings after a lifetime of hard work, has completely disempowered and sidelined residents of the Huon Municipal Area. Owners have not at any time been advised of any Zone changes or had any contact or consultation by the by the Huon Valley Council since this subdivision was approved and have only recently become aware of the proposed changes. This process has by design been inequitable through the provision of information and assistance and owners respectfully request that a review of the process with all residents in mind take place before the Local Provisions Schedule is passed.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are a like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is extensively covered in native vegetation, is steep and forms part of a larger bushland area. The vegetated hills and valleys which frame cleared</p>

	<p>agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>Regarding the request for a Rural Living zoning, it is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>91.</b>	<b>Bill Hilston</b>
Matters raised	<p>The representation requests that Rural Living zoning would be more appropriate than Landscape Conservation zoning to properties in Pelverata that are zoned Environmental Living under the HVIPS 2015.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The Pelverata locality is characterised by forested rural land in hilly topography with existing rural-residential and small-scale agricultural land uses. Lots that are primarily used for rural-residential or agricultural purposes in the area typically range from approximately 1ha up to 10ha in size. Rural-residential uses have been largely concentrated along Pelverata Road and a small number of adjoining local roads, which are generally aligned to take advantage of the natural valleys. Vegetation clearance has similarly been concentrated along Pelverata Road and adjoining local roads, with the upper slopes of the valleys retaining significant native vegetation cover.</li> <li>2. Clearly there are some areas within Pelverata that would be suited to Landscape Conservation zoning, however it is questionable whether this ought to include existing areas that are developed for rural-residential</li> </ol>

	<p>land uses. It is noted that many existing Environmental Living zoned properties along Pelverata Road are virtually devoid of native vegetation cover and are well below the minimum lot size anticipated for the Landscape Conservation Zone (50ha).</p> <ol style="list-style-type: none"> <li>3. Guideline No.1 indicates that the Rural Living Zone seeks to provide for residential uses and lower order rural activities (e.g. hobby farming), where services are limited and where existing natural values are to be retained. The zoning provides for minimum lot sizes ranging from 1ha-10ha, which is arguably more consistent with the existing development pattern of the area. This may also allow for some (albeit limited) additional lots to be created in suitable locations.</li> <li>4. If Rural Living zoning were to be applied, scenic values could be protected through application of the Scenic Protection Overlay to vegetated hills and prominent ridgelines. Biodiversity values could similarly be protected through application of the Biodiversity Protection Overlay to areas of existing bushland.</li> </ol>  <p>Figure 1. Site location and existing zoning (Pelverata)</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Pelverata, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RL22 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme</p>

	<p>and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and majority of the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>																																																									
Recommended action	<p>Include this site and some lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. Specific title references include:</p> <table><tr><td>25284/1</td><td>227263/1</td><td>127699/5</td><td>46941/1</td><td>176635/1</td></tr><tr><td>63952/1</td><td>176636/1</td><td>138560/3</td><td>239795/1</td><td>206643/1</td></tr><tr><td>159131/1</td><td>244148/1</td><td>153677/1</td><td>45666/1</td><td>148265/1</td></tr><tr><td>153677/2</td><td>35747/1</td><td>127915/1</td><td>139908/1</td><td>24485/1</td></tr><tr><td>45869/1</td><td>87758/1</td><td>158937/1</td><td>162112/1</td><td>219206/1</td></tr><tr><td>39350/5</td><td>127979/1</td><td>138560/9</td><td>248302/2</td><td>159913/3</td></tr><tr><td>30151/1</td><td>127699/2</td><td>159420/1</td><td>44715/1</td><td>162112/2</td></tr><tr><td>127699/3</td><td>232492/1</td><td>203283/1</td><td>156939/2</td><td>159421/1</td></tr><tr><td>158937/3</td><td>161537/1</td><td>156939/1</td><td>158937/2</td><td>37898/1</td></tr><tr><td>163590/1</td><td>163590/2</td><td>127699/1</td><td>14543/1</td><td>25284/2</td></tr><tr><td>129173/1</td><td>122100/1</td><td>127699/4</td><td></td><td></td></tr></table> <p>Other titles that require zone changes include:</p> <table><tr><td>212277/1</td><td>Split zoned Rural Living (replacing current HVIPS Environmental Living) and Landscape Conservation (replacing current HVIPS Rural Resource) along the current HVIPS zone boundary.</td></tr></table>	25284/1	227263/1	127699/5	46941/1	176635/1	63952/1	176636/1	138560/3	239795/1	206643/1	159131/1	244148/1	153677/1	45666/1	148265/1	153677/2	35747/1	127915/1	139908/1	24485/1	45869/1	87758/1	158937/1	162112/1	219206/1	39350/5	127979/1	138560/9	248302/2	159913/3	30151/1	127699/2	159420/1	44715/1	162112/2	127699/3	232492/1	203283/1	156939/2	159421/1	158937/3	161537/1	156939/1	158937/2	37898/1	163590/1	163590/2	127699/1	14543/1	25284/2	129173/1	122100/1	127699/4			212277/1	Split zoned Rural Living (replacing current HVIPS Environmental Living) and Landscape Conservation (replacing current HVIPS Rural Resource) along the current HVIPS zone boundary.
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Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.																																																									

92.	Gary Skinner ( <i>Olivia Jones</i> )
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Matters raised	<p>The representation requests 21 Smiths Road, Surges Bay (PID: 2667693; CT: 143213/2) to be zoned Rural rather than Agriculture and 12 Smiths Road, Surges Bay (PID: 7099453; CT: 153006/1) to be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "The owners have not received any notifications and as such have not had adequate opportunity to engage a planner, to properly review what the zoning changes mean for their property in regards to the new scheme compared to the old. Without the contribution of a certified planner they do not feel they can confidently submit the detailed submission with the level of expertise required for something as important as the Zoning of their land moving forward. We request this letter/ email be accepted by Council as the submission/ representation to the LPS planning changes and that we now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission(TPC) in the near future to review any zone impacts or changes to the mentioned property."</li> <li>2. Regarding 21 Smiths Road, the owners believe the application of Rural Zone best meets the Zone Purpose Statements from the HVIPS 2015 zoning of this land compared to Agriculture. Several of the surrounding properties of similar size and scope have been zoned Rural and the block is a failed apple farm from many decades ago the area, it is worth noting was originally highlighted as a planning site for the town of Surges Bay. The slopes of the land do not lend themselves for the strict limitation of Agriculture. Correcting the application of this new zoning name to the property will allow the owners to continue along the use of this land for its current purpose, and future uses, without the limitations afforded under the current proposed zoning.</li> <li>3. Regarding 12 Smiths Road, the Priority Vegetation report indicates there is no significant vegetation present on this property.</li> <li>4. The subject land is in a non-urban area with limited to no potential for agriculture as shown with the land capability class 5. It is unsuited for cropping and limited pastoral use. There is low valued vegetation onsite and the zones of Environmental Management or Landscape Conservation Zone would not be a more appropriate zone to Rural.</li> <li>5. The subject land is identified in the 'land potentially suitable for agricultural zone' but is listed as potentially constrained (Criteria 2b). This is due to the size of the title, the poor quality and low land classification ( 5 &amp; 6) and being surrounded by smaller lifestyle blocks. These factors severely limit the agricultural potential of this land. These reasons why it should be zoned Rural are found in AZ6 of the zone application guidelines which indicate that alternative zoning may be considered for land identified in the 'land potentially suitable for agricultural zone'.</li> </ol>
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6. The small title (CT:153006/1) is associated with the previously mentioned adjoining land with access and associated buildings. Due to this, the same zone should be applied to both titles.



Figure 1. Site location and existing zoning 21 Smiths Road, Surges Bay



Figure 2. Site location and existing zoning 12 Smiths Road, Surges Bay



Figure 3. Site location and existing zoning of both properties

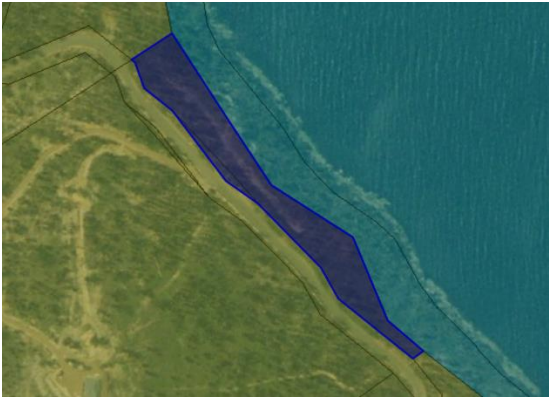
Planning  
Authority  
response

21 Smiths Road, Surges Bay (PID: 2667693; CT: 143213/2)

The site is zoned Significant Agriculture in the HVIPS. In accordance with the zone application guidelines (AZ2) land within the Significant Agriculture zone in an interim planning scheme should be included in the Agriculture Zone unless considered


	<p>consistent with AZ6. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.</p> <p><u>12 Smiths Road, Surges Bay (PID: 7099453; CT: 153006/1)</u></p> <p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is on the edge of the Huon River and is surrounded by a coastal reserve on three sides. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>93.</b>	<b>Gary Skinner (<i>Olivia Jones</i>)</b>
Matters raised	<p>The representation relates to Esperance Coast Road, Police Point (PID: 7681881; CT: 40745/2).</p> <p>Representation general comments:</p>

	<p>1. "The owners have not received any notifications and as such have not had adequate opportunity to engage a planner, to properly review what the zoning changes mean for their property in regards to the new scheme compared to the old. Without the contribution of a certified planner they do not feel they can confidently submit the detailed submission with the level of expertise required for something as important as the Zoning of their land moving forward. We request this letter/ email be accepted by Council as the submission/ representation to the LPS planning changes and that we now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission(TPC) in the near future to review any zone impacts or changes to the mentioned property."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Police Point, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RL22 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the</p>

	<p>Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zone, this site and lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>																																																																						
Recommended action	<p>Include this site and majority of lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. Specific title references include:</p> <table><tr><td>119908/1</td><td>200641/1</td><td>155404/6</td><td>28070/9</td><td>105710/1</td></tr><tr><td>109457/5</td><td>142096/1</td><td>28070/12</td><td>30128/7</td><td>125750/3</td></tr><tr><td>28070/15</td><td>115370/1</td><td>28070/10</td><td>131668/1</td><td>142096/6</td></tr><tr><td>28070/11</td><td>28070/3</td><td>28070/8</td><td>131668/2</td><td>249930/1</td></tr><tr><td>169211/1</td><td>40745/2</td><td>33528/6</td><td>24422/1</td><td>33528/3</td></tr><tr><td>212369/1</td><td>44038/1</td><td>170686/1</td><td>28070/14</td><td>109457/4</td></tr><tr><td>33528/2</td><td>29768/1</td><td>159372/2</td><td>28070/7</td><td>169211/2</td></tr><tr><td>149479/1</td><td>30128/6</td><td>159362/1</td><td>33528/1</td><td>149479/2</td></tr><tr><td>39100/1</td><td>152177/1</td><td>159372/3</td><td>157053/1</td><td>28070/1</td></tr><tr><td>52924/1</td><td>33528/4</td><td>40745/1</td><td>33528/5</td><td>152176/1</td></tr><tr><td>125750/2</td><td>105711/1</td><td>28070/2</td><td>44038/4</td><td>142096/2</td></tr><tr><td>125750/1</td><td>39100/3</td><td>28070/4</td><td>118218/1</td><td>142096/3</td></tr><tr><td>28070/16</td><td>31370/2</td><td>155404/5</td><td>245000/1</td><td>159372/1</td></tr><tr><td>28070/13</td><td>170686/2</td><td></td><td></td><td></td></tr></table>	119908/1	200641/1	155404/6	28070/9	105710/1	109457/5	142096/1	28070/12	30128/7	125750/3	28070/15	115370/1	28070/10	131668/1	142096/6	28070/11	28070/3	28070/8	131668/2	249930/1	169211/1	40745/2	33528/6	24422/1	33528/3	212369/1	44038/1	170686/1	28070/14	109457/4	33528/2	29768/1	159372/2	28070/7	169211/2	149479/1	30128/6	159362/1	33528/1	149479/2	39100/1	152177/1	159372/3	157053/1	28070/1	52924/1	33528/4	40745/1	33528/5	152176/1	125750/2	105711/1	28070/2	44038/4	142096/2	125750/1	39100/3	28070/4	118218/1	142096/3	28070/16	31370/2	155404/5	245000/1	159372/1	28070/13	170686/2			
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Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.																																																																						
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.																																																																						

<b>94.</b>	<b>Selena Meure</b>
Matters raised	<p>The representation requests 139 Esperance Coast Road, Surges Bay (PID: 1766745; CT: 125584/4) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. With the introduction of the Landscape Conservation Zone, the owner will incur additional costs to employ experts to change building plans to meet</li> </ol>

	<p>the new standards of the zone. Owner understands a single dwelling would become Discretionary, meaning that any person could object to the building proposal and appeal any approval to the planning tribunal.</p> <p>2. Owner does not believe the property has been assessed for its landscape values and is concerned about the reasons why the property will be zoned Landscape Conservation.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Surges Bay, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p>

	Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and majority of the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).				
Recommended action	Include this site and majority of lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. Specific title references include:				
	125584/9	101367/1	118988/7	156601/6	138584/4
	118988/6	138584/2	149578/1	156601/4	104331/2
	172577/12	172577/11	33048/4	159437/2	156601/8
	156601/3	33048/2	156601/2	104331/1	135217/1
	26693/1	45391/4	143569/1	125584/13	25020/1
	228201/3	104331/4	111336/1	125584/1	200380/1
	159437/4	125584/14	104331/6	104331/5	159726/1
	125584/3	125584/7	159726/2	125584/2	45391/5
	125584/8	30990/1	33553/2	33553/3	45391/1
	156601/1	138584/1	45391/3	33553/4	125584/4
	159437/5	148064/2	159437/3	156601/7	156601/9
	33048/1	156601/5	125584/5	26693/2	143569/2
	109631/1	104331/3	232952/1	45391/8	109629/1
	135836/1	156940/9	143569/3	142280/10	125584/10
	45391/2	148064/1	33048/3	138584/3	125584/6
	101367/2				
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.				
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.				

<b>95.</b>	<b>Matthew Williams and Luke Hearnden</b>
Matters raised	<p>The representation requests 236 Cloverside Road, Lucaston (PID: 2811990; CT: 152022/3) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Owners believe that the more appropriate zone of Rural should be applied because the property does not meet the Landscape Conservation Zone criteria but meets the criteria for Rural Zone under State Planning Provisions – Tasmanian Planning Scheme 2020 V3 (at as 19th February 2020) (TPS) which supports the Southern Tasmania Regional Land Use Strategy 2010–2035. Specifically, the Rural Zone criteria corresponds with the land</li> </ol>

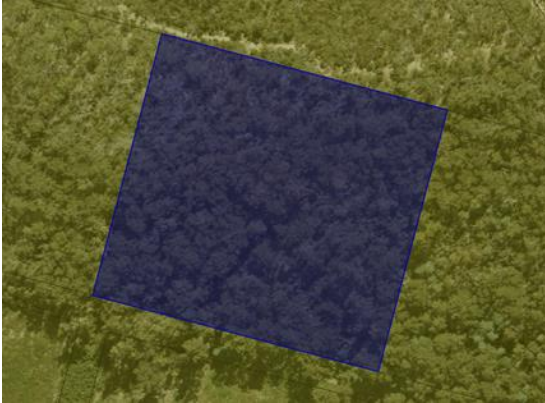
characteristics, surrounding similar zoned folios, historical use and alteration of the land, recognised land improvements and limitations imposed in the proximity to differently zoned neighbouring properties. The commitment to convert like-for-like is not accounted for.

2. The property has no evidence of threatened species existence (other than one record of aquila audax nest several years ago and no sighting since) and no verified evidence of threatened vegetation communities. It is considered the rezoning is in the absence of any identified values that are not already protected by legislation under the RMPS and the Scenic and Natural Assets Codes.
3. The property also lacks the criteria of scenic protection from the valley floor as the only slither visible is the house and tiny portion of already cleared land abutting the house. The vast majority of land – both cleared and wooded – is invisible. The wooded area is completely invisible from the valley as the raised portion is this side of the hill. The property is not even on the ridgeline. All neighbouring properties above are clearly visible, with larger forested areas that also link to property's vegetation and habitat, and on the ridgeline. All of those properties are proposed to be rural in the new zoning. And the neighbouring property below is also to be rural.
4. The Rural Zone is better suited to the property, intended uses and reflects a more appropriate like-for-like conversion of the current rural resource zone. The property is rural and being used for rural purposes – there are ducks, recently sheep as a market garden – with the likelihood of running small numbers of sheep or goats in the future in the well maintained and fully fenced paddocks. There is no plan or intent to clear wooded areas or impact the lower areas of the land – any natural values are protected by existing regulations and legislation. The LCZ should not be applied because the Priority vegetation report is inaccurate regarding the vegetation types and/or extent of them.
5. If we are to fight climate change then properties such as this will be vital to minimise carbon footprint and help us to tread lighter on this earth by closing the food miles and securing forested land as carbon sink. A balance between development and conservation is required when managing for climate change and LCZ does not achieve this goal with the property.



	Figure 1. Site location and existing zoning
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is covered extensively by native vegetation, with vegetated slopes and contributes to a larger bushland area.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>96.</b>	<b>Linda Anggraiani</b>
Matters raised	<p>The representation requests 65 Brooke Street, Petcheys Bay (PID: 2246442; CT: 140121/4) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p>

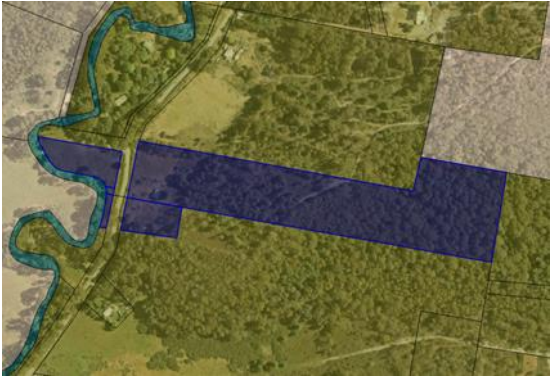
	<ol style="list-style-type: none"> <li>1. "By copy of this Representation I am requesting that Huon Valley Council accept this representation, and have the opportunity to undertake a face to face review with the Tasmanian Planning Commission (in the near future) to review any zone impacts or changes to my property, and the Petcheys Bay area in general.</li> <li>2. Owner has tried to commission a Land Planner to review the proposed changes but none have capacity at this moment.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Petcheys Bay, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living (area D) in terms of lot size and density. This is consistent with RL22 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied.</p> <p>Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p>

	Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D)
Recommended action	Include this site and majority of lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. Specific title references include:
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>97.</b>	<b>Bronwyn Clarke</b>
Matters raised	<p>The representation draws attention to Artists' Studios being considered as appropriate land use within residential and rural zones.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Working from home has become a well acknowledged practice, particularly since COVID 19 has impacted the world and planning determinations need to take this into account. Artists' studios are currently unidentified as allowable and representor believes the issue deserves strong consideration. "We are a substantial cohort in the Huon Valley and as such add value and dollars to the tourism sector."</li> <li>2. The current spatial allocation for a home business of 40m2 is an under estimate of the space required to undertake and house equipment for such diverse practices as the construction of sculptures, the making of ceramics, framing larger works and other arts practices.</li> <li>3. The hours of opening of Artists' Studio, during weekends and public holidays, requires reconsideration. Visitors to the Huon are likely to be touring over weekends and public holidays and there is a tourism focus on encouraging local artists to show their creative spaces as well as their finished works.</li> <li>4. Signage is an essential directional requirement for Artists. Removeable and relocatable signage such as A Boards, bollard covers and/or flags are appropriate methods of identifying Artists' Studios. The current recommendations around home business signage is inadequate and antiquated and do not take into account 'occasional use' to attract 'special occasion visits' or annual events such as Art Trails and private open days.</li> </ol>


	<p>5. Artists are a key component in the Huon Valley economy. They attract visitors and increase the spend. Special occasion events such as Long Weekend and School Holiday Art Trails and Open Day events and Festivals are activities that provide the potential for Artists to secure viable incomes.</p>
Planning Authority response	<p>A home-based business under the TPS means:</p> <p><i>use of part of a dwelling by a resident for non-residential purposes if:</i></p> <ul style="list-style-type: none"> <li><i>a) the person conducting the business normally uses the dwelling as their principal place of residence;</i></li> <li><i>b) it does not involve employment of more than 2 workers on-site who do not reside at the dwelling;</i></li> <li><i>c) any load on a utility is no more than for a domestic use;</i></li> <li><i>d) there is no activity that causes electrical interference to use on other land;</i></li> <li><i>e) there is no storage of hazardous material on site;</i></li> <li><i>f) the display of goods for sale are not visible from any road or public open space adjoining the site;</i></li> <li><i>g) there is, on the site, no advertising of the business other than 1 sign (non-illuminated) not exceeding 0.2m<sup>2</sup> in area;</i></li> <li><i>h) there is, on the site, no refuelling, servicing, detailing or repair of vehicles not owned by a resident;</i></li> <li><i>i) no more than 2 commercial vehicles are on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes; and</i></li> <li><i>j) all vehicles used by the business are parked on the site.</i></li> </ul> <p>A home-based business falls within the use classification of residential which is an allowable use in the residential zones and the rural zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>98.</b>	<b>Ross Thorne</b>
Matters raised	<p>The representation relates to 3 properties in Garden Island Creek Road, Garden Island:</p> <ul style="list-style-type: none"> <li>• PID: 7189272; CT: 246178/1, 246178/2);</li> <li>• PID: 7189280; CT: 228451/1</li> <li>• PID: 5862726, CT: 221598/1</li> </ul>

	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have not had an adequate opportunity to engage a planner to review what the new zone means to my property's. I do not agree that they should be placed in the new LCZ zone. By receipt of this email I am requesting council to accept my representation to the LPS planning change and that I will now be included in the opportunity to provide more detail and have a face to face review with the Tasmanian Planning commission in the near future to review any zone impacts or changes to my property."</li> </ol>  <p>Figure 1. Site location and existing zoning of all properties</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Garden Island Creek, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>Importantly, the Environmental Living zoned area of Garden Island Creek is extensive, and there is no strategic intention for this site and the broader Environmental Living area to be an area of residential use and development within a rural setting. Further, given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots</p>

	<p>are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>99.</b>	<b>Leanne and Matthew McLean</b>
Matters raised	<p>The representation requests PID: 1977120; CT: 106792/1 in Delaney Lane, Police Point be zoned Rural Living or Low Density Rural Residential rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners currently use the property as an occasional campground, for recreational use, and for hobby farming. The property is located within a cluster of other properties, the majority of which already contain residential developments and which are used for a mix of residential and recreational or hobby farm type purposes. The intention is to build a residential dwelling on the property in the future.</li> <li>2. The current purpose of this area is clearly residential, and so to apply a zoning that does not prioritise the residential nature of the properties is not consistent with Guideline Number 1. Further it does not account for the level of community and village style living that has emerged in the area throughout the past 20 years.</li> <li>3. The existing lot sizes of the property and those surrounding it are relatively small, under 20 hectares, and as small as 2 or 3 hectares. This is significantly smaller than the 50 hectare Acceptable Solution outlined in the LPS. Further, it is noted that the performance criteria for development standards for subdivision under the Landscape Conservation zone includes that lots must have an area not less than 20 hectares. The property, and the majority of those surrounding that are proposed to be zoned Landscape Conservation are smaller than 20 hectares. Again, this is inconsistent with Guideline Number 1.</li> <li>4. If adopted, the draft LPS would change the subdivision rulings for properties currently zoned Environmental Living from a minimum lot size</li> </ol>

	<p>of 6 hectares which is what it currently is, to a minimum lot size of 50 hectares, with discretionary decisions based on 20 hectares. These recommendations will have an impact on the value of those assets to land holders, particularly those with property sizes greater than 6 hectares.</p> <p>5. The purpose of our property, and those surrounding it is primarily residential. The zoning should reflect this. Owners strongly urge the HVC and the TPC to further consult with the community to apply either the Rural Living zone, or, the Low Density Residential zone. The purpose statements for these zones, are far more consistent with the current and future usage and purpose of this land, and they prioritise residential living, rather than conservation of landscape.</p> <p>6. I note the application of zoning under the LPS to either the Rural Living, or Low Density Residential Zones would be consistent with the application of this zoning to both the Surveyors Bay and Roaring Beach areas. It seems to be an inconsistent application of the LPS to not apply the same zoning to large existing or intended residential lots, in a neighbouring area. Furthermore, from an economic perspective, it appears that these decisions are favouring some residents, over others.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Police Point, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of the area of this site, in terms of vegetation coverage, hillsides and proximity to the Huon River</p>

	<p>reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate. Importantly, there is no strategic intention for this site to form part of an area of residential use and development within a rural setting and given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>100.</b>	<b>Port Huon Progress Association</b>
Matters raised	<p>The representation requests that the centre of Port Huon, Hyndes Road, Port View Drive, Palmers Road and the Huon Highway passing Port Huon be zoned Rural Living or Low Density Residential.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Members of the PHPA have reached out to residents of Port Huon to check whether they are aware of the proposed Huon Valley Local Provisions Schedule, what that means for the zoning of various parts of Port Huon and the HVC's confirmation of possible expansion in housing lot numbers. <ol style="list-style-type: none"> <li>Many residents expressed surprise as they were unaware the zoning was being reviewed and the implications of the planning process for their property and those that surround them.</li> <li>Residents were distressed at the inconsistency of the proposed zoning and the implications for housing lot development, with the rural character, quiet pace and unspoilt environment that they value and cherish in Port Huon.</li> <li>Residents were alarmed at what such a possible expansion in Port Huon resident numbers, conservatively pegged at 3000 and above, will do for the liveability of the area given HVC's (and the State</li> </ol> </li> </ol>

Government's) inability to detail how it will improve, let alone ensure, reasonable access to basic services.

2. Zoning the areas along Hyndes Road, Port View Drive, Palmers Road and Huon Highway as Future Urban and General Residential could result in a rapid and overwhelming increase in resident numbers for the area, leading to unreasonable loss of amenity for existing residents, unacceptable decreases in the availability of already scarce critical services, the generation of dangerous levels of traffic and congestion at intersections with the highway and a fundamental change to the character and feel of the area. While residential zoning may be appropriate in the future, a slower growth trajectory in resident numbers, which can be supported with the alternative zoning representor proposes is more appropriate at this time.
3. At the current low-density levels:
  - (a) Residents find it difficult to get access to general medical practitioners;
  - (b) Medical ancillary services are unavailable or have unreasonable wait times;
  - (c) Residential aged care bed numbers in the local area are insufficient for current numbers, will become problematic with an aging population and critical with a significant increase in population;
  - (d) Traffic management in Port Huon needs review and there are insufficient pedestrian facilities;
  - (e) Council service provision in Port Huon is limited and appropriate for low density or rural living;
  - (f) Water management, including stormwater easements and sewerage, is currently inadequate causing negative environmental impacts.This information shows that current basic service provision in Port Huon is considered by many Port Huon residents, and the members of the PHPA, to be inadequate.
4. More appropriate zoning would be Rural Living or Low Density Residential and that this should be determined in consultation with the current residents of those areas.

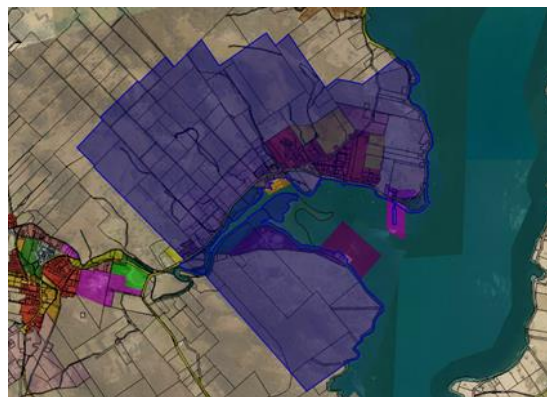



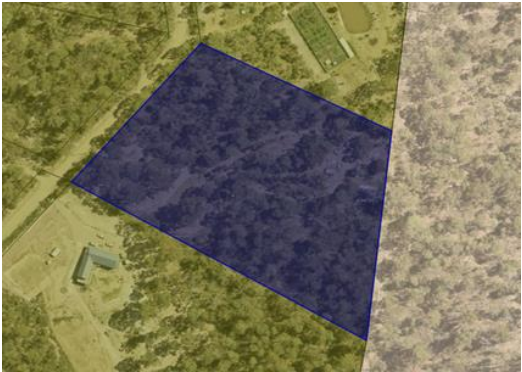
Figure 1. Site location and existing zoning

Planning Authority response	<p>The application of the general residential zone, future urban zone and village zone is a direct translation from the current application of these zones. Their application is consistent with the Guideline No. 1 given:</p> <ul style="list-style-type: none"> <li>• The general residential zoned land is connected to reticulated water and sewerage infrastructure (see GRZ1)</li> <li>• The village zoned land includes a mix of uses such as residential, hotel, motel and indoor swimming pool (see VZ1)</li> <li>• The land zoned future urban is identified for the expansion of Port Huon under the interim planning scheme (see FUZ 1)</li> </ul>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>101.</b>	<b>James Campbell</b>
Matters raised	<p>The representation requests additional time to submit a representation concerning Lot 17 Flakemores Road, Eggs and Bacon Bay (PID: 2602240; CT: 8131/17).</p> <p>Representation general comments:</p> <p>(a) "I ask the council for more time, as I have only become aware of these changes in the last few weeks, and have been unable to engage a planner to properly review what the new zone means to us all. As per this email I am asking council to accept my submission to the LPS planning changes, and I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission in the near future to review any zone impacts or changes to my property."</p>  <p>Figure 1. Site location and existing zoning</p>


Planning Authority response	<p>In accordance with LDRZ 1 this should remain as Low Density Residential Zone as it is within a residential area with large lots and is severely constrained by the following overlays:</p> <ul style="list-style-type: none"><li>• Coastal Erosion</li><li>• Coastal Inundation</li><li>• Priority Vegetation</li><li>• Bushfire Prone area</li><li>• Waterway and Coastal Protection</li><li>• Future Coastal Refugia Area</li></ul> <p>This is a significantly constrained property that is the product of what appears to be a historical subdivision that took little, if any, consideration of the site characteristics and constraints.</p> <p>Notwithstanding, the differences in use between Landscape Conservation Zone and Low Density Residential Zone will not have any meaningful impact on the outcome for this small lot. As such, the Planning Authority has no objection is to the application of the Low Density Residential Zone to this site and rely on the applicable overlays to assess impacts on landscape values.</p>										
Recommended action	<p>Change this site and others in the cluster to Low Density Residential in the draft LPS. The specific title references include:</p> <table><tr><td>8131/23</td><td>8131/15</td><td>8131/11</td><td>8131/17</td><td>8131/13</td></tr><tr><td>8131/18</td><td>8131/14</td><td>8131/10</td><td>8131/16</td><td>8131/12</td></tr></table>	8131/23	8131/15	8131/11	8131/17	8131/13	8131/18	8131/14	8131/10	8131/16	8131/12
8131/23	8131/15	8131/11	8131/17	8131/13							
8131/18	8131/14	8131/10	8131/16	8131/12							
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>										
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>										

<b>102.</b>	<b>Eo Greensticks</b>
Matters raised	<p>The representation relates to 164 Scarrs Road, Garden Island Creek (PID: 7244227; CT: 25979/3).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have not had adequate time to engage a Planner to properly review what the new zone means for my property and therefore whether I agree or disagree with the proposed zoning changes. By copy of this email, I am requesting that the Council accept my representation to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning</li> </ol>


	<p>Commission in the near future to review any zone impacts or changes to my property.”</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Garden Island Creek, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>Importantly, the Environmental Living zoned area of Garden Island Creek is extensive and there is no strategic intention for this area to be an area of residential use and development within a rural setting. Given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>103.</b>	<b>Cheryl and Steve Townend (Gray Planning)</b>
Matters raised	<p>The representation requests 149 Narrows Road, Strathblane (PID: 5271707; CT: 200986/1) be zoned Rural rather than Landscape Conservation, and also object to the application of the current Biodiversity Protection Area and proposed Priority Vegetation Area overlay on the property.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The proposed zoning of the property to Landscape Conservation is objected to 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. It is considered that the Tasmanian Planning Commission consider a more appropriate zoning of Rural for the subject site which is compatible with its lack of any identified values, its coastal setting comprising significant areas of cleared pasture, and being immediately adjacent to Rural zoned land which has been widely applied in the surrounding area to properties with similar characteristics including use, tree cover, application of overlays, topography, size and gradient.</li> <li>2. The LPS assessment by Council has been undertaken against an arbitrary desktop assessment of primarily tree cover of affected land as well as lot size which is considered wholly insufficient to justify application of the Landscape Conservation zone. The subject site has no record of any evidence of, or documented threatened species, is not on a prominent skyline or ridgeline and has no identified or documented landscape values. The subject site is marginally over 6 hectares in area and substantially cleared pasture containing a dwelling and located in a coastal setting at an altitude predominantly between 10 and 20m AHD. It is estimated that the site contains around 80% cleared pasture.</li> <li>3. It is further requested that the proposed Priority Vegetation Area overlay must not be applied to the subject site except where DOV and DAM communities are confirmed as being correctly applied by Tas Veg 4.0 mapping as the application of this overlay across around 50% of the site area it does not meet the guidelines for the application of this overlay.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	Given site characteristics, primarily the lack of native vegetation coverage and the site adjoining other land to be zoned Rural, the most appropriate zone is Rural under the draft LPS. Noting, the Priority Vegetation Overlay is to be retracted to native vegetated areas only.
Recommended action	Change to Rural Zone in the draft LPS.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>104.</b>	<b>William Austin and Emma Stevenson (Ireneinc Planning and Urban Design)</b>
Matters raised	<p>The representation requests 33 Reservoir Road, Ranelagh (PID: 1571470; CT: 175095/1) and the Reservoir Road residential developed lots be zoned Low Density Residential rather than Rural Living, and amend the mapping for the Priority Vegetation Area to reflect the area of 33 Reservoir Road cleared and developed for residential purposes.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property has an unusual configuration in that it is formed of 2 areas being some 4100m2 &amp; 4500m2 each, separated by being located either side of a site containing the Ranelagh Reservoir (29 Reservoir Road), and joined by a 5m wide strip of land along the roadside. The upper area, above the reservoir is developed for residential purposes with a dwelling, while the lower area is vacant. The owner of the land wishes to be able in the future to provide for further residential development on the lower area.</li> </ol>

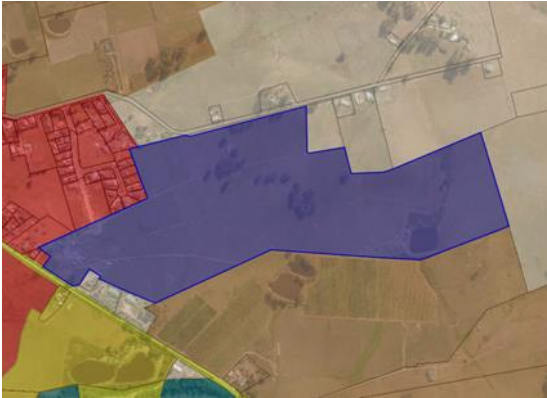
	<p>2. The proposed Rural Living Zone in the Draft LPS would restrict further development as follows:</p> <ul style="list-style-type: none"> <li>(a) Subdivision is limited by the minimum lot size provided by P1 of Cl.11.5.1 8000m<sup>2</sup> (being 20% less than the minimum Rural Living lot size of 1ha).</li> <li>(b) Residential development for other than a single dwelling or home based business is prohibited (Cl.11.2).</li> </ul> <p>3. All the lots in Reservoir Road would be similarly affected in that they would not be further subdivided or developed for more than a single dwelling under the current drafted zoning. Under the alternate zoning as Low Density Residential, multiple dwellings would become a discretionary use with a permitted density of 2500m<sup>2</sup> per dwelling (where unconnected to services) or otherwise by subdivision subject to servicing requirements potentially to a minimum of 1500m<sup>2</sup>. If the Reservoir Road lots were to be zoned Low Density Residential, like the adjacent North Huon Road lots some limited further development would be provided for.</p> <p>4. A portion of the subject land at 33 Reservoir Road is mapped within the Natural Assets Code, Priority Vegetation Area. While it is understood that this mapping is consistent with the current mapping within the Interim Planning Scheme (included through planning scheme amendment in 2020), this mapping appears to have been based on predevelopment conditions for the land given it includes areas cleared and developed as part of the existing dwelling. It is therefore submitted that the mapped area should be modified to reflect the existing conditions.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site identified would require an expansion of the existing Low Density zoned area on northwest of Ranelagh. The Huonville-Ranelagh Master Plan undertaken in 2019 did not identify an extension to the Low Density Residential zoned area of Ranelagh. The planning authority is of the opinion that there is a lack of strategic planning justification to support the development of this area at a</p>

	<p>higher density. Accordingly, the planning authority does not support a change of zoning to Low Density through this process.</p> <p>Furthermore, the priority vegetation overlay will be amended to ensure that non-native vegetation is not captured in the priority vegetation overlay as far as practicable.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>105.</b>	<b>R. M. and B. T Maass (Ian Stanley)</b>
Matters raised	<p>The representation requests 515 Cockle Creek Road, Recherche (PID: 5268460; CT: 213331/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The proposed zoning of Landscape Conservation is inappropriate for a privately owned, freehold title given its historic use and current and possible future use. It is used exclusively as a private dwelling. The property is mostly cleared with a majority of the remnant vegetation located within the Scenic Landscape Corridor Overlay that is identified under the current Interim Scheme on the southwest corner of the title.</li> <li>2. The use of the land is more consistent with the zone purpose of the Rural Living Zone. Possible future uses can also be undertaken that are consistent with the zone purpose for this unique location under a Rural Living Zoning. The remnant vegetation is protected under both the zone purpose and the provisions of the Scenic Road Corridor overlay.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>In reference to RLZ 2 (b) – the location of the site and the surrounding conservation and tourist activities mean the site and other nearby private land holdings which are embedded in a broader matrix of predominantly conservation and eco-tourism land use have not been strategically identified for residential use and development.</p> <p>The site sits within a broader, predominantly conservation and eco-tourism, landscape. It is this landscape, and the features that comprise it, that draws visitors to the area. In line with application guideline LCZ 2 (c), the primary intention for this area is to protect these landscape features while encouraging complimentary development.</p> <p>Accordingly, the most appropriate zone for the site is Landscape Conservation.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>106.</b>	<b>Aiden and Deborah Direen (PDA Surveyors, Engineers and Planners)</b>
Matters raised	<p>The representation requests 7368 Channel Highway, Cygnet (PID: 3529444; CT: 174032/1) be zoned Future Urban Zone rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The site measures 33.94 ha and contains a residential dwelling and farm buildings, including a milking shed. It is presumed that the determining factor for the proposed zoning is related to the site's inclusion on the 'Land Potentially Suitable for Agriculture Zone' layer on the List. Furthermore, the site was previously used for grazing dairy cows; however, a dairy is no longer operating on the site due to the poor quality of the soil resource, the reduced viability of the operation and the peri-urban conflict arising from the close proximity of new residential development.</li> <li>2. Putting aside the constraints mentioned above, while the landowner does not have a current agronomist report, they would be prepared to obtain one should the Council or the Tasmanian Planning Commission require that to assist with the decision-making process. The information provided on the List indicates that the land capability is class 4 (3) and Class 5. This suggests that the land is unsuitable for cropping and only marginally suitable for grazing.</li> </ol>

	<p>3. The purpose of the Future Urban Zone is to identify land intended for future urban use and development and ensure that development does not compromise the potential for future urban use and development of land. The subject site adjoins the existing Urban Growth Boundary for Cygnet. It is known from a variety of reports that the land use projections calculated when the urban growth boundaries were put in place were too conservative, and land development has occurred at a much higher rate than predicted. This has resulted in the reduction of suitable land within the Urban Growth boundaries and those boundaries must now be extended. Therefore, suitable land directly adjoining the urban growth boundaries must be protected from being developed by use and development that is not compatible with residential uses.</p> <p>4. The application of the Future Urban Zone would preserve the land and facilitate the expansion of the Urban Growth Boundary. Furthermore, it would provide a buffer between the residential zone and the surrounding agricultural land which is being actively used for agricultural purposes.</p> <p>5. The application of the zone would not be contrary to the Section 8A guidelines, it would reduce the potential for additional land use conflict between the subject site and the adjoining residential development, it would preserve the ability for the Urban Growth Boundary to be extended and, subject to future strategic planning analysis, the site could be better planned to create a buffer between the residential zone and surrounding agricultural uses through the application of lower density residential zoning.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the HVIPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. The lot is identified as being <i>unconstrained</i> and adjoins land to the south, east and south that is also identified as being <i>Unconstrained</i>. RMCG undertook site specific analysis in accordance with AZ1(a) and confirmed that the most appropriate zoning of the site is Agriculture. Further, in accordance with FUZ1, identifying land as future urban requires a detailed strategic analysis through a Land Use Settlement and Development Strategy, a structure plan for Cygnet or similar.</p>

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>107.</b>	<b>Andrew Bullock</b>
Matters raised	<p>The representation supports the new local planning schedule, in particular the rezoning of areas, including his own property, from Rural Residential to Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Doing this will assist protection of the remaining bush and forest ecosystems along the Huon. From the vantage point of representor's small boat, when sailing on the Huon River, it can be seen just how much forested land has already been cleared. Given that each additional house built requires significant clearing around the house site to minimize bushfire danger, housing densification and subdivision, more likely under rural residential zoning, can only exacerbate loss of natural habitat. Large houses built at high elevation, necessitating long access driveways, have a particularly large footprint, and create ugly scarring of the landscape.</li> </ol>
Planning Authority response	The planning authority notes these comments.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>108.</b>	<b>Carolyn Phyllis Kitchener, Grant Neil McCall, Amanda and Michael George</b>
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Matters raised	<p>The representation relates to 3 properties and requests they be zoned Rural Living rather than Landscape Conservation Zone:</p> <ul style="list-style-type: none"> <li>• 50 Garden Island Creek Road, Garden Island Creek (PID: 9753055; CT: 33001/1)</li> <li>• 6054 Channel Highway, Garden Island Creek (PID: 5859498; CT: 200680/1)</li> <li>• 6104 Channel Highway, Garden Island Creek (PID: 5859420; CT: 251346/1)</li> </ul> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This representation is lodged collectively by the affected landowners and there are common planning issues which should be considered. In essence, the landowners making the representation jointly contest the Landscape Conservation zone should not be applied for this area of Garden Island Creek and Rural Living is a more appropriate zone.</li> <li>2. Inappropriate Zoning: Owners oppose the proposed rezoning of the land from Environmental Living to Landscape Conservation and believe it should not be applied on the following basis: <ol style="list-style-type: none"> <li>(a) The land does not satisfy the planning criteria and zone application guidelines for the Landscape Conservation Zone.</li> <li>(b) The proposed rezoning has been based on an incorrect assessment of the land (by matter of facts) by planners or planning consultants;</li> <li>(c) The grouping of properties to assess the criteria is a flawed process because it ignores the characteristics of a particular property. Further, the zoning boundaries are not based on logical planning decisions having regard to lands which meet or do not meet the planning criteria;</li> <li>(d) Rural Living is a more appropriate zoning.</li> </ol> </li> <li>3. Factual inaccuracy in information for zoning: <ol style="list-style-type: none"> <li>(a) Some of the justifications put by the HVC for the rezoning of the land are based on large scale spatial data analysis. No onsite inspection appears to have been undertaken and the proposed zoning is inappropriate.</li> <li>(b) The HVC Supporting Report for the Huon Valley Draft Huon Valley Local Provisions Schedule notes (p40) "80% native vegetation cover was used as the minimum coverage for selection as potential LCZ properties... Those located in areas of native vegetation less than 20 ha were removed." This has not been applied to the lands.</li> <li>(c) The lands do not meet the criteria for "Protection of land with the highest environmental values has occurred through the application of the ... the Landscape Conservation Zone." (p80). The lands have been used for agriculture and rural residential use for many decades and have previously been partly cleared native flora and protected fauna. There are large tracts of land within the Municipal Area which far better represent "land with the highest environmental values".</li> </ol> </li> </ol>
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- (d) Riparian areas along the banks of Garden Island Creek, where native vegetation has been preserved and which form fauna corridors, do not form part of the title of the lands.
  - (e) The lands are not covered by the Coastal Protection Plan, nor by Conservation Covenants.
  - (f) The lands are not "Significant landscapes such as key skylines and ridgelines" (p100 LPS-HUO-TPS) warranting protection by the application of the Landscape Conservation Zone.
  - (g) Garden Island Creek Road is not a scenic road corridor. It is a no through road, not used by tourists, and only services local residents and land owners. Much of the road is un-sealed.
4. Financial damages and loss in value:
- (a) There are material changes to permitted uses and development standards under the Landscape Conservation Zone in comparison to the existing zone. The proposed zoning will result in a reduction in permissible land uses (notably Residential), corresponding more difficult planning requirements for approvals for Discretionary Uses, and larger minimum lot sizes, resulting in a reduction in value of the lands.
  - (b) In particular we note a significant change in the minimum lot size of 6 ha under the existing Environmental Living zone to 50 ha under the draft Landscape Conservation zone would have a material negative impact on the value of the land. Hence Rural Living B or C zoning is suggested.
  - (c) Landowners put the HVC on notice may seek financial damages and their costs in the event there is a down zoning of the land.



Figure 1. Site location and existing zoning 50 Garden Island Creek Road, Garden Island Creek (PID: 9753055; CT: 33001/1)

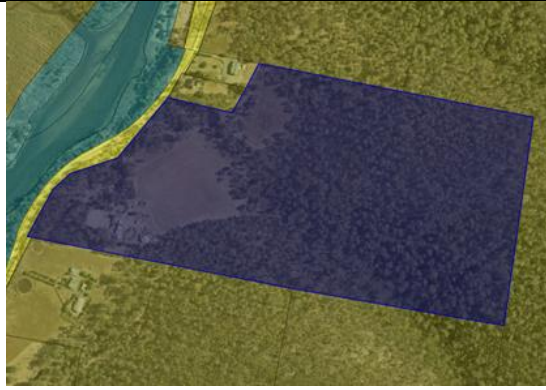


Figure 2. Site location and existing zoning 6054 Channel Highway, Garden Island Creek (PID: 5859498; CT: 200680/1)

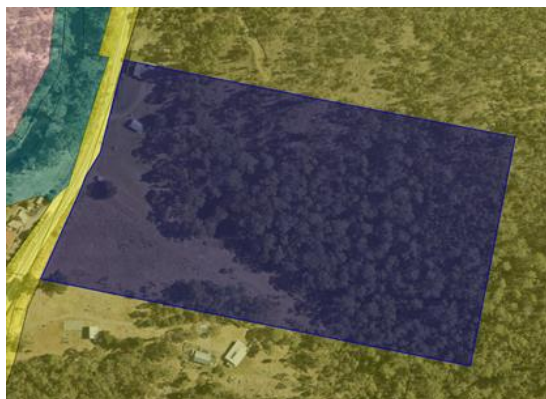


Figure 3. Site location and existing zoning 6104 Channel Highway, Garden Island Creek (PID: 5859420; CT: 251346/1)

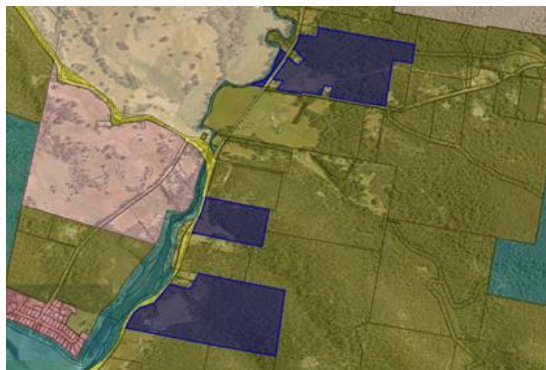



Figure 4. Site location and existing zoning of all 3 properties

Planning  
Authority  
response


Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape

	<p>values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Garden Island Creek, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>Importantly, the Environmental Living zoned area of Garden Island Creek is extensive and there is no strategic intention for this area to be an area of residential use and development within a rural setting. Given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for these sites.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>109.</b>	<b>Natalie Rivers</b>
Matters raised	<p>The representation relates to 911 Halls Track Road, Pelverata (PID: 1536157; CT: 111267/3).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “As I only recently found out about the proposed changes, I have not had time to engage a planner to review how this will affect our property, current and future plans and use, or property value, and therefore whether I agree that these changes are appropriate or not. I would hereby like to request that council accept this email as my submission to the LPS planning changes and that I be given the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission in the near</li> </ol>

	<p>future to review any impacts these changes in zoning will have on my property.”</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The representation includes no substantive request for a change to a component of the Local Provision Schedule. The Planning Authority, consequently, cannot make significant comment or recommendation, other than to reiterate the application of the proposed zone and any applicable code overlays directly considered by the Section 8A Zone and Code Application Guidelines.</p> <p>That said, the site is zoned Rural Resource under the HVIPS and Rural under the draft LPS.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>110.</b>	<b>Craig Tristram and Sharon Webb</b>
Matters raised	<p>The representation objects to the rezoning of 118 Denison Road, Lonnvale (PID: 3202871; CT: 163647/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “The property we purchased was based on the above classification and future proofing our retirement in the future. At no time during the process of purchasing were we informed either by the real estate agency or the council the proposed changes to zoning. During the approvals of building a house did the HVC inform us of proposed planning changes which now believe have been on the table since 2019 for comment. As this planning is</li> </ol>

	<p>going to be introduced by Tasmanian Planning we have not had time to engage planning and environmental consultants to independently review the documents, we don't want the long term value of our property to be hindered by the rezoning of our current Rural Resource.”</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not a like-for-like zone and there are clear policy distinctions between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on the lower slopes of Denison Ridge and is part of a large bushland area. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.



<b>111.</b>	<b>Mr and Mrs Cirvydas</b>
Matters raised	<p>The representation requests 340 Swamp Road, Franklin (PID: 5705341; CT: 127097/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have not had adequate opportunity to get any guidance to find out what the new zoning means to our property. Could you please forward my submission to the local provisions scheme planning changes, so that I have the opportunity to be provided with more detail on how the rezoning will impact our property. Eg. the timbered area of the property, can it be used or if it can't be touched? Do we get compensated if it can't be used? Also how will it affect the value of the property?"</li> <li>2. "We, owners of the above property would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. We believe that the more appropriate zone of Rural (as it has been all along) should be applied as it better fits with our property. As we were not made aware of this re-zoning until quite late in the process and exhibition period, we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf. Therefore, we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.</li> </ol> 

	Figure 1. Site location and existing zoning
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site has extensive native vegetation coverage, portion mapped as <i>Eucalyptus globulus</i> wet forest which is primary foraging habitat for critically endangered swift parrot and a ridgeline extending into the property.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

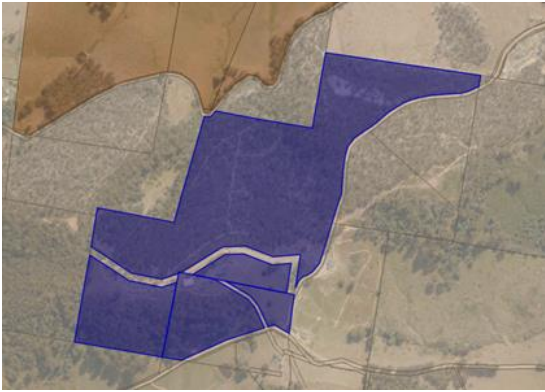
<b>112.</b>	<b>Lauren Blackburn and Amy Purdy</b>
Matters raised	<p>The representation opposes the zoning of Landscape Conservation to 15 Wattle Hill Road, Mountain River (PID: 5686849; CT: 8441/5).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is 1.19ha of north facing, pastured land adjacent to the river and the house/main dwelling is 107 sq metres. The property is located to</li> </ol>

	<p>the west of the river, which runs from north to south. Historically, the property has previously been used agriculturally as an apple orchard prior to conversion to a residential property. The property was previously accessed by TasWater and the HVC as a means to assess and monitor river water measurement.</p> <ol style="list-style-type: none"> <li>2. Under the Landscape Conservation Zone, owners would be significantly restricted in renovating the dwelling to a double storey, considering the height of which the existing dwelling is raised due to historical flood level. Recent consultation with a builder has determined that extending the house laterally is unsuitable due to a significant increase of cost in comparison to constructing a second storey and is complicated by the location of both the water and septic tanks and their proximity to the main dwelling. With the inability to build a second storey, owners may have to consider selling the property and relocate at a huge personal and financial expense, in addition to being against their intention.</li> <li>3. Under the current Environmental Living scheme, owners are able to use the property for agricultural purposes and this is the reason the property was purchased with the intention of establishing an agricultural farming business such as a small, specialist market garden or a commercial garlic farm in the future. Reclassification and restrictions to agricultural and farming activity will eliminate the potential and ability for owners to use the property in this way. A result of this decision would be potential loss of future income, reduction in land value and inability to use the rural land as intended.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape</p>


	<p>values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Mountain River, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and majority of the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area B) (except for 40100/1 and 38964/4).</p>																				
Recommended action	<p>Change to Rural Living Area B in the draft LPS (noting this requires change to all lots currently identified as Environmental Living in the HVIPS except for 40100/1 and 38964/4). Specific titles include:</p> <table><tr><td>27368/1</td><td>44759/1</td><td>251273/1</td><td>13027/1</td><td>251702/1</td></tr><tr><td>74538/1</td><td>6717/1</td><td>24922/2</td><td>51997/3</td><td>13351/1</td></tr><tr><td>34900/1</td><td>109125/1</td><td>217057/1</td><td>59863/1</td><td>237895/1</td></tr><tr><td>80440/3</td><td>8441/5</td><td>12766/1</td><td>114726/1</td><td>46084/1</td></tr></table> <p>1718191 and 171819/2</p> <p>Split Zoned Rural Living (replacing the current HVIPS Environmental Living portion) and Rural (replacing the current HVIPS Rural Resource portion).</p>	27368/1	44759/1	251273/1	13027/1	251702/1	74538/1	6717/1	24922/2	51997/3	13351/1	34900/1	109125/1	217057/1	59863/1	237895/1	80440/3	8441/5	12766/1	114726/1	46084/1
27368/1	44759/1	251273/1	13027/1	251702/1																	
74538/1	6717/1	24922/2	51997/3	13351/1																	
34900/1	109125/1	217057/1	59863/1	237895/1																	
80440/3	8441/5	12766/1	114726/1	46084/1																	
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>																				

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>113.</b>	<b>Ronnie and Leeanne Gudden</b>
Matters raised	<p>The representation requests 184 Kings Hill Road, Cygnet (PID: 3197232; CT: 163643/3 and 108544/2) be zoned Rural rather than split zoned Rural and Landscape Conservation, and objects to the current Biodiversity Overlay and the newly proposed Priority Vegetation Area overlay that is set to be applied over the area.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The objection is based primarily drawing from the TPS's Section 8A Guideline No.1 zone and code application criteria for application in consideration of the properties' characteristics in conjunction with well established historical use.</li> <li>2. The property, to the best of the owner's knowledge, does not have any record of, evidence of, or documented threatened species; does not have a Scenic Protection Area or Scenic Road Corridor; and whilst has parts that are on a ridgeline, those areas are completely cleared with the home, outbuildings (like stables and large farm sheds) and paddocks that are used for registered business since 2013 of breeding thoroughbred horses (Kingsley Park Thoroughbreds). Further, most of the vegetation that is present has been cleared and thinned historically and the majority of the vegetation seen from satellite photos is run of the mill re-growth. Clearly, it should be evident that the rezoning to LCZ in absence of any real identified values that support the zone's expressed intentions is grossly inconsistent with the recommended application of LCZ as outlined in Section 8A Guideline No.1 and zone and code application guideline and criteria. It further goes against the general intention of the statewide zoning system to streamline and simplify zoning and move away from split zones and unnecessary complicated solutions.</li> <li>3. It therefore follows that rather than a complete departure from current zoning and indeed use, and currently in use, of the land from a rural application to that of an explicit conservation use, Council should maintain a zone and respective overlays that is more in alignment with what is already in place. Furthermore, the newly proposed Threatened Priority Vegetation Area be removed in its entirety and to be applied only to verified instances of threatened species.</li> <li>4. In lieu of appropriate zoning decisions that result in a compelled yielding of rural capabilities over the properties, owners expect to be appropriately compensated for that loss of function/use. Minimally, if LCZ and associated Priority Vegetation Overlays are to be instated, owners will be seeking additional legal counsel to see that equitable exemptions of rates and land tax are established whilst such zones are in place.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there are clear policy distinctions between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site has extensive native vegetation coverage, with the property straddling a hilltop and ridgeline and includes two valley depressions with class 4 waterways running down the northern slope. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the 163643/3 area.</p> <p>CT 108544/2 is to transition entirely to the Rural zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria
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<b>114.</b>	<b>Keith Biffin</b>
Matters raised	<p>The representation requests 1715 Huon Highway, Grove (PID: 7757209; CT: 44055/1) revert to Rural Residential zoning.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property was approved for subdivision into 3 rural residential lots under DA 11/1991 and DA 14/2014 under the Huon Valley Planning Scheme. To utilise the land to its fullest potential, the zoning should revert to Rural Residential. This will not only reduce the building site shortages but will provide lifestyle residential land in the community with no loss of agricultural production.</li> <li>2. 60% of the land is entirely unimproved and is very steep, which makes it unsuitable for general agricultural activities. The property is surrounded to the north and southwest by many smaller lots, varying from 1-5 hectares which characterises the the area as rural residential.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the HVIPS and Rural under the draft Huon Valley – LPS. 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:</p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. The site does</p>

	<p>not form part of an existing rural living or environmental living community nor does it adjoin one. Moreover, the site is not part of a community that is substantial in size, nor does it adjoin a settlement.</p> <p>The zoning of Rural is considered the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>115.</b>	<b>Maria and Scott Greene</b>
Matters raised	<p>The representation requests 188 Ayres Road, Ranelagh (PID: 2230096; CT: 143900/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "We are respectfully writing to advise that we have not had adequate opportunity to engage with a planner, to properly review what the new zone means to our property, but from current findings (last few days), wish to advise we do strongly disagree with the proposed new LCZ. By copy of this email/letter, we are requesting the Huon Valley Council to accept our representation (submission) in its current form, to the LPS planning changes and that we now be included in the opportunity to provide more detail and undertake a face-to-face review with the Tasmanian Planning Commission (TPC) in the near future, to review any zone impacts or changes to our property; should the need arise. In addition, we do submit along with the above request, some information that currently relates to our property that has been discovered in a limited time frame, but as stated above, we reserve the right to provide more information, and / or lodge a more formal submission / representation with the HVC, should it be required."</li> <li>2. The property, as well as neighbouring property, has been a part of prior logging in the past. This property has been developed in the last 10 years or so, with a 4 bed home and separate double garage and 2 large water tanks. The frontage of this property is completely vacant, with the current exception of a lot of bracken fern and some bushes/blackberries, while the back and some of the sides of this property, holds mostly gumtrees and the very common E.obliqua "forest" and some wattles that are leftovers from a previously felled eucalyptus forest, rather than a true NAD forest.</li> </ol>

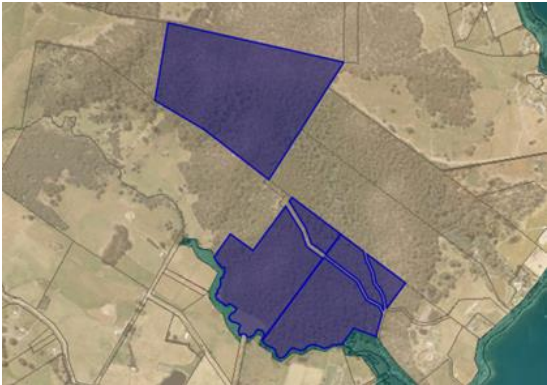
3. The Priority Vegetation Overlay should also be removed entirely until indicated species of interest are ground truthed by a qualified professional of owner's choosing and funded by council or the TPC.
4. The property is not on a ridgeline and owners believe the property has less than 80% vegetation coverage and the majority of ground cover now is bracken fern, which is not a protected species.
5. This property falls under a bushfire zone. The Bushfire Attack Level (BAL) report did not get transferred to owner when purchasing the property. Owner has submitted a request to Huon Valley Council for the BAL and is awaiting the report. If the BAL report is received, owner reserves the right to forward a copy back to Council to further support submission against LCZ, even if after the deadline 31.5.2022, as it may take the Council until after this deadline to locate and forward the property's file.
6. The trees that are on this property are all regrowth, overgrown and now way too close to owner's home and shed; undergrowth is also out of control, and it is considered to be kindling, and is something owners don't like to have so close to the house and shed. Owners need to clear a decent fire boundary (within stipulated guidelines/BAL) and clean up given they are in a classified bushfire zone. This issue has arisen from the prior owners who hadn't occupied this property full time, for some time before selling, and had not maintained it correctly.
7. If the request to move to a like for like zone (as previously requested) fails and owner is told they cannot clear/clean up this small property as per a possible existing or future BAL under the new proposed LCZ, then this may fall to the Huon Valley Council for compensation should anything and/or everything be lost in a bush fire and/or similar environmental threat or event, due to Council negligence of not previously completing the relevant and necessary on ground survey/s of 188 Ayres Road Ranelagh with an authorised professional/s within the right field/s, required to potentially mark the 120. property incorrectly for Landscape Conservation Zoning.



Figure 1. Site location and existing zoning


Planning Authority response	This is not a property that the Planning Authority identified for Landscape Conservation Zoning, rather it was included on request from the Commission on the basis of zoning continuity. The Planning authority does not oppose this property being proposed as Rural, however in accordance with Commission direction, the site is to remain Landscape Conservation.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>116.</b>	<b>Reardon Consolidated Farms (Red Seal Urban and Regional Planning)</b>
Matters raised	<p>The representation requests 3 properties in Lymington be zoned Rural rather than Landscape Conservation:</p> <ul style="list-style-type: none"> <li>• PID: 3443659, CT: 204212/1</li> <li>• PID: 1922672, CT: 229343/1</li> <li>• PID: 1964346, CT: 133699/1</li> </ul> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Representor submits that the decision tree used to determine the delineation of Landscape Conservation Zone and Rural Zone has not examined the existing land use of the site. It is also positioned that the assessment has viewed the site and surrounding area as individual lots, determining that their size, underlying soil quality, and topography of the land, is not agricultural use, and has wrongly been considered not part of the agricultural estate. In doing this the Council has erred to take into consideration lots for farming can be capable of being used for agriculture regardless of ownership.</li> <li>2. The site is a component of a family operated cattle grazing business that has undertaken agricultural use on the site for generations. Zoning the land Landscape Conservation is inconsistent with the current and historic use of the land, and the State Policy on the Protection of Agricultural Land 2009.</li> <li>3. Although most of the farm is to be zoned Rural, the three subject lots are proposed to be zoned 'Landscape Conservation'. However, it is representor's position that pursuant to Section 35E (3)(b) of LUPAA, the draft LPS should not apply Part 22 Landscape Conservation Zone of the SPPs to the area of land specified, and it should remain zoned Rural Part 20 of the LPS. The specific area of concern is associated with the three lots that form part of a 160-hectare farm. In addition to being zoned Landscape</li> </ol>

	<p>Conservation, the entire property is proposed to be subject to the Priority Vegetation Area of the Natural Assets Code.</p> <ol style="list-style-type: none"> <li>4. The farm is split into three businesses that are based around three cattle herds and breeds. Despite the three groups, the property is managed as a single entity, with the farm operating holistically over numerous titles that are owned by various other Reardon family members, who all have interest in the agricultural business. Because of the various ownersHVIPS of titles, Council's "decision tree" may be considering the area not as one individual farm but as numerous individual properties with no relationship to each other. However, essentially the operation of this business is putting in practice what the Agricultural Land Mapping Project - Background Report for the rural and agricultural zones is seeking to occur; that is, farming operations over titles regardless of the ownership of land.</li> <li>5. The Reardon family has been farming this land since the 1800s. The lots in question, otherwise known as the bush blocks on the farm, are only grazed by cattle during the winter months. The grazing cattle are pregnant breeder cows as the property is de-stocked of the previous seasons' yearlings. By locating the lighter number on the bush blocks, the Reardons provide shelter for their livestock from the cold of the wet valley floor during the winter months. This helps avoid foot rot and cattle losing condition on the damp, often waterlogged, frosty paddocks. Winter rotational razing also provides the pasture paddocks a rest that helps to improve the pasture growth rate and sustainability of the soil and thus the long-term productivity of the farm. Grazing in winter assists reducing vegetation fuel load, minimising the risk of intense bushfires during summer. The other advantage of winter grazing within the bush blocks is that it provides access to ongoing gorse management.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or</p>


	<p>Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The sites are extensively covered in native vegetation, are in proximity to the Huon River and form part of a larger, contiguous bushland area. The sites form part of Landgons Hill, including the hilltop, and mapped threatened native vegetation is Eucalyptus globulus dry forest and woodland. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>117.</b>	<b>Ron and Denise Goodwin</b>
Matters raised	<p>The representation requests 65 Doodys Hills Road, Port Huon (PID: 1539016; CT: 111671/1) Port Huon be zoned Rural Living B rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners believe there is merit in changing the proposed zoning for the property to Rural Living B, as it will allow the property to be subdivided into three additional blocks of approximately 2.5-3 hectares each. The electricity transmission corridor will remain within the exiting house boundaries. This zone will be compatible with nearby blocks and provide the popular lifestyle</li> </ol>

	<p>blocks that are in such high demand and low supply in this part of the Huon Valley.</p> <ol style="list-style-type: none"> <li>2. The land usage and quality deteriorate with the elevation of the block, resulting in two-thirds of the block being poor quality land for agriculture, best described as summer grazing for cows or sheep.</li> <li>3. Owners note that the priority vegetation overview shows a significant area of native vegetation in this 5 acre block. This is not the case on the ground as the area had been cleared and used as an apple orchard and now partly cleared of apple trees. Other areas are completely devoid of any vegetation other than grass. So the quantity and location of native vegetation observed on the property differs from that stated in the Priority Vegetation Overlay.</li> <li>4. The property is not zoned as having any local historic or heritage significance, is not a scenic protection area, is not subject to coastal erosion or inundation and is not subject to any general overlays.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>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:</p> <ol style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ol> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. Further, the pattern of small lot sizes in the LGA (that is, 26 % of lots are between 1 ha and 10 ha, with only 13 % of lots in the Municipal Area greater than 10 ha) demonstrates the unique characteristic of the Municipal Area as having a substantial percentage of lots being of a size typically associated with a rural-residential lifestyle. Therefore, whilst it is recognised that the rezoning would provide for limited subdivision and adjoins an existing Rural Living area, due to the number of lots in the Municipal Area</p>

	<p>that would also have these characteristics, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis.</p> <p>The Rural Zone is considered to be the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>118.</b>	<b>Brett McCormack</b>
Matters raised	<p>The representation requests 123 Glocks Road, Waterloo (PID: 7720027; CTs: 128455/1, 46125/5, 40694/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I will make some quick points here in strong objection to this proposed change to my property zone and will speak to other landholders impacted and discuss this issue and see what the feeling is amongst those impacted and respond in more detail once I have availed myself of some more facts."</li> <li>2. Owner estimates 90% or more of the external property boundaries abutt active forestry operations, this is around all of the front, sides and back of the property, by both government (STT) and private landholders. The bank are using this property as security.</li> <li>3. After briefly reviewing the informatin available, Landscape Conservation Zone is not a "like for like" rezoning, rather Rural would be. Also, the mapping of proposed zones shows some glaring anomalies for properties which meet the attributes which are not proposed to be zoned LCZ so it raises questions around the underlying data used to make these decisions.</li> <li>4. Owner strongly urges the council to reconsider the use of the LCZ entirely in the first instance and more specifically to amend the proposed zoning of the property to the most logical of the available options being Rural.</li> </ol>

	 <p data-bbox="416 600 914 633">Figure 1. Site location and existing zoning</p>
<p data-bbox="204 685 325 797">Planning Authority response</p>	<p data-bbox="416 685 1417 1003">The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p data-bbox="416 1055 1417 1167">The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p data-bbox="416 1218 1417 1659">In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site contains extensive native vegetation coverage, the site sits on the slope of the prominent landscape feature and contributes to a large area of bushland, including threatened native vegetation communities. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
<p data-bbox="204 1715 392 1783">Recommended action</p>	<p data-bbox="416 1715 948 1749">No modification to the draft LPS is required.</p>
<p data-bbox="204 1800 384 1944">Effect of recommended action on the draft LPS</p>	<p data-bbox="416 1800 1417 1912">There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>119.</b>	<b>(E3 Planning)</b>
Matters raised	<p>The representation requests 3 properties in Franklin be zoned Rural rather than Agriculture:</p> <ul style="list-style-type: none"> <li>• 15 Swamp Road, Franklin (PID: 3529743; CT: 102757/1)</li> <li>• 31 Swamp Road, Franklin (PID: 2639975; CT: 43033/1)</li> <li>• 1 Swamp Road, Franklin (PID: 5703485; CT: 6332/1)</li> </ul> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The zone purpose of the Agriculture Zone is contrary to the existing and likely potential future use and development of the Properties as the zone purpose specifically provides for agriculture uses. The zone purpose of the Rural Zone provides for a range of uses which more closely accord with what is happening on the Properties.</li> <li>2. Residential use and development are discretionary under both zones; however, the agriculture zone contains a restrictive provision clause 21.3.1P4 which would effectively prohibit residential use and development on the Properties as the clause states that residential must be required as part of an agricultural use. This provision would sterilise the Properties from the majority of any permissible discretionary uses.</li> <li>3. Residential uses on the Properties would need to rely upon non-conforming existing use rights, which is not considered to be appropriate from a planning perspective when it is evident that the Properties do not have significant agricultural potential. The development potential of the Properties would not significantly alter because of the zoning change from agriculture to rural and the change could only be considered as minor. This limited development potential would not lead to any changes to existing potential land use conflicts and fettering of agricultural activities.</li> <li>4. Zoning the Properties to Rural would not create any significant development potential nor would it result in any fettering of agricultural activities.</li> </ol> 


	Figure 1. Site location and existing zoning
Planning Authority response	The site is zoned Significant Agriculture in the HVIPS. In accordance with the zone application guidelines (AZ2) land within the Significant Agriculture zone in an interim planning scheme should be included in the Agriculture Zone unless considered consistent with AZ6. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>120.</b>	<b>Jason Garard</b>
Matters raised	<p>The representation relates to 30 Igglesden Road, Garden Island Creek (PID: 3059657; CT: 159844/2).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have not had adequate opportunity to engage a planner to properly review what the new zone means to my property and as such I disagree with the proposed zone. By copy of this email/letter I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to my property."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>


Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Garden Island Creek, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>Importantly, the area zoned Environmental Living in the Garden Island Creek area is extensive and there is no strategic intention for this site and the broader Environmental Living area to be an area of residential use and development within a rural setting. Given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>121.</b>	<b>Adrian Harris</b>
Matters raised	The representation requests 3242 Huon Highway, Franklin (PID: 2123936; CT: 136277/1) be zoned Low Density Residential rather than Agriculture.

	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Several overlays are proposed to be placed over the Property under the TPS HOU, these are similar to those existing and include: Coastal Erosion Hazard Code; Landslip Hazard Code; Natural Assets Code; Bushfire Prone Area; Scenic Protection Code; Coastal Inundation Code. These codes significantly limit the development potential of the Property and must be addressed as part of any development application and would restrict allowable use and development.</li> <li>2. Although the land capability of the Property is listed as 4, this capability mapping does not consider: <ol style="list-style-type: none"> <li>(a) The practicality of undertaking agricultural activities on the Property</li> <li>(b) The small land area of the Property and those surrounding</li> <li>(c) Adjacent land uses – residential non-agricultural uses</li> <li>(d) Existing development and location on the Property.</li> <li>(e) It is not possible to undertake any economically productive or feasible agricultural operations on the Property principally due to its limited area.</li> </ol> </li> <li>3. The surrounding properties are recommended to be zoned Low Density Residential. This would recognise the existing pattern of residential non-agricultural land uses to the North and South of the Franklin Township and provide for a zoning transition between the urban area and the agricultural areas to the north and east.</li> <li>4. Non-agricultural/residential uses on smaller lots are more the norm than the exception throughout the Huon Valley and do not create any significant issues with respect to land use conflict and or fettering of adjacent apple orchard operations. The history of land use development within the Huon Valley is that larger lots were developed for apple orchards with smaller residential lots providing accommodation to owners of the orchards and or workers within the agricultural operation. This low scale rezoning would provide for a continuation of this.</li> <li>5. The development potential created if the Property were to be zoned Low Density Residential is relatively minor as the TPS HOU provides for 1 dwelling per 1200m<sup>2</sup> and a minimum lot size of 1200m<sup>2</sup> under the relevant performance criteria. A maximum of 2 additional dwellings could be approved if the Property were zoned as recommended.</li> <li>6. The small lot size and the existing residential use undertaken on the Property and the surrounding lots means that it is very unlikely that the Property would ever be used for agricultural purposes. Low Density Residential Zoning would recognise and enable the existing residential uses to be undertaken on the Property without being unnecessarily constrained by inappropriate zoning.</li> <li>7. The Property and those surrounding are recommended to be zoned Low Density Residential to recognise their existing uses and to provide for a transition between the urban area of Franklin and agricultural use and development.</li> </ol>
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	 <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The Zone and Code Application Guidelines under LDRZ 1 identify when the Low Density Residential Zone should be applied:</p> <ul style="list-style-type: none"> <li><i>(a) residential areas with large lots that cannot be developed to higher densities due to any of the following constraints:</i> <ul style="list-style-type: none"> <li><i>(i) lack of availability or capacity of reticulated infrastructure services, unless the constraint is intended to be resolved prior to development of the land; and</i></li> <li><i>(ii) environmental constraints that limit development (e.g. land hazards, topography or slope); or</i></li> </ul> </li> <li><i>(b) small, residential settlements without the full range of infrastructure services, or constrained by the capacity of existing or planned infrastructure services; or</i></li> <li><i>(c) existing low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development, and where there is justification for a strategic intention not to support development at higher densities.</i></li> </ul> <p>The site is not in a residential area or part of a residential settlement. The site is zoned and adjoins land Significant Agriculture in the HVIPS and will adjoin land zoned Agriculture under the draft LPS – Huon Valley. Neither the site nor area reflect the site characteristics required to satisfy LDRZ 1.</p> <p>Regarding the zoning of Agriculture. The site is zoned Significant Agriculture in the HVIPS. In accordance with the zone application guidelines (AZ2) land within the Significant Agriculture zone in an interim planning scheme should be included in the Agriculture Zone unless considered consistent with AZ6. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.</p>
<p>Recommended action</p>	<p>No modification to the draft LPS is required.</p>

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>122.</b>	<b>Prof. Marek Havlat and Dr. Megan Davies</b>
Matters raised	<p>The representation requests 238 Bakers Creek Road, Lucaston (PID: 5694152; CT: 12206/5) and adjacent properties should remain Rural Living rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is only 4 hectares in size which is both an unsustainable surface area for such a rezoning category and accordingly a commercially wholly unviable enterprise for such a designation.</li> <li>2. While owners are currently renting the property out, they have in the past, and intend to continue into the future, use it as a small 'hobby' farm for leisure, similar to most of the other occupied properties of this attractive and well bonded locality. Rezoning this land would incorrectly reflect its status and negatively impact on the overall current Lucaston community dynamic.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The site is currently zoned Significant Agriculture under the HVIPS not Rural Living and is proposed to be zoned Agriculture.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>123.</b>	<b>Mr and Mrs Port (Irene inc Planning and Urban Design)</b>
Matters raised	<p>The representation requests the remaining portion of 20 Emma Street, Cygnet (PID: 2979128; CT: 157309/1) also be zoned General Residential rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The site currently accommodates an existing dwelling and associated outbuildings which support limited grazing, which also crosses over into the adjoining site to the north. Access to the site is via Emma Street, with vehicle access also possible via Christina Street. Based on aerial maps, the site has an approximate area of 4.5ha and is adjoined by existing residential land along the eastern and southern boundaries. To the north and west, the site is generally adjoined by additional rural and agricultural land. There are small areas on the site which contain limited vegetation, with a relatively large area covered by a historical waterway/drainage area which cuts through the centre of the site from the north.</li> <li>2. The land capability mapping indicates that the site contains a mixture of Class 4 &amp; 5 soils, which are suitable for grazing and a limited cropping. A more recent mapping project has been undertaken to explore the agricultural potential of land, based on factors such as lot size, the value of the land per hectare, proximity to existing agricultural use and consideration of potential constraints such as proximity to residential land. This mapping and analysis indicate that the site is 'potentially constrained' for agricultural use based on the size of the lot (i.e. the larger the lot, the more suitable it may be for broadscale agricultural use), and the nature/use of adjoining properties.</li> <li>3. The site is identified as potentially constrained – criteria 3, which indicates that the site is unlikely to be suitable for agricultural use because of the relatively small lot size and proximity to residential use. The surrounding area is comprised of a number of different zones. The immediately adjoining land to the south of the site is zoned general residential, whilst the land immediately to the west is to be transferred to the Agricultural Zone under the draft LPS. To the north, the immediately adjoining land is to be zoned Rural. The agricultural land immediately adjacent to the site does not show evidence of substantial agricultural cultivation, rather supporting grazing, an existing dam and tracts of vegetation. This will serve as a reasonable buffer, as the position of the dam and tracts of vegetation are likely to preclude any substantial agricultural operations within approximately 160m of the site. In addition, there is little if any potential for the site to be adhered to the</li> </ol>

	<p>adjoining title into the future, due to the existing road reserve which runs between the two properties. There are a number of other future road reserves which run along the southern and northern boundary of the subject site – presumably to allow for future connections for future residential expansion.</p> <p>4. The rezoning of the site, in addition to the strip of existing general residential land, would have the potential to provide up to 100 lots, based on the minimum acceptable solution lot size requirement of 450m<sup>2</sup> (per lot) under the State Planning Provisions. The provision of an internal roadway, connecting from Emma Street will reduce the lot yield, as will the final lot layout, depending on whether some lots may be larger. If a rezoning were approved, any subsequent subdivision could occur in stages, allowing Council to approve any use/development stage by stage, if there were any doubts as to the uptake rate or consideration of other land in the township that may be earmarked for further subdivision or rezoning for residential purposes. Even if the site at 20 Emma Street was rezoned and subdivided to create some 100 lots, at 450m<sup>2</sup> per lot - there would still be a shortfall of residential land to meet demand by 2036, according to the SGS report.</p> <p>5. Given the analysis presented in this representation and the summarised reasons above, there is a strong case for the balance land to be rezoned, to cater for the increase in housing demand across the region. Rezoning of the balance would not constitute a substantial increase in General Residential land in the immediate locality but would provide a necessary increase in land supply. Any subsequent subdivision of the site can also be undertaken through a staged release, providing additional lots as required.</p> <div data-bbox="453 1339 1002 1742" data-label="Image"> </div> <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site cannot be considered as being part of the main urban residential area of Cygnet given its zoning of Rural Resource under the HVIPS and the HVLUDS 2007 excluding this area from being within the town boundary. Accordingly, a change in zone for land of this size, requires a detail local strategic analysis to ensure consistency with GRZ 2 (c).</p>



	Given a recent structure or master plan has not been prepared for the area which identifies this land as the most suitable land for an expansion of Cygnet, the LPS process is not the appropriate process to consider a rezoning of the land. Accordingly, the Rural zone is the most appropriate zone for the site.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>124.</b>	<b>Adrian Stevenson and son (Ireneinc Planning and Urban Design)</b>
Matters raised	<p>The representation requests 155 Sawyers Creek Road, Mountain River (PID: 3583096; CT: 174325/4) and 158 Sawyers Creek Road, Mountain River (PID: 3583061; CT: 174325/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. 155 Sawyers Creek Road comprises of approximately 20.25ha of land, with a residential dwelling and three main outbuildings (associated with the rural uses of the land). The site has frontage onto Sawyers Creek Road along the northern boundary. There is a natural stream running south to north through the site. The topography of the site responds to the site's location in relation to the streambed with an easterly slope aspect. The lowest part of the site is by the streambed, and the topography of the site has a variance of approximately 45m across its entirety.</li> <li>2. 158 Sawyers Creek Road comprises of approximately 21.5ha of land with two buildings comprising of a principal dwelling and a shed. The site has a topographic variance of approximately 80m across its entirety.</li> <li>3. The intention for the subject land (both properties) is to expand the existing apple orchard on 159 Sawyers Creek Road by increasing the productive capacity of 155 &amp; 158 Sawyers Creek Road in a sustainable way. The intention is also to make use of existing cattle-yard infrastructure by expanding beef production and pasture development across both titles. Since the time of discussion surrounding the farming succession plan, the landowners have been working on expanding the farming capacity of 159 Sawyers Creek Road through land management and weed clearance of 155 &amp; 158 Sawyers Creek Road.</li> <li>4. The majority of the lots surrounding the subject land have maintained their Rural zoning. 155 &amp; 158 Sawyers Creek Road are the only two lots</li> </ol>

within the area that have not received a 'like-for-like' zoning. It is submitted that the zoning has therefore been inconsistently applied within the area, and that the Natural Asset Code provides sufficient protection of the natural values on the site to ensure future use or development does not adversely impact the above values if the existing Rural zoning is retained.

5. It is important to note that, across the two titles, the subject land is not undisturbed by previous human and farming activity. Vegetation across the subject land is somewhat fragmented both internally and externally due to multiple informal gravel roads running throughout the subject land. The fragmentation of bushland is further exacerbated by the predominantly cleared nature of the adjoining lots. Furthermore, much the subject land has been used for cattle scrub grazing, particularly over the winter months. Both 155 & 158 Sawyers Creek Road also contain residential dwellings that ensure there is not a contiguous area of bushland between the two titles. In this regard, the landscape conservation zone is not considered the most appropriate zoning for the land in question.
6. Under the Landscape Conservation Zone, resource development is a discretionary use. Whilst it is possible for the subject land to be utilised as an apple orchard under this zone, it is believed that the zone's provisions create unreasonable and unnecessary restrictions. Given the subject land's existing and continued rural use, the provisions for Discretionary Use (22.3.3), Site Coverage (22.4.1) and Landscape Protection (22.4.4) have the potential to place undue limitations on the site's agricultural capability.
7. It is requested that the subject land be zoned Rural in accordance with the below strategies. The intention of the proposed zone is to enable the sustainable extension of the existing apple orchard from 159 Sawyers Creek Road into the subject land. Rural zoning would enable the intended use for resource development to be 'no permit required'. Rural zoning would also provide for a more compatible use within the broader landscape context.



	<p>Figure 1. Site location and existing zoning of 155 Sawyers Creek Road, Mountain River (PID: 3583096; CT: 174325/4)</p>  <p>Figure 2. Site location and existing zoning of 158 Sawyers Creek Road, Mountain River (PID: 3583061; CT: 174325/1)</p>  <p>Figure 3. Site location and existing zoning of both sites</p>
<p>Planning Authority response</p>	<p><u>155 Sawyers Creek Road, Mountain River (PID: 3583096; CT: 174325/4)</u></p> <p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site contains a steep slope and substantial bushland area, however as this site is relatively isolated, does not contribute to a larger bushland area, has land that is already cleared on the site and will be subject to the priority vegetation overlay to protect the threatened vegetation community on the site, Council does not object to the site going to Rural in the draft LPS.</p>

	<p><u>158 Sawyers Creek Road, Mountain River (PID: 3583061; CT: 174325/1)</u></p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is on a steep slope, is substantially vegetated and forms part of a larger contiguous bushland area. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	Change CT 174325/4 to Rural in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>125.</b>	<b>Mr and Mrs Reardon (Ireneinc Planning and Urban Design)</b>
Matters raised	<p>The representation requests 2 titles on Thorpe Street, Cygnet (PID: 3250283; CT: 182001/1 and PID: 3250283 CT: 31988/1) be zoned General Residential rather than Future Urban.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The two titles are currently undeveloped and adjoin Agnes Rivulet which runs north to south into Port Cygnet Bay. The sites can be accessed via O'Connell Close and via Thorp Street. The southern section of the site is subject to waterway and coastal inundation. Based on aerial maps, the site has an approximate total area of 10.1ha and is bounded by existing residential land to the east, north-east and south-east. There are small areas on the site which contain limited vegetation.</li> <li>2. The site will be subject to the Natural Assets Code under the forthcoming Huon Valley Local Provisions Schedules. The Code provides use/development standards to protect and manage waterways and areas identified for potential future coastal refugia. A Natural Values Assessment may be required to determine the significance of the vegetation and the values of the waterway. However, it is noted that the waterway is more</li> </ol>

	<p>likely to be a natural drainage line rather than a watercourse. Therefore, appropriate stormwater management as part of any subsequent subdivision application may be sufficient to address this.</p> <ol style="list-style-type: none"> <li>3. Representor seeks a rezoning of the site (comprising both titles) to General Residential. However, it is acknowledged that the land constraints across the southern section of the site, along with the extent of existing Environmental Management zoning may restrict the extent of any rezoning to the areas north of O'Connell Close. Taking this into account, the site would still contain approximately 6.5ha that is free from the primary constraints outlined above. Given the size of the combined lots and potential lot yield any subsequent subdivision applications could be staged to match demand, depending on the number of lots per stage. If the rezoning were supported and implemented, the intention is to provide larger lots greater than the minimum 450m<sup>2</sup> and certainly nothing lower. As outlined further in the submission, the Cygnet Residential Demand and Supply Analysis, prepared by SGS, provides a strong basis to support rezoning the balance to General Residential. It is likely that if a rezoning were approved, any subsequent subdivision would occur in stages, allowing Council to approve any use/development stage by stage, if there were any doubts as to the uptake rate or consideration of other land in the township that may be earmarked for further subdivision or rezoning for residential purposes.</li> <li>4. Based on the analysis provided above, our client seeks consideration for the rezoning of their property at Thorp Street from Future Urban (as proposed under the Draft LPS), to General Residential, for the following reasons: <ol style="list-style-type: none"> <li>(a) The most recent housing supply/demand report prepared by SGS indicates that there is a need for additional residential lots within the Cygnet township to meet higher growth scenarios, which are at odds with that presented in the STRLUS;</li> <li>(b) Given that there is a portion of the site that may not be appropriate for development (as outlined in this report), this provides a unique opportunity for Huon Valley Council to negotiate with the landowner, through Council's Open Space Policy, to gain some additional public land which could be used to extend Burtons Reserve across Charlton Street.</li> <li>(c) The site is within the township and is serviced by reticulated water and sewer infrastructure.</li> </ol> </li> </ol>
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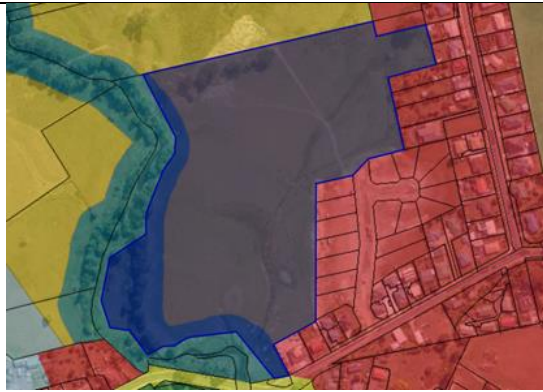


Figure 1. Site location and existing zoning of PID: 3250283; CT: 182001/1



Figure 2. Site location and existing zoning of PID: 3250283 CT: 31988/1

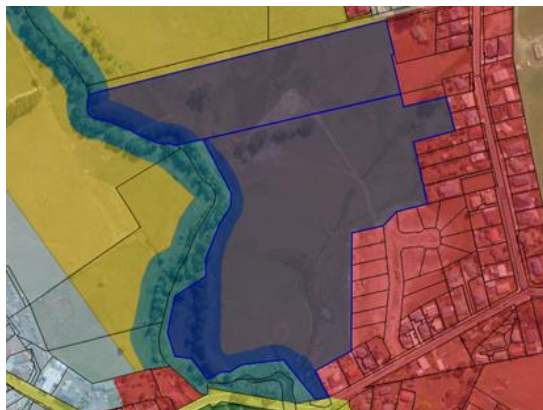



Figure 3. Site location and existing zoning of both properties

Planning  
Authority  
response

The site is zoned Future Urban under the HVIPS, is within the Cygnet town boundary identified in the HVLUDS 2007 and there is a recognised need for additional housing within Cygnet. Potentially therefore, the proposal could be consistent with GRZ 2. However, the zone application guidelines identify regarding the Future Urban Zone that:

*The Future Urban Zone may be used for future urban land for residential use and development where the intention is to prepare detailed structure/precinct plans to guide future development.*

	These types of documents not only guide future development but are based on detailed strategic analysis of the township of which the General Residential zoned land is within and considers timing and sequencing of land release. To this end, whilst there may be strategic merit to have this land zoned General Residential (noting some of the land would remain as Environmental Management) due to the lack of structure or precinct plan to guide future development, the Particular Purpose Zone – Future Urban is the most appropriate zone for the site.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>126.</b>	<b>Martin Wohlgemuth</b>
Matters raised	<p>The representation requests an update to the Priority Vegetation report over 17 Chapman Avenue, Dover (PID: 3264431; CT: 108741/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The large eucalyptus trees on this property provide an important refuge for many birds species, making the crossing of central Dover. Above all the seasonal migration of the swift parrot to these southern latitudes, sees them in loud flocks flying and feeding amongst these trees, especially the blue gums all that form part of their habitat. The habitat extent also includes the eucalypt trees on the edge of the school oval. These all form a feeding habitat range connecting with the eucalyptus trees along Dover Beach during the Swift parrots migration to this locality.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	Applying the priority vegetation overlay to this site would be inconsistent with the zone and code application guidelines.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.



<b>127.</b>	<b>Robert and Helen Romyn</b>
Matters raised	<p>The representation requests 80 Fourfoot Road, Geeveston (PID: 2806964; CT: 149468/2) be zoned Rural Living rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Property is 30 acres with 9.35 acres being steep bushland deeming it unsuitable for sustainable agriculture. 3.47 acres are bog/water logged land that also can't be used for sustainable agriculture. This leaves 3 acres for the house and gardens and 16 acres for pastoral lands. Owners have tried to farm beef cattle and found 6 head of cattle on this amount of land became over grazed very quickly, making the venture unsustainable in regards to land care and financial sustainability.</li> <li>2. The subject property holds stored water in the form of two dams which would not sustain fruit or a seasonal cash crop. Any increase in the volume of onsite potted water would further reduce the land available for agricultural activity.</li> <li>3. Under Huon Valley Draft LPS most properties with frontage on Fourfoot road were zoned as Rural Resource. Under the new scheme, neighbours, as well as all other surrounding properties with Fourfoot frontage have been re classified as rural Living.</li> </ol> 

	Figure 1. Site location and existing zoning
Planning Authority response	<p>The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. The lot is identified as being <i>unconstrained</i> and adjoins land to the north and east that is also identified as being <i>unconstrained</i>. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Rural whilst also recommending CT 158860/1, CT 168520/1, CT 158860/4, CT 205946/1, CT 124364/1 and CT 203637/1 to go to Rural under the draft LPS.</p> <p>Further, in accordance with RLZ2 the Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</p> <ul style="list-style-type: none"> <li>(a) <i>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</i></li> <li>(b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. Further, the pattern of small lot sizes in the LGA (for example, 26 % of lots are between 1 ha and 10 ha, with only 13 % of lots in the Municipal Area greater than 10 ha) demonstrates the unique characteristic of the Municipal Area as having a substantial percentage of lots being of a size typically associated with a rural-residential lifestyle. Therefore, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis.</p>
Recommended action	Include this site and CT 158860/1, CT 168520/1, CT 158860/4, CT 205946/1, CT 124364/1 and CT 203637/1 in the Rural Zone under the draft LPS.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>128.</b>	<b>David Miller (Ireneinc Planning and Urban Design)</b>
Matters raised	<p>The representation requests 500 Main Street, Huonville (PID: 9172127; CT: 178529/500) be zoned General Residential rather than Future Urban.</p> <p>Representation general comments:</p>

	<ol style="list-style-type: none"> <li>1. The rezoning of the property to General Residential would provide additional residential land to meet the growing demand (as outlined in the accompanying SGS Report) and mitigate the ongoing bottleneck caused by existing landowners with General Residential land, who are not willing to allow further subdivision.</li> <li>2. The site has already been identified as suitable for residential zoning and directly adjoining a recent subdivision, accessed via Ash Way.</li> <li>3. The site is also relatively free of any substantial hazard overlays, thereby substantially reducing risk to future development. Providing additional residential development within the subject site would also provide additional justification for the potential road bypass from Main Road onto Knights Road.</li> <li>4. The Land Use and Development Strategy is relatively outdated now, having been prepared in 2014. It does not identify the subject site as being within the urban growth boundary, however it is significant to note that the immediately adjoining land to the north-west is also not included, but nonetheless, has been zoned General Residential and has been recently subdivided. There are also other instances where additional land has been rezoned to General Residential outside of the urban growth boundary illustrated within the strategy.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Future Urban under the HVIPS, and potentially therefore, the proposal could be consistent with GRZ2. However, the zone application guidelines identify regarding the Future Urban Zone that:</p> <p><i>The Future Urban Zone may be used for future urban land for residential use and development where the intention is to prepare detailed structure/precinct plans to guide future development.</i></p> <p>These types of documents not only guide future development but are based on detailed strategic analysis of the township of which the General Residential zoned land is within and considers timing and sequencing of land release. To this end, whilst there may be strategic merit to have this land zoned General Residential due to the lack of structure or precinct plan to guide future development of the site and</p>

	the lack of strategic analysis of the township recommending the release of this land, the Future Urban Zone is the most appropriate zone for the site.
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>129.</b>	<b>Justin and Melissa Innes</b>
Matters raised	<p>The representation requests CTs 160456/6 and 106649/1 which form part of 598 Lymington Road, Lymington (PID: 1623576) be zoned Rural rather than Landscape Conservation, to be consistent with the other parts of the property.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The land comprising 589 Lymington Road is comprised of 4 titles, including 2 more recently acquired to expand the holding. The overall land area is some 18ha, approximately 11ha of which have been relatively recently purchased (CT's 160456/6 and 106649/1). The land is partially cleared and partially treed, typical of the area more generally.</li> <li>2. The subject land contains a dwelling and outbuildings on the northern title, with the property's further developed cleared pasture and other grazing land extending further. The recently acquired land was purchased from an adjoining landowner, to provide additional land to allow expansion of the property and intended expanded farming activity. The newly acquired areas while having frontage and access further to the south, have land that is easily accessible from existing areas of the site and where it would provide a logical extension.</li> <li>3. Two titles, as well as some of the nearby lots, have been placed in the Landscape Conservation Zone, however as described these lots have been added to the larger holding and contain areas used for grazing and intended for further expansion of rural resource uses. While there would be some degree of existing use for Resource Development on these titles, it is of concern to the landowner that further development within the Resource Development use class would become discretionary.</li> <li>4. There are neighbouring lots proposed to be Rural Zone which are at the same contour level as the proposed Landscape Conservation zoned areas of the subject land as well as areas of the ridge to the west that is also drafted to be zoned Rural.</li> </ol>



Figure 1. Site location and existing zoning of CTs 160456/6 and 106649/1



Figure 2. Site location and existing zoning of 598 Lymington Road, Lymington (PID: 1623576)

Planning  
Authority  
response

The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not a like-for-like zone and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.

The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.

In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is extensively covered by native vegetation, contains vegetated slopes and a hilltop and forms part of a larger contiguous bushland area.

	<p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>130.</b>	<b>Paul and Stephanie Clark</b>
Matters raised	<p>The representation requests CTs 158284/10 and 158284/11 which form part of 681 Lymington Road, Lymington (PID: 9060997) be zoned Rural rather than Landscape Conservation, to be consistent with the other parts of the property.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The overall land area is some 76ha and is partially cleared and partially treed, typical of the area more generally. Developed and grazed areas of the land have generally flat to moderate eastern slopes. The subject land contains numerous buildings including 1 remaining dwelling and various outbuildings. The property is further developed with cleared pasture and other grazing land as well as areas of retained treed areas. There are also 4 existing dams on the property. There are currently approximately 44ha, or 58% of the land completely cleared, a further percentage of the land is trees over paddock, and the remaining areas with retained tree cover.</li> <li>2. The two titles, as well as some of the nearby lots, have been placed in the Landscape Conservation Zone. However, these lots are managed as part of the larger farm and contain areas used for grazing and other resources for the farm. Prior to the 1967 bushfires Lot 10 was part of the cleared grazing land and Lot 11 had a house on it until it was lost in the bushfire. While they are the more steeply sloping area of the farm they form a small part of the lower slopes of the higher hills to the west, proposed to be Rural Zone, and sit below the ridge protected by 2 titles of Crown land currently, and proposed to remain zoned Environmental Management.</li> <li>3. In relation to the criteria understood to have been used for determining the Zone mapping of the Rural v Landscape Conservation Zones, while the</li> </ol>

extent of regrowth tree coverage on these lots individually is high it is important to consider that they form part of the overall farm holding and are used and managed as part of it.

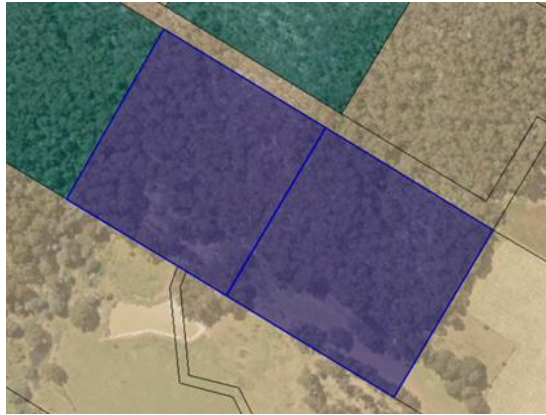


Figure 1. Site location and existing zoning of CTs 158284/10 and 158284/11

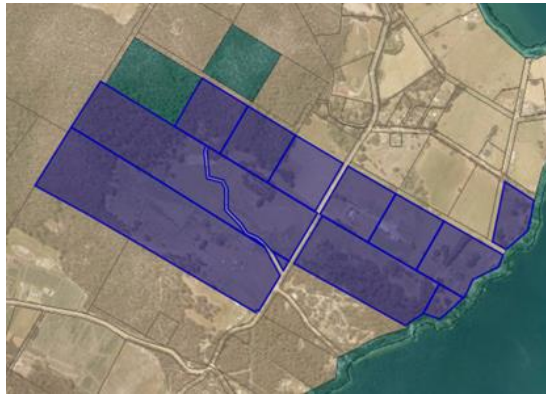


Figure 2. Site location and existing zoning of 681 Lymington Road, Lymington (PID: 9060997)

Planning  
Authority  
response

The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not a like-for-like zone and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.

The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.

In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is extensively covered by native vegetation, contains vegetated

	<p>slopes and forms part of a larger contiguous bushland area. PID 158284/10 has threatened native vegetation mapped as Eucalyptus globulus dry forest and woodland.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.




<b>131.</b>	<b>Lois Alexander</b>
Matters raised	<p>The representation requests an update of the Priority Vegetation area over 6757 Channel Highway, Deep Bay (PID: 5859156; CT: 60781/2).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I recently checked my property on the Land Conservation Zoning map to find that my property was listed as being under a Priority Vegetation Area. However, although my house has been here since 1991, the whole area was coloured green and there was no indication that a house, driveway and cleared areas existed. I would like to have this omission rectified to avoid any problems or misunderstandings in the future."</li> </ol> 

	Figure 1. Site location and existing zoning
Planning Authority response	Priority vegetation overlay based on fine scale mapping error.
Recommended action	Amend the priority vegetation overlay of the draft LPS to reflect the existing structures and converted areas on the property, applying to native vegetation only, as far as practicable.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>132.</b>	<b>G A Cowen</b>
Matters raised	<p>The representation requests 59 Guys Road, Cygnet (PID: 5855868; CT: 38224/2) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Neighbouring residential properties have placed considerable restrictions on owner's ability to conduct normal farming operations due to the obligation to avoid the impact of spray dust and machinery noise, for example. This has resulted in having to push the existing orchard boundary back further from the road to operate safely.</li> <li>2. In recent times, there has seen a number of new dwellings built and therefore a large increase in foot traffic along the road. Children and parents of school children also use Guys Road to walk to and from school as there is no bus service. This has also affected normal farming operations.</li> <li>3. Individually, the lots along Guys Road cannot be reasonably described as agricultural land given their size.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>


Planning Authority response	The site is zoned Significant Agriculture in the HVIPS. In accordance with the zone application guidelines (AZ2) land within the Significant Agriculture zone in an interim planning scheme should be included in the Agriculture Zone unless considered consistent with AZ6. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>133.</b>	<b>Stephen Cronin and Darryl Murray</b>
Matters raised	<p>The representation requests 14 Packers Road, Huonville (PID: 1913274; CT: 131897/2) be zoned Rural Living rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Property is 3.28 hectares and sits within a residential area with larger lots. Existing use is a mix between residential and lower order rural activities. As stated in the Huon Valley Land Use and Development Strategy, "...less than 4 hectares – is considered to be lost to viable agricultural production." (page 81, paragraph 4).</li> <li>2. The front paddock of the property front the Huon Highway and is subject to Scenic Corridor restrictions and several easements for telecommunications, water and power. These restrictions preclude further development on that part of the property and limit its use predominantly to grazing. However, the rear of the property behind the existing homestead precinct offers opportunities to enhance the economic potential of the property with low impact on surrounding properties including the larger properties (Agriculture Zone) across the Huon Highway.</li> <li>3. The owners are seeking to reclaim economic potential of the land by building short-term visitor accommodation (already approved by Huon Valley Council) and, in future, replacing existing agricultural infrastructure with an artist studio to be used as part of the Huon Valley Tourism Network.</li> <li>4. Use of the land for grazing will not be precluded by a change from Rural to Rural Living; however, a change of zoning will support the development of economic potential in more varied activities related to tourism such as accommodation and dedicated art studio as well as hobby farming.</li> </ol>


	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the HVIPS and Rural under the draft Huon Valley – LPS. 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:</p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. Moreover, the site is not part of a rural living community that is substantial in size, nor does it adjoin a settlement.</p> <p>The zoning of Rural is considered the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

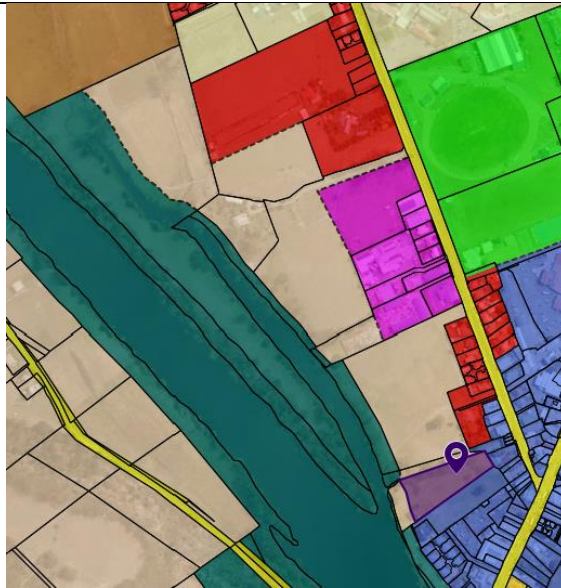
Matters raised	<p>The representation fully supports 86 Kubes Road, Petcheys Bay (PID: 7118431; CT: 11137/2) being zoned Landscape Conservation and highlights inconsistencies within zoning criteria.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner fully supports this zoning of Landscape Conservation as it helps to protect the biodiversity and ecosystems on the property and in the surrounding area. The property adjoins other extensive LCZ land (along Black Jack Ridge), which helps to protect local biodiversity and ecosystem health through defragmentation.</li> <li>2. From the HVC TPS Consultation interactive map, the zone purpose has not been achieved for the Huon Valley ie: the protection, conservation and management of landscape values. In addition, Schedule 1 objectives of LUPAA (1993) have not been achieved, contrary to the HVC Draft LPS supporting report (p68).</li> <li>3. The LCZ (and EMZ, mainly in national parks) is the only rural zone to protect landscape values. No zone protects wildlife, inland refugia areas need to be identified and zoned EMZ to protect wildlife and vegetation from adverse climate change effects. The HVC zoning criteria hasn't allowed for this planning. More land currently zoned RLZ and RZ needs to be zoned LCZ to protect natural values - there is not nearly enough connected, LCZ zoned areas to protect threatened wildlife and their ecosystems in the Huon Valley. This has already been suggested by the TPC section 8A Guideline. Crown land outside urban areas, and Council reserves, should be zoned EMZ.</li> <li>4. Just as Tasmania has prioritised mapping and zoning of suitable land for agriculture, land important for maintaining healthy ecosystems and biodiversity needs to be identified and appropriately zoned to protect it, to achieve LUPAA objectives of sustainability. This includes the designation of inland refugia to combat climate change impacts.</li> <li>5. Contrary to the TPC Section 8 Guideline, RZ appears to be a default zoning in most rural areas of the Huon Valley despite the large areas of priority vegetation present, eg west of Huon Estuary. Natural Assets Code (NAC) provisions are not strong enough to protect this priority vegetation (eg the use of terms such as 'minimise' and 'have regard to' which have little actual effect in protecting vegetation). RZ also promotes fragmentation with an open minimum lot size (ie to 0ha). Extractive industries, intensive animal husbandry and plantation forestry are allowed without permits. This is poor planning for land use, is not based on the inherent values of the land and doesn't achieve LUPAA and STRLUS objectives of sustainable development. It effectively encourages further biodiversity decline. The HVC has not provided a planning framework which fully considers land capability, as it claims to have done on p74 of its Draft LPS Supporting Report.</li> <li>6. The purpose of the NAC is limited to the protection of threatened flora and fauna, failing to appreciate the need for broader values to be protected in</li> </ol>
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	<p>order to maintain ecological processes and biodiversity. Biodiversity values are not limited to critical habitat or threatened species or vegetation communities. The mapping is critical. If not mapped, no permit is required to remove vegetation and an ecological specialist is not required to address any impacts from potential development applications. For the Priority Vegetation Overlay (PVO) to be activated during a planning decision on a property parcel, the PVO must overlap with that parcel. If vegetation is to be protected in the Huon Valley, it needs to be mapped under the NAC or protected through another tool, e.g. the Scenic Protection Code or a SAP. Fragmentation and disconnection of protected areas means that Huon biodiversity will continue to decline, particularly with climate change impacts. It also means the wildlife is unable to find refugia as the climate warms, rendering current threatened species extinct and threatening other wildlife that is managing now.</p> <ol style="list-style-type: none"> <li>7. Despite significant views of the Huon Estuary area, there are no scenic protection areas between Geeveston and Dover, or south of Dover, or for Estuary/Channel areas south of Deep Bay, for example. The Huon Valley is a predominantly scenic area as a whole and the Scenic Protection Code should be applied to reflect that, to protect for the future (and fulfil LUPAA and STRLUS objectives). Otherwise, future tourism industries will be threatened. Another point is that hilltops and ridgelines do not have any scenic protection, despite wide-ranging views of them, and from them where accessible, across the Valley. Therefore, in not recognising or protecting most scenic landscapes, the zone purpose has not been achieved in the Huon Valley. LUPAA Schedule 1 objectives also have not been achieved (contrary to claims on p73 (g) of Draft LPS Supporting Report by HVC).</li> <li>8. In addition, scenic overlays appear to be discretionary for the HVC, eg the recent Cygnet subdivision decision in which part of the scenic corridor overlay was deleted to allow proposed subdivision buildings alongside the Channel Highway which will obscure clear views of Port Cygnet. Despite local community objections as well. So it is obvious the Scenic Protection Code has little actual effect on development in scenic areas, again not achieving its purpose.</li> <li>9. While Franklin has a heritage-protecting SAP, other townsHVIPS in the Huon Valley do not, despite their unique heritage and scenic values, eg Cygnet and Dover. These townsHVIPS and centres need to be valued and protected, to maintain the Huon Valley's character that is so important to our communities. This protection should include significant trees and vegetation. Therefore the Southern Tasmanian Regional Land Use Strategy (STRLUS) policies outlined in the HVC Draft LPS Supporting Report on p100 onwards are not achieved.</li> <li>10. The zones and codes noted by the HVC in their Report have not been applied in many significant landscapes across the Huon Valley, and so are unprotected from new development.</li> </ol>
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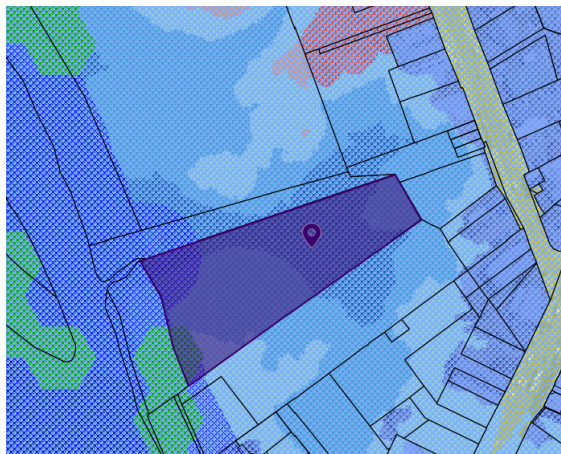
	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The Planning Authority notes support for the applied zone.
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>135.</b>	<b>Roger Lowe (Ireneinc Planning and Urban Design)</b>
Matters raised	<p>The representation requests 12 Short Street, Huonville (PID: 5691963; CTs: 124025/1 and 230853/1) be zoned General Business rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The site is well within walking distance of Main Road, which supports the existing activity area. The rezoning of the site would provide additional General Business land to deliver a range of land uses appropriate to the function of Huonville, including potential for a restaurant, function centre and or additional visitor accommodation. The General Business zone provides for these types of use/development, however most of the existing supply is already developed. Rezoning the subject site would add additional area for the growth of the Activity Area, in light of the increasing demand for housing stock across Tasmania, and likely population increases in regional areas.</li> <li>2. Owner has flagged a desire to provide additional accommodation on the site in conjunction with, or to support an associated function centre. Whilst there is additional land currently zoned General Business, as outlined</li> </ol>

	<p>previously, several of those lots would require additional structure planning to determine their best use, given the large lot sizes.</p> <ol style="list-style-type: none"> <li>3. The site already supports an existing dwelling which was converted to visitor accommodation and is highly regarded with a number of 5-star reviews. The site provides a unique opportunity to expand this, by incorporating additional accommodation, function centre and/or restaurant opportunities that cannot otherwise be undertaken within the Rural Zone – unless they are directly reliant on an agricultural operation.</li> <li>4. The rezoning of the site at 12 Short Street from Rural to General Business would provide additional options for visitor accommodation/commercial use/development within the existing extent of the township. As outlined in this report, whilst there is a demonstrated need for such facilities, there is little available land suited for such purposes. Given the existing land capability, location and size of the lot it is considered that the property is underutilised and could provide substantial community benefits by encouraging further visitors to the locality.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The current zoning is Rural Resource for this site as well as those to the north that are abutting the Huon River as well as those on the western side of the Huon River abutting the river.</p>



**Figure 2** – Site location proximate to other Rural Resource zoned land along both sides of the Huon River.



**Figure 3** – Inundation Risk Code mapping on site – High, medium and Low risk areas across site.

This site is restricted by the proximity to the river and the associated inundation risks to property and life. It is noted that the uses the owner specifies as desirable for the site – food services, visitor accommodation and community meeting and entertainment are all allowable in the Rural Zone under the SPP.

Recommended action	No change to the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

136.	Declan and Ellen Pickering, Helen Steward Chari Jolly, Anthony and Josephine McIntyre, Andrew Nandan
Matters raised	<p>The representation requests 4 properties be zoned Low Density Residential rather than Rural Living:</p> <ul style="list-style-type: none"> <li>• 7609 Channel Highway, Cygnet (PID: 1589726; CT: 121852/3)</li> <li>• 15 Dances Road North, Cygnet (PID: 1589697; CT: 121852/1)</li> <li>• 9 Dances Road North, Cygnet (PID: 5854320; CT: 148253/1)</li> <li>• 10 Connors Road, Cygnet (PID: 5854347; CT: 121854/1)</li> </ul> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This submission proposes that an extension of the low residential area of Cygnet to the north is warranted and feasible by rezoning this area of land, 3.022 hectares in total, to Low Density Residential.</li> <li>2. Standard planning practice usually demonstrates a clear gradation from General Residential to Low Density Residential. However, the zoning of the area of land which is the subject of this submission and which abuts the General Residential zone on the northern side of the township does not demonstrate a clear gradation to Low Density Residential as one would expect and as seen on the southern side of the township. Rezoning this land to Low Density Residential would increase conformity and consistency in the township's planning.</li> <li>3. The 60km speed limit is generally seen as the demarcation of the residential boundary of a township. This Area of land is wholly contained within the 60km speed limit approach to Cygnet from the north.</li> <li>4. Zoning this area Low Density Residential would be a decided benefit to the Cygnet community in that it would increase availability of land for housing by infill, in proximity to the activity center and on a public transport and pedestrian corridor, rather than by satellite or dormitory suburbs. Additionally, low density infill housing is likely to retain the character of the region more strongly than satellite developments.</li> <li>5. Opportunities for housing that are further inland and at higher elevations than the lower lying estuary and Mary Street regions should be given a high priority given future flooding potential from rising sea levels and extreme weather events.</li> <li>6. Increasing opportunities for housing within walking distance of schools, shops and medical centres provides incentives to exercise. Promoting physically active communities is a stated aim of the Huon Valley Council. Public transport opportunities are becoming increasingly important in light of the increased cost of petrol, and the pressure to reduce carbon emissions is highlighting the need to reduce reliance on cars. Importantly also, positioning community members close to existing transport options can improve use, cost effectiveness and efficiency of transport services and increase easy access to, and use of community services.</li> </ol>

7. The Cygnet population is shifting to an older demographic as described in the *'Huon Valley Land Use and Development Strategy/The Huon Valley Community'*, and with older people staying healthier longer and remaining independently in their own homes, this puts additional pressure on housing availability. For a thriving community, both socially and economically, it is essential to balance the age profile of the area and therefore essential to retain and attract young families to the area. SGS Economics advises in its report that detached housing is more attractive to young families, and this would be especially so within walking distance of schools, employment, services and on a public bus and school bus corridor as this land, rezoned, would offer.

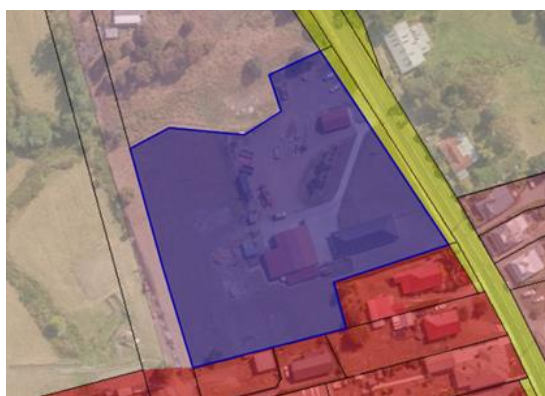


Figure 1. Site location and existing zoning of 7609 Channel Highway, Cygnet (PID: 1589726; CT: 121852/3)



Figure 2. Site location and existing zoning of 15 Dances Road North, Cygnet (PID: 1589697; CT: 121852/1)



Figure 3. Site location and existing zoning of 9 Dances Road North, Cygnet (PID: 5854320; CT: 148253/1)



Figure 4. Site location and existing zoning of 10 Connors Road, Cygnet (PID: 5854347; CT: 121854/1)



Figure 5. Site location and existing zoning of all 4 properties

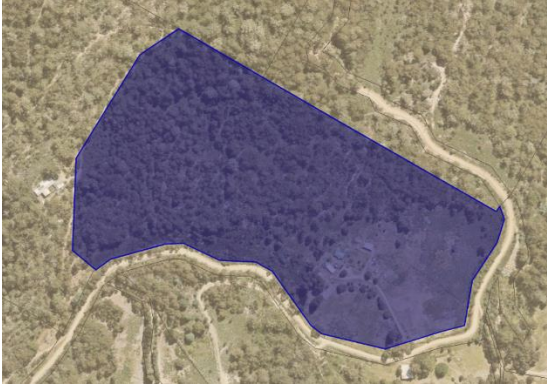
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The zone application guidelines provide the following guidance for the Low Density Residential Zone:

- (a) *residential areas with large lots that cannot be developed to higher densities due to any of the following constraints:*
  - (i) *lack of availability or capacity of reticulated infrastructure services, unless the constraint is intended to be resolved prior to development of the land;*
  - and*


	<p>(ii) <i>environmental constraints that limit development (e.g. land hazards, topography or slope); or</i></p> <p>(b) <i>small, residential settlements without the full range of infrastructure services, or constrained by the capacity of existing or planned infrastructure services; or</i></p> <p>(c) <i>existing low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development, and where there is justification for a strategic intention not to support development at higher densities.</i></p> <p>These titles are currently zoned Rural Living (excluding the eastern part of CT 148253/1). It is acknowledged that increasing the density of these lots through a Low Density Residential zoning may have strategic merit, given their proximity to Cygnet. However, these titles are outside of the town boundary identified in HVLUDS 2007 for Cygnet and therefore there is a lack of strategic support and analysis on whether it is appropriate for these lots be increase in density and/or whether there is other more appropriately located land for the provision of additional housing.</p> <p>Accordingly, until a whole of area planning study has been undertaken to provide that local strategic analysis, the most appropriate zone for these titles is Rural Living Area A.</p>
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>137.</b>	<b>Alan Baldry and Joan Armstrong</b>
Matters raised	<p>The representation requests 174 Sunny Hills Road, Glen Huon (PID: 7384772; CT: 29616/2) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "As we only received notification of this rezoning from the Council on the night of 12th May, this only gives us 13 business days to engage a planner (if we can find a planner with any capacity), present and discuss our case with the planner, document our representation and submit the representation to Council by 31 May, we will abstain from making further comment on the rezoning. However, we request that the Council notes our objection to the zone change and notes our request for property to be</li> </ol>

	<p>rezoned Rural rather than Landscape Conservation. In addition, we invoke our rights to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is substantially covered by native vegetation, contains a steep slope and forms part of a larger bushland area. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.

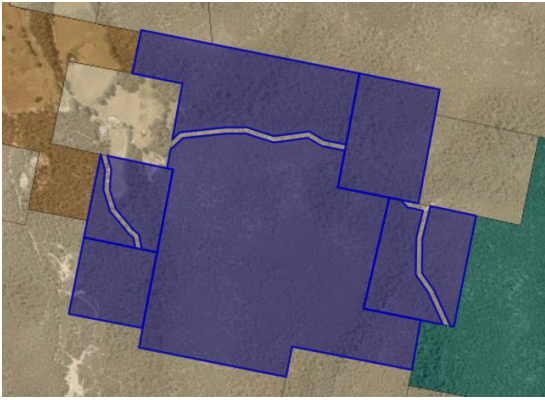
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>138.</b>	<b>Carolyn Demaine and Rob Legge</b>
Matters raised	<p>The representation requests 902B Cygnet Coast Road, Wattle Grove (PID: 3239439; CT: 165572/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is rurally located and being used for rural domestic living purposes with opportunities for future restricted development in line with current local practises. The LCZ should not be applied because the Priority vegetation report is inaccurate regarding the vegetation types and/or extent of them. The only prominent skyline is the very wooded Fitzpatrick's Hill and that is behind the property.</li> <li>2. The property meets the criteria for Rural Living Zone under State Planning Provisions – Tasmanian Planning Scheme 2020 V3 (at as 19th February 2020) (TPS) which supports the Southern Tasmania Regional Land Use Strategy 2010–2035. Specifically, the Rural Living Zone criteria corresponds with the land characteristics, surrounding similar zoned folios, historical use and alteration of the land, and recognised land improvements. It is considered that rezoning to Landscape Conservation isn't in accordance with the TPC's Section 8A of the Guideline No. 1 Local Provisions Schedule (LPS): zone and code application.</li> <li>3. The property has no evidence of threatened species existence, no evidence of threatened vegetation communities but it has been managed successfully by owners, in collaboration with the council on a number of occasions over past years, to eradicate noted primary weed infestations. Owner's attitude is that their management of weed control on the property has exceeded that of council in their area on government land and therefore they should be encouraged in their property management not penalised by the proposed rezoning which will have a number of negative outcomes for them.</li> <li>4. Owners consider the rezoning, in the absence of any identified values that are not already protected by legislation under the RMPS and the Scenic and Natural Assets Codes, to be arbitrary and not in line with other properties in the area and in fact on the same private road as the property. The property was already subject to oversight management under either a Rural Zone or Landscape Conservation and does not</li> </ol>

	<p>require further legislative restrictive micro management, at the whim and whimsy of council officers by way of Landscape Conservation Zone.</p> <ol style="list-style-type: none"> <li>5. It is also important to note other negative outcomes that would apply if the proposed zoning is implemented, which include: <ol style="list-style-type: none"> <li>(a) Land Devaluation</li> <li>(b) Property Conservation</li> <li>(c) Decreased housing availability</li> </ol> </li> <li>6. This property is not only owners present home but is also part of their self-funded superannuated future in that it has always been their intention to develop their block, in a manner that was council approved at the time of our purchase, by way of developing an eco-pod development that would be environmentally friendly and sustainable while at the same time offering owners an income source, and an opportunity for rural lifestyle living for others in the community who are not in a position, as evidenced on a regular basis in all forms of media, to achieve their own home ownership. The council approval in place at time of purchase was for up to 6 eco pods and the development of same is still owners' long-term dream.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Wattle Grove and Petcheys Bay, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and</p>

	<p>determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and majority of the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>																																			
Recommended action	<p>Include this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. Specific titles include:</p> <table><tr><td>47314/1</td><td>149310/1</td><td>165572/1</td><td>240675/1</td><td>238889/1</td></tr><tr><td>141903/2</td><td>120423/6</td><td>120423/3</td><td>120423/7</td><td>141160/1</td></tr><tr><td>201011/1</td><td>146285/2</td><td>47314/2</td><td>140121/4</td><td>149310/3</td></tr><tr><td>167756/2</td><td>165573/2</td><td>34527/3</td><td>120423/4</td><td>202696/1</td></tr><tr><td>165213/2</td><td>165213/1</td><td>34527/2</td><td>47314/3</td><td>161127/1</td></tr><tr><td>146285/1</td><td>140121/3</td><td>120423/8</td><td>120423/2</td><td>120423/5</td></tr><tr><td>140121/5</td><td>149310/2</td><td></td><td></td><td></td></tr></table>	47314/1	149310/1	165572/1	240675/1	238889/1	141903/2	120423/6	120423/3	120423/7	141160/1	201011/1	146285/2	47314/2	140121/4	149310/3	167756/2	165573/2	34527/3	120423/4	202696/1	165213/2	165213/1	34527/2	47314/3	161127/1	146285/1	140121/3	120423/8	120423/2	120423/5	140121/5	149310/2			
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Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>																																			
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>																																			

<b>139.</b>	<b>Nigel Goodwin</b>
Matters raised	<p>The representation requests 153 Goodwins Road, Upper Woodstock (CTs: 147364/4; 147364/2; 120775/1; 147364/3; 147364/1; 245056/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>These 6 titles are part of a broader 9 titles and are not fenced separately in order to graze livestock throughout the year as part of a modest beef</li> </ol>

	<p>business. The Landscape Conservation Zone will add restrictions to the current use.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The sites are extensive covered with native vegetation, form part of a larger contiguous bushland area adjoining the Snug Tiers Nature Recreation Area and includes steep vegetated slopes. Threatened fauna is mapped as Eastern Quoll and Tasmanian Devil. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>140.</b>	<b>Matthew and Ester Griggs</b>
Matters raised	<p>The representation requests 63 Newbon Road (PID: 2204875; CT: 36413/1) and 65 Newbon Road, Lucaston (PID: 2857956; CT: 153992/5) be zoned Rural Resource rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This zoning is inconsistent with current and future use of the land. Both properties have cleared land, driveways and houses on them. Owner has future plans for both properties that include house extensions, sheds, fire breaks, visitor accommodation, granny flat. Owner believes that the proposed zoning change will make future dreams very difficult/impossible to realise. Owner requests that you change the proposed zoning of the two properties from “landscape conservation” to be consistent with the “rural living” zoning of bordering properties.</li> <li>2. “We, owners of the above two properties would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. We believe that the more appropriate zone of Rural Resource should be applied as it better fits with our properties. As we were not made aware of this re-zoning until quite late in the process and exhibition period, we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf. Therefore, we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission’s hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</li> </ol>



Figure 1. Site location and existing zoning of 63 Newbon Road (PID: 2204875; CT:36413/1)



Figure 2. Site location and existing zoning of 65 Newbon Road, Lucaston (PID: 2857956; CT: 153992/5)

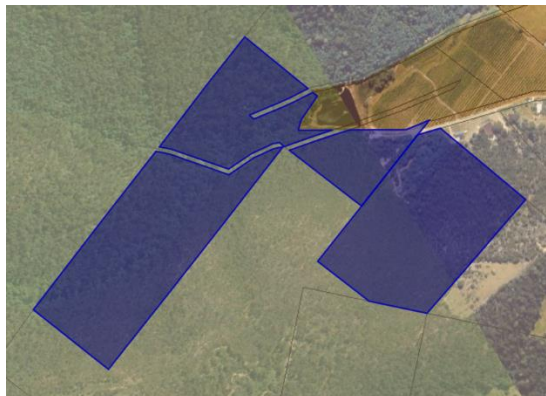



Figure 3. Site location and existing zoning of both properties

Planning  
Authority  
response

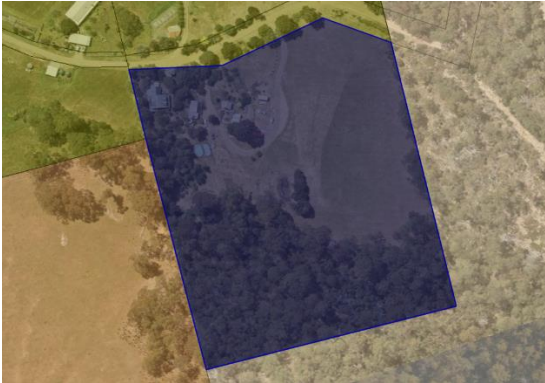
The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when

	<p>considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site contains extensive native vegetation communities, is steep and contributes to a large area of bushland that extends up slope to Newbon hilltop.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>141.</b>	<b>Ryan and Daniel Kay</b>
Matters raised	<p>The representation is regarding the Priority Vegetation area over Lot 1 Channel Highway, Gardners Bay (PID: 3183359; CTs: 222894/1 and 145249/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner would like to bring to the council's attention that at the top of the property (on the hill) all vegetation has been cleared by previous owners years ago. There is no significant vegetation/trees in this area of the property. For accuracy of this overlay, owner would like a reassessment and would like to take steps to remove this overlay where it is inaccurate.</li> </ol>

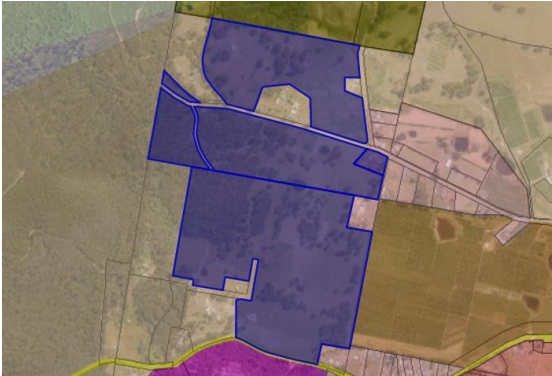
	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>This property is significantly constrained as it is almost entirely saltmarsh (classified as Saline Sedgeland and Rushland which is federally listed as Vulnerable). This vegetation community is naturally devoid of woody trees (principally due to regular salt water inundation) which is inundated during high tide. There are Eucalyptus ovata on the road boundary where inundation is less prevalent. The waterway and coastal protection overlay extends across the entire property for this reason.</p> <p>Saltmarsh is considered a locally significant priority vegetation and the priority vegetation overlay extent is, if anything, too conservative.</p>
Recommended action	No modification to draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>142.</b>	<b>Jacinta Marr</b>
Matters raised	<p>The representation requests 16 Constance Road, Cygnet (PID: 2797885; CT: 109251/1) be zoned Low Density Residential rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This land was farmed by the Garth family since the 1800s and was subdivided in 1987 into 4 residential blocks. The land was open paddocks then. The owner has been on the property since 1991 and previously ran cattle, sheep and horses on the land. The owner has built their own home and out buildings, and created the landscape by planting a huge garden around the home and planting of trees on the 2 rear blocks. Owner does not want their hard work to be undermined by an arbitrary line on a map</li> </ol>


	<p>nor at the discretion of a pen pusher if a disaster would strike and their home damaged or destroyed somehow.</p> <p>2. "As I was not made aware of this re-zoning until quite late in the process and exhibition period I am financially unable to engage with the appropriate legal or planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that my objection and that the above zone change be considered, and that we invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Application of Low Density Residential would be a spot zone and contrary to application guidelines in that this is not part of an identified residential area nor is the pattern of subdivision or development in the area considered residential in nature (currently border by Significant Agriculture to the west and Rural Resource to the east).</p> <p>The zoning of this property as Landscape Conservation aligns with the local area zoning pattern of Agriculture and Landscape Conservation. To ensure zoning continuity the most appropriate zone for the site is Landscape Conservation.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

143.	Mr and Mrs Clark ( <i>Ireneinc Planning and Urban Design</i> )
Matters raised	<p>The representation requests 155 Francistown Road, Dover (PID: 3141490; CT: 162543/2 and 36624/3) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The northern title comprises an area of approximately 30.9ha, which is split through the centre by Hopetoun Road. There are several residential titles which sit either within or immediately adjacent to the northern title, along with several roads and road easements. The southern title comprises an area 32.5ha and supports a large storage shed. This title is also adjoined by existing residential titles, similar to that evident across the northern title. The southern title also adjoins an existing apple orchard to the east, which extends to the north-east forming part of a larger plantation. To the west, both titles adjoin predominately vegetated hillslopes, owned by Forestry Tasmania/STT. Historical clearing has been undertaken on the subject site to support stock grazing.</li> <li>2. Code Overlays: <ol style="list-style-type: none"> <li>(a) Biodiversity Protection Area- Substantial portions of the site are currently identified within the biodiversity overlay, however the mapping does not identify any threatened vegetation communities.</li> <li>(b) Attenuation Area- A portion of the southern section of the site is identified within an attenuation overlay, which provides additional controls for the use/development of sensitive use, such as residential use within the mapped area. The attenuation area relates to a previous industrial operation being undertaken on the adjoining property to the south. However, the client has advised that this operation either no longer operates or does so at much reduced capacity.</li> <li>(c) Landslide- A portion of the western corner of the property is identified as susceptible to landslide, however it is within an area already covered by existing vegetation and is unlikely to pose any risks.</li> <li>(d) Scenic Road Corridor- A portion of the southern section of the site is contained within a propose Scenic Road Corridor. The application of this overlay seeks to maintain visual/landscaping qualities along identified sections of road. The overlay provides additional design and siting considerations for buildings and works.</li> </ol> </li> <li>3. The land capability mapping available on the LISTMap indicates the site possesses a mix of Class 5 and 6 soils, which are not considered prime agricultural land and are generally only suited to limited cropping or grazing. Whilst the owner intends to continue using the property for less intensive agricultural purposes such as livestock keeping/grazing, the Agricultural zoning is not necessary given the soil quality and extent of existing vegetation. In addition, substantial work has been undertaken on</li> </ol>

	<p>the site to improve the agricultural potential, but the site still has limitations – primarily the presence of rocky soils in various locations.</p> <ol style="list-style-type: none"> <li>4. The southern title which forms part of the site adjoins existing agricultural land to the east, which supports a broadscale apple orchard. However, the northern title is intersected by Hopetoun Road, along with several other roads and residential properties – one of which is located centrally within the northern title. These factors substantially restrict the viability of any amalgamation. The owner is also aware of previous issues raised by residents adjoining the apple orchard, such as noise, spray emissions etc. Whilst people living in rural areas generally acknowledge the trade-offs of living in such areas, there is still a limit to which individual properties owners should have to endure, particularly in the event of any amalgamation to support broadscale agricultural use. This is particularly evident considering the residential property at 26 Hopetoun Road, which is enclosed on all sides by owner's northern title which forms part of the site.</li> <li>5. In terms of the capital value of the land, the criteria indicates that titles with a higher capital value per hectare (i.e. properties with a value of \$50,000+ per ha) may be less suitable for amalgamation due to the cost. The higher cost per hectare is usually an indication that the property supports a residential dwelling which substantially increases the cost. The southern title contains outbuildings, including a large outbuilding which is used to store equipment and feed to support ongoing agricultural use on the property. The northern title also contains a large shed used to store equipment and feed, along with a number of dams across the site. Given the extent of structures across the property, it is anticipated that the capital value would exceed \$50,000 per hectare. The likely high capital value, along with the extent of vegetation clearing and soil management that would be required to utilise the site for broadscale agricultural use would also substantially increase the capital value required to amalgamate the property. In addition, substantial vegetation clearance would also be required to enable the property to be used for broadscale agricultural use. This would also likely require substantial soil management, which the current owner has already undertaken in several areas – all of which adds to the cost of the property and reduces the likelihood of the site being suitable for amalgamation.</li> <li>6. The subject site does support an existing dwelling, which not only increases the dollar value of the site but also constrains the further expansion of broadscale agricultural use from the adjoining property. The site is also directly adjoining residential properties, which is another constraining factor, as is the variation in soil quality across the site. The property owner has estimated that of the 60ha property, only 27ha is suitable for agricultural use (due to vegetation and shallow rock in various areas across the site). In addition, the owner has undertaken substantial</li> </ol>
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	<p>soil management over the years just to facilitate the current use of the site for grazing and livestock.</p> <p>7. As outlined previously, the owner intends to utilise a large portion of the site for ongoing agricultural use (primarily grazing) and a translation of the current Rural Resource zoning would cater for the ongoing agricultural use of the property, whilst also providing greater flexibility into the future – as opposed to the Agricultural zoning which provides greater restrictions on non-agricultural use/development.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The CT is zoned Rural Resource under the HVIPS and is zoned Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. The lot is identified as being <i>Unconstrained</i> and adjoins land to the north and east also identified as being <i>Unconstrained</i>. RCMG undertook further investigation as to the sites suitability for inclusion within the Agriculture Zone and given this connectivity with unconstrained agricultural land the application of the Agricultural Zone was determined to be the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>144.</b>	<b>Felicity Rea</b>
Matters raised	The representation requests 112 Lymington Road, Cygnet (PID: 3037466; CT: 159545/1) be zoned Rural Living rather than Rural.


	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. 112 Lymington Road is a parcel of land approximately 3 hectares in size. It is currently designated Rural Resource Zone with adjacent neighbours of both Rural Resource and Rural Living designation. There are no priority vegetation, heritage, or public infrastructures on the parcel. A waterway is the only natural asset featured on this parcel. The existing dwelling on the property has access via the main driveway from Lymington Road. The northern part of 112 Lymington Road includes an established dwelling (c. 1911) and cultivated gardens, consistent with the values of Rural Living Zone. Property also has frontage with access to Jetty Road on its Southern part, with the property across the road zoned Rural Living.</li> <li>2. This zoning is anomalous as nearby properties accessed from Lymington Rd and those opposite on Jetty Rd, are zoned Rural Living. The property is the only land parcel designated as Rural Resource Zone among all of its neighbours from numbers 110 through to 198. All of these neighbouring properties are currently designated Rural Living and under the proposed changes will be zoned Rural Living. This includes adjacent neighbours 110 and 114, and also 132 which similarly achieves frontage access to Lymington Road via a long driveway. The immediate neighbour at 30 Jetty Rd (PID 2798503) is also requesting a change of their zoning to Rural Living.</li> <li>3. The property already has part designation as Rural Living.</li> <li>4. Properties such as PID 2252148/1 which is opposite owner's boundary on Jetty Rd has no dwelling and is currently designated as Rural Living – and will continue as Rural Living under the new changes.</li> <li>5. Under the proposed LPS zoning definitions, the property fits most appropriately into the Rural Living Zone.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The lot is zoned Rural Resource under the interim planning scheme and is proposed to be zoned Rural under the Huon Valley – LPS. 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:</p>

	<p>(a) <i>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</i></p> <p>(b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></p> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) demonstrates the unique characteristic of the LGA as having a substantial percentage of lots being of a size typically associated with a rural-residential lifestyle (i.e. 26 % of lots are between 1 ha – 10 ha). Therefore, whilst it is recognised that the rezoning would provide for limited subdivision and adjoins an existing Rural Living area due to the number of lots in the LGA that would also have these characteristics, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis.</p> <p>The Rural Zone is considered to be the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>145.</b>	<b>Jane Marie Smith</b>
Matters raised	<p>The representation requests 106 Winns Road, Cygnet (PID: 3529436; CT: 173351/1) be zoned Rural Living rather than Agricultural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner would like to argue that Agriculture zoning is totally inappropriate on the 2 acre block. Owner is currently building a house which will be completed at the end of the year and there will be minimal land left for any agricultural use and what is left is very steep and not much good for planting anything.</li> <li>2. The block was previously part of the dairy farm that surrounds the block and while owner understands that that land should be zoned agricultural as they continue to run a dairy farm, owners block clearly should not be. It is no longer large enough to run any agricultural pursuit on it.</li> </ol>

	<p>3. Owner respectfully suggests that the 14 block should be classified as Rural Living rather than agricultural given it will have a house on it and will be further limited with land use once that is finished.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the HVIPS and is zoned Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. The lot is identified as being <i>Unconstrained</i> and adjoins land to the north and east also identified as being <i>Unconstrained</i>. RCMG undertook further investigation as to the sites suitability for inclusion within the Agriculture Zone and in accordance with AZ1(a) confirmed that Rural Zone is the most suitable zone for the site. Further, RCMG advised to change CT 9932/1 and CT 177833/1 from Agriculture to Rural in the draft LPS also.</p>
Recommended action	<p>Include this site and CT 9932/1 and CT 177833/1 from Agriculture to Rural in the draft LPS.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>


<b>146.</b>	<b>Abbey Fancourt and Samuel Hauritz</b>
Matters raised	<p>The representation requests 44 Flakemore Road, Franklin (PID: 3307470; CT: 22099/2) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “As we were not made aware of this re-zoning until quite late in the process and exhibition period we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant</li> </ol>

	<p>points on our behalf. Therefore, we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The CT is zoned Rural Resource under the HVIPS and is zoned Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. The lot is identified as being <i>Unconstrained</i> and adjoins land to the north and east also identified as being <i>Unconstrained</i>. RCMG undertook further investigation as to the CT's suitability for inclusion within the Agriculture Zone and concluded that the application of the Agricultural Zone was the most appropriate zone for the site.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>

<b>147.</b>	<b>Elise Fancourt</b>
Matters raised	<p>The representation requests Lot 1 Walpole Lane, Franklin (PID: 9934901; CT: 54187/1 and PID: 2653072; CT: 219234/1) be zoned Rural Living rather than Rural.</p> <p>Representation general comments:</p>

	<p>1. "I recently bought this property and have not been notified of this re-zoning by the council or any party. My sister who lives in the area was recently notified of the re-zoning of her property which prompted me to look into it. I still haven't received any communication from the council and am learning about these changes quite late in the process and exhibition period. As such, I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that my objection and that the above zone change be considered, and that I invoke my right to be afforded an opportunity to have my matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The lot is zoned Rural Resource under the interim planning scheme and is proposed to be zoned Rural under the Huon Valley – LPS. 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:</p> <ul style="list-style-type: none"> <li>(a) <i>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</i></li> <li>(b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA as having a substantial portion of lots being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha). Therefore, whilst it is recognised that the rezoning would provide for limited subdivision and adjoins an existing Rural Living area due to the number of lots in</p>

	<p>the LGA that would also have these characteristics, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The Rural Zone is considered to be the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>148.</b>	<b>Lawrence and Margot Willmott</b>
Matters raised	<p>The representation requests 128 Sculthorpes Road, Nicholls Rivulet (PID: 5865855; CT: 171155/2) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>"Landscape Conservation" is not an accurate zoning of its historical and current use. The property has been a hobby farm for over 30 years since beginning habitation and owners have had livestock on the property continuously. Owners have used the natural resources for income and survival. Owners cannot connect to mains water and as such have to pump water from the creek. Owners harvest firewood for heating and in the past have sold trees for power poles and the proceeds of which were used connect the property to the electric grid. Owners rely on their right to use the land for not just their livelihood but their survival.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Planning Authority does not concur that the Rural Resource zone and the Rural zone are a like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site contains an extensive area of contiguous native vegetation communities that contributes to a larger bushland area, as well two east west ridgelines with two class 2 rivers traversing between these.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>In terms of the Rural Living request, it is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria


149.	Mr Miller ( <i>Ireneinc Planning and Urban Design</i> )
Matters raised	<p>The representation requests Lot 500 Main Street, Huonville (PID: 9172127; CT: 178529/500) be zoned General Residential rather than Future Urban.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The rezoning of the property would provide additional residential land to meet the growing demand (as outlined in the accompanying SGS Report) and mitigate the ongoing bottleneck caused by existing landowners with General Residential land, who are not willing to allow further subdivision. The site has already been identified as suitable for residential zoning and directly adjoining a recent subdivision, accessed via Ashy Way. The site is also relatively free of any substantial hazard overlays, thereby substantially reducing risk to future development. Providing additional residential development within the subject site would also provide additional justification for the potential road bypass from Main Road onto Knights Road.</li> <li>2. The surrounding area is comprised of a number of different zones. The immediately adjoining land to the north-west and south-west is zoned a mix of General Residential and Particular Purpose – Urban Growth. The site currently comprises a single title with a site area of approximately 9.4ha. The site is largely vacant, except for a cul-de-sac which extends into the site from the immediately adjoining residential area to the north-west, which has been subdivided and recently constructed. It is noted that the site directly adjoins existing Significant Agricultural zoned land to the northwest, which supports existing agricultural operations. However, it is also clear that relatively recent subdivisions have occurred on the immediately adjoining site to the north-west, which also shares a common boundary with the agricultural land to the north-east. Given the ongoing feasibility studies regarding the highway bypass, which is earmarked to run along the north-eastern boundary of the site, it is anticipated that if this were to go ahead, it would provide an appropriate buffer from the orchard on the adjoining property to the north-east.</li> <li>3. Natural Assets Code code applies to the site and includes consideration of natural values and waterway protection. The extent of the overlay to the north, which cuts across the northern corner of the site has been managed through existing drainage channels provided through the subdivision on the adjacent property to the north. With regard to the priority vegetation, TASVEG mapping indicates there are areas containing Eucalyptus Obliqua forest. These areas do not encompass a large area and it may be possible for some of that vegetation to be retained as part of subsequent staged subdivisions.</li> <li>4. In response to the Southern Tasmania Regional Land Use Strategy: <ol style="list-style-type: none"> <li>(a) <i>13.3 Land Use and Transportation Integration</i>- under the Activity Centre Hierarchy, Huonville is described as a Rural Services Centre. The</li> </ol> </li> </ol>

	<p>site is within close proximity to these services and directly adjoins areas already developed for residential.</p> <p>(b) <i>19.1 Settlement and Residential Development</i>- With respect growth strategies and growth scenarios, Huonville is also considered a Major District Centre, for which the growth strategy identified within the STRLUS is High, whilst the growth scenario is mixed, allowing for a 20% – 30% increase in the number of potential dwellings. The mixed growth scenario indicates that residential growth should come from newly zoned and/or infill properties – allowing consideration for expansions to the residential zones. Notwithstanding the above, the STRLUS growth scenarios do not reflect the substantial increase in demand for housing, particularly over the last 5 years. As a result, there has been a demonstrated need to re-evaluate the provision of future residential land. This has been acknowledged recently, with the Minister for Planning issuing an intent to provide avenues for existing urban growth boundaries to be modified within the Greater Hobart extent (provided certain criteria can be met). This is supported by the accompanying Huonville Residential Supply and Demand Analysis prepared by SGS Economics, which indicates that the demand for housing is outpacing forecast growth scenarios.</p> <p>(c) In addition, Huon Valley Council has sought support for a planning scheme amendment, to allow greater flexibility in rezoning land for residential purposes, in the absence of a review of the STRLUS.</p> <p>(d) The Huonville/Ranelagh Masterplan recognises that the site is suitable for residential purposes when demand requires a further release of residential land. It is clear that there are substantial bottlenecks which are inhibiting the release of residential land to meet demand (in both the Residential Supply/Demand Analysis and the Draft LPS Supporting Report). Therefore, the site should be considered for rezoning – to provide additional supply which can be subdivided in stages, to manage the use/development of the land.</p>
Planning Authority response	Addressed previously See representation 128
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>150.</b>	<b>Jennifer Nowakowski</b>
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Matters raised	<p>The representation requests 119 Pine Lodge Road, Glen Huon (PID: 2811317; CT: 35753/6) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This property is not at the end of the road and doesn't have the rolling hills feature that the adjoining property does at PID: 2811309 (CT: 35753/2) which will be zoned Landscape Conservation.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Glen Huon, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>Importantly, this area of land zoned Environmental Living is extensive and there is no strategic intention for this site and the broader Environmental Living area to be an area of residential use and development within a rural setting and given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with</p>

	<p>supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>151.</b>	<b>Lynda House and Tony Mahood</b>
Matters raised	<p>The representation relates to PID: 7413633; CT: 31776/1.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "We are not able to fully consider or to locate an available professional within the allotted time. This is to request an extension to be able to properly respond."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The representation includes no substantive request for a change to a component of the Local Provision Schedule. The Planning Authority, consequently, cannot make significant comment or recommendation, other than to reiterate the application of the proposed zone and any applicable code overlays directly considered by the Section 8A Zone and Code Application Guidelines.</p> <p>It is noted that the site is zoned Rural Resource under the HVIPS and Rural under the draft LPS.</p>


Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>152.</b>	<b>Lynne and Kim Delaney</b>
Matters raised	<p>The representation requests 5 Delaney Lane, Police Point (PID: 3510276; CT: 106792/2 and 106792/4) be zoned Rural Living or Low Density Residential Zone.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Whilst owners understand there are some similarities between the Environmental Living and Landscape Conservation Zones, in this instance the application of this Zone seems inconsistent with Guideline No.1, which does not recommend simply replacing the Environmental Living zone with the Landscape Conservation Zone. Regarding the zone purpose, clearly residential amenity and residential developments are not prioritised within this zone. The guidelines also state that residential development is largely discretionary. Applying the Landscape Conservation Zone to the properties at Police Point where the primary purpose is already residential is inconsistent with the intent of the LPS.</li> <li>2. The purpose of owner's land, and of surrounding properties currently zoned Environmental Living and proposed to be directly transitioned to Landscape Conservation is already residential, allowing for rural, hobby farming activity. The land is clearly a "large lot residential zone", in an area "characterised by native vegetation cover and other landscape values" This includes, for example on owner's property, a large area of pasture. Further, within a 1KM drive of the property, there are approximately 11 residential dwellings. The current purpose of this area is clearly residential, and so to apply a zoning that does not prioritise the residential nature of the properties is not consistent with Guideline number 1. Further it does not account for the level of community and village style living that has emerged in the area throughout the past 20 years, and it is noted there has been no consultation with residents to ascertain how residents define the purpose of the land.</li> <li>3. The existing lot sizes of the property and those surrounding it are relatively small, under 20 hectares, and as small as 2 or 3 hectares. This is significantly smaller than the 50 hectare Acceptable Solution outlined in the LPS. Further, it is noted the performance criteria for development standards for subdivision under the Landscape Conservation Zone includes that lots must have an area not less than 20 hectares. Our</li> </ol>


	<p>property, and the majority of those surrounding that are proposed to be zoned Landscape Conservation are smaller than 20 hectares. Again, this is inconsistent with Guideline Number 1.</p> <p>4. If adopted, the draft LPS would change the subdivision rulings for properties currently zoned Environmental Living from a minimum lot size of 6 hectares which is what it currently is, to a minimum lot size of 50 hectares, with discretionary decisions based on 20 hectares. These recommendations will have an impact on the value of those assets to land holders, particularly those with property sizes greater than 6 hectares. It is inconceivable to residents, that these decisions are being made with no reference to the economic impacts of planning decisions. Owner can understand that in the past, this may not have been an issue given property values in Tasmania have historically been so low. However, this is no longer the case and factors such as these should be taken into consideration. Otherwise, these decisions can impact on multiple generations of Tasmanian families.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Police Point, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning</p>

	<p>scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and majority of the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>
Recommended action	Include this site and most lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. Specific title references include:
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>153.</b>	<b>Sean and Victoria Light</b>
Matters raised	<p>The representation requests Lot 2 Channel Highway, Huonville (PID: 3116770; CT: 161613/2) be zoned Rural Living rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. In the past year, owners have had numerous studies carried out including down payments for the proposed shed, engineers report, bushfire reports, soil testing and surveyors performing contour studies on the area which are leading the owners to building a home. During their investigations, owners have seen an overlay code – 5.4.3 Rural Residential Without Agriculture. Having read new proposed zones, owners believe that Rural Living would allow more freedom for the proposed plans.</li> <li>2. The rezoning (Rural) would hinder these plans, putting all of the money, time and effort exhausted so far into danger. With the given rules with Rural Zoning on boundary offsets, owners will have very little chance to place their home in the preferred placement for access and solar power positions to make the home as efficient as possible. Also, the place is considered to be ok to build on (considering Rural zone rules), is closer to an unkept lot behind us which has high voltage power lines running through it. These lines, besides be a potential fire hazard, are also known</li> </ol>


	<p>to radiate electromagnetic waves which owners would rather not expose themselves to.</p> <p>3. The bloke is broken up into 3 paddocks of sorts. The lower area is proposed for our shed which is currently in council for its DA. This includes an access road. The second paddock is our preferred position as it give us the optimise placement for solar and the more affordable option for the access road too. The third paddock has more space but as mentioned before places us much closer to the hazards of the block of land behind (power lines and fire hazards). Approximately 1/3 of the property is a heavily wooded area and has a deep gully running 2/3 of the length of the block, which is covered by the Priority Vegetation Area Code.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The lot is zoned Rural Resource under the interim planning scheme and is proposed to be zoned Rural under the Huon Valley – LPS. 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:</p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA as having a substantial portion of lots being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha). Therefore, whilst it is recognised that the rezoning would provide for limited subdivision, the CT does not adjoin a settlement or is part of a rural living community. Furthermore, due to the number of lots in the LGA that have a land area of between 1 ha and 10 ha, any increase in the Rural Living Zone needs to be</p>

	<p>considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The Rural Zone is considered to be the most appropriate zone for the site</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>154.</b>	<b>Marie Tibuliac</b>
Matters raised	<p>The representation objects to Lot 1 Slab Road, Cygnet (PID: 9982203; CT: 32729/1) being zoned Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I am requesting Huon Valley Council to accept my representation (submission) to the Local Provisions Schedule (LPS) planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to my property. I have not had adequate opportunity to engage a planner to properly review what the new zone means to my property."</li> <li>2. Owner is currently paying Water Rates and Land Tax on the property and it is not being used as agricultural land. Neighbours with properties of similar size are using their land as residential only.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>


Planning Authority response	The CT is zoned Rural Resource under the HVIPS and is zoned Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. The lot is identified as being <i>Potentially Constrained 2B</i> and adjoins land to the north identified as being <i>Unconstrained</i> . RCMG undertook further investigation as to the CT's suitability for inclusion within the Agriculture Zone and concluded in accordance with AZ1(a) that the Agricultural Zone is the most appropriate zone for the site.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>155.</b>	<b>Brett and Annette Carson</b>
Matters raised	<p>The representation requests 535 Mountain River Road, Mountain River (PID: 7589268; CT: 59863/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "Being that we have only just been made aware of this zone change (we had not received any correspondence via HVC or any other regulatory office until the 18th May) we have not had adequate opportunity to engage a planner nor the appropriate legal counsel to address the points on our behalf. By submission of this email dated 23rd May 2022, we are requesting Council to accept our representation/submission to the LPS planning changes and that we now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission in the near future to review any zone impacts or changes to our property."</li> <li>2. It is a small rural block approx. 1.4446 hectares, mostly cleared and with no defined conservation layers. It is on the low side of Mountain River Road and does not affect any ridge-line/skyline view. There are very similar sized properties directly opposite on the other side of the road with more vegetation cover that are not being affected by this zoning.</li> <li>3. The vegetation priority map indicates (WVI) Eucalyptus viminalis wet forest. Whilst most of this species sits along the crown land and a small portioned is located close to owner's boundary. If these are a rare species, owners are happy to protect them of course, LCZ does not need to be applied to support their protection. Owners would like someone to come out assess this and confirm this species.</li> </ol>


	<p>4. The Tasmanian Devil has not been noted on the property in the 10 years owners have lived here, however they are happy to have someone out and access this. Owners are more than happy to protect their habitat if they are proven to exist in this location, however owners do not believe LCZ should be applied in having to protect this threatened species.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Mountain River, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p>

	Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and majority of the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area B).
Recommended action	Modify the draft LPS to Rural Living B for this site and majority of lots within the area currently zoned Environmental Living (excluding lots 38964/4 and 40100/1). Specific titles include:
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>156.</b>	<b>Kenneth Hay and Karen Sutherland</b>
Matters raised	<p>The representation requests 71 Russell Road, Lonnavele (PID: 5697249; CT: 236667/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners chose this property due to the rural aspect and they do not wish to clear all the land. Rural Zone will allow owners to clear some land, keeping the majority as bush, to build vegetable gardens and have chooks and guinea fowl, build a self-contained accommodation for their disabled son, and a 4 car garage/shed for personal use.</li> <li>2. The land, which has previously been felled prior to 1965, is split into two by Russel Rd and is on the side of Russell Pimple. The bush is slowly growing back and over time we would hope that the property would go back to the way it was and this would encourage the local fauna to come back. It is incredibly difficult to grow any vegetation that is not native to the land, and the property is not viable to raise livestock. Moreover, the Eastern side of the property is steep and leads to further difficulty with growing vegetation. The property has no scenic overlay. Furthermore, Russell Rd is a no through road and consequently, traffic in the area is either residential or logging related.</li> <li>3. The property is bordered on the West and South by Crown Land and zoned Rural. The property does have Natural Assets overlay and the Priority Vegetation area overlay report shows the subset of the Regional Ecosystem Model. The land bordering the property is logged and has significantly impacted upon the local flora and fauna. This is particularly problematic when there are threatened species in this area.</li> <li>4. Due to property being in a bushfire prone area, an area of 25 metres around owner's home should be clear. There is also an Electricity Pole</li> </ol>

	<p>approximately 35 metres onto the property and then electricity cable from the power line is another 30 metres to owner's house. There needs to be cleared land underneath and either side of the lines.</p> <p>5. Another issue is that the Council have the discretionary power to permit these actions or not in a more restrictive manner if the land is zoned as conservation rather than rural. This sounds very vague with no clear guidelines or criteria as to whether owners or landholders in the future can do anything with this property. This is problematic when proposed changes to land is subject to the changing opinion of the Council rather than clearly outlined criteria. This would also lead to the property becoming devalued. Owners have spoken to the local real estate agent and properties that become conservation zones devalue significantly.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ , the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes a hilltop, is part of larger forested area, with class 1 Russell River and class 2 Purple Creek running on the north-east and south-west boundaries of the property. Threatened fauna is mapped on the southern corner of the site as Swift Parrot.</p>

	The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>157.</b>	<b>Colin Dowling</b>
Matters raised	<p>The representation requests 569 She Oak Road, Judbury (PID: 2753452; CT: 149202/3) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Nearly 50% of the property is cleared, on which owners have a couple of horses and three dogs with visions in the future of some hobby livestock. The property does not meet the criteria of having 80% Natural Vegetation cover.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	This property was not part of the original set of properties identified by the Planning Authority for the Landscape Conservation Zone. Its inclusion was to preserve 'zoning continuity'. Accordingly, the planning authority has no objection to the site being zoned Rural in the draft LPS.

Recommended action	Modify the draft LPS to include Rural Zone for the site
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>158.</b>	<b>Mr R H van Grinsven and Mr A Bouteloup</b>
Matters raised	<p>The representation objects to 41 Cemetery Road, Cradoc (PID: 2891708; CT: 154428/1) being zoned Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. It is the owner's understanding that the block was gifted to the original farmer's daughter on her marriage so she could build a house. At present, the block consists of 1/3 paved courtyard to the East and the balance is lawns and landscaped gardens. In no way does the land resemble paddocks, this is not an agricultural block.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The land is zoned Significant Agriculture under the HVIPS interim planning scheme and is zoned Agriculture under the draft Huon Valley – LPS. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> RCMG undertook further investigation as to the CT's suitability for inclusion within the Agriculture Zone and concluded that the most appropriate zone is Rural in combination with the title to south (CT 34737/1).
Recommended action	Include this site and the title to south (CT 34737/1) in the draft LPS to Rural

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>159.</b>	<b>Kieran and Sheila Keshan (JMG Engineering and Planners)</b>
Matters raised	<p>The representation requests 654 Abels Bay Road, Eggs and Bacon Bay (PID: 1579018; CT: 141777/3) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The site is currently partially cleared and contains a single dwelling (and associated outbuildings), with mature vegetation on the site. The site is covered by the Bushfire Prone Areas code overlay. The Biodiversity Protection Area covers only the uncleared area and identifies areas of potential threatened native flora and fauna communities (covering approximately 2/3 - less than 80% - of the site). The TASVEG mapping indicates that there is potentially priority vegetation on the site.</li> <li>2. Since the subject site has less than 80% coverage and the current and intended use is classed as a hobby farm, it is better suited to the Rural Living zone. Furthermore, the application of the Rural Living Zone to the site would not significantly affect the remainder of the Landscape Conservation Zone nor the application of the Natural Assets Code.</li> <li>3. The Landscape Conservation zone is not compatible with the existing and intended use of 654 Abels Bay Road as a residence and hobby farm. The Tasmanian Planning Commission Guidance No. 1 (June 2018) issued by the Minister for Planning and Local Government identifies in RLZ 1 that the 'Rural Living' Zone should be applied to: <i>"(a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity", unless RLZ 4 applies.</i> RLZ 4 states that the Rural Living Zone should not be applied to land that: <i>"(b) contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see Landscape Conservation Zone), unless the values can be appropriately managed through the application and operation of the relevant codes"</i>. Since the majority of the land is cleared, and the remaining values are managed through the application and operation of the Natural Assets Code, the Rural Living Zone is considered appropriate.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The lot is zoned Rural Resource under the interim planning scheme and is proposed to be zoned Landscape Conservation under the Huon Valley – LPS. 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:</p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA as having a substantial portion of lots being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha). Therefore, whilst it is recognised that the rezoning would provide for limited subdivision and the land adjoins an existing settlement (Eggs and Bacon Bay) due to the number of lots in the LGA that would also have these characteristics, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land.</p> <p>A portion of the property is mapped as threatened <i>Eucalyptus tenuiramis</i> forest and woodland on sediments which contributes to a greater threatened vegetation area along Randalls Bay Road.</p> <p>The Landscape Conservation is considered to be the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>160.</b>	<b>Jonathan Cruickshank &amp; Monica Wedd</b>
Matters raised	<p>The representation requests 100 Turners Road, Cradock (PID: 5857118; CT: 237651/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The representation is based on the application of two reports: <i>Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones (2018)</i> and <i>Agricultural Land Mapping Project - Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone (2017)</i>.</li> <li>2. Owner's summary of the report(s) as they apply to 100 Turners Rd Cradoc is as follows: <ol style="list-style-type: none"> <li>(a) 100 Turners Rd Cradoc is mapped as Potentially Constrained (2B) in the Land Potentially Suitable for Agriculture layer established by the Agricultural Land Mapping Project - Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone.</li> <li>(b) Titles that are mapped as Potentially Constrained (2A, 2B or 3) in the Land Potentially Suitable for Agriculture layer are intended to be investigated by Council to determine which zone (Ag or Rural) is more appropriate.</li> <li>(c) 100 Turners Rd Cradoc has draft zoning Agriculture applied due to its current zoning of Significant Agriculture under the Huon Valley Council Interim Planning Scheme 2015 however Council has not investigated the appropriateness of the Agriculture zoning for this title.</li> <li>(d) Section 3.2 6 (e) of the <i>Agricultural Land Mapping Project - Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone states</i>: "Land identified in the Land Potentially Suitable for Agriculture Zone mapping layer may be considered for alternate zoning if it can be demonstrated that: <ol style="list-style-type: none"> <li>(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;</li> <li>(ii) there are significant constraints to agricultural use occurring on the land; or</li> <li>(iii) the Agriculture Zone is otherwise not appropriate for the land"</li> </ol> <p>Therefore as a potentially constrained title, 100 Turners Rd Cradoc</p> </li> </ol> </li> </ol>

may be alternatively zoned by taking account of economic and physical constraints such as soil productivity, lot size, capital value and connectivity. To consider these constraints, owners submit the characteristics of the property against the decision tree for agriculture value as follows:


Characteristics of the title	Agriculture value of 100 Turners Rd Cradoc
Title size	Low value: - Smaller size (10.96 ha).
Development on the title	Low value: <ul style="list-style-type: none"> <li>- No existing buildings.</li> <li>- Aged fencing infrastructure largely in state of disrepair.</li> <li>- Two small dams of unviable volume for irrigation purposes.</li> </ul>
Connectivity. Other than non-agricultural developments topographical constraints, reserves, threatened vegetation, major water courses and roads, steep slopes, swampy ground etc can limit connectivity.	Low value: <ul style="list-style-type: none"> <li>- Adjacent agriculture titles are small and all are encumbered by existing dwellings.</li> <li>- Draft LPS REM raw data mapping (Map 2) indicates Priority Vegetation around the title edges and through a central corridor linking habitat remnants on adjacent titles.</li> <li>- Immediate interface with Threatened Native Vegetation Community 14 (Eucalyptus amygdalina forest and woodland on sandstone) on four adjoining titles. Community 14 encroaches into the property in three locations.</li> </ul>
Current and potential use	Low value: <ul style="list-style-type: none"> <li>- The property was unused and derelict when purchased by the current owners in 2020 and is now in an early stage of remediation. 3.3Ha (approx. 30%) of the title area is mapped as having High</li> </ul>

			<p>Waterlogging Hazard (Map 3), reducing potential winter usage. Existing pastures are extremely impoverished and weed infested.</p> <ul style="list-style-type: none"><li>- Previous attempts at farming this title have included pigs, goats and mixed grazing between the 1970's to early 2000's. None of the ventures proved to be commercially viable.</li><li>- Southern Tasmania Regional Land Use Strategy (page 28) lists the Huon Valley SLA Production Value per hectare at \$2032. If applied to the full land area, the title would return an unviable \$22,000 annually.</li><li>- Potential agricultural uses are significantly fettered by existing residential developments on all adjoining titles draft-zoned as Landscape Conservation.</li></ul>
		Land capability	<p>Low value:</p> <ul style="list-style-type: none"><li>- Mapped as LC5.</li></ul>
		Water available for irrigation	<p>Low value:</p> <ul style="list-style-type: none"><li>- No irrigation resource.</li></ul>
		Regional context	<p>Low value:</p> <ul style="list-style-type: none"><li>- Isolated from labour, facilities and markets. Huon producers have identified access to pickers is a worsening situation with larger growers relying on international labour hire while many smaller growers have left crops on the tree in the 2022 season for want of pickers.</li></ul>

With reference to section 3.2 6 (e) of the *Agricultural Land Mapping Project - Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone*, the table above demonstrates

	<p>that clauses (i) and (ii) are met as the land is low value for agriculture and constrained on every economic and physical measure. The owners believe this low agricultural viability means 100 Turners Road is better providing for rural support industry and therefore the title should be zoned Rural.</p> <p>4. Whilst this is demonstrated for the single title, owners understand achieving a consistent zoning pattern is a State priority as discussed within Table 4 of the <i>Zoning Guidelines section of Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones (2018)</i>. This sets out that “to avoid spot zoning of individual titles a minimum of 3 titles should be investigated (depending on size and scale of titles) for a zone.” The adjoining property at 111 Turners Rd Cradoc (PID 9958033) presents as a fragmented single title zoned as Rural sitting between Agriculture and Landscape Conservation zoned land. Zoning 100 Turners Rd and 54 Turners Rd (PID 5857089) as Rural would remove this spot zone, creating a 3-title group of PIDS, 5857118, 9958033 and 5857089 zoned Rural with the added benefit of providing a buffer between Landscape Conservation and existing Agriculture on titles at Lot 1 Turners Rd and Armstrong’s Rd Cradoc.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The CT is zoned Significant Agriculture under the HVIPS and zoned Agriculture under the draft Huon Valley – LPS. In accordance with AZ 2: Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6. Furthermore, the land is identified as being <i>Constrained Criteria 2B</i> and RCMG undertook further investigation as to the CT’s suitability for inclusion within the Agriculture Zone in accordance with AZ6. It was determined that the most appropriate zone for CT 9337/1, CT 237651/1 and CT 149629/1 is the Rural zone.</p>
Recommended action	<p>Include CT 9337/1, CT 237651/1 and CT 149629/1 to Rural in the draft LPS</p>

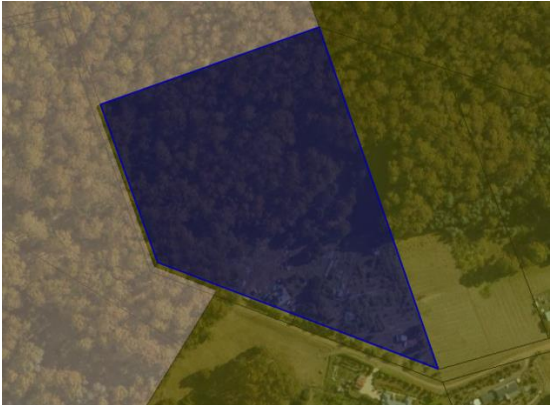
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>161.</b>	<b>Andrew Jurd</b>
Matters raised	<p>The representation objects to 180 Morrisons Road, Huonville (PID: 7589401; CT: 40459/1) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Owner would like to have the capacity to potentially erect further structures on this property and to remove vegetation as required. This property has little conservation value as it consists of regrowth woodland. The property is not visible from public roads.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Huonville, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values</p>

	<p>include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate. Specifically, this site has mapped threatened native vegetation as Eucalyptus globulus dry forest and woodland and Eucalyptus globulus wet forest which is primary foraging habitat for critically endangered swift parrot.</p> <p>Importantly, this area of land zoned Environmental Living is extensive and there is no strategic intention for this site and the broader Environmental Living area to be an area of residential use and development within a rural setting and given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>162.</b>	<b>Pwyll Reeva</b>
Matters raised	<p>The representation requests 78 Fleurtys Road, Castle Forbes Bay (PID: 1826015; CT: 90774/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner acknowledges the council planning officers have been trained in town planning and do their best to assign appropriate zonings. However, owner believes the sheer size of assigning zones to all the properties in the Huon valley means that sometimes the specific values of a particular property may be overlooked. During this representation, owner seeks to outline these values in the hope the commission sees fit to change the councils proposal to better suit owner's farm.</li> <li>2. History: For 176 years the owner's farm has been deemed fit for agriculture by both state and local government supporting a range of farming enterprises. When owner purchased the farm in 2003 it was zoned rural residential. Owner began setting up the farm within months</li> </ol>

	<p>of purchasing it. The council planning department approved of these developments by granting the approval of an agricultural shed in 2004. In 2015 the council reversed this by placing the farm into “Environmental Living Zone”, a strict conservation zone without consulting owner or considering their livelihood. The zoning change has been crippling to the owner’s business. After seeking legal advice, the owner has continued to farm under the continued use provisions of the land use act.</p> <ol style="list-style-type: none"> <li>3. Suitability: The farm enjoys all the requirements needed to produce quality food and owner’s produce is featured in a range of high end restaurants in the valley and in greater Hobart.</li> <li>4. Water: The farm has 2 agricultural dams that are filled by water filtered by the forested section of the property, leaving it free from sediment and pollutants. Due to the high rainfall in this part of Tasmania, owner has never been without water. Even in the most severe of drought years.</li> <li>5. Soil: As part of selling vegetables to the public, owner has spent around \$7,000 on soil tests. The soil is some of the most uncontaminated soil in the state. Free from heavy metals, pesticide and herbicide residue unlike the neighbouring properties. Close proximity to the forest gives the property a foot of rich clay loam as opposed to an inch of clay, which is typical to this area. The clay component of the soil composition makes it rich in trace elements.</li> <li>6. Location: The farm is situated 45mins from Hobart, giving owner access to Tasmania’s premier restaurant market. As owner specialises in gourmet heirloom vegetables and livestock, their produce is in high demand. The Huon valley has a thriving artisan farm scene, which owner is proud to be part of.</li> <li>7. Legal: Owner has a fully registered business with both ABN and PIC (property identification code) and complies with the government’s traceability requirements as well as safe handling requirements. Owner tries as hard as possible to be considerate of neighbours regarding hours of operation, no roadside stall and the placement of stock.</li> <li>8. Operation: Owner is a fifth generation farmer and runs the farm single headedly with no employees. Although owner would love to pass this farm to their 2 sons eventually. Currently, owner crops 2 acres of fruits and vegetables over the summer months as a market garden. Year round the farm produces chevron, pork, beef, honey and eggs. Owner’s traditional farming practices mean that animals are raised without the use of antibiotics and raise vegetables without the use of chemicals. The farm is extremely resistant to supply issues with minimal reliance on machinery, fuel and fertilisers.</li> <li>9. Forest management: Owner has consulted extensively with biologists from DPIPW, threatened species, the FPA, as well as seeking management advice from the aboriginal community.</li> <li>10. Conservation: The forest area behind owner’s house is approx.. 9 acres. It was selectively logged between the 1950’s to the 1980’s. There are over</li> </ol>
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	<p>100 stumps, fallen logs and bulldozer piles that prove this. Despite this there are about 26 remnant bluegum trees ranging in ages from 100 to 300 years old. These trees are fully protected by state laws and owner has no intention of removing them. The rest of the forest is made up of regrowth stringy bark and peppermint gums. These trees are protected under FPA guidelines, and owner has no intention to do clear felling or commercial logging. Various studies conducted by the state government have identified a number of threatened species including 2 eagle nests, which the farm is named after. In 2008, owner formally signed an agreement committing to protection of this habitat.</p> <p>11. Scenic values: Owner believes there is still a reasonable degree of conservation of scenic values under the “rural living zone”, without the damaging effects to owner’s business that Landscape Conservation would have.</p> <p>12. Owner’s main goal is to establish one of the best small farms in the Huon valley and hopes that in the future the farm can inspire others. Owner is prepared to front a hearing with the commission and will bring supporting documentation to such a hearing to reinforce assertions, if the commission sees fit.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP’s. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Castle Forbes Bay, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in</p>


	<p>terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate. Specifically, this site has mapped vegetation as <i>Eucalyptus globulus</i> wet forest which is primary foraging habitat for critically endangered swift parrot. Threatened fauna is mapped as Grey Goshawk, Spotted Tail Quoll, Raptor nests and White-bellied Sea-eagle.</p> <p>Importantly, there is no strategic intention for this site and the broader Environmental Living area to be an area of residential use and development within a rural setting and given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>163.</b>	<b>Susan Duff</b>
Matters raised	<p>The representation requests 128 Kellys Road, Cradoc (PID: 7511583; CT: 33285/1) be zoned Rural Living (B or C) rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Reasons owner believes the Rural Living Zone is more appropriate for the property are: <ol style="list-style-type: none"> <li>A third of the property doesn't contain any native vegetation cover.</li> <li>The primary strategic intention of the RLZ is for residential use and development within a rural setting.</li> <li>Owner will be living on the land and intends to use the land for hobby farming use that won't impact on residential amenity, including grazing, gardens, orchards etc.</li> </ol> </li> </ol>

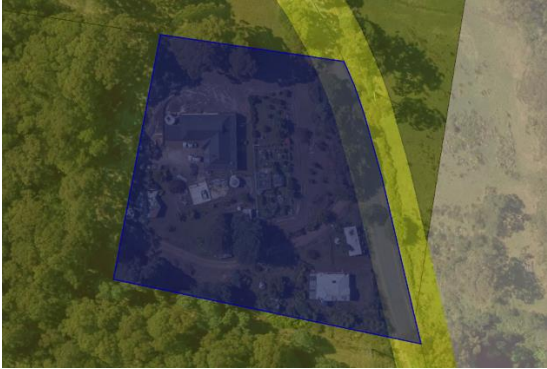
	<p>(d) As owner will be living there, it is intended to keep the bush surrounding the pastures clear of shrub and undergrowth, and by localized weed control method, as is expected in a good bush fire risk management plan.</p> <p>(e) It is currently zoned as Environmental Living and is more than 7 ha.</p> <p>(f) There is a Priority Vegetation Area overlay on the property.</p> <p>2. Alternatively, the zoning could be two-fold: Rural Living Zone should be applied at least to the third of the property which is pastures/paddocks and surrounding bush. The rest being natural regrowth bushland could be rezoned as Landscape Conservation.</p> <p>3. “As I was not made aware of this re-zoning until quite late in the process and exhibition period I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that my objection and that the above zone change be considered, and that I invoke my right to be afforded an opportunity to have the matter heard at the Tasmanian Planning Commission’s hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP’s. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Cradoc, Council assessed the application of the Landscape Conservation</p>

	<p>Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>Importantly, there is no strategic intention for this site and the broader Environmental Living area to be an area of residential use and development within a rural setting and given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>164.</b>	<b>Peter Gane</b>
Matters raised	<p>The representation requests PID: 5270616; CT: 209347/1 in Lady Bay Road, Southport be zoned Rural Living rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is an old road reserve which owner purchased years ago is only a 20 meter strip of land which bounds owner's property at 140 Lady Bay Road, Southport (CT: 18546/1) which is zoned Rural Living. It is owner's intention to join the two blocks together because the old roadway forms part of owner's established garden with trees, garden beds and lawn.</li> <li>2. "As I was not made aware of this re-zoning until very late in the process and exhibition period (19 May 2022) I am unable to engage with the appropriate legal/planning council at this time to address the relevant points on my behalf. Therefore I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that I invoke my right to be afforded an</li> </ol>

	<p>opportunity to have this matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The CT is zoned Significant Agriculture under the HVIPS and zoned Agriculture under the draft Huon Valley – LPS. In accordance with AZ 2: Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6. Furthermore, the land is identified as being <i>Potentially Constrained Criteria 3</i> and RMCG undertook further investigation as to the CT’s suitability for inclusion within the Agriculture Zone in accordance with AZ6. It was determined that due to the ownership with the adjoining Rural Living land and to avoid a spot zoning of Rural the most appropriate zone is the Rural Living zone.</p>
Recommended action	<p>Change this site in the draft LPS to Rural Living A</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>


<b>165.</b>	<b>Malcolm and Karin Boyle</b>
Matters raised	<p>The representation requests 8648 Huon Highway, Southport (PID: 5271328; CT: 62552/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Reasons against LCZ 1 and 4 categorisation- <ol style="list-style-type: none"> <li>The property has approximately 10% tree cover with those trees all planted by the owner with little or no native vegetation.</li> </ol> </li> </ol>

	<p>(b) The property has two dwellings and five sheds on a land size 0.8094 ha.</p> <p>(c) The existing Bushfire Management Plan requirements for the property have natural vegetation cleared to 25m around residences. Low branches are to be cut below two metres from the ground and grassy areas to be kept low to reduce fire risk.</p> <p>(d) The property is used for residential use and services are limited.</p> <p>2. Owners believe the correct categorisation of the property is Rural Living Zone as application of the "Rural Living Zone" states-:</p> <p><i>The purpose of the Rural Living Zone is 11.1.1 To provide for residential use or development in a rural setting where:</i></p> <p><i>(a) services are limited; or</i></p> <p><i>(b) existing natural and landscape values are to be retained.</i></p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Southport, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for some of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and</p>


	<p>intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and other lots in proximity to the junction of Huon Highway and Hastings Cave Road that are substantially cleared of vegetation, that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>																				
Recommended action	<p>Change to Rural Living Area D in the draft LPS together with the following titles with similar characteristics:</p> <table><tr><td>46086/1</td><td>238754/1</td><td>44833/4</td><td>46083/1</td><td>122965/1</td></tr><tr><td>243171/1</td><td>168313/1</td><td>105129/1</td><td>168312/1</td><td>24636/1</td></tr><tr><td>151824/1</td><td>16585/8</td><td>46085/1</td><td>151824/2</td><td>14937/1</td></tr><tr><td>62552/1</td><td></td><td></td><td></td><td></td></tr></table> <p>150993/1      Split zone Rural (replacing the current HVIPS Rural Resource portion) and Rural Living (replacing the current HVIPS Environmental Living portion) along the current HVIPS zone boundary.</p>	46086/1	238754/1	44833/4	46083/1	122965/1	243171/1	168313/1	105129/1	168312/1	24636/1	151824/1	16585/8	46085/1	151824/2	14937/1	62552/1				
46086/1	238754/1	44833/4	46083/1	122965/1																	
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151824/1	16585/8	46085/1	151824/2	14937/1																	
62552/1																					
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>																				
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>																				

<b>166.</b>	<b>Diana Lubimowski</b>
Matters raised	<p>The representation requests (PID: 7511903; CT: 8131/18) be zoned Low Density Residential rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is an existing residential block in a predominantly Low-Density Residential Zone (LDR), with Bushfire-prone and Biodiversity overlays. The property is a relatively small lot (4609 sqm), is currently undeveloped and does contain native vegetation, which has been subject to fire hazard clearing of bracken undertaken as per Council notices and requirements.</li> </ol>

	<ol style="list-style-type: none"> <li>2. Importantly, the property had previously been proposed for Environmental Management zoning (EMZ) under the Huon Valley Interim Planning Scheme 2015. However, that zoning was overturned, in April 2016, after public consultation representation and hearings pursuant to Section 30K of the Act, when the Tasmanian Planning Commission directed Council to urgently amend under Section 30A of the Act, the zoning from Environmental Management to Low Density Residential.</li> <li>3. The owner has owned this parcel of land since 1989 and has always been mindful of respecting and protecting its inherent natural values, with the intention of eventually building a sensitive, modest dwelling on it. A purpose that has always been permitted under the LDR zoning, and its appropriate environmental protections under the applicable codes.</li> <li>4. The impost of an LCZ zone over the property will significantly disadvantage me. It will impact my choices and will carry a heavy cost burden in planning and building costs. More constraints and less flexibility will result in increased expenses, none the least through consultancy fees, legal fees and potentially costly delays in the event of objections, tribunals, etc.</li> <li>5. Siting compromise is likely, due to LCZ's substantial setbacks and restrictions, and this will likely result in inefficiencies, with short- and long-term cost implications (eg. inability to adopt best-practice design principles around optimum building shape, orientation, energy efficiency, solar potential, siting of supplementary systems, such as wastewater, water tanks, etc.)</li> <li>6. Uncertainty on how the Bushfire and Priority Vegetation overlays interact, raises questions around the BAL rating, and its potential to drive up costs in the choice of building materials.</li> <li>7. There is also the insecurity of not knowing whether the development approval process would ultimately be successful, with the focus of LCZ on conservation of landscape values, and with dwellings being discretionary. If owner's LDR zoned land is rendered unbuildable as a result of a zoning change to LCZ, this would void it of its inherent value, as both a future home, and as an asset, causing unfair disadvantage and a denial of natural justice.</li> <li>8. A proposal with such significant ramifications cannot rely on a desktop mapping exercise and based on aerial photography. A ground-truthed observation will evidence that this site is not suitable for zoning to LCZ, and that LDR is the most appropriate zoning, consistent with adjoining blocks and context.</li> <li>9. The adjacency and proximity of the property to other Low Density Residential Zone properties, and the absence or non-contiguity of natural assets values on fenced, and/or cleared adjoining blocks, with or without existing dwellings, demonstrates that the property is best suited to a Low-Density Residential Zone.</li> </ol>
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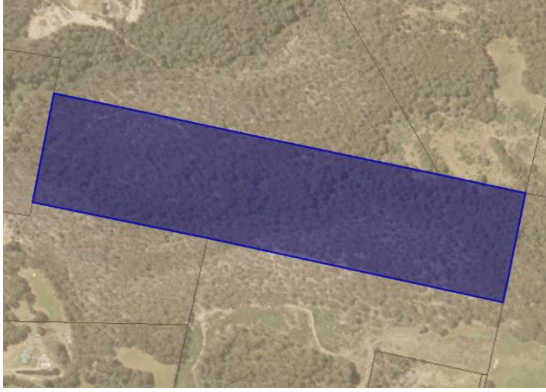
	 <p>Figure 1. Site location and existing zoning</p>										
Planning Authority response	<p>This lot meets the selection criteria for Landscape Conservation Zone, however is also subject to the priority vegetation overlay. This is a significantly constrained property that is the product of what appears to be a historical subdivision that took little, if any, consideration of the site characteristics and constraints. Notwithstanding, the differences in use between Landscape Conservation Zone and Low Density Residential Zone will not have any meaningful impact on the outcome for this small lot. As such, the Planning Authority has no objection is to the application of the Low Density Residential Zone to this site and rely on the applicable overlays to assess impacts on landscape values.</p>										
Recommended action	<p>Change site to Low Density Residential Zone in draft LPS together with the following titles:</p> <table><tr><td>8131/23</td><td>8131/15</td><td>8131/11</td><td>8131/17</td><td>8131/13</td></tr><tr><td>8131/18</td><td>8131/14</td><td>8131/10</td><td>8131/16</td><td>8131/12</td></tr></table>	8131/23	8131/15	8131/11	8131/17	8131/13	8131/18	8131/14	8131/10	8131/16	8131/12
8131/23	8131/15	8131/11	8131/17	8131/13							
8131/18	8131/14	8131/10	8131/16	8131/12							
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>										
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>										

<b>167.</b>	<b>Stephen Bartels</b>
Matters raised	<p>The representation requests 540 North Huon Road, Ranelagh (PID: 3135736; CT: 213051/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This block of land is surrounded by rural and agricultural land except for the small block adjoining it. For the past 100 years this block has been</li> </ol>

	<p>selectively logged as soon as the trees reached a marketable size. Owner questions the logic behind classifying a commercial sawmill currently zoned Rural to the new Landscape Conservation. This is not a similar zoning as the guidelines state.</p> <p>2. "I have not had adequate opportunity to engage a planner to properly review what the new zone means to my property. I disagree with this proposed change of zone to Landscape Conservation. By copy of this letter I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission in the near future to review any zone impacts or changes to my property should the zone be changed to anything other than Rural."</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is extensively covered in native vegetation, includes a ridgeline, hilltop and valley and contributes to a larger bushland area. This site, specifically, has mapped threatened native vegetation as Eucalyptus tenuiramis forest and woodland on sediments.</p>


	<p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>168.</b>	<b>Stephen Bartels</b>
Matters raised	<p>The representation requests PID: 5686275; CT: 22036/1 in Banksia Road, Mountain River be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This land has always been and it should remain as rural and is classified as Primary Production by the State Revenue Office. This land has been used as rural farming land for the last 100 years by the previous owners and current owner for the last 20 years. Cattle are put onto this block during the winter months. Small paddocks within the block plus the undergrowth are a very staple diet and it also reduces the fire hazard for summer. This block is also selectively logged for milling and firewood as the need arises.</li> <li>2. The Tasmanian Planning Scheme Guidelines for the Huon Valley clearly state that the new zoning classifications will be similar to the old version. The new landscape conservation zone is definitely not rural zoning. The nearest new zone will be Rural.</li> <li>3. "I have not had adequate opportunity to engage a planner to properly review what the new zone means to my property. I disagree with this proposed change of zone to Landscape Conservation. By copy of this letter I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission in the near future to review any zone impacts or changes to my property should the zone be change to anything other than Rural."</li> </ol>


	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes a hilltop and ridgeline, with a valley depression running the length site. The site is fully vegetated and forms part of a larger hilly area to the peak of Singes Hill and onwards into Wellington Park. Threatened vegetation is mapped as Eucalyptus tenuiramis forest and woodland on sediments.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>169.</b>	<b>Stephen Bartels</b>
Matters raised	<p>The representation requests Lot 14 Flakemores Road, Eggs and Bacon Bay (PID: 3590464; CT: 8131/14) be zoned Low Density Residential rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This already existing subdivision approved by the Huon Valley Council totally goes against the Tasmanian Planning Scheme Guidelines as there is still a low density residential zone and zoning was supposed to be applied on a like for like basis.</li> <li>2. Forest area surrounded by shacks is a fire safety risk, there is roughly 178 Hectares of retained forest surrounding Eggs and Bacon, this providing plenty of bush without the need to lock up a few small blocks within the small developed population of Eggs and Bacon.</li> <li>3. This already approved subdivision of small blocks should be able to be maintained for fire protection and safety. Low density residential fits in largely with the rest of the area, small developed population.</li> <li>4. "I have not had adequate opportunity to engage a planner to properly review what the new zone means to my property. I disagree with this proposed change of zone to Landscape Conservation. By copy of this letter I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission in the near future to review any zone impacts or changes to my property should the zone be changed to anything other than Low Density Residential."</li> </ol>


	 <p>Figure 1. Site location and existing zoning</p>										
Planning Authority response	<p>In accordance with LDRZ1 this should remain as Low Density Residential Zone as it is within a residential area with large lots and is severely constrained by the following overlays:</p> <ul style="list-style-type: none"><li>• Coastal Erosion</li><li>• Coastal Inundation</li><li>• Priority Vegetation</li><li>• Bushfire Prone area</li><li>• Waterway and Coastal Protection</li><li>• Future Coastal Refugia Area</li></ul> <p>It is noted that the differences in use between Landscape Conservation and Low Density Residential zones will not have any meaningful impact on the outcome for this small lot. As such, the planning authority has no objection to this site and the other lots within this area zoned Low Density Residential under the HVIPS and Landscape Conservation under the draft LPS to be zoned Low Density Residential in the draft LPS.</p>										
Recommended action	<p>Change site to Low Density Residential in the draft LPS together with:</p> <table><tr><td>8131/23</td><td>8131/15</td><td>8131/11</td><td>8131/17</td><td>8131/13</td></tr><tr><td>8131/18</td><td>8131/14</td><td>8131/10</td><td>8131/16</td><td>8131/12</td></tr></table>	8131/23	8131/15	8131/11	8131/17	8131/13	8131/18	8131/14	8131/10	8131/16	8131/12
8131/23	8131/15	8131/11	8131/17	8131/13							
8131/18	8131/14	8131/10	8131/16	8131/12							
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>										
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>										

<b>170.</b>	<b>Stephen Bartels</b>
Matters raised	The representation requests Lot 4 Huon View Road, Lower Longley (PID: 3074865; CT: 160523/4) be zoned Rural rather than Landscape Conservation.


	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This land has always been and it should remain as rural and is classified as Primary Production by the State Revenue Office. This land has been used as rural farming land for the last 100 years by the previous owners and current owner for the last 15 years. Cattle are put onto this block during the winter months. Small paddocks within the block plus the undergrowth are a very staple diet and it also reduces the fire hazard for summer. This block is also selectively logged for milling and firewood as the need arises.</li> <li>2. The Tasmanian Planning Scheme Guidelines for the Huon Valley clearly state that the new zoning classifications will be similar to the old version. The new landscape conservation zone is definitely not rural zoning. The nearest new zone will be Rural.</li> <li>3. "I have not had adequate opportunity to engage a planner to properly review what the new zone means to my property. I disagree with this proposed change of zone to Landscape Conservation. By copy of this letter I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission in the near future to review any zone impacts or changes to my property should the zone be changed to anything other than Rural."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zone and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p>

	<p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes a hilltop, two ridgelines and two valley depressions across the width of the block. The property is vegetated and forms part of a larger vegetated hilly area. Threatened vegetation is mapped as Eucalyptus tenuiramis forest and woodland on sediments at the northern side of the site and Eucalyptus amygdalina forest and woodland on sandstone on the southern side.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>171.</b>	<b>Alin Vasile Muresan and Loredana Adina Muresan</b>
Matters raised	<p>The representation rejects zoning of 23 Alans Road, Petchey's Bay (PID: 7202836; CT: 72979/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "Null and void; no authority to govern; no consent; no legal contract; offer rejected; access denied."</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The representation includes no substantive request for a change to a component of the Local Provision Schedule. The Planning Authority, consequently, cannot make significant comment or recommendation, other than to reiterate the application of the proposed zone and any applicable code overlays directly considered by the Section 8A Zone and Code Application Guidelines.</p> <p>It is noted that the site is zoned Rural Resource under the HVIPS and Rural under the draft LPS.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>172.</b>	<b>Marlene Smith</b>
Matters raised	<p>The representation requests 1423 Nicholls Rivulet Road, Nicholls Rivulet (PID: 7830082; CT: 220458/1) be zoned Rural Resource rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I/We, owner/s of the above property would like to submit the following representation that objects to the proposed re-zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am/We are believe that the more appropriate zone of Rural Resource should be applied as it better fits with my/our property. As I was/we were not made aware of this re-zoning until quite late in the process and exhibition period I am/we</li> </ol>

	<p>are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my/our behalf. Therefore, I/we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my/our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my/our objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site incorporates a large area of the south facing Tobys Hill slope and has extensive bushland coverage that forms part of a larger contiguous bushland area. A portion of the site is mapped as <i>Eucalyptus globulus</i> wet forest which is primary foraging habitat for critically endangered swift parrot. Threatened native vegetation is mapped as <i>Eucalyptus ovata</i> forest and woodland.</p>

	The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>173.</b>	<b>Gayle O'Brien</b>
Matters raised	<p>The representation requests 125 Bakers Creek Road, Lucaston (PID: 7716503; CT: 232815/1) be zoned Rural Living or Low Density Residential rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. According to The State Policy on the Protection of Agricultural Land 2009 the principles underlying Agricultural and Rural Zone are for the protection and enhancement of agricultural land and enterprises.</li> <li>2. With reference to the State Planning Office document Fact Sheet 4- Tasmanian Planning Scheme, the current Rural Zone is not fit for purpose as the Property does not have the capacity to support the Principle of Rural Zone to protect or contribute to agricultural activities or to protect or enhance agricultural land and enterprises, for the following reasons: <ol style="list-style-type: none"> <li>(a) The Property is not suitable for any crop production due to size constraints of the block, lack of water, poor soil quality (Nutrient Ag Solutions Assessment);</li> <li>(b) The Property size, geographical position and building locations do not allow for setback requirements for agricultural activities;</li> <li>(c) It is not financially viable for agricultural acquisition due to costs outweighing benefits for said agricultural benefit (Agricultural Land Mapping Project: Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone, Background Report May 2017;</li> </ol> </li> </ol>

	<p>(d) The land is not fit for other business activities such as mining (refer to Mining Tenement Map) aquaculture or forestry industry due to land slope, size restraints, lack of water;</p> <p>(e) The Property is conjoined with other small lots that also fall under the same constraints as listed above.</p> <p>3. Historically, the developments in Bakers Creek Road (including the property and surrounding lots) have followed a pattern of settlement reflected in the former Village zone (located at the corner of Bakers Creek Road and Lucaston Road, Lucaston). The Southern Tasmania Regional Land Use Strategy 2010-2035 encourage strengthening communities with a move to a more structured approach to residential growth and planning for rural living opportunities to minimise detrimental impacts whilst not impacting on productive rural land.</p> <p>4. The application of either RLZ or LDRZ comply with the Performance indicators of Tasmanian Planning Scheme (TPS) Zone Purpose 11.1.1 and 10.1.1 for areas lacking infrastructure and ensure the nature of the area is preserved from development as outlined in the TPS 11.5.1 P1 (f) and 10.6.1 AI P1 (e), that any development must adhere to 'the pattern of development existing on established properties in the area'.</p> <p>5. The Property is constrained by many factors, as outlined above, making it only suitable for residence. The Property is located in a settlement pattern close to the former Village (now RLZ) and given the block size and incapacity to contribute to rural activities, the application of LDRZ (or in the least RLZ), is more appropriate than the current Rural Zone.</p> <div data-bbox="416 1218 967 1617" data-label="Image"> </div> <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the HVIPS and Rural under the draft Huon Valley – LPS. 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:</p> <p><i>(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</i></p>

	<p><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></p> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. The site does not form part of an existing rural living or environmental living community, nor does it adjoin one. Moreover, the site is not part of a community that is substantial in size.</p> <p>The zoning of Rural is considered the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.



<b>174.</b>	<b>Wesley McMaster</b>
Matters raised	<p>The representation requests 35 Clear View Road, Crabtree (PID: 3218216; CT: 164986/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. All other adjacent properties are zoned Rural or Rural Living and are contiguous with owner's property. There is no difference in the quality of the land. Representation requests land be zoned Rural, consistent with the adjacent properties.</li> <li>2. With reference to the Land Capability Survey Tasmania and the Land Capability Classes, the property is identified as Class 5. Land identified as Class 5 is not consistent with the Agriculture Zone.</li> </ol> 


	Figure 1. Site location and existing zoning
Planning Authority response	<p>The site going to Agriculture seems to be a spot zone and at odds with the general zoning pattern of Rural and Rural Living in Crabtree. Accordingly, RMCG reviewed the representation and concluded that the most appropriate zone for the site is Rural.</p> <p>Regarding the Rural Living request, it is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>Accordingly, the most appropriate zone for the site is Rural.</p>
Recommended action	Change site to Rural in the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>175.</b>	<b>Geoffrey Lovell</b>
Matters raised	<p>The representation requests 31 Deering Street, Franklin (PID: 2937980; CT: 108765/2) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I/We, owner/s of the above property would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am/We are believe that the more appropriate zone of Rural Living should be applied as it better fits with my/our property. As I was/we were not made aware of this re-zoning until quite late in the process and exhibition period I am/we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my/our behalf. Therefore, I/we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my/our right to be afforded an opportunity to have our matter</li> </ol>

	<p>heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my/our objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</p> <p>2. It appears the Priority Vegetation Report was based on Tasveg 3.0 and the threatened species it refers to are not applicable to the property.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Franklin, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p>


	Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).				
Recommended action	Change to Rural Living D in the draft LPS together with the following titles:				
	120962/1	128515/1	145197/1	134283/2	249545/2
	61964/1	152751/1	219187/5	122304/1	154579/2
	141849/2	100190/5	145197/2	37052/1	154579/3
	133384/1	108765/4	154579/9	133383/1	154579/4
	48358/1	134283/1	144364/1	144364/2	54116/1
	168664/1	37801/1	151619/2	53926/1	50892/1
	37319/1	122303/1	104032/2	120089/1	108765/2
	45861/1	104032/3	119727/1	123275/1	23157/1
	154579/7	54116/2	100191/9	104032/1	249545/1
	154579/6	230456/1	40328/2	141849/1	154579/8
	156764/1	151619/1	154579/1	144971/1	144364/3
	95797/1	154579/5			
	Other lots within this are to be changed are:				
29232/1	Rural				
155370/2	Rural				
152751/2	Split zone Rural (replacing the current HVIPS Rural Resource portion) and Rural Living (replacing the current HVIPS Environmental Living portion) along the current HVIPS zone boundary.				
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.				
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.				

<b>176.</b>	<b>Eve Merfield and Anthony Munnings</b>
Matters raised	<p>The representation objects to Landscape Conservation Zoning of 241 Hastings Caves Road, Hastings (PID: 7842294; CT: 44833/4).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I/We, owner/s of the above property would like to submit the following representation that objects to the proposed zoning as put forward by the council as part of the advertised draft Local Provisions Schedule</li> </ol>


	<p>submission. I am/We are believe that the more appropriate zone of should be applied as it better fits with my/our property. As I was/we were not made aware of this re-zoning until quite late in the process and exhibition period I am/we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my/our behalf. Therefore, I/we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my/our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my/our objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Hastings Bay and Southport, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for some these lots including the subject site, their characteristics are akin to a Rural Living (area D) in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied.</p>

	<p>Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and other lots with similar characteristics within the Hastings area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (D).</p>																				
Recommended action	<p>Change to Rural Living D in draft LPS together with the following lots:</p> <table><tr><td>46086/1</td><td>238754/1</td><td>44833/4</td><td>46083/1</td><td>122965/1</td></tr><tr><td>243171/1</td><td>168313/1</td><td>105129/1</td><td>168312/1</td><td>24636/1</td></tr><tr><td>151824/1</td><td>16585/8</td><td>46085/1</td><td>151824/2</td><td>14937/1</td></tr><tr><td>62552/1</td><td></td><td></td><td></td><td></td></tr></table> <p>150993/1      Split zone Rural (replacing the current HVIPS Rural Resource portion) and Rural Living (replacing the current HVIPS Environmental Living portion) along the current HVIPS zone boundary.</p>	46086/1	238754/1	44833/4	46083/1	122965/1	243171/1	168313/1	105129/1	168312/1	24636/1	151824/1	16585/8	46085/1	151824/2	14937/1	62552/1				
46086/1	238754/1	44833/4	46083/1	122965/1																	
243171/1	168313/1	105129/1	168312/1	24636/1																	
151824/1	16585/8	46085/1	151824/2	14937/1																	
62552/1																					
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>																				
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>																				


<b>177.</b>	<b>Eve Merfield and Anthony Munnings</b>
Matters raised	<p>The representation objects to Landscape Conservation Zoning of 189 Hastings Caves Road, Hastings (PID: 2804547; CT: 181878/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I/We, owner/s of the above property would like to submit the following representation that objects to the proposed zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am/We are believe that the more appropriate zone of should be applied as it better fits with my/our property. As I was/we were not made aware of this re-zoning until quite late in the process and exhibition period I am/we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my/our behalf. Therefore, I/we shall be abstaining from making further</li> </ol>

	<p>comment other than requesting that our objection and that the above zone change be considered, and that we invoke my/our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my/our objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living in the interim planning scheme. RLZ 2(b) allows for land within the Environmental Living Zone to be considered for the Rural Living zone. The site is substantially covered in native vegetation, forming part of a larger area of land to be zoned Landscape Conservation containing large areas of bushland contiguous with other areas of bushland on elevated topography overlooking Hastings Bay. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. The site and surrounds to be zoned Landscape Conservation under the Huon Valley – LPS is reflective of these important landscape values and should therefore be zoned Landscape Conservation.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>

<b>178.</b>	<b>Eve Merfield and Anthony Munnings</b>
Matters raised	The representation objects to Landscape Conservation Zoning of 153 Kent Beach Road, Dover (PID: 5266203; CT: 15529/1).

	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I/We, owner/s of the above property would like to submit the following representation that objects to the proposed zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am/We are believe that the more appropriate zone of should be applied as it better fits with my/our property. As I was/we were not made aware of this re-zoning until quite late in the process and exhibition period I am/we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my/our behalf. Therefore, I/we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my/our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my/our objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The CT is zoned Rural Living under the HVIPS and Landscape Conservation under the draft Huon Valley – LPS. The CT is surrounded to the north, east and south of a title split zoned but zoned Rural Living under the HVIPS and Landscape Conservation under the draft LPS on the immediate boundaries of the CT.</p> <p>The subject title is not elevated and is generally void of native bushland. To avoid a spot zoning the most appropriate zoning is Rural Living Area B subject to CT 104783/5 being split zoned Rural Living Area B and Landscape Conservation.</p>
Recommended action	<p>Amend to Rural Living Area B together with CT 104783/5 being split zoned Rural Living Area B and Landscape Conservation.</p>

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>179.</b>	<b>Eve Merfield and Anthony Munnings</b>
Matters raised	<p>The representation objects to Landscape Conservation Zoning of 151 Kent Beach Road, Dover (PID: 1452412; CT: 104783/5).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I/We, owner/s of the above property would like to submit the following representation that objects to the proposed zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am/We are believe that the more appropriate zone of should be applied as it better fits with my/our property. As I was/we were not made aware of this re-zoning until quite late in the process and exhibition period I am/we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my/our behalf. Therefore, I/we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my/our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my/our objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>The CT is split zoned Rural Living and Rural under the HVIPS and Landscape Conservation under the draft LPS. The CT adjoins land zoned Rural Living under the HVIPS and Landscape Conservation under the draft LPS.</p> <p>The subject title is not elevated and has limited native bushland within the area currently zoned Rural Living. To avoid a spot zoning the most appropriate zoning is to split zone the CT Rural Living Area B and Landscape Conservation (along the existing split zone boundary) subject to CT 15529/1 also being zoned Rural Living Area B.</p>
Recommended action	Amend to Rural Living Area B together with CT 15529/1 also being zoned Rural Living Area B.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>180.</b>	<b>Robyn Giec</b>
Matters raised	<p>The representation requests 98 Maxfields Road, Franklin (PID: 7454160; CT: 95394/1 and 95394/2) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property was part of a much bigger farm enterprise prior to its being parceled off and sold, prior to 1985. The owner back then added horses to the property, which were housed in the main paddock. Therefore, it is clear that the property was already a farm rather than a conservation site.</li> <li>2. When the current owner bought the property in 1998, the property had maintained paddocks which were regularly slashed, farm/electric fencing, cattle yards, a livestock loading ramp and a dam was already in existence. Since owner's purchase, there have been cattle agisted on the property at various times as a favour to neighbours. The livestock have been free ranged throughout the entire property.</li> <li>3. The property was registered with DPIWPE and a property identification code obtained for the purpose of running sheep, planting timber and growing saffron. Owner also obtained a national livestock identification system registration so as to be able to buy and sell livestock. Owner's business, "Huon Homegrown", was also registered with ASIC. Since then, owner has planted further pasture grass whilst maintaining a slashed paddock and has been working to convert one of the existing sheds to a sheering shed. Owner has also been working, by hand, to reduce the</li> </ol>

blackberries and african feather grass as well as other weeds from the property.


4. Owner now has 6 dorper sheep on the land whose purpose is to help keep the weeds down prior to introducing the wool sheep. Ultimately, owner plans to have 30 sheep in total and also plan to plant slow growing timbers as a future investment.
5. The 95394/1 title which is proposed to be classed as Landscape Conservation is cleared paddocks, a dam, farm sheds and a house with cattle yards, cattle runs and sheep. The trees surrounding the house are all introduced and include chestnuts, silver birch, ash, pine, wisteria, oak and cherry. None of this is native and certainly not threatened and predates owner's purchase. Owner strongly refutes the claim in a Priority Vegetation Report that there is Eucalyptus ovata on encroaching on my northern fence line. This is just not true, there are no trees on the fence line at all. If there were trees on this northern fence, it could not have been constructed.
6. The 95394/2 title is being called Landscape Conservation. Aerial photographs over the years show leaf cover. These photos are of such quality that it does not actually show the type of vegetation clearly, and certainly not the nature of the tree trunks and does not indicate the safety associated with them. The trees in this area are generally suckers and, because of this, are thin and non-established. Many of them have a trunk circumference less than 3 inches and are, therefore, considered shrubs. These shrubs are considered a fire risk. The nature of this is not evident from the sky and only visible from the ground. Therefore, owner suggests that the assessment of this area is not correct. Please note, that there is also no Eucalyptus ovata identified on either of the associated 2 titles.
7. The property is surrounded by farming and rural land and is part of a farming community. There are surrounding rural residential properties. It has not, for more than 35 years at least, been part of a conservation property, and continues to be a worked farm that will be productive again in the next few years. The farming and agriculture way of life is the backbone of this community and should not only be continued, but be encouraged.



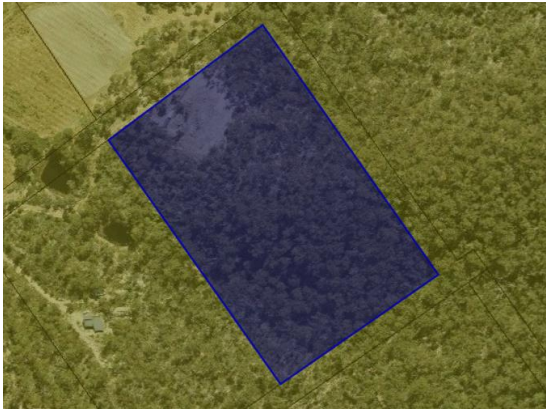
Figure 1. Site location and existing zoning

Planning Authority response	<p>The site is zoned Environmental Living in the interim planning scheme. RLZ 2(b) allows for land within the Environmental Living Zone to be considered for the Rural Living zone. The area forms part of a large contiguous bushland area incorporating Cannells Hill and tributaries to the Huon River. Whilst it is recognised that some parcels of land within this area zoned Environmental Living under the HVIPS and Landscape Conservation under the Huon Valley – LPS, do not contain substantial bushland areas (such as CT 95394/2), most of the individual titles do contain landscape features and are located on elevation topography including CT 95394/1. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate.</p> <p>Further, this is part of an extensive Environmental Living area and there is no strategic intention for this site and the broader Environmental Living area to be an area of residential use and development within a rural setting. Given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

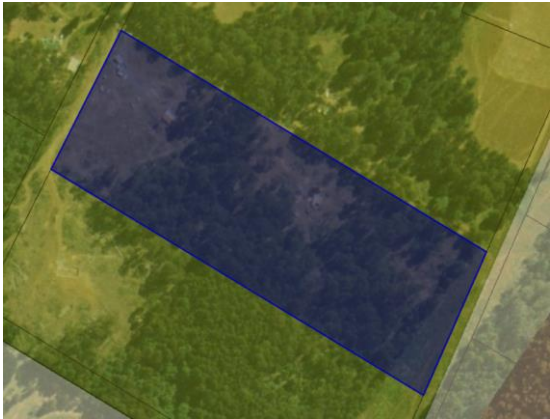
<b>181.</b>	<b>Sandra Lewis</b>
Matters raised	<p>The representation objects to Unit 2, 1 Lynch Avenue, Huonville (PID: 1764205; CT: 108053/2) being zoned Village.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This cannot be rezoned as Village as it has no communal area/hall.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The site is zoned Village under the HVIPS and Village under the draft Huon Valley – LPS. The site which is used for residential purposes is part of a larger area zoned Village that includes other residential uses and non-residential uses such as retail. To avoid a spot zoning the most appropriate zone for the site is Village.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>182.</b>	<b>Christine Valentine and Nicholas Day</b>
Matters raised	<p>The representation requests 902E Cygnet Coast Road, Wattle Grove (PID: 2759344; CT: 149310/3) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “We were not advised of this rezoning until the 18th May 2022 by receipt of a letter dated 3rd May 2022 sent to our Post Office Box. That is extremely late in the process and exhibition period, consequently we have been unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf. Therefore, we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Wattle Grove and Petcheys Bay, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zone, this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>
Recommended action	Change to Rural Living D in the draft LPS together with the following titles:

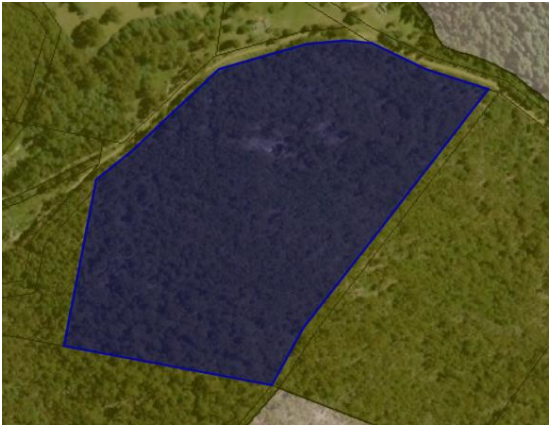
	47314/1      149310/1      165572/1      240675/1      238889/1 141903/2      120423/6      120423/3      120423/7      141160/1 201011/1      146285/2      47314/2      140121/4      149310/3 167756/2      165573/2      34527/3      120423/4      202696/1 165213/2      165213/1      34527/2      47314/3      161127/1 146285/1      140121/3      120423/8      120423/2      120423/5 140121/5      149310/2
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>183.</b>	<b>Helen Lovell</b>
Matters raised	<p>The representation requests 17 Deering Street, Franklin (PID: 2937999; CT: 108765/4) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner wishes for the property to be zoned as Rural Living rather than the proposed Landscape Conservation as it is just on the border and the bulk of the property has been cleared for farming purposes.</li> <li>2. Owner can enter into a Notification of Agreement under the Land Use Planning and Approvals Act 1993 with the Huon Valley Council or register a Restrictive Covenant in Gross with a hatched portion to be left untouched to be registered on the Title.</li> <li>3. It appears the Priority Vegetation Report was based on Tasveg 3.0 and the threatened species it refers to are not applicable to the property.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

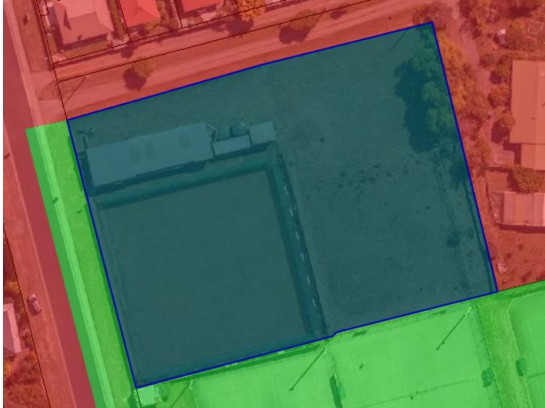
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP’s. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Franklin, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zone, this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living D.</p>																																																												
Recommended action	<p>Change to Rural Living D in draft LPS together with the following titles:</p> <table><tr><td>120962/1</td><td>128515/1</td><td>145197/1</td><td>134283/2</td><td>249545/2</td></tr><tr><td>61964/1</td><td>152751/1</td><td>219187/5</td><td>122304/1</td><td>154579/2</td></tr><tr><td>141849/2</td><td>100190/5</td><td>145197/2</td><td>37052/1</td><td>154579/3</td></tr><tr><td>133384/1</td><td>108765/4</td><td>154579/9</td><td>133383/1</td><td>154579/4</td></tr><tr><td>48358/1</td><td>134283/1</td><td>144364/1</td><td>144364/2</td><td>54116/1</td></tr><tr><td>168664/1</td><td>37801/1</td><td>151619/2</td><td>53926/1</td><td>50892/1</td></tr><tr><td>37319/1</td><td>122303/1</td><td>104032/2</td><td>120089/1</td><td>108765/2</td></tr><tr><td>45861/1</td><td>104032/3</td><td>119727/1</td><td>123275/1</td><td>23157/1</td></tr><tr><td>154579/7</td><td>54116/2</td><td>100191/9</td><td>104032/1</td><td>249545/1</td></tr><tr><td>154579/6</td><td>230456/1</td><td>40328/2</td><td>141849/1</td><td>154579/8</td></tr><tr><td>156764/1</td><td>151619/1</td><td>154579/1</td><td>144971/1</td><td>144364/3</td></tr><tr><td>95797/1</td><td>154579/5</td><td></td><td></td><td></td></tr></table>	120962/1	128515/1	145197/1	134283/2	249545/2	61964/1	152751/1	219187/5	122304/1	154579/2	141849/2	100190/5	145197/2	37052/1	154579/3	133384/1	108765/4	154579/9	133383/1	154579/4	48358/1	134283/1	144364/1	144364/2	54116/1	168664/1	37801/1	151619/2	53926/1	50892/1	37319/1	122303/1	104032/2	120089/1	108765/2	45861/1	104032/3	119727/1	123275/1	23157/1	154579/7	54116/2	100191/9	104032/1	249545/1	154579/6	230456/1	40328/2	141849/1	154579/8	156764/1	151619/1	154579/1	144971/1	144364/3	95797/1	154579/5			
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	<p>Other lots within this are to be changed are:</p> <p>29232/1            Rural</p> <p>155370/2          Rural</p> <p>152751/2          Split zone Rural (replacing the current HVIPS Rural Resource portion) and Rural Living (replacing the current HVIPS Environmental Living portion) along the current HVIPS zone boundary.</p>
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

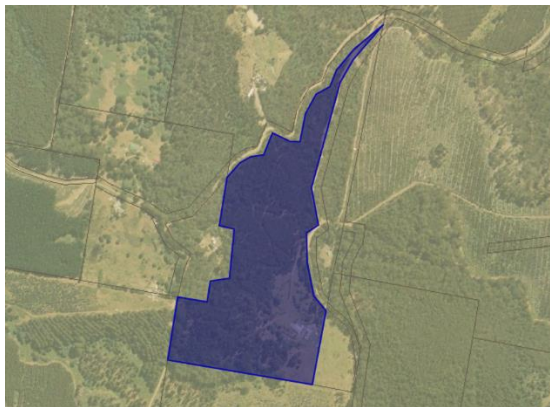
<b>184.</b>	<b>Peter Boyce</b>
Matters raised	<p>The representation requests PID: 7716642; CT: 41338/1 in Bakers Creek Road, Lucaston be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Most of this land was until the 1980s rough pasture. The grass can still be seeing growing underneath the regrowth timber. The barbed wire border fencing (including against the long boundary to Baker Creeks Road) is also still evident. Almost all the trees, particular in the lower half of the block, are less than 40 years old, with most considerably younger than that. There are more older trees on steep land higher up which will never be disturbed. This vegetation pattern is not primarily because of the history of logging in the area, but because the block had been cleared for pasture. Owner believes cattle grazing ceased in the 1980s. The block has a 5 to 10 acres of largely level land below where the current outbuildings now are - where the soil is deep and the grass grows well.</li> <li>2. Owner has plans to conduct a small-scale farming pursuit in this area of land in accordance with its historical use. This would be facilitated by the fact that the block has a benefiting easement with the right of carriage way (B309989), and a benefiting easement together with rights over the pipeline and pump easement (B450060) through the property on the other side of Bakers Creek Road down to Bakers Creek included on the title, meaning that water could potentially be piped from the creek. That these rights were granted highlights that the property has always been considered for agricultural use.</li> <li>3. Neighbouring properties of similar size, vegetation cover, less road frontage and less level land are to be zoned Rural Living. There seems no</li> </ol>

	<p>reason why this zoning should apply to neighbouring blocks and not to owner's property.</p> <ol style="list-style-type: none"> <li>Most of the block is geographically and historically not part of the higher undeveloped bush country but the lower farmed area. Much of the pasture has been covered in regrowth in recent decades but the evidence of the former land use clearly remains.</li> <li>Owner believes that because of the lower half of the block, which has level land, long road frontage and water access from Bakers Creek, the land should be zoned rural living like the neighbouring block. This would have no impact on other property owners, or threatened vegetation. The higher parts of the block are inaccessible and steep and would never be cleared again, protecting landscape values.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living in the interim planning scheme. RLZ 2(b) allows for land within the Environmental Living Zone to be considered for the Rural Living zone. The site forms part of a contiguous bushland area located on the lower slopes of the fully vegetated Mount Misery. Lot has a 98% bushland coverage with a large portion mapped as <i>Eucalyptus globulus</i> wet forest which is primary foraging habitat for critically endangered swift parrot. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values. Due to the landscape values afforded by the site and to avoid a spot zoning the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>


Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>185.</b>	<b>David de Burgh</b>
Matters raised	<p>The representation requests 15 Louisa Street, Cygnet (PID:2135267; CT:36883/1) be partially zoned General Residential rather than Recreation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Representor submits, on behalf of the Cygnet Bowls and Community Club, that the new Huon Valley Local Provisions Schedule provides the opportunity for the Council to bring about the attainment of Council's intention to rezone the subject land to the General Residential Zone. At its meeting on 29 April 2022, following a review of representations from the public, the Council resolved to recommend to the Tasmanian Planning Commission that it approve the draft amendment PSA-2/2019.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	Submission no longer applicable, given rezoning request has been approved.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>186.</b>	<b>Paul Hensley</b>
Matters raised	The representation requests 684 Bermuda Road, Glen Huon (PID: 1958851; CT: 133190/2) be zoned Rural Living rather than Landscape Conservation.

	<p>Representation general comments:</p> <p>1. "I Paul Hensley, owner of the above property would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of Rural living should be applied as it better fits with my property. As I was not made aware of this re-zoning until quite late in the process and exhibition period I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that I invoke my right to be afforded an opportunity to have my matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>										
Planning Authority response	<p>Property is in a comparatively isolated area of the Huon Valley. Surrounded by predominantly forestry land. This lot was not included in the original set of planning authority proposed Landscape Conservation properties. The planning authority therefore has no objection with it being Rural and, on reflection, the adjoining properties earmarked as Landscape Conservation Zone should be changed to Rural as there are negligible scenic values and landscape value mapping is somewhat course, with larger cleared areas and some silviculture included as native vegetation.</p>										
Recommended action	<p>Change this site and the following sites to Rural in the draft LPS:</p> <table><tr><td>54055/1</td><td>133190/2</td><td>208045/1</td><td>40644/2</td><td>133190/1</td></tr><tr><td>49931/1</td><td>44120/1</td><td>49931/3</td><td>52787/1</td><td></td></tr></table>	54055/1	133190/2	208045/1	40644/2	133190/1	49931/1	44120/1	49931/3	52787/1	
54055/1	133190/2	208045/1	40644/2	133190/1							
49931/1	44120/1	49931/3	52787/1								


Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>187.</b>	<b>Steven Payne</b>
Matters raised	<p>The representation requests 58 Wallace Road, Cygnet (PID: 2506574; CT: 143477/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I, Steven Payne owner of the above property located at 58 Wallace road Cygnet. I would like to submit the following representation that objects to the proposed Agriculture zoning as put forward by the council as part of the advertised draft LPS submission. I believe that the more appropriate zone of Rural should be applied as it better fits with the land characteristics. I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to my property."</li> <li>2. This property was subdivided years ago when purchased from a large farming lot, however this title does not suit the Agriculture zone as there is very little land that would support being able to farm livestock. The home has been rented out and the owner would like to add to the small cottage that is there. Majority of the land sits behind the house which is sloping and has some bush. There is no access to any dams or water of any sort, so to even look at viticulture this is not possible on this property.</li> </ol>  <p>Figure 1. Site location and existing zoning – Significant Agriculture</p>

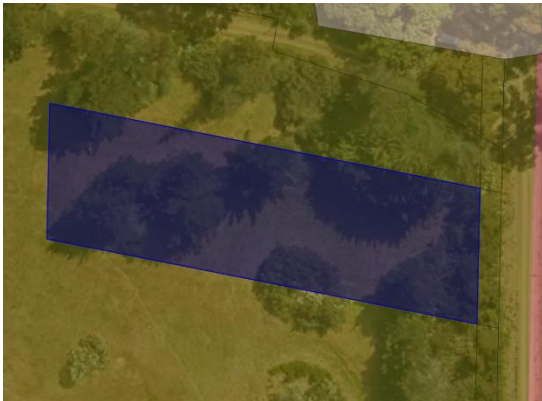
Planning Authority response	The site is zoned Significant Agriculture in the HVIPS. In accordance with the zone application guidelines (AZ2) land within the Significant Agriculture zone in an interim planning scheme should be included in the Agriculture Zone unless considered consistent with AZ6. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>188.</b>	<b>Steven Payne</b>
Matters raised	<p>The representation requests 149 Russell Road, Lonnavele (PID: 5697265; CT: 242786/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I, Steven Payne owner of the above property, Licensed Builder and business owner of Maggellies Timber and Joinery which I operate my business from my property 149 Russell Road Lonnavele. I would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft LPS submission. I believe that the more appropriate zone of Rural should be applied as it better fits with the land characteristics, surrounding similar zoned folios, historical use, and recognised land improvements. I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to my property."</li> <li>2. The application of Rural Zone best meets the Zone Purpose Statements from the HVIPS 2015 zoning of this land compared to Rural Resource, and correcting the application of this new zoning name to the property will allow owners to continue along their path of using this land as intended since purchase in 1994.</li> <li>3. Moving from the Landscape Conservation Zone to the Rural Zone is the most appropriate outcome because the property meets the criteria for the Rural Zone and not the criteria for the Landscape Conservation Zone. The property is rural and being used for rural purposes – owners have game birds, goat and pig farming as well as vegetable gardens. Owners</li> </ol>

	<p>have a joinery timber business “Maggellies Timber” which is operated from a 14 x 8 approved workshop and have invested a substantial amount of money in heavy duty machinery and tools for the business. If the property is rezoning to LCZ this will make the business no longer viable with loss of income and livelihood.</p> <ol style="list-style-type: none"> <li>4. The LCZ should not be applied because the Priority vegetation report is inaccurate regarding the vegetation types and species and/or extent of them as well as the comparisons with Forestry. The property is not on a scenic route corridor and there is no through traffic on our road.</li> <li>5. Back in the 60's this property was heavily cleared and was removed of any large trees of use on the property. Then in the 80's a large bush fire came through due to an out of control forestry burn off and the bush and home that was located at this address was also burnt down. Becoming Landscape Conservation will put owners lives in danger of bush fire again having forestry on 3 boundaries and not being able to maintain and increase bushfire control buffers.</li> <li>6. Owners consider that the proposed application of Landscape Conservation will negatively affect their ongoing business, and valuation of the property, and as such they do not deem it relevant to be moved to. If the Landscape Conservation zoning is applied, owners will have to consider further legal action for the loss of income, and devaluation if selling is necessary due to the property no longer serving owners' purposes.</li> <li>7. Future LCZ concerns- During the last 3 months as the public becomes aware and slowly comes to terms of the potential changes and what it will mean for our properties. Owner has concerns with the amount of clients asking me what zone certain properties will be rezoned as. When LCZ is mentioned, this automatically becomes a “not interested, thank you” by potential property purchasers. One scenario that comes to mind recently was an interested buyer looking at a vacant land allotment, they knew someone in the local council and as a result, was suggested not to go any further, so what hope do any LCZ property owners have, receiving a better outcome when selling? Any property zoned LCZ will be harder to market, therefore will be greatly de-valued and will also limit so many wishing to finance a property with this zone as they will be needing a 50% deposit as well, this will be a no win for anyone. This is already proving to be challenge and the changes have not yet come to affect. This will become a snowball effect, affecting many lives and many businesses in the Huon Valley.</li> </ol>
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	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not a like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on the upper sections of the Russell River Valley. Scenic values that occur across the property include a ridgeline, hillside and valley depression visible with 96% bushland coverage, part of a larger fully vegetated hilly area that extends through the Wild Bee Conservation Area.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>189.</b>	<b>Rangi Yates</b>
Matters raised	<p>The representation requests 24 Lavender Lane Dover (PID: 1702557; CT: 109938/1) be zoned Low Density Residential rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The Landscape Conservation classification does not meet the criteria as the lot size is only 2000m<sup>2</sup>; 90% cleared; remaining vegetation is not significant or endangered (Pinus radiata, macrocarpa, and wattles) and the land has been previously subdivided for residential purposes.</li> <li>2. Low Density Residential is more appropriate to the current land state and is the zoning of the neighbouring property across the lane.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Dover, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with</p>

	<p>remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate. Further, given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>190.</b>	<b>Ann and Mark Baldwin</b>
Matters raised	<p>The representation requests:</p> <ul style="list-style-type: none"> <li>• PID: 2791360; CT: 148860/4 on Windsor Road, Lucaston be zoned Rural Resource or Agriculture</li> <li>• PID: 2791360; CT: 205697/1 on Windsor Road, Lucaston be zoned Rural Resource</li> <li>• PID: 7609708; CT: 41146/1 at 32 Cloverside Road, Lucaston be zoned Rural Resource or Rural Living</li> </ul> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “We were unaware of the proposed zone changes, process, and exhibition periods to our land until very recently. This has meant that we have been unable to engage with a suitable consultant/legal counsel at short notice; to assist in addressing our issues with the proposed changes. We received our official notification dated 3<sup>rd</sup> May 2022 from the council’s planning department, regarding the changes on 18<sup>th</sup> May 2022. We would like the opportunity to have our objections heard at the Tasmanian Planning Commissions hearing should further information be required. In addition, we request that we can bring further objections, should they arise from a need for us to engage with consultant/legal counsel.”</li> <li>2. The property consists of 5 titles and the owners request that CT: 148860/4 and CT: 205697/1 be classified as either Rural Zone or Agricultural Zone to match the other titles of the property. The whole</li> </ol>

	<p>area surrounding the 2 named titles, which is known as Cloverside, has been logged since settlement, had dairy farms, cattle and local mills. It is understood that the landscape and environmental values are already protected within the Scenic Protection Code and Natural Assets code</p> <ol style="list-style-type: none"> <li>3. Owners operate a farming partnership trading as Pipers Hill. The farm consists of beef cattle production, silage and hay production with some small-scale wood cutting. Cattle is rotated across all land titles and have numerous farm buildings including a Stockyard, Dairy and a large machinery Shed. There is no residence on the property. The farm contributes to the economy of the not just the Huon Valley, but owners sell cattle which are bred as part of Never Ever Beef program to Greenhams, who export cattle.</li> <li>4. The other three titles (150982/3,4 &amp; 5) have access to a registered maintained road with CT: 205697/1 and CT: 148860/4 showing possible access via a reserve road which continues from Windsor Road but is not maintained. In the main CT: 148860/4 and CT: 205697/1 are accessed via CT: 150982/3 and a maintained track to the cleared area.</li> <li>5. The area of land cleared in 1980 on the top of CT: 148860/4 was 4 hectares (ha), which forms part of owner's grazing land and remains an integral part of the viable farm. There is also 3.10 ha of paddock at the base of CT: 148860/4 (adjoins CT 150982/3). The Dry Sheep Equivalent (DSE) or Cattle Livestock Unit (CLU) which is used to calculate our stocking rate on the farm for those 7.10 ha of pasture is currently at 4 per ha. This means that owners would be unable to graze 21 stock. Owner's livelihood will be greatly affected by the loss of income and de-valuation of the property. It is estimated the loss of being unable to graze 21 cattle would exceed \$30,000.</li> <li>6. Owners utilise the land for firewood on both CT: 148860/4 and CT: 205697/1 for domestic use and small sales to supplement income. Owners are selective in their small approach and continue to ensure they have adequate fire trail capability. This includes removing fallen trees and removing dangerous trees so safety is ensured for owners and stock.</li> <li>7. The farm is not fenced to correspond with the titles. Owners have 2 areas within CT: 150982/3 and CT: 150982/4 which gets locked up for hay/silage production from September to December. This means the CLU is reduced during this time and owners rely heavily on CT: 148860/4 and CT: 150982/5 for cattle grazing/calving.</li> <li>8. Owners have an expectation that their 2 children will be able to build on the farm. If both titles move to Landscape Conservation Zone, it is unlikely that CT: 148860/4 would be able to have any permitted residential building/home-based business. The discretionary criteria would also not be met and the standards for building works either. There is no legal access, right of way to a road maintained by a road</li> </ol>
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authority. Both titles have a reserve access. The reserve road, which is part of Windsor Road is not maintained. The reserve road travels past the last residence on Windsor Road.

9. The value of the 2 titles would diminish considerably if zoned LCZ; and if owners were unable to continue utilising these 2 titles as part of the farm, owners are unsure how they could even sell the 2 parcels of land.



Figure 1. Site location and existing zoning of PID: 2791360; CT: 148860/4

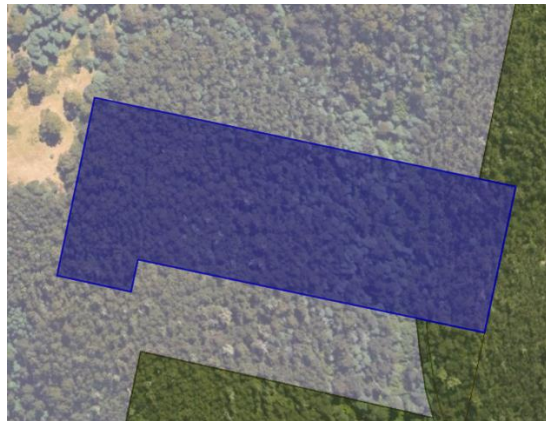




Figure 2. Site location and existing zoning of PID: 2791360; CT: 205697/1



Figure 3. Site location and existing zoning of PID: 2791360; CTs: 148860/4 and 205697/1


	 <p>Figure 4. Site location and existing zoning PID: 7609708; CT: 41146/1</p>
<p>Planning Authority response</p>	<p><u>CT: 148860/4 and CT: 205697/1</u></p> <p>These sites are zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not a like-for-like zone and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts on both the Rural Zone and Agriculture Zone result in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site has large areas of native vegetation containing valleys and ridgelines contiguous with other areas of bushland on elevational topography. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p> <p><u>CT: 41146/1</u></p> <p>The sites are zoned Rural Resource under the HVIPS and zoned Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the Land Potentially Suitable for Agriculture Zone layer published on the LIST map. The sites are identified as being Potentially Constrained 2A and Unconstrained. In accordance with AZ1(a) RMCG undertook further investigation and analysis as to each site's</p>

	suitability for inclusion within the Agriculture Zone. It was concluded that the application of the Agricultural Zone was the most appropriate zone for the site.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>191.</b>	<b>Rani Klubal</b>
Matters raised	<p>The representation objects to Lot 1 Wylies Road, Cradoc (PID: 3000938; CT: 260144/1) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The owner is deeply concerned about what this rezoning will mean to any application to do minimal clearing required for all building and fire regulations going forward, let alone the owner's hoped for 3 acres plus access to build an approvable family house near the top of the block with room for an orchard, gardens and animal care.</li> <li>2. If the owner is unable to build or clear for a safe building zone, the property becomes a permanent 'bush block' and it would seem the owner is 'caretaking' for the government at their own expense.</li> <li>3. The owner wonders if this rezoning will render the block utilizable as a future family residence, therefore only compulsory acquisition should be considered by the state planning, not just rezoning.</li> <li>4. It is also concerning that the rezoning is haphazard, in that area of 10 blocks, 7 will be rezoned under Landscape Conservation but 3 won't.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site has near full vegetation and makes up part of a larger hillside and valley depression that extends into the Snug Tiers Nature Recreation Area. The location of the property is comparatively isolated and in an area of predominantly undeveloped vegetated lots found in valleys, ridgelines and hill slopes.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>192.</b>	<b>Tricia Phillips</b>
Matters raised	<p>The representation requests PID: 5261322; CT: 148554/1 in Scotts Road, Cairns Bay be zoned Rural Living B (or other appropriate zone) rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Block is only 1.418 ha in an elongated triangular shape.</li> </ol>


	<p>2. Not big enough for any agriculture capacity- could not run 1 cow on the property or grow anything of any significant size.</p> <p>3. The issue with setbacks from neighboring fence lines is that there is a main road on one side and Agriculture on the other side. The property has water currently running through the middle from the neighboring dam in winter. Cannot build in the middle of block- would need to be nearer to the road.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.</p> <p>Furthermore, 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:</p> <ul style="list-style-type: none"> <li>(a) <i>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</i></li> <li>(b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA as having a substantial portion of lots being of a size typically associated with a rural-residential lifestyle – for example 26 % of lots are between 1 ha – 10 ha in size. Therefore, whilst it is recognised that the rezoning would provide for limited subdivision and adjoins an existing Rural Living area due to the number of lots in</p>

	the LGA that would also have these characteristics, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land. Given this connectivity to Unconstrained land for agriculture purposes, to avoid a spot zone and the lack of strategic justification for the introduction of Rural Living zone the Agriculture Zone is considered to be the most appropriate zone for the lot.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>193.</b>	<b>Tricia Phillips</b>
Matters raised	<p>The representation requests 53 Barnard Road, Cairns Bay (PID: 5259847; CT: 10158/1) be zoned Rural Living A (or another appropriate zone) rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property size is 0.139ha and contains a house and shed which has been there for many years. There is no area to do anything with and is only a Rural Living area,</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The lot is zoned Rural Resource under the interim planning scheme and is proposed to be zoned Rural under the Huon Valley – LPS. In accordance with RLZ2 the Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:


	<p><i>(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</i></p> <p><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></p> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA as having a substantial portion of lots being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha). Therefore, whilst it is recognised that the rezoning would provide for limited subdivision, the land does not adjoin an existing Rural Living area or residential settlement more generally and due to the number of lots in the LGA are of a rural-residential lifestyle size, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental, continuous increase in Rural Living land.</p> <p>The Rural Zone is considered to be the most appropriate zone for the site</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>194.</b>	<b>Tricia Phillips</b>
Matters raised	<p>The representation requests 20 Dawson Road, Cairns Bay (PID: 5259791; CT: 224433/1) be zoned Rural Living B/C (or other appropriate zoning) rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. As an estate, the property is due to be divided up between living beneficiaries when lawyers finalise will</li> <li>2. Property has house, sheds, working truck depot and Quarry lease on site.</li> <li>3. Was originally industrial zoning before being changed to intensive Agriculture with no notification. Intensive Agriculture should never have been applied due to nature of business and living</li> </ol>


	<p>4. Representor would like the property to be zoned as Rural Living B/C or other appropriate zoning on discussion for breakup of the property:</p> <ul style="list-style-type: none"> <li>(a) Has existing house and sheds on site.</li> <li>(b) Be able to remove house and land off on to its own title and must not affect working quarry.</li> <li>(c) Would help beneficiaries and planning if it could be done now whilst adjustments are being done.</li> <li>(d) Has a business on site- Truck Depot, Quarry (mining lease), sheds and office.</li> <li>(e) Would like property to be zoned properly to help in the transition of the Estate and long-standing family business in the area who have provided employment opportunities for many locals for a long time. Which needs to maintain running also to support the locals and families.</li> <li>(f) Neighbours have had their houses and small acreage removed from work sites due to family splits of farms- so asking for the same to be looked at.</li> </ul>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>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:</p> <ul style="list-style-type: none"> <li>a) <i>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</i></li> <li>b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA as having a substantial portion of lots being of a size typically associated with a</p>

	rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha). Therefore, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>195.</b>	<b>Bradley Griggs</b>
Matters raised	<p>The representation requests PID: 7454179 (CTs: 28375/2 and 28375/3) in Maxfields Road, Franklin be zoned Rural or Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner purchased these three blocks in approximately 1988. The land was originally part of the larger family farm that farmed apples and run livestock. Since ownership, the owner has made ground improvements, having run livestock on all 3 titles of the PID.</li> <li>2. The owner's intention is to build a residence and continue to farm (by way of livestock) and live a rural lifestyle. The owner is also investigating the potential to plant blueberries on the pasture area for the elevation to allow later harvesting. Two dams are in place and access roading formed.</li> <li>3. Noted is that title 28376/1 of the PID is never really to be a parcel to farm, say blue berries or cherries, but was used by owner partly as a winter run for livestock. Owner expects that this title would remain as Landscape Conservation regardless on a submission to review.</li> <li>4. This property is not untouched wilderness, it has been part of farming culture and practices for over 100 years. The property even had a sawmill at the time of the 1967 fires which swept through this area.</li> <li>5. On searching the List map, it seems to not advise any threatened species or vegetation and there is no E Ovata is recorded on these 3 blocks. There is E ovata in the Maxfield's Road area, but not on owner's titles.</li> <li>6. Owner believes that zoning into the Rural (or Rural Living) zones would be a more relevant classification when considering the history of activity on the property since ownership and indeed with ownership prior. Owner wants to ensure that they can live and farm on those two titles, that are suitable for those two pursuits. The third block is essentially a bush block,</li> </ol>

	<p>and owner suggests not overly suitable for livestock (some sections have been cleared and fenced) as a standalone piece of property.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The sites are zoned Environmental Living in the interim planning scheme. RLZ 2(b) allows for land within the Environmental Living Zone to be considered for the Rural Living zone. The area forms part of a large contiguous bushland area incorporating Cannells Hill and tributaries to the Huon River. Whilst it is recognised that some parcels of land within this area zoned Environmental Living under the HVIPS and Landscape Conservation under the Huon Valley – LPS, do not contain substantial bushland areas (such as CT 95394/2), most of the individual titles do contain landscape features and are located on elevation topography. Moreover, there is not strategic intent to have this area be a residential area in a rural setting. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>That said, given the site, 28375/2 proximity to the Agriculture zone, lack of native vegetation and the intention of the landowner to continue to farm this land in conjunction with a larger agriculture enterprise the Planning Authority has no objection to zoning CT 28375/2 Agriculture.</p> <p>However, due to the landscape values afforded by the 28375/2 including the gradient and the native vegetation coverage, and to avoid a spot zoning the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	Change the site CT28375/2 to Agriculture in the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>196.</b>	<b>Adrian and Neil Bennett</b>
Matters raised	<p>The representation requests Lot 1, North Huon Road, Judbury (PID: 2731448; CT: 149276/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. TP Bennett and Sons purchased this property in 2014 as it was considered "land locked" due to access through other properties and which are not formed. TP Bennett and Sons owns the majority of Dorset Hill - with all titles been Rural Resource proposing to move to Rural. However, this particular title is proposed to move from Rural Resource to Landscape Conservation. Representors oppose this change, and recommend that the area be parcelled with the rest of the property as Rural. The subjected land holds no quality conservation values (both owners are qualified Forest Practices Officers) as it has been heavily cut over for firewood by the previous owner/s.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not a like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p>

	<p>In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is substantially covered in native vegetation, is located on a steep slope in the Judbury Valley and contains bushland contiguous with the Judbury Conservation Area. Threatened native vegetation is mapped on the site as Eucalyptus tenuiramis forest and woodland on sediments.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>197.</b>	<b>Rejane Belanger</b>
Matters raised	<p>The representation refers to: Traffic Corridor in Cygnet; Preserving the Scenic Road Corridor at Channel Highway, Cygnet; The Old School Farm, Cygnet; and The new Landscape Conservation Zoning.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Traffic Corridor in Cygnet: <ol style="list-style-type: none"> <li>(a) Representor has lived in Cygnet for 4 years and can attest to the increase of traffic on Mary Street in the last years. It is now sometimes quite difficult to cross the street. There are a lot of what seems to be through vehicles, such as locals going to work and, most intrusively, trucks and lorries of all sorts.</li> <li>(b) Representor would like to ask that the new LPS plans the possibility of a future bypass for through traffic. The obvious place would be from Thorp Street to Garthfield Avenue. Representor knows there is talk and money allocated to a new street behind Mary Street, but representor is suggesting more of a bypass, further away from Mary Street, separate from that new street.</li> </ol> </li> </ol>

	<p>(c) There is a lot of enthusiasm and hope in the community for this to happen, and it would make Cygnet a much nicer place to live. As more developments are being approved and old shacks along the Channel Highway going south are becoming permanent residences, the number of vehicles is forecast to increase. A traffic corridor would allow through traffic to move in a much more efficient manner without being slowed by all the activity on Mary Street (and the new street). A traffic corridor would also reduce the traffic on Mary Street (and the new street), allowing residents and visitors to enjoy Cygnet and its attractions without the inconvenience of extra traffic. Representor thinks it is important for the zoning to be done in such a way that would keep the possibility of a road corridor in mind when approving developments, so that when the time come when it is needed, it is possible to do it.</p> <p>2. Preserving the Scenic Road Corridor at Channel Highway, Cygnet:</p> <p>(a) There is one place where there is an amazing view of Port Cygnet, and that is on the road leaving Cygnet on the Channel Highway going south. I believe that the Huon Valley Interim Planning Scheme 2015 mention the Scenic Corridor which protects that spectacular view. This spot is actually the only place with such a stunning and extensive view of Port Cygnet. Representor would like to submit that whatever developments are permitted in this area (and believes there is a big one in the pipeline) have a proviso that this fantastic unique view be preserved. It shouldn't be difficult for the developers to position the houses a bit further down from the road, and in doing so, protect this amazing asset.</p> <p>3. The Old School Farm, Cygnet:</p> <p>(a) The big block of land which was part of the Old School and its farm, behind the Medical Centre on George Street, will no doubt be developed within a few years. It will allow for a good number of residences, which are obviously needed. It is a premium place, being so close to town and all its services.</p> <p>(b) This area was gifted to the community by Elijah Hedditch in 1855 to build a school for "students of all denominations". As such, the community has always been involved in that area. Now that it will likely be developed, it is submitted that the development be done in consultation with the Cygnet community, and that part of it be used for community activity. A swimming pool, for example, would be a great asset to the community. And being so close to town, representor suggests that the development be done in a way that is sensitive to the environment and the general character of the town. Rather than, yet again, just a boring modern series of units and town houses, it should be done in a way which is pleasing to the community, with plenty of greenery to preserve the feel of the 'farm'.</p> <p>4. The new Landscape Conservation Zoning:</p>
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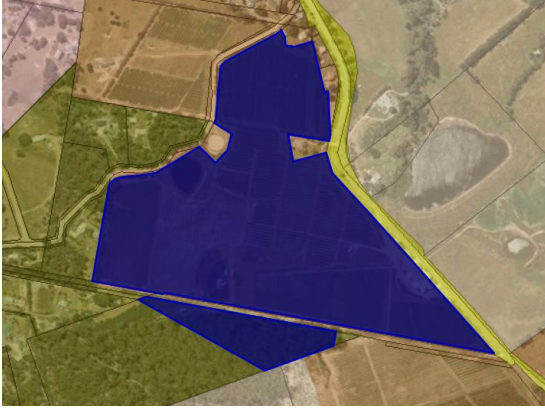
	<p>(a) There is a lot of talk about this new zoning and how it will affect the properties concerned. Representor would like to submit that those properties, or part of those properties, which are already developed and which have less than 80% vegetation, be excluded from this zoning. Many of these properties already have scenic overlays to protect endangered species, plus often have waterways or steep slopes anyway.</p> <p>(b) The main reason for this being this zoning will make any further development more difficult and costly. Also, it might affect negatively the value of those properties. With climate change coming, and resilience being the way to deal with it, the representor believes many of these partly-developed properties will want to do more production with their land, and as such shouldn't be zoned LCZ, so they can more easily built whatever is needed to be productive and self sufficient.</p>
Planning Authority response	<p>The introduction of a scenic management plan requires the specific scenic values and management objectives to be identified to provide for the articulation of specific scenic values and management objectives allow for greater guidance in the assessment of discretionary applications against the code. To this end, the concerns raised around the traffic corridor and scenic management requires detailed town specific analysis before the planning authority can consider it.</p> <p>The comments regarding the application of the Landscape Conservation Zone is noted.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>198.</b>	<b>James Duff</b>
Matters raised	<p>The representation refers to: Traffic Management in Cygnet; The Old School Farm, Cygnet; The new Landscape Conservation Zoning; and Agnes River Walk.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Traffic management in Cygnet:             <ol style="list-style-type: none"> <li>(a) The traffic on Mary Street is becoming a serious hazard and it is sometimes difficult to cross the street, especially for the elderly or disabled. Part of the problem is that Mary Street has a brow, a bend and parked cars either side, all of which makes sight lines poor. There</li> </ol> </li> </ol>

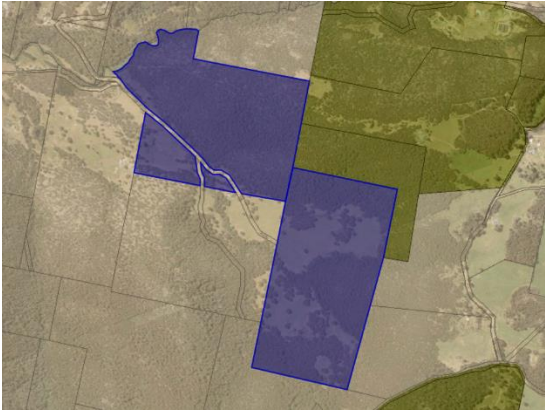
	<p>have been minor accidents, but with the current 50kph limit there will be a tragedy.</p> <p>(b) Representor urges that the new LPS plans the possibility of a future bypass for through traffic. There is strong community support for a bypass and it is vital that the Council keeps the possibility of a road corridor in mind when approving developments.</p> <p>2. The Old School Farm, Cygnet:</p> <p>(a) The big block of land which was part of the Old School and its farm, behind the Medical Centre on George Street, will no doubt be developed within a few years. It will allow for a good number of residences, which are obviously needed. It is a premium place, being so close to town and all its services.</p> <p>(b) Historically, the community has always been involved in that area. Now that it will likely be developed, representor would like to submit that the development be done in consultation with the Cygnet community, and that part of it be used for community activity, a swimming pool or gymnasium, for example.</p> <p>3. The new Landscape Conservation Zoning:</p> <p>(a) There is much discussion about the new LCZ, much of it about the confusion around the implications and the process. Ratepayers are worried about the effect on their properties and Council has not been all that forthcoming in helping sort this out. Representor submits that those properties, or part of those properties, which are already developed and have no native vegetation, be excluded from this zoning.</p> <p>4. Agnes River Walk:</p> <p>(a) Cygnet lacks decent off-road walks for recreation. Representor submits that any planning decision include a potential riparian walk alongside the Agnes River similar to the one that enhances life in Geeveston.</p>
Planning Authority response	<p>The introduction of a scenic management plan requires the specific scenic values and management objectives to be identified to provide for the articulation of specific scenic values and management objectives allow for greater guidance in the assessment of discretionary applications against the code. To this end, the concerns raised around the traffic corridor and scenic management requires detailed town specific analysis before the planning authority can consider it.</p> <p>The comments regarding the application of the Landscape Conservation Zone are noted.</p>
Recommended action	No modification to the draft LPS is required

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>199.</b>	<b>Andrew Griggs</b>
Matters raised	<p>The representation requests 7891 Channel Highway (PID: 3572135; CT: 171691/1) be zoned Rural Resource or Significant Agriculture rather than split zoned Landscape Conservation and Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Representor is a local large farming business that supports the local community in a multitude of ways and the re-zoning will limit opportunities to further do so. This property in particular is a packing shed and cherry orchard with no bush or natural resource remaining for any kind of conservation.</li> <li>2. "I owner of the above property would like to submit the following representation that objects to the proposed LCZ zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of Rural resource which it is currently or significant agriculture should be applied as it better fits with my property. As I was not made aware of this re-zoning until quite late in the process (15/5) and exhibition period I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that I invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The response applies to the triangular section of the site that is zoned Landscape Conservation under the Huon Valley – LPS and Environmental Living under the HVIPS. The site forms part of a contiguous bushland area located on elevated topography of up to the 220 m contour. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bush land, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. Due to the landscape values afforded by the site and to avoid a spot zoning the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>


<b>200.</b>	<b>Andrew Griggs</b>
Matters raised	<p>The representation requests PID: 3321280 (CTs: 202985/1 and 226619/1) in Turn Creek Road, Grove be zoned Rural Resource or Significant Agriculture rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Representor is a local large farming business that supports the local community in a multitude of ways and the re-zoning will limit opportunities to further do so.</li> <li>2. "I owner of the above property would like to submit the following representation that objects to the proposed LCZ zoning as put forward by</li> </ol>

	<p>the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of Rural resource which it is currently or significant agriculture should be applied as it better fits with my property. As I was not made aware of this re-zoning until quite late in the process (15/5) and exhibition period I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that I invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p><u>CT 202985/1</u></p> <p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes a prominent ridgeline, hillside and valley depression with extensive vegetation coverage which contributes to a larger bushland area.</p>

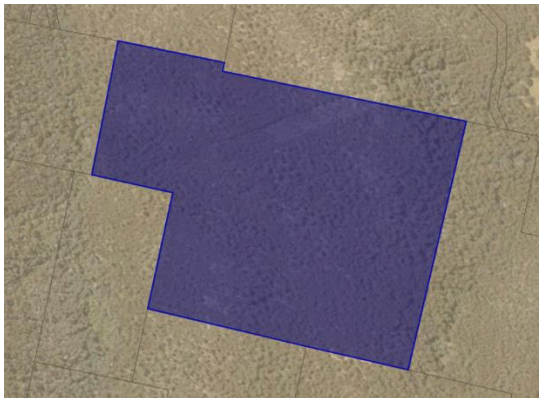
	<p>Threatened native vegetation is mapped as Eucalyptus ovata forest and woodland along Turn Creek Road.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p> <p>CT 226619/1 is already proposed as Rural in the draft LPS.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

## **201-300**

<b>201.</b>	<b>Andrew Griggs</b>
Matters raised	<p>The representation requests 317 Turn Creek Road, Grove (PID: 7437942 ; CT: 217078/1) be zoned Rural Resource or Significant Agriculture rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Representor is a local large farming business that supports the local community in a multitude of ways and the re-zoning will limit opportunities to further do so.</li> <li>2. "I owner of the above property would like to submit the following representation that objects to the proposed LCZ zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of Rural resource which it is currently or significant agriculture should be applied as it better fits with my property. As I was not made aware of this re-zoning until quite late in the process (15/5) and exhibition period I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection</li> </ol>

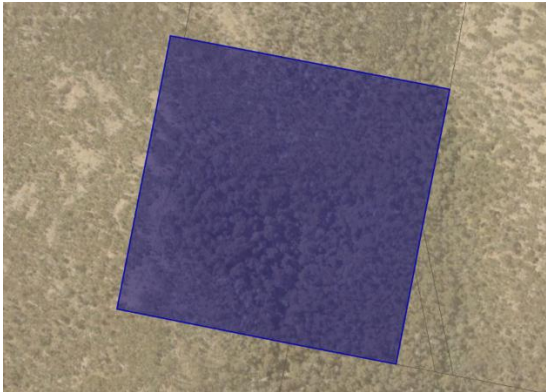
	<p>and that the above zone change be considered, and that I invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Property straddles a hilltop with a steep vegetated slope leading down to a valley dissected by a class 2 and class 3 waterway. This is a prominent vegetated hilltop that is part of a range of vegetated hills and ridgelines that frame the entrance to the Huon Valley.</p> <p>The application of the Rural zone would effectively remove the consideration of landscape values when assessing proposed use and would allow for uses that are potentially not compatible the landscape and biodiversity values detailed above. It would also be contrary to Section 8A guideline RZ 1 in that the lots contain specific values that are more appropriately included within the Landscape Conservation Zone.</p> <p>The lot’s predominantly vegetated state and contribution to a significant scenic feature most closely align with the Section 8A application for guidelines for Landscape Conservation Zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>202.</b>	<b>Andrew Griggs</b>
Matters raised	<p>The representation requests PID: 3183818; CT: 239187/1 in Turn Creek Road, Grove be zoned Rural Resource or Significant Agriculture rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Representor is a local large farming business that supports the local community in a multitude of ways and the re-zoning will limit opportunities to further do so.</li> <li>2. "I owner of the above property would like to submit the following representation that objects to the proposed LCZ zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of Rural resource which it is currently or significant agriculture should be applied as it better fits with my property. As I was not made aware of this re-zoning until quite late in the process (15/5) and exhibition period I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that I invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The property includes a hilltop, ridgeline, hillside and three valley depressions. This is a prominent vegetated hilltop that is part of a range of vegetated hills and ridgelines that frame the entrance to the Huon Valley. The application of the Rural</p>

	<p>zone would effectively remove the consideration of landscape values when assessing proposed use and would allow for uses that are potentially not compatible the landscape and biodiversity values detailed above. It would also be contrary to Section 8A guideline RZ 1 in that the lots contain specific values that are more appropriately included within the Landscape Conservation Zone.</p> <p>The lots predominantly vegetated state and contribution to scenic landscapes of the Huon Valley most closely align with the Section 8A application for guidelines for Landscape Conservation Zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>203.</b>	<b>Andrew Griggs</b>
Matters raised	<p>The representation requests PID: 3183834; CT: 48875/1 in Turn Creek Road, Grove be zoned Rural Resource or Significant Agriculture rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Representor is a local large farming business that supports the local community in a multitude of ways and the re-zoning will limit opportunities to further do so.</li> <li>2. "I owner of the above property would like to submit the following representation that objects to the proposed LCZ zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of Rural resource which it is currently or significant agriculture should be applied as it better fits with my property. As I was not made aware of this re-zoning until quite late in the process (15/5) and exhibition period I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that I invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>


	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes a hilltop, ridgeline, hillside and three valley depressions. This is a prominent vegetated hilltop that is part of a range of vegetated hills and ridgelines that frame the entrance to the Huon Valley. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. There is a record of a raptor nest and Tasmanian wedge-tailed eagles on the property.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>204.</b>	<b>Lenny Holland</b>
Matters raised	<p>The representation requests 30 Jetty Road, Cygnet (PID: 2798503; CT: 151216/2) be zoned Rural Living rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This parcel of land is approximately 1.68 hectares in size. It is currently designated Rural Resource Zone with adjacent neighbours of both Rural Resource and Rural Living designation. There are no priority vegetation, heritage, or public infrastructures on the parcel. A waterway is the only natural asset featured on this parcel. The existing dwelling on the property has access via the main driveway from Jetty Road. The northern part of the property includes an established dwelling and cultivated gardens, consistent with the values of Rural Living Zone. The property also has sewer and town water connection.</li> <li>2. This zoning is anomalous as nearby properties accessed from Lymington Road and those opposite on Jetty Road are zoned Rural. The property is the only land parcel designated as Rural Resource Zone among all its neighbours to the east. All these neighbouring properties are currently designated Rural Living and under the proposed changes will remain zoned Rural Living. The immediate neighbour to the west is also requesting a change of their zoning to Rural Living.</li> <li>3. Properties such as PID 2252148 1, which is opposite owner's boundary on Jetty Road, has no dwelling and is currently designated as Rural Living and will continue as Rural Living under the new changes.</li> <li>4. Under the proposed LPS zoning definitions, the property fits most appropriately into the Rural Living Zone. The existing residential use of the property does not fit within the purpose of the Rural Zone. Further, this lot does not meet the minimum standards of lots within this zone.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>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:</p> <ul style="list-style-type: none"> <li>a) <i>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</i></li> <li>b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA as having a substantial portion of lots being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha). Therefore, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The Rural zone is considered to be the most appropriate zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>205.</b>	<b>Robin and Joanne Dance</b>
Matters raised	<p>The representation requests 472 Cygnet Coast Road, Petcheys Bay (PID: 2563077; CT: 142410/2) be zoned Rural Lifestyle rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. With a proposed zoning of rural, it appears that it will still have a minimum of 40 ha subdivision applied to it. This is problematic as a large part of the property is not suitable for farming. Also, with increasing complaints from neighbours now in close vicinity, with noise, operating hours etc., the zoning would be better being rural lifestyle.</li> <li>2. Given the topography of the site, 80% of the land is suitable for farming. This is because it is too steep, poor soil, no water availability or storage potential. One cannot farm without these. With ever increasing input, labour costs and decreasing returns, the viability of small farming</li> </ol>

	<p>enterprises is becoming non profitable. The ever-changing weather also is playing a huge part in farming this site, nil/low rainfall during late spring to mid-autumn, increasing temperatures and wind events, requiring more irrigation from limited resource, no stream on this site, totally reliant on natural run off.</p> <p>3. An alternative zoning of rural lifestyle is sought to maximise the full potential of the property, particular those areas that are not suitable as rural.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>It is assumed that Rural Lifestyle is meant to be Rural Living.</p> <p>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:</p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. This land is neither part of a Rural Living or Environmental Living area nor does it adjoin one. Accordingly, the most appropriate zone for this site is considered to be Rural.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>206.</b>	<b>Angela Fraser and Allan Wright</b>
Matters raised	<p>The representation requests 22 Lords Road, Pelterata (PID: 2189505; CT: 138560/9) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is 6 acres in size and is around 60% pasture and 40% bush. This is a residential property and owners built their own home a decade ago and grow their own fruit and vegetables.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Pelterata, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required</p>

	<p>and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>																																																									
Recommended action	<p>Include this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. The specific sites include:</p> <table><tr><td>25284/1</td><td>227263/1</td><td>127699/5</td><td>46941/1</td><td>176635/1</td></tr><tr><td>63952/1</td><td>176636/1</td><td>138560/3</td><td>239795/1</td><td>206643/1</td></tr><tr><td>159131/1</td><td>244148/1</td><td>153677/1</td><td>45666/1</td><td>148265/1</td></tr><tr><td>153677/2</td><td>35747/1</td><td>127915/1</td><td>139908/1</td><td>24485/1</td></tr><tr><td>45869/1</td><td>87758/1</td><td>158937/1</td><td>162112/1</td><td>219206/1</td></tr><tr><td>39350/5</td><td>127979/1</td><td>138560/9</td><td>248302/2</td><td>159913/3</td></tr><tr><td>30151/1</td><td>127699/2</td><td>159420/1</td><td>44715/1</td><td>162112/2</td></tr><tr><td>127699/3</td><td>232492/1</td><td>203283/1</td><td>156939/2</td><td>159421/1</td></tr><tr><td>158937/3</td><td>161537/1</td><td>156939/1</td><td>158937/2</td><td>37898/1</td></tr><tr><td>163590/1</td><td>163590/2</td><td>127699/1</td><td>14543/1</td><td>25284/2</td></tr><tr><td>129173/1</td><td>122100/1</td><td>127699/4</td><td></td><td></td></tr></table> <p>Other titles that require zone changes include:</p> <table><tr><td>212277/1</td><td>Split zoned Rural Living (replacing current HVIPS Environmental Living) and Landscape Conservation (replacing current HVIPS Rural Resource) along the current HVIPS zone boundary.</td></tr></table>	25284/1	227263/1	127699/5	46941/1	176635/1	63952/1	176636/1	138560/3	239795/1	206643/1	159131/1	244148/1	153677/1	45666/1	148265/1	153677/2	35747/1	127915/1	139908/1	24485/1	45869/1	87758/1	158937/1	162112/1	219206/1	39350/5	127979/1	138560/9	248302/2	159913/3	30151/1	127699/2	159420/1	44715/1	162112/2	127699/3	232492/1	203283/1	156939/2	159421/1	158937/3	161537/1	156939/1	158937/2	37898/1	163590/1	163590/2	127699/1	14543/1	25284/2	129173/1	122100/1	127699/4			212277/1	Split zoned Rural Living (replacing current HVIPS Environmental Living) and Landscape Conservation (replacing current HVIPS Rural Resource) along the current HVIPS zone boundary.
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<b>207.</b>	<b>Mark Jessop</b>
Matters raised	<p>The representation requests PID: 3098840; CT: 152992/2 in Whale Point Road be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p>

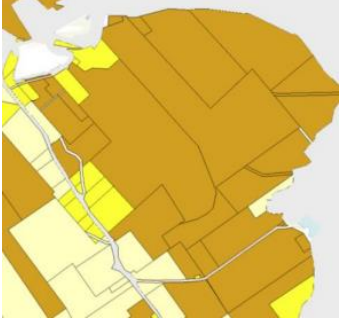
1. The Property belongs to the Bender Pastoral Company and part of an integrated pastoral business rising cattle in the Huon Valley. The area has been used for saw milling and farming since the beginning of European settlement in the Huon. The land has a range of farming improvements including pasture, dams and fencing. According to Listmap, the property is approximately 70ha and appears to be around 40 ha of pasture with some paddock trees. Representor has physically inspected the block and this appears correct. This makes it about 43% native vegetation. Representor believes the REM model is largely untested in the Huon Valley, contains substantial overestimates of habitats and is not fit for purpose in determining zoning decisions. Whale Point hill is the prominent feature.
2. Representor believes that the topography, Natural Asset and Scenic Protection Code Overlays provides sufficient protection for any natural or scenic asset values of this property. Additionally, applying the LCZ to the whole 70ha to protect areas already protected is a grossly disproportionate action. It is believed Rural zoning is the best strategic use of this land for the social and economic wellbeing of the Huon Valley. Finally, Rural Zoning is best suited to the current and historic land use of the block and is consistent with the use of other properties in the area.
3. This submission puts 6 cases for why LCZ is either incorrectly applied or unnecessarily applied. In summary it is argued:


Observation	Impact	Argument	Outcome
LZ1 Guideline not followed	Title does not meet LZ1 for inclusion of the LCZ	Ground testing show the property well under the 80% threshold at around 40% native vegetation.	The block does not meet LCZ1 and cannot be zoned LC
Rural Zone for title is consistent with past, current and future use	STRLUS would encourage the most productive use of the land - which is rural	The property has been an operating farm for most of the 1900s and continues in the same use today. It has rural use potential.	The block most appropriately fits the Rural zoning
Consistent Zoning patterns	LCZ on this property is	In the new LPS the majority of	The title should be zoned Rural

		are preferred within neighbouring blocks	inconsistent with other properties in the area	larger properties within 1km zoned Agriculture or Rural	
		Like for Like transition not applied	The title was not comparatively assessed between LCZ and RZ	When the title is assessed against RZ it meets RZ1, RZ2 and RZ3. When assessed against LCZ it does not meet the criteria.	The block should be zoned Rural
		Priority Veg Report - has not been ground tested and lacks accuracy and validity	Topography and Natural Asset and Scenic Code Overlays provide protection to these values	The REM is a model and has not been ground tested - it is inaccurate. Natural Asset and Scenic Protection Codes provide ample protection where it is desirable.	The majority of the vegetation is on Whale Point Hill - which is not likely to be developed and is also protected by other overlays.
		Threatened species can be protected without Zoning	Topography and Natural Asset and Scenic Code Overlays provide protection to these values	The REM is a model and has not been ground tested - it is inaccurate. Natural Asset and Scenic Protection Codes provide ample protection.	LCZ is not required to achieve a balance between resource development and preservation of natural assets

4. The State-wide planning scheme and Guideline No1 are clear in the criteria for zoning land as Rural. We provide the following assessment against the Rural Zone criteria:


Zone Application Guidelines	Response
<p>RZ 1 The Rural Zone should be applied to land:</p> <ol style="list-style-type: none"> <li>1. in non-urban areas</li> <li>2. with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area,</li> <li>3. and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone</li> <li>4. for the protection of specific values.</li> </ol>	<ol style="list-style-type: none"> <li>1. The property is non-urban.</li> <li>2. The property has some, but limited potential for agriculture. The property rises some 217m over 1.2KM - making it relatively steep in places. It is impractical for large scale agriculture - such as irrigated cropping - but perfectly suited for grazing. The top soil is a fertile clay loam - it supports improved pastures with minimal surface rocks. There is opportunity for some high value production on a number of areas on the property - including olives, nuts, grapes and cherries. Irrigation water is possible from the Kermadie River - either to irrigate directly or to store on farm.</li> <li>3. As shown above it does not meet the requirement for LCZ nor is this consistent with its current and long term historical use.</li> <li>4. Scenic values and biodiversity are protected by code overlays and the topography of the block.</li> </ol>
<p>RZ 2 The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.</p>	<p>Agricultural Land Mapping Project Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone Background Report, May 2017 (published by Department of Justice, Planning Policy Unit).</p> <p>The data and method used in this report is recorded on the GIS ListMap. All land on Whale Point Hill including our block is classed as Potentially Unconstrained</p>

			<p>(brown) and nearby properties as Potential by Constrained Criteria 2A (Yellow).</p> <p>In the AK Consultants report Guidelines for Identifying Areas of Interest, it states that where there are "multiple titles ..... a consistent zoning per holding is preferred where appropriate."</p> <p>Other adjoining titles owned by the Bender Pastoral Company are proposed to be zoned Rural.</p>
		<p>RZ 3 The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:</p> <p>(a) it can be demonstrated that 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;</p> <p>(b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;</p> <p>(c) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.</p>	<p>We believe three points are relevant - (a) under the D'ENTRECASTEAUX REPORT Land Capability Survey of Tasmania 2001 the land is classed 5/6 (suitable for pastoral/grazing) - however this assessment does not take into account horticulture (such as viticulture and orchards) or the possible access to irrigation water. By considering these possibilities the property becomes obviously rural.</p> <p>The AK Decision Tree report also provides further valuable advice. It states that irrigation resources can be considered for properties within 1 KM of a stream - this property has riparian rights to the Kermadie River.</p> <p>(b) as outlined above the topography in particular makes large scale agriculture unlikely, but smaller niche production and horticulture which would possibly include a level of on farm processing and making is not unreasonable (such as viticulture).</p>

			<p>(c) the unique size of the property, positioning in what is a clearly rural/agricultural zone area, the distance from urban/village zones and its already established pastures and infrastructure support Rural zoning.</p>
			<p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Planning Authority does not concur that the Rural Resource zone and the Rural zone are a like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes a hilltop, four ridgelines, two valley depressions and hillsides. It is located on a dominant landscape feature that can be seen from the Huon Highway, Cygnet Coast Road and is in proximity to the Huon River. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-</p>		

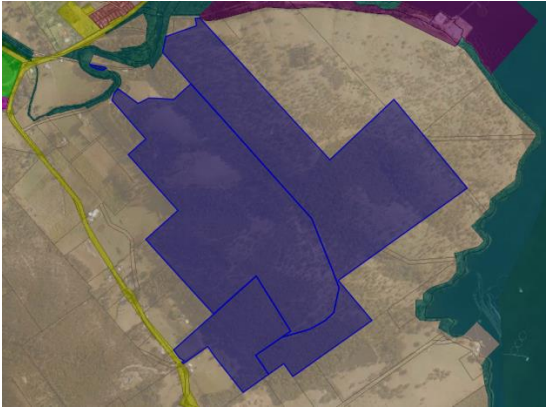
	scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>208.</b>	<b>Mark and Helen Jessop</b>
Matters raised	<p>The representation requests removal of the Local Historic Heritage Code overlay applied to 68 O'Hallorans Road, Geeveston (PID: 3167236, CT: 152992/3).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners believe that the application has not followed appropriate process in that it is not based on a proper assessment of the site, is applied to the wrong parcel of land and is not required to protect any heritage values that might exist at the site. The application of the overlay to the house and 100m surrounds is unreasonable and it limits what owners can do to the house (which has insufficient historical interest). For that reason, the owners contend that the application of this code is an unnecessary encumbrance on the reasonable and lawful rights of the current owner.</li> <li>2. While 68 O'Hallorans Road is an early place of settlement in Geeveston it has no structures of historical interest and lacks community cultural significance. It was removed from the Tasmanian Heritage Register (THR) in 2012 after it was placed on it in error in 1998. Owners contend it was entered on the Huon Valley Local Heritage list as a result of it being on the THR and has remained on the Council register not because of merit but simply through a lack of thorough review of heritage values in the area.</li> <li>3. The house was owned by the Hill family from the 1850's to 1940's - they were not the builders of the house. Richard Hill took over a mill on the site. The Registration Manager of the Tasmanian Heritage Register wrote, in 2012, that Heritage Tasmania had no interest in undertaking any "research assessment work" on the sawmill. None of the sawmill has physically existed since the 1970's, we contend no outbuildings linked to the mill exist and the convict water way cannot be clearly seen. Furthermore, the site of the mill, which may hold some historical interest, is not located on PID 3167236, but rather it is located in the riparian</li> </ol>

	<p>reserve (PID 5261568) which is Crown land and by the nature of its zoning and ownership is protected from development.</p> <p>4. It is recommended that consideration be given to applying the Local Historic Heritage Code to PID 5261568, the actual mill/waterway site and any future Huon Valley Council assessment of historic places considers the merit of 68 O'Halloran's Road along with other sites in Geeveston so its merits can be assessed more accurately and fairly.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is listed as a Heritage Place under Table E13.1 of the Historic Heritage Code under the HVIPS and has been directly transitioned to the draft LPS.</p> <p>Whilst there may be merit in not translating this property to the Huon Valley – LPS, the planning authority requires justification from an independent, suitably qualified person. A suitably qualified person means <i>a person who in respect to the type of work to be undertaken can adequately demonstrate relevant academic qualifications and experience in the cultural heritage.</i></p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>209.</b>	<b>Mark and Helen Jessop</b>
Matters raised	<p>The representation requests an amendment to the Scenic Protection Area overlay applied to Lot 1 O'Hallorans Road, Geeveston (PID: 3167244; CT: 153917/1).</p> <p>Representation general comments:</p>

	<ol style="list-style-type: none"> <li>1. Whale Point Hill is a significant feature on the Huon River coastline at Geeveston. It is right that the scenic values of the hill be protected and it is important that the land areas necessary for this protection are accurately identified. A Scenic Protection Area overlay has been applied to properties which form part of Whale Point Hill and a lower feature next to it. While, as landowners affected, representor believes that protection of the scenic values is important, it is contended that the areas identified by the overlay are not necessarily those which are important for protection of the scenic values of these two features. Other impacted properties not owned by representor are Lot 1 Scotts Road (PID: 2743203) and Whale Point Road/Pillings Road (PID 3098840; CTs: 152992/2 and 120136/1).</li> <li>2. Representor believes that the Scenic Protection Area overlay has been applied incorrectly due to a lack of detailed assessment of the topography of the land. Representor believes that the Inspiring Places methodology for Assessment of Scenic Protection is now outdated (personal communications John Hepper, Inspiring Places) and has also not been well applied- it appears reliant only on very baseline assessment and mapping and is based on GIS data only (with no on-ground confirmation). The Scenic Protection overlay listed in the LPS documentation under the annex 8.1.21 "Whale Point Hill" is in fact in two parts- the first part is actually on Whale Point Hill (220m) and the second on representor's property is on a lesser unnamed hill (which is referred to as "Feature 160").</li> <li>3. The scenic overlay appears to have been applied to Feature 160 purely on the basis of a contour on a map, rather than the direct observation. It would appear that the detailed process in the Inspiring Places methodology for Assessment of Scenic Protection has not been carefully followed. This submission provides photographic evidence that the top of Feature 160 does not contribute to the scenic amenity of Whale Point Hill and surrounds. The Inspiring Places Guidelines Scenic Values assessment (2018) states "The Code provisions are generally focused on protection of skylines and road corridors and provide very limited scope for scenic protection within other landscapes including coastal areas".</li> <li>4. Feature 160 is in effect a "tabletop" feature surrounded by steep slopes which are the main aspect of the scenic experience. The Feature is a flat tabletop hill that has been cleared for some decades (around 50%) and the remaining forest has been impacted by fire and selectively felled over many years as well. It contains no large/significant trees. It cannot be clearly seen from the River, Cygnet Coast Road or the Huon Highway (the two main Scenic Routes). The top of the Feature (encompassed by the overlay) is a reverse slope of Feature 160 and cannot be seen from outside the property and therefore offers no scenic value to be protected. From representor's assessment, the second part of the</li> </ol>
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	<p>current overlay is non-compliant with the TPS and should be removed as it fails the Purpose of the Code which is "C8.1.1 To recognise and protect landscapes that are identified as important for their scenic values".</p> <p>5. Representor believes that moving the current overlays will give much better protection of both the vegetation and ridgelines related to the Whale Point Hill feature. The current overlay for Whale Point Hill is in two parts. The larger of the parts is not contested but could be extended down the two spurs running either side of the- these heavily treed valleys are the prominent features when observed from the Huon River and Cygnet Coast Road. Representor contends that the positions of the second overlay does not protect the scenic value- particularly that offered by the dense canopy of the native vegetation. By simply following the 160 contour the second overlay does not protect the dominant vegetation or vistas. The overlay should be kidney shaped and drop from contour 120 to 80. While the conical nature of Whale Point Hill gives it visual impact when viewed from the North, the dense dark green forest canopy is the major visual effect from the East and South East.</p> <p>6. We believe the main overlay needs to cover more of Whale Point Hill and moving the second overlay captures more of the slopes (improved landform features) and a much more intact forest ecosystem (vegetation features). In terms of the Scenic Quality Classes assessment, Feature 160 would rate as currently a "low" quality - however the moved overlay would greatly enhance the outcome in three of the Landscape Feature Classes.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Planning Authority does not concur that the Rural Resource zone and the Rural zone are a like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management</p>

	<p>Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes a hilltop, four ridgelines, two valley depressions and hillsides. It is located on a dominant landscape feature that can be seen from the Huon Highway, Cygnet Coast Road and is in proximity to the Huon River. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>210.</b>	<b>Mark and Helen Jessop</b>
Matters raised	<p>The representation requests Lot 1 O'Halloran's Road, Geeveston (PID: 3167244; CT: 153917/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners believe that the application of the LCZ is incorrect and the best like for like transition is from Rural Resource to Rural zoning.</li> <li>2. Owners contend that the estimate of native vegetation (82%), based purely on spatial analysis is incorrect and in fact the property is less than 40% native vegetation. Owners believe the REM model is largely untested in the Huon Valley, contains substantial overestimates of habitats and is not fit for purpose in determining zoning decisions.</li> </ol>

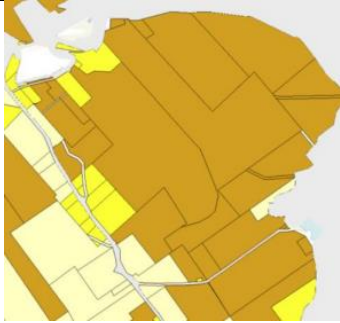
3. Owners believe that the topography, Natural Asset and Scenic Protection Code Overlays provides sufficient protection for any natural or scenic asset values of this property. Additionally, applying the LCZ to the whole 75ha to protect areas already protected is a grossly disproportionate action. It is believed Rural zoning is the best strategic use of this land for the social and economic wellbeing of the Huon Valley. Finally, Rural Zoning is best suited to the current and historic land use of the block and is consistent with the use of other properties in the area. Owners believe the application of the LCZ would make it harder to operate their rural business and potentially limit their ability to invest capital in important issues such as weed and pest control.
4. This submission puts 6 cases for why LCZ is either incorrectly applied or unnecessarily applied. In summary it is argued:


Observation	Impact	Argument	Outcome
LZ1 Guideline not followed	O'Hallorans Road does not meet LZ1 for inclusion of the LCZ	Using the REM, HVC assessed O'Hallorans Road was 82% native vegetation. Ground testing show this to be grossly overestimated and in fact less than 40% is native vegetation	The block does not meet LCZ1 and cannot be zoned LC.
Rural Zone for O'Hallorans Road is consistent with past, current and future use	STRLUS would encourage the most productive use of the land - which is rural	The property has been an operating farm for most of the 1900s and continues in the same use today. It has rural use potential.	The block most appropriately fits the Rural zoning
Consistent Zoning patterns are preferred within	LCZ on this property is inconsistent with other	Under the interim scheme and the new LPS the majority of	The block should be zoned Rural

		neighbouring blocks	properties in the area	properties on O'Halloran Road and Scotts road are not zoned LC - but more likely Agriculture or Rural	
		Like for Like transition not applied	The block was not comparatively assessed between LCZ and RZ	When the block is assessed against RZ it meets RZ1, RZ2 and RZ3. When assessed against LCZ it does not meet the criteria.	The block should be zoned Rural
		Priority Veg Report - has not been ground tested and lacks accuracy and validity	Topography and Natural Asset and Scenic Code Overlays provide protection to these values	The REM is a model and has not been ground tested - it is inaccurate. Natural Asset and Scenic Protection Codes provide ample protection where it is desirable.	The property has been a mix of bush and pasture for a century. Continuing as a managed farm will provide ongoing protection to the natural assets of the area.
		Threatened species can be protected without Zoning	Topography and Natural Asset and Scenic Code Overlays provide protection to these values	The REM is a model and has not been ground tested - it is inaccurate. Natural Asset and Scenic Protection Codes provide ample protection.	LCZ is not required to achieve a balance between resource development and preservation of natural assets

5. The State-wide planning scheme and Guideline No1 are clear in the criteria for zoning land as Rural. We provide the following assessment against the Rural Zone criteria:


Zone Application Guidelines	Response
<p>RZ 1 The Rural Zone should be applied to land:</p> <ol style="list-style-type: none"> <li>1. in non-urban areas</li> <li>2. with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area,</li> <li>3. and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone</li> <li>4. for the protection of specific values.</li> </ol>	<ol style="list-style-type: none"> <li>1. The property is non-urban.</li> <li>2. The property has some, but limited potential for agriculture. The property rises some 170m over 1.2KM - making it relatively steep in places. There are numerous plateaus, but none of these are more than 5 ha. This makes it impractical for large scale agriculture - such as irrigated cropping. The top soil is a fertile clay loam - it supports improved pastures with minimal surface rocks. There is opportunity for some high value production on a number of areas on the property - including olives, nuts, grapes and cherries. Irrigation water is possible from the Kermadie River - either to irrigate directly or to store on farm.</li> <li>3. As shown above it does not meet the requirement for LCZ nor is this consistent with its current and long term historical use.</li> <li>4. Scenic values and biodiversity are protected by code overlays and the topography of the block.</li> </ol>
<p>RZ 2 The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.</p>	<p>Agricultural Land Mapping Project Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone Background Report, May 2017 (published by Department of Justice, Planning Policy Unit).</p> <p>The data and method used in this report is recorded on the GIS ListMap. All land on Whale Point</p>

			<p>Hill including our block is classed as Potentially Unconstrained (brown) and nearby properties as Potential by Constrained Criteria 2A (Yellow).</p> <p>In the AK Consultants report Guidelines for Identifying Areas of Interest, it states that where there are "multiple titles ..... a consistent zoning per holding is preferred where appropriate."</p> <p>Owner's farm consists of 5 titles - 4 of these are zoned in the LPS as rural (PID 3167236, 5259724, 5252821, 5252813) - only this block is LCZ. It would be appropriate for this block to be zoned rural also.</p>
		<p>RZ 3 The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:</p> <p>(a) it can be demonstrated that 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;</p> <p>(b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;</p> <p>(c) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.</p>	<p>Owners believe three points are relevant -</p> <p>(a) under the D'ENTRECASTEAUX REPORT Land Capability Survey of Tasmania 2001 the land is classed 5/6 (suitable for pastoral/grazing) - however this assessment does not take into account horticulture (such as viticulture and orchards) or the possible access to irrigation water. By considering these possibilities the property becomes obviously rural.</p> <p>The AK Decision Tree report also provides further valuable advice. It states that irrigation resources can be considered for properties within 1 KM of a stream - this property has riparian rights to the Kermadie River. AK recommend that for most value added activity only 2-6ML/Ha is required - which we believe is within the resources</p>

		<p>available from the Kermandie to supply.</p> <p>The Block is not associated with other agricultural properties.</p> <p>(b) as outlined above the topography in particular makes large scale agriculture unlikely, but smaller niche production and horticulture which would possibly include a level of on farm processing and making is not unreasonable (such as viticulture). The location of the property (close to the main tourism route) makes it ideal for agri-tourism / farm gate sales.</p> <p>(c) the unique size of the property, positioning in what is a clearly rural/agricultural zone area, the distance from urban/village zones and its already established pastures and infrastructure support Rural zoning.</p>
	 <p>Figure 1. Site location and existing zoning</p>	
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Planning Authority does not concur that the Rural Resource zone and the Rural zone are a like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the</p>	


	<p>specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes a hilltop, four ridgelines, two valley depressions and hillsides. It is located on a dominant landscape feature that can be seen from the Huon Highway, Cygnet Coast Road and is in proximity to the Huon River. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>211.</b>	<b>Mark and Helen Jessop</b>
Matters raised	<p>The representation requests an ammendment to the Scenic Protection Overlay applied to various lots on the Huon Highway, Geeveston (PID: 5252813; CTs: 124935/7; 124934/6 and 124936/8).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is complex- it runs along the Kermandie River, is dissected by the Crown Land road reserve for Whale Point Road and it is made up of 4 titles. The land is proposed to be dual zoned. The majority of the land is proposed to be zoned Rural, but an important part is zoned Environmental Management. Part of the Environmental Management zoning is incorrectly zoned and should be Rural. The current construction of the proposed zoning means that the rural part of</li> </ol>


	<p>124934/6 is land locked from the Huon Highway by a strip of Environmental Management. The land North of Whale Point Road remains Environmental Management.</p> <ol style="list-style-type: none"> <li>2. The two parts proposed to be zoned Environmental Management are roadside verge along the side of the Huon Highway and contain no environmentally sensitive areas. One title is an old tramway that follows the Huon Highway and ends at Whale Point Road (CT: 124936/8) and the other part is part of the main title (CT:124934/6). By correcting the zoning to Rural this will connect the rest of the Rural land to the Highway (and the only access point).</li> <li>3. Recommendation: CT: 124936/8 be zoned Rural - South of Whale Point Road reserve and CT: 124934/6 be zoned Rural - South of Whale Point Road reserve and between the Huon Highway and CT: 124936/8.</li> <li>4. It is understood that there is a Priority Vegetation overlay on the two titles for Eucalyptus Ovata. There are no trees present on these small pieces of land. Threatened species are also identified as Grey Goshawk, Swift Parrot and bandicoot. As there are no trees or understorey on these two pieces of land it is unlikely that they are actual habitat. While representors agree with the zoning along the Kermadie River, they believe that the most appropriate zoning for the two pieces of land is Rural Zone.</li> <li>5. Representors do not believe that this proposal is in any way in contradiction to the Southern Regional Land Use Strategy or the State Planning Provisions.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Council has reviewed this representation and noted that the zoning of Environmental Management under the draft LPS has been transitioned from the HVIPS. Council has no objection to all portions south of Whale Point Road to be Rural in the draft LPS with the area of the site, north of Whale Point Road to remain in the Environmental Management Zone for zoning continuity and to ensure inappropriate use does not occur.</p>

Recommended action	Change draft LPS so the area south of Whale Point Road is Rural
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>212.</b>	<b>John Harnett and Alexandra Uitdenborgerd</b>
Matters raised	<p>The representation requests Lot 1 Esperance Coast Road, Surges Bay (PID: 3428467; CT: 170960/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The Tasmanian Planning Scheme State Planning Provisions (SPP) Section 22.5.1 allows properties that were classed as Environmental Living to be reclassified as either Rural Living or Landscape Conservation. It indicates that each lot classed as Landscape Conservation Zone should have an area of not less than 50ha. Based on the size of owner's property, it is more consistent with the definition of Rural Living Zone D (Table 11.1 of the SPP). Guideline RLZ 4, part b does allow for land with important landscape values to be classed as Rural Living if "appropriately managed through the application and operation of the relevant codes".</li> <li>2. Owners fully support the recognition of the landscape conservation values of the property, which has a significant Eucalyptus amygdalina forest and provides habitat for various fauna, presumably what led to its new classification as Landscape Conservation instead of Rural Living. However, owners respectfully request that, if it cannot be reclassified as Rural Living Zone D, a Site Specific Qualification be included in the local provisions schedule (Section 2.4.7 Table 17) for the property, to allow for a residence with associated outbuildings to be built as per the original environmental living criteria, to provide some certainty for owner's plan to build a home and home business at Surges Bay.</li> </ol>

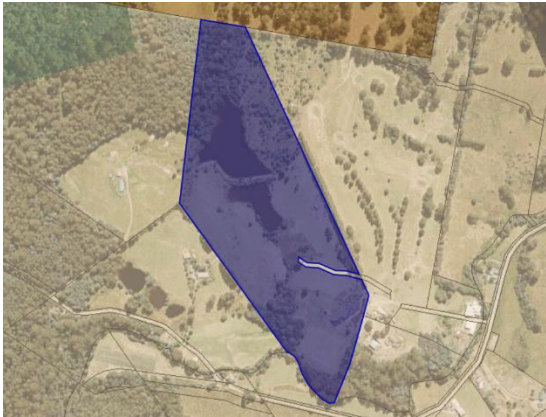
	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living in the interim planning scheme. RLZ 2(b) allows for land within the Environmental Living Zone to be considered for the Rural Living zone. The landscape values of the site include a hilltop and ridgeline and 99% vegetation coverage, including a significant portion mapped as threatened <i>Eucalyptus amygdalina</i> forest and woodland on sandstone. Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This site is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. Due to the landscape values afforded by the site the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>

<b>213.</b>	<b>Jane and Matthew Lock</b>
Matters raised	<p>The representation requests 9 Constance Road, Cygnet (PID: 7413596; CT: 129169/1) be zoned Low Density Residential rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This land has been farmland since the 1800's and was subdivided in 1987 into 4 residential blocks. The land was open paddocks then and still is open paddocks, which owners cut hay from each year.</li> <li>2. On examining the Draft LPS Portal, the property has identified two overlay zones which are therefore considered to be landscape conservation. These are Bushfire zone and Waterway and Coastal Protection. Firstly,</li> </ol>

	<p>regarding “Waterway and Coastal Protection”, the property does not actually border a waterway. The Constance Rivulet is the nearest waterway and borders neighbour’s property, not owner’s. The only other zone is Bushfire prone zone and should not be sufficient to make the zone LCZ. The whole of the Cygnet area falls under the bushfire prone zone but does not come under the LCZ zoning.</p> <ol style="list-style-type: none"> <li>3. From the ListMap showing the Tasveg 4.0 overlay, it can be seen that owner’s block is showing as “Modified Land” according to the legend. The property contains no natural forest or woodland, which is consistent with the farmland adjacent to the property.</li> <li>4. As a long-term resident, owner is aware of the conservation value of the surrounding bush. However, the property is only approximately 1.8 Ha and only about 10% of that are native trees. These were planted by owner when first moving to property and are confined to a small area in the far corner of the block. There is also a row of Blackwood Trees which were planted as a windbreak and shelter for livestock.</li> <li>5. Owner notes that the HVC recommendations in the LPS are based on the analysis of expert planners using overlay maps, but when looking closer at an individual property, the overlays are not accurate enough to make these zoning decisions.</li> <li>6. “As I was not made aware of this re-zoning until quite late in the process and exhibition period, I have been unable to engage the services of a planner and solicitor to facilitate my submission. I request that this zone change be reconsidered, and we be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission’s hearing should further information be required to speak my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic</p>


	<p>Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of the Cygnet area, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p>Importantly, there is no strategic intention for this site and the broader Environmental Living area to be an area of residential use and development within a rural setting and given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>214.</b>	<b>Stephen Ashworth</b>
Matters raised	<p>The representation objects 30 McKibbens Road, Geeveston (PID: 2028138; CT: 135120/2) being zoned Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner is opposed to the property being zoned Rural as owner's company owns the property and is currently zoned commercial to allow for a tourism operation to run on it, which owner does have planning permission for.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The site is currently zoned Rural Resource under the HVIPS and is proposed to be zoned Rural under the Huon Valley – LPS. A Tourist Operation is a discretionary use in both the Rural Resource Zone and the Rural Zone.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>215.</b>	<b>Belinda Yaxley</b>
Matters raised	<p>The representation requests 410 Cloverside Road, Lucaston (PID: 2196377; CT: 139274/4) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. It is considered that rezoning to Landscape Conservation isn't in accordance with the TPC's <i>Section 8A of the Guideline No. 1 Local Provisions Schedule (LPS): zone and code application</i>. The representation opposes the proposed Landscape Conservation Zone as indicated in the draft HUO-LPS. The property in question should have the property retained values of Rural Resource zoning by applying the "like for like" transition from Rural Resource under the IPS to the Rural Zone under the Huon Valley LPS.</li> <li>2. The said property does not meet the Landscape Conservation Zone criteria but meets the criteria for Rural Zone under State Planning Provisions – Tasmanian Planning Scheme 2020 V3 (at as 19th February 2020) (TPS) which supports the Southern Tasmania Regional Land Use Strategy 2010–2035. Specifically, the Rural Zone criteria corresponds with</li> </ol>

	<p>the land characteristics, surrounding similar zoned folios, historical use and alteration of the land, and recognised land improvements.</p> <ol style="list-style-type: none"> <li>3. Owner has 25 years of experience in managing natural resources across the State, within Australia and globally and understand that any “landscape or natural values” are already protected under an existing system and that the Natural Assets code will ensure future use and development minimised and adverse impacts on such values and does not need the LCZ to ensure any values if there are any (taking into consideration that the REM used by council and the threatened species presence/absence has not been validated by council).</li> <li>4. The property has several overlays present including Landslip Hazard Area, Waterway and Coastal Protection (covers two Class 4 Streams – Becks Creek and Briery Brook), Scenic Protection Area (whole property), Bushfire Prone Areas (whole property) and Priority Vegetation Area (70% of property). The topography of the land could be described as steep on either side and on top moderately sloped with an altitude of approximately 463m up to 550m. It is approximately 10% covered with rough or improved pasture, 20% covered with regrowth from neglected pasture (cattle grazing up until the 1980s) at the lower slopes of Blue Hill. The main forest types Eucalyptus obliqua wet forest (WOB) and Eucalyptus delegatensis with broad leaved shrubs (WDB) regrowth from rough pasture and selective logging. There is a tiny patch of E. globulus (WGL) about the size of a tennis court in the massive area that has been mapped at WGL, this in fact is WOB. The land is subjected to large scrubby areas remnant of historical farming and logging and there are still substantial areas which are cleared and remnant fencing.</li> <li>5. The intention is to continue to maintain the vegetation around the cleared area for maximum bushfire management and convert some of the WOB/WDB regrowth back to rough pasture for goats and cattle. In doing this, owner will enclose the property in an approximately 15–20-acre area for residential, mixed crop and livestock to become self-sustaining, help sustain the community, thus minimising their footprint and doing their part for reducing climate change – reduction of climate change and being responsive to it is an objective of the Southern Regional Land Use Strategy 2010-2035 (Strategic Directions, Chapter 4). BNV 2 of the Southern Regional Land Use Strategy 2010-2035 can be achieved in balance with development on forested properties. The resilience of the community depends on this type of lifestyle and should be encouraged not made prohibitive under the new Tasmanian Planning Scheme and the HUO-LPS.</li> <li>6. Additionally, the council’s strategic plan for 2015- 2025 states that <i>Councils’ strategic stance is to support population growth and diversity in its demographic to ensure outcomes are achieved.</i> This representation of Rural Zone request is in direct alignment with this strategy – sustaining and economically viable landholding whereas LCZ does not align with this. And again the Huon Valley states in its strategic planning that <i>the</i></li> </ol>
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	<p><i>availability and use of land for best purpose and future opportunity based on location, proximity and existing and potential servicing and risks is a key tool in ensuring the strategic objectives can be realised in a balanced manner. Owner's site perfectly addresses this strategy because of its small-scale primary production, no pressure on services and its pre-existing infrastructure. The property is economically valuable in this sense if it is zoned Rural.</i></p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes a ridgeline, hillsides and valley depressions and contributes to a substantial vegetated hillscape feature in the Lucaston Valley. The site is mapped as having native vegetation cover of 84% with a portion classified as Eucalyptus globulus wet forest which is primary foraging habitat for critically endangered swift parrot. The site forms part of a contiguous bushland area that adjoins the Russell Ridge Conservation Area. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This site is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate.</p>

	The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>216.</b>	<b>Mark McBride</b>
Matters raised	<p>The representation requests 245 Judds Creek Road, Judbury (PID: 7281036; CT: 245416/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "As the owner of the above property I am submitting the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am of the view a more appropriate Rural zone should be applied as it is a better fit with my property. As I was not made aware of this re-zoning until very late in the process (18 May 2022 with a closing date of 31 May 2022) I have been unable to engage with the appropriate legal and planning counsel at this time to address the relevant points on my behalf. From what I can ascertain I am very concerned about the many impacts of this zone on my property. I am also of the view the priority vegetation report as provided by Council is incorrect. I am therefore abstaining from making further comment other than notifying my objection to the proposed zone and I invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing, and should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise following any engagement I may have with appropriate counsel."</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a prominent hillside and includes a major ridgeline and valley depressions. The site forms part of a larger vegetated hilly area. Judds Creek runs through the eastern third of the lot and sections of the riparian zone are mapped as threatened <i>Eucalyptus ovata</i> forest and woodland.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.


Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>217.</b>	<b>Paul Gibson</b>
Matters raised	<p>The representation suggests split zones should be used in certain circumstances.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Representer uses Black Jack Ridge in Lymington as an example for why split zones should be used in certain circumstances. This is an area where the blocks extend from grazing land and orchards on the lower slopes up to the treed ridge of Black Jack range. The ridge has an environmental overlay to protect the vegetation. The proposed LPS have zoned the blocks either Landscape Conservation or Rural depending on what proportion of the land is cleared and treed. The representer understands that Huon Valley Council's planners have been instructed not to split zones. The result is a mix up of Landscape Conservation zone and Rural zones side by side. This does not achieve the goal of protecting the identified environmental values of the treed ridge. It also creates tensions between adjacent landholders with different zonings.</li> <li>2. The representation is to suggest that split zones should be used in these situations to keep rural areas together as rural and to apply landscape conservation where the vegetation demands it. This will reflect the reality and avoid the clash of neighbouring properties with differing zones adjacent to each other.</li> </ol>
Planning Authority response	The planning authority notes the comments made on split zoning and agrees that, in some cases, the use of split zoning is the best approach to deal with variation in lot characteristics. The planning authority is progressing strategic planning projects which will consider a range of matters, including potential modifications to the LPS to articulate strategic direction and desired outcomes into the planning scheme. Part of this process may include applying split zones to balance competing objectives and considerations.
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>218.</b>	<b>Paul Gibson</b>
Matters raised	<p>The representation is regarding the lack of protection of the scenery of the Huon Valley.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. In order to protect what we have in the Huon a scenic overlay must include: <ul style="list-style-type: none"> <li>• Treed ridge tops and skylines as viewed from land and waterways</li> <li>• Coastlines and river corridors</li> <li>• Access corridors such as Nichols Rivulet Rd</li> <li>• Areas of surviving ecosystems</li> <li>• Clear township boundaries surrounded by rural land</li> </ul> </li> </ol> <p>Without specific protection these key visual aspects, the Huon Valley will soon lose its visual appeal and with it our tourism potential and liveable amenity.</p>
Planning Authority response	The retention of large native bushland areas, ensuring township boundaries are retained and so forth have been key strategic considerations in the application of the code and zones to the draft LPS.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>219.</b>	<b>Paul and Thomas Gibson</b>
Matters raised	<p>The representation requests 47 Garthfield Avenue, Cygnet (PID: 3550358; CT: 174238/2) be zoned General Residential or Low Density Residential rather than Future Urban.</p> <p>Representation general comments:</p>

	<ol style="list-style-type: none"> <li>1. There is an acute shortage of residential property in Cygnet. The SGS Economics study commissioned by Huon Valley Council projects a demand for at least 139 new dwellings by 2026. There is no way this demand can be met even if all the serviced land suitable for near-term subdivision in the Cygnet growth boundary is made available in that period. Insufficient housing supply in Cygnet is putting upward pressure on the market. While housing affordability is an issue across the country, it is particularly acute in Cygnet due the desirability of the area for interstate buyers and those priced out of the Hobart market. The high cost of housing deters younger people and working families from staying in or moving to the area, which in turn makes it difficult for local businesses to find workers.</li> <li>2. There is a discrete area of land within the town boundary at the end of Garthfield Avenue. The zoning is PPZ Future Urban Growth under the interim planning scheme. This is a rare area of future urban growth that is already serviced with sewer, stormwater, power and an existing public road that can easily be widened to suit residential use. Because of existing servicing, it is ready to be developed within a short timescale.</li> <li>3. Owners are interested in developing the land as a demonstration of a new model of affordable housing. The plan is to cluster modest houses together and share infrastructure such as driveway, sewer, stormwater, and sheds. The clustering of buildings increases thermal efficiency. It will also provide housing density while preserving the semi-rural atmosphere appropriate to the outskirts of town. This model will dramatically reduce construction costs, providing quality housing at an affordable price.</li> <li>4. Therefore, it is considered that a Residential Zone should be applied to the site. As there are limited constraints to the site General Residential or Low Density Residential zones are both in accordance with the Guidelines and are in keeping with the Southern Regional Land Use Strategy.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The site is zoned Future Urban under the HVIPS, potentially therefore, the proposal could be consistent with GR22. However, the zone application guidelines identify regarding the Future Urban Zone that:


	<p><i>The Future Urban Zone may be used for future urban land for residential use and development where the intention is to prepare detailed structure/precinct plans to guide future development.</i></p> <p>These types of documents not only guide future development but are based on detailed strategic analysis of the township of which the General Residential zoned land is within and considers timing and sequencing of land release.</p> <p>To this end, whilst there may be strategic merit to have this land zoned General Residential due to the lack of structure or precinct plan to guide future development, the Particular Purpose Zone – Future Urban is the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>220.</b>	<b>Stephanie Beeston</b>
Matters raised	<p>The representation requests 149 Russell Road, Lonnavele (PID: 5697265; CT: 242786/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “I would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft LPS submission. I believe that the more appropriate zone of Rural should be applied as it better fits with the land characteristics, surrounding similar zoned folios, historical use, and recognised land improvements. I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to my property.”</li> <li>2. The application of Rural Zone best meets the Zone Purpose Statements from the HVIPS 2015 zoning of this land compared to Rural Resource, and correcting the application of this new zoning name to the property will allow owners to continue along their path of using this land as intended since purchase in 1994.</li> <li>3. Moving from the Landscape Conservation Zone to the Rural Zone is the most appropriate outcome because the property meets the criteria for the Rural Zone and not the criteria for the Landscape Conservation Zone.</li> </ol>

	<p>The property is rural and being used for rural purposes – owners have game birds, goat and pig farming as well as vegetable gardens. Owners have a joinery timber business “Maggellies Timber” which is operated from a 14 x 8 approved workshop and have invested a substantial amount of money in heavy duty machinery and tools for the business. If the property is rezoning to LCZ this will make the business no longer viable with loss of income and livelihood.</p> <ol style="list-style-type: none"> <li>4. The LCZ should not be applied because the Priority vegetation report is inaccurate regarding the vegetation types and species and/or extent of them as well as the comparisons with Forestry. The property is not on a scenic route corridor and there is no through traffic on our road.</li> <li>5. Owners consider that the proposed application of Landscape Conservation will negatively affect their ongoing business, and valuation of the property, and as such they do not deem it relevant to be moved to. If the Landscape Conservation zoning is applied, owners will have to consider further legal action for the loss of income, and devaluation if selling is necessary due to the property no longer serving owners’ purposes.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not a like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP’s and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native</p>

	vegetation. The site is located on the upper sections of the Russell River Valley. Scenic values that occur across the property include a ridgeline, hillside and valley depression, with 96% bushland coverage, that forms part of a larger fully vegetated hilly area that extends through the Wild Bee Conservation Area. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>221.</b>	<b>Stacey Carlton and Andrew Page</b>
Matters raised	<p>The representation requests 342 Woolley's Road, Lonnaveale (PID: 1895803; CT: 101973/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Rural living in the new planning scheme more closely resembles the current zone which is "Rural Resource".</li> <li>2. Neighbouring properties will be zoned "Rural Living" and this is more in keeping with the area, which contains varying size farms and large scale agricultural farms, with livestock.</li> <li>3. Given the zoning is not in keeping with the area, this will affect owners ability to sell the property in the future. The banks will not recognize "Landscape Conservation Zone" for people applying for mortgages. Given owners are self employed, they have very limited superannuation and their plan was to sell this property later to fund their retirement.</li> <li>4. Landscape Conservation Zone will reduce the value of the property. As the property is surrounded by farms, owners would have had the potential to sell the land to a neighbouring farm, however rezoning will completely remove this opportunity.</li> <li>5. Owners bought the property with the understanding that they would set up a small and sustainable firewood business and own livestock. Owners are in the process of doing their own environmental impact research and have already set up an ABN for the firewood business.</li> </ol>


	<p>6. The land has been cleared in the past and the forest that currently stands is partly regrowth forest.</p> <p>7. This is not a vacant lot as it states on the planning scheme website, as there is an existing dwelling which is in the process of construction, pending occupational final certificate by the end of this year.</p> <p>8. Owners understand and agree with the need to conserve of forests and landscapes, however do not want the liability of owning land which is unable to use in the way owners previously could. If the zoning is not changed, owners would be willing to consider selling 50 acres of property back to council or the Tasmanian Government.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not a like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes two hilltops, valley depressions, ridgelines and hillsides. The property forms part of a much larger elevated, vegetated area and has native vegetation coverage mapped as 83% which extends into the neighbouring Wild Bee Conservation Area.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This</p>

	<p>area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>Regarding the Rural Living request, it is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA as having a substantial portion of lots being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha). Therefore, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>222.</b>	<b>Kyung Soo Kim (Don Kim) &amp; Linda Lee</b>
Matters raised	<p>The representation requests 139 Police Point Road, Glendevie (PID: 2592118; CT: 118988/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I wish to reserve the right to have any additional arguments and information to be heard at the Tasmanian Planning Commission's hearing should that be required. English is our second language and we find it very difficult to navigate through the complexities of what this all means. We have had to get help from native speakers to assist in communicating what it is that we are concerned about. We believe a Rural Living zoning is more appropriate but haven't been able to consult a planner to discuss the implications of other potential zones. Given points raised in the representation and by addressing specific documentation relevant to the zoning project currently underway, we must reject an LCZ application over our land in favour of a more appropriate zone of RLZ."</li> <li>2. The property is set to be rezoned from Environmental Living Zone (ELZ) to Landscape Conservation (LCZ). Owners assert that Council have not undertaken sufficient due diligence by way of consulting with the relevant documents at hand but rather with little consideration, cast an</li> </ol>

	<p>LCZ and PVA Overlay across the property. By just a cursory glance at the new LCZ purpose statement it is clear that it is not in alignment with much of the established land use in the area. Many in the area live with more of an Environmental Living/Rural Living forward purpose. Owners, and neighbours included, live on the land and have an expectation to live within a community that has prescribed within a zoning solution the ability to actually develop our land with and explicit expectation to have a dwelling, possibility to develop land and use it for small scale rural purposes etc. Not a discretionary, 'if it pleases the Council', that a person's ability to reside or take up residence or a sensible activity is acceptable. LCZ has a number of concerning elements that tie up land and is in fact antithetical to the 2015's IPS Environmental Living purpose. It is most certainly not a 'like for like' transition at all.</p> <ol style="list-style-type: none"> <li>3. It is of great concern that this proposed move to an LCZ will devastate the property's perceived value in the market. Already, owners are aware of instances where potential buyers within the Huon area are actively dismissing any property that is set to be zoned as LCZ. Other issues are that banks have indicated that a buyer or to redraw one must have/maintain a minimum 50% LVR. This will greatly curtail any future development on the property that would require owners to redraw to finance. Other key issues are the lack of residential expectation within LCZ and unrealistic subdivision solutions that stray far from what was established under ELZ. Further to this are the expected pre-approval costs imposed for any future developmental plans by way of professional environmental/landscape/scenic/easements etc. In sum, LCZ is a vast departure from ELZ and should not be applied as a 'like for like' solution.</li> <li>4. The size of the parcel sits at around 42 ha, has a dwelling on title with outbuildings with some small-scale rural activities by way of a personal growing dome for fruit and vegetables and a number of cleared fields. It is primarily used by owners for a residential purpose situated amongst a natural/rural setting. It should be noted here that neither the IPS Listmap or the TPS Council Map show any Scenic Protection Code that is over the subject site. Nor has Council put forward any ground truthed Priority Vegetation information outside of what is presented, albeit arguably unreliable, in the TASVeg mapping. Topographically, the site ascends from ~120m from the South-Western access to a maximum of ceiling of ~170m. The minor ridgeline that forms is cleared with residential structures and clear fields/paddocks across almost its entirety. Historical land development/use operations can still be evident by way of regrowth on previous land clearing and current cleared areas.</li> <li>5. Whilst there has been historical rural use across the property, owners have not exercised that use but may want to in the future. Owners initially purchased the property in 2017 with the desire to live in a rural setting. Owner runs business as a Quantity Surveyor (ATO) and Certified</li> </ol>
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	<p>Practicing Valuer from home and would like to retain the exercisable solutions that the current ELZ zone has available and should continue into the new TPS application of a suitable zone and overlays. Within the set of endorsed plans and permit, the land was approved to have further residential development by way of subdivision, formalised building envelopes etc. Owners see that this understanding to be consistent with the historic and current formalised use of a residential purpose primarily with ancillary rural or environmental development or application to be in support of the primary purpose.</p> <p>6. An ELZ to LCZ is indeed an inappropriate transition on purpose statement and some prescribed uses elicited within the respective use tables, alone. It is clear that as there is no ELZ equivalent, per se, within the TPP/LPS the most appropriate 'like for like' zone for ELZ would be that of RLZ, generally speaking. It can be understood that other factors may come into play when informing a move from ELZ to LCZ. This could be that there is explicit fully informed consent of a land owner to move to such a zone, or a somewhat assumed consent by way of existing Conservation Covenant over most or the whole of a landowner's property. That with the conjunction of accurately identified natural assets may indeed provide for the application of LCZ. Outside of that however, the application of LCZ should be restrained.</p> <p>7. Response to <i>Zone Application Guidelines- LCZ1</i>:</p> <p>(a) The land is 42Ha in total and is about 31-51% cleared in various stages of regrowth or use. Remaining vegetation is 49-69%. 22% is cleared land that spans across the two 170m hilltops that have the main house and outbuildings located on.</p> <p>(b) Council's notes also stipulate a further need for a "coupl[ing] of Natural Assets or Scenic Landscape Code". However, owner's searching and attempts to gather the appropriate information that speaks to the Natural Assets or Scenic/Landscape Code requirements has come up empty. It then follows that in the nonappearance of any landscape values assessment conducted or even outsourced by Council as part of their pre-LPS Draft lodgement investigations, owners must adopt the position that no such information that speaks to the property having any particular, peculiar or otherwise landscape value, exists.</p> <p>(c) Whilst approximate remaining land with significant vegetation regrowth is just on the edge of 20 ha, an official survey measure would be needed to verify whether or not this actually exceeds the 20 ha min set by Council for LCZ1 consideration. This is also the case with the data used to establish the Priority Vegetation Overlay across the title. In appendix A, the Council Endorsed Planning Permit, an Environmental Values Report (EVR) prepared by Welling Consulting dated September 2016 is referenced. Owners implore</p>
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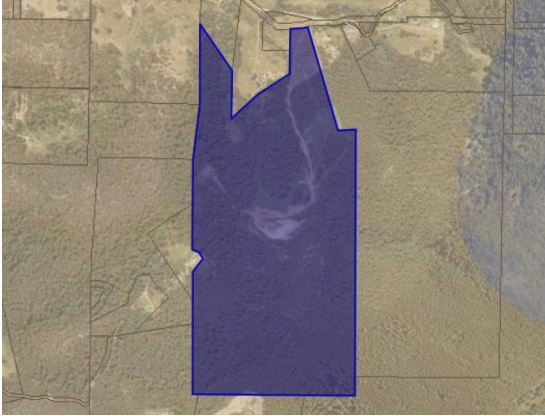
	<p>Council to utilise the information contained there to help inform a more accurate PVO.</p> <p>8. Of particular interest are the neighbouring properties, especially the ones adjacent, would not meet the 20 ha criteria. Further, as a collective group they would not meet the 20 ha minimum either. It seems to the owners that the immediate surrounding area to the North demonstrates a prevalence of small to medium residential blocks used explicitly for residential purpose.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living in the interim planning scheme. RLZ 2(b) allows for land within the Environmental Living Zone to be considered for the Rural Living zone. The site forms part of a contiguous elevated bushland area overlooking the Huon River. A significant portion of the site is mapped as threatened native vegetation <i>Eucalyptus amygdalina</i> forest and woodland on sandstone.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley.</p> <p>This site is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. Due to the landscape values afforded by the site and to avoid a spot zoning the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>223.</b>	<b>Stephen and Heather Lucas</b>
Matters raised	<p>The representation requests 80 Bonds Road, Judbury (PID: 2042677; CT: 206215/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “As the owners of the above property we are submitting the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. We are of the view a more appropriate Rural zone should be applied as it is a better fit with my property. As we were not made aware of this re-zoning until very late in the process (18 May 2022 with a closing date of 31 May 2022) we have been unable to engage with the appropriate legal and planning counsel at this time to address the relevant points on our behalf. From what we can ascertain we are very concerned about the many impacts of this zone on our property. We are also of the view the priority vegetation report as provided by Council is incorrect. The highlighted area on the vegetation overlay is also incorrect. We are therefore abstaining from making further comment other than notifying our objection to the proposed zone and we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission’s hearing, and should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise following any engagement we may have with appropriate counsel.”</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP’s and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the


	<p>appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes a deep ravine that runs through the length of the property with two ridgelines and hillsides either side of this. The property contributes to large contiguous bushland area that adjoins both the Russell Ridge Conservation Area and the Fletchers Hill West Conservation Area. The property has 100% native vegetation coverage with a large portion running along the southern ridgeline mapped as Eucalyptus tenuiramis forest and woodland on sediments and smaller portion of the northern ridgeline mapped as Eucalyptus globulus wet forest which is primary foraging habitat for critically endangered swift parrot. Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>224.</b>	<b>Jim McEwan</b>
Matters raised	<p>The representation requests 98 Coal Mine Road, Gardners Bay (PID: 1744263; CT: 115247/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "As the owner of the above property I am submitting the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am of the view a more appropriate</li> </ol>

	<p>Rural zone should be applied as it is a better fit with my property. As I was not made aware of this re-zoning until very late in the process (18 May 2022 with a closing date of 31 May 2022) I have been unable to engage with the appropriate legal and planning counsel at this time to address the relevant points on my behalf. I did make efforts to engage a planner but failed in the time available to me. From what I can ascertain I am very concerned about the many impacts of this zone on my property. I am also of the view the priority vegetation report as provided by Council is incorrect. I am therefore abstaining from making further comment other than notifying my objection to the proposed zone and I invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing, and should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise following any engagement I may have with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes ridgelines, steep hillsides and slope depressions. The property contributes to a larger, fully vegetated elevated area leading up to</p>


	<p>Mount Cygnet. The site is mapped as having 89% vegetation cover and a portion is mapped as <i>Eucalyptus globulus</i> wet forest which is primary foraging habitat for critically endangered swift parrot. Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>225.</b>	<b>Jim McEwan</b>
Matters raised	<p>The representation requests 860 Cygnet Coast Road, Wattle Grove (PID: 2511381; CT: 141903/2) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "As the owner of the above property I am submitting the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am of the view a more appropriate Rural zone should be applied as it is a better fit with my property. As I was not made aware of this re-zoning until very late in the process (18 May 2022 with a closing date of 31 May 2022) I have been unable to engage with the appropriate legal and planning counsel at this time to address the relevant points on my behalf. I did make efforts to engage a planner but failed in the time available to me. From what I can ascertain I am very concerned about the many impacts of this zone on my property. I am also of the view the priority vegetation report as provided by Council is incorrect. I am therefore abstaining from making further comment other than notifying my objection to the proposed zone and I invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing, and should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise following any engagement I may have with appropriate counsel."</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Wattle Grove and Petchey's Bay, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>


Recommended action	Include this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living Area D. Specific title references include:				
	47314/1	149310/1	165572/1	240675/1	238889/1
	141903/2	120423/6	120423/3	120423/7	141160/1
	201011/1	146285/2	47314/2	140121/4	149310/3
	167756/2	165573/2	34527/3	120423/4	202696/1
	165213/2	165213/1	34527/2	47314/3	161127/1
	146285/1	140121/3	120423/8	120423/2	120423/5
	140121/5	149310/2			
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.				
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.				

<b>226.</b>	<b>Joshua Davison</b>
Matters raised	<p>The representation requests the Natural Assets code be removed from Lot 6 Garden Island Creek Road, Garden Island Creek (PID: 9467909; CT: 123033/6).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Representor is in the process of purchasing the property and is concerned that the proposed rezoning of the block from Rural Resource to Landscape Conversation and subsequent addition of a Natural Assets Code, will have an adverse impact on representor's ability to utilize this area as previously intended, specifically the ability to clear vegetation, develop a Class A dwelling and the develop short-term accommodation (Class B dwelling).</li> <li>2. The proposed rezoning introduces a Natural Asset Code which identifies an area of Priority Vegetation (Eucalyptus globulus wet forest (WGL) and threatened fauna habitat) on the property.</li> <li>3. Referring to the Priority Vegetation Report, this overlay has been created using TASVEG3.0 and is highly variable in terms of reliability. It is important to note that TASVEG3.0 has now been replaced by TASVEG4.0 and vegetation communities between the two models differ. Under TASVEG4.0 there are no WGL communities identified at the property. A desktop flora and fauna assessment utilizing the Natural Values Atlas (NVA) identifies there are no threatened flora species present within the property. Furthermore, the Priority Vegetation Report identifies an area of threatened fauna habitat which is conducive to the Swift Parrott,</li> </ol>

	<p>however, the NVA identifies that there are no recordable instances of Swift Parrot within 500m of the property. The proposed Huon Valley Provision Schedule also identifies an abundance of threatened fauna habitat within the surrounding area.</p> <p>4. Representor believes the Priority Vegetation Overlay does not adequately represent the vegetation communities present on property and will impact representor's ability to utilize the land as previously intended. Therefore, representor asks for the Natural Assets Code to be removed from the land at Lot 6 Garden Island Creek, Garden Island.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site has 98% vegetation cover, contains known habitat for Mount Mangana stag beetle and extends up a prominent slope extending up to Clennett Hills.</p> <p>Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape</p>


	Conservation zone is therefore considered the most appropriate zone for the area.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>227.</b>	<b>Geoffrey Swan</b>
Matters raised	<p>The representation requests 1046 Lonnavele Road, Lonnavele (PID: 5697046; CT: 77992/1) be zoned Rural Living B rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is 22202.68 square metres or 2.22 hectares.</li> <li>2. The existing and approved DA for this property is for a paddock to plate agritourism venture featuring an outdoor café, commercial kitchen, cheese room, rabbitry and visitors accommodation on site.</li> <li>3. The property is serviced with 240 Volt single mains electricity and it has an additional 3 phase power supply utilising private power poles.</li> <li>4. There is no connection to a town water supply. The source of water to this property is either rainwater or water taken direct from the Russell River which borders the bottom of the property.</li> <li>5. There is no rubbish collection or any other Council supplied services to this property.</li> <li>6. This property is on the no spray register and there have been no chemicals used on this property for at least 18 years or longer.</li> <li>7. The access roads, being Lonnavele Road and Lorkins Road are maintained by Council.</li> <li>8. Approximately one hectare of the property has established infrastructure to include a dwelling, a relocated fruit pickers hut for visitor accommodation and various outbuildings.</li> <li>9. The other half of the property is acreage and is grassed. Trees border the southern side (Lonnavele Road), and trees and vegetation border the northern side alongside the Russell River. The land is rocky and is not suitable to any intensive agriculture.</li> <li>10. Alongside this property is a similar 2+ hectare property. Over the river is another 2+ hectare property with a dwelling. Additional dwellings on different tracts of land are developed on the other side of the river.</li> <li>11. Opposite is a single title with an existing building that was once the school house for some 30 students in the early 1900 hundreds.</li> </ol>

	<p>12. This small section of the Lonnavele community is already residential and is suited to little more than hobby farm activities which readily apply to Rural Residential. The surrounding areas are large scale rural currently being farmed with beef cattle. Historically there have been intensive orchards but these have since been removed.</p> <p>13. “As this zoning process has been very unclear and complicated from the outset this is the extent of my submission at this stage. I have been unable to engage the services of a planner or any legal counsel to further expand on this application. Therefore, I shall be abstaining from making further comment other than noting my representation for Rural Living zone with the future possibility of subdividing the 2,2 hectare property. I wait to hear from the Tasmanian Planning Commission’s hearing should further information be required and the opportunity to meet with a TPC panel.”</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>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:</p> <ul style="list-style-type: none"> <li>(a) <i>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</i></li> <li>(b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha). Therefore, whilst it is recognised that the rezoning would provide for limited subdivision, due to site not being part of an existing rural living community and</p>


	not adjoining a settlement, together with the number of lots in the LGA that are less than 10 ha in size, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>228.</b>	<b>Melvin and Mhainie Lee</b>
Matters raised	<p>The representation requests 163 Fairy Falls Road, Geeveston (PID: 7518582; CT: 37335/1) be zoned Rural or Rural Living D rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners believe a “like for like” conversion of the land is Rural or Rural Living D. All surrounding neighbours are to be zoned Rural, except neighbour at 161.</li> <li>2. Owners have looked at the Priority Vegetation Overlay and find that the only Threatened Fauna and Significant Habitat overlay is a potential habitat for the Eastern Quoll. It is noted that many of our neighbours have this as well and even more points on their overlays - yet they are all recommended for the Rural Zone. Owners believe that the Priority Vegetation overlay is the only reason the property is zoned LCZ. It is noted that the Regional Ecosystem Model (REM) overlays are untested in the Huon and tend to be probabilistic models - they are rarely ground tested. Owners believe that the Huon Valley Council has not proved that this is a Quoll habitat and are basing the zoning on unproven assumptions. Owners believe that any habitat is amply protected by the Natural Asset Overlay on the water way at the base of our properties.</li> <li>3. The property is surrounded by farming land and private forest plantations. It is not virgin land, it was ravaged by the 1967 fires, so it is all new growth, and property is surrounded by tree plantations which do get harvested by forestry, and the land was cleared by the previous owner.</li> <li>4. Owners would like to know how it will affect the way they do their fire prevention. Owners understand that the fire brigade will not normally come to the property, so owners need to be able to continue their fire</li> </ol>

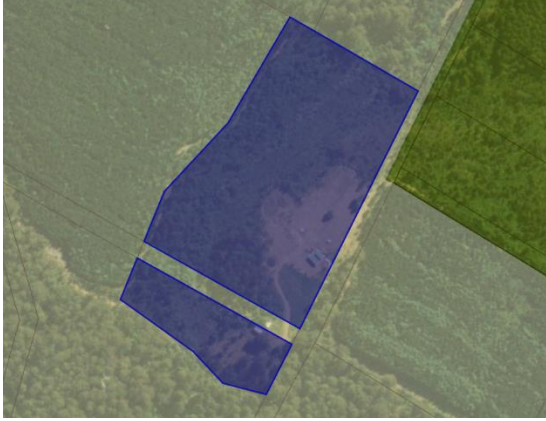
	<p>prevention so that the property and neighbours properties are as safe as they can be.</p> <ol style="list-style-type: none"> <li>5. Owners are very concerned that Landscape Conservation Zone will make it harder and more costly to make any modifications required to maintain a level of accessibility allowing for owner's ongoing mobility issues. Owner would like to put a small home on a level area, where they can live more comfortably. This will allow owner to pursue a sustainable self sufficient, lifestyle with better more mobility access. Owner is concerned that the proposed Landscape Conservation Zoning will limit the ability to select an area of land that will allow the build of the new home.</li> <li>6. Owner's plan was to be self sufficient, with a vegetable and fruit garden - enough to feed themselves and for preserving. Owner would also like to have a small number of animals such as chickens, quail, ducks, with a couple of goats and a couple of sheep for milk. Owner believes that can be done sustainably with also minimal disturbance to the land, fauna and flora.</li> <li>7. Owners are not against the rezoning, however, would like their concerns and enquiries answered clearly so that they can understand how to accomodate the zoning requirements and still move forward the way they wish into the future.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p>

	<p>In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site has substantial vegetation cover with both the Landscape Conservation Zone, and Rural zone including residential use as discretionary with provisions reflecting on landscape values and fettering of rural amenity, respectively. The site contributes to a larger bushland area.</p> <p>Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>Furthermore, given the number of lots in the LGA that are less than 10 ha in size (87%), any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>229.</b>	<b>Julie Sade, Derek and Valerie Smith</b>
Matters raised	<p>The representation relates to 545 North Huon Road, Ranelagh (PID: 3058320; CT: 159990/10).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners plan to build a separate house adjacent to the Homestead. This house will not conflict with or constrain the Agriculture use of the property. Owners would like to know what approval is required under the proposed zone of Agriculture.</li> <li>2. To provide additional positive cash flow for the development of the agricultural use of the property, it is proposed to build self-contained houses for tourists to experience best practice working of a commercial Highland Cattle breeding, fattening and marketing property. These houses are to be built on an area of the land not suited and not used for agricultural purposes. Owners would like to know what approval is required for these tourist houses under the proposed Zone 21.</li> </ol>

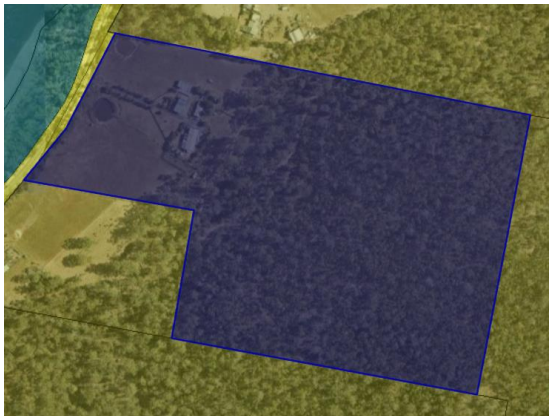
	<p>3. The separate house and the tourist houses do not confine or restrain the present use of the land as significant agriculture and future zone 21 of agriculture use. They provide for the sustainability and development of the agricultural use.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>230.</b>	<b>Catherine and Giuseppe Biondi</b>
Matters raised	<p>The representation relates to 161 Lloyds Road, Franklin (PID: 1858519; CT: 129966/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Owner has intentions in the future to add a shed and a self contained unit on the property.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The representation includes no substantive request for a change to a component of the Local Provision Schedule. It is noted that the site is zoned Rural Resource under the HVIPS and Rural under the draft Huon Valley – LPS.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>231.</b>	<b>Alexander and Christine Mooibroek</b>
Matters raised	<p>The representation requests 170 Narrows Road, Strathblane (PID: 3068676; CT: 159497/1) be zoned Rural Living or Environmental Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I/We, owner/s of the above property would like to submit the following representation that objects to the Land Care zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am/We are believe that the more appropriate zone of Rural Living or Environmental Living should be applied as it better fits with my/our property. As I was/we were not made aware of this re-zoning until quite late in the process and exhibition period I am/we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my/our behalf. Therefore, I/we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my/our right to be afforded an</li> </ol>

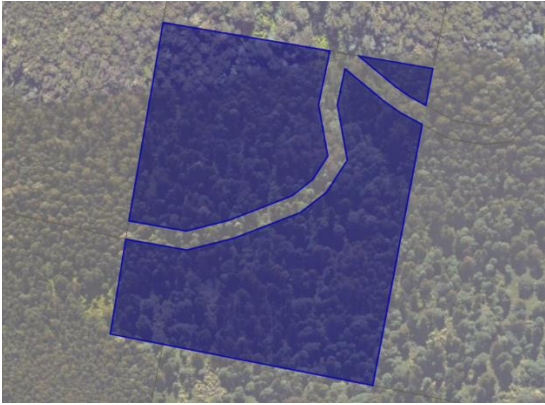
	<p>opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my/our objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living in the interim planning scheme. RLZ 2(b) allows for land within the Environmental Living Zone to be considered for the Rural Living zone. The lot is mapped as having 85% vegetation coverage, is located on the lower slope of a prominent vegetated hill, overlooking the Huon River. A portion of the property is mapped as threatened <i>Eucalyptus ovata</i> forest and woodland.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This site is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. Due to the landscape values afforded by the site the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Matters raised	<p>The representation objects to the rezoning of 6028 Channel Highway, Garden Island Creek (PID: 5859500; CT: 239324/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners have lived and owned this property for 15 years, see no valid reason to change the current zoning and object very strongly to the change in the zoning of the property.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The representation includes no substantive request for a change to a component of the Local Provision Schedule. Notwithstanding, the site is zoned Environmental Living in the interim planning scheme. RLZ 2(b) allows for land within the Environmental Living Zone to be considered for the Rural Living zone. The lot has substantial vegetation coverage, is located on the lower slopes of a contiguous elevated bushland area adjoining the Mountain Creek Conservation Area. Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This site is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. Due to the landscape values afforded by the site the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

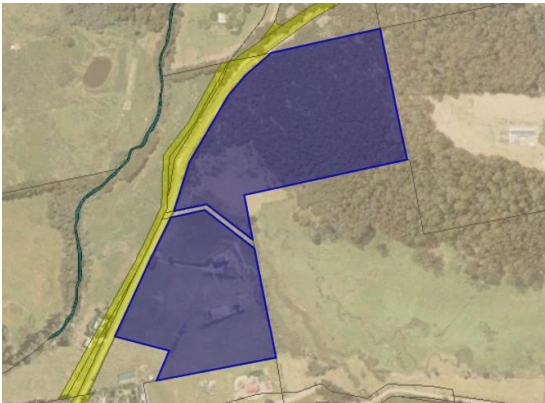
Matters raised	<p>The representation relates to 1251 Lonnave Road, Lonnave (PID: 2730461; CT: 239864/1) and objects to the Huon Valley Council's draft Local Provisions Schedule at this time.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "This letter is to communicate to State Growth that we do not accept the Huon Valley Council's draft Local Provisions Schedule at this time and request that consideration is given to making it an "opt in" system with incentives to recognise the value of private land being used as public good to encourage conservation (ie. Land Tax and Council Rate discounts or exemptions)."</li> <li>2. Owners purchased this land in 2011 as they value conservation principles and the land provided flexibility to use whilst retaining future conservation value. Owners would like the opportunity in the future to erect another shed on land that was cleared prior to purchase for living and to maintain fire hazard management clearing.</li> <li>3. Owners do not believe that under this new zone that it will make any difference to threatened species and fauna due to their intended footprint. One only has to look around Lonnave to see the damage to the environment and species that forestry (both privately and State owned) has caused. Owners are curious as to why the surrounding state owned forest that is considered part of Lonnave and is currently being logged from 4.30am, 5 days per week, has not fallen under this rezone process.</li> <li>4. There is a priority vegetation report for this property which, to the best of owner's understanding, has not been reviewed since purchase in 2011.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when</p>

	<p>considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site contains significant native vegetation cover and is part of an elevated contiguous bushland area that adjoins the Denison Ridge Conservation Area.</p> <p>Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>234.</b>	<b>Rafael and Melanie Muggeridge</b>
Matters raised	<p>The representation requests Lot 1 Bakers Creek Road, Lucaston (PID: 3463422; CT: 176284/1) be zoned Rural Resource rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I/We, owner/s of the above property would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am/We are believe that the more appropriate zone of Rural Resource should be applied as it better fits with my/our property. As I was/we were not made aware of this re-zoning until quite late in the process and exhibition period I am/we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my/our behalf. Therefore, I/we shall be abstaining from making further comment other than requesting that our</li> </ol>


	<p>objection and that the above zone change be considered, and that we invoke my/our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my/our objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP’s and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is part of a fully vegetated hillside leading up to Blue Hill. It includes a small section of ridgeline and valley depression with a class 4 waterway. The lot borders the Russell Ridge Conservation Area.</p> <p>Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

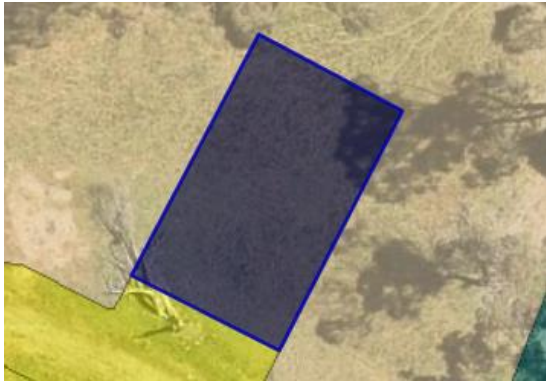
<b>235.</b>	<b>Rafael and Melanie Muggeridge</b>
Matters raised	<p>The representation requests 1017 Nicholls Rivulet Road, Nicholls Rivulet (PID: 2752409; CT: 148601/1) be zoned Rural Resource rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I/We, owner/s of the above property would like to submit the following representation that objects to the proposed Rural zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am/We are believe that the more appropriate zone of Rural Resource should be applied as it better fits with my/our property. As I was/we were not made aware of this re-zoning until quite late in the process and exhibition period I am/we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my/our behalf. Therefore, I/we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my/our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my/our objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	The representation includes no substantive request for a change to a component of the Local Provision Schedule, noting there is no Rural Resource zone under the SPP.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

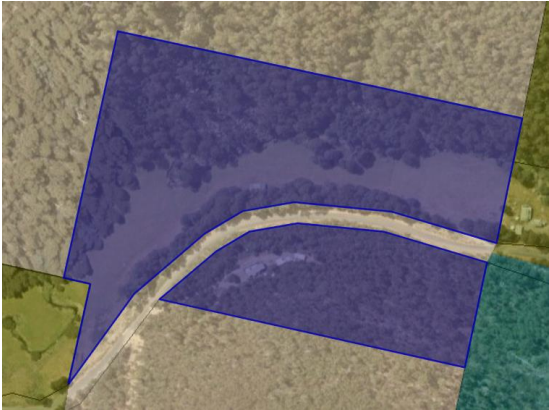
<b>236.</b>	<b>Maree Innes</b>
Matters raised	<p>The representation requests 50 Innes Road, Lymington (PID: 1492393; CT: 105227/1) be zoned Rural Living A rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is impactable for Rural as it does not meet the 40-hectare minimum requirement. The property has had subdivisions approved by Council that makes Rural inappropriate under the current circumstances. Representors are currently proposing boundary adjustments that are currently considered more appropriate to the Rural Living Zone A. This zoning is consistent with good planning principles in not fragmenting the current uses of the property. It also provides strategically the opportunity for Council to plan for the extension of residential uses into a zoning that is compatible with the adjoining properties.</li> <li>2. The changed zoning to Rural will compromise the future development and current uses of the said property. The more compatible and sustainable Zone of Rural Living is more appropriate. This zone is also consistent with the current uses of the property and future expansions and uses.</li> <li>3. Also, there are issues with PID 7255217, 7255196 and 5852149. All these lots are to be zoned Rural and all are under the minimum requirement of 40 hectares. All these lots have dwellings established and are of insufficient size for Rural uses. They would be of no sustainable value in the application of rural uses. Even if they were all combined, they will not meet the 40-hectare requirement.</li> <li>4. By changing to Rural Living A zone, all natural landscape values can be retained. There is no vegetation to be removed if further residential development was to occur. There is no impact on wildlife or other environment considerations. Rural Living A zone enables the existing uses of the property, recognising the limited services of natural</li> </ol>

	<p>availability of the water supply. The Rural Living A Zone will enable greater management of conflicts in land use management issues.</p> <p>5. The application of the Rural zone is not possible without the water supply to make it viable. Town water supply is not available for sustainable rural purposes.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>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:</p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots being of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, whilst it is recognised that the rezoning to Rural Living would provide for no subdivision, given the land is not part of a recognised Rural Living or Environmental Living community and the proportion of lot sizes between 1 ha – 10 ha in the LGA, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land.</p> <p>Accordingly, the most appropriate zone for the CT is Rural.</p>

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

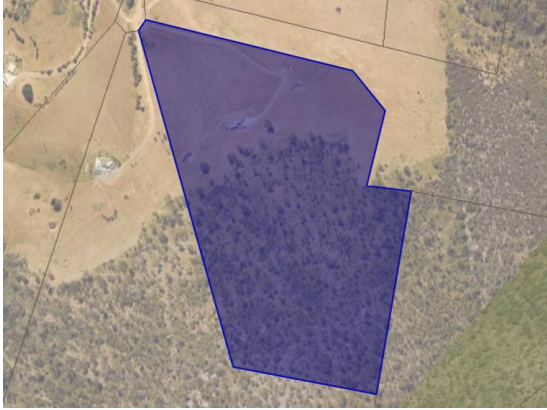
<b>237.</b>	<b>Phillip Wright</b>
Matters raised	<p>The representation requests 6150 Channel Highway, Garden Island Creek (PID: 3456847; CT: 28322/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The farm (approximately 70 ha) is made up of 3 titles under the one property identification. It is understood that this small separate title arose because there was once a dwelling/building with presumably separate ownership. The farm is used for cattle production. It is the owner's view that the draft Local Provisions Schedule zone proposed for this property is inappropriate.</li> <li>2. This title sits totally within the surrounding rural zoned title (226044/1) and has been used for grazing for at least 50 years. It has no native vegetation and is open pasture made up of entirely introduced species (predominantly ryegrass, white cover, cocksfoot and sweet vernal). This area has no different or unique landscape values compared to the rest of the farm which is zoned as Rural.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The site is zoned Environmental Living under the HVIPS. The Landscape Conservation zone has transitioned and is effectively a spot zone (as is under the HVIPS) for a relatively small site adjoining the Rural zone and the Utilities zone in the draft LPS. The planning authority has no objection to the zoning of the site

	aligning with the neighbouring lots as it forms part of a larger agriculture operation, and the existing land use is agriculture.
Recommended action	Change to Rural Zone in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

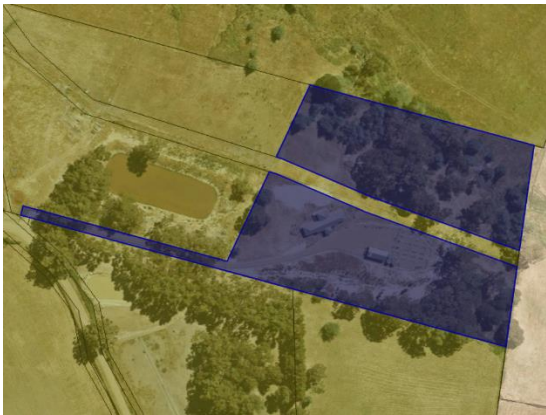
<b>238.</b>	<b>Luke Heywood</b>
Matters raised	<p>The representation relates to 1123 Pelverata Road, Pelverata (PID: 7669591; CT: 122081/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have not had adequate opportunity to engage a planner, to properly review what the new zone means to my property and whether I agree or disagree with the proposed zone. By copy of this email/letter I am requesting Council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to my property."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Planning Authority does not concur that the Rural Resource zone and the Rural zone are a like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of</p>

	<p>the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site forms part of a larger contiguous bushland area, containing a steep slope. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>239.</b>	<b>Stephen Newson and Andrew Stevens</b>
Matters raised	<p>The representation requests 59 Meadow Road, Judbury (PID: 2627704; CT: 143791/4) be zoned Landscape Conservation rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. LCZ 1 guideline has a minimum lot size requirement of 20ha. The property is 24.66ha and therefore has a greater area than what is required. The Natural Assets Code overlay of priority vegetation clearly shows a significant majority of the area is priority vegetation. This overlay has not considered the fact that owners have also been regenerating the cleared land with native tree and grass plantings that will increase the total area above the 80% required.</li> <li>2. LCZ 2 guideline states that the Landscape Conservation Zone may be applied to large areas of bushland or large areas of native vegetation which are not otherwise reserved but contain threatened species. The Priority Vegetation Report for the property states the area is habitat to</li> </ol>

	<p>threatened fauna of the Eastern Quoll, Masked Owl, and Tasmanian Devil. In addition to that, owners refer to a report from Land for Wildlife (attached to representation) that states the property is habitat for Wedge-tailed Eagles.</p> <p>3. LCZ 3 guideline states 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. We understand that our property is greater than the 20ha required and therefore above the minimum lot size but would like to point out that 2 adjoining properties will be zoned Landscape Conservation along with all other lots on Meadow Road. The residents of Meadow Road who are a group of people who are passionate about protecting the native fauna and flora, are registered with The Tasmanian Land Conservancy Land for Wildlife Scheme or are in the process of doing so (see attached statements) and owners do not want to jeopardise this by having one lot (59 Meadow Rd) being rezoned Rural.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>While the property did not meet the minimum vegetation coverage (70% vs required 80% coverage) selection criteria for the planning authority to propose LCZ, the property sits on a prominent slope of She Oak Hills and contains mapped Lowland Grassland Complex, which is an uncommon vegetation community type in the Huon Valley. The lot is bordered by LCZ proposed properties and would improve zoning continuity. The planning authority therefore does not object to the application of LCZ rather than Rural.</p>
Recommended action	<p>Change to Landscape Conservation Zone in the draft LPS.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>240.</b>	<b>Carly Robson</b>
Matters raised	<p>The representation requests 45 Graces Road, Glaziers Bay (PID: 1835210; CT: 129215/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "As the owner of the above property I am submitting the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am of the view a more appropriate Rural zone should be applied as it is a better fit with my property. As I was not made aware of this re-zoning until very late in the process (18 May 2022 with a closing date of 31 May 2022) I have been unable to engage with the appropriate legal and planning counsel at this time to address the relevant points on my behalf. From what I can ascertain I am very concerned about the many impacts of this zone on my property. I am also of the view the priority vegetation report as provided by Council is incorrect. I am therefore abstaining from making further comment other than notifying my objection to the proposed zone and I invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing, and should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise following any engagement I may have with appropriate counsel."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the</p>

	<p>SPP’s. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Glaziers Bay, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>																																																			
Recommended action	<p>Include this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. Specific title references include:</p> <table><tr><td>138476/1</td><td>241929/4</td><td>245457/1</td><td>118197/2</td><td>160800/4</td></tr><tr><td>176700/3</td><td>129215/5</td><td>163406/2</td><td>40279/1</td><td>118197/3</td></tr><tr><td>51992/1</td><td>174791/9</td><td>176700/7</td><td>41669/1</td><td>47388/1</td></tr><tr><td>41669/3</td><td>118197/4</td><td>176700/6</td><td>28222/1</td><td>51992/2</td></tr><tr><td>174791/1</td><td>175500/2</td><td>47273/1</td><td>138476/2</td><td>39295/1</td></tr><tr><td>160800/3</td><td>143303/1</td><td>41669/2</td><td>38636/1</td><td>129215/2</td></tr><tr><td>118197/6</td><td>129215/3</td><td>21971/1</td><td>129215/1</td><td>118197/1</td></tr><tr><td>250702/2</td><td>175500/8</td><td>15473/1</td><td>160800/2</td><td>176700/4</td></tr><tr><td>176700/5</td><td>153256/1</td><td>160800/1</td><td>163407/1</td><td></td></tr></table> <p>Other titles that require zone changes include:</p> <table><tr><td>176700/10</td><td>Zoned Rural</td></tr><tr><td>25652/1</td><td>Split zoned Rural Living and Environmental Management along the current HVIPS zone boundary</td></tr><tr><td>233805/1</td><td>Split zoned Rural Living and Rural along the current HVIPS zone boundary</td></tr></table>	138476/1	241929/4	245457/1	118197/2	160800/4	176700/3	129215/5	163406/2	40279/1	118197/3	51992/1	174791/9	176700/7	41669/1	47388/1	41669/3	118197/4	176700/6	28222/1	51992/2	174791/1	175500/2	47273/1	138476/2	39295/1	160800/3	143303/1	41669/2	38636/1	129215/2	118197/6	129215/3	21971/1	129215/1	118197/1	250702/2	175500/8	15473/1	160800/2	176700/4	176700/5	153256/1	160800/1	163407/1		176700/10	Zoned Rural	25652/1	Split zoned Rural Living and Environmental Management along the current HVIPS zone boundary	233805/1	Split zoned Rural Living and Rural along the current HVIPS zone boundary
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Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


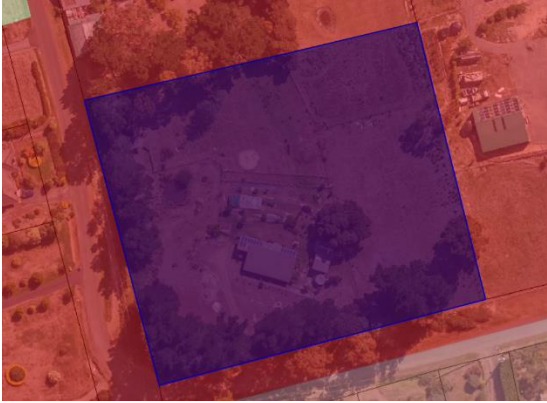
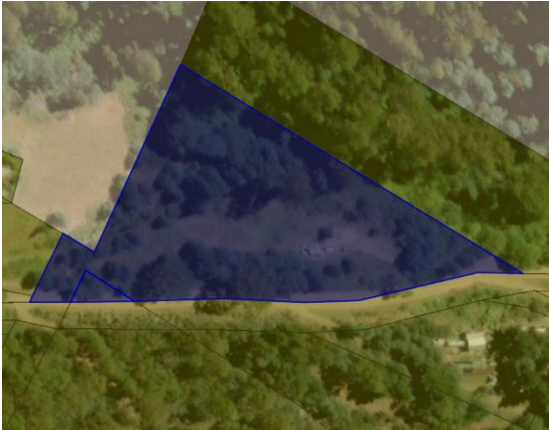
<b>241.</b>	<b>Ian Kirton</b>
Matters raised	<p>The representation requests Lot 1 Huon Highway, Castle Forbes Bay (PID: 3088685; CT: 46992/1) be zoned either Low Density Residential or Rural Living rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The land is too small for viable farming and is bordered on both sides by other residential houses. The land has a difficult entrance from the Huon Highway that would disrupt traffic flow if used for any other purpose than as a home. It truly is not viable for any other purpose than as residential.</li> <li>2. Owner's intention in purchasing the property in 2016 was to build a small, environmentally sensitive home for retirement years. To that effect owner holds a Letter of No Objection from the Council to building a home on the property. That letter was issued on the 29th August 2016. If the Council can give owner a written assurance, similar to the previous letter, that owner may still build a home on the property, then owner will be satisfied.</li> <li>3. "I also note that the formal letter advising me of the changes was written on the 3rd May 2022 but not emailed to me until the 17th May 2022. This unexplained delay has means that I have been unable to engage with the appropriate legal or planning counsel to address the re-zoning on my behalf. I would like to retain the right to have my concerns raised with the council or at the Tasmanian Planning Commissions hearing, should I feel it necessary in the future."</li> </ol> 

	Figure 1. Site location and existing zoning
Planning Authority response	<p>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:</p> <p><i>(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</i></p> <p><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></p> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots being of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, whilst it is recognised that the rezoning to Rural Living would provide for no subdivision, given the land is not part of a recognised Rural Living or Environmental Living community and the proportion of lot sizes between 1 ha – 10 ha in the LGA, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land.</p> <p>Accordingly, the most appropriate zone for the site is Rural.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>242.</b>	<b>Joanne Goodman</b>
Matters raised	<p>The representation relates to 3 Church Street, Cygnet (PID: 2947679; CT: 155455/2).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Although the property is just under one kilometre from the heart of Cygnet, it represents a wildlife habitat and corridor for many local species, including the following: wallabies, eastern barred bandicoots, Tassie devils, blue tongue lizards, snakes (tigers and white-lipped black), a wide</li> </ol>


	<p>variety of small to large sized birds including heron, kookaburra, white goshawks, New Holland and other honeyeaters, yellow-tail black cockatoo, native bush hens, bees, echidna, possums, dam yabbies, frogs, etc. Owner thinks it is wrong not to make some consideration for the above reasons and believes it is important that some wildlife corridors remain in semi-urban areas as escape routes and habitats, and that these corridors be protected, maintained and named in the priority vegetation report at least. The property is surrounded by similar properties although the land area seems to be larger than most immediate surrounding properties.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The comments are noted. The Natural Assets Code is excluded from General Residential Zone, which is matter that is outside of the LPS considerations. The lot meets the relevant Section 8A application guidelines for General Residential. There appears to be no meaningful alternative planning mechanism that could promote consideration of the natural value of the lot.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>243.</b>	<b>Julie Flakemore and Peter Young</b>
Matters raised	<p>The representation requests Lot 1 New Road, Franklin (PID: 2941613; CT: 156764/1) be zoned Rural rather than Landscape Conservation zone.</p> <p>Representation general comments:</p>

	<ol style="list-style-type: none"> <li>1. This property has been used by the owner's family for generations to raise a number of livestock. The property has been clear felled 100 years ago and was an old mill production site. And recently bulldozed approximately 10 years ago but left a number of Acacia trees in pockets around the property for livestock to shelter under. The property does not have any large areas of bushland or areas of important scenic values. The small 3-acre block is in a gully with no scenic value, and sits at 105 metres.</li> <li>2. Owner questions why the block is being deemed LCZ when a bordering property with more vegetation /trees and is a larger parcel of land is not. The Priority Veg report has not been ground tested – the property has been a mix of bush and pasture for over 100 years. Continuing as a managed hobby farm will provide ongoing protection to the natural assets of the area and so should be zoned rural.</li> <li>3. Owners are concerned by the change and the impact that the LCZ will have over the land and future development, as owner had purchased the land for not only continuing the family tradition of raising sheep, goats etc. and for future of owner being able to build a dwelling and live on site. Rural Zone is consistent with past, current and future use. The property has been used as a hobby farm for generations and continues in the same use today.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p>

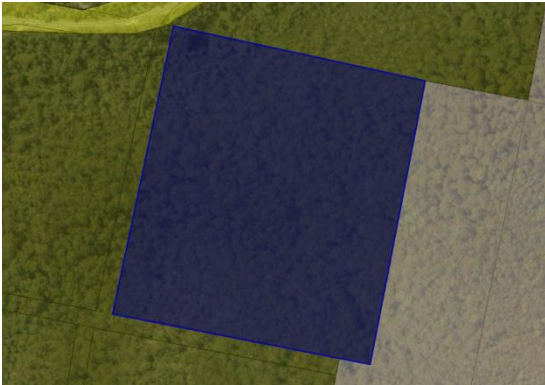
	<p>In reviewing this representation received and others in the Environmental Living Zone of Franklin, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (D).</p>																																																																											
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Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>244.</b>	<b>Joe Leary and Kristy Robson</b>
Matters raised	<p>The representation requests 270 Hastings Caves Road, Hastings (PID: 5269244; CT: 238754/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This is a small cleared block of land with no shrubs, trees or wildlife apart from the occasional wallaby and possum. Owners have plans to build a more suitably sized home and the new zone will make it impossible to improve the current living arrangements.</li> </ol>  <p>Figure 1. Site location and existing zoning of 270 Hastings Caves Road, Hastings (PID: 5269244; CT: 238754/1)</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Hastings and Southport, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and</p>

	<p>determined for some lots in Hastings, their characteristics are akin to a Rural Living in terms of lot size, density, use and native vegetation coverage. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied.</p> <p>Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and lots within this area of Hastings that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>																				
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<b>245.</b>	<b>Joe Leary and Kristy Robson</b>
Matters raised	<p>The representation requests Lot 2 Hastings Caves Road, Hastings (PID: 2804555; CT: 251862/2) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p>

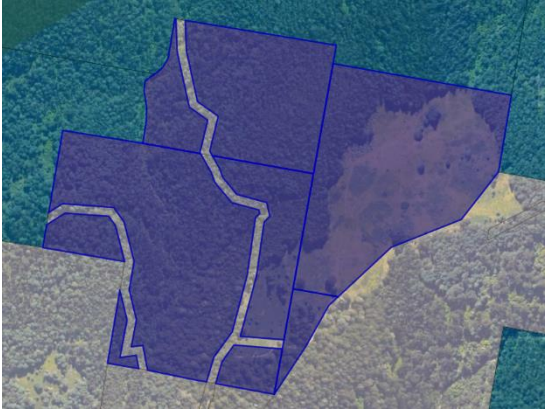
	<p>1. Owner believes the property will be completely unusable to anyone in future.</p>  <p>Figure 2. Site location and existing zoning of Lot 2 Hastings Caves Road, Hastings (PID: 2804555; CT: 251862/2)</p>
Planning Authority response	<p>The site is zoned Environmental Living in the interim planning scheme. RLZ 2(b) allows for land within the Environmental Living Zone to be considered for the Rural Living zone. The property includes a ridgeline, hillsides and a valley depression running diagonally through the property. It is fully vegetated and is part of a much larger forested area that can be seen from Hastings Caves Road and Lune River Road.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. Due to the landscape values afforded by the area and to ensure a consistent zoning pattern zoning the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>246.</b>	<b>Jennifer Hadaway</b>
Matters raised	The representation requests 1828-1830 Esperance Coast Road, Dover (PID: 9059348; CT: 176601/1) be zoned Rural rather than Landscape Conservation.


	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “We as owners of the property identified above, object to the proposed change to our property, notified to us by letter from Council, received at Dover on 17th May 2022. We were notified about the re-zoning very late within the timeframe for submissions to be made to Council and so at this point, notify Council that under the Draft Local Provisions Schedule of the Tasmanian Planning Scheme we believe that our property, ID: 176601/1 should not be re-zoned as Landscape Conservation but should be re-zoned as Rural. We have not had time and do not have the finances to engage an independent planner to provide us with detailed and immediate advice on Council’s proposal for our property. So, we ask Council please note our objection to the proposed re-zoning, and note that we require Council not to proceed with re-zoning until this proposed re-zoning is heard by the Tasmanian Planning Commission. We will collate further information for the Commission regarding the proposed re-zoning and hope to have this checked by a qualified planner.”</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP’s and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site includes a hilltop, ridgeline and valley depression with native</p>

	vegetation coverage is mapped as 93%. A portion of the property is mapped as threatened <i>Eucalyptus amygdalina</i> forest and woodland on sandstone. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>247.</b>	<b>Jennifer Cambers-Smith</b>
Matters raised	<p>The representation requests Lot 3 Liddells Road, Crabtree (PID: 9710591; CT: 183274/1, 183274/2, 183274/3 and 183274/4) be zoned Landscape Conservation rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. An adjacent title to the south (also sharing the same PID and address), is not included in this submission.</li> <li>2. The submission argues for the reinstatement in the Local Provisions Schedule (LPS), of the Waterway and Coastal Protection Area (WCPA) overlay in its entirety on this parcel of land. In the Interim Planning Scheme, the WCPA included riparian corridors and the 'TasWater – Drinking Water Catchment', whereas the draft LPS omits the latter. This submission contends that the WCPA code area currently defined in the Huon Valley LPS should be amended, since the omission of the TasWater – Drinking Water Catchment area is an 'anomaly' in the guidance map, and is necessary to 'protect identified natural assets associated with the WCPA' (eg the important spring and surrounding wetland).</li> <li>3. Additionally, this parcel of land was subdivided into four titles after the draft Local Planning Provisions Schedule zones were first allocated, but at least two of the subdivided titles now meet Huon Valley Council's criteria for Landscape Conservation (LCZ) zoning owing to forest cover, acreage and the existing biodiversity overlay. This submission argues that LCZ should now be applied to those titles, instead of the 'Rural' zone currently applied. Representor also submits that all four titles should be zoned</li> </ol>

	<p>Landscape Conservation, rather than Rural, in order to protect their significant natural values.</p> <ol style="list-style-type: none"> <li>4. This submission proposes that not only should the WCPA overlay be extended to align with the Rocky Creek Drinking Water Catchment, but that the two easterly titles of the Liddells Road parcel be zoned Landscape Conservation since the range of permitted uses in the new Rural zone are incompatible with the sites which are steep, wet and at high altitude. The small south-eastern title also has significant forest cover. Rare flora including <i>Allocasuarina duncanii</i> (conical sheoak) has been found in the vicinity. Lack of flora and flora monitoring in the area mean the Natural Values Atlas is a poor guide for assessing the natural values of the property.</li> <li>5. The representor and local residents are open to landholders building low impact residences on the Liddells Road lots (with the caveat that local residents believe the subdivision was against the rules of the Interim Planning Scheme) but are strongly opposed to the wide range of uses permitted under Rural zoning in the new State Planning Provisions. It is understood that the current owners of the lots are largely unaware of the history of this land and deserve not to be unduly disadvantaged. However, since the building of a residence is 'discretionary' under both the LCZ and Rural zones, representor believes this change would have little effect on the landholders, while being very much in the interest of the community and the environment.</li> <li>6. This representation is supported by 6 local residents, named in the full representation.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The sites are zoned Rural Resource under the interim planning scheme (and currently Rural under the draft LPS). The Planning Authority Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the</p>

	<p>application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The sites CT 183274/1 and CT 183274/2 contain significant vegetation coverage, adjoin Wellington Park and include deep valley depressions, ridgelines and hillsides. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The planning authority therefore agrees that the application of the Landscape Conservation zone is considered the most appropriate zone for these two sites.</p> <p>Regarding, 183274/3 and 183274/4, these two sites are substantially cleared of vegetation, however, are also on the edge of Wellington Park and would result in a spot zone should they remain as Rural in the draft LPS.</p> <p>For zoning continuity, all sites should be in the Landscape Conservation Zone under the draft LPS.</p> <p>In relation to the WCPA overlay, Guideline NAC 1 requires the WCPA to be derived from the <i>Waterway and Coastal Protection Area Guidance Map</i>. This guidance map does not include any drinking water catchments in the Huon Valley. In the absence of confirmation that the exclusion of drinking water catchments in the guidance map is an anomaly, rather than an intended exclusion, the PA proposes no modification to the current WCPA overlay.</p>
Recommended action	<p>Change CT 183274/1, CT 183274/2, 183274/3 and 183274/4 identified as Rural to Landscape Conservation Zone in the draft LPS.</p> <p>No change to the WCPA.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>


<b>248.</b>	<b>Jennifer Flakemore</b>
Matters raised	<p>The representation requests 184 New Road, Franklin (PID: 2662403; CT: 144364/3) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is only 1 acre, sits at 130m and does not have any bushland or areas of important scenic values. The paddock surrounding the home is mowed on a regular basis. The property does not meet the Zone Application Guidelines of LCZ.</li> <li>2. Adjoining properties which boarded two sides of the property are being zoned Rural and the property surrounding the owner's boundary has more trees and natural vegetation.</li> <li>3. The Priority Vegetation Report has not been ground tested.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Franklin, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be</p>

	<p>maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>																																																																		
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154579/6	230456/1	40328/2	141849/1	154579/8																																																															
156764/1	151619/1	154579/1	144971/1	144364/3																																																															
95797/1	154579/5																																																																		
29232/1	Rural																																																																		
155370/2	Rural																																																																		
152751/2	Split zone Rural (replacing the current HVIPS Rural Resource portion) and Rural Living (replacing the current HVIPS Environmental Living portion) along the current HVIPS zone boundary.																																																																		
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.																																																																		
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.																																																																		

249.	<b>Tim Wark and Stuart Ayliffe (<i>Gray Planning</i>)</b>
Matters raised	<p>The representation requests 7495 Huon Highway, Strathblane (PID: 1795271; CT: 127603/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. There is no agricultural use of the subject site as it is entirely used and occupied for the purposes of boat building which occurs within a 740sqm shed and slipway within the subject site. The subject site is virtually level and the Industrial use and activity covers almost the entire site area. The subject site is rated as an Industrial property with its use being noted on rating details as 'Ship Building and Repair and Maintenance'.</li> <li>2. The subject site has no record of any agricultural use and has nil opportunity for any agricultural use owing to its current use and development and small size (1.5 hectares). There is agricultural use of immediately adjacent neighbouring properties to the east only. It is considered entirely inappropriate that the subject site will be covered by the highest level of agricultural zoning despite containing a recognised Industrial use and development with no agricultural potential.</li> <li>3. The proposed application of the Agriculture zone is considered entirely inappropriate when assessed against the Section 8A Guideline No.1 LPS zone and Code application guidelines and with respect to the subject site characteristics and multiple constraints identified in this representation.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the HVIPS. The spatial application of the Agriculture Zone is based on the land identified in the Land Potentially Suitable for Agriculture Zone layer published on the LIST map. The lot is identified as being Potentially Constrained Criteria 3 and is in proximity to land identified as being Unconstrained. In accordance with AZ3, RMCG undertook further investigation as to the site's suitability for inclusion within the Agriculture Zone and concluded that the most appropriate zone for the site is Rural.</p>


Recommended action	Change to Rural in the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>250.</b>	<b>Jenny Coad and Warren Innes</b>
Matters raised	<p>The representation requests 11 Spencer Street, Lymington (PID: 7255217; CT: 105227/2 and 105227/2) be zoned Rural Living A rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is impactable for Rural as it does not meet the 40-hectare minimum requirement. The property has had subdivisions approved by Council that makes Rural inappropriate under the current circumstances. Representors are currently proposing boundary adjustments that are currently considered more appropriate to the Rural Living Zone A. This zoning is consistent with good planning principles in not fragmenting the current uses of the property. It also provides strategically the opportunity for Council to plan for the extension of residential uses into a zoning that is compatible with the adjoining properties.</li> <li>2. The changed zoning to Rural will compromise the future development and current uses of the said property. The more compatible and sustainable Zone of Rural Living is more appropriate. This zone is also consistent with the current uses of the property and future expansions and uses.</li> <li>3. Also, there are issues with PID 5852149, 1492393, 7255196. All these lots are to be zoned Rural and all are under the minimum requirement of 40 hectares. All these lots have dwellings established and are of insufficient size for Rural uses. They would be of no sustainable value in the application of rural uses. Even if they were all combined, they will not meet the 40-hectare requirement.</li> <li>4. By changing to Rural Living A zone, all natural landscape values can be retained. There is no vegetation to be removed if further residential development was to occur. There is no impact on wildlife or other environment considerations. Rural Living A zone enables the existing uses of the property, recognising the limited services of natural availability of the water supply. The Rural Living A Zone will enable greater management of conflicts in land use management issues.</li> <li>5. The application of the Rural zone is not possible without the water supply to make it viable. Town water supply is not available for sustainable rural purposes.</li> </ol>


	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site's are 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:</p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots being of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, whilst it is recognised that the rezoning would provide for limited subdivision, given the land is not part of a recognised Rural Living or Environmental Living community and the proportion of lot size between 1 ha – 10 ha in the LGA, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>Accordingly, the most appropriate zone for the site's is Rural.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>251.</b>	<b>Jenny Coad and Paul Coad</b>
Matters raised	<p>The representation requests 3 Spencer Street, Lymington (PID: 7255196; CT: 26525/1) be zoned Rural Living A rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is impactable for Rural as it does not meet the 40-hectare minimum requirement. The property has had subdivisions approved by Council that makes Rural inappropriate under the current circumstances. Representors are currently proposing boundary adjustments that are currently considered more appropriate to the Rural Living Zone A. This zoning is consistent with good planning principles in not fragmenting the current uses of the property. It also provides strategically the opportunity for Council to plan for the extension of residential uses into a zoning that is compatible with the adjoining properties.</li> <li>2. The changed zoning to Rural will compromise the future development and current uses of the said property. The more compatible and sustainable Zone of Rural Living is more appropriate. This zone is also consistent with the current uses of the property and future expansions and uses.</li> <li>3. Also, there are issues with PID 7255217, 1492393, 5852149. All these lots are to be zoned Rural and all are under the minimum requirement of 40 hectares. All these lots have dwellings established and are of insufficient size for Rural uses. They would be of no sustainable value in the application of rural uses. Even if they were all combined, they will not meet the 40-hectare requirement.</li> <li>4. By changing to Rural Living A zone, all natural landscape values can be retained. There is no vegetation to be removed if further residential development was to occur. There is no impact on wildlife or other environment considerations. Rural Living A zone enables the existing uses of the property, recognising the limited services of natural availability of the water supply. The Rural Living A Zone will enable greater management of conflicts in land use management issues.</li> <li>5. The application of the Rural zone is not possible without the water supply to make it viable. Town water supply is not available for sustainable rural purposes.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site 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:</p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots being of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, whilst it is recognised that the rezoning would provide for limited subdivision, given the land is not part of a recognised Rural Living or Environmental Living community and the proportion of lot size between 1 ha – 10 ha in the LGA, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>Accordingly, the most appropriate zone for the site is Rural.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

252.	Warren Innes
Matters raised	<p data-bbox="416 302 1394 376">The representation requests 13 Spencer Street, Lymington (PID: 5852149; CT: 10477/1) be zoned Rural Living A rather than Rural.</p> <p data-bbox="416 427 839 456">Representation general comments:</p> <ol data-bbox="464 465 1394 1688" style="list-style-type: none"> <li data-bbox="464 465 1394 824">1. The property is impactable for Rural as it does not meet the 40-hectare minimum requirement. The property has had subdivisions approved by Council that makes Rural inappropriate under the current circumstances. Representors are currently proposing boundary adjustments that are currently considered more appropriate to the Rural Living Zone A. This zoning is consistent with good planning principles in not fragmenting the current uses of the property. It also provides strategically the opportunity for Council to plan for the extension of residential uses into a zoning that is compatible with the adjoining properties.</li> <li data-bbox="464 833 1394 1032">2. The changed zoning to Rural will compromise the future development and current uses of the said property. The more compatible and sustainable Zone of Rural Living is more appropriate. This zone is also consistent with the current uses of the property and future expansions and uses.</li> <li data-bbox="464 1041 1394 1279">3. Also, there are issues with PID 7255217, 1492393, 7255196. All these lots are to be zoned Rural and all are under the minimum requirement of 40 hectares. All these lots have dwellings established and are of insufficient size for Rural uses. They would be of no sustainable value in the application of rural uses. Even if they were all combined, they will not meet the 40-hectare requirement.</li> <li data-bbox="464 1288 1394 1570">4. By changing to Rural Living A zone, all natural landscape values can be retained. There is no vegetation to be removed if further residential development was to occur. There is no impact on wildlife or other environment considerations. Rural Living A zone enables the existing uses of the property, recognising the limited services of natural availability of the water supply. The Rural Living A Zone will enable greater management of conflicts in land use management issues.</li> <li data-bbox="464 1579 1394 1688">5. The application of the Rural zone is not possible without the water supply to make it viable. Town water supply is not available for sustainable rural purposes.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site 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:</p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots being of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, whilst it is recognised that the rezoning would provide for limited subdivision, given the land is not part of a recognised Rural Living or Environmental Living community and the proportion of lot size between 1 ha – 10 ha in the LGA, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>Accordingly, the most appropriate zone for the site is Rural.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria
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<b>253.</b>	<b>Eiluned Wright</b>
Matters raised	<p>The representation requests 109 Four Foot Road, Geeveston (PID: 5250949; CT:114860/1) be zoned Rural Resource rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I, owner/s of the above property would like to submit the following representation that objects to the proposed Agriculture zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of Rural Resource should be applied as it better fits with my property. As I was not made aware of this re-zoning until quite late in the process and exhibition period I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the HVIPS and is zoned Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. The lot is identified as being <i>Unconstrained</i>, adjoins land to the north, south and west identified as being <i>Unconstrained</i> and is part of a larger landholding used for agriculture purposes. RCMG undertook further investigation as to the sites suitability for inclusion within the Agriculture</p>

	Zone in accordance with AZ1 (a) and concluded the application of the Agricultural Zone was the most appropriate zone for the site.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.




<b>254.</b>	<b>Eiluned Wright</b>
Matters raised	<p>The representation requests 109 Fourfoot Road, Geeveston (PID: 5250949; CT: 114861/2) be zoned Rural Resource rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I, owner/s of the above property would like to submit the following representation that objects to the proposed Agriculture zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of Rural Resource should be applied as it better fits with my property. As I was not made aware of this re-zoning until quite late in the process and exhibition period I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol> 

	Figure 1. Site location and existing zoning
Planning Authority response	The site is zoned Rural Resource under the HVIPS and is zoned Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. The lot is identified as being <i>Unconstrained</i> , adjoins land to the north, south and west identified as being <i>Unconstrained</i> and is part of a larger landholding used for agriculture purposes. RCMG undertook further investigation as to the sites suitability for inclusion within the Agriculture Zone in accordance with AZ1 (a) and concluded the application of the Agricultural Zone was the most appropriate zone for the site.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

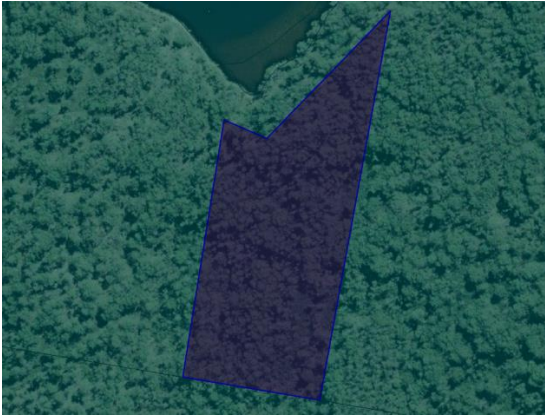
<b>255.</b>	<b>Eiluned Wright</b>
Matters raised	<p>The representation requests 109 Fourfoot Road, Geeveston (PID: 5250949; CT: 114860/2) be zoned Rural Resource rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “I, owner/s of the above property would like to submit the following representation that objects to the proposed Agriculture zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of Rural Resource should be applied as it better fits with my property. As I was not made aware of this re-zoning until quite late in the process and exhibition period I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the HVIPS and is zoned Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. The lot is identified as being <i>Unconstrained</i>, adjoins land to the north, south and west identified as being <i>Unconstrained</i> and is part of a larger landholding used for agriculture purposes. RCMG undertook further investigation as to the sites suitability for inclusion within the Agriculture Zone in accordance with AZ1 (a) and concluded the application of the Agricultural Zone was the most appropriate zone for the site.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>


<b>256.</b>	<b>Eiluned Wright</b>
Matters raised	<p>The representation requests 109 Fourfoot Road, Geeveston (PID: 5250949; CT: 114861/1) be zoned Rural Resource rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “I, owner/s of the above property would like to submit the following representation that objects to the proposed Agriculture zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of Rural Resource should be applied as it better fits with my property. As I was not made aware of this re-zoning until quite late in the process and exhibition period I am unable to engage with the appropriate legal/planning counsel at this time to address the</li> </ol>

	<p>relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the HVIPS and is zoned Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. The lot is identified as being <i>Unconstrained</i>, adjoins land to the north, south and west identified as being <i>Unconstrained</i> and is part of a larger landholding used for agriculture purposes. RCMG undertook further investigation as to the sites suitability for inclusion within the Agriculture Zone in accordance with AZ1 (a) and concluded the application of the Agricultural Zone was the most appropriate zone for the site.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>

<b>257.</b>	<b>Claire and Timothy Lovell</b>
Matters raised	<p>The representation seeks a Site Specific Qualification for Clause 22.4.3 for Lot 1 Ida Bay Road, Ida Bay (PID: 5269308; CT: 112795/1).</p>


	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners wish to build a shack on this block where the old jagger house stood, as there is still footings and a chimney standing. Other infrastructure includes the rail line running through the property.</li> <li>2. Owners believe the new zoning would only allow them to build if the property has road frontage. The property does not have road frontage and can only be accessed by the Ida Bay train or by boat. Ida bay road was a Council road that Parks boom gated and closed.</li> <li>3. The block is 16 acres in a tranquil location, if owners are unable to build on it, it is of no value at all. Owners believe they should have the same right to build as they did when the block was originally purchased.</li> <li>4. As a member of the first nations Ballawinne Aboriginal community, owners would like to be able to host community groups and meetings. To do this, they need a building of some form.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living under the HVIPS and Landscape Conservation under the Huon Valley – LPS. The site forms part of a contiguous bushland area adjoining the Ida Bay State Reserve and the Southport Lagoon Conservation Area and is on the edge of Jagers Bay.</p> <p>Vegetated hills together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. Due to the landscape values afforded by the site the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>258.</b>	<b>Darrell Bone</b>
Matters raised	<p>The representation raises concerns about the Landscape Conservation Zone at PID: 5696705; CTs: 206245/1 and 209783/1 in Judds Creek Road.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The block has many beautiful, healthy, strong gumtrees and ferns growing there. Owner may want to cut some ferns down to clear land, but 750 m<sup>2</sup> is too small. In the future, owner may want to clear more land and does not want to be restricted to such a small area. Owner does not cut down gumtrees, has cared and looked after this property for 38 years and loves the bush.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is surrounded by the Russell Ridge Conservation Area and include two valley depressions, hillsides and ridgelines. The property is part of a large continuous bushland area. The vegetated hills and valleys which frame</p>

	cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>259.</b>	<b>Jody Watkins</b>
Matters raised	<p>The representation requests 225 Scarrs Road, Garden Island Creek (PID: 5859658; CT: 10655/2) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have not had adequate opportunity to engage a planner, to properly review what the new zone means to my property and disagree with the new proposed zone change to landscape conservation. With this letter I am requesting council to accept my representation (submission) to the LPS Planning changes and that I have been included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to my property."</li> <li>2. The new change would be a detriment to subdivision by not allowing lot sizes to sit suitable with other lot sizes of Scarrs Road. This would affect the future planning owner has for the 125 acre parcel of land purchased in 2018, under which 15 acre lot subdivision is possible. Subdivision sits in-conjunction with down the track plans for the land to allow others the option of housing. Others with similar disability needs as the owner who are looking to re-connect with the natural environment and sustainable farming practices.</li> <li>3. Under the proposed zone there is a conflict of interest between environmental protections and a bush fire plan for building development on this land. This creates a grey area of understanding the new proposed zone.</li> <li>4. Under development standards for buildings and works, it states exterior finishes must have dark tones of grey, green and brown. This is not workable with the natural light tones owner would be seeking to use</li> </ol>

	<p>given the light reflection properties to bring more light to a south facing property to bring a more uplifting feel; alongside the reflective light is a must on the roof to counter the increasing hot summers and to create an energy efficient home.</p> <p>5. The building height maximum of six metres is not workable. To allow for two story house development and would sit better with rural living zone standards of 8.5 maximum.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living in the interim planning scheme. The landscape features of the site include over 90% native vegetation coverage, two main valleys running through it and an elevated topography bordering Mountain Creek Conservation Area forming a large contiguous bushland area. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate. Due to the landscape values afforded by the site and to avoid a spot zoning the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>

<b>260.</b>	<b>Angela Direen and Alan Webster</b>
Matters raised	The representation requests 1847 Pelverata Road, Upper Woodstock (PID: 5690186; CT: 217169/1) be zoned Rural Living rather than Agriculture.


	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “We, owner/s of the above property would like to submit the following representation that objects to the proposed zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. We are believe that the more appropriate zone of Rural Living should be applied as it better fits with our property. As we were not made aware of this re-zoning until quite late in the process and exhibition period I we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my/our behalf. Therefore, we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my/our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my/our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ6</i>. In accordance with AZ6 RCMG undertook further investigation as to the site's suitability for inclusion within the Agriculture Zone and determined the Agricultural Zone to be the most appropriate zone for the site.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>261.</b>	<b>Kathie Flakemore</b>
Matters raised	<p>The representation requests the Village zone be extended at 770 Glen Huon Road, Glen Huon (PID: 2886773; CT: 141195/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner would like consideration to be given to extending the section zoned Village. Approximately 32 acres of the land is Significant Agricultural Land and approximately 18 acres of the land is very poor, not suitable for growing crops etc. Most of this land has very little top soil and a base about 80mm down of a very solid cement like substance. When fencing it is very difficult and sometimes impossible to drive in a star picket. This land has only ever been grazing paddocks and is not suitable for anything else.</li> <li>2. The section proposed for the Village area to be extended to, is considered to be very close to the centre of Glen Huon, opposite the Glen Huon School and across the road from the Glen Huon Park. When one looks at it, it is very surprising that it is not already zoned Village due to its location and the quality of the land. The proposed area has a long road frontage to Main Road Glen Huon of approximately 300 metres. The benefit to the community would be huge with the possibility of creating work for local builders, engineers, plasterers, plumbers, electricians, brick layers, painters, joiners, landscapers etc. the list goes on. It would also help with the housing shortage in the area. Glen Huon does not have a shop or anything, this proposal could encourage more opportunity to happen in the town eg. shops, sporting teams etc.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> Furthermore, the land is identified as being <i>unconstrained</i> and adjoins land to the east identified as <i>unconstrained</i> in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. In accordance with AZ6, RCMG undertook further investigation as to the site's suitability for inclusion within the Agriculture Zone and determined the Agricultural Zone to be the most appropriate zone for the site. Given above and a zoning to Village requiring support by a detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the Council, the Agriculture Zone is the most appropriate zone for the site.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>262.</b>	<b>Andrew Jones</b>
Matters raised	<p>The representation requests PID: 5269324; CT: 112795/2 in Ida Bay be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is unusual in that it is surrounded by State Reserve, with access to the property by foot and rail (Ida Bay Railway) and does not have road access. The proposed re-zoning to the Landscape Conservation Zone appears to prohibit the establishment of a residential dwelling on the property, as it would be a discretionary use that requires road access to achieve an acceptable solution or meet the performance criteria for the development standards for buildings and works. There is no applicable access road.</li> <li>2. Owner is of the view that for this property, the new zoning in the State Planning Provisions that most closely corresponds to the current zone of Environmental Living in the Huon Valley IPS 2015 is the new Rural Living Zone, rather than the Landscape Conservation Zone, including for the reasons outlined below: <ol style="list-style-type: none"> <li>(a) The Rural Living Zone maintains the permitted use of residential dwelling whereas the Landscape Conservation Zone would make this discretionary or in this specific instance, more likely not permitted.</li> </ol> </li> </ol>

	<p>(b) The Rural Living Zone does not include specific requirements for road access that limit and likely prevent the establishment of a residential dwelling on the land, which is not only permitted under the current zoning but is one of the key purposes of that zone.</p> <p>(c) The Zone Purpose Statement for the Rural Living Zone is more consistent with the Environmental Living Zone. The Rural Living Zone Purpose Statement provides for residential use or development in a rural setting where services are limited; or existing natural and landscape values are to be retained. The Environmental Living Zone Purpose Statement provides for residential use or development in areas where existing natural and landscape values are to be retained, among other things. By contrast the Landscape Conservation Zone Purpose Statement does not refer to residential dwellings but rather to “compatible use and development” generally and may allow for a wider range of use and development in that zone.</p> <p>3. Owner notes the application of relevant Codes to the property is identified in the Draft LPS as follows – Natural Assets Code, Landslip Hazard Code, Coastal Inundation Code and Bushfire Prone Areas Code – and that the protection of natural and landscape values on the property would be provided through this mechanism in addition to any applicable legislation.</p> <p>4. Owner also notes as a general comment that the property appears to have previously been built on in some form. Access tracks are clearly visible on historical aerial photos, and the remains of some infrastructure including an old gate as well as garden plantings remain on the property.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living under the HVIPS and Landscape Conservation under the Huon Valley – LPS. This lot is fully vegetated and surrounded by Environmental Management zoned Ida Bay State Reserve. The property includes two portions of threatened <i>Eucalyptus viminalis</i> - <i>Eucalyptus globulus</i> coastal forest and woodland and two records of threatened forty-spotted pardalote. Approximately half the property is covered by the future</p>

	<p>coastal refugia overlay and all vegetation bar that immediately around the remanent structure is in the priority vegetation overlay. The site forms part of a contiguous bushland area and is on the edge of the Southport Narrows.</p> <p>Vegetated hills together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. Due to the landscape values afforded by the site the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>263.</b>	<b>Tasmanian Land Conservancy</b>
Matters raised	<p>The representation relates to mapping natural assets; reducing fragmentation in the landscape; consistent application of the Natural Assets Code; conservation covenants; zoning conservation covenants; future conservation covenants; and applying the Precautionary Principle.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Mapping natural assets- TLC suggests that the Huon Valley Council implement a process whereby mapping of the Natural Assets Overlays is continually revised, updated and re-evaluated. To maintain connectivity in the landscape, natural values must be understood: mapping plays a critical role. The Priority Vegetation layer must be a state-wide resource that is current and maintained. The Priority Vegetation Overlay (PVO) is an unreliable guide to vegetation status. The PVO is based on a Regional Ecosystem Model which means it is based on the predicted likelihood of occurrence of different vegetation types based on physical features of the land, occasionally but not consistently validated using aerial photography, satellite imagery or other forms of observation. All species and vegetation communities listed under the Threatened Species Protection Act, Nature Conservation Act and the EPBC Act should be included in the priority vegetation mapping. Beyond the mapping of threatened species and communities, important cross tenure landscape linkages and corridors should also be recognised. In a changing climate, priorities for nature conservation will also change and it is important for the planning system to be able to respond effectively based on current data.</li> </ol>

	<p>2. Reducing fragmentation in the landscape- Representor believes that the Natural Assets Code, and the application of the Priority Vegetation Layer, should be applied across all zones (including agriculture). The connectivity of natural values is critical to achieve conservation outcomes. Connecting habitat from the coastal or riparian zones to ridgelines enables species movement across habitats, while building resilience in the landscape. Fragmentation of natural values impacts ecological function. Permitting development or a land use incongruent with ecological health, will impact the integrity of these systems.</p> <p>3. Consistent application of the Natural Assets Code- While claiming to provide consistency, the Natural Assets Code does not apply to the agricultural zone. This must be amended as a matter of urgency. Removing planning assessment based on the conservation value of vegetation in the Agricultural Zone diminishes the role of private land in the protection of the state's natural assets and increases the level of threat to Tasmania's listed plant and animal species. To remedy this, the code also needs a full and thorough review to remove the exemptions, omissions, and terminology vagaries. Without a stronger commitment to the protection of our natural assets there will be continued fragmentation and degradation of important habitat. If the priority vegetation layer is not applied across all zones the risk of further extinctions in Tasmania will increase, while also adding more species to the endangered list. There is also a unique opportunity to apply a landscape-scale, cross-tenure approach that identifies habitat linkages, corridors and climate refugia.</p> <p>4. Conservation covenants- Tasmania currently has approximately 900 conservation covenants, protecting 110,000 hectares across a diversity of habitats. Many of these covenants are vegetation communities that are poorly protected on public land. The Huon Valley Municipal Area contains 90 properties with covenants registered under the Nature Conservation Act 2002. These covenants comprise a total area of approximately 1767 hectares within the municipal area. As an organisation with land and associated partnerships throughout the state, TLC has a strong interest in planning provisions, particularly regarding the recognition and protection of natural assets. The TLC welcomes the opportunity to provide feedback on the Huon Valley Council Local Provisions Schedule and also wishes to provide some additional general comments on the Tasmanian Planning Scheme State-wide Planning Provisions.</p> <p>5. Zoning conservation covenants- In Tasmania, privately protected land covers a smaller area than publicly protected land, but it contains a higher percentage of threatened communities. Despite this, many properties with conservation covenants on title are currently zoned rural. To ensure that the LPS properly reflects the current and future development potential of covenanted land there must be the application of an appropriate zone to the land. The TLC considers that, as a general rule, land subject to a conservation covenant ought to be zoned Landscape</p>
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	<p>Conservation Zone or the Environmental Management Zone. The purposes of these zones properly reflect the underlying purpose to which covenanted land is put – that is (respectively), to “provide for the protection, conservation and management of landscape values” (clause 22.1.1 of the TPS) and to “provide for the protection, conservation and management of land with significant ecological, scientific, cultural or scenic value” (clause 23.1.1 of the TPS) and use compatible with those purposes (clauses 22.1.2 and 23.1.2 respectively).</p> <p>6. Future conservation covenants- The TLC runs the Revolving Fund program, where property with high conservation values is bought, and an on-title conservation protection established before the land is sold. Small-scale building envelopes are often defined within the title, identifying a site where disturbance will have the lowest impact on the conservation values that are being protected. A human presence in these natural settings helps to manage the natural values. While the exact location of future Revolving Fund properties cannot currently be discerned, the planning provisions should enable small-scale, appropriate residential opportunities for these situations.</p> <p>7. Applying the Precautionary Principle- With unprecedented seasonal variations, natural systems and vegetation communities are changing. Now more than ever, good planning is needed, based on the best information available at the time. Applying current research, monitoring and mapping data is critical to ensure sustainable use. The most up to date information must inform decisions, and when we don’t have adequate information, the precautionary principle should apply.</p>
Planning Authority response	Comments noted.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>264.</b>	<b>Brendan Mitchell (CBM Sustainable Design Pty Ltd)</b>
Matters raised	The representation requests 9 Kiles Road, Castle Forbes Bay (PID: 5249542; CT: 7692/2) be zoned Rural or Rural Living rather than Agriculture and 4015 Huon Highway, Castle Forbes Bay (PID: 3005413; CT: 154922/2) be zoned Commercial or Light Industrial rather than Rural.

	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. A broad issue the representor has identified is the application of Agricultural Zone for any property that has arable land. The intent of the agriculture zone is to protect productive land, it primarily does this by restricting uses. This may be appropriate for large scheme productive farmland areas, land that is connected to irrigation or land of specifically high agricultural value but doesn't fit well to smaller properties especially those that have, or have potential for, varied uses.</li> <li>2. It is a general comment that Rural zone is a fairer zone for land that has varied use, it manages the same key interest of protecting arable land but does not prohibit all else. Surely Agriculture zone should be used sparingly and carefully. It is specifically for land that is reserved for the production of food, that is the zone purpose. Rural Zoned land also is productive in agriculture but can create space for diversity in use within the landscape and in the context of local community and industry.</li> <li>3. Similarly, the translation of Agriculture zone to properties that may be better defined as Rural Living should be questioned. Protection of food producing land is not achieved by applying the zone, much opportunity is lost for properties that are not broad acre farms. Representor's property at 9 Kiles Rd is set amongst other similar properties ranging from 1 ha to 10 ha; the local cluster of rural living homes, some with a house paddock, may be better zoned rural if not rural living.</li> <li>4. Specifically, representor notes discrepancies with zoning for their factory site 4015 Huon highway at Castle Forbes Bay. The new scheme proposes zoning that is historic rather than a planning zone reflecting the use and the manner in which the site is developed. The site is a discrete title with a significant built facility that supports industry, primarily agriculture and aquaculture, but others as well. The 1.5ha site is neither Rural nor Agricultural in scale, use, or the way it is developed. The site is commercial/ light industrial in nature and should be zoned as such, it loses its purpose if reserved for agriculture. To be zoned appropriately won't inhibit the site continuing its role in supporting agriculture and aquaculture. To be zoned according to the way it is developed and is used ensures the investment in, and the output of, this productive site is not inhibited by planning but supported.</li> <li>5. Representor notes that the natural assets code is extensively mapped with layers applied depending on zoning. The coastal refugia overlay appears to exclude residential zoned land but is triggered everywhere else. The way the code as written prohibits nearly all use, it seems to be purposed to create a new nature reserve area, much of which will be on private land. By example, representor's property at 4013 Huon Hwy has most of its future usable area subject to this overlay. The overlay will prohibit nearly all future development or use, and only based on a current land contour. This is regardless of appropriate land use, good planning or design.</li> </ol>
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6. The proposed LPS mapping has freehold titles in Environmental Management the zone assigned to national parks and reserves. This does not seem correct when the scheme provides Landscape Conservation, Low Density Living or Village for such purposes. Representor's land parcel PID 5268444 at Cockle Creek is subject to this question.
7. Representor trusts that council in preparing the LPS for the new scheme has considered the need for growth in the Municipal Area and land availability. The state scheme has clear provisions, yet it may be that the zones as mapped are more based on history of planning schemes rather than vision for the Huon. It is encouraged that council move strategically to support diversity and flexibility in land use and development, we have a choice how to map the state planning provisions to our Municipal Area, we should do so in a way that avoids restriction on industry and community.
8. A more detailed submission developed with the assistance of representor's consultants will be provided in due time.



Figure 1. Site location and existing zoning 9 Kiles Road, Castle Forbes Bay (PID: 5249542; CT: 7692/2)

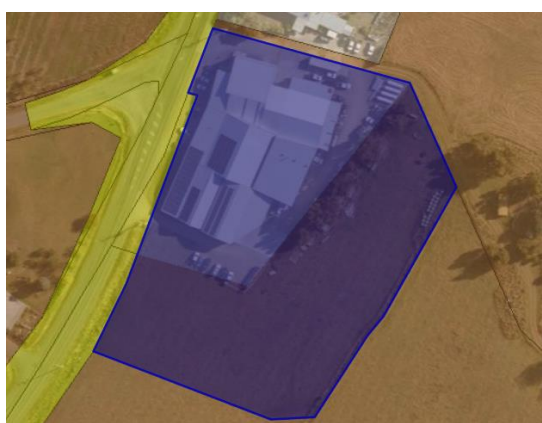


Figure 2. Site location and existing zoning 4015 Huon Highway, Castle Forbes Bay (PID: 3005413; CT: 154922/2)

Planning Authority response	<p><u>Kiles Road, Castle Forbes Bay (PID: 5249542; CT: 7692/2) be zoned Rural or Rural Living rather than Agriculture</u></p> <p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6. In accordance with AZ6 RCMG undertook further investigation as to the site's suitability for inclusion within the Agriculture Zone and determined that the Agricultural Zone was the most appropriate zone for the site.</p> <p><u>4015 Huon Highway, Castle Forbes Bay (PID: 3005413; CT: 154922/2) be zoned Commercial or Light Industrial rather than Rural.</u></p> <p>Resource processing is a permitted use in the Rural zone (no qualifications). To avoid a spot zone the Rural zone is considered to be the most appropriate zone for this site. It is noted that the site is currently split zone between Rural Resource and Significant Agriculture under the HVIPS which is reflected in the split zoned under the draft LPS of Rural and Agriculture. The planning authority has no objection to removing the split zoning and having the entire site zoned Rural under the draft LPS to provide for a permitted pathway for expansion of the of the existing use.</p>
Recommended action	Change entire site PID: 3005413; CT: 154922/2 to Rural under the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>265.</b>	<b>Port Cygnet Cannery (E3 Planning)</b>
Matters raised	<p>The representation requests a Site Specific Qualification at Rural zoned Port Cygnet Cannery, 46-60 Lymington Road, Cygnet (PID: 164743/1; CT: 164743/3 and PID: 3222178; CT: 164743/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The Port Cygnet Cannery has been developed as a hub of interconnected food, beverage, and agriculture related businesses, established with the local community in mind, a social enterprise with a strong sense of purpose. The Cannery encourages and supports small farm agriculture and related producers by supporting their people, products, and businesses. To date the Cannery has been used and developed for: <ul style="list-style-type: none"> <li>• Restaurant and function centre – principally selling produce from the region</li> <li>• Hemp Processing Facility</li> </ul> </li> </ol>

- Coffee Roasters
- Winery
- Contractors Shed

2. There is no question as to whether it is appropriate for the uses to be located on the land of the Cannery, as the uses are established albeit under the Interim Scheme. Millions of dollars have been invested, carparks constructed, stormwater treatment systems and infrastructure installed, accesses built, abandoned rundown unrepairable buildings removed, interpretation created, events and functions held, and thousands of meals served.
3. The issue is that use table 20.2 and the Use Standard for Discretionary Uses 20.3.1 within the Rural Zone, virtually prohibit the existing and intended future uses of the Cannery from occurring or being approved. It is proposed to insert the following site-specific qualification into table 20.2 of the TPS HUO:
  - (a) Food Services (Permitted)  
If at 46 and 60 Lymington Road CT 164743/3 or CT 164743/1.
  - (b) General Retail and Hire (Permitted)  
If at 46 and 60 Lymington Road CT 164743/3 or CT 164743/1.
4. The SSQ seeks to recognise the importance of the Cannery within the TPS HUO, rather than relying upon the limited provisions under the State Planning Scheme which would limit this use. The proposed SSQ would remove “discretion” and enable the Cannery to continue to evolve and develop. The use and development which may result from the SSQ would be limited to Food Services and General Retail and Hire, which are already provided for within the Use Table, albeit in a more constrained manner.
5. The SSQ would provide for the expansion of an existing strategic asset within the Huon Valley Municipal Area which would be limited or prohibited under the TPS HUO without any resulting significant impact upon surrounding properties.



Figure 1. Site location and existing zoning

Planning Authority response	<p>The planning authority does not concur that uses such as a Food Service will effectively be prohibited on the site, noting the restrictions under the Rural Resource zone are greater than the Rural Zone of the SPP's. Pursuant to section 32(3) of LUPAA an LPS may include a site-specific qualification that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.</p> <p>LUPAA limits the circumstances when a particular purpose zone, specific area plan or a site-specific qualification can be approved to those that demonstrate a:</p> <p style="padding-left: 40px;">(a) <i>significant social, economic or environmental benefit to the State, a region or a municipal area; or</i></p> <p style="padding-left: 40px;">(b) <i>a site which has particular environmental, economic, social or spatial qualities that requires a unique approach to the planning controls.</i></p> <p>Further evidence to demonstrate that the legislative requirements have been satisfied, in particular that of section 32(4) (a) or (b) of LUPAA is required before the planning authority can consider the proposed site-specific qualification as being appropriate.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>266.</b>	<b>Janet and Peter Crosbee</b>
Matters raised	<p>The representation requests 94 Rifle Range Road, Cygnet (PID: 2665129; CT: 38864/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners believe that the application of the LCZ is incorrect and the best like for like transition is from Rural Resource to Rural zoning. It is believed that the estimate of native vegetation as over 80%, based purely on spatial analysis is incorrect and in fact the property is approximately 57% protected native vegetation. Owners believe the REM model is largely untested in the Huon Valley, contains substantial overestimates of habitats and is not fit for purpose in determining zoning decisions. The topography, Natural Asset and Scenic Protection Code Overlays provides sufficient protection for any natural or scenic asset values. Owners believe Rural zoning is the best strategic use of this land for the social and economic well being of the Huon Valley. Finally, Rural Zoning is best</li> </ol>

suited to the current and historic land use of the block and is consistent with the use of other properties in the area. Application of the LCZ would make it harder to operate owner's rural business and potentially limit their ability to invest capital in important issues such as weed and pest control.

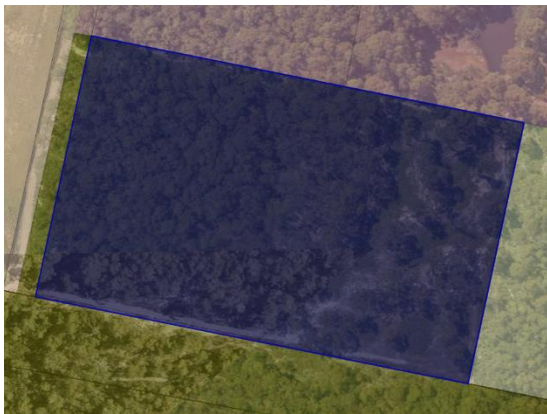
2. This submission puts 6 cases for why LCZ is either incorrectly applied or unnecessarily applied. In summary it is argued:

Observation	Impact	Argument	Outcome
LZ1 Guideline not followed	94 Rifle Range Rd does not meet LZ1 for inclusion of the LCZ	Using the REM, HVC assessed 94 Rifle Range Rd was over 80% native vegetation. This has been overestimated and in fact it is 463approx. 57.5%	The block does not meet LCZ1 and cannot be zoned LC.
Rural Zone for 94 Rifle Range Road is consistent with past, current and future use	STRLUS would encourage the most productive use of the land – which is rural	The property has been used in the past for stock grazing, commercial orchard. Currently used for sheep and goat farming. Future use as Pepperberry orchard.	The block most appropriately fits the Rural zoning
Consistent Zoning patterns are preferred within neighbouring blocks	LCZ is inconsistent with other properties in the area	Under the interim scheme and the new LPS the majority of properties on Rifle Range Rd and Guys road are not zoned LC – but more likely	The block should be zoned Rural

				Agriculture or Rural	
		Like for Like transition not applied	The block was not comparatively assessed between LCZ and RZ	When the block is assessed against RZ it meets RZ1, RZ2 and RZ3. When assessed against LCZ it does not meet the criteria.	The block should be zoned Rural
		Priority Veg Report – has not been ground tested and is wrong	Topography and Natural Asset and Scenic Code Overlays provide protection to these values	The REM is a model and has not been ground tested – it is inaccurate. Natural Asset and Scenic Protection Codes provide ample protection where it is desirable	The property has been a mix of bush and pasture/orchard for a century. Continuing as a managed farm will provide ongoing protection to the natural assets of the area.
		Threatened species can be protected without Zoning	Topography and Natural Asset and Scenic Code Overlays provide protection to these values	The REM is a model and has not been ground tested – it is inaccurate.	LCZ is not required to achieve a balance between resource development and preservation of natural assets


	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site, based on TasVeg 4.0 mapping indicates the site's native vegetation coverage is 86%. This includes a large portion of threatened Eucalyptus globulus dry forest and woodland. The lot includes a ridgeline, valleys, and hill slopes visible from Slab Road and Cygnet.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>267.</b>	<b>Patrick and Shaun Ransom</b>
Matters raised	<p>The representation requests PID: 5269519; CT: 241873/1 at Kingfish Beach Road, Southport be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “We, owner/s of the above property would like to submit the following representation that objects to the proposed zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. We believe that the more appropriate zone of Rural Living should be applied as it better fits with our property. As we were not made aware of this re-zoning until quite late in the process and exhibition period we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf. Therefore, we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The site is zoned Environmental Living in the interim planning scheme. RLZ 2(b) allows for land within the Environmental Living Zone to be considered for the Rural Living zone. The site has 100% vegetation cover, including a portion of

	<p>mapped threatened <i>Eucalyptus amygdalina</i> forest and woodland on sandstone and is part of a large, contiguous bushland area on a peninsula.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. Due to the landscape values afforded by the site and to avoid a spot zoning the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>268.</b>	<b>Danielle and Matthew Zimmerman</b>
Matters raised	<p>The representation requests 573 Police Point Road, Police Point (PID: 7428747; CTs: 33528/1, 33528/2 and 33528/3) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Referring to Section 8A Guideline No. 1 Local Provisions Schedule (LPS): <i>zone and code application</i>, owners would like to make the following comments: <ol style="list-style-type: none"> <li>LCZ 2 (a): Threatened species can be protected without zoning. LCZ is not required to achieve a balance between development and the preservation of natural assets.</li> <li>LCZ 2 (b): While it is owner's intention to appropriately preserve ecological values, the primary intention for this land is for residential use. This is evidenced by the current active Development Approval.</li> <li>LCZ 4 (a): As above, the priority for this land is for residential use and small-scale development. While two of the three titles have more bush coverage, they are operated as one. This is evidenced by an entrance that goes across the boundary between two titles, and a driveway that goes along all three titles, as well as current Development Approval on the central title. Therefore, the use of the primary title for residential use (33528/2), directly impacts the zoning for all three titles.</li> </ol> </li> </ol>

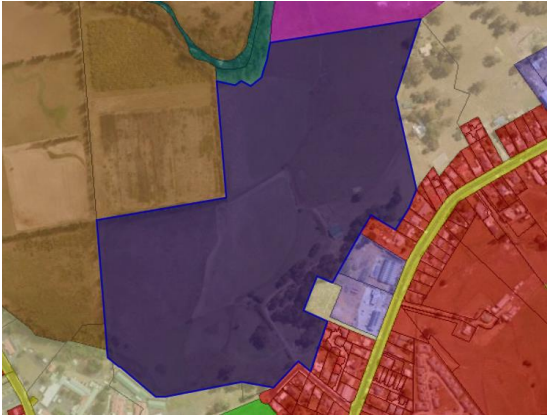

	<p>(d) RLZ 1 (a): Historically, the land has been used for livestock grazing, potato farming and tulip farming. The property also already has two dams, created during previous farming use of the land. Owner's intended use for the property is a mixture of residential and lower order rural activities (e.g. appropriately managed hobby farming).</p> <p>(e) RLZ 2 (b): The land is currently within the Environmental Living Zone in an interim planning scheme, and the primary strategic intention is for residential use and development within a rural setting (e.g. limited services).</p> <p>(f) RLZ 4 (b): From the priority vegetation reports for the relevant titles, for the overlay on the southern two titles (33528/2 and 33528/3), owners believe the priority vegetation area (PVA) should be removed where it relates to '(NAD) Acacia dealbata forest'. The stand of silver wattle on our property is more likely degraded former E. obliqua forest, as per the adjacent mapped eucalypt forest, (degraded by previous farming, resulting in some trees recolonising under managed pasture), and not the under-represented NAD ecosystem identified by the Regional Ecosystem Model on which the PVA overlay is based. Each of these titles have a dam from former farming use, evidencing prior degradation, and minimising the likelihood of the PVA still being relevant. Areas of bushland or native vegetation can be protected without zoning. LCZ is not required to achieve a balance between development and the preservation of natural assets. Balance can be achieved through appropriate management, application, and operation of the relevant codes.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape</p>

	<p>values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Police Point, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>																																																																						
Recommended action	<p>Include this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. Specific lots include:</p> <table><tr><td>119908/1</td><td>200641/1</td><td>155404/6</td><td>28070/9</td><td>105710/1</td></tr><tr><td>109457/5</td><td>142096/1</td><td>28070/12</td><td>30128/7</td><td>125750/3</td></tr><tr><td>28070/15</td><td>115370/1</td><td>28070/10</td><td>131668/1</td><td>142096/6</td></tr><tr><td>28070/11</td><td>28070/3</td><td>28070/8</td><td>131668/2</td><td>249930/1</td></tr><tr><td>169211/1</td><td>40745/2</td><td>33528/6</td><td>24422/1</td><td>33528/3</td></tr><tr><td>212369/1</td><td>44038/1</td><td>170686/1</td><td>28070/14</td><td>109457/4</td></tr><tr><td>33528/2</td><td>29768/1</td><td>159372/2</td><td>28070/7</td><td>169211/2</td></tr><tr><td>149479/1</td><td>30128/6</td><td>159362/1</td><td>33528/1</td><td>149479/2</td></tr><tr><td>39100/1</td><td>152177/1</td><td>159372/3</td><td>157053/1</td><td>28070/1</td></tr><tr><td>52924/1</td><td>33528/4</td><td>40745/1</td><td>33528/5</td><td>152176/1</td></tr><tr><td>125750/2</td><td>105711/1</td><td>28070/2</td><td>44038/4</td><td>142096/2</td></tr><tr><td>125750/1</td><td>39100/3</td><td>28070/4</td><td>118218/1</td><td>142096/3</td></tr><tr><td>28070/16</td><td>31370/2</td><td>155404/5</td><td>245000/1</td><td>159372/1</td></tr><tr><td>28070/13</td><td>170686/2</td><td></td><td></td><td></td></tr></table>	119908/1	200641/1	155404/6	28070/9	105710/1	109457/5	142096/1	28070/12	30128/7	125750/3	28070/15	115370/1	28070/10	131668/1	142096/6	28070/11	28070/3	28070/8	131668/2	249930/1	169211/1	40745/2	33528/6	24422/1	33528/3	212369/1	44038/1	170686/1	28070/14	109457/4	33528/2	29768/1	159372/2	28070/7	169211/2	149479/1	30128/6	159362/1	33528/1	149479/2	39100/1	152177/1	159372/3	157053/1	28070/1	52924/1	33528/4	40745/1	33528/5	152176/1	125750/2	105711/1	28070/2	44038/4	142096/2	125750/1	39100/3	28070/4	118218/1	142096/3	28070/16	31370/2	155404/5	245000/1	159372/1	28070/13	170686/2			
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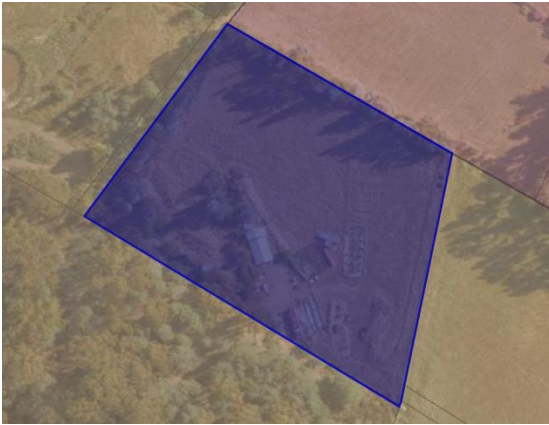
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>269.</b>	<b>Adam Crane (E3 Planning)</b>
Matters raised	<p>The representation requests to zone approximately 8,452m<sup>2</sup> of land at 12 Walton Street, Huonville (PID: 3306865; CT: 167352/2) General Residential rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This submission seeks to zone the portion of the Property which is subject to the Settlement Limit of the Huonville and Ranelagh Structure Plan. The Property is approximately 26ha and contains an existing farm shed with a footprint of approximately 500m<sup>2</sup>. It shares a common boundary with approximately 1km of land zoned General Residential, Community Purpose (Cemetery and High School) and Commercial. It is the largest individual parcel of land which is connected to the township of Huonville.</li> <li>2. The area proposed to be zoned General Residential is immediately adjacent to land zoned General residential, is serviced with water, sewer, and roads. The balance of the title would remain available for agricultural uses and no potential land use conflicts other than those already existing would be created by the proposed zoning change.</li> <li>3. The Property contains no prime agricultural land and is not within an irrigation district. The proposed rezoning would not confine or restrain agricultural use on the balance land or in the surrounding area as all potential land use conflicts already exist. The area proposed to be zoned General Residential is relatively small when compared against the size of the overall Property. The best and most efficient use of the land is General Residential, and the land should be zoned as such.</li> <li>4. Flooding- Only a minor portion of the area proposed to be zoned General Residential is subject to the 1 in 100-year ARI flood and this area is so small that it would not prevent a residential dwelling being constructed on any new property created.</li> <li>5. Waterway and Coastal Protection Area- The Waterway and coastal protection area covers as small portion of the land proposed to be zoned general residential. The drains are normally dry and do not contain any aquatic flora or fauna.</li> <li>6. Stormwater- There are two parallel drainage channels through the Property. These channels cross Wilmot Street and join the Huon at Waltons Inlet. Any future subdivision would be serviced by a gravity</li> </ol>

	<p>stormwater system discharging to the Waltons Inlet drain or directly to Mountain River.</p> <p>7. Sewerage- A sewer main is located within Walton's Road 50m from the Property and provision would be made as part of any future subdivision application to connect to this sewer main.</p> <p>8. Water- The site is serviced with town water.</p> <p>9. There are three Strategic Planning Studies which support the proposed zoning change, these are: <i>Huon Valley Land Use Development Strategy</i>, <i>Huonville/Ranelagh Structure Plan</i> and <i>Southern Tasmanian Regional Land Use Strategy</i>.</p> <p>10. Huon Valley Land Use Development Strategy (Strategy):</p> <p>(a) Housing needs-</p> <ul style="list-style-type: none"> <li>i. The proposed zoning change has over 500 metres of frontage to a Council maintained road and is fully serviced with water and sewer. The land is less than 600m (walking distance) from the Huonville supermarket, services, and facilities, it would maximise and utilise existing infrastructure and community services.</li> <li>ii. Walton Road has a 6-metre seal and is connected to Council's stormwater infrastructure, and it is currently underutilised as there are only residential dwellings on the southern side of the road.</li> <li>iii. Housing growth would be focused within the serviced settlement of Huonville. The proposed zoning change seeks to zone land to General Residential as identified within Huonville/Ranelagh Structure Plan and the Huonville Land Use and Development Strategy. The extent of the proposed zoning change has been defined by the Settlement Limit within the Structure Plan.</li> <li>iv. The proposed zoning change would provide for infill development immediately adjacent to an existing developed residential area. The Property has a common boundary with land zoned Commercial. The land has approximately 100m of frontage to a Council maintained road and is fully serviced in terms of water, sewer, and stormwater.</li> </ul> <p>11. Huonville/Ranelagh Structure Plan:</p> <p>(a) The zoning change would provide for a maximum of 18 residential allotments which would maximise the utilisation of existing services and facilities, partly satisfying the requirement for an additional 188 dwellings. As outlined above the proposal would promote infill development in an area which is not subject to flooding.</p> <p>12. Southern Tasmanian Regional Land Use Strategy (STRLUS):</p> <p>(a) STRLUS classifies a high growth strategy as – a 20%-30%. At the 2016 Census there were 861 private dwellings accommodating 1,840 residents. A 20% growth rate would necessitate an increase of 172 dwellings. A 30% growth rate would necessitate an increase of 258 dwellings. The proposed zoning change would satisfy some of this</p>
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	<p>expected growth and assist in delivering the Growth Management Strategy for Settlements of STRLUS.</p>  <p>Figure 1. Site location and existing zoning</p>  <p>Figure 2. Site location and proposed zoning change</p>
<p>Planning Authority response</p>	<p>The is zoned Significant Agriculture under the HVIPS and Agriculture under the draft LPS. In accordance with GRZ1 the zone should be applied to the main urban residential areas within each municipal area and may be applied to greenfield area if identified for future urban residential use and development. Neither of these guidelines are satisfied and LU13 of the Huonville Ranelagh Master Plan 2019 specifically identifies the importance of having urban development, which would include a General Residential zone to be retained within the Urban Growth Boundary to create a clear town boundary that provides a clear visual boundary for the town and protects surrounding agricultural land. This land is outside of this Urban Growth Boundary and accordingly is inconsistent with land use direction 13 of the Master Plan.</p> <p>The requested rezoning lacks strategic justification and accordingly the most appropriate zone for the site is Agriculture.</p>
<p>Recommended action</p>	<p>No modification to the draft LPS is required.</p>

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>270.</b>	<b>Corinne and Steven Coombs</b>
Matters raised	<p>The representation requests Lot 1 Temperance Land, Franklin (PID: 1929487; CT: 100190/1) remained zoned Rural Resource rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. “We, Corinne and Steven Coombs, owners of the above property would like to submit the following representation that objects to the proposed rural zoning as put forward by council as part of the advertised draft Local Provisions Schedule submission. We believe that the more appropriate zone of rural resource should remain as it fits better with our property. As we were not made aware of this rezoning till 21st May (your letter dated 3rd may!), I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf! Therefore we shall be abstaining from making further comment other than requesting that our objection and to the above zone change, and that we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission’s hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The representation includes no substantive request for a change to a component of the Local Provision Schedule. The site is zoned Rural Resource under the HVIPS and Rural under the Huon Valley – LPS.

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>271.</b>	<b>Cygnet Living History Museum</b>
Matters raised	<p>The representation relates to the proposed removal of the Scenic Road Corridor at Channel Highway, Cygnet.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Land use planning plays an important role in maintaining the character and amenity of the township and surrounds, and the museum committee notes with concern the proposed removal of the 60m wide Scenic Road Corridor on the south side of the Channel Highway immediately south of Cygnet.</li> <li>2. In the Huon Valley Interim Planning Scheme 2015 the Scenic Corridor protects the spectacular view that is presented to all road users as they leave Cygnet to travel south on the Channel Highway, and is one of the iconic views of Port Cygnet that is portrayed on postcards. It is in fact the only extensive view of the waterway from the Channel Highway southern of Cygnet.</li> <li>3. With reference to the Tasmanian Planning Scheme – Huon Valley Draft LPS HUO-C8.2.15, the rationale for the Scenic Road Corridor is provided by the following statements, and, regarding the section of the Channel Highway from Cygnet to Gardners Bay, the Management Objectives are consistent with maintaining the Scenic Road Corridor: <ul style="list-style-type: none"> <li>(a) <i>to provide and maintain view corridor along the road alignment that enhance the traveller experience, through the setback of buildings from the road corridor and minimising building bulk in proximity to the road;</i></li> <li>(b) <i>That development and works minimises visual obtrusion to prominent view lines to visually significant and notable local landforms, water forms vegetation and/or cultural features such as the Huon River and other significant landmarks.</i></li> </ul> </li> <li>4. Further support for maintaining this section of the corridor is provided in the Scenic Value, with particular reference to Port Cygnet, through the following criteria: <ul style="list-style-type: none"> <li>(a) <i>The Scenic Road Corridor between Cygnet and Deep Bay provides opportunities to view Port Cygnet and floodplains in the foreground, middle-ground and background</i></li> </ul> </li> </ol>

	<p><i>(b) Views to Port Cygnet (and the Huon River) provide opportunities for observation of wildlife, including migratory birds (Note that flocks of black swans are often to be seen in winter, grazing in the area covered by this section of the Scenic Road Corridor).</i></p> <p><i>(i) Views to the surrounding vegetated hills, peaks and mountains enhance the scenic value of the corridor.</i></p> <p>5. The waterway of Port Cygnet is the most important visual and historical feature of the area, and was for many years the only practical transport route to and from the township and surrounding areas, and there were numerous jetties in prominent positions.</p> <p>6. There are currently no significant buildings within this section of the Scenic Road Corridor and it is therefore a particularly important part of the traveller experience. Its importance to the cultural heritage of Cygnet and Port Cygnet should be recognised by maintaining the Scenic Road Corridor, as it was in the Huon Valley Interim Planning Scheme 2015.</p> <p>7. The committee of the Cygnet Living History Museum emphasises the cultural and historical importance of this view of Port Cygnet and requests that the Scenic Road Corridor along the Channel Highway be maintained for the benefit of local residents and visitors to this beautiful region.</p>
Planning Authority response	<p>The scenic road corridor can only be applied to:</p> <ul style="list-style-type: none"> <li>a) Rural Living Zone</li> <li>b) Rural Zone;</li> <li>c) Agriculture Zone;</li> <li>d) Landscape Conservation Zone;</li> <li>e) Environmental Management Zone; or</li> <li>f) Open Space Zone</li> </ul> <p>Accordingly, it's removal from the land zoned Future Urban was undertaken in accordance with SPC3.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>272.</b>	<b>Robyn Trewarn (<i>Homelands Real Estate</i>)</b>
Matters raised	<p>The representation requests 109 Cygney Coast Road, Petchey's Bay (PID: 1464093; CT: 38413/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p>

	<p>1. "I/We, owner/s of the above property would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of Rural should be applied as it better fits with my property. As I we were not made aware of this re-zoning until quite late in the process and exhibition period I am/we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p>


	<p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site has substantial vegetation coverage, is adjacent to the coastline and Fossil Beach/Poverty Point, includes a portion of threatened Eucalyptus globulus dry forest and woodland and is entirely constrained by the Priority Vegetation overlay. Sections of the Future Coastal Refugia and Waterway and Coastal Protection overlays extend across parts of the property.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>273.</b>	<b>Lauren Abbot and Daniel Cupitt</b>
Matters raised	<p>The representation requests 123 Waggs Gully Road, Ranelagh (PID: 1871895; CT: 118227/14) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is less than 80% native vegetation, and therefore does not meet the selection criteria for Landscape Conservation zoning.</li> <li>2. Owner's house (built in 2004) is on a residential street in a rural area. Every property on the street, including owner's, is primarily used as a place for people to live. Therefore the priority of the property, like neighbouring properties, is for residential use and development. Residential development is therefore the clear priority of our property and therefore Landscape Conservation is not the correct zoning for our property.</li> <li>3. The guideline states that "The Landscape Conservation Zone is not a large lot residential zone in areas characterized by native vegetation cover and other landscape values" (22.0, page 20). The property, along</li> </ol>

	<p>with every house on the road can perfectly be described as 'large lot residential in an area characterized by vegetation cover and other landscape values'. Therefore, Landscape Conservation Zoning is not appropriate for the property.</p> <ol style="list-style-type: none"> <li>4. The property is in a non-urban area and it has minimal to no potential for agriculture due to the slope/landslip overlay. It is not more appropriately included in the Landscape Conservation Zone because it is a large lot residential zone with landscape values, which is specifically excluded from the LCZ as quoted above. Therefore, according to "the guidelines", it should be zoned as Rural, which is the zoning that has been applied to every other house on our street except one.</li> <li>5. Owner's double story house is more than 6m high and the TPS states that "the building height must not be more than 6m high" in a LCZ (page 232, 22.4.2 A1). Therefore the existing dwelling is not permitted in Landscape Conservation zoning.</li> <li>6. The property is very similar in geographic features and usage as every other property on the street zoned Rural. If "like for like" conversion is to be applied, and if spot zoning is to be avoided, the property should be zoned Rural.</li> <li>7. The property has no scenic overlays, no site specific area plans, no site specific qualification and no local area objectives. The property shares two out of three boundaries with a massive private timber reserve which will be logged to the ground when the crops are ready. The property has been historically used as a dumping ground, with piles of rubbish and machinery poking through the foxglove near the supposedly valuable creek.</li> <li>8. As for the property being part of a valuable area of native vegetation greater than 20ha, the property only shares a single boundary with one neighbour who also shares a single boundary with the native vegetation area in question. The logical place for the Landscape Conservation Zoning to begin is after the last two houses on Waggs Gully Road (123 and 122), rather than zoning two houses differently to every other house on the road.</li> <li>9. Furthermore, the bushland on the property is already protected by Priority Vegetation and Waterway overlays, so any further development/clearing is already at the discretion of the council. Therefore, Landscape Conservation zoning has no conservation benefit to the land.</li> </ol>
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	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Planning Authority does not concur that the Rural Resource zone and the Rural zone are a like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a hillside and includes a ridgeline and slope depression with a class 3 waterway dissecting the property. It is mapped as having 90% native vegetation coverage. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>274.</b>	<b>Elizabeth Smith</b>
Matters raised	<p>The representation requests 7354 and 7332 Channel Highway, Cygnet (PID: 9265537; CT: 142190/3 and PID: 2679029; CT: 142190/4) be zoned Landscape Conservation rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner has revegetated the land with native plantings and has developed the two small titles for residential use. Much of the area of both properties is now covered by local native vegetation, with sufficient fire hazard reduction areas around the houses (BAL 19).</li> <li>2. The proposed zoning of these properties is not consistent with the Zone Purpose (SPP) for the Agricultural Zone in the LPS. However, land use of these properties is consistent with the Zone Purpose for the Landscape Conservation Zone (to provide for the protection, conservation and management of landscape values), especially since both properties are entirely within the Scenic Road Corridor for the Channel Highway at this site.</li> <li>3. Owner submits that under the Local Provisions Schedule the Landscape Conservation Zone is the most appropriate zone that is consistent with the provisions under section 35E of the Land Use Planning and Approvals Act 1993.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>


Planning Authority response	<p>The sites are zoned Rural Resource under the HVIPS and Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. In accordance with AZ1(a) RMCG undertook further investigation and determined the Rural Zone is the most appropriate zone for the site.</p> <p>Regarding the application of the Landscape Conservation Zone, both properties have been cleared for residential purposes, contain little native vegetation and have no connection to a broader Landscape Conservation zoned area.</p>
Recommended action	Change 167889/3, 142190/3, 142190/4 to Rural under the draft LPS.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>275.</b>	<b>Lachlan Kranz and Madeleine Gasparinatos</b>
Matters raised	<p>The representation requests 54 Turners Road, Cradoc (PID: 5857089; CT: 9337/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The representation is based on the application of two reports: <i>Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones (2018)</i> and <i>Agricultural Land Mapping Project - Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone (2017)</i>. In summary of the reports as they apply to the property: <ol style="list-style-type: none"> <li>(a) 54 Turners Rd, Cradoc is mapped as <i>Potentially Constrained (2B)</i> in the <i>Land Potentially Suitable for Agriculture</i> layer established by the <i>Agricultural Land Mapping Project - Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone</i>. Titles that are mapped as Potentially Constrained (2A, 2B or 3) in the Land Potentially Suitable for Agriculture layer are intended to be investigated by Council to determine which zone (Ag or Rural) is more appropriate.</li> <li>(b) 54 Turners Rd, Cradoc has draft zoning Agriculture applied due to its current zoning of Significant Agriculture under the <i>Huon Valley Council Interim Planning Scheme 2015</i> however Council has not investigated the appropriateness of the Agriculture zoning for this title.</li> </ol> </li> </ol>

2. Section 3.2 6 (e) of the *Agricultural Land Mapping Project - Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone* provides a pathway for 54 Turners Rd, Cradoc to be alternatively zoned by taking account of economic and physical constraints such as soil productivity, lot size, capital value and connectivity. To consider these constraints, owners submit the characteristics of the property against the decision tree for agriculture value as follows:

Characteristics of the title	Agriculture value of property
Title size	Low value: - Smaller size (13 ha).
Development on the title	Low value: - House on site with a new architectural residential development completed in 2021. - Aged farm infrastructure (shed and fencing) is in disrepair and dates to the 1960's when the title was an apple orchard. All irrigation was removed when the orchard was decommissioned and the dam does not hold water through summer.
Connectivity. Other than non-agricultural developments topographical constraints, reserves, threatened vegetation, major water courses and roads, steep slopes, swampy ground etc can limit connectivity.	Low value: - Adjacent agriculture titles are small and all are encumbered by existing dwellings. - Huon Valley Councils Regional Ecosystem Model shows both potential threatened fauna habitat and threatened vegetation communities overlaying approximately 1/3 of the title area. - Immediate interface with Priority Vegetation Areas on five adjoining titles.
Current and potential use	Low value: - Current sheep grazing DSE is 49.5 with a DSE/ha of 7.07. This is orders of magnitude below commercially viable stocking numbers.


			<ul style="list-style-type: none"> <li>- Potential agricultural uses are significantly fettered by existing residential developments on all adjoining titles draft-zoned as Landscape Conservation.</li> <li>- This title was not viable as an apple orchard as part of a much larger farm last operated in the 1960's. It has subsequently had failed attempts at commercial Blueberry and Hazelnut growing in the 80's/90's.</li> </ul>
	Land capability		Low value: <ul style="list-style-type: none"> <li>- Mapped as LC5 which is defined as "Land unsuited to cropping and with slight to moderate limitations to pastoral use."</li> <li>- As demonstrated against current and potential use, the low grazing DSE of the property shows a significant limitation on the one agricultural use defined for LC5.</li> </ul>
	Water available for irrigation		Low value: <ul style="list-style-type: none"> <li>- No irrigation resource.</li> </ul>
	Regional context		Low value: <ul style="list-style-type: none"> <li>- Isolated from labour, facilities and markets. Huon producers have identified access to pickers is a worsening situation with larger growers relying on international labour hire while many smaller growers have left crops on the tree in the 2022 season for want of pickers.</li> </ul>
<p>3. The table above demonstrates that clauses (i) and (ii) of Section 3.2 6 (e) of the <i>Agricultural Land Mapping Project - Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone</i> are met as the land is low value for agriculture and constrained on every economic and physical measure. Owners believe this demonstrated low agricultural viability means the property is better providing for rural support industry/residential and therefore the title should be zoned Rural.</p>			

	<p>4. Whilst this is demonstrated for the single title, owners understand achieving a consistent zoning pattern is a State priority as discussed within Table 4 of the <i>Zoning Guidelines</i> section of <i>Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones (2018)</i>. This sets out that “to avoid spot zoning of individual titles a minimum of 3 titles should be investigated (depending on size and scale of titles) for a zone.” Owner’s immediate neighbour at 111 Turners Road (PID 9958033) presents as a fragmented single title zoned as Rural, sitting between Agriculture and Landscape Conservation zoned land. Zoning 54 Turners Road and 100 Turners Road (PID 5857118) as Rural would remove this spot zone, creating a 3-title group of PIDS, 5857118, 9958033 and 5857089 zoned Rural with the added benefit of providing a buffer between Landscape Conservation and existing Agriculture on titles at Lot 1 Turners Rd and Armstrong’s Road Cradoc.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6</i> . In accordance with AZ6 RCMG undertook further investigation as to the CT’s suitability for inclusion within the Agriculture Zone and determined that CT 9337/1, CT 237651/1 and CT 149629/1 should be zoned Rural.
Recommended action	Change CT 9337/1, CT 237651/1 and CT 149629/1 to Rural Zone in the draft LPS.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

276.	Sharee Burgess
Matters raised	<p>The representation requests 109 Esperance Coast Road, Surges Bay (PID: 7744811; CT: 104331/6) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I am the owner of the above property and would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of Rural Living Zone should be applied as it better fits with my property. As I was not made aware of this re-zoning until quite late in the process and exhibition period I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that I invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p>


	<p>In reviewing this representation received and others in the Environmental Living Zone of Surges Bay, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and majority of the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (D).</p>																																																																																
Recommended action	<p>Change site to Rural Living D in draft LPS together with the following titles:</p> <table><tr><td>125584/9</td><td>101367/1</td><td>118988/7</td><td>156601/6</td><td>138584/4</td></tr><tr><td>118988/6</td><td>138584/2</td><td>149578/1</td><td>156601/4</td><td>104331/2</td></tr><tr><td>172577/12</td><td>172577/11</td><td>33048/4</td><td>159437/2</td><td>156601/8</td></tr><tr><td>156601/3</td><td>33048/2</td><td>156601/2</td><td>104331/1</td><td>135217/1</td></tr><tr><td>26693/1</td><td>45391/4</td><td>143569/1</td><td>125584/13</td><td>25020/1</td></tr><tr><td>228201/3</td><td>104331/4</td><td>111336/1</td><td>125584/1</td><td>200380/1</td></tr><tr><td>159437/4</td><td>125584/14</td><td>104331/6</td><td>104331/5</td><td>159726/1</td></tr><tr><td>125584/3</td><td>125584/7</td><td>159726/2</td><td>125584/2</td><td>45391/5</td></tr><tr><td>125584/8</td><td>30990/1</td><td>33553/2</td><td>33553/3</td><td>45391/1</td></tr><tr><td>156601/1</td><td>138584/1</td><td>45391/3</td><td>33553/4</td><td>125584/4</td></tr><tr><td>159437/5</td><td>148064/2</td><td>159437/3</td><td>156601/7</td><td>156601/9</td></tr><tr><td>33048/1</td><td>156601/5</td><td>125584/5</td><td>26693/2</td><td>143569/2</td></tr><tr><td>109631/1</td><td>104331/3</td><td>232952/1</td><td>45391/8</td><td>109629/1</td></tr><tr><td>135836/1</td><td>156940/9</td><td>143569/3</td><td>142280/10</td><td>125584/10</td></tr><tr><td>45391/2</td><td>148064/1</td><td>33048/3</td><td>138584/3</td><td>125584/6</td></tr><tr><td>101367/2</td><td></td><td></td><td></td><td></td></tr></table>	125584/9	101367/1	118988/7	156601/6	138584/4	118988/6	138584/2	149578/1	156601/4	104331/2	172577/12	172577/11	33048/4	159437/2	156601/8	156601/3	33048/2	156601/2	104331/1	135217/1	26693/1	45391/4	143569/1	125584/13	25020/1	228201/3	104331/4	111336/1	125584/1	200380/1	159437/4	125584/14	104331/6	104331/5	159726/1	125584/3	125584/7	159726/2	125584/2	45391/5	125584/8	30990/1	33553/2	33553/3	45391/1	156601/1	138584/1	45391/3	33553/4	125584/4	159437/5	148064/2	159437/3	156601/7	156601/9	33048/1	156601/5	125584/5	26693/2	143569/2	109631/1	104331/3	232952/1	45391/8	109629/1	135836/1	156940/9	143569/3	142280/10	125584/10	45391/2	148064/1	33048/3	138584/3	125584/6	101367/2				
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Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>277.</b>	<b>Isabella and Derek Muir-Kelly</b>
Matters raised	<p>The representation requests 92 Cross Road, Lucaston (PID: 2680011; CT: 145287/1) be zoned Rural Living rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. At present, the property is visually split into 2 sections. One half has a main shed, family home and a few small outbuildings. The second half is cleared paddock with a hay shed. Owner's plan has always been to split the 5 acres into 2.5 acres with 2 titles. This will allow owners to build a new future dwelling.</li> <li>2. Owner's plan to subdivide the paddock will not affect surrounding neighbours or have any impact on the area. There is easy access, would not be blocking anyone's view, and the land is already cleared, adding to minimal disruption. The property is also surrounded by a built-up road and infrastructure.</li> <li>3. The property's proximity is close to Crabtree which also houses many smaller blocks. There is also a massive new smaller block subdivision in the Grove area. There have also been much smaller subdivisions approved in the Lucaston township further South along Cross Road.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>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:</p> <p>(a) <i>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</i></p> <p>(b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></p>

	<p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots being of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, whilst it is recognised that the rezoning would provide for limited subdivision, given the land is not part of a recognised Rural Living or Environmental Living community and the proportion of lot size between 1 ha – 10 ha in the LGA, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>Accordingly, the most appropriate zone for the site is Rural.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>278.</b>	<b>Cui Junting and Jingyuan He</b>
Matters raised	<p>The representation requests 230 Crouchs Hill Road, Lucaston (PID: 5694996; CT: 169521/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners believe the more appropriate zone of Rural Living should be applied as it better fits with the property.</li> <li>2. Owners have talked with neighbours along the Crouchs Hill Road and have come to an agreement on it- see representation 398.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme and proposed to be zoned Landscape Conservation under the Huon – Valley - LPS. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a hillside and is near fully vegetated, bar a clearing for a dwelling. Ridgelines and a slope depression are included on the property. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. Furthermore, due to the number of lots in the LGA that are between 1 ha and 10 ha any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>279.</b>	<b>Ivette Mendoza</b>
Matters raised	<p>The purpose of the representation acknowledges the merits of the draft as per the Huon Valley Council Dos and Don'ts; asks for clarification in regards to Local Provision Schedule (LPS) and consistency with State Planning Provisions (SPPs) and seeks clarification regarding the Existing Use Rights as per The Land Use Planning and Approvals Act 1993.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Merits of the Draft- The Huon Valley Council is working in partnership with the Tasmanian Planning Authority to find solutions to the current housing crisis, the potential growth in Tasmania's population and to provide for appropriate levels of development that maintain the amenity of the area while developing the local economy.</li> <li>2. Clarification in regards to Local Provision Schedule (LPS) and consistency with State Planning Provisions (SPPs)- Giving the example of Port Huon re-zoning as General Residential and future Urban, which is included in the current draft, how are provisions of the draft LPS , consistent with State Planning Provision (SPPs)?</li> <li>3. Clarification in regards to Existing Use Rights as per The Land Use Planning and Approvals Act 1993- How the residents of the proposed re-zoning may exercise their existing use of rights as per The Land Use Planning and Approvals Act 1993; considering the following points: <ol style="list-style-type: none"> <li>(a) Many residents expressed surprise, as they were unaware the zoning was being reviewed, and some residents only received letters 2 weeks prior to the closing date of the consultation extension time of 31' May 2022.</li> <li>(b) Many of the residents of the proposed zoning are not computer aware. Most of the information the Huon Valley Council is providing to the community regarding the re-zoning is in digital form - not in hard copy printed format, the hard copy format is very limited (only one sample at the Huon Valley Council Chambers)</li> <li>(c) Many of the residents of the proposed re-zoning are rich in land/house assets but not in liquid assets (money). The Pandemic has left many residents depleted of liquid assets such as savings, even worst, financially stressed: in debt.</li> </ol> </li> </ol>

	<p>(d) The council recommends the use of a planning consultant to prepare representations that are acceptable, engaging such professionals is out of the reach for many financially stressed residents of the proposed re-zoning.</p> <p>Can please the Huon Valley Council provide evidence on how the draft local provision will allow residents the right to express the existing use of right as per The Land Use Planning and Approvals Act 1993 considering the above mentioned points?</p> <p>4. Proposal:</p> <p>(a) That the Huon Valley Council engaged planning consultants that can provide consistency with SPPs specific to general provision 7.1.2, 7.1.3, 7.2 and 7.2.1;</p> <p>(b) That these consultants be trained in PERMACULTURE DESIGN as per United Nations guidelines;</p> <p>(c) That the Huon Valley Council engaged experts such as the Global Ecovillage Network (GEN) and GAZA University to provide localised advice on how to link the IPS overlays and ILS overlays to the draft LPS appendices to provide consistency with the SPPs.</p> <p>5. Strategic merit to the proposal:</p> <p>(a) This proposal will contribute positively to provide answers to the current need to the housing crisis. Ecovillages, transitions towns and co-housing projects contributes to the target of SPPs.</p> <p>(b) The proposal will help to deliver on another Government objective, election or charter letter commitment or statutory requirement. Ecovillages, transitions towns and co-housing projects contributes to the target of developing consistency of the LPS in relation to SPPs.</p> <p>6. Consultation- External and Internal stakeholders (local planning consultants, expert planning consultants, community, businesses) and NSW Government Agencies (Local Government and State Government).</p> <p>7. Risks and mitigation- social unrest and desecration of the natural environment is a risk. Involving the community in the consultation process and make sure LPS consistent with SPPs can mitigate the risk.</p>
Planning Authority response	The comments of the representation are noted.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

280.	M and G Miller
Matters raised	<p>The representation requests part of 39 Bolton Road, Raminea (PID: 1777356; CT: 235763/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The vegetation is predominately stringybark (<i>Eucalyptus obliqua</i>), silver wattle and dogwood. None of these species are listed in Schedule 3A of the Nature Conservation Act 2002. No species listed under Schedule 3A of the Nature Conservation Act 2002 are present on this block of land.</li> <li>2. Interrogation of the Tasmanian natural Values Atlas Search Map reveals: <ol style="list-style-type: none"> <li>(a) That there are no verified sightings of the Eastern barred bandicoot in the Raminea area although there have been numerous sightings in the Dover area.</li> <li>(b) There has been 1 verified sighting of a Tasmania devil west of the property, in a region controlled by Forestry Tasmania.</li> <li>(c) There is no data available for the Spotted-tail quoll.</li> <li>(d) The Eastern quoll is recorded as being within 5km of the property, with a verified sighting on the southern side of the Esperance River approximately 6.8Km northwest of the property.</li> </ol> </li> <li>3. This particular block has no special significance as habitat for this fauna as it adjoins properties with suitable habitat and large swathes of forestry with numerous reserves imposed by the Forest Practices Act. This is not a large block of land and does not contain any threatened species of Flora or Fauna and does not contain significant habitat for threatened Fauna.</li> <li>4. The property does not have any of the Key landscape features mentioned in the Zone Application guidelines. There are no Landform features, no vegetation features, no waterform features, no Cultural Heritage features and no wildlife features.</li> <li>5. Bolton Road provides access to 5 properties. There is no through traffic, no recreation traffic and no recreation usage. The property is located at the end of Bolton Road, a dead end road. The block is only visible from the last half of Bolton Road and is not visible from elsewhere in the Municipal Area.</li> <li>6. The area has a sensitivity Level of 3 (Low) and a Scenic Value Area Matrix of SVA2 (Moderate). The block falls within the South-East Coastal Hills Scenic Quality frame of reference. It contains none of the features listed in the High or Moderate Scenic Quality class and very few of the features listed in the low quality class.</li> <li>7. Since purchasing the block in 1967, owner has farmed cattle and the block has been and is used for firewood, timber posts, storage and cutting up of firewood and vehicle parking/storage and loading/unloading ramp for heavy machinery.</li> </ol>

8. In the event that the block is rezoned to Landscape Conservation, it will be of no value to owner and will significantly reduce the value of the block in the event that owner wishes to sell it. Rezoning the block to Landscape Conservation would also likely reduce or eliminate any possible carbon payments that owner could apply for for preserving the native vegetation.
9. Owner has previously applied for a Government grant for the purpose of reserving some of the property in its natural state. Following the application for the grant, an on ground assessment was made and owner was subsequently advised that none of the native bush on the property was assessed as being of sufficient value to be preserved. The block was completely burnt out by uncontrolled bushfire approximately 20 years ago.



Figure 1. Site location and existing zoning of PID: 1777356; CT: 235763/1




Figure 1. Site location and existing zoning of PID: 1777356; 126416/2

Planning  
Authority  
response

Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape


	<p>values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of this lot, its characteristic is consistent with the surrounding and existing Rural Living in terms of lot size and density.</p> <p>Moreover, it was determined that the sites landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zone, this site in the draft LPS is recommended to go to Rural Living C.</p>
Recommended action	Change to Rural Living C
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>281.</b>	<b>Louise and Kristoff Bakkes</b>
Matters raised	<p>The representation requests 364 Mountain River Road, Mountain River (PID: 9883926; CT: 182622/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Property's land limitations: <ol style="list-style-type: none"> <li>(a) Land Capability Factor- more than 60% of the Property is classified as "unsuited to Cropping and with slight to moderate limitations to pastoral use" the remaining of the land is classified as "land marginally suited to grazing due to severe limitations".</li> <li>(b) Neighbouring properties zoned as Agricultural use has the same limitation as experienced on the Property.</li> <li>(c) The property does not have any dams or access to water.</li> <li>(d) Topographical Limitations- Soil Vulnerability due to Waterlogging Hazard. Waterlogging limiting use of soil as grow medium and thus limiting use of Property for resource use. A third of the Property's</li> </ol> </li> </ol>

	<p>soil is identified as Podzol and podzolic soils on sandstone with mudstone.</p> <ol style="list-style-type: none"> <li>As explained in the above-mentioned property limitations, it is evident that this parcel of land should be classified for rural purposes. However, there are strongly supported soil/resource limitations, which leads to restrictive cropping development. It is therefore recommended to change this Property's zoning to Rural Zone to support the agricultural intent on the already approved planning permit enterprise. It is noted that the latest DA planning, as approved by the Huon Valley Council 292:2021, approved the use of land for a Lavender Farm Enterprise. These activities require the use of a rural location and land parcel as classified as Rural at minimum which is the case West of the land Parcel.</li> <li>Furthermore, the Property does not have access to the Mountain River water scheme to support consistent agricultural cropping activities. The property does have access to intermittent subsidiary stream to the Mountain River which would support limited agricultural use.</li> <li>By changing the zoning of this Property and any other adjacent properties who also applied for this change, will support further development and optimal use of the land for Permitted Rural uses. Rural Zoning protects and promotes supported agricultural use and therefore will not negatively impact any other properties in the area with Agriculture Zoning.</li> <li>Supporting documents- Farm Management Plan</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> In accordance with AZ6 RCMG undertook further investigation and determined that the Agriculture Zone to be the most appropriate zone for the site.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>

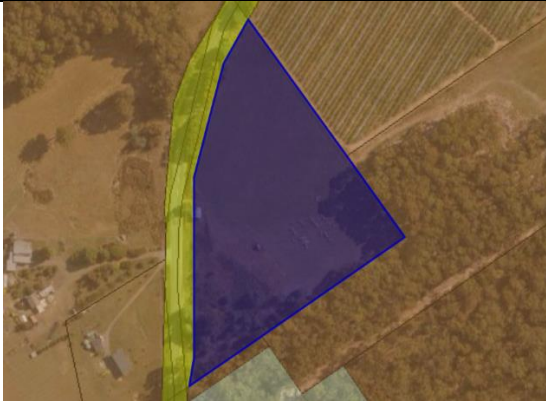
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>282.</b>	<b>Paul Evans</b>
Matters raised	<p>The representation requests 1010 Halls Track Road, Pelverata (PID: 5685627; CT: 108640/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner believes that the property has been inaptly zoned Landscape Conservation without proper planning analysis and would request the land be zoned to a more appropriate zone of Rural as it is better matched with the land's characteristics, neighbouring zoned folios alike, the HVC LPS 2019 objectives and recognised land improvements, and not to mention will likely impact the fundamental reasons the property was purchased. The land was thoughtfully acquired to create a lifestyle that aligns with owner's goals of self-sufficiency, and further to that, a space in which owner could operate a small-scale home-based business with room for growth.</li> <li>2. The cleared land is divided into two distinctive areas, residential living, and rural operations. Owner intends to acquire additional livestock in the near future and dedicate an area for growing wildflower to feed the bees and assist in soil health. Additionally, owner will be extending the orchard so that it transforms into an extensive netted food forest area, and erecting two poly tunnels for seasonal growing.</li> <li>3. Owner has spent the last four years becoming familiar with the property's landscape and microbiota and has noted inconsistencies and inaccuracies on both maps (list/council map) that are questionable, and a zone change without proper consideration and evaluation is a direct threat to the owner, both personally and professionally. For example, on LISTmap it outlines a patch of Leptospermum scrub, when in fact there is none as it was cleared to accommodate the TAS network power line many years ago. The same type of landscape just meters up from it under the power line is shown on the map as 'regenerative land', and thus is not congruent. The last known vegetation up-date by the council for this land was in 2011, suffice to say a lot can happen in that time. Furthermore, owner is curious to know why some of the neighbouring properties are zoned as Rural when they have similar characteristics to owner's property.</li> <li>4. Motives for this objection: <ol style="list-style-type: none"> <li>(a) The 2019 commitment to apply a 'like for like' as per the objectives from the HVC;</li> </ol> </li> </ol>

	<p>(b) The land is currently used in a rural capacity to host a registered small-scale honey production and bee breeding business - classified as Primary Production Land (PPL);</p> <p>(c) Owner did not receive sufficient communication, specific to the property, stating the reasons for the recommended change from the HVC as promised, and within an appropriate timeframe;</p> <p>(d) The said land was thoughtfully purchased with the intent of creating a self-sufficient lifestyle and the proposed zone changes are highly likely to impact the vision for the property.</p> <p>(e) Landscape Conservation zoning will effectively duplicate the applied Natural Assets Code currently in place for the said property. Threatened species can be protected without applying conservation zoning and without restricting landowner's rights.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zone and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a steep, mostly vegetated slope. A hilltop separates ridgelines that run the length of the western boundary and slope depressions are numerous. The site forms part of a large contiguous bushland area that includes the Sherwood Hill Conservation Area.</p>


	<p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>283.</b>	<b>Jenny Robinson</b>
Matters raised	<p>The representation requests 385 Scotts Road, Cairns Bay (PID: 5261330; CT: 237624/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property has been used in a broken pattern for "Domestic Animal Breeding" (cattle) since the mid 1980s. Under the new proposed zoning and since owner allows breaks to allow the paddock to recover, this will require that owner seeks approval each time the sublease is changed or the paddock is allowed to recover "Agriculture — Discretionary (Domestic Animal Breeding)". Current historical use of the property falls under the definition of "Rural" in the new Zone definitions which would allow owner to continue to farm this property.</li> <li>2. The property does not have access to a water source to support large scale fruit production.</li> <li>3. The property consists of cleared paddock and light bush (25%) which is unusable for "Agriculture" due to topology and ground type.</li> <li>4. The adjoining property 20 Dawson Rd, Cairns Bay, PID:5259791, is classed as "Rural" and falls within the same geographical envelope. Owner considers that their property is more similar to this "Rural" zoned property than others in the area that have been classified in the "Agriculture" zone.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> In accordance with AZ6 RCMG undertook further investigation and determined that the Agriculture Zone to be the most appropriate zone for the site.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

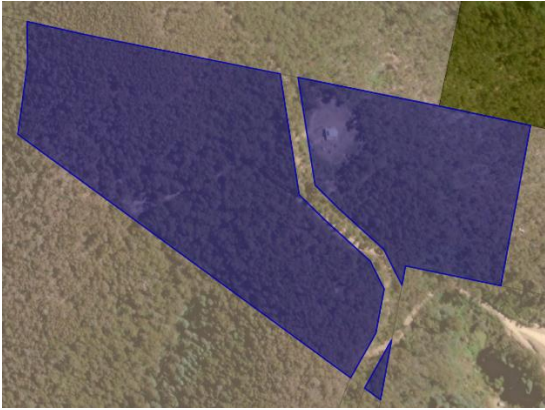
<b>284.</b>	<b>Jenny Robinson</b>
Matters raised	<p>The representation requests one title on 212 Scotts Road, Geeveston (PID: 7219857; CT: 237626/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The classification has been based on the Priority Vegetation Report with data sourced from TasVeg 3.0. The report states that the reliability of information contained in the report is either variable or highly variable with a recommendation that it be verified in the field. Field verification is recommended for both flora and fauna species. This verification has not occurred to owner's knowledge or with permission and therefore it is believed that the classification is not based on supported science.</li> <li>2. The proposed classification will remove owner's ability to use domestic animals to control weed and grasslands. The inability to manage this will directly lead to an increased fire risk to the Cottage that is located on the property.</li> </ol>

	<ol style="list-style-type: none"> <li>3. The proposed classification limits owner's ability to continue to collect fallen timber, therefore increasing the risk of fire to adjacent properties.</li> <li>4. The proposed classification will not allow owner to transit cattle from an adjacent property at 240 Scotts Road through to the remainder of the 212 Scotts Road properties.</li> <li>5. The proposed classification limits primary access to the property and removes owner's ability to undertake future business in the shed, and storage area located on the property (adjacent to Scotts Road). This has direct financial impact on owner's ability to utilise this property and therefore the value of the property. If reclassified, owner will consider requesting that HVC fund the relocation of this shed.</li> <li>6. The proposed classification of the title significantly impacts valuation of the overall property as it constitutes approximately 50% of the land contained in the three properties. If reclassified, owner will consider seeking financial remuneration for the loss of capital value to the ongoing management costs of a State/Council directed flora and fauna conservation area.</li> <li>7. Owner is concerned about the responsibility and cost of fencing the rezoned lot. Owner assumes that the Council or the State would be responsible for the cost of fencing as this property consists of three titles that are currently farmed as one.</li> <li>8. Points 4 and 4 above could be addressed by HVC surveying the title and subdividing off the eastern section of the Lot. Owner would request that the new boundary fall at least 10 metres above the top of the quarry to allow for livestock transit. This area is not identified in the Priority Vegetation Report as having any potential flora species and very limited fauna habitat. The new Lot adjacent to Scotts Road could then be zoned as Rural and include an access easement to the westerly lot.</li> <li>9. Owner would also like to represent against the incorrect information listed on the TPS under "Improvements": <ol style="list-style-type: none"> <li>(a) This Land was previously allocated as "Zone 26.0 Rural Resource" and had a stone quarry located in the section adjacent to the main road. This quarry was closed by the owner in 2018 in conjunction with the Mineral Resources Tas and the Environment Protection Authority and the land has been rehabilitated to be used for cattle grazing.</li> <li>(b) A cottage is located on PID: 7219857; CT:244397/1.</li> </ol> </li> </ol>
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	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is part of a prominent and vegetated hillside and includes a ridgeline, slope depressions and hillsides. A portion of the site is mapped as Eucalyptus ovata forest and woodland.</p> <p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.


Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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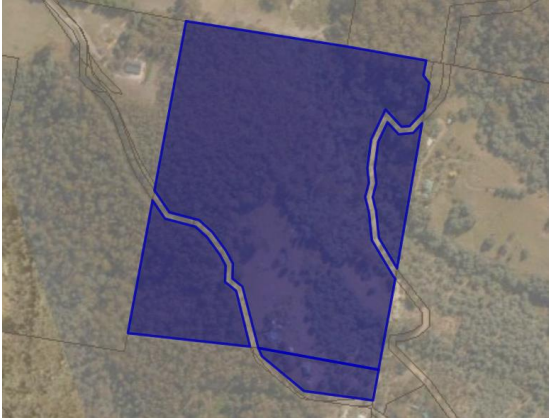
<b>285.</b>	<b>Margaret Sonnemann</b>
Matters raised	<p>The representation requests 154 Crouchs Hill Road, Lucaston (PID: 2816046; CT: 152441/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. LC not for purpose- There are inaccuracies in the property's Priority Vegetation Report Details. The report has not been verified and is inaccurate: <ol style="list-style-type: none"> <li>(a) There are no Swift Parrots in the two bluegums in the 31 acre property. Owner understands (and supports) the status of these two trees but understands that they are protected through various levels of environmental legislation as a foraging resource for this critically endangered species. Two trees 40m apart don't really justify the level of protection of an LC zoning.</li> <li>(b) There has in the past been a documented wedgetailed eagle nest approximately 450m from the property's westernmost (sloping) boundary. Between the property and this nest is a block being rezoned Rural! Demonstrates zoning inconsistencies. The said property has the same Priority veg report but will be Rural.</li> <li>(c) Vegetation on the property and surrounding blocks is rife with exotic weeds. Very few old trees exist after local bushfire decimation.</li> <li>(d) Natural Asset and Scenic Protection Codes provide ample protection where it is desirable. LC is not required to achieve a balance between resource development and preservation of natural assets. Existing overlays (once verified) will provide protection to said values.</li> </ol> </li> <li>2. LC Zoning is inconsistent with other properties in the area- Under the new scheme, many properties surrounding the owner's property and possessing the same Priority Veg Report are not zoned LC, but Rural. They are for the most part virtually identical to owner's block in appearance: aspect and forestation. Besides the Priority Veg Report similarities, the majority of properties on the same road and nearby are not zoned LC, but Rural. This shows a lack of understanding of the topography, visibility, and general area attributes.</li> <li>3. LC incompatible with existing use- The property is mostly sloping. The level building site, as well as the last four properties on Crouchs Hill Road, including a business, are on the saddle of a ridge. Because of surrounding trees which are already protected, improvements are not visible from anywhere. Any further amenities (artist studio, workshop) in this level area would not be a disturbance to the Scenic Values of the area.</li> <li>4. LC not needed to protect landscape values- Landscape and environmental values on the property are already protected by the Scenic Protection</li> </ol>

	<p>Code and the Natural Assets Code, even though inaccurate. LC duplicates the protections of these Codes, while curtailing landowner rights on all areas of a property, including cleared areas not currently covered by native vegetation. There is already a system in place for property owners who wish to provide voluntarily but permanent protection to natural values (irrespective of planning schemes), through the use of Conservation Covenants.</p> <p>5. LC is not in accordance with the owner's reasonable expectation of varied possible uses for retirement when the property was bought as Rural in 2012. Rural Living Zoning applies in every regard to owner's property and situation. Split zoning may be acceptable</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a prominent hillside and includes ridgelines and slope depressions. Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p>

	<p>Furthermore, any expansion of the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental, continuous increase in Rural Living land.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>286.</b>	<b>Nanette and Thomas Botha</b>
Matters raised	<p>The representation requests 36 Waggs Road, Mountain River (PID: 9883927; CT: 122929/4) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Property's Land Limitations: <ol style="list-style-type: none"> <li>Land Capability Factor- more than 60% of the property is classified as "unsuited to Cropping and with slight to moderate limitations to pastoral use" the remaining of the land is classified as "land marginally suited to grazing due to severe limitations".</li> <li>Neighbouring properties zoned as Agricultural use has the same limitation as experienced on the Property.</li> <li>Landslide Low Risk- Limitation in utilising land for resource / grow medium.</li> <li>Soil Vulnerability due to Waterlogging Hazard- Waterlogging limiting use of soil as grow medium and thus limiting use of property for resource use.</li> <li>Soil Types- The property's soil is mainly identified as Podzol and podzolic soils on sandstone in the lower gullies and areas and low laying mudstone on the hilly areas.</li> </ol> </li> <li>As explained in the above-mentioned property limitations it is evident that this parcel of land should be classified for rural purposes. However, there are strongly supported soil/resource limitations, which leads to restrictive cropping development. It is therefore recommended to change this Property's zoning to Rural Zone to support the agricultural intent on the already approved farming enterprises. It is noted that the latest DA planning, as approved by the Huon Valley Council 274:2019, approved the use of land for an Organic Market Garden and Pastured/Free Range Egg</li> </ol>

	<p>Enterprise. These activities require the use of a rural location and land parcel as classified as Rural at minimum which is the case North and South of the land Parcel.</p> <p>3. Furthermore, the Property does not have access to the Mountain River water scheme to support consistent agricultural cropping activities. The property does have access to intermittent subsidiary stream to the Mountain River which would support limited agricultural use. By changing the zoning of this Property and any other adjacent properties who also applied for this change, will support further development and optimal use of the land for Permitted Rural uses. Rural Zoning protects and promotes supported agricultural use and therefore will not negatively impact any other properties in the area with Agriculture Zoning.</p> <p>4. Supporting documents- Geo-Environmental Assessment and Farm Management Plan</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> In accordance with AZ6 RCMG undertook further investigation and determined that the application of the Agricultural is to be the most appropriate zone for the site.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>

Matters raised	<p>The representation requests 272 Silver Hill Road, Lower Wattle Grove (PID: 5856529; CT: 214611/1) and 252 Silver Hill Road, Lower Wattle Grove (PID: 7141834; CT: 24047/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner is concerned that the proposed restrictions pertaining to this portion of land may affect owner's current and proposed lifestyle. Owner does not intend to change the current land use of the properties but wishes to continue to use the properties as previously used for the past 34 years.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p><u>PID: 5856529; CT: 214611/1</u></p> <p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a prominent hillside and includes a hilltop, valley depressions and ridgelines contribute to a larger vegetated area. A portion of the site is mapped as threatened Eucalyptus globulus dry forest and woodland.</p> <p>Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary</p>

	<p>waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the site.</p> <p><u>PID 7141834, CT: 24047/1</u></p> <p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a ridgeline and includes a hillside, however the property is largely cleared of native vegetation for residential purposes. It is considered that this title makes a limited contribution to the landscape values of the Municipal Area and adjoins other land zoned Rural in the draft LPS. Accordingly, the planning authority has no objection to this title being zoned Rural.</p>
Recommended action	Change CT: 24047/1 to Rural in the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>288.</b>	<b>Piers Gordon and Cassandra Long</b>
Matters raised	<p>The representation requests 145 Deering Street, Frankiln (PID: 2523251; CT: 141849/2) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is 22acres and comprises of cleared paddocks/pasture (approx. 50% of overall property) on the east and west sides of the property with two small dams in the western paddock, radiata pine forest</li> </ol>

in the centre of the property and Eucalypts and native bush along the southern boundary. The property sits above the fog line at an elevation of 360m. There is currently no dwelling on the property. Owners plan to build a modest 2-3 bedroom home on a house site that had been prepared by the previous owner. The intention was to have a small hobby farm with a focus on permaculture principles with a few small animals and poultry to help create a more self-sufficient and sustainable lifestyle. Owners chose to purchase this particular property as the qualities would lend itself very well to potential visitor accommodation in the form of a separate luxury cabin, small in scale but high in quality.

2. Owner's primary concerns with the Landscape Conservation Zoning are:
  - (a) Residential use is discretionary for a single dwelling- The site does not current have a dwelling and it is owner's plan to build a residential home with the primary purpose for this property being residential use.
  - (b) Visitor Accommodation is discretionary- This is contrary to HVC Strategic Plan, HVC Economic Development Strategy and recommendations from the Accommodation Supply Analysis Report 2018. This may reduce owner's capacity for potential future income.
  - (c) Visitor Accommodation a) Guests are accommodated in existing buildings- There are no existing buildings on the property and this would not allow for separate cabin style accommodation.
  - (d) Access to a road - New dwellings must be located on lots that have frontage with access to a road maintained by a road authority- The property access is via Crown Reserve Roads maintained by the residents, not by Council or any other road authority.
3. Owner's request to change the zoning to Rural Living would allow them to build their forever home and provide them with the opportunity for s hobby farm and potential future visitor accommodation that is compatible with residential character and supports the Council tourism strategy and the Huon Valley Trail Brand.



Figure 1. Site location and existing zoning

Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Franklin, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zone, this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (D).</p>																																																							
Recommended action	<p>Include this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. Specific titles include:</p> <table><tr><td>120962/1</td><td>128515/1</td><td>145197/1</td><td>134283/2</td><td>249545/2</td></tr><tr><td>61964/1</td><td>152751/1</td><td>219187/5</td><td>122304/1</td><td>154579/2</td></tr><tr><td>141849/2</td><td>100190/5</td><td>145197/2</td><td>37052/1</td><td>154579/3</td></tr><tr><td>133384/1</td><td>108765/4</td><td>154579/9</td><td>133383/1</td><td>154579/4</td></tr><tr><td>48358/1</td><td>134283/1</td><td>144364/1</td><td>144364/2</td><td>54116/1</td></tr><tr><td>168664/1</td><td>37801/1</td><td>151619/2</td><td>53926/1</td><td>50892/1</td></tr><tr><td>37319/1</td><td>122303/1</td><td>104032/2</td><td>120089/1</td><td>108765/2</td></tr><tr><td>45861/1</td><td>104032/3</td><td>119727/1</td><td>123275/1</td><td>23157/1</td></tr><tr><td>154579/7</td><td>54116/2</td><td>100191/9</td><td>104032/1</td><td>249545/1</td></tr><tr><td>154579/6</td><td>230456/1</td><td>40328/2</td><td>141849/1</td><td>154579/8</td></tr><tr><td>156764/1</td><td>151619/1</td><td>154579/1</td><td>144971/1</td><td>144364/3</td></tr></table>	120962/1	128515/1	145197/1	134283/2	249545/2	61964/1	152751/1	219187/5	122304/1	154579/2	141849/2	100190/5	145197/2	37052/1	154579/3	133384/1	108765/4	154579/9	133383/1	154579/4	48358/1	134283/1	144364/1	144364/2	54116/1	168664/1	37801/1	151619/2	53926/1	50892/1	37319/1	122303/1	104032/2	120089/1	108765/2	45861/1	104032/3	119727/1	123275/1	23157/1	154579/7	54116/2	100191/9	104032/1	249545/1	154579/6	230456/1	40328/2	141849/1	154579/8	156764/1	151619/1	154579/1	144971/1	144364/3
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	<p>95797/1      154579/5</p> <p>Other lots within this are to be changed are:</p> <p>29232/1      Rural</p> <p>155370/2      Rural</p> <p>152751/2      Split zone Rural (replacing the current HVIPS Rural Resource portion) and Rural Living (replacing the current HVIPS Environmental Living portion) along the current HVIPS zone boundary.</p>
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>289.</b>	<b>Nicole Den Exter</b>
Matters raised	<p>The representation relates to the application of the Landscape Conservation, Agriculture and urban-type zones (especially LDR); Priority Vegetation Overlay; Waterway and Coastal Protection buffer; the Old School Site and Future Road Corridor in Cygnet.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Representor supports the methodology developed by Huon Valley Council for the application of the Landscape Conservation Zone and consider this to be a balanced and conservative approach to application of this Zone.</li> <li>2. Representor supports split zoning Agriculture and the Rural or Landscape Conservation Zone where properties have agricultural potential on parts of the land and significant natural values elsewhere. This includes split zoning of representor's own property at 184 Golden Valley Road. However, where split zoning is not possible due to the configuration of native vegetation, application of the Agriculture Zone to properties with native vegetation is problematic and not supported, given C7.2.1 (c) of the State Planning Provisions excludes application of priority vegetation areas to this zone. Even small areas of native vegetation can contain natural values worthy of consideration e.g., swift parrot foraging habitat, grey goshawk nesting habitat and threatened native vegetation. It is acknowledged that much of the land use change in rural areas is controlled under other regulations (principally Forest Practices). Furthermore, where clearing in the Agriculture Zone relates to broad-scale clearing for agriculture or</li> </ol>

	<p>forestry, it is already exempt from the Natural Assets Code (NAC) under Clause C7.4.1 (d), regardless of whether it is within a priority vegetation area. Therefore, the exclusion of the Agriculture Zone from a priority vegetation area is redundant in these instances. However, where development is ancillary to the agricultural use and is regulated by planning schemes, such farm buildings, residential development and tourism ventures, and a permit has been issued under LUPAA, it is exempt from requiring a Forest Practices Plan and excluded from the NAC. Therefore, unless the NAC is amended to enable a priority vegetation area within the Agriculture Zone, the identification, assessment and consideration of the potential impacts of these developments on biodiversity will be precluded under the TPS and will not be addressed via the Forest Practices System. As the purpose of the Agriculture Zone is to protect agricultural land for agricultural uses, ancillary development within this zone will be pushed into those parts of a site not utilised for agriculture, namely the areas containing native vegetation. These zone exclusions are unjustified and inconsistent with clearing controls for agriculture or forestry, where a Forest Practices Plan is required for any clearance and conversion of vulnerable land, including threatened native vegetation or threatened species habitat (Forest Practices Regulations 2007). Given Council has no control over the exclusions under the SPPs, ensuring the Agriculture Zone is not applied to land with native vegetation is currently the only option available to enable consideration of impacts of development on this vegetation.</p> <p>3. Similar issues exist with exclusions in urban-type zones, particularly in the Low Density Residential Zone around the coast eg Rocky Bay, Deep Bay, Abels Bay, Eggs and Bacon, Sandrock, Randalls, Garden Island Creek, Verona Sands, Surveyor and Roaring Beach. While the extent of native vegetation in these areas is smaller in extent than the Agriculture Zone, the exclusion of these areas from priority vegetation provisions (excluding subdivision) is of equal if not greater concern. In the absence of consideration of these values in the development approval process, the likelihood of all of these values being totally lost to development in these areas over time is high. And being coastal, the values are significant and sensitive. While Council is not responsible for drafting these rules, they could consider a coastal settlement SAP for low density zoned areas and also lobby the State for changes to the exclusions from the Natural Assets Code as part of the SPP review.</p> <p>4. The use of the REM to support application and interpretation of the Priority Vegetation Overlay is supported. Notwithstanding, this model is based on predominantly desk-top mapping, which is not fit-for-purpose at the scale of an individual development and not reliable for indicating the presence or absence of priority vegetation in the absence of field verification by a suitably qualified person. Therefore, the</p>
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	<p>Overlay should be extended to include all native vegetation and determining whether this vegetation meets the definition of priority vegetation should be determined as part of a natural values assessment undertaken as part of the development approval process. This approach is consistent with the operation of the Forest Practices System.</p> <ol style="list-style-type: none"> <li>5. To enable the planning scheme provisions to apply, the coastal protection buffer needs to extend into the water below high water mark as well as on to land.</li> <li>6. The old school site in Cygnet needs a SAP to ensure this parcel of Council (community) owned land is developed in a way which provides benefits to the broader community (e.g. mixed affordable housing with a community garden) and ensures it retains natural values including swift parrot habitat, overland flows and the watercourse. Just zoning it General Residential will result in poor social and environmental outcomes</li> <li>7. The future road corridor at the rear of the businesses on Mary Street is supported.</li> </ol>
Planning Authority response	Planning authority notes the comments.
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>290.</b>	<b>Adam Bayliss and Aidan Mulhall</b>
Matters raised	<p>The representation requests 410 Cloverside Road, Lucaston (PID: 2196377; CT: 139274/4); 407 Cloverside Road, Lucaston (PID: 2196334; CT: 139274/5) and Cloverside Road (PID: 9386058; CT: 139382/2) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "We Adam Bayliss and Aidan Mulhall of 380 Cloverside Road (CT-139274/3) would like to submit the following representation that objects to the proposed Landscape Conservation zoning for the above listed properties as put forward by the council as part of the advertised draft Local Provisions Schedule submission. We believe that the more appropriate zone of Rural should be applied as it better fits with the land</li> </ol>

use future and current and as these properties border our own we feel that to avoid spot zoning the allocation of Rural is most suitable. As we were not made aware of this re-zoning until quite late in the process and exhibition period we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on behalf of our neighbours' titles listed in this area. Therefore, we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."

2. Representors also include the following reasons Rural Zone is best allocated under the HUO LPS for these properties:

Observation	Impact	Argument	Outcome
LZ1 Guideline not followed.	Properties do not meet LZ1 for inclusion of the LCZ.	Using the REM, HVC assessed the properties was >80% native vegetation. Ground testing show this to be grossly overestimated and in fact less than this is native vegetation.	The titles do not meet LCZ1 and cannot be zoned LC.
Rural Zone is consistent with past, current, and future use.	STRLUS encourages the most productive use of the land - which is rural.	The properties have been an operating farm for most of the 1900s and continues in the same use today.	The titles should be zoned Rural.
Consistent Zoning patterns are preferred within	LCZ is inconsistent with other properties in the area.	Under the interim scheme and the new LPS the majority of	The titles should be zoned Rural.

		neighbouring titles.		properties on this road and around are not zoned LC - but more likely Agriculture or Rural.	
		Like for Like transition has not been applied.	The titles were not comparatively assessed between LCZ and RZ.	When the titles are assessed against RZ it meets RZ1, RZ2 and RZ3. When assessed against LCZ it does not meet the criteria.	The titles should be zoned rural.
		Priority Veg Report - has not been ground tested and is wrong.	Topography and Natural Asset and Scenic Code Overlays provide protection to these values.	The REM is a model and has not been ground tested - it is inaccurate. Natural Asset and Scenic Protection Codes provide ample protection where it is desirable.	The properties have been a mix of bush and pasture for a century. Continuing as a managed farm will provide ongoing protection to the natural assets of the area.
		Threatened species can be protected without Zoning.	Topography and Natural Asset and Scenic Code Overlays provide protection to these values.	The REM is a model and has not been ground tested - it is inaccurate. Natural Asset and Scenic Protection Codes provide ample protect.	LCZ is not required to achieve a balance between resource development and preservation of natural assets.

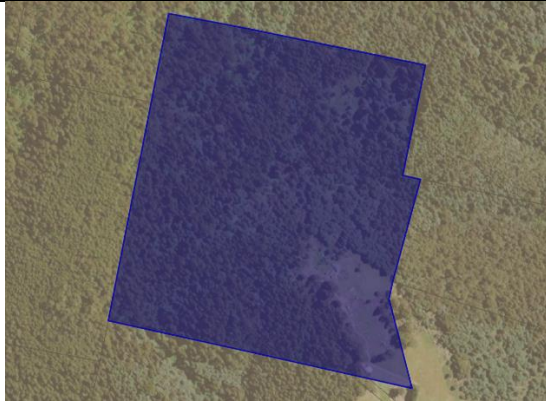



Figure 1. Site location and existing zoning of 410 Cloverside Road, Lucaston (PID: 2196377; CT: 139274/4)



Figure 2. Site location and existing zoning of 407 Cloverside Road, Lucaston (PID: 2196334; CT: 139274/5)




Figure 3. Site location and existing zoning of Cloverside Road (PID: 9386058; CT: 139382/2)


	 <p>Figure 4. Site location and existing zoning of all 3 properties</p>
<p>Planning Authority response</p>	<p>The sites are zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. Collectively the sites contribute to a substantial hillscape feature in the Lucaston and Crabtree Valleys. The properties include ridgelines, hillsides and deep valley depressions and form part of a contiguous bushland area joining the Russel Ridge Conservation Area. PID 2196377 has threatened fauna mapped as Mount Mangana stag beetle. Eucalyptus globulus wet forest is also mapped on this site which is primary foraging habitat for critically endangered swift parrot. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This site is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
<p>Recommended action</p>	<p>No modification to the draft LPS is required.</p>



Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>291.</b>	<b>Guy Greener</b>
Matters raised	<p>The representation requests PID: 5689898; CT: 234634/1 in Clarks Road, Lower Longley be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner understands that this change was made in view of the amount of tree cover, but because the only part of the property that could be usefully developed without felling trees is some 2-3 Ha of paddock at the NW corner of that, it seems needlessly limiting, because as the adjacent land on 3 sides will remain as Rural, it means that any buildings or other development would require to be set back 200m from the Rural land-putting it over a deep gully and plumb in the middle of the bush. Keeping it as Rural would overcome that.</li> <li>2. With respect to the Priority Vegetation Area map, the Eastern boundary is Pines, planted some 40 years ago. Interestingly, owner found a ListMap that shows the SE part as Non Forest, which more correctly identifies it as rather worked-out forest. Previous owners had spot mills in there, cutting case timber (for apple boxes). There have been numerous bushfires through there in past years and the timber on the steeper slopes is of better quality, and has more mature trees.</li> <li>3. Properties like this require some human intervention to keep them from becoming weed infested fire traps. Fire trails need to be kept clear and invasive weeds caught before they become infestations. If no-one can live on the property there is little incentive to maintain it. Owner has had the property for 40 years, and in that time has actively maintained the bush, checking weed incursions and harvesting a small amount of firewood for own use, predominantly from Wattles and fallen timber. It has been owner's intention for some time now to build a small house on the land.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is substantially covered in native vegetation and contains numerous valley depressions running through the property and is part of a larger bushland area.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This site is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>292.</b>	<b>Robert Clark</b>
Matters raised	<p>The representation objects to PID: 5700575; CT: 210040/1 and PID: 1575383; CT: 244379/1 in Norms Road, Glen Huon being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I believe we have not had adequate opportunity to engage a planner, to properly review what the new zone means to our property. with our own property. By copy of this email/letter I am requesting council to accept my representation (submission) to the LPS planning changes and that I now be included in the opportunity to provide more detail and undertake a face-to-face review with the Tasmanian Planning Commission (TPC) In the near future to review any zone impacts or changes to my property."</li> <li>2. Owner does not believe the Landscape Conservation Zone is applicable to the properties and current circumstances. Future plans for the block are to build a house and over the past few years, owner has been clearing an area for this house to be built. Owner has also engaged in a surveying company to change the right of way and access road to the property in a more accessible way, time and money has already been invested into this project.</li> </ol>  <p>Figure 1. Site location and existing zoning of PID: 5700575; CT: 210040/1</p>


	 <p>Figure 2. Site location and existing zoning of PID: 1575383; CT: 244379/1</p>  <p>Figure 3. Site location and existing zoning of both properties</p>
<p>Planning Authority response</p>	<p>The sites are zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The sites are substantially covered in native vegetation and contribute to a larger vegetated hillside. They also include numerous ridgelines, hillsides and valley depressions.</p>

	<p>Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This site is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>293.</b>	<b>Elizabeth Smith</b>
Matters raised	<p>The representation relates to the proposed removal of the Scenic Road Corridor at Channel Highway, Cygnet.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Land use planning plays an important role in maintaining the character and amenity of the township and surrounds, and the museum committee notes with concern the proposed removal of the 60m wide Scenic Road Corridor on the south side of the Channel Highway immediately south of Cygnet.</li> <li>2. In the Huon Valley Interim Planning Scheme 2015 the Scenic Corridor protects the spectacular view that is presented to all road users as they leave Cygnet to travel south on the Channel Highway, and is one of the iconic views of Port Cygnet that is portrayed on postcards. It is in fact the only extensive view of the waterway from the Channel Highway southern of Cygnet.</li> <li>3. With reference to the Tasmanian Planning Scheme – Huon Valley Draft LPS HUO-C8.2.15, the rationale for the Scenic Road Corridor is provided by the following statements, and, regarding the section of the Channel Highway from Cygnet to Gardners Bay, the Management Objectives are consistent with maintaining the Scenic Road Corridor: <ul style="list-style-type: none"> <li>(a) <i>to provide and maintain view corridor along the road alignment that enhance the traveller experience, through the setback of buildings from the road corridor and minimising building bulk in proximity to the road;</i></li> </ul> </li> </ol>

	<p><i>(b) That development and works minimises visual obtrusion to prominent view lines to visually significant and notable local landforms, water forms vegetation and/or cultural features such as the Huon River and other significant landmarks.</i></p> <p>4. Further support for maintaining this section of the corridor is provided in the Scenic Value, with particular reference to Port Cygnet, through the following criteria:</p> <p><i>(a) The Scenic Road Corridor between Cygnet and Deep Bay provides opportunities to view Port Cygnet and floodplains in the foreground, middle-ground and background</i></p> <p><i>(b) Views to Port Cygnet (and the Huon River) provide opportunities for observation of wildlife, including migratory birds (Note that flocks of black swans are often to be seen in winter, grazing in the area covered by this section of the Scenic Road Corridor).</i></p> <p><i>(i) Views to the surrounding vegetated hills, peaks and mountains enhance the scenic value of the corridor.</i></p> <p>5. The waterway of Port Cygnet is the most important visual and historical feature of the area, and was for many years the only practical transport route to and from the township and surrounding areas, and there were numerous jetties in prominent positions.</p> <p>6. There are currently no significant buildings within this section of the Scenic Road Corridor and it is therefore a particularly important part of the traveller experience. Its importance to the cultural heritage of Cygnet and Port Cygnet should be recognised by maintaining the Scenic Road Corridor, as it was in the Huon Valley Interim Planning Scheme 2015.</p> <p>7. The committee of the Cygnet Living History Museum emphasises the cultural and historical importance of this view of Port Cygnet and requests that the Scenic Road Corridor along the Channel Highway be maintained for the benefit of local residents and visitors to this beautiful region.</p> <p>8. In the <i>Huon Valley Interim Planning Scheme 2015</i> the land below 7357 Channel Highway was protected not only by the Scenic Road Corridor but also by the attenuation zone around the Cygnet Sewage Treatment Plant which lies between the dam and the coast. It seems that the attenuation zone is no longer to be designated on maps included in the LPS. However, it remains important that an attenuation zone is retained, especially with the increased development in Cygnet and the potential for future nuisance from the STP which would not affect the Scenic Road Corridor.</p>
Planning Authority response	In accordance with SPC3, the scenic management corridor overlay cannot be applied to land in the Future Urban Zone. The Planning Authority notes all other comments.


Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>294.</b>	<b>Kirk Daly and Dimitra Papavassiliou</b>
Matters raised	<p>The representation requests 256 Judds Creek Road, Judbury (PID: 7864071; CT: 103848/1) be zoned Rural Living B rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "We, owners of the above property would like to submit the following representation that objects to the proposed Rural zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. We believe that the more appropriate zone of Rural Living B should be applied as it better fits with our property. As we were not made aware of this re-zoning until quite late in the process and exhibition period we are unable to engage with the appropriate planning council at this time to address the relevant points on our behalf. Therefore we shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke our rights to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak our objections. We also reserve the right to bring further objections to the hearing should they arise from engaging with appropriate counsel."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>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:</p> <p>(a) <i>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</i></p> <p>(b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></p> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots being of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. The site is over 14 ha in size. Given the land is not part of a recognised Rural Living or Environmental Living community and the proportion of lot sized between 1 ha – 10 ha in the LGA, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>Accordingly, the most appropriate zone for the site is Rural.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>295.</b>	<b>JMG Engineers and Planners</b>
Matters raised	<p>The representation requests 450 Lonnavele Road, Judbury (PID: 7336228; CT: 208976/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The site is currently partially cleared and contains a number of buildings and hard standings, with mature vegetation on the site. The site has been in constant use since the early 1990s as an apiary site and honey production facility, that includes: <ul style="list-style-type: none"> <li>• An average of over 100 hives on site</li> <li>• Over winter sites and holding areas for transporting bees</li> </ul> </li> </ol>


	<ul style="list-style-type: none"> <li>• Buildings used for honey extraction, honey storage, heater room for warming honey, and winter bee box storage</li> <li>• Associated work shed for hardware storage, repairs, and maintenance of bee boxes, lids and bases, pallets, and mixing of sugar syrup for winter bee feed</li> <li>• Vehicle depot for approx. 3x truck, 3x other farm vehicles, 2x avant, 2x trailer, 1x forklift</li> </ul> <p>The site has also been used historically for a range of rural/agricultural uses including kennels, fruit, animal, and honey production, which date back before the use of the site as listed above by the current owners.</p> <ol style="list-style-type: none"> <li>2. The owners of the site have plans to expand the business operations on-site, potentially including new sheds for additional storage, undercover areas for trucks, clearing and levelling to create additional store areas for additional hives, and minor works to enable safe use of fork lift and avants around the site, and the erection of a number of ecoshacks for farm tours such as educational operators and school groups.</li> <li>3. The site was determined to be 'Unconstrained' within the study of 'Land Potentially Suitable for Agricultural Zone' (as outlined on TheList) which suggests that it was considered a suitable site for rural uses, and which reflects its current and historic use. This accords with the basis upon which the current owners have been using the site for a range of rural/agricultural uses since the early 1990s (and its use for other rural/agricultural uses dating back further), and proposals for the potential expansion of these uses as described above.</li> <li>4. It is noted that the vast majority of surrounding land within the wider vicinity, including sites covered by the proposed draft Natural Assets Code, that were also identified as 'Unconstrained' within the study of 'Land Potentially Suitable for Agricultural Zone', has been zoned as Rural. This includes sites immediately adjoining to the east, and sites to the west, northwest, and northeast, as well as sites south and west of the Russell River. These comparable sites in terms of identified agricultural potential and vegetation coverage are also of a similar character to the subject site (i.e. in low land agriculture areas and not on the vegetated hills and mountains referred to in 2.4.5.3 of the Draft LPS Supporting Report), and subject to similar vegetation coverage (including multiple sites within the valley that have large expanses of either/both Eucalyptus obliqua dry forest and Eucalyptus pulchella forest and woodland as identified in the TASVEG 4.0 layer).</li> <li>5. This submission contends that the Landscape Conservation zone is not compatible with the historic and existing use of the property for its current operations and would also compromise the owners proposed plans to expand operations on site. Furthermore, the current use of the site as a viable business and local employment site will likely be put at risk by the proposed zone change which will impact on the viability of the current and future commercial operations on site.</li> </ol>
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	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The Landscape Conservation Zone was applied to this site in accordance with LCZ 1, in that the site contains native vegetation, is on a slope and contributes to a larger bushland area.</p> <p>However, given the established use of the site, the site adjoining land to be in the Rural Zone under the draft LPS and the site containing a cleared area relatively central on the slope, the application of the Rural zone is considered the most appropriate zone for the site.</p>
Recommended action	Change to Rural Zone in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

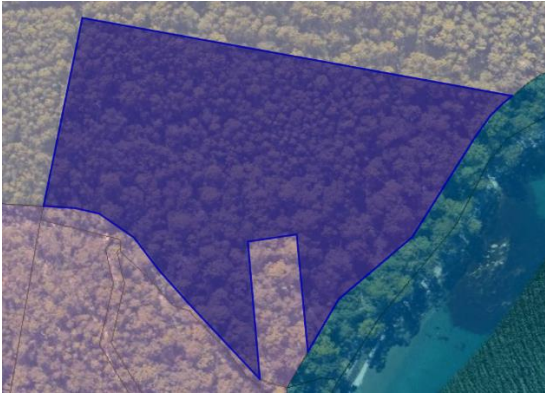
<b>296.</b>	<b>Christopher and Winsome Duggan</b>
Matters raised	The representation requests 789 Judds Creek Road, Judbury (PID: 3328802; CT: 208297/1) be zoned Rural rather than Landscape Conservation.

Representation general comments:

1. "We, Winsome Violet Duggan and Christopher Wayne Duggan of 789 Judds Creek Road Judbury would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft LPS submission. I believe that the more appropriate zone of Rural should be applied as it better fits with the land characteristics, surrounding similar zoned folios, historical use, and recognised land improvements. We are requesting Council to accept our representation (submission) to the LPS planning changes and that we now be included in the opportunity to provide more detail and undertake a face to face review with the Tasmanian Planning Commission (TPC) in the near future to review any zone impacts or changes to our property."
2. Moving from the Landscape Conservation Zone to the Rural Zone is the most appropriate outcome because the property meets the criteria for the Rural Zone and not the criteria for the Landscape Conservation Zone. The property is rural and being used for rural purposes. A like for like transition should apply.
3. The LCZ should not be applied because the Priority vegetation report is inaccurate regarding the vegetation types and species and/or extent of them as well as the comparisons with Forestry. The property is not on a scenic route corridor.
4. Owners plan to continue to use this property as they have since 1993. For nearly 30 years owners have been cutting firewood, thinning out certain trees and types of trees and it seems that owners are not even making a mark on the treed areas at all. This is a living/working small hobby farm area of about 15 acres with the balance being fast-growing but young trees, not original old growth. This doesn't warrant a tag of "must be conserved" or endangered flora or fauna. The thought that someone could suggest that this property should meet the need to be considered LCZ rather than as the rural property it is seems unwarranted, unsubstantiated and would rob owner and family of the resource to keep warm and keep costs in hand.
5. The same land overlays, hazards and suggested Threatened species apply for not only the property but for all surrounding neighbours (which is Forestry). The comparisons are the same and if not more on Forestry land, yet these neighbours will remain Rural zoned. One neighbour adjoining private land lot of 600 acres is just about to be deforested. The other neighbour is actively used state forest of thousands of acres that will be logged and is being logged now. These adjoining lands are remaining Rural so what, if any, proof is there that any of owner's property is within the criteria of a property that should be conserved?
6. Neighbouring Forestry land contained Threatened Species as mentioned previously suggested threatened species on the property needs to be thoroughly assessed for accuracy. The property is located in a remote


	<p>area were insufficient data has not been available to support vegetation maps used to suggest the new Zone proposed to Landscape Conservation Zone. The areas of Forestry will continue to remove these habitats with leaving the species with nowhere go. They will move onto neighbouring private properties and owner accepts this, but they are now having to establish themselves in territorial locations leaving them extremely vulnerable and in danger.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is substantially covered in native vegetation and includes hillsides, ridgelines, valley depressions and a creek. Furthermore, the site adjoins the Russell Ridge Conservation Area. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>

Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>297.</b>	<b>Robyn Martin-Simpson</b>
Matters raised	<p>The representation does not consent to 614 Lady Bay Road, Southport (PID: 3318890; CT: 121159/1) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "We hereby would like to inform you that we reject your draft proposal and express to you that we do not consent to the decision you have made about our property without even discussing it with us. We purchased the property - which (from memory) was zoned 'rural residential' - in 2000 in good faith that we would be able to sustainably harvest our own firewood and use the land's natural materials. What reimbursement are you offering for firewood, loss of real estate value and use of natural materials for us to consider as freehold owners? If you make an offer to offset our losses we may consider this change of planning from 'rural living' to 'landscape conservation'."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape</p>

	<p>values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living area in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied.</p> <p>Moreover, it was determined that the landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, the planning authority supports a change to the Rural Living Zone C in the draft LPS.</p>
Recommended action	Change site to Rural Living C in draft LPS.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>298.</b>	<b>Kelly Walker and David Bourne</b>
Matters raised	<p>The representation requests 343 North Huon Road, Ranelagh (PID: 2836565; CT: 199157/1) be zoned Rural or Rural Living rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner's have had a surveyor &amp; an agricultural consultant look at the potential of the property (report attached). The land is class 5, so suitable for grazing not cropping, hence it would be more appropriate to zone as Rural Living or Rural. It is not viable to run a profitable livestock business with 4.852 ha, it is more suitable for hobby farming. The property could support horticulture, but would be significantly constrained; the entire property requires a 200m setback as per Huon Valley Interim Planning Scheme 27.4.2 Setback A3.</li> </ol>


	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the HVIPS and Agriculture under the draft Huon Valley – LPS. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i></p> <p>In accordance with AZ6 RCMG undertook further investigation as to the CT's suitability for inclusion within the Agriculture Zone and given this connectivity with unconstrained agricultural land the application of the Agricultural Zone was determined to be the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>299.</b>	<b>Kelly Walker and David Bourne</b>
Matters raised	<p>The representation requests 355 North Huon Rd, Ranelagh (PID: 7512332; CT: 62635/1) be zoned Rural Residential rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The block is a residential block with one dwelling on it, in which owners live. It is 1239m<sup>2</sup> in size. A blanket zoning approach has been applied to the area and owners would appreciate it being amended to Rural Residential, as current zoning of the property is clearly incorrect &amp; inappropriate for its size and use.</li> </ol>

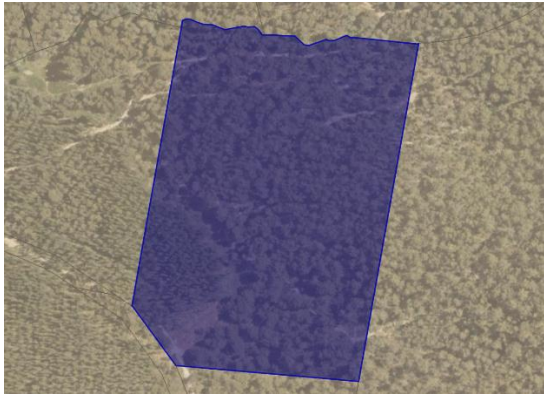
	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the HVIPS and Agriculture under the draft Huon Valley – LPS. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i></p> <p>In accordance with AZ6 RCMG undertook further investigation as to the CT's suitability for inclusion within the Agriculture Zone and given this connectivity with unconstrained agricultural land the application of the Agricultural Zone was determined to be the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>300.</b>	<b>Rebecca and Lee McKay</b>
Matters raised	<p>The representation requests PID: 9386058; CT: 139382/2 in Cloverside Road, Lucaston be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners believe the Rural Zone criteria, under State Planning Provisions, corresponds with the land characteristics, surrounding similar zoned folios, historical use and alteration of the land, and recognised land improvements. The property is rural and being used for rural purposes – to build a small, low impact home, to run a small number of livestock, to grow fresh produce and to live a green, low carbon existence. Owner's aim is to build a small home and gardens in existing clear spaces, re-establish some of the overgrown pasture for small livestock, for pens and</li> </ol>

	<p>enclosures for the rehabilitation of orphaned and injured native wildlife and to protect large areas for the future. Additionally, owners wish to undertake reinstatement of overgrown fire tracks leading into Crabtree which will aim to ensure a safe way of exit for owners and neighbours and to act as firebreaks in the event of a bushfire.</p> <ol style="list-style-type: none"> <li>2. The property has no records of threatened species, is under 20 ha and is not priority vegetation according to TasVeg 4.0 (it is DOB). Given the inaccuracy of the Priority Vegetation Area overlay and the way this model takes an expansive view of only “possible” issues, it proposes an overlay constraint on the land which is unnecessary.</li> <li>3. It is a previously logged and undeveloped block of land that owners wish to build a dwelling and associated sheds/storage on. The property has several overlays present including Landslip Hazard Area, Waterway and Coastal Protection, Bushfire Prone Areas (whole property) and Priority Vegetation Area (whole property). The topography of the land could be described as moderately sloping and flattening out to the east. It is covered with open understorey of about 50% rough pasture and the remaining 95% is 1967 stringy bark regeneration as indicated by TasVeg 4.0 – WOB: <i>Eucalyptus obliqua</i> wet forest. The <i>Eucalyptus obliqua</i> dry forest (DOB) regrowth with large patches of cleared understorey are solid throughout the property although there is mention of <i>E. globulus</i> wet forest (WGL) this is inaccurate, does not reflect TASVEG 4.0 nor what is evident on this title. The intention is to continue to maintain the vegetation around an area cleared for house and shed for maximum bushfire management and convert some of the DOB regrowth back to rough pasture for gardens and livestock.</li> <li>4. Ultimately three key areas of evidence are presented in the representation to show that the LCZ is in contradiction with how owners wish to manage the land which was purchased as Rural Resource and has now gone to a proposed zone LCZ that is in contradiction with how owners wish to live and is also based on inaccurate data: <ul style="list-style-type: none"> <li>• Inaccuracy of the Priority Vegetation Area (PVA) overlay applied by the HUO LPS with no verification of the property’s natural values</li> <li>• Contradiction with the LCZ on past and current land use</li> <li>• No natural justice has been undertaken in the process with TPC or the HVC</li> <li>• The PVA is based on extent in bioregion that is not reserved but should then be applied to the landholder to carry this conservation liability. The statement regarding the amount of priority vegetation that is not under reserve is also not valid due to the inaccuracy of the data and the modelling.</li> </ul> </li> <li>5. Rural Zone is more appropriate for the property as its primary use is not for conservation of landscape and natural values (these values are already protected under various Acts and protected under the Natural Assets</li> </ol>
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	<p>Code). The LCZ sets natural values as a precedence over residential and rural living but that the LCZ is not fit for purpose on any land title in the Huon Valley unless a title is already under some form of reserve system or if it is in consultation with the landholder. The rezoning of the property to LCZ is fundamentally not in accordance with the TPC's Section 8A Guidelines No.1 LPS Zone and Code application Guidelines. Applying like for like for the assessment, this property is more appropriately zoned as Rural from Rural Resource under the IPS.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a hillside and includes ridgelines and a major slope depression and creek running the width of the property near the northern boundary. The site is substantially covered by native vegetation and forms part of a contiguous bushland area that adjoins the Russell Ridge Conservation Area. Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p>

	The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the site.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>301.</b>	<b>Nicholas Direen</b>
Matters raised	<p>The representation requests Lot 3 Cliffords Road, Deep Bay (PID: 3016112; CT: 157269/3) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This block of ground is on good even country and provides no scenic value and it incorporates approximately 5ha of representor's 25ha working radiata pine plantation that is and will continue to be harvested and naturally regenerated into the future. Representor also runs livestock on this block in the colder months to provide shelter and roughage feed, especially during lambing season, and pays for a licence to draw water from natural waterway in representor's property and the pipeline runs through this block of ground and needs to be kept clear and maintained. As such, representor believes that the change from rural resource to landscape conservation is most definitely not appropriate.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is on the base of a hillside and is substantially vegetated. It includes valley depressions and ridgelines and contributes to a major vegetated landscape feature. Resource development is a discretionary use in the Landscape Conservation Zone, noting the zone will not affect the existing operation of the radiata pine plantation nor the ongoing livestock being run on the site in the colder months.</p> <p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>302.</b>	<b>Christine Lewis and Alex Parker</b>
Matters raised	The representation relates to three overlays on 10 Sorell Street, Port Huon (PID: 3396856; CT: 117160/4 and 153957/1) and request they be reviewed and two be removed.


Representation general comments:

1. Priority Vegetation overlay- This overlay covers part of the property which is pasture sown mostly with feed such as rye and clover (except for in the centre where there is an established market garden and some plants were planted in 2019 for wind protection). When owners purchased the property in December 2019 there were no trees in the shaded area except for one holly tree (i.e. a non-native tree). Prior to 1967 the property was an apple orchard. Thus it does not meet the definition of priority vegetation in the Tasmanian Planning Scheme and appears to have been incorrectly classified. Owners request that this overlay be removed.
2. Landslip overlay- The delineation of the landslip area is strangely shaped and encroaches on the property in an impractical and illogical way. Secondly it is only very minimally on the property. Thirdly, those areas are actually quite flat. Owners therefore request that this overlay be removed from the property.
3. Waterway and Coastal Protection Area overlay- There are two issues owners request be reviewed. First, there is a new part of the property along the Huon Highway that has been designated as Waterway and Coastal Protection in these draft provisions. This was not the case under the Interim Planning Scheme. The high-water mark of the Kermadie River is further from our property than the distances marked in Table C7.3 of the Tasmanian Planning Scheme. Moreover that part of the owner's property is pasture and there is a highway between the property and the waterway. Thus owners request this be removed. Second, there is a seasonal creek running along the north-eastern border of the property and the Huon Highway. What is not clear from satellite imagery is that there are no trees on owner's side of the creek and pasture runs all the way down the creek. Owners appreciate that it is important to preserve the quality of the water but as there is no native habitat to protect, owners request that the zone be reviewed and narrowed if possible.




	Figure 1. Site location and existing zoning
Planning Authority response	<p>The Planning Authority agrees that the priority vegetation overlay should only apply to areas of native vegetation, principally due to the assessment provisions within the Priority Vegetation predominantly referring to “clearance of native vegetation within...”.</p> <p>As required by Guideline LHC 1, The Landslip Hazard Overlay is directly informed by the <i>Landslide Planning Map – Hazard Bands 20131022</i> located on the list. In the absence of any suitably qualified input, the current overlay extent must be retained.</p>
Recommended action	Remove Priority Vegetation Overlay from all non-native vegetation areas.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>303.</b>	<b>Simone Brinsmead and Matthew Burge</b>
Matters raised	<p>The representation requests 1779 Huon Highway, Grove (PID: 5686398; CT: 247397/1) be zoned Rural Living rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is a mixture of poor grazing land (approximately 2.2ha along Huon Highway frontage), steep grazing land not accessible by stock during winter, and rough bush. The property has not been used for commercial farming or agricultural purposes since the 1960s. It is unlikely that commercial farming would be pursued on the property. For example, the steep topography would be cost-prohibitive. The property also has 'limited access' to the Huon Highway, which would restrict running a viable business.</li> </ol>

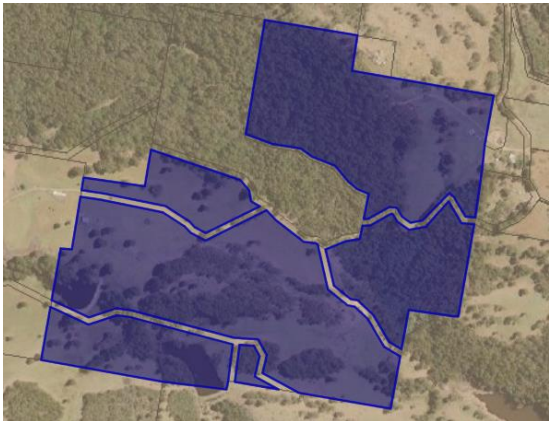
	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The lot is zoned Rural Resource under the interim planning scheme. In accordance with RLZ 2 the Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</p> <ul style="list-style-type: none"> <li>a. <i>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</i></li> <li>b. <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) support the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots being of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, whilst it is recognised that the rezoning would provide for limited subdivision and the site is in proximity to an existing Rural Living area, due to the number of lots in the LGA that would also have these characteristics, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>Accordingly, the Rural Zone is considered to be the most appropriate zone for the lot.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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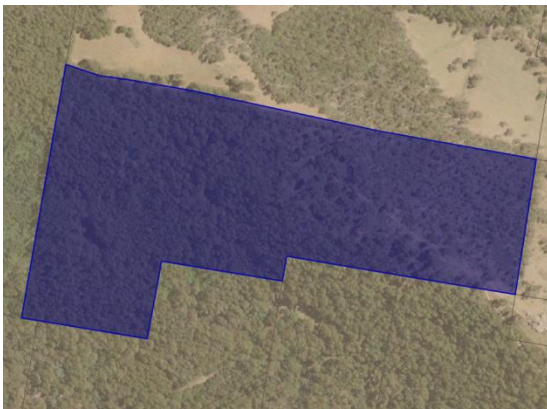
<b>304.</b>	<b>Bogdan Michalkowski</b>
Matters raised	<p>The representation requests 224 Umfrevilles Road, Kaoota (PID: 5709641; CT: 14398/6) be zoned Rural or Agriculture rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property should be rezoned Rural Zone or Agricultural Zone under the new TPS because of its potential as a farm (best way to raise a family) and not be rezoned Landscape Conservation for some of the following reasons: <ol style="list-style-type: none"> <li>(a) Landscape Values, Scenic Values and Visual Impact- Very little of the property can be seen from any public road. The property is located near the end of Umfrevilles Road which is a dead-end road. Most of the property (about 75%) is hidden from view by a rise in the ground, and the 4 neighbouring properties (to be rezoned Rural) hide the bulk of the property which is located to their rear. The property is already seriously impacted landscape wise by the major power transmission line and its cleared Wayleave Easement and service road that runs the full length of the property, approx. 900+ metres. The property provides very little visual scenic value.</li> <li>(b) Bush Fire Threat to Neighbours- Left in its natural vegetation state, the property poses a high fire risk to 4 immediate neighbours. Improvements of possibly 2 extra dams would also provide helicopter accessible firefighting water.</li> <li>(c) Biodiversity and Riparian Protection- All the district has been heavily logged in the past. There are no old growth trees on the property. The property was burnt severely in a hot fire in approx. 1990. There are no outstanding examples of biodiversity on the property, nor is there any rare or threatened flora, fauna or ecological communities. A sandy soil which overlies clay and sandstone, grows mostly ti tree scrub and sags with some established stringy bark trees and saplings mostly in the creek gully. The biodiversity values of the creek gully are protected by the current Riparian Reserve Rules. The gully land is becoming somewhat degraded due to infestation by Foxglove. Some thistle and other minor weeds introduced by roadbuilding and pylon building activities in the electricity transmission corridor also compromise the natural values. Owner challenges the Priority Vegetation Area ascribed to the property.</li> </ol> </li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a gradual hillside and includes a slope depression. It is substantially covered in bushland apart from the maintained Electricity Transmission Corridor. It contributes to a larger, contiguous bushland area.</p> <p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

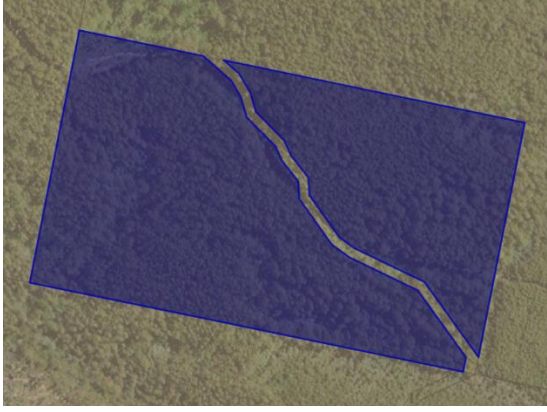
<b>305.</b>	<b>Betty and Lee Norris</b>
Matters raised	<p>The representation disputes 46 Norris Road, Surveyors Bay (PID: 2163807; CT: 138477/3) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The cleared area of this property makes up more of a percentage than vegetation area.</li> <li>2. Changes to the classification of this title will result in complications to the viability of the entire property.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacted the Landscape Conservation Zone being applied to this site in the draft LPS.</p>

	In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site contains only patches of vegetation that area almost all various types of threatened vegetation. Given the vegetation coverage is limited and the application of the Natural Assets Code to the site the Planning Authority does not object to the site being zoned Rural in the draft LPS.
Recommended action	Change site to Rural in the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>306.</b>	<b>Betty and Lee Norris</b>
Matters raised	<p>The representation disputes 46 Norris Road, Surveyors Bay (PID: 2163807; CT: 208395/1) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This title is disputed because of the cleared area and an active certified F.P.P / TJW0335.</li> <li>2. Changes to the classification of this title will result in complications to the viability of the entire property.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to

	<p>consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a hillside, is substantially covered in native vegetation and contributes to a larger contiguous bushland area. It includes slope depressions and has a ridgeline running diagonally through the property. The site is substantially covered by native vegetation and forms part of a contiguous bushland area that adjoins the Russell Ridge Conservation Area. Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>307.</b>	<b>Betty and Lee Norris</b>
Matters raised	<p>The representation disputes PID: 5259695; CT: 208378/1 in Norris Road, Surveyors Bay being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This title is disputed because of an active certified F.P.P / CWB0207.</li> <li>2. Changes to the classification of this title will result in complications to the viability of the entire property.</li> </ol>


	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a hillside, is substantially vegetated and contributes to a larger bushland area.</p> <p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values of the LGA and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>308.</b>	<b>Shane Johnson</b>
Matters raised	<p>The representation requests the Planning Authority undertakes a review of the Franklin Heritage Specific Area Plan.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. A review of the SAP has not been undertaken since being introduced in the Huon Valley Interim Planning Scheme. Whilst the purposes of the SAP are sound, the implementation of the provisions has not achieved the outcomes intended.</li> <li>2. Inappropriate developments have been allowed. The requirement for low, open fences on street frontages has in many cases been ignored. The planning provisions inadvertently encourage tawdry architecture as developers may opt to meet the minimum standards of the performance criteria. There is no opportunity in the SAP for discretion to be applied that would encourage exceptional design.</li> <li>3. There is no distinction between the heritage values to be retained along Main St. (Huon Highway) and the various lanes and the desired future character in greenfield or in-fill development.</li> <li>4. Renovations that do not alter the footprint of a building are exempt. Therefore, there is no provision that prevents the use of inappropriate materials or design when existing buildings (including those with heritage or character values) are renovated (e.g. replacement doors and windows, external cladding).</li> </ol>
Planning Authority response	Whilst there may be merit in undertaking a review of the effectiveness and outcomes of the Franklin Heritage Specific Area Plan, such a review and subsequent recommendations, requires detailed strategic analysis on a whole of township basis, through a structure plan or similar. This is beyond the capacity of the LPS process.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>309.</b>	<b>Leslie Hyde (<i>Bernard Cleary- Town Planner</i>)</b>
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Matters raised	<p>The representation objects to 234 Jacksons Road, Franklin (PID: 2966845; CT: 43305/1) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The site is part of a broader landholding owned and managed by the Hyde Family since the 1970's. The site is known by the family as "Agony Hill" in recognition of its steepness and has been used continually throughout its ownership period for a range of lawful practices including an orchard, cattle grazing, domestic firewood and fence post collecting, weed management, fire management practices etc.</li> <li>2. The subject site is some 3ha. Limited good quality native vegetation exists in the north-west part of the site with a significant area of lower quality regrowth vegetation (primarily young Silver Wattle &amp; mature Spanish Heath groundcover) in the south-east area of the site. Whilst this site could be considered to be part of a greater than 20ha continuous area of native vegetation, it is assessed as containing some 50% of low quality regrowth unworthy of protection nor conservation. The prime management focus for this area is weed eradication, particularly for the Spanish Heath. Consequently, this site does not appear to appropriately represent the intent and purpose of the Landscape Conservation Zone specifically 22.1.1.</li> <li>3. In recognition of the consistent range of lawful rural uses and practices to date, existing use rights, and sustainable management practices over a 50+ year period, key parts of the site are acknowledged to be in a good condition, by virtue of its rural zoning and consistent management practices. A change of zoning as proposed is considered to have the potential of narrowing the sites focus away from rural resource practice which has underpinned its quality credentials to date. The proposed new zone intent is to conserve &amp; protect, with this site falling short of the Landscape Values worthy of such.</li> <li>4. Recognising, the sites small scale (3 ha), less than 80% quality vegetation coverage, the site does not represent a sound example of land intended to be represented in the Landscape Conservation Zone. It is also acknowledged to be a site not at risk of inappropriate practices.</li> </ol>
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	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a hillside, is substantially covered in native vegetation and contributes to a larger bushland area.</p> <p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the site</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.


Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>310.</b>	<b>Joel Smith and Daniel Webb</b>
Matters raised	<p>The representation requests 407 Cloverside Road, Lucaston (PID: 2196334; CT: 139274/5) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Proposed zoning and LPS inconsistent with s32(2)(f) of LUPAA- The Property is currently zoned 'Rural Resource' under the Huon Valley Interim Planning Scheme 2015 (HVIPS). This zoning allows for a range of uses. The owners of the property currently, and have for several years, undertaken activities which fall in the 'No permit required' category. Specifically, resource development activities including crop production, tree farming and bee keeping activities have taken place over the past two years. The draft LPS currently contains provisions which zone the Property as LCZ. The State Planning Provisions (SPP) use table for LCZ specifies that all resource development activities will either be prohibited or listed in the 'Discretionary' use category. By zoning the property as LZC and enforcing the use table listed in the SPP, the draft LPS would prevent the continuance of the use of the land and buildings for lawful activities currently being undertaken in compliance with the HVIPS, by either prohibiting the resource development activities outlined above or by requiring a permit to be obtained for them. The draft LPS therefore contains provisions which would be in breach of sections 12 and 32(2)(f) LUPAA.</li> <li>2. Proposed zoning inconsistent with LPS Guideline No.1, LCZ 2 (b) – Threatened native vegetation and native species not on the property- The assessment that the Property contains Acacia delbata forest and Eucalyptus globulus forests is not accurate. The forested areas on the property are comprised of Eucalyptus obliqua – a species that is not threatened and would not meet the LCZ threshold of being threatened native vegetation. The owners of the property are familiar with the appearance and call of the swift parrot and have not once seen or heard one on the Property. This is consistent with there being no Eucalyptus globulus forests on the Property (the habitat of the swift parrot). There is no record of a swift parrot on or near the Property. The data used to compile these reports and assess the natural values of the Property is clearly inaccurate and cannot be relied on to support rezoning to LCZ.</li> <li>3. Proposed zoning inconsistent with LPS Guideline No.1, LCZ 2 (a) – Property does not contain a large area of native vegetation</li> <li>4. Proposed zoning inconsistent with LPS Guideline No.1, LCZ 4 (a) – LCZ should not be applied to the Property as it is primarily for residential use and development- The Property is a result of a subdivision of a larger</li> </ol>

	<p>block of land in approximately 2003. The land was subdivided for the express purpose of providing residential blocks in a rural setting. Since the subdivision of the original property, four additional dwellings have been constructed.</p> <ol style="list-style-type: none"> <li>5. Rural zoning more appropriate under LPS guidelines- The Property fits with the purpose of the Rural zone and should be zoned as such and meets the criteria of RZ 1, RZ 2 and RZ 3. The property is in a non-urban area and has limited agricultural use due to the sharp slope of the land, alpine soil, and temperatures. Activities that take advantage of the agricultural uses of the land are already taking place, including vegetable cultivation, fruit and nut growing, and livestock rearing. Although the land has some agricultural potential, it would not meet the requirements of the Agricultural Zone and is not integral to the management of a larger farm holding within an Agricultural Zone. This is demonstrated by the history of the Property and surrounding properties. The area was once used for logging and cattle grazing but was ultimately deemed unsuitable for intensive commercial agricultural activities. It can be demonstrated by strategic analysis that the Rural zoning is most appropriate.</li> <li>6. Proposed zoning is not a 'like for like' conversion and the proposed zoning will cause financial harm with new building restrictions and property devaluation.</li> <li>7. Proposed zoning inconsistent with neighbouring properties- Properties adjoining the property have correctly been proposed as Rural zones, and there are similar values and landscapes existing across the whole area. This disparity is unfair, not justified by any substantial differences in the properties, not justified by any of the zoning guidelines, and will result in 'spot-zoning' in the community. A group representation has been made to the council by neighbouring properties (#290).</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource</p>


	<p>Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a steep slope, primarily covered in native vegetation contributes to a large contiguous bushland area adjoining the Russell Ridge Conservation Area.</p> <p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>311.</b>	<b>David Crawford</b>
Matters raised	<p>The representation requests 12 Delaney Lane, Police Point (PID: 7668695; CT: 41394/1) be zoned either Rural Living or Low Density Residential rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is located within a cluster of other properties, the majority of which already contain residential developments and which are used for a mix of residential and recreational or hobby farm type purposes. Clearly, residential amenity and residential developments are not prioritised within this Zone. The guidelines also state that residential</li> </ol>

	<p>development is largely discretionary. Applying the Landscape and Conservation zone to the properties at Police Point where the primary purpose is already residential is inconsistent with the intent of the LPS.</p> <ol style="list-style-type: none"> <li>2. The existing lot sizes of the property and those surrounding it are relatively small, under 20 hectares, and as small as 2 or 3 hectares. This is inconsistent with Guideline Number 1. As the properties are significantly smaller than the 50 hectare Acceptable Solution outlined in the LPS. These recommendations will have an impact on the value of those assets to land holders, particularly those with property sizes greater than 6 hectares. It is inconceivable to residents, that these decisions are being made with no reference to the economic impacts of planning decisions.</li> <li>3. The purpose statements for Rural Living and Low Density residential zones are far more consistent with the current and future usage and purpose of this land, and they prioritise residential living, rather than conservation of landscape.</li> <li>4. Owner notes the application of zoning under the LPS to either the Rural Living, or Low Density Residential Zones would be consistent with the application of this zoning to both the Surveyors Bay and Roaring Beach areas. It seems to be an inconsistent application of the LPS to not apply the same zoning to large existing or intended residential lots, in a neighbouring area. Furthermore, from an economic perspective, it appears that these decisions are favouring some residents, over others.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p>


	<p>In reviewing this representation received and others in the Environmental Living Zone of Police Point, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied.</p> <p>Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and majority of the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (B).</p>										
Recommended action	<p>Change site and most other sites in this cluster to Rural Living B. Specific titles Include:</p> <table><tr><td>106792/4</td><td>11487/1</td><td>41394/1</td><td>144990/2</td><td>144990/4</td></tr><tr><td>41394/2</td><td>106792/3</td><td>60619/1</td><td></td><td></td></tr></table>	106792/4	11487/1	41394/1	144990/2	144990/4	41394/2	106792/3	60619/1		
106792/4	11487/1	41394/1	144990/2	144990/4							
41394/2	106792/3	60619/1									
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>										
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>										

<b>312.</b>	<b>Amelia Lovell</b>
Matters raised	<p>The representation requests 115 Crabtree Road, Grove (PID: 7437707; CT: 30262/5) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "My husband and I own the above property would like to submit the following representation that objects to the proposed Agriculture zoning as put forward by the council as part of the advertised draft Local</li> </ol>


	<p>Provisions Schedule submission. We believe that the more appropriate zone of Rural should be applied as all other properties surrounding the property are to be rural and are used no differently. As we was not made aware of this re-zoning until quite late in the process and exhibition period we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> In accordance with AZ6 RCMG undertook further investigation as to the site's suitability for inclusion within the Agriculture Zone and determined that the more appropriate zone for the site is Rural.</p>
Recommended action	<p>Change site to Rural in draft LPS</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria</p>

Matters raised	<p>The representation objects to full coverage of 101 Sorell Street, Port Huon (PID: 3422559; CT: 200395/1, 129343/5, 129343/9 and 100280/2) by Priority Vegetation Area Overlay, and recommends particular areas for removal from this overlay.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. NAD Acacia dealbata forest- The NAD Acacia dealbata forest community does not exist as mapped. That patch of mostly wattle was cleared by a former owner in approx. 2007 after being logged over around 1980, and was more likely at the time to have been a eucalypt-sparse DOB community. Current vegetation in the area consists of two large native eucalyptus trees and a planted area we established around 2011 containing casuarina, spotted gum, flowering gum and some native species. LiDAR-sourced Canopy Cover from theLIST illustrates this. Owners believe this should be exempt from PVA Overlay as an area of former pasture currently stocked by either paddock trees or a community not naturally occurring on the site, established for farm/garden purposes.</li> <li>2. DGL Eucalyptus globulus dry forest and woodland- The TASVEG mapped community, showing only E. obliqua visible beyond owner's fence line, which is located on the SW side of the road reserve. Several young smooth-barked eucalypts are plantation-bred E. nitens and E. globulus, planted as seedlings around 2005 and fenced off from pasture to stabilise around the largely underground stream. This is most certainly not a dry forest community, nor native E. globulus. Owners believe this should not be PVA Overlay as an area of former pasture deliberately stocked with plantation species.</li> <li>3. WGL Eucalyptus globulus wet forest- Owners believe the northern end of TASVEG-mapped WGL should not be PVA Overlay as it is actually an area of commonly occurring wet E. obliqua forest.</li> <li>4. Pasture- PVA Overlay is currently proposed across all four titles, despite approximately half of this being farmed pasture and some of this pasture even lying under the cleared easement of a high voltage transmission line. This pasture is not an integral part of a threatened native vegetation community (a), does not contain threatened flora species (b), and as explained in previous points refuting the TASVEG and PVA Overlay mapped extent of NAD, DVG, DGL and WGL communities on the property, seems not to meet the SPP definition of "native vegetation... means plants that are indigenous to Tasmania including trees, shrubs, herbs and grasses that have not been planted for domestic or commercial purposes". An additional area of pasture occurs mapped as DOB (E. obliqua dry forest) under several scattered E. obliqua paddock trees at the far western end of the property. Owners believe this too is better categorised outside the PVA Overlay.</li> <li>5. Two areas of native forest remain on the property:</li> </ol>
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	<ul style="list-style-type: none"> <li>• Approx 0.6 ha on and north of the westernmost class 4 stream above the powerline easement.</li> <li>• Approx 10 ha on the lower eastern slopes of the property, comprising a mix of <i>E. obliqua</i>, <i>E. globulus</i>, <i>E. viminalis</i> with drier forest on the upper east-facing slopes and wet forest lower and around the streams.</li> </ul> <p>6. Four species of threatened fauna are reported in the Priority Vegetation Reports for the four titles of the property:</p> <p>(a) Grey goshawk: two nest sites are recorded on NVA within the property, but both lie further than 100m inside the forested area, where 100m is the minimum forested nest reserve buffer recommended by the Forest Practices Authority and Threatened Species Section through the Threatened Species Adviser.</p> <p>(b) Swift parrot: no records exist in the vicinity from NVA. While being within Core Range and the Southern SPIBA, potential habitat for this critically endangered species includes <i>E. globulus</i> trees for foraging and older hollow-bearing trees for nesting. Some WGL is mapped on the site, but most trees are regrowth following passage of the 1967 bushfire through the property.</p> <p>(c) Mount Mangana Stag Beetle: a rare rotten log dweller, this beetle lives only in wet forest. The only suitable habitat would be WOB <i>E. obliqua</i> forest around the SE Class 3 streams, but the species has not been found on site before (no NVA records), and habitat is likely to be effectively conserved through 20m streamside reserves alongside each stream.</p> <p>(d) Eastern barred bandicoot: property is within the potential range of this species and sightings have been made on the property. However, the Threatened Species Adviser endorsed by the Forest Practices Authority and Threatened Species Section does not call for any specific reservation for this species, with standard management practices such as wildlife habitat clumps (eg. as applied to streamside reserves) appropriate.</p> <p>Owners would contend that PVA overlay should be applied in the property only to:</p> <ul style="list-style-type: none"> <li>• A 100m radius from the two recorded Grey Goshawk nest sites</li> <li>• (WGL) <i>Eucalyptus globulus</i> wet forest in the narrow TasVeg-mapped strip alongside lower SE edge of paddock and eastern Class 3 streamline (not under the powerline easement or north where previously refutes as an <i>E. obliqua</i> community), as habitat for the Swift parrot.</li> </ul>
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	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The Planning Authority notes the comments made. The Planning Authority agrees that the priority vegetation overlay should only apply to areas of native vegetation, principally due to the assessment provisions within the Priority Vegetation predominantly referring to “clearance of native vegetation within...”.</p> <p>In regard to the suitability of particular vegetation patches for inclusion or exclusion, the Planning Authority contends that where such vegetation does not meet the definition of native vegetation, then such areas should be excluded. Areas where vegetation is considered ‘regrowth’ or revegetated, these areas can still provide important habitat for threatened fauna.</p>
Recommended action	Remove Priority Vegetation Overlay from all non-native vegetation areas.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>314.</b>	<b>Nathan Jones and Sirpa Loevendie</b>
Matters raised	<p>The representation requests 162 Lloyd's Road, Franklin (PID: 2807297; CT: 135702/5) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The land at 162 Lloyd's Road: <ul style="list-style-type: none"> <li>• Has no Scenic Protection overlay</li> <li>• Has no Waterway and Coastal Protection overlay</li> <li>• Has no Conservation Covenant</li> <li>• Does not reach the minimum 20 hectares required to be considered a large area of bushland</li> </ul> </li> </ol>

	<ul style="list-style-type: none"> <li>• Does not adjoin Environmental Living or Rural Living which as per the HVC own guidelines is a prerequisite for the allocation of LCZ in case of properties under 20 hectares</li> <li>• Does not interfere, or border land proposed to change to Agricultural and as such does not pose a threat to high yield agricultural land</li> <li>• Does not pose a risk for further subdivision, as subdivision would be based on a minimum size of 20 or 50 hectares whether it is Rural or LCZ</li> <li>• Already has the Natural Assets Code in place to provide protection regardless of whether it is Rural or LCZ</li> <li>• Consists almost entirely of either Regenerating Cleared Land or the not threatened and not rare Eucalyptus regnans forest while the Relative Reservation area takes up less than 5% of the property</li> <li>• Has no threatened fauna as none has been observed on the land or within 500 meters of the land.</li> <li>• Does not qualify for the minimum 80% bushland/native land cover criterium required to be considered for LCZ o Is surround on three sides by land with a proposed conversion to Rural</li> </ul> <p>2. Conversion to Rural Zoning will result in the following:</p> <ul style="list-style-type: none"> <li>• The Natural Assets Code and resulting landscape value protection still apply</li> <li>• Subdivision restrictions still apply</li> <li>• A single dwelling would remain discretionary</li> </ul>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values</p>

	<p>when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is substantially covered in vegetation apart from the area immediately surrounding the dwelling. It is located on a gradual hillside and forms part of a larger contiguous bushland area.</p> <p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>315.</b>	<b>Chris Cato</b>
Matters raised	<p>The representation requests the EMZ overlay at 8391 Channel Highway, Cradoc (PID: 1984793; CT: 133624/1) be removed or re-evaluated and replaced with the Rural zone to best reflect the nature of the land and bring it in line with zoning applied to other properties in the area.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Inconsistencies between properties and overlay of EMZ: <ul style="list-style-type: none"> <li>Lot 3 Channel Highway (CT 61/407) has the same geographical and ecological characteristics as the property, however, it is zoned as Rural.</li> </ul> </li> </ol>

	<ul style="list-style-type: none"> <li>• The same overlays apply to this land, including the priority vegetation and coastal inundation hazard codes.</li> <li>• The areas in question are equivalent in size.</li> <li>• This represents one example, but others exist between Cradoc and Huonville.</li> </ul> <p>2. Nature of land where EMZ has been applied:</p> <ul style="list-style-type: none"> <li>• While a large portion of the land under the EMZ is (and will always remain) an important environmental area, some of the land is also made up of pasture and can be used for grazing animals, especially during the dryer months.</li> <li>• The EMZ places far more stringent restrictions on this area for future developments and resource development.</li> <li>• A significant portion of the land under the EMZ overlay has been used for animal grazing in the past and remains fenced.</li> <li>• The EMZ boundary appears to loosely follow the edge of the High Coastal Inundation Zone, however, with effective management, including appropriate drainage and flood banks, the impact of flooding and sea-level rise can be mitigated to ensure the land's value well into the future.</li> </ul>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is currently zoned Environmental Management under the HVIPS and was transitioned over to the Environmental Management Zone under the draft LPS.</p> <p>EMZ 1 The Environmental Management Zone should be applied to land with significant ecological, scientific, cultural or scenic values, such as:</p> <ul style="list-style-type: none"> <li>(a) <i>land reserved under the Nature Conservation Act 2002;</i></li> <li>(b) <i>land within the Tasmanian Wilderness World Heritage Area;</i></li> <li>(c) <i>riparian, littoral or coastal reserves;</i></li> <li>(d) <i>Ramsar sites;</i></li> <li>(e) <i>any other public land where the primary purpose is for the protection and conservation of such values; or</i></li> </ul>

	<p>(f) <i>any private land containing significant values identified for protection or conservation and where the intention is to limit use and development.</i></p> <p>The Salt Marsh and Black Gum woodland on the site together with the location of the site adjoining the Egg Islands contribute to the area for both scenic and ecological values. That said, whether these values are ‘significant’ to the extent to be zoned Environmental Management Zone is not established. Therefore, given the landscape and natural values of the site the area currently zoned Environmental Management in the draft LPS should be changed to the Landscape Conservation Zone.</p>
Recommended action	Change the area currently zoned Environmental Management in the draft LPS to the Landscape Conservation Zone.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

316.	Howard Hansen and Jake Norris															
Matters raised	<p>The representation requests zone changes to all entities within the <i>Hansen Group</i>.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"><li>1. “We are currently in the process of seeking professional advice in respect to our representation. As such, we look forward to further engagement with you and your staff in respect to our submission, and our fair and reasonable opportunity to make our case on these critical issues with huge impact on our long-standing business operations within the HVC area, and in turn our contribution to both the local and state economies.”</li><li>2. Suggested alternative TPS zoning:</li></ol> <table><tr><th>Address</th><th>PID</th><th>CT</th><th>TPS Zoning</th><th>Suggested TPS Zoning</th></tr><tr><td>11 Basin Road, Grove</td><td>9604197</td><td>152464/1</td><td>Agriculture</td><td>Rural</td></tr><tr><td>11 Basin Road, Grove</td><td>9604197</td><td>152464/2</td><td>Rural</td><td>Rural</td></tr></table>	Address	PID	CT	TPS Zoning	Suggested TPS Zoning	11 Basin Road, Grove	9604197	152464/1	Agriculture	Rural	11 Basin Road, Grove	9604197	152464/2	Rural	Rural
Address	PID	CT	TPS Zoning	Suggested TPS Zoning												
11 Basin Road, Grove	9604197	152464/1	Agriculture	Rural												
11 Basin Road, Grove	9604197	152464/2	Rural	Rural												

		11 Basin Road, Grove	9604197	201218/1	LCZ	Rural
		11 Basin Road, Grove	9604197	246593/2	Agriculture	Rural
		11 Basin Road, Grove	9604197	51126/1	Agriculture	Rural
		11 Basin Road, Grove	9604197	84042/1	Agriculture	Rural
		11 Basin Road, Grove	9604197	204250/1	Agriculture	Rural
		11 Basin Road, Grove	9604197	152465/3	Agriculture	Rural
		11 Basin Road, Grove	9604197	152465/1	Rural/ Agriculture	Rural
		11 Basin Road, Grove	9604197	51127/1	Agriculture	Rural
		11 Basin Road, Grove	9604197	65413/1	Agriculture	Rural
		11 Basin Road, Grove	9604197	179551/1	Rural/ Agriculture	Rural
		21 Hansens Road, Grove	2205771	138515/2	Landscape Conservation/ Agriculture	Rural
		2009 Huon Highway, Grove	9884709	111552/3	Agriculture	Rural
		2009 Huon Highway, Grove	9884709	171485/1	Agriculture	Rural
		20 Hansens	2205755	138515/1	Agriculture	Rural

		Road, Grove				
		204 Main Street, Huonville	7768522	46649/4	Agriculture	Rural
		2461 Huon Highway, Huonville	2148754	238636/1	Agriculture	Rural
		2461 Huon Highway, Huonville	2148754	82757/2	Agriculture	Rural
		2461 Huon Highway, Huonville	2148754	165246/1	Agriculture/ General Residential	Rural/General Residential
		2459 Huon Highway, Huonville	5687016	71465/1	Agriculture	Rural/General Residential
		2459 Huon Highway, Huonville	5687016	82757/1	Agriculture	Rural/General Residential
		Crabtree Road, Grove	3436002	162207/2	Agriculture	Rural
		Crabtree Road, Grove	3436002	162207/1	Agriculture	Rural
		Lot 2 Huon Highway, Grove	9836175	178953/2	Agriculture	Rural
		Lot 1 Crabtree Road, Grove	2752492	147388/1	Agriculture	Rural
		2125 Huon Highway, Grove	9018045	44369/1	Agriculture	Rural

2125 Huon Highway, Grove	9018045	180709/1	Agriculture	Rural
2125 Huon Highway, Grove	9018045	119181/1	Landscape Conservation	Rural

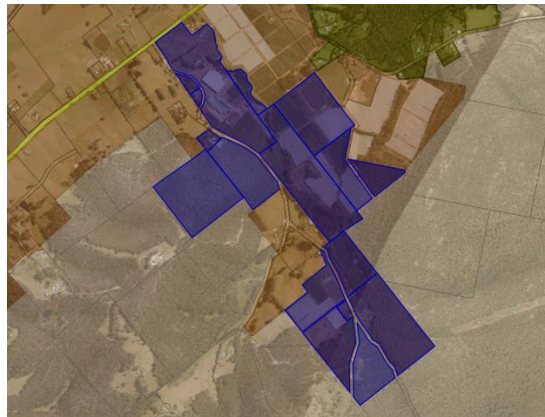


Figure 1. Site location and existing zoning of 11 Basin Road, Grove (PID: 9604197)

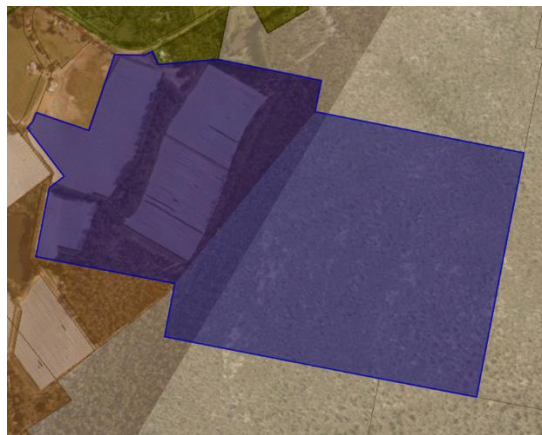


Figure 2. Site location and existing zoning of 21 Hansens Road, Grove (PID: 2205771)



Figure 3. Site location and existing zoning of 2009 Huon Highway, Grove (PID: 9884709)

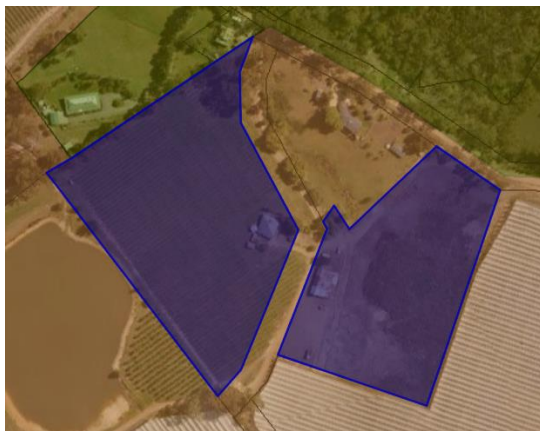


Figure 4. Site location and existing zoning of 20 Hansens Road, Grove (PID: 2205755)

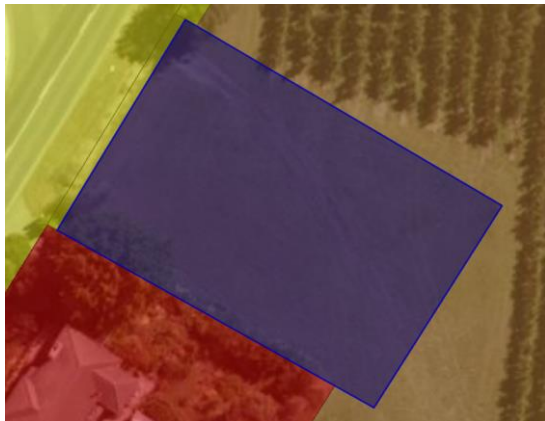


Figure 5. Site location and existing zoning of 204 Main Street, Huonville (PID: 7768522)

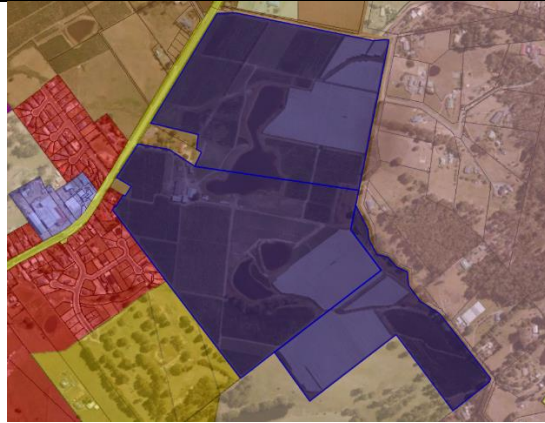


Figure 6. Site location and existing zoning of 2461 Huon Highway, Huonville (PID: 2148754)



Figure 7. Site location and existing zoning of 2459 Huon Highway, Huonville (PID: 5687016)



Figure 8. Site location and existing zoning of Crabtree Road, Grove (PID: 3436002)




Figure 9. Site location and existing zoning of Lot 2 Huon Highway, Grove (PID: 9836175)



Figure 10. Site location and existing zoning of Lot 1 Crabtree Road, Grove (PID: 2752492)



Figure 11. Site location and existing zoning of 2125 Huon Highway (PID: 9018045)

	 <p>Figure 12. Site location and existing zoning of all properties</p>
<p>Planning Authority response</p>	<p><u>152464/1</u></p> <p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Rural.</p> <p><u>152464/2</u></p> <p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.</p> <p><u>201218/1</u></p> <p>The land is zoned Rural Resource under the interim planning scheme. The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is steep and heavily covered with native vegetation. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p> <p><u>246593/2</u></p>

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

51126/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

84042/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

204250/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

152465/3

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

152465/1

The land is zoned both Significant Agriculture and Rural Resource under the interim planning scheme.

In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific

analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

The Rural Zone has been applied to the triangular portion of the title due to the native vegetation coverage in accordance with RZ3(b).

51127/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

65413/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

179551/1

The land is zoned both Significant Agriculture and Rural Resource under the interim planning scheme.

In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

The Rural Zone has been applied to the triangular portion of the title due to the native vegetation coverage in accordance with RZ3(b).

138515/2

The land is split zoned Significant Agriculture and Landscape Conservation under the interim planning scheme.

In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is steep and heavily covered with native vegetation. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary

waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.

111552/3

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6*. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

171485/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6*. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

138515/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6*. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

46649/4

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6*. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

238636/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6*. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

82757/2

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

165246/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

71465/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

82757/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

162207/2

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

162207/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless*

*considered for an alternate zoning under AZ 6. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.*

178953/2

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

147388/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

44369/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

180709/1

The land is zoned Significant Agriculture under the interim planning scheme. In accordance with guideline AZ 2: *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.* RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.

119181/1

In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is steep, heavily covered with native vegetation and contributes to a larger bushland area. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The

	application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.	
Recommended action	152464/1      change to Rural in draft LPS 152464/2      no action required 201218/1      no action required 246593/2      no action required 51126/1      no action required 84042/1      no action required 204250/1      no action required 152465/3      no action required 152465/1      no action required 51127/1      no action required 65413/1      no action required 179551/1      no action required 138515/2      no action required 111552/3      no action required 171485/1      no action required 138515/1      no action required 46649/4      no action required 238636/1      no action required 82757/2      no action required 165246/1      no action required 71465/1      no action required 82757/1      no action required 162207/2      no action required 162207/1      no action required 178953/2      no action required 147388/1      no action required 44369/1      no action required 180709/1      no action required 119181/1      no action required	
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.	

<b>317.</b>	<b>Toby Welstead &amp; Samantha Haddon (<i>Red Seal Urban &amp; Regional Planning</i>)</b>
Matters raised	The representation requests 115 Cemetery Road, Dover (PID: 2989772; CT: 100627/1) be zoned Rural Living D rather than Recreation.

Representation general comments:

1. Currently, the property is zoned both Rural Resource and Recreation. Huon Valley Council has proposed under the Huon Valley LPS to zone the land Rural and Recreation without any clear reasoning as to the strategic value of the site being zoned this way. Whilst the proposes zoning of land Rural and Recreation might be regarded as a clear transition of the current zoning this assumes that the current zoning is correct. The position of this submission is that it was an error in the transition from the Esperance Planning Scheme 1989 to the Huon Valley Interim Planning Scheme 2015 that has not been corrected.
2. Based on the actual land use, an analysis of the purpose of the zones, and a review of the Guidelines the more appropriate land use zoning is that of Rural Living Zone D. This zoning facilitates minor agricultural activities but is more applicable to the residential activity that is occurring on the land. Therefore, pursuant to Section 35E (3)(b) of the Land Use Planning and Approvals Act 1993, the draft LPS should not apply the zone Rural and Recreation, as it is more appropriate to remain Rural Living zoned.
3. This request is made in reference that although the site is on the opposite side of the road to the Golf Course, which is more commonly associated with Recreation Zoned land and more in line with the LPS Guidelines<sup>1</sup>, there does not appear to be any strategic reason for this location to be Recreation. Additionally, it is appreciated that under Guideline RecZ 2 the Recreation Zone can apply to private land; however, this would be more appropriate in the case of a private golf course or sports centre, not associated with a private residential home. Additionally, it is observed that the site is not referenced within the Council strategic recreation plan either as a specific site or as part of a potential expansion to the Dover Golf Course. Therefore, there appears to be no strategic basis for the zoning of this site Recreation and that the zoning of the site recreation was an error in transition from the Esperance Planning Scheme to the Huon Valley Interim Planning Scheme.



Figure 1. Site location and existing zoning

Planning Authority response	<p>Given CT 100627/1 is privately owned and not associated with a recreation use both existing or into the future, the application of the Recreation Zone is inconsistent with RecZ1. Regarding the application of the Rural Living zoned to the PID. In accordance with RLZ2 the Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</p> <p>(a) <i>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</i></p> <p>(b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></p> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there are a substantial portion of lots being of a size typically associated with a rural-residential lifestyle – for example 26 % of lots are between 1 ha – 10 ha. Therefore, whilst it is recognised that the rezoning would provide for limited subdivision and is in proximity to a settlement, due to the number of lots in the LGA that would also have these characteristics, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>The Rural Zone is considered to be the most appropriate zone for the site.</p>
Recommended action	Change site to Rural in the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>318.</b>	<b>Albert de-Kleine (JMG Engineers &amp; Planners)</b>
Matters raised	<p>The representation requests 130 Cudgee Road, Mountain River (PID: 2668127; CT: 145379/6) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p>

	<ol style="list-style-type: none"> <li>1. It is noted that the site was determined to be 'Unconstrained' within the study of 'Land Potentially Suitable for Agricultural Zone' (as outlined on TheList) which suggests that it was considered as a suitable site for agricultural uses. This accords with the basis upon which the current owners have been using the site for a range of rural/agricultural uses, its historic use for a variety of rural/agricultural uses and proposed future use of the site for rural purposes. It is also noted that the vast majority of surrounding land within Huon Valley, including sites covered by the proposed draft Natural Assets Code, were also identified as 'Unconstrained' within the study of 'Land Potentially Suitable for Agricultural Zone', have been zoned as Rural. This includes sites in the immediate vicinity of the subject site, and wider within the Local Authority area.</li> <li>2. It is clear from the use of the site and intentions of the landowner that the site is not currently being used, nor is it intended to be used, for the purposes identified under the 'zone purpose' for the Landscape Conservation zone.</li> <li>3. It is submitted that the coverage of the Priority Vegetation Area provides sufficient protection for the natural assets, ecology, priority vegetation, and threatened species habitat and that the zone applied should primarily reflect the underlying land use.</li> </ol> <div data-bbox="438 1093 986 1496" data-label="Image"> </div> <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance</p>



	<p>impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is located on a slope, is substantially covered by native vegetation and forms part of a larger contiguous bushland area. Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the site</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>319.</b>	<b>Cygnet Association Inc (<i>Red Seal Urban &amp; Regional Planning</i>)</b>
Matters raised	<p>The representation requests the following 2 sites in Cygnet have their own Specific Area Plans (SAPs) as permitted within the LPS pursuant to section 32 (4) of the Act:</p> <ul style="list-style-type: none"> <li>Site 1 – “Road Corridor” on land to the east of the commercial retail area of Mary Street Cygnet, identified and associated with: <ul style="list-style-type: none"> <li>- Thorp Street, Cygnet PID: 3250283 with CT: 165368/1 and CT: 182001/1, - Lot 7 Mary Street Cygnet PID: 3238313 with CT: 165335/7, and</li> <li>- Lot 6 Mary Street Cygnet PID: 3238321 with CT: 165335/6.</li> </ul> </li> <li>Site 2 – “Mixed use development” on land associated with the former Cygnet Old School Farm and former Cygnet Council Works Depot: <ul style="list-style-type: none"> <li>- 14 George Street Cygnet PID: 7830242 with CT: 179328/2 (former school) and</li> <li>- 20 Golden Valley Road Cygnet PID: 2036840 with CT: 135234/1 (former depot)</li> </ul> </li> </ul> <p>- The area includes two associate internal reserved roads.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Site 1- Mary Street Traffic: <ol style="list-style-type: none"> <li>Background:</li> </ol> </li> </ol>

	<p>(i) Improved vehicle circulation in Mary Street has been a priority for Cygnet for several years and was a focus of the Council's Priority Projects 2021, which made the case for removing some of the traffic flow and creating more parking by a new service street to the east of Mary Street. This project is consistent with the recommended actions from the Cygnet Township Plan 2010. State Government funding has been committed to the project and in 2021 Cygnet Association conducted its own community engagement to assist Council with design and community support (Appendix A).</p> <p>(ii) The principle of the service street is supported by the Cygnet community: it has been identified as a "stop gap measure" as, given the growth rate in both the township and the region, it will not be a long-term solution. A matter that has only become more evident with the expansion of the residential zone along Channel Highway and the strong population growth for Cygnet. What is suggested, based on the feedback from community consultation, is that the LPS should be drafted so that it keeps options open, and in a way that does not impinge on the property owner(s)' ability to develop the site.</p> <p>(b) Concern:</p> <p>(i) Concern is expressed that whilst the Particular Purpose Zone – Future Road Corridor, may facilitate a service route and help ease parking on Mary Street, the provisions within the Future Urban Zone do not assist in guiding the specific design of the area. Similarly, it is appreciated that zoning a pathway through the site is equally restrictive and thus not appropriate for a flexible and sustainable design, being too restrictive and outside the scope of the LPS submission requirements.</p> <p>(c) Proposal:</p> <p>(i) The Cygnet Association proposes that this be in the form of a specific area plan (SAP). The SAP would encompass the Future Urban zone and potentially adjacent sites and facilitate the development of a road between Garthfield Avenue and a location on the Channel Highway near where it crosses Agnes Rivulet.</p> <p>(ii) The alignment, size and dimensions of the road does not need to be determined at this time, and potentially such a route could be constructed in stages. What is essential is that it is flagged now so that any development of this landforms part of a master plan that includes a road that could act as a second route through Cygnet.</p>
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	<p>(iii) As Agnes Rivulet is subject to flooding, the location of this road could potentially be a flood mitigation point and of a hierarchy that allows for through traffic whilst promoting interaction with the commercial area nearby. The essential purpose of the SAP would be to ensure and assist any future development of the land to be integrated with the Cygnet commercial area.</p> <p>(iv) The advantage of a SAP is that it would assist in providing consideration under the current Future Urban Growth Zone provisions yet still remain in place when the land is rezoned.</p> <p>(d) Proposed Planning Provisions:</p> <p>(i) The SAP will have two clauses, one for development and works and the other for subdivisions. As the area covers several zones, the SAP provisions are in addition to a number of clauses in the applicable reference zones.</p> <p>(ii) An acceptable solution and performance criteria have been drafted for both with the aim that a more in-depth proposal that looks at covering the entire site has a permitted pathway, whilst a smaller minor proposal that does not warrant the larger plan would be discretionary and not generate the additional cost of broader and more in-depth plans. The approach would still show that the minor development was clear of any future road alignment with the submission of a site plan that is required as part of the development application regardless.</p> <p>(iii) Therefore, the implications of the SAP would not be too restrictive and costly for a developer to comply with, being relative to the scale of the proposal. The SAP is seen as Appendix C in the representation.</p> <p>2. Site 2- Old School Farm:</p> <p>(a) The subject site covers nearly 4-hectares within a 350m direct line from the centre of the commercial area of Cygnet. The site is an attractive location, having frontage to a council-maintained road on all four sides while the north-easterly aspect means that it has good solar access, all within close walking distance to the central commercial area of Cygnet. There is a seasonal watercourse through the southern sector of the site, but this could be seen as a natural landscaping asset. Native vegetation is minimal too. Although, it is recognised that the site is not formally listed on a heritage register; such a listing is potentially warranted, but beyond the scope of this submission.</p> <p>(b) The Cygnet Association (in its various forms) has been involved with the strategic work for this site since purchased by Council in</p>
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	<p>1997. In its most recent consultation regarding the site, the Association received over fifty submissions. Essentially the central theme seeks to use the site for a mix of the following: affordable housing; independent living units; apartments homes; respite or age care facilities; recreational opportunities such as walking, swimming and gardening; a central community meeting/coworking space focused on residents but supporting the broader cygnet community. Development projects such as the Devonport Showground redevelopment or like Barossa Park Wellness Centre in Glenorchy, are established examples that with variation could potentially work in Cygnet.</p> <p>(c) The concerns are that whilst extensive strategic work has occurred over the last couple of decades, there is really nothing within the LPS provisions that require development on the site to be for the social and community benefit of Cygnet. It is also appreciated that the complete drafting of provisions within the SPP to facilitate a greater master plan is outside the scope of section 35 of LUPAA, and the current capacity of the Cygnet Association. The Cygnet Association is concerned that the site could be sold or developed - for the Cygnet area as high density - yet still comply with the acceptable solution provisions of the scheme with no social benefit to the local community. This would miss a unique opportunity to provide affordable housing and services needed by the community within a central location for Cygnet.</p> <p>(d) The SAP will have two clauses, first associated with Multiple Dwellings, the other clause being for subdivisions. Again, an acceptable solution and performance criteria have been drafted for both with the aim of a more in-depth proposal that looks at covering the entire site with a permitted pathway involving a Master Plan for the stie. The Performance Criteria for both the density and subdivision must demonstrate that there is a significant social and community benefit to any development. Therefore, the implications of the SAP would not be too restrictive and costly for compliance by the developer being relative to the scale of the proposal. The SAP is seen as Appendix C in the representation.</p>
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	 <p>Figure 1. Site location and existing zoning relating to Site 1</p>  <p>Figure 2. Site location and existing zoning relating to Site 2</p>
Planning Authority response	<p>It is recognised that in accordance with section 32(3) an LPS may include a specific area plan or particularly purpose zone, however given the substantial nature of the changes suggested, it is more appropriate that these changes are considered on a whole of settlement basis with a detailed strategic analysis, undertaken as part of a structure plan or master plan.</p> <p>That is, whilst there may be strategic merit for the suggested changes, it is more appropriate that these changes are considered as part of a strategic planning project for all of Cygnet.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Matters raised	<p>The representation requests 48 Old Road, Franklin (PID: 2123768; CT: 137432/2) be split zoned Rural Living B and Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. A split zoning is proposed with the eastern/lower part of the property to be zoned Rural Living B and the western/upper part of the property to be zoned Landscape Conservation. The proposed boundary between the two zones is a line from the eastern-most corner of Title Ref: 230456/1 to the southern-most corner of Title Ref: 144704/4. The proposed Landscape Conservation Zone is contiguous with land already zoned Landscape Conservation in the Draft LPS. If the land on the neighbouring property (43 New Road; Title Reference 144704/1) to the north and west of this line is also zoned Landscape Conservation this will create a continuous band of properties zoned Landscape Conservation and will contribute to protecting important rural views as seen from the Franklin Foreshore.</li> <li>2. The eastern/lower part of the property which is proposed to be zoned as Rural Living B is contiguous with a cluster of 22 existing small Rural Living B properties between Old Road and Temperance Lane, and therefore would be considered an established Rural Living Area according to the procedure of Tempest and Ketelaar (2018).</li> <li>3. A split zoning of Rural Living B and Landscape Conservation fulfils the zone purposes to the greatest extent. Such zoning best provides for future likely use, provides reasonable sub-division potential, preserves heritage and character values, protects natural values and buffers rather than conflicts with nearby and adjacent sensitive (residential) use. The rezoning of part of the property to Landscape Conservation takes a very conservative and cautious approach to protecting the landscape values of the property. The area of regrowth forest proposed for rezoning to Landscape Conservation is already identified and protected as 'Priority Vegetation Area' under the Natural Assets Code. The main advantage to rezoning of this part of the property to Landscape Conservation is that it creates a continuous band of properties with landscape protection. This provides a consistent approach and reduces the chance that the existing gap in the Landscape Conservation zone could be used as a precedent in future development applications. If the suggestion for split zoning is rejected, a simple rezoning to Rural Living B is requested.</li> <li>4. The procedure of Tempest and Ketelaar (2018) indicates the property has all the characteristics of an established Rural Living Area: <ul style="list-style-type: none"> <li>• Potential Land Use: 'Domestic-scale' characteristics</li> <li>• Definition: Little or no use for agriculture</li> <li>• Resources: Generally 1-8 ha in area; Land Capability variable; water for irrigation unlikely</li> </ul> </li> </ol>
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	<ul style="list-style-type: none"> <li>• Connectivity: Moderate to significant Constraints; Residence on the title; Residences in close proximity; Little or no connectivity to unconstrained titles</li> <li>• Objectives for Planning: Provide opportunities for rural residential lifestyle choice without risking loss of the agricultural resource; may contribute to buffering at the rural/residential interface</li> </ul> <p>5. The Rural Zone is not appropriate for this property. Many of the Permitted Uses in the Rural Zone would create significant use conflict and ensuing loss of amenity to nearby residential areas because of the close proximity of the property to the Village Zone of Franklin. Rural use would have impact on nearby sensitive use. Land zoned Village is within 150 metres and the property lies within a community of 22 properties zoned Rural Living. These properties would be affected by sprays, noise, smells and movement from agricultural activity. Applying the Rural Zone to this property therefore has the potential to create significant conflict with nearby residential areas and does little to achieve the Zone Purpose.</p> <p>6. Applying the Rural Living Zone to the property would achieve the zone purpose to a very significant extent. It would provide for residential use and/or development in a rural setting where services are limited, and existing natural and landscape values are to be retained. It would provide for compatible agricultural use and development without adversely impacting on residential amenity because the Permitted Uses in the Rural Living Zone are limited to low impact activities and the Discretionary Uses are all compatible with being undertaken in reasonable proximity to residential areas. It would provide for other use or development without causing an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts, because the Discretionary Uses have Use Standards limiting hours of operation so they do not cause unreasonable loss of amenity to adjacent sensitive uses (such as residential).</p> <p>7. It is submitted that the proposed change:</p> <ol style="list-style-type: none"> <li>(a) furthers the objectives contained in Schedule 1 of the Act (LUPAA, 1993) and is consistent with each State Policy;</li> <li>(b) is consistent with STRLUS;</li> <li>(c) creates no natural justice conflicts with neighbouring properties or Franklin generally; and</li> <li>(d) will have no impact on the implementation of the LPS as a whole.</li> </ol>
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Figure 1. Site location and existing zoning



Figure 2. Suggested boundary between the two zones

Planning  
Authority  
response

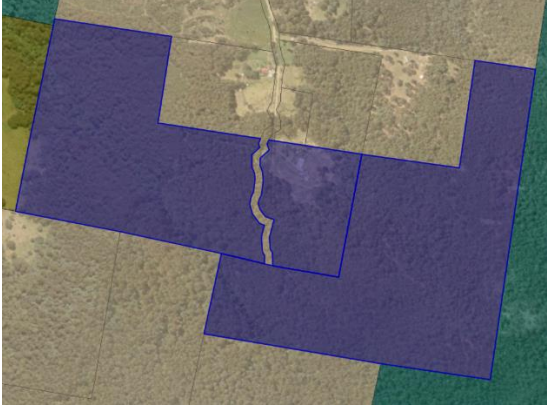
The lot is zoned Rural Resource under the interim planning scheme. In accordance with RLZ 2 the Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:

- (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...*


The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots being of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, whilst it is recognised that the rezoning would provide for limited subdivision, given the land is not part of a recognised Rural Living or Environmental Living community and the proportion of lot size between 1 ha – 10 ha in the LGA, any increase in the Rural Living Zone needs to be considered

	<p>on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>Accordingly, the most appropriate zone for the site is Rural.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>321.</b>	<b>Marek and Angela Kadziolka</b>
Matters raised	<p>The representation requests 293 Umfrevilles Road, Kaoota (PID: 5692480; CT: 236603/1) and neighbouring PID: 5692501; CT: 245440/1 be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners request that the properties be zoned as Rural as they are applying for establishment of private timber reserves on these properties. The properties in the past supported 2 sawmills and were logged between the 1940's and late 1970's. The properties have valuable timber resources, as assessed by Tony O'Malley (assessment included in representation). Additionally, it is considered that the Rural zoning is more appropriate for what is effectively a timber resource available for sustainable and viable harvesting.</li> <li>2. In addition to the private timber reserve application, owners are substantially through a process of having a Forest Practice Plan professionally prepared, which will be concluded shortly. As part of these processes a geomorphologist has inspected the property and made an assessment and in addition there has been a review of biodiversity, including habitat. These professional reviews of each specific property address the majority of issues alluded to by HVC. As it is understood, the framework established by these processes provide superior protection of natural values than zoning. Additionally, the Natural Asset Code exempts a certified forest practice plan and private timber reserves under the Forest Practices Act 1985 as protections are built into these instruments.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is steep, includes a class 2 waterway (Killaways Creek) is substantially covered by native vegetation and forms part of a contiguous bushland area that adjoins the Snug Tiers Nature Recreation Area. Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the site</p>
Recommended action	No modification to the draft LPS is required

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>322.</b>	<b>Sioban Fernantzen</b>
Matters raised	<p>The representation requests PID: 1753493; CT: 125750/1 in Eva Gully Road, Brooks Bay be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The subject parcel of land is not impacted by the Priority Vegetation Area overlay which is the primary intention of the Landscape Conservation Zone intention. The subject site has previously had works undertaken which has created a driveway and clearing for such as well as some minor clearing for a building pad. This work was done a long time ago and prior to the purchase of this site. This area has had only minor regrowth over these areas and therefore does not contain significant vegetation as indicated was a feature of sites proposed to be converted to this zone (80% or more of natural untouched vegetation).</li> <li>2. Adoption of the Landscape Conservation Zone would impact ability to use the land for residential use with built form restrictions not previously imposed by the Environmental Living Zone. Building restrictions will severely impact the use and value of the property.</li> <li>3. "I do not support the adoption of the Draft Local Planning Provisions for the Huon Valley as proposed and further consideration needs to be made to individual areas before this plan represents appropriate zones for the Huon Valley area."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Brooks Bay/Police Point, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied.</p> <p>Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>
Recommended action	Change site to Rural Living D and the lots within this area identified as Landscape Conservation Zone including:

	119908/1	200641/1	155404/6	28070/9	105710/1
	109457/5	142096/1	28070/12	30128/7	125750/3
	28070/15	115370/1	28070/10	131668/1	142096/6
	28070/11	28070/3	28070/8	131668/2	249930/1
	169211/1	40745/2	33528/6	24422/1	33528/3
	212369/1	44038/1	170686/1	28070/14	109457/4
	33528/2	29768/1	159372/2	28070/7	169211/2
	149479/1	30128/6	159362/1	33528/1	149479/2
	39100/1	152177/1	159372/3	157053/1	28070/1
	52924/1	33528/4	40745/1	33528/5	152176/1
	125750/2	105711/1	28070/2	44038/4	142096/2
	125750/1	39100/3	28070/4	118218/1	142096/3
	28070/16	31370/2	155404/5	245000/1	159372/1
	28070/13	170686/2			
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.				
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.				

<b>323.</b>	<b>Bernadette Dean</b>
Matters raised	<p>The representation requests 42 Jetty Road, Cygnet (PID: 5850469; CT: 120002/1) and 314 Lymington Road, Lymington (PID: 7695079; CT: 113844/1) be zoned Rural Living rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I, Bernadette Gaye Dean am the owner of the above properties, and I would like to submit the following representation that objects to the proposed rural zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of rural living should be applied as it better fits with my property or the possibility of dual zoning which includes rural living. As I was not made aware of this re-zoning until quite late in the process and exhibition period, I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that I object and request that the above zone change be considered, and that I invoke my right to be afforded an opportunity to have my matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>

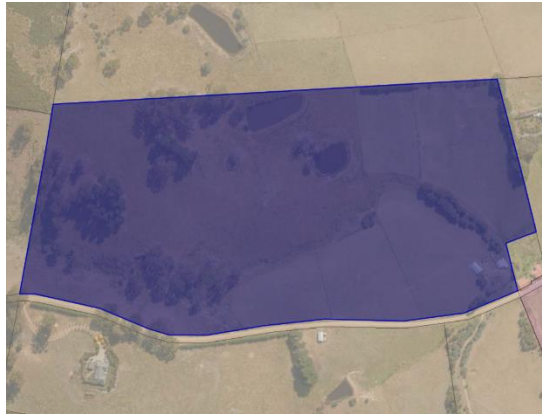


Figure 1. Site location and existing zoning of 42 Jetty Road, Cygnet (PID: 5850469; CT: 120002/1)

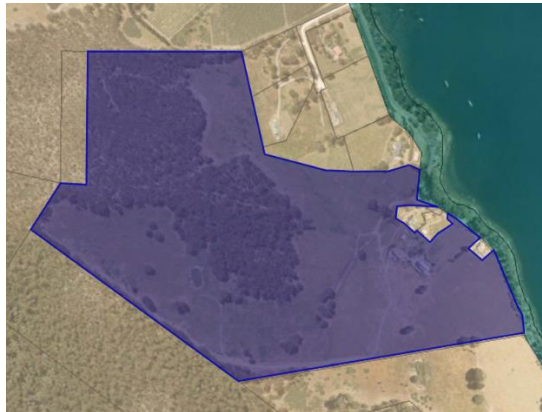


Figure 2. Site location and existing zoning of 314 Lymington Road, Lymington (PID: 7695079; CT: 113844/1)

Planning  
Authority  
response

42 Jetty Road, Cygnet (PID: 5850469; CT: 120002/1)


The lot is zoned Rural Resource under the interim planning scheme and Rural under the Huon Valley – LPS. In accordance with RLZ2 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...*

The STRLUS (see regional policy SRD1.3) support the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. There is no local strategic analysis consistent with the STRLUS that supports this land being zoned Rural Living. Accordingly, the Rural Zone is considered to be the most appropriate zone for the lot.



	<p><u>314 Lymington Road, Lymington (PID: 7695079; CT: 113844/1)</u></p> <p>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:</p> <ol style="list-style-type: none"> <li><i>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</i></li> <li><i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ol> <p>The STRLUS (see regional policy SRD1.3) support the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. There is no local strategic analysis consistent with the STRLUS that supports this land being zoned Rural Living. Accordingly, the Rural Zone is considered to be the most appropriate zone for the lot.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>324.</b>	<b>Michael Kelly</b>
Matters raised	<p>The representation relates to PID: 7695239; CT: 39880/1 in Brittain's Road, Garden Island Creek and 97 Dalys Hill Road, Garden Island Creek (PID: 5861467; CT: 180918/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Owner is concerned about the expected zone changes and apparent value changes to country land ownership.</li> <li>"Please accept my handwritten submission as an intention to submit a more comprehensive submission at a future date as I have not yet had enough time to properly digest the relevant zone changes and what that means to my family and their future living and working in the fabulous Huon Valley on the land we own."</li> </ol>

	 <p data-bbox="424 622 1145 651">Figure 1. Site location and existing zoning of both properties</p>
<p data-bbox="204 707 323 815">Planning Authority response</p>	<p data-bbox="424 707 1390 1064">Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p data-bbox="424 1117 1390 1473">In reviewing this representation received and others in the Environmental Living Zone of Garden Island Creek, Council assessed the application of the Landscape Conservation Zone to this area and determined the characteristics of this area, in terms of vegetation coverage, hillsides and proximity to the Huon River reflect the important landscape characteristics of the Huon Valley. These landscape values include vegetated hills and valleys framing cleared agricultural, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways. Accordingly, only small-scale use or development is appropriate.</p> <p data-bbox="424 1527 1390 1843">Importantly, this area of Environmental Living zoned land is significant in size and there is no strategic intention for this site and the broader Environmental Living area to be an area of residential use and development within a rural setting. Given the substantial portion of lots in the LGA being of a size typically associated with a rural-residential lifestyle (for example 26 % of lots are between 1 ha – 10 ha) any increase in the Rural Living zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p data-bbox="424 1897 1390 1966">The application of the Landscape Conservation zone is therefore considered the most appropriate zone for this site.</p>

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>325.</b>	<b>Jane and Shane Johnson, Martin Riddle and Deb van Velzen</b>
Matters raised	<p>The representation seeks to amend the zone boundary of HUO – P3.0 Particular Purpose Zone Franklin Marine and Tourism Precinct to correspond with boundary between CT 172539/1, CT 170797/1 and CT 170797/2. This would have the effect of changing the zoning of a small portion of CT 170797/1 and CT 170797/2 from HUO – P3.0 Particular Purpose Zone to Village.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The land is part of the former Franklin Evaporators light industrial site and is at the boundary of the Particular Purpose Zone - Franklin Marine and Tourism Precinct and the Village zone. Two titles (CT 170797/1 and CT 170797/2) have frontage to Huon Hwy and are predominately zoned Village will a small portion of each in HUO - P3.O PPZ. These two titles are flat, with connection to reticulated water, sewerage and electricity and communications. The third title (CT 172539/1) contains a former factory and associated land and is entirely within HUO – P3.0 Particular Purpose Zone Franklin Marine and Tourism Precinct.</li> <li>2. The two titles which are predominately Village zoned meet the zone purposes of the Village zone. The likely future use meets these zone purposes. There is no clear reason or benefit to allocating a portion of these two titles as zone HUO – P3.0 PPZ.</li> <li>3. Representors believe that the proposed change: <ul style="list-style-type: none"> <li>• furthers the objectives contained in Schedule 1 of the Act (LUPAA, 1993) and is consistent with each State Policy;</li> <li>• is consistent with STRLUS;</li> <li>• creates no natural justice conflicts with neighbouring properties or Franklin generally; and</li> <li>• will have no impact on the implementation of the LPS as a whole.</li> </ul> </li> </ol>


	 <p>Figure 1. Site location and existing zoning of CT 172539/1, CT 170797/1 and CT 170797/2.</p>  <p>Figure 2. Site location and existing zoning of CT 172539/1, CT 170797/1 and CT 170797/2.</p>
Planning Authority response	The planning authority has no objection to the amending of the zones to align with the cadastre boundaries.
Recommended action	Amend zones to align with cadastre boundaries: rezone a small area of CT 170797/1 and CT 170797/2 from HUO – P3.0 Particular Purpose Zone to Village.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>326.</b>	<b>Stephen Hall</b>
Matters raised	<p>The representation requests lot 3 Nicholls Rivulet Road, Nicholls Rivulet (PID: 2579423; CT: 142764/3) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p>

	<ol style="list-style-type: none"> <li>1. "I, being joint owner of the above property would like to submit the following representation that objects to the proposed Landscape Conservation zoning (LCZ) as put forward by the council as part of the advertised draft Local Provisions Schedule submission. We believe that the more appropriate zone of Rural should be applied as it better fits with our property. As we were not made aware of this re-zoning until quite late in the process and exhibition period we have been unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf. I am requesting that our objection and that the above zone change be considered, and that we invoke my/our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my/our objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> <li>2. This title is classed as Primary Production with the Lands Titles office as owners have run cattle on the property and are planning to do so again as a source of living. It is adjacent to other titles owned in Kingborough Council as part of a big family property, with all zoning being Rural. This title is also adjacent to owner's working red gravel quarry with future expansions onto this title in mind. Under Rural zoning, resource extraction is allowed but isn't under Landscape conservation. Changing to LCZ would adversely affect owner's ability to earn a living. The title already has protection overlays.</li> </ol> <div data-bbox="416 1218 967 1630" data-label="Image"> </div> <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme and Landscape Conservation under the draft Huon Valley – LPS. The Rural Resource zone and the Rural zone are not like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when</p>


	<p>considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is steep, includes a hilltop, is substantially covered in native vegetation and forms part of a contiguous bushland area incorporating the Woodbridge Hill Conservation Area.</p> <p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>327.</b>	<b>Jane Gallichan</b>
Matters raised	<p>The representation requests 50 Carters Road, Port Huon (PID: 2863299; CT: 154092/4) be zoned Low Density Living rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Rural zoning is inconsistent with: <ol style="list-style-type: none"> <li>(a) Zoning of adjacent properties- Specifically, the entire front boundary is zoned General Residential. To develop the property in accord with the purpose of the Rural Zone would place the property in conflict with adjacent properties as it is highly unlikely that any developed use is unable to satisfy <i>clause 20.1.1 (d) minimises adverse impacts on surrounding areas</i>. Additionally, it is unlikely that use or development would be of a scale and intensity that is appropriate for the location given the boundary with General Residential.</li> </ol> </li> </ol>

	<p>(b) Current and expected future use- The property was originally part of a larger farm that has been subdivided. It is not suitable for profitable agriculture use due to orientation (south facing slope) and scale (6ha). Given the surrounding properties are zoned General Residential, Low Density Living or Rural B it is evident that the nature of the activities on these properties are not for agricultural or commercial use for profit.</p> <p>(c) Property size- The property is only 6ha and therefore appears to be inconsistent with the intent of the zoning provision to maintain larger scale properties. This view is supported by <i>Rule 20.5.1 Lot design</i>, which states that properties must not be less than 40ha.</p> <p>2. The current use of the property is consistent with the purpose of Low Density Residential zone. The ability to subdivide the existing property at some future date:</p> <ul style="list-style-type: none"> <li>• Will provide high quality blocks that have beautiful views over Port Huon;</li> <li>• Is more consistent and aligned to the adjacent “General Residential” Zone;</li> <li>• Will be proximate to full water supply service, a reticulated sewerage system and the public stormwater system.</li> </ul>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the HVIPS and Rural under the Huon Valley – LPS. In accordance with LDRZ1, the Low Density Residential Zone should be applied to residential areas with limitations, such as large lots with environmental or infrastructure constraints. The site is zoned Rural Resource under the HVIPS and is not considered to form part of a residential area.</p> <p>A change to the Low Density Residential Zone would be inconsistent with the zone application guidelines.</p> <p>The most appropriate zone for the site is considered to be Rural.</p>

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>328.</b>	<b>Martin Riddle, Deb van Velzen, Shane Johnson, Jane Johnson</b>
Matters raised	<p>The representation seeks to amend the Use Table for the HUO P3.0 PPZ as it relates to the former Franklin Evaporators factory site (CT 172539/1) so that the Uses are better aligned to the Zone Purpose and Local Area Objectives.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This area contains the former Franklin Evaporators factory and associated land together with the crown lease located immediately to the north of CT 172539/1. The HUO P3.0 Particular Purpose Zone Franklin Marine and Tourism Precinct includes a mix of community-owned and privately-owned entities and a mix of freehold property and property leased from the Crown. The former industrial site, Franklin Evaporators, is predominately freehold title but also includes an area of Crown Lease immediately to the north of the factory sheds. The applicable Use Table (HUO-P3.4) therefore covers a broad range of land types from community-managed Crown land to privately-owned freehold land.</li> <li>2. The former industrial site, Franklin Evaporators, is referred to in the Draft LPS as “Folio of the Register 45212/1” and as “Folio of the Register 172539/1”. The Version of the Draft LPS submitted to the Commission on 24 May 2021 refers only to “Folio of the Register 172539/1”. Representors ask that the correct current Folio Register number for the former industrial site, Franklin Evaporators, be used consistently throughout the LPS. Representors support and accept the existing Uses and Qualifications included in HUO-P3.4 Use Table, however, we request further Uses be added as Discretionary Uses.</li> <li>3. Representors ask that the following Uses be added to HUO-P3.4 Use Table as Discretionary Uses with the Qualification “If located on Folio of the Register 172539/1” [or 45212/1 if that is the correct Folio Register number for the former industrial site, Franklin Evaporators]: <ul style="list-style-type: none"> <li>• Bulky Goods Sales</li> <li>• Business and Professional Services</li> <li>• Equipment and Machinery Sales and Hire</li> <li>• Manufacturing and processing</li> <li>• Residential</li> <li>• Service industry</li> </ul> </li> </ol>

	<ul style="list-style-type: none"> <li>• Sports and recreation</li> <li>• Storage</li> </ul> <p>The changes suggested apply only to the former industrial site, Franklin Evaporators and are considered in relation to the Zone Purpose and Local Area Objective HUO-P3.2.1 which applies specifically to that site.</p> <p>4. The former factory site has been empty since the Franklin Evaporators ceased to operate more than a decade ago. Representors believe this is largely because the Uses allowed by the Planning Scheme for the site are too restrictive. The proposed changes seek to broaden the permitted and discretionary uses of HUO P3.0 PPZ as far as it relates to 3347 Huon Highway, Franklin (CT 172539/1) only, in a way that opens opportunities for uses consistent with the Zone Purpose for the Franklin Marine and Tourism Precinct. The current permitted and discretionary uses are sensible in relation to the community use of the area but they unreasonably restrict the commercial viability of the former factory and will limit its productive re-use. Some of the restrictions for use make little sense.</p> <p>5. It is proposed to make the additional uses Discretionary so that the Planning Authority can assess future applications for Use or Development against the Zone Purpose and Local Area Objectives. This will ensure that the site will retain its principal purpose which is built around boating and tourism.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The purpose of the particular purpose zone is to provide for boat and ship building activities alongside education, recreation and tourism activities. It is not clear how the introduction of additional allowable uses such as Business and Professional Services, Residential, and Storage would be consistent with the purpose of the zones. Whilst it is recognised that having a building in this location remain vacant is not in the community or town's interest, such significant changes to the use table of a particular purpose zone requires detailed strategic analysis and potentially other changes to the provisions in the zone before consideration of approval by the Planning Authority could occur.</p>


Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>329.</b>	<b>Catherine Shearer</b>
Matters raised	<p>The representation requests Lot 1 Pottery Road, Garden Island Creek (PID: 9403722; CT: 42786/1) be zoned either Rural Living or split zoned Rural Living and Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I invoke my right to be afforded an opportunity to have my matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> <li>2. Owner purchased this land to utilise for sustainable rural development and intends to support a residential use that ties into the rural pursuits planned. The fact that the land is currently zoned RRZ speaks to the matter at hand that it had been identified as having explicit potential for rural development. Whilst Council initially chose a "like for like" transition of Rural Resource Zone to Rural Zone, the new Rural Zone also omits a residential expectation from its purpose statements.</li> <li>3. Owner argues for a Rural Living Zone to be applied across the property as this will have the end result in preserving the land's ability to have both a rural and residential expectation. Both of these expectations are present in the Rural Resource Zone, and therefore should be retained as best as possible in the new zone transition. The rural and residential use is also consistent with neighbouring properties within my local area.</li> <li>4. Owner considers the additional rezoning of the property to LCZ in the absence of any identified values where general natural values are already protected by legislation, under the Resource Management and Planning System (RMPS) and the Scenic and Natural Assets Codes etc. to be superfluous at best. That is to say simply that, the property was already subject to several other undergirding compliance requirements and 'safety nets' under its current Rural Resource zoning which would be continued through to the new zoning system where appropriate via other protection overlays and retained oversight like that of the Forest Practices Authority and a select number of legislation. Placing further requirements for conservation then is arguably, redundant and seeks only to remove</li> </ol>

	<p>any notion of potential land development, no matter the level of sustainable ‘acceptability’ attained and value to community / alignment with current and projected Huon Valley use and cultural development.</p> <ol style="list-style-type: none"> <li>5. Although the land is potentially suitable for agricultural use the surrounding area characteristic would suggest that intensive agricultural use as not being in fit with the other properties that have established residential use with a rural use/s supporting that residential amenity. RLZ also provides for rural use over the land, which as implemented in the way that the owner proposes will see low scale impact on the property to facilitate low carbon footprint sustainable rural methods. Owner’s plans include similar uses to that of neighbouring properties, very minimal land clearance and compliance with the Natural values protection requirements will govern the development of the property.</li> <li>6. The vegetation on the property has yet to be accurately surveyed, is by a vast majority not consisting of threatened species not priority vegetation according to TASVEG 4.0. Given the inaccuracy of the Priority Vegetation Area overlay and the way this model takes an expansive view of only “possible” issues, it proposes an overlay constraint on the land which is unnecessary. It is requested that the Priority Vegetation Overlay be removed and only reinstated on positive, ground truthed sightings of threatened flora and fauna communities in question.</li> </ol> <div data-bbox="416 1093 967 1487" data-label="Image"> </div> <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not a like-for-like zone and there is a clear policy distinction between the Rural Zone under the SPP’s and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p>


	<p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is on the lower slopes of a vegetated ridgeline and forms part of a large, generally contiguous bushland area extending to the Huon River. Significant portions of the property are mapped as threatened <i>Eucalyptus tenuiramis</i> forest and woodland on sediments and threatened <i>Eucalyptus globulus</i> dry forest and woodland. There is a record of swift parrot on the property.</p> <p>Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>330.</b>	<b>Odette Lennane</b>
Matters raised	<p>The representation requests 103 Tongue Road, Hastings (PID: 2011803; CT: 50720/1) be zoned Rural Living C rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is in an area that has a 'Forest Lease' next door and small acreage with domestic homes. Apart from the 'Forest Lease' and crown land, none of the properties resemble the description in LCZ 1. The property is a small 5 acre area that is adjacent the crown land licence that has enabled the family to own manage and run a 42 hec oyster farm at Hastings. The oyster farm was one of the original ones established in Tasmania being number 5 and is one of two in the area. There is very little vegetation on the property itself, which is to the large part fenced to keep wild animals out and accommodates the oyster farmer's home.</li> </ol>

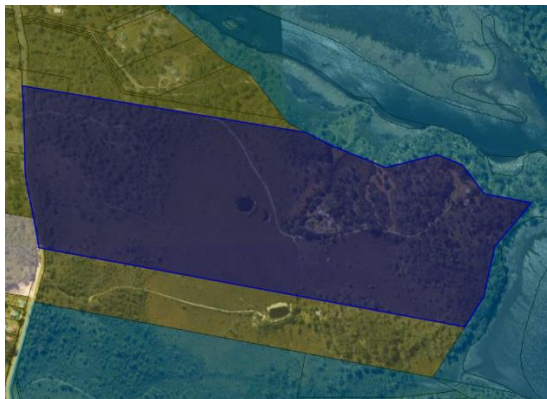
	<p>As such, it is not a “bushland area” but part of a working farm that is cleared, fenced and has a dam. Therefore, it does not fit the description of having 'important scenic values'.</p> <ol style="list-style-type: none"> <li>2. The Huon Valley Council Priority Vegetation Report shows the Property is almost completely clear of vegetation but still lists by way of a technological overlay, not factually, that there is (SCH) Coastal heathland on the property. This is simply untrue by fact the area is cleared and fenced. There have been no verified sightings of Threatened Fauna over 23 years of occupation on the property.</li> <li>3. It is concluded this property has been classified without being genuinely assessed by the Huon Valley Council in the context of its factual matrix including existing and historical use. It lays on a dead-end road leading to two oyster farms and homes or small properties that have homes and is not part of a recreational route. It contains none of the features listed in the High or Moderate Scenic Quality class and very few of the features listed in the low-quality class. The property has been arbitrarily classified Landscape Conservation Zone and requires Zone reconsideration.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living in the interim planning scheme. RLZ 2(b) allows for land within the Environmental Living Zone to be considered for the Rural Living zone. The site is generally clear of native vegetation and as identified in the submission is part of a 42-ha oyster farm at Hastings. The site adjoins Crown land to the north to be zoned Rural and freehold land to the south and west that is to be zoned Landscape Conservation under the Huon Valley – LPS. The site is considered to have limited landscape values and given its association with an oyster farm and to avoid a spot zoning (should Rural Living be considered) the Planning Authority does not object to the zoning of Rural.</p>
Recommended action	<p>Change site to Rural in the draft LPS</p>

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>331.</b>	<b>Rosalind Skinner</b>
Matters raised	<p>The representation requests 237 Hastings Caves Road, Hastings (PID: 7842286; CT: 46083/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The current zoning proposal is inconsistent and not reflective of past and current use. This land is primarily pasture, with very small residential dwellings and outbuildings, with a few very small and young remnant parcels of regrowth. There is no virgin native bush on the property. This proposed zoning limits existing and proposed uses. The Rural Living Zone best suits this property, which has been used for many years in accordance with the values described in the zone purpose and guidelines. It is the most reflective and consistent zoning for the land in question.</li> <li>2. Looking at the guidelines for the LCZ, this property does not fit the zone purpose or any of the guideline points. This land has constantly been cleared of native bush and vegetation since the 1800's. It has had, for well over one hundred years, over the whole site, extensive industrial use, farm and orchard use, extensive residential use, community development and has been affected by devastating fires in the past. There are no important scenic values on this land.</li> <li>3. Looking at the purpose and guidelines for the Rural Living Zone (RLZ), this property does fit the raised points (RLZ 1-4). For at least the last fifty years the property has had continuous residential use, various forms of animal husbandry, pasture maintenance and several small home-based business ventures. With this land continuing with the current uses it has helped the local area with fire control/reduction and provides food for wildlife.</li> </ol>


	 <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Hastings, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for some of these lots, their characteristics are akin to a Rural Living in terms of lot size, density and lack of vegetation coverage. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied.</p> <p>Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and majority of the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (area D).</p>

Recommended action	<p>Change this site to Rural Living D in the draft LPS and the following titles:</p> <p>46086/1      238754/1      44833/4      46083/1      122965/1  243171/1      168313/1      105129/1      168312/1      24636/1  151824/1      16585/8      46085/1      151824/2      14937/1  62552/1</p> <p>150993/1      Split zone Rural (replacing the current HVIPS Rural Resource portion) and Rural Living (replacing the current HVIPS Environmental Living portion) along the current HVIPS zone boundary.</p>
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>332.</b>	<b>Christina Wren Fraser</b>
Matters raised	<p>The representation objects to 235 Lune River Road, Lune River (PID: 5267978; CT: 227453/1) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I reserve the right to be heard in this process and invoke my right to speak to this if asked by the Tasmanian Planning Commission hearings."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The site is zoned Environmental Living in the interim planning scheme. The site is primarily covered in native vegetation and forms part of a contiguous bushland area that adjoins with the Southwest National Park. The site is on the edge of the Lune River mouth and Hastings Bay.

	The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. The site is reflective of these important landscape values and accordingly only small-scale use or development is appropriate. Due to the landscape values afforded by the site the planning authority considers Landscape Conservation the most appropriate zone.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>333.</b>	<b>Christopher and Winsome Duggan</b>
Matters raised	<p>The representation requests PID: 7869614; CT: 49090/1 in Cockle Creek Road, Recherche be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The lot is 11 acres with cabin and outbuildings and just over 3.5 acres of clear, usable land. On the far South-East corner of this lot is the remains of an on-site spot mill that was operated by 3. This mill operated for around 8 years, cutting and shipping timber throughout Tasmania. By the late 1950's almost all usable trees were taken and sawn into usable timber. The entire point had almost no trees left standing. All of this 11 acre lot and adjoining lots do not have any original old growth forest.</li> <li>2. Owner's wish and hope is that now the Environmental Living zone is null and void, that the council and planning commission would consider reverting to the prior zoning of rural, which totally fits both historical use of the last 30 years as well as future planned use.</li> <li>3. Owner's appeal is to say that this and adjoining properties on Gagens Point have always been used for rural purposes and just because they have been burdened with an interim zoning of Environmental Living, doesn't mean that the council or planning commission should so blatantly endeavour to move this, owner's lot, and neighbours to the almost totally opposite restrictive, overbearing zone of Landscape Conservation rather than Rural at least, or even the better, closer match of Rural Living as only one of these 7 lots is not permanently or casually lived on.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living in the interim planning scheme. The site is primarily covered in native vegetation and is an elevated site that overlooks Gagens Point. The bushland area is contiguous to the Recherche Bay Nature Recreation Area. The site is on the edge of the Lune River mouth and Hastings Bay.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. The site is reflective of these important landscape values and accordingly only small-scale use or development is appropriate. Due to the landscape values afforded by the site the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>334.</b>	<b>Robyn Trewarn (<i>Louella Jury</i>)</b>
Matters raised	<p>The representation requests 109 Cygnet Coast Road, Lymington (PID: 1464093; CT: 38413/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I/We, owner/s of the above property would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone</li> </ol>

	<p>of Rural should be applied as it better fits with my property. As I was were not made aware of this re-zoning until quite late in the process and exhibition period I am/we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that our objection and that the above zone change be considered, and that we invoke my right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel.”</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is primarily covered in native vegetation, of which a portion is mapped threatened <i>Eucalyptus globulus</i> dry forest and woodland, and is on the edge of the Huon River. The site is in proximity to a large area of bushland to be zoned Landscape Conservation that incorporates the lower slopes of Black Jack Ridge.</p>

	The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>335.</b>	<b>Ron and Yvonne Mitchell (<i>Red Seal Urban and Regional Planning</i>)</b>
Matters raised	<p>The representation requests PID: 5696086; CT: 122494/1 at the corner of Ranelagh Street and Helen Street, Ranelagh be zoned Rural Living rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The subject site is currently Rural Zoned within the Huon Valley Interim Planning Scheme 2015; therefore, Zone Application Guideline RLZ 1(a) applies, and the land should be zoned Rural Living under the new planning scheme. The site is surrounded by residential areas, the existing adjacent rural lots are a mix between residential and lower order rural activities, such as hobby farming, in that the lots to the north are small rural residential in use according to LIST Map layer Land Use 2019. Priority is given to the protection of residential amenity in the surrounding area, although regard for the right to farm is still required for the land on the opposite side of river. Additionally, this is also consistent with the statements under SRD 1.3 (a) of the Southern Tasmanian Regional Land Use Strategy 2010-2035.</li> <li>2. The combination of poor soil, topographical character, inability to provide practical or suitable irrigation options, coupled with the lot sizes, in addition to the proximity to sensitive uses and residential zoned land, means that the specified land is not suitable for agricultural use. This has been exemplified with Council's upgrade of Ranelagh Street's stormwater runoff being discharged into the middle of the only level area.</li> <li>3. The length of the lot is internally bisected length wise by a seasonal creek. As a result, environmental buffers zones are 30m on either side</li> </ol>

of the water channel for both the creek and the river. Additionally, minimal pasture improvements can occur in this area due to flash flooding.

4. The site is too small for an area to farm, and whilst it is recognised that the zoning is Rural and not Agriculture implying a lesser grade of agricultural use, the site characteristic plus the constraints of the surrounding area mean that the site is unsuitable for the purpose of the Rural Zone. This is confirmed with the Land Capability Survey of Tasmania mapping, which cites this land as Class 5; however, due to its size, the surrounding land use, and the topography of the site this could move to a Class 6 classification. The result being under a Class 6 the land is essentially only marginally suitable for grazing.
5. The property owners have tried to establish fodder crops on numerous occasions, the only level area is the strip of land along the frontage to Ranelagh Street. However, this land has since had Council's Road stormwater discharging into it. Whilst the stormwater runoff may initially appear beneficial the underlying poor soil structure has resulted in less desirable results as the sites have become boggy making it difficult to work the machinery over them (ploughing or cutting hay) and livestock are reluctant to grazing within this runoff area, potentially due to a chemical taste. Even within the relatively short period of time since the road was upgraded (4 years), runoff has resulted in the establishment of reeds within the pasture.
6. This site lends itself to that of a Rural Living Zoned lot, facilitating modest residential development providing a low-density buffer area between the residential zones and the agricultural zone. By zoning the site either Rural Living Zone A or Rural Living Zone B, would provide 1-hectare or 2-hectare sized lots that are connected to TasWater infrastructure and serviced by an already sealed road. Such a zoning and lot size would provide a transition in density between the area of sensitive use within the residential zones, and the area of agricultural use within the Agriculture Zone and agricultural land beyond.

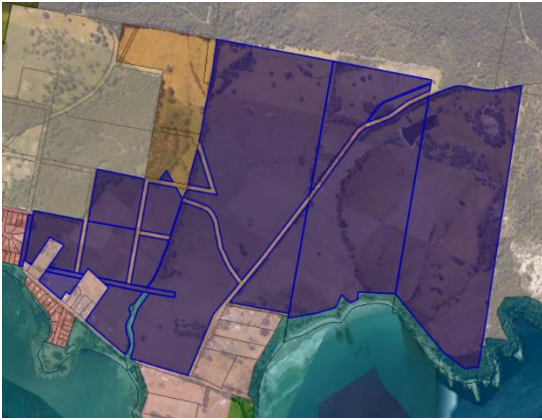


Figure 1. Site location and existing zoning

Planning Authority response	<p>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:</p> <ul style="list-style-type: none"> <li><i>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</i></li> <li><i>b. the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) support the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that a substantial portion of lots are of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha in size. Therefore, whilst it is recognised that the rezoning would provide for limited subdivision and adjoins an existing settlement, due to the number of lots in the LGA that would also have these characteristics, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>336.</b>	<b>Dale Duggan (<i>Red Seal Urban and Regional Planning</i>)</b>
Matters raised	<p>The representation requests 61 Lady Bay Road, Southport (PID: 9102837; CTs: 252088/1; 252088/2; 238698/1; 125835/1; 125835/2; 125835/3; 125835/4 and 178403/5) and PID: 2678026; CTs: 144274/1; 105027/5 and 248247/1 be zoned Rural and Rural Living Zone A rather than Agriculture and Rural Living Zone A.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. As the intent of the Agriculture Zone is to provide for a range of agricultural use and avoid unrelated non-agricultural activities, the characteristics and the restrictions limit the useability and reliance of the site for such activities. Therefore, it is considered more appropriate that the property associated with this submission are zoned Rural with a section abutting the residential area zoned Rural Living. This is</li> </ol>

	<p>particularly applicable considering that the intent of the Rural Zone is to provide for less significant agriculture and for it be applied to land with limited or no potential for agriculture. By being Rural the core agriculture use is maintained, as the land can still be used for livestock grazing, which is the current use, but simultaneously other use can still occur having regard to the agricultural values of the surrounding land but not necessarily reliant on them.</p> <ol style="list-style-type: none"> <li>2. There appears to be a core error in the decision tree to determine the allocation of Agriculture Zone, resulting in: <ol style="list-style-type: none"> <li>(a) Land zoned Agriculture</li> <li>(b) Not using Certificate of Titles to base the Agriculture Zone resulting in an untimely and misguided image of the lot layout.</li> <li>(c) Not factoring poor soil quality with the two previous errors resulting in small lots that are zoned agriculture, plus the fact the land is recognised as a drought zone, not able to sustain agricultural use or be positioned to be incorporated into a larger sustainable farm.</li> </ol> </li> <li>3. It appears that existing approvals have not been considered in assuming that the 'Land Potentially Suitable for Agriculture Zone' layer in the LIST is correct, therefore resulting in zoning implications that will inhibit the capacity for the lots to be able to be developed. Therefore, pursuant to Section 35E (3)(b) of the Land Use Planning and Approvals Act 1993, the draft LPS should not apply the zone Agriculture to the subject area but instead the Rural Zone with a larger part zoned Rural Living where it is considered constrained.</li> <li>4. Mr Frank Walker of Complete Agriculture Consulting has provided an Agricultural Assessment for the property and has noted within his assessment that the soil quality is considered extremely poor being very shallow (Appendix B). The Assessment notes that: <i>The soil environment over much of the land under review does not warrant the present classification of Significant Agriculture. The acidic loams, over a mudstone hard pan together with the drainage issues, realistically rate the subject land as Rural Resource. Certainly not Agriculture as now proposed under the updated Planning Scheme.</i> (page 4) <i>Land Capability Survey of Tasmania</i> mapping cites this land as split between Class 5 and Class 6, which is essentially only marginal cropping ground and suitable for grazing. However, the Agricultural Assessment, confirms that the site has essentially no capacity for cropping and that it is generally considered unsuitable for such agricultural activities.</li> <li>5. Although the eight lots are identified within the 'Land Potentially Suitable for Agriculture Zone', the soil quality is so poor that there is no value in the land being integrated into a larger farm holding. Additionally, it is observed that the surrounding properties are not of a size or scale to be considered for a larger farm sufficiently sustainable to warrant financial outlay to integrate the subject land into a larger holding. The fact that this land is poor quality means that it was an error to zone the</li> </ol>
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	<p>site Significant Agriculture under the current Interim Planning Scheme, and a transition to Rural instead of zoning it Agriculture is more appropriate measure when reviewing what is occurring on site.</p> <p>6. As previously addressed, the proximity to sensitive use associated with residential zoned land, being specifically abutting the site, means that grazing livestock are exposed to being worried or attacked by domestic dogs. The additional fact that the soil quality is poor and insufficient to sustain cropping means that the land associated with 61 Lady Bay Road, is significantly constrained particularly in the western corner of the property and that there is sufficient justification for Rural Living Zone being allocated to this site with the remaining proportion being zoned Rural in accordance with RZ 3(b).</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6. In accordance with AZ6 RCMG undertook further investigation as to the site's suitability for inclusion within the Agriculture Zone. RCMG determined that the most appropriate zone for the sites is from Agriculture to Rural. This includes PID: 9102837; CTs: 252088/1; 252088/2; 238698/1; 125835/1; 125835/2; 125835/3; 125835/4 and 178403/5 - balance that is not in Rural Living) and PID: 2678026; CTs: 144274/1; 105027/5 and 248247/1.</p>
Recommended action	<p>Change from Agriculture to Rural PID: 9102837; CTs: 252088/1; 252088/2; 238698/1; 125835/1; 125835/2; 125835/3; 125835/4 and 178403/5 - balance that is not in Rural Living) PID: 2678026; CTs: 144274/1; 105027/5 and 248247/1.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>337.</b>	<b>Donald and Kelly Gordon (<i>Red Seal Urban and Regional Planning</i>)</b>
Matters raised	<p>The representation requests 14 Thompsons Road, Huonville (PID: 2981244; CT: 160923/2) be zoned Rural Living A rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The Site is mapped as being constrained within the Land Potentially Suitable for Agriculture Zone layer of the LIST. Regardless of the mapping it is evident based on the topography that the site is not suitable for agricultural use. At the size of 3.2 hectares the only option would be intensive farming; however, the proximity to the Environment Management Zone along the river means that such an activity is ill advised.</li> <li>2. The Land Capability of the lots and the surrounding properties is predominantly Class 5, which is land moderately suitable for pastoral use but considered unsuitable for cropping. It is observed that these sites are surrounded residential dwellings, significantly restricting the ability to crop or manage an orchard. Whilst this is considered good quality land in a Southern Tasmania context, it is questionable when cross referencing the features with the LIST Map. Class 5 classification may occasionally facilitate cropping; however, pest control is considered impossible due to it being surrounded by sensitive use. Therefore, the only suitable agricultural activity is livestock grazing, which also applies to the Class 5 land. Therefore, as the site is constrained due to the soil, topography and the surrounding urban environment imposing in on the site and in accordance with the Council's Agricultural Consultant's decision tree, the site is already in reality a Rural Living zoned lot. The assessment process by AK Consultants calls for a specific assessment of either Rural Living or Low-Density Residential.</li> <li>3. The application of RLZ 4 (c) is consistent with that of the Rural Zone mentioned earlier. This guideline applies to the situation of applying the Rural Living Zone to land identified in the 'Land Potentially Suitable for Agriculture Zone'; that is, it has initially been assumed that the land is to be subject to the Agriculture Zone. Rural Living Zone can apply to land considered to be Agricultural land and mapped as such if it is consistent with the regional land use strategy or within a more detailed local strategic analysis consistent with the relevant regional land use strategy demonstrating that it is more appropriate to zone the agricultural land as residential and specifically Rural Living.</li> <li>4. Pursuant to Section 35E (3)(b) of the Land Use Planning and Approvals Act 1993, the draft LPS should not apply the zone Rural in accordance with the provisions of the SPP Part 20 as it is more appropriate to be</li> </ol>

	<p>zoned Rural Living, which is consistent with the actual use of the site and provides a buffer between the residential zones and the agricultural use occurring within the neighbouring rural and agricultural zones.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The lot is zoned Significant Agriculture under the interim planning scheme.</p> <p>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:</p> <ol style="list-style-type: none"> <li><i>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</i></li> <li><i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ol> <p>The STRLUS (see regional policy SRD1.3) support the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. The lot is adjacent an existing Rural Living area and as established in the representation, contains a dwelling. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that a substantial portion of lots are of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha in size. Therefore, whilst it is recognised that the rezoning would provide for limited subdivision and adjoins an existing Rural Living area due to the number of lots in the LGA that would also have these characteristics, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land.</p> <p>RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Rural, including CT 142532/1, CT 142532/2 and CT 142532/3 in a Rural cluster with CT 160923/2.</p>

Recommended action	Change following cluster of titles to Rural:  142532/1      142532/2      142532/3      160923/2
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>338.</b>	<b>Mr and Mrs Rydquist and Mr and Mrs Clark (<i>PDA Surveyors</i>)</b>
Matters raised	<p>The representation requests 19 Duke Street, Geeveston (PID: 2942739; CT: 156229/2) and 44 Fords Road, Geeveston (PID: 3344028; CT: 168171/1) be zoned Particular Purpose Zone 1 (Urban Growth Zone) rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This representation refers to a report that was previously prepared for an urgent amendment application to the current scheme (Huon Valley Interim Planning Scheme 2015), dated 25 February 2020.</li> <li>2. The zoning of the subject land should have translated in a like-for-like manner from the 'Reserved Residential Zone' in the Esperance Planning Scheme to the 'Particular Purpose Zone 1 (Urban Growth Zone)' in the Huon Valley Draft Interim Planning Scheme, until such time that a sufficient strategic planning review had been completed.</li> <li>3. The key strategic matters that this report highlights with particular regard to the subject land is: <ul style="list-style-type: none"> <li>• The land is fully serviced for water and sewer and has been since 2012 and prior;</li> <li>• The land is located within the visual and logical residential periphery of Geeveston which has merit in being included within the sustainable settlement boundary for 'future residential development' as it is located/clustered with other residential uses and within a 10 minute walkable neighbourhood to the CBD;</li> <li>• It is acknowledged that until a reviewed or new land supply and demand analysis and settlement strategy has been completed for the 'whole settlement' of Geeveston that the subject land should not have been 'back-zoned' from a residential type zone to an agricultural zone.</li> </ul> </li> <li>4. Merits of land to be in a Particular Purpose Zone 1 (Urban Growth Zone)-aside from the above analysis of the zoning of the land and/or associated policy conflicts, the merits of the land to provide for a logical future area for residential development within an established major settlement are:</li> </ol>


- The land is within the existing landscape settlement/urban edge of Geeveston (ie. on the northern side of Fords Road);
- The land is separated from any competing land uses that might create land use conflict;
- Should the future zoning allow increased densities, that increase in density will likely create a regular layout/pattern for in-fill development in the settlement;
- It is within walking distance of the CBD and community buildings (20 minute neighbourhood); and
- The land is fully serviced for water and sewer.




Figure 1. Site location and existing zoning of 19 Duke Street, Geeveston (PID: 2942739; CT: 156229/2)



Figure 2. Site location and existing zoning of 44 Fords Road, Geeveston (PID: 3344028; CT: 168171/1)

	 <p>Figure 3. Site location and existing zoning of both properties</p>
Planning Authority response	<p>The introduction of the Future Urban Zone must be undertaken in accordance with FUZ1:</p> <p><i>FUZ 1 The Future Urban Zone should be applied to land identified for future urban development to protect the land from use or development that may compromise its future development, 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.</i></p> <p>There is no detailed local strategic analysis for Geeveston in support of the application of the Future Urban Zone to this site with the STRLUS identifying the settlement strategy for Geeveston as <i>Low</i> and <i>Consolidation</i>.</p> <p>The most appropriate zone for these sites is Rural.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

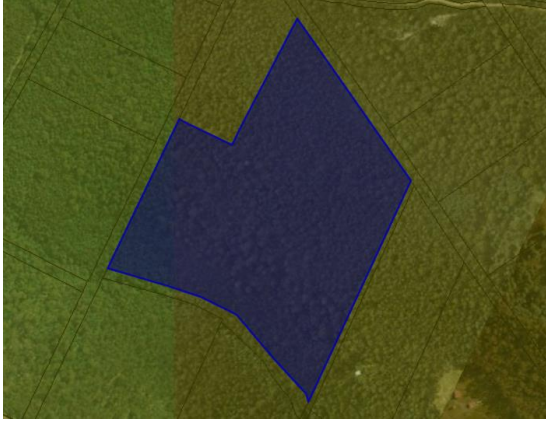
<b>339.</b>	<b>Ms Lam (Ireneinc Planning and Smith Street Studio Planning and Urban Design)</b>
Matters raised	<p>The representation requests 33 Smiths Road, Huonville (PID: 2755634; CT: 149545/2) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The title comprises an area of approximately 5.7ha and is located adjacent to the Huon River. There is a small agricultural lot immediately adjoining the site at 23 Smiths Road which is used for residential purposes. The site was previously used as cherry orchard, with many of</li> </ol>

	<p>the trees still in reasonable condition. The client intends to continue growing cherries on the property and develop a dwelling on-site to manage the operations</p> <ol style="list-style-type: none"> <li>2. The land capability mapping available on the LISTMap indicates the site possesses a mix of Class 4 and 5 soils. According to the State Policy on the Protection of Agricultural Land, this soil classification is not considered prime agricultural land. The site also adjoins the Huon Valley Golf Club to the south. Given the size of the site (approx. 5.7ha) and proximity to an existing residential dwelling to the east and the golf course to the south- the intended Rural zoning is still sufficient to allow ongoing agricultural use, whilst providing slightly less restrictions for the provision of a residential dwelling on the site to support the orchard operations.</li> <li>3. Rezoning the site to Rural will afford the landowners greater flexibility in terms of use/development into the future, whilst retaining the wider strategic policy to generally preserve/maintain land that may be suitable for agriculture.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> In accordance with AZ6 RCMG undertook further investigation as to the site's suitability for inclusion within the Agriculture Zone and determined that the Agricultural Zone is the most appropriate zone for the site.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>


Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>340.</b>	<b>Mignon Jolly</b>
Matters raised	<p>The representation requests PID: 7512404; CT: 42890/1 in Maxfields Road, Franklin be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Changes to two provisions, resulting from the zone change from 'Environmental Living' to 'Landscape Conservation' zone, in the draft LPS should not apply to the parcel and the surrounding area. Specifically: <ul style="list-style-type: none"> <li>the change of use class 'Residential' from permitted, to 'discretionary if for a single dwelling' (TPS – SPP, section 22.0, pg.229); and</li> <li>the unnecessary and alarmingly large increase to minimum lot size under development standards for subdivision, from 6 ha. To 50 ha. (TPS – SPP, section 22.5, pg.236).</li> </ul> </li> </ol> <p>Together, these changes fundamentally change the purpose this parcel and the surrounding area from being a place for people to live (Environmental Living) to being a place of conservation. This change is unreasonable in that it would immensely devalue property owners' land, and unnecessarily constrain sustainable development for the accommodation of people.</p> <ol style="list-style-type: none"> <li>The decision to allocate the 'Landscape Conservation' zone to this area is inconsistent with the following two objectives of the Resource Management and Planning System (RMPS): <ul style="list-style-type: none"> <li><i>to provide for the fair, orderly and sustainable use and development of air, land and water; and</i></li> <li><i>to facilitate economic development in accordance with the objectives set out in the above paragraphs</i></li> </ul> </li> </ol> <p>Additionally, the designation of the 'Landscape Conservation' zone to this area fails to respond to the context of a national housing and housing affordability crisis. And finally, the designation of the 'Landscape Conservation' zone to this parcel of land is inconsistent with the stated purpose of this zone</p> <ol style="list-style-type: none"> <li>The designation of zone 'Rural Living' this parcel and the surrounding area is more consistent with existing provisions and better balances the competing objectives of landscape conservation and economic development, thereby responding appropriately to the objectives of the RMPS.</li> <li>The proposal fails to provide for fair, orderly and sustainable land use: <ul style="list-style-type: none"> <li>It is unfair, unreasonable and, in this case, unnecessary to limit the minimum lot size for subdivision to a size that is lower than that of many of the existing lots in the proposed zone.</li> <li>The proposed changes would unfairly reduce the value of the property with no compensation being offered to landowners.</li> </ul> </li> </ol>

	<ul style="list-style-type: none"> <li>• The proposed changes are disorderly with respect to the magnitude of the increase to the minimum lot size for subdivision acceptable solution, from 6ha, under the interim planning scheme to 50ha under the TPS.</li> </ul> <ol style="list-style-type: none"> <li>5. The proposal fails to facilitate economic development- The changes proposed in the LPS, fail to facilitate economic development, in the context of a national housing and housing affordability crisis. The area is in close proximity to vibrant, established townships – Huonville, Southbridge, Franklin, and Ranelagh. These townships provide many important services, including schools; medical practices; supermarkets; government services; social and recreational services; and police and emergency services. Together with this parcel's the nearness to the major road - Huon Highway, this makes this area of land ideal for low density residential use.</li> <li>6. The designation of this parcel and the surrounding area is inconsistent with the stated purpose of the Landscape Conservation zone- The area surrounding this lot is unremarkable from a landscape conservation perspective. To representor's knowledge, there are no known habitats for rare or threatened species in the area. Additionally, the area is equivalent in nature to surrounding areas that have been zoned 'Rural Living', in the LPS. Parcels in this area consist of a mixture of residential spaces, native vegetation, cleared land, natural regrowth, and introduced vegetation. To impose restrictions that limit changes to the visual nature of the area is both ignorant to the existing, varied, patchwork nature of the area and inconsistent with community expectations.</li> <li>7. 'Rural Living Zone C' is a more appropriate designation for this parcel and the surrounding area- In many ways, the RMPS objectives referenced in this representation are mutually opposing. The designation of the Landscape Conservation zone to this parcel is a failure to appropriately balance these objectives, instead falling heavily on the side of conservation. The Landscape Conservation zone ought to be restricted to areas that are less suited to accommodating people, close to communities and services, in a sustainable way. The 'Rural Living Zone C' zone, where single dwelling residences remain permitted rather than discretionary, and the minimum lot size is 5ha., rather than 50 ha. better balances these objectives, limiting the cost to be borne by landowners whilst still providing sufficient restrictions to maintain the natural values of the area.</li> </ol>
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	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living in the interim planning scheme. RLZ 2(b) allows for land within the Environmental Living Zone to be considered for the Rural Living zone. The site is largely covered by native vegetation, of which a large portion is mapped <i>Eucalyptus globulus</i> wet forest which is primary foraging habitat for critically endangered swift parrot. The lot is on a steep slope facing the Huon River and forms part of a larger contiguous bushland area incorporating Cannells Hill.</p> <p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. Due to the landscape values afforded by the site the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>341.</b>	<b>Charlotte and Mark Rabone (<i>E3 Planning</i>)</b>
Matters raised	<p>The representation requests 144 Esperance Coast Road, Surges Bay (PID: 1766868; CT: 125584/14) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p>

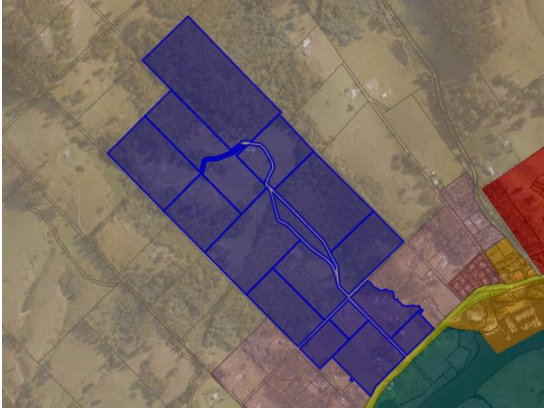
	<ol style="list-style-type: none"> <li>1. “Whilst it is appreciated that Council notified my clients, the lateness of the 18 May letter has provided no time to prepare a detailed response and a more detailed response will be presented to the Tasmanian Planning Commission when a future hearing is held.”</li> <li>2. The most appropriate zone, from a strategic planning perspective, which would recognise and provide for the established residential use of Surges Bay is Rural Living. Rural Living Zoning would still limit development potential through relevant use and development standards, but the existing uses would be recognised, and future development accommodated.</li> <li>3. There are numerous smaller undeveloped residential lots within Surges Bay and Council by requiring any applications for single residential dwellings to be advertised regardless of setbacks, height, access etc. will place significant unnecessary costs upon future development. Council should be encouraging the future development of Surges Bay and not restricting it with an incorrect zoning. The proposed zoning is also likely to make it more difficult for landowners to borrow for construction of any future dwellings.</li> <li>4. Surges Bay should be zoned Rural Living under the TPS HUO such that its role and function as a coastal residential hamlet is recognised.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p>

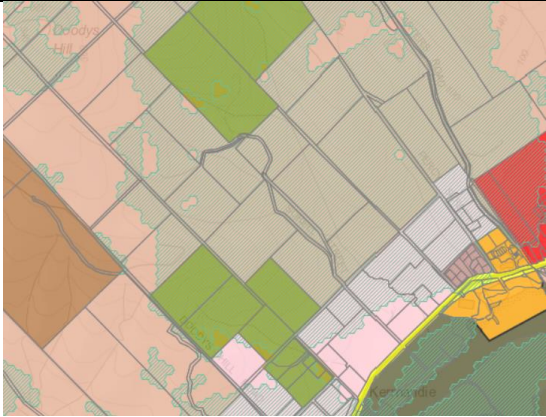
	<p>In reviewing this representation received and others in the Environmental Living Zone of Surges Bay, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied.</p> <p>Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and majority of the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (C).</p>
Recommended action	<p>Include this site and most lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living C. Specific title references include:</p> <p>See Representation 1 - Esperance Coast North Portions</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>

<b>342.</b>	<b>Angela Young (Ireneinc Planning and Smith Street Studio Planning and Urban Design)</b>
Matters raised	<p>The representation requests 62 King Fish Road, Southport (PID: 3271391; CT: 166032/2) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. While all of the surrounding properties have been translated into the like for like zones provided within the LPSs, the subject site has been placed in an alternative zone. The subject land is consistent in size with the neighbouring lots, proposed to be zoned Rural Living, it again like</li> </ol>

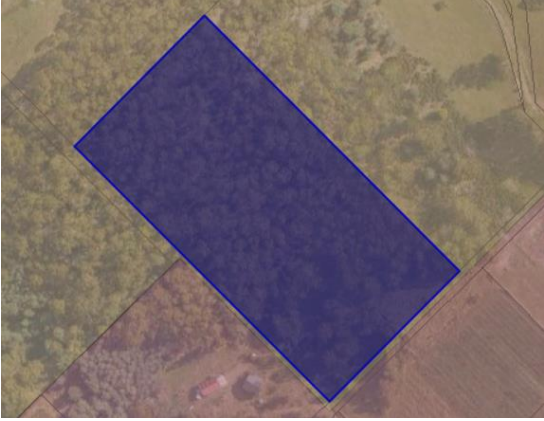
	<p>neighbouring properties has been cleared and developed to greater or lesser extent. While the land is partially mapped (both currently and proposed) by the overlays which provide consideration of natural assets, this again is not unlike the adjoining land, particularly the property to the west, which like the subject site contains the mapped Natural Assets Code. The site and surrounds are not mapped within the Scenic Management Code areas.</p> <p>2. It is therefore submitted that the subject site should be retained in the Rural Living Zone as it does not contain the qualities that are consistent with the purpose of the Landscape Conservation Zone. Retention of the Rural Living Zone for the site, would be consistent with the approach applied to the adjoining land within the settlement, and be consistent with its historic zoning. The applicable Codes are retained to manage the specific requirements related to protection of natural values.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>In accordance with RLZ1 the Rural Living Zone should be applied to land that is currently a Rural Living Zone within an interim planning scheme or a section 29 planning scheme, unless RLZ 4 below applies. A significant portion of the site is covered in native vegetation that is contiguous with a larger bushland area on a peninsula between Muddy Bay and Kingfish Beach, which is consistent with consideration requirements for the application of the Landscape Conservation Zone pursuant to RLZ4(b). That said, given the existing zoning of Rural Living the applicable Rural Living Zone being Area C, the size of the lot being less than 6,000 m<sup>2</sup>, and the Rural Living zone having limited allowable uses in terms of class and scale with the zone purpose statement recognising that existing natural and landscape values are to be retained, the Planning Authority has no objection to the land be zoned Rural Living Area C.</p>
Recommended action	<p>Change to Rural Living Area C in draft LPS</p>

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>343.</b>	<b>Amy Robertson</b>
Matters raised	<p>The representation seeks to correct and improve the zoning and overlays applied to the properties around Sorell Street, Port Huon.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Having spoken with several neighbours, representor requests that the Priority Vegetation Area Overlay applied across cleared pasture, be removed. This doesn't represent the intent of the overlay and applies potential restriction to development in those areas.</li> <li>2. In particular PIDs 3396856, 2056219, 2200962, 5252602, 3422559 are entirely, or near enough to, cleared pasture and shouldn't be covered by PVA overlay. PIDs 2056200, 3343084, 3262209, 3422559, 3000794, 2208382, and 2598093 also contain areas of cleared or previously cleared (some covered by gorse, bracken or small shrubby regrowth) land that shouldn't be PVA overlay.</li> </ol>  <p>Figure 1. Site location and existing zoning of PIDs</p>


	 <p>Figure 2. Priority Vegetation Report over PIDS</p>
Planning Authority response	The Planning Authority supports the request to remove the priority vegetation overlay from non-native vegetation community areas. This is principally due to the reliance on “clearance of native vegetation’ in the assessment provisions.
Recommended action	Remove the priority vegetation overlay from non-native vegetation community areas.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>344.</b>	<b>Amy Robertson</b>
Matters raised	<p>The representation requests 34 Evans Street, Port Huon (PID: 2056200, CT: 224515/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This title contains dams and irrigation infrastructure that waters the cherry orchard downhill, which may be difficult to manage or develop as needed under LCZ. The property has been used for occasional firewood harvesting and grazing over the years. In addition the Priority Vegetation Report indication of Grey goshawk habitat is only relevant to the southern corner less than 100m from a nest record near Evans St, and Eastern barred bandicoot habitat is not likely to be hindered by the rural activities practised on the property.</li> </ol>


	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not a like-for-like zone and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is primarily covered in native vegetation and forms part of a larger bushland area that sits above the Huon River.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This site is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>345.</b>	<b>Michael Turner</b>
Matters raised	<p>The representation requests 29 Waggs Road, Mountain River (PID: 2186128; CT: 136005/3) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Zone Application Guideline AZ 5 proposes <i>'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.'</i> Owner's concern and representation is this guideline should not exclude smaller titles.</li> <li>2. This can be demonstrated in line with Zone 21.0 Agriculture provision AZ 6 (e) "Land identified in the 'Land potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if...". The property is approximately 45 acres of mixed topography land, and consists approximately 15 acres of mature timber and regeneration bushland; approximately 25 acres of clay and mudstone with very sour and hungry shallow topsoil and little humus or tilth; and approximately 5 acres of sandy loam and sand, which fronts directly with the East side of Mountain River Road.</li> <li>3. The bushland consists of heavy clay and rock with no workable topsoil and no intrinsic agricultural value. Intensive investment has been made over the past 17 years in the 25 acres of shallow top soil with heavy clay and rock structure, which has been fenced and continually serviced in the attempt to improve the PH and denude the poor pastureland of weeds (including cutting rush, Teatree, Thistles, etc.), but with limited result and rapid return of weeds. A number of trial crops have failed including Oates, Lucerne, Huon Valley Hay pasture grass. Cutting grass remains dominant and the paddocks appear to grow continuous supply of mudstone.</li> <li>4. The Rural Zone purpose and guidelines are more aligned to the inherent topographical constraints of the property. Importantly the LPS rezoning of the land titles on the other side of Mountain River Road, between the East side of Mountain River Road and the flowing Mountain River, which consist of deep sandy loam alluvial pastureland, rich in humus and minerals, has been proposed as Rural Zone.</li> <li>5. Owner maintains that application of the zone descriptors should automatically lead to the classification of the property as Rural Zone or</li> </ol>

	<p>at least be a split-zone rather than 100% Agriculture Zone, and request that this be addressed in the finalisation of the draft LPS.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> In accordance with AZ6 RMCG undertook further investigation as to the site's suitability for inclusion within the Agriculture Zone and determined that the Agricultural Zone was the most appropriate zone for the site.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>

<b>346.</b>	<b>Roderick Roberts (<i>Red Seal Urban and Regional Planning</i>)</b>
Matters raised	<p>The representation requests 89 Graces Road, Glaziers Bay (PID: 3116834; CT: 39295/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is entirely cleared of native vegetation, and currently only used for grazing. It has been intended to establish a vineyard however, such a development has proven to be too complicated under Environmental Living provisions.</li> <li>2. The subject land under the LPS is proposed to be zoned Landscape Conservation; however, this does not factor in the established historic</li> </ol>


	<p>agricultural use of the site. The site is a component of a family operated horticultural activity. Zoning the land Landscape Conservation is inconsistent with the current and historic use of the land, and the State Policy on the Protection of Agricultural Land 2009.</p> <ol style="list-style-type: none"> <li>3. Pursuant to Section 35E (3)(b) of the Land Use Planning and Approvals Act 1993, the draft LPS should not apply the zone Landscape Conservation in accordance with the provisions of the SPP Part 22 and the Guidelines No.1 Local Provisions Schedule (LPS): zone and code application to the property. Instead, the land should be considered for Rural Zone (Part 20 of the SPPs) as this reflects the land use character.</li> <li>4. Appendix attached to representation- <i>Application for partial change of use to allow resource development</i></li> </ol>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Glaziers Bay, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied.</p>

	<p>Moreover, it was determined that the area’s landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zones, this site and lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (D).</p>																																																			
Recommended action	<p>Include this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. Specific titles include:</p> <table><tr><td>138476/1</td><td>241929/4</td><td>245457/1</td><td>118197/2</td><td>160800/4</td></tr><tr><td>176700/3</td><td>129215/5</td><td>163406/2</td><td>40279/1</td><td>118197/3</td></tr><tr><td>51992/1</td><td>174791/9</td><td>176700/7</td><td>41669/1</td><td>47388/1</td></tr><tr><td>41669/3</td><td>118197/4</td><td>176700/6</td><td>28222/1</td><td>51992/2</td></tr><tr><td>174791/1</td><td>175500/2</td><td>47273/1</td><td>138476/2</td><td>39295/1</td></tr><tr><td>160800/3</td><td>143303/1</td><td>41669/2</td><td>38636/1</td><td>129215/2</td></tr><tr><td>118197/6</td><td>129215/3</td><td>21971/1</td><td>129215/1</td><td>118197/1</td></tr><tr><td>250702/2</td><td>175500/8</td><td>15473/1</td><td>160800/2</td><td>176700/4</td></tr><tr><td>176700/5</td><td>153256/1</td><td>160800/1</td><td>163407/1</td><td></td></tr></table> <p>Other titles that require zone changes include:</p> <table><tr><td>176700/10</td><td>Zoned Rural</td></tr><tr><td>25652/1</td><td>Split zoned Rural Living and Environmental Management along the current HVIPS zone boundary</td></tr><tr><td>233805/1</td><td>Split zoned Rural Living and Rural along the current HVIPS zone boundary</td></tr></table>	138476/1	241929/4	245457/1	118197/2	160800/4	176700/3	129215/5	163406/2	40279/1	118197/3	51992/1	174791/9	176700/7	41669/1	47388/1	41669/3	118197/4	176700/6	28222/1	51992/2	174791/1	175500/2	47273/1	138476/2	39295/1	160800/3	143303/1	41669/2	38636/1	129215/2	118197/6	129215/3	21971/1	129215/1	118197/1	250702/2	175500/8	15473/1	160800/2	176700/4	176700/5	153256/1	160800/1	163407/1		176700/10	Zoned Rural	25652/1	Split zoned Rural Living and Environmental Management along the current HVIPS zone boundary	233805/1	Split zoned Rural Living and Rural along the current HVIPS zone boundary
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Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria																																																			

<b>347.</b>	<b>Steve Smith</b>
Matters raised	The representation requests 813 Nicholls Rivulet Road, Nicholls Rivulet (PID: 5864457; CT: 251581/1) be zoned Rural rather than Landscape Conservation.

Representation general comments:

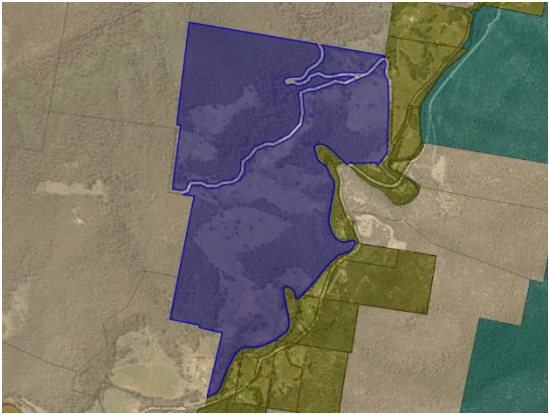
1. The application of Landscape Conservation zoning within the Huon Valley Municipal Area is not consistent across properties proximate to the subject property.
2. In general, Huon Valley Municipal Area application of the new zones is also not consistent with the approach adopted by other councils.
3. Within the Huon Valley Municipal Area, the principle of “like for like” conversion (i.e. conversion of land that is currently zoned “environmental living”, “environmental management” or has a formal conservation covenant applied) would appear to have been overridden by the strategic objective of creating the largest possible Landscape Conservation zone, but without proper reference to current zoning or adequate regard for past, current or potential use or development.
4. Clearly, the intended application of Landscape Conservation status is to land that can have virtually no practical value beyond a discretionary, restricted (single dwelling) residence and which “contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation”. However, modelling of possible species presence or habitat is vague and qualified in the Priority Vegetation Overview, as having “highly variable” reliability. Such “data” is therefore not necessarily, a reasonable or reliable basis upon which to generate lasting, punitive re-zoning action.
5. There is no conservation covenant applicable to the subject property, and owners are not aware of any such covenant being applicable to adjacent properties.
6. Overall, it is apparent that past and present property usage and the relative limits of substantial native vegetation coverage is not readily, accurately determined from aerial/satellite photographs. Where previous clearing and land use has occurred, owners have often retained large trees, creating an impression of greater vegetation coverage than is really the case. Regrowth in some areas, further compounds the difficulty of accurate land use determination.
7. The Priority Vegetation Report for the subject property is based on broad “modelling” of “corrected” and manipulated data which may have minimal validity in real-world terms. This is not a firm foundation upon which to base the imposition of a detrimental planning zone. Meanwhile, no meaningful evidence of impact (positive or negative) on perceived threatened species is presented. Review of the Natural Values Atlas (referred to in the Priority Vegetation Report specific to the subject property) finds no reports of endangered species associated with the subject property within the last two years.
8. Rural Zoning as requested, recognises areas with agricultural constraints, so as to enable potential business diversification through use and development. Rural zoning retains sufficient influence and discretion for

	<p>any Municipal Area to limit excessive or inappropriate clearing of vegetation, but to allow and support appropriate development and future use. Re-zoning of the property to Landscape Conservation, would limit the ways in which the property might be utilised in the future, for example in producing an income from the property through horticulture/floriculture or agriculture, it also prevents owners from raising livestock as a food source. There is no doubt that some areas of the subject property are not suited to agriculture and should retain native vegetation, but there are already cleared, previously cleared, and areas with potential for future clearing that can be well utilised and may be in the future – particularly for grazing and potentially for horticultural development.</p> <p>9. Aside from potential uses being considered along the lines of horticulture/floriculture and agricultural type activities, owner’s daughter is hoping to establish a veterinary practice in the future – ideally on this property, potentially providing a much-needed service in a rural community. This type of activity would be a prohibited activity under Landscape Conservation provisions but would be a permitted use if zoned Rural.</p>  <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP’s and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p>


	<p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is substantially covered in native vegetation, contains a steep slope incorporating a hilltop and forms part of contiguous bushland that adjoins Woodbridge Hill Conservation Area. A significant portion of the vegetation is mapped <i>Eucalyptus globulus</i> wet forest, which is primary foraging habitat for critically endangered swift parrot.</p> <p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>348.</b>	<b>Simon Roberts and Joanne Wheat</b>
Matters raised	<p>The representation requests 91 Lords Road, Pelterata (PID: 2189492; CT: 138939/1 and 138560/10) be zoned Landscape Conservation rather than Rural, and agrees with PID: 1763689; CT: 123202/1 being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Both titles failed to be transitioned to LCZ even though they had all the attributes that the LCZ guidelines indicated should be considered when transitioning properties to this zone. The limitation of the council procedure is evident as both these properties have been recently assessed as part of a program for the protection of Black Gum Forest and have been accepted for inclusion in the program with more than 90% of each property being included within the proposed conservation covenants (see attached Black Gum Management Plan).</li> <li>The council does not detail which vegetation groups they used as determine the 80% native vegetation cover. The recent ecological assessment of both properties determined that although up to 50% of</li> </ol>

	<p>these properties had been cleared in the past most of these areas are now considered as FRG or FPP with some areas having progressed to Lowland Grassland Complex (GCL). Less than 10% of the land area of 135560/10 was mapped as FAG and none of 138939/1 was assessed as FAG.</p> <ol style="list-style-type: none"> <li>3. The application guidelines do not constrain the assessment of for LCZ to a lot-by-lot basis. The determination of “landscape values” should not be considered based on the artificial boundaries of cadastral parcels. Similarly, when the guidelines refer to “bushland areas, large areas of native vegetation, or areas of important scenic values” this is not constrained by the relative percentage cover on each lot. Importantly many areas of high scenic or conservation value may form only a minor percentage of a lot but are connected to much larger areas with these values across common boundaries. This is clearly the case for both properties where most of the northern and western boundaries are forested and connect to large areas of native vegetation in adjacent blocks.</li> <li>4. There are also important areas of threatened native vegetation communities that are contingent with properties zoned LCZ along the Kellaways Creek boundary of 135560/10. In cases where identified landscape values form a lower percentage of the lot than the 80% threshold a more nuanced assessment should have been triggered which considered potential other uses including constraints such as land capability and landslip hazards, against the significance of the retained landscape values to the area as a whole.</li> <li>5. Owner would also submit that the Scenic Protection Code should be applied to all areas of the two parcels of land above 100m as it is visually prominent from the Channel Highway, Huon Highway and Peverata Road and would be consistent with the adjoining properties to the east (CT 110997/3 and CT 172819/2). Consideration should also be given to apply the Scenic Protection Code to the rest of the Shorts Hill area and the corresponding slopes on the western side of the Kellaways Creek up to the Snug Tiers reserve as these areas are visually prominent from both sides of the Huon River.</li> <li>6. Owner’s properties CT 123202/1 and CT 138560/10 are currently in the process of gaining conservation covenants. The ecological assessments identified a substantial stand of the threatened vegetation community DOV (<i>Eucalyptus ovata</i>) in the southern portion of CT 123202/1. This stand is now mapped on TasVeg Live. In addition, a stand of <i>Eucalyptus viminalis</i> threatened vegetation community straddles the boundary between CT 123202/2 and CT 123202/3 to the west of Kellaways creek.</li> <li>7. Due to the significant conservation values present, representor proposes that 123202/2 and CT 123202/3 be changed from Rural zoning to the Landscape Conservation zone as they:</li> </ol>
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	<ul style="list-style-type: none"> <li>• Are part of a large area of native vegetation which are not otherwise reserved but contains threatened native vegetation communities and threatened species (LCZ2)</li> <li>• Contains threatened native vegetation communities and threatened species habitat (LCZ 2)</li> <li>• Have significant constraints on development through the application of the natural assets code and the Landslip Hazard Code, in particular the Priority Vegetation Area (LCZ 2)</li> </ul> <p>8. Appendices attached to representation- <i>Protecting Breeding Populations of Swift Parrot: Management Plan for Lords Rd, Pelverata</i> and <i>Protecting Black or Brookers Gum Forest: Management Plan</i>, prepared by Tasmanian Land Conservancy.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>No objection to the application of the Landscape Conservation zone noting these sites are steep have substantial tracts of bushland that is contiguous with larger areas of native vegetation incorporating waterways, valleys and ridgelines including Shorts Hill. Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. These sites are reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered an appropriate zone for the sites.</p>
Recommended action	<p>Change sites 138939/1 and 138560/10 to Landscape Conservation.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>

349.	Owen Careless and Alison Stebbing
Matters raised	<p>The representation requests 71 Glenbervie Road, Dover (PID: 7217894; CT: 24293/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners believe the property falls outside of the Zone Application Guidelines for 'Landscape Conservation' - Section 8A guideline number 1 (LCZ 1) due to the amount of native vegetation coverage being less than 80%.</li> <li>2. Consistent with a rural property, there are a number of areas on the property that have been cleared over the years, and combined, these areas give a total cleared area of tree canopy between 18,000m<sup>2</sup> and 21,000m<sup>2</sup> (23.35% or 27.23%) of the 7.712 hectares, and an area even larger than this once cleared understory is included. Previous owners had logged, grazed, repeatedly burned by bushfires, and used the property as a firewood block. Currently around one third of it is slashed with a tractor each year.</li> <li>3. The property also falls outside of the Zone Application Guidelines for 'Landscape Conservation' (LCZ 2): <ul style="list-style-type: none"> <li>• Due to TASVEG 3.0 - contained within the 'Natural Assets Code' — being so far out of date, and in some cases, being incorrect. Please see attached natural values assessment for the property compiled by ECOTAS in January 2017. This report was compiled as part of the Development Application for the property's 'Bushfire Hazard Assessment Report' only, but is relevant in regard to TASVEG 3.0 within the 'Bushfire Hazard Management Zone' on the property and the Threatened Native Vegetation communities overlay' along the Northern boundary.</li> <li>• The property is not within the 'Future Coastal Refugia Area' contained within the 'Natural Assets Code'</li> <li>• The property is not within the 'Waterway and Coastal Protection' overlay contained within the 'Natural Assets Code'</li> <li>• The property is nowhere near a 'Scenic Road Corridor' contained within the 'Scenic Protection Code'</li> <li>• The property, with a maximum elevation of 90 metres, is well below the 'Scenic Protection Area' that starts at an elevation of 150 metres on Reeve's Hill.</li> </ul> </li> <li>4. Owners feel that the proposed changes in zoning are not a suitable "like for like" conversion from the old zoning, and this will cause significant issues in the future management of the property. The more suitable zoning for the property, both technically and practically is the Rural Zone.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site has substantial vegetation coverage however is not greater than 80%, with the site being less than 8 ha in size. An approved development application has reduced the extent of native vegetation on the site.</p> <p>The site is entirely covered with the Natural Assets Code; the Planning Authority has no objection to the application of the Rural zone.</p>
Recommended action	Change site to Rural Zone under the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

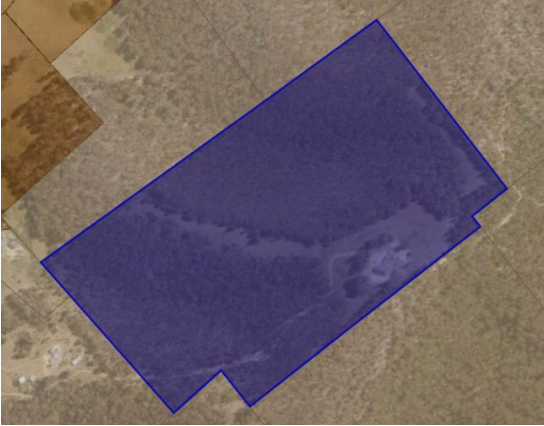
<b>350.</b>	<b>Simon Roberts and Joanne Wheat</b>
Matters raised	<p>The representation is regarding a stormwater SAP.</p> <p>Representation general comments:</p>

	<ol style="list-style-type: none"> <li>1. This report details the potential direct and indirect environmental impacts of increased residential development both within and outside established urban zones on waterways, and looks at potential nutrient and toxicant issues of aquatic systems arising from residential development in rural areas (often referred to as exurban development) and townships.</li> <li>2. The current and potential increase in residential development adjacent to and in the catchment of sensitive waterbodies is highly relevant to the implementation of the planning scheme. Protecting the natural flow regime of adjacent and upstream waterways and ensuring good water quality are critical to maintaining their biodiversity and ecological processes. Residential development should as much as possible be restricted to the current serviced townships with appropriate mitigation of stormwater impacts through water sensitive urban design principles (<i>Fletcher et al. 2015</i>).</li> <li>3. Varying levels of stormwater infrastructure are in place in many of the townships of the Huon Valley Municipal Area. Traditionally storm water management has been to convey additional flows generated by increased impervious surfaces to the nearest water course in order to reduce the risk of flooding. In most cases this infrastructure increases the risk of environmental damage by reducing the possibility of infiltration or trapping of sediments if this water had followed a natural flow path over pervious areas. Increased connection to current or planned flood mitigation stormwater infrastructure is therefore likely to be an ongoing threat to adjacent water bodies. Potentially mitigation of some of these impacts from “end of pipe” flows from serviced stormwater areas could be directed to appropriately designed retention systems.</li> <li>4. The implementation of the planning scheme should further the objective of protection and or enhancement of the ecological function of waterways consistent with the objectives of Schedule 1 of LUPPA; objectives 1 (c) &amp; (e) of the Water Management Act 1999; objectives 3 (a), (c) &amp; (h) of the Environmental Management and Pollution Control Act 1994; and objectives 6.1 (a), (b) &amp; (d) of the State Policy on Water Quality Management 1997.</li> <li>5. There are limited opportunities within the planning scheme to influence changes in land use that may affect water quality. One area where the planning scheme has a significant influence is on the type, size and intensity of residential development and where this may occur. Strategies to manage urban development in undisturbed catchments, such as zoning and land use planning can be important tools to prevent or minimise the degradation of aquatic environments. Similarly planning tools have also been used to initiate stream-rehabilitation efforts that can have a positive effect on the biological condition and health of streams (<i>Coles 2012; Prosser, Morison, and Coleman 2015; Vietz et al. 2016</i>).</li> </ol>
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	<p>6. The most effective method to prevent additional impacts from residential development in sensitive areas is to rezone privately zoned land to zonings where residential use is discretionary and subject to performance standards that will protect or enhance ecological values, the implementation of the new Landscape Conservation zone may give additional control over these threats in the peri-urban areas of the Municipal Area. Similarly zoning that restricts sub-division or encourages consolidation of lots will generally reduce the pressure for additional residential development and its associated additional infrastructure such as roads and services.</p> <p>7. The Huon Valley LPS should include a Stormwater Specific Area Plan that at a minimum applies to all development within the coastal zone and within 40m of a waterway (class 1 to 4 streams, and lakes). It should have an objective that requires; "That development provides for adequate stormwater management.". An acceptable solution would be to (A1) meet the stormwater quality and quantity management targets identified in the State Stormwater Strategy 2010. Additionally a performance standard could be (P1) must treat, store and infiltrate stormwater on-site.</p> <p>8. The generation of additional stormwater from new developments being connected to the existing stormwater infrastructure is likely to be detrimental to many of the aquatic assets of the Municipal Area. Additionally extra flows from developments not connected to the stormwater system are also likely to increase pressures on aquatic habitats.</p> <p>9. A key objective of a Stormwater SAP should be to reduce the overall quantity and improve the quality of urban stormwater flows to waterbodies as part of a comprehensive stormwater management program that is premised on the identification of important aquatic ecosystem values and the need to avoid or minimise any potential ecological impacts. A priority should be the management of stormwater to reduce overland flow and to increase water quality at source and where this is impractical then as part of a local treatment process incorporated into the council stormwater infrastructure.</p> <p>10. Many studies into the effect of urbanisation on aquatic systems have shown that ecological impacts can occur at very low levels of residential development. Overall impacts of new developments on aquatic systems can be much more effectively managed and lead to less cost if these developments are primarily in already serviced areas and are discouraged in unserviced settlements or in cluster developments outside serviced areas.</p>
Planning Authority response	The inclusion of a Stormwater Management SAP is inconsistent with the requirements of 34(2).


Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>351.</b>	<b>Raymond and Laura Tierney (<i>Red Seal Urban and Regional Planning</i>)</b>
Matters raised	<p>The representation requests 49 Allens Road, Grove (PID: 3390382; CT: 106638/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The subject land under the LPS is proposed to be zoned Landscape Conservation; however, this does not factor in the established agricultural use of the site. The site is a component of a family operated horticulture business that has relatively recently invested in the site under the Rural planning provisions. Zoning the land Landscape Conservation is inconsistent with the current and historic use of the land, and the <i>State Policy on the Protection of Agricultural Land 2009</i>.</li> <li>2. The property has only recently been purchased for the purpose of Resource Development which is a No Permit Required use class in the current zoning. However, by proposing to zone Landscape Conservation in the LPS, resource development is a discretionary use class; therefore, it is an activity that has gone from not requiring any form of authorisation from the Planning Authority to being an activity potentially subject to a refusal under Clause 22.3.3 of the LPS. This is even though the <i>State Agricultural Land Mapping Project - Background Report</i> has suggested that the land is "Potentially Unconstrained" which generally is assigned to the Agricultural Zone (Figure 2.2a).</li> <li>3. In regard to the Purpose Statements for the Landscape Conservation and Rural Zones within the LPS, the Rural Zone is more consistent with the characteristics of the land and the use of the site. Although the site was identified as unconstrained agricultural within the Land Suitable for Agriculture Zone, the native vegetation and topography means it is not suitable for transition to Agriculture Zone. Therefore, based on the current land use and the fact that this site is being used for an agricultural use shown by its very longevity to be sustainable, it is submitted that the LPS has erred in zoning this site Landscape Conservation.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zone and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is steep and is substantially covered in native vegetation that is contiguous with a larger bushland area. In accordance with the farm layout plan the lavender farm covers a relatively small area of the site. Resource development is a discretionary use in the Landscape Conservation Zone.</p> <p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use, or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
<p>Recommended action</p>	<p>No modification to the draft LPS is required.</p>

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

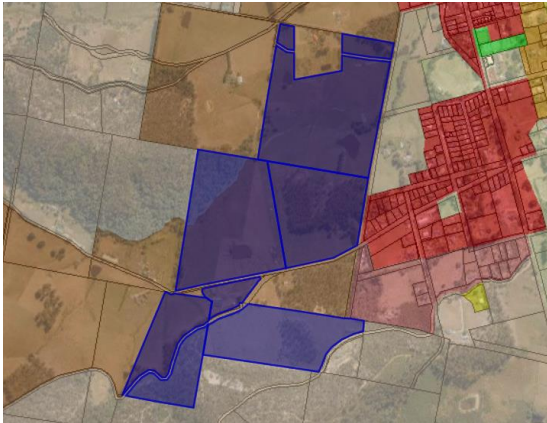
<b>352.</b>	<b>Ellen Blyth and Julian Fielding (<i>Red Seal Urban and Regional Planning</i>)</b>
Matters raised	<p>The representation requests 139 Arve Road, Geeveston (PID: 7475877; CT: 147470/1) be zoned Rural Living A rather than split zoned Rural and Rural Living A.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property covers just over 7.3 hectares and although a single title, it is effectively divided into three areas, which are: <ul style="list-style-type: none"> <li>• Area A: Land south of Arve Road, (2.7 ha)</li> <li>• Area B: Land west of Wilsons Road and north of Arve Road, (3.4 ha)</li> <li>• Area C: Land east of Wilsons Road and north of Arve Road, (1.1 ha)</li> </ul> </li> <li>2. Under the Huon Valley LPS, the property is proposed to be split zoned – Rural on the northern side of Arve Road and Rural Living on the southern side. Whilst the zoning might appear a logical transition, it creates a problem for the property owners in that the property is not of a sufficient capacity to properly farm. However, the site is too large to manage as a small holding as it involves shifting livestock across Arve Road. Whilst stock crossing was common for previous generations of owners, the increased traffic flow in recent years along Arve Road has made this practice unsafe and untenable at this location. A stock crossing underpass has been explored but the cost is unrealistic for grazing stock on a 7-hectare property. Therefore, the owners would like to separate the land either side of Arve Road, and ideally either side of Wilsons Road.</li> <li>3. As Rural Living, the core use of residential is maintained, but simultaneously the land can still be used for livestock grazing, the current use. Additionally, by rezoning the northern side of the property, the site can be subdivided following the road layout to avoid potential conflict with livestock crossing the roads. It is foreseeable that the very northern tip of Area B would not be desirable to be zoned Rural Living as this would introduce the zone along Wilsons Road. However, a possible option is to see the split in zoning move from the Arve Road as the boundary to the topographical feature of Crookes Rivulet. Such an option should still see the site being divided along the road but keeps the native vegetation within the Rural Zone.</li> </ol>

	<p>4. Based on the actual land use, an analysis of the purpose of the zones, and a review of the Guidelines, the more appropriate land use zoning is that of Rural Living Zone A to maintain the same zoning across the property. This zoning facilitates minor agricultural activities but is more applicable to the residential activity that is occurring on the land. Therefore, pursuant to Section 35E (3)(b) of the <i>Land Use Planning and Approvals Act 1993</i>, the draft LPS should zone the entire site Rural Living.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The lot is split zoned Rural Resource and Rural Living under the interim planning scheme and is proposed to be split zoned Rural Living Area A and Rural under the Huon Valley – LPS. In accordance with RLZ2 the Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</p> <ul style="list-style-type: none"> <li>(a) <i>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</i></li> <li>(b) <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that a substantial portion of lots are of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, whilst it is recognised that the rezoning adjoins an existing Rural Living area due to the number of lots in the LGA that would also have these characteristics, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p>

Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

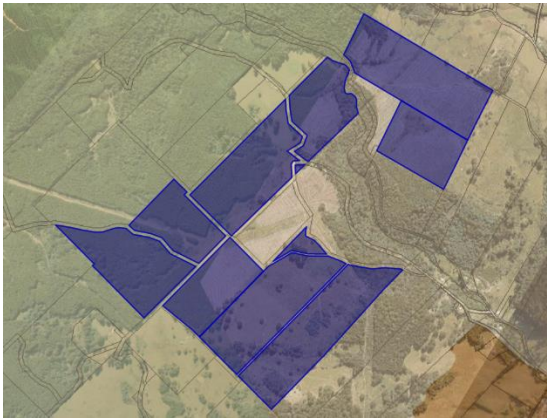
<b>353.</b>	<b>Shane &amp; Pauline O'Neill (<i>Red Seal Urban and Regional Planning</i>)</b>
Matters raised	<p>The representation requests the following properties be zoned Rural rather than Agriculture:</p> <ul style="list-style-type: none"> <li>• 157 Golden Valley Road, Cygnet (PID: 3014694; CT: 156985/1),</li> <li>• 130 Golden Valley Road, Cygnet (PID: 5850055; CTs: 214928/1 and 236015/1), and</li> <li>• Associated lots with PID: 3014715; CT: 156985/2, PID: 5850354; CT: 213885/1, and 18 Emma Street, Cygnet (PID: 2789252; CT: 12881/1)</li> </ul> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Although on paper the property is made up of a few different PIDs, for the convenience of this submission the entire property will be referenced as the Site and singular, unless specific lots or areas are to be referenced. The Site consists of just over 60 hectares, made up six titles.</li> <li>2. Council has proposed to zone the Site as Agriculture under the Huon Valley - LPS, with the surrounding area to be zoned Rural or General Residential with some areas Landscape Conservation. Council's supporting report notes, "multiple lots owned by the same landholder with a total area over 10ha" should be zoned Agriculture this should follow a closer review if the lots are mapped as being constrained. All the lots on this Site are mapped as being constrained within the Land Potentially Suitable for Agriculture Zone layer of the LIST.</li> <li>3. Current land use used for cattle grazing, as horticultural activities in the form of apple orchards have proven to be unsustainable within proximity to the neighbouring residential properties. The surrounding land use is rural residential use without an agriculture use. Native vegetation is present on some of the lots, with season grazing occurring when required. Vegetation type is listed under the TasVeg layer of the LIST Map as Agricultural land (FAG) for most of the area. A small area is covered in Acacia dealbata forest (NAD) as shown within the TasVeg layer of the LIST Map; however, most of the native vegetation is associated with Eucalyptus obliqua forest WOU or DOB and is dotted across the landscape. None of these vegetation types are listed under Schedule 3A - Threatened native vegetation communities of the <i>Nature Conservation Act 2002</i>.</li> </ol>

	<p>4. The Land Capability of the lots and the surrounding properties is predominantly Class 5, which is land moderately suitable for pastoral use but considered unsuitable for cropping. It is observed that these sites are surrounded residential dwellings, significantly restricting the ability to crop or manage an orchard. Whilst this is considered good quality land in a Southern Tasmania context, it is questionable when cross referencing the features with the LIST Map. Class 4+5 classification may occasionally facilitate cropping; however, pest control is considered impossible due to it being surrounded by sensitive use. Therefore, the only suitable agricultural activity is livestock grazing, which also applies to the Class 5 land.</p> <p>5. Whilst it is acknowledged that currently the zoning is Significant Agriculture and Agriculture may seem a clear transition, it assumes that the current zoning under the Huon Valley Interim Planning Scheme 2015 is the correct zoning. This submission proposes that the “decision tree” established by consultants engaged by the Southern Group of Councils, or its implementation has not factored in the proximity to the residential zoned land of Cygnet and the associated sensitive use. Additionally, the AK Consultants report is not a “detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council”, as it is simply a tool to assist Council officers when assessing agricultural mapping. Therefore, the decision tree has not accounted for the various for the fact that this Site is constrained within the ‘Land Potentially Suitable for Agriculture Zone’ mapping project.</p> <p>6. The concern relates to the ability for the farm to facilitate succession planning. This does not imply further subdivision, as the property has several titles, but concern is factored into the ability for the owners’ children to construct a dwelling on established titles. Such a dwelling may or may not be interpreted as being directly necessary for the operation of the farm. This is particularly the case if the soil and land restrictions direct the only agricultural use to that of livestock grazing.</p> <p>7. By being Rural the core agriculture use is maintained, as the land can still be used for livestock grazing, which is the current use. Whilst it is recognised that the property already has existing use rights, it is positioned that the restrictions under the ordinance of the Agricultural Zone on the land are significant to warrant the site transitioning to the new scheme to be Rural. By being zoned Rural under the LPS the land has not been lost to the agriculture estate and the objective of the Tasmanian State Policy on the Protection of Agricultural Land 2009 is still being achieved.</p> <p>8. As the intent of the Agriculture Zone is to provide for agricultural activities and avoid conflict with unrelated non-agricultural activities, the characteristics and the restrictions on the Site limit the useability and reliance of the property for a diverse range of agricultural uses. Therefore, it is considered more appropriate that the property associated</p>
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	<p>with this submission, and for that matter the surrounding area, be zoned Rural. Such a zoning is particularly applicable considering that the intent of the Rural Zone is to provide for less significant agriculture and for it be applied to land with limited or no potential for agriculture. Pursuant to Section 35E (3)(b) of the <i>Land Use Planning and Approvals Act 1993</i>, the draft LPS should not apply the zone Agriculture to the subject sites, being more appropriate to be zoned Rural, which is more consistent with the actual use of the site and the agricultural use occurring within the neighbouring properties.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>It is assumed that the submission is only concerned with the parcels of land that are to be zoned Agriculture under the Huon Valley – LPS. It is noted that the application of the Agriculture Zone has aligned with those sites zoned Significant Agriculture under the HVIPS. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6</i>. In accordance with AZ6 RMCG undertook further investigation as to each sites suitability for inclusion within the Agriculture Zone and it was determined that the application of the Agriculture Zone as the most appropriate zone for the site.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>

354.	<b>M and J Sanders, T O'Neill and J Lancaster, P and K Leitch, R and K Steinert, A Carnes, C and A Newbon, M Donaghy and C Boucher, and Organization Faster Than Expected Pty Ltd (<i>Red Seal Urban and Regional Planning</i>)</b>
Matters raised	<p>The representation requests the following properties be zoned Rural rather than Agriculture:</p> <ul style="list-style-type: none"> <li>• 460 Harwoods Road, Castle Forbes Bay (PID: 2506435, CT: 215507/1)</li> <li>• Castle Forbes Road, Castle Forbes Bay (PID: 2304710, CT: 229458/1)</li> <li>• Lot 1 Harwoods Road, Castle Forbes Bay (PID: 3596321, CT: 248735/1)</li> <li>• Lot 6 Harwoods Road, Castle Forbes Bay (PID: 3596241, CT: 13859/6)</li> <li>• Lot 2 Harwoods Road, Castle Forbes Bay (PID: 3613590, CT: 175557/3)</li> <li>• 433 Harwoods Road, Castle Forbes Bay (PID: 9823142, CT: 53182/1)</li> <li>• Lot 2 Harwoods Road, Castle Forbes Bay (PID: 9027658, CT: 180867/2)</li> <li>• 34 Bay Link, Franklin (PID: 5707718, CT: 249012/1)</li> </ul> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Council has proposed to zone the eight lots Agriculture, with the surrounding properties to be Rural zone under the LPS. Each of the lots are in individual ownership and range in size from 9 hectares to 26 hectares. Currently the Huon Valley Interim Planning Scheme 2015 has the land zoned Rural Resource, which is reflective of the fact that until recently the western lots were being used for hardwood plantation. Land to the southwest is still being used for plantation forestry, both private and State forests.</li> <li>2. The lots have been used for hardwood plantation as evident within the latest State Land Use (2019). Vegetation type is listed under the TasVeg layer of the LIST Map as Agricultural land (FAG) for most of the area (Figure 1.2d); however, most of the native vegetation is associated with <i>Eucalyptus obliqua</i> forest WOU or DOB and is dotted across the landscape. None of these vegetation types are listed under Schedule 3A - Threatened native vegetation communities of the <i>Nature Conservation Act 2002</i>.</li> <li>3. The Land Capability of the lots and the surrounding properties is predominantly Class 5, which is land moderately suitable for pastoral use but considered unsuitable for cropping. It is observed that this land class is restricted to three lots with one lot entirely subject to the Class 4 is to be zoned Rural. Whilst this is considered good quality land in a Southern Tasmania context, it is noted that this is only a couple of hectares within the property and the accuracy is also questionable when cross referencing the features with the LIST Map. Class 4 classification may occasionally facilitate cropping, it is noted however that the site's altitude and microclimate significantly restricts the types of cropping due to extended cold and dampness according to the longer-term property owners. Additionally, pest control is considered impossible due to it being surrounded by forests. Therefore, the only suitable agricultural</li> </ol>


	<p>activity is livestock grazing, which also applies to the Class 5 land. The fact that this land is poor quality is supported by it being zoned Rural Resource under the current Interim Planning Scheme and not Significant Agriculture, and a simple transition to Rural instead of zoning it Agriculture is more appropriate measure when reviewing what is occurring on site.</p> <ol style="list-style-type: none"> <li>4. It is recognised that Huon Valley Council has implemented the Agriculture Zone in accordance with the Ministerial “Guidelines No.1 Local Provisions Schedule (LPS): zone and code application”, which requires the zoning to be applied to all unconstrained land within the ‘Land Potentially Suitable for Agriculture Zone’ unless ruled out. It is proposed that the “decision tree” established by consultants engaged by the Southern Group of Councils has not factored in the multiple ownership that has occurred for the lots. Additionally, the decision tree has not accounted for the various stages of dwelling construction on these sites, from pre-lodgement to constructed. As a result, the land should not be considered unconstrained but should be mapped as constrained within the ‘Land Potentially Suitable for Agriculture Zone’.</li> <li>5. Implications of zoning the subject sites Agriculture is divulged in an analysis of the State Planning Provisions, and the ordinance of the Agriculture Zone within the new planning scheme. Each of these lots has been purchased with the intent of building a residential dwelling. In juxtaposition to the current Interim Planning Scheme’s Significant Agriculture Zone where it must be demonstrated that there is an agricultural necessity for a residential dwelling, the new scheme does have a pathway which does not require the property owner to prove the agricultural necessity for a dwelling. However, the wording of these provisions is very subjective with minimal guidance, and it would take little to refuse a dwelling on land that is only suitable for livestock grazing such as the subject titles.</li> <li>6. In this situation whilst some of the lots are yet to have a dwelling, no lot is more than 40 hectares and there is no real evidence that the lots have practical access to water for irrigation. Without irrigation the only real agricultural use based on the land classification is that of livestock grazing or tree plantation. Although the cluster of eight titles exceed 40 hectares none are in the same ownership and each has been purchased within the last five years, for the purpose of constructing a residential dwelling at some stage. Therefore, in accordance with the AK Consultant Decision tree the sites should be classified “Potentially Constrained Titles”. And as they are all unlikely to be purchased by a large nearby agricultural enterprise as they were recently sold by just such an enterprise, then the Decision Tree directs the land to be zoned Rural instead of Agriculture. By being Rural the core agriculture use is maintained, as the land can still be used for livestock grazing, which is the current use, but simultaneously residential use can still occur.</li> </ol>
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	<p>7. There appears to be an error and the eight individually owned lots are being considered together as a single cluster of vacant titles and not with potentially of a dwelling on each lot or with a dwelling on each title that surrounds the lots. Each lot has been purchased with the intent of constructing a home at some point with some already underway. Therefore, the proximity to sensitive use associated with neighbouring land should be factored in. Whilst some properties are still in the design phase other properties within the area are built. Council records should have these occurrences on file. The additional fact that the soil quality is poor and insufficient to sustain cropping means that the land associated with eight titles is significantly constrained and that there is sufficient justification for Rural Zone being allocated to the site.</p> <p>8. As the intent of the Agriculture Zone is to provide for agricultural activities and avoid unrelated non-agricultural activities, the characteristics and the restrictions limit the useability and reliance of the site for such activities. Therefore, it is considered more appropriate that the lots associated with this submission are zoned Rural. This is particularly applicable considering that the intent of the Rural Zone is to provide for less significant agriculture and for it be applied to land with limited or no potential for agriculture. Pursuant to Section 35E (3)(b) of the <i>Land Use Planning and Approvals Act 1993</i>, the draft LPS should not apply the zone Agriculture to the subject sites, being more appropriate to be zoned Rural, which is more consistent with the actual use of the site and the agricultural use occurring within the neighbouring properties.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The sites are zoned Rural Resource under the HVIPS and zoned Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. All sites are identified as being <i>Unconstrained</i> and are either surrounded by or adjoining land identified as <i>Unconstrained</i>. Notwithstanding, RMCG undertook further investigation as to the site's</p>

	suitability for inclusion within the Agriculture Zone and concluded that each of the sites were more appropriately zoned Rural.
Recommended action	<p>Change following titles to Rural in draft LPS:</p> <ul style="list-style-type: none"> <li>• CT: 215507/1</li> <li>• CT: 229458/1</li> <li>• CT: 248735/1</li> <li>• CT: 13859/6</li> <li>• CT: 175557/3</li> <li>• CT: 53182/1</li> <li>• CT: 180867/2</li> <li>• CT 249012/1</li> </ul>
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>355.</b>	<b>Vivian and Ivan Walker (<i>Red Seal Urban and Regional Planning</i>)</b>
Matters raised	<p>The representation requests Lot 1 Flakemore Road, Franklin (PID: 3307462; CTs: 159201/1 and 159196/1) and Lot 3 Flakemore Road, Franklin (PID: 3307411; CT: 153611/3) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Council's supporting report notes, "multiple lots owned by the same landholder with a total area over 10ha". Whilst the Walker's have historically owned a significant number of lots, they currently only own the subject three lots of the fourteen to be zoned Agriculture. The remaining eleven lots are all in separate individual ownership.</li> <li>2. Inconsistent application of the agriculture zoning is evident when cross examining the Land Potentially Suitable for Agriculture Zone' layer of the LIST which is meant to be the starting point for determining the allocation of the zone. Of the fourteen lots to be zoned Agriculture, only two of the lots are mapped as unconstrained land, with only applying to the larger of the Walker's lots.</li> <li>3. Vegetation type is listed under the TASVeg layer of the LIST Map as Agricultural land (FAG) for most of the area, however, most of the native vegetation is associated with Eucalyptus obliqua forest WOU or DOB and is dotted across the landscape. None of these vegetation types are listed under Schedule 3A - Threatened native vegetation communities of the <i>Nature Conservation Act 2002</i>. However, the TASVeg Layer again demonstrates that there is an inconsistency in zoning, as the</li> </ol>

	<p>surrounding land is not subject to high conservation vegetation then why is this not also zoned Agriculture. Correspondingly, if this site is consistent with the surrounding land, then why is it not being zoned Rural under the LPS.</p> <ol style="list-style-type: none"> <li>4. The Land Capability of the lots and the surrounding properties is predominantly Class 5, which is land moderately suitable for pastoral use but considered unsuitable for cropping, whilst the central area is of Class 4. It is observed that these sites are surrounded and interspersed by residential dwellings, significantly restricting the ability to crop. Whilst this is considered good quality land in a Southern Tasmania context, it is noted that this is only a couple of hectares within the property and the accuracy is also questionable when cross referencing the features with the LIST Map. Class 4 classification may occasionally facilitate cropping, it is noted however that the site's altitude and microclimate significantly restricts the types of cropping due to extended cold and dampness according to the longer-term property owners. Additionally, pest control is considered impossible due to it being surrounded by sensitive use. Therefore, the only suitable agricultural activity is livestock grazing, which also applies to the Class 5 land.</li> <li>5. It is proposed that the "decision tree" established by consultants engaged by the Southern Group of Councils has not factored in the multiple ownership that has occurred for the lots. The decision tree has not accounted for the various stages of dwelling construction on the surrounding sites nor has the Council accounted for the numerous small lots distributed through the area. As a result, the land should not be considered unconstrained but should be mapped as constrained within the 'Land Potentially Suitable for Agriculture Zone'.</li> <li>6. Implications of zoning the subject sites Agriculture is divulged in an analysis of the State Planning Provisions, and the ordinance of the Agriculture Zone within the new planning scheme. Each of these lots has been purchased with the intent of building a residential dwelling, whilst horticultural use is occurring on a few lots, most lots are being used for livestock grazing which has minimal impact on adjoining sensitive use: no spray drift, dust, or noise from machinery or pest management. In juxtaposition to the current Interim Planning Scheme's Significant Agriculture Zone where it must be demonstrated that there is an agricultural necessity for a residential dwelling, the new scheme does have a pathway which does not require the property owner to prove the agricultural necessity for a dwelling. However, the wording of these provisions is very subjective with minimal guidance, and it would take little to refuse a dwelling on land that is only suitable for livestock grazing such as the subject titles.</li> <li>7. Although the cluster of titles exceed 40 hectares most are in separate ownership and each has been purchased within the last five years, for the purpose of constructing a residential dwelling at some stage.</li> </ol>
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	<p>Therefore, in accordance with the AK Consultant Decision tree the sites should be classified “Potentially Constrained Titles”. And as they are all unlikely to be purchased by a large nearby agricultural enterprise as they were recently sold by just such an enterprise, then the Decision Tree directs the land to be zoned Rural instead of Agriculture.</p> <p>8. By being Rural the core agriculture use is maintained, as the land can still be used for livestock grazing, which is the current use, but simultaneously residential use can still occur. The fact that this land is poor quality is supported by it being zoned Rural Resource under the current Interim Planning Scheme and not Significant Agriculture, and a simple transition to Rural instead of zoning it Agriculture is more appropriate measure when reviewing what is occurring on site. Other zone guideline analysis should occur for land that is potentially subject to use class conflict. Given the size, character, and location it is considered that the Rural Zone guidelines are applicable to the site.</p> <p>9. As the intent of the Agriculture Zone is to provide for agricultural activities and avoid conflict with unrelated non-agricultural activities, the characteristics and the restrictions limit the useability and reliance of the site for agricultural uses. Therefore, it is considered more appropriate that the lots associated with this submission, and the surrounding area, are zoned Rural. This is particularly applicable considering that the intent of the Rural Zone is to provide for less significant agriculture and for it be applied to land with limited or no potential for agriculture. Pursuant to Section 35E (3)(b) of the <i>Land Use Planning and Approvals Act 1993</i>, the draft LPS should not apply the zone Agriculture to the subject sites, being more appropriate to be zoned Rural, which is more consistent with the actual use of the site and the agricultural use occurring within the neighbouring properties.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The sites are zoned Rural Resource under the HVIPS and zoned Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i></p>

	layer published on the LIST map. The sites are identified as being <i>Potentially Constrained 2A</i> and <i>Unconstrained</i> . IN accordance with AZ1(a) RMCG undertook further investigation and analysis as to each site's suitability for inclusion within the Agriculture Zone. It was concluded that the application of the Agricultural Zone was the most appropriate zone for the site.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>356.</b>	<b>Kerrie-Lyn O'Neill (<i>Red Seal Urban and Regional Planning</i>)</b>
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Matters raised	<p>The representation requests 398 Silver Hill Road, Cygnet (PID: 1698295; CT: 238321/1) and 119 Silver Hill Road, Cygnet (PID: 5853141; CT: 106802/1, CT: 106801/2 and CT: 106801/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Although on paper the property is made up of two different properties, for the convenience of this submission the entire property will be referenced as the Site and singular, unless specific lots or areas are to be referenced.</li> <li>2. The Site consists of just over 50 hectares, made up four titles. Current land use used for cattle grazing, as horticultural activities are unsustainable due to the proximity to neighbouring residential properties. The surrounding land use is rural residential use without an agriculture use.</li> <li>3. Council's supporting report notes, "multiple lots owned by the same landholder with a total area over 10ha" should be zoned Agriculture this should follow a closer review if the lots are mapped as being constrained. All the lots on this Site are mapped as being constrained within the Land Potentially Suitable for Agriculture Zone layer of the LIST.</li> <li>4. Native vegetation is mapped as being present on CT: 106802/1 and CT: 106801/2; however, the small lot (CT 106801/2) is regrowth consisting predominately of weeds. Seasonal grazing occurs when required. Vegetation type is listed under the TASVeg layer of the LIST Map as Agricultural land (FAG) for most of the area, however, most of the native vegetation is associated with Eucalyptus obliqua forest (DOB) and is dotted across the landscape. None of these vegetation types are listed under Schedule 3A - Threatened native vegetation communities of the <i>Nature Conservation Act 2002</i>.</li> <li>5. The Land Capability of the lots and the surrounding properties is predominantly Class 5, which is land moderately suitable for pastoral use but considered unsuitable for cropping, whilst the central area is of Class 4+5. It is observed that these sites are surrounded residential dwellings, significantly restricting the ability to crop or manage an orchard. Whilst this is considered good quality land in a Southern Tasmania context, it is questionable when cross referencing the features with the LIST Map. Class 4+5 classification may occasionally facilitate cropping; however, pest control is considered impossible due to it being surrounded by sensitive use. Therefore, the only suitable agricultural activity is livestock grazing, which also applies to the Class 5 land.</li> <li>6. Whilst it is acknowledged that currently the zoning is Significant Agriculture and Agriculture may seem a clear transition, it assumes that the current zoning under the Huon Valley Interim Planning Scheme 2015 is the correct zoning. This submission proposes that the "decision tree" established by consultants engaged by the Southern Group of Councils, or its implementation has not factored in the proximity to the residential zoned land of Cygnet and the associated sensitive use. Therefore, the decision tree has not accounted for the various for the fact that this Site is constrained</li> </ol>
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Planning Authority response	The sites are zoned Significant Agriculture under the interim planning scheme and Agriculture under the Huon Valley - LPS. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> In accordance with AZ6 RMCG undertook further investigation as to each sites suitability for inclusion within the Agriculture Zone. It was determined that the Agriculture Zone is the most appropriate zone for the site.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

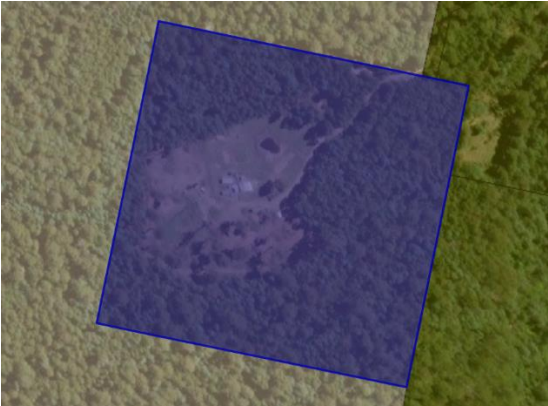
<b>357.</b>	<b>Pat McCarty (Red Seal Urban and Regional Planning)</b>
Matters raised	<p>The representation requests 54 Flakemore Road, Franklin (PID:3220340; CT: 164715/4) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Council has proposed to zone the Braeside Road and Flakemore Road area from Rural Resource under the Huon Valley interim Planning Scheme 2015 to be zoned Agriculture under the Huon Valley – LPS, with the surrounding area to be zoned Rural.</li> <li>2. Council’s supporting report notes, “multiple lots owned by the same landholder with a total area over 10ha”. Whilst many of the lots have historically been owned by the same entity only three lots of the fourteen to be zoned Agriculture are in the same ownership; the remaining eleven lots are all in separate individual ownership. Most of these lots currently have a residential dwelling either constructed or like the subject site of this submission planning approval to construct a dwelling.</li> <li>3. Inconsistent application of the agriculture zoning is evident when cross examining the Land Potentially Suitable for Agriculture Zone’ layer of the LIST which is meant to be the starting point for determining the allocation of the zone. Of the fourteen lots to be zoned Agriculture, only two of the lots are mapped as unconstrained land. This Site along with land to the east is also mapped as “constrained” yet they are to be Rural.</li> <li>4. The site consists of 5.8 hectares, with no native vegetation. Currently used for cattle grazing, Council has recently approved a residential</li> </ol>

	<p>dwelling on the site. Vegetation type is listed under the TASVeg layer of the LIST Map as Agricultural land (FAG) for most of the area.</p> <ol style="list-style-type: none"> <li>5. The Land Capability of the lots and the surrounding properties is predominantly Class 5, which is land moderately suitable for pastoral use but considered unsuitable for cropping, whilst the central area is of Class 4. It is observed that these sites are surrounded and interspersed by residential dwellings, significantly restricting the ability to crop. Whilst this is considered good quality land in a Southern Tasmania context, it is noted that this is only a couple of hectares within the property and the accuracy is also questionable when cross referencing the features with the LIST Map. Class 4 classification may occasionally facilitate cropping, it is noted however that the site's altitude and microclimate significantly restricts the types of cropping due to extended cold and dampness according to the longer-term property owners. Additionally, pest control is considered impossible due to it being surrounded by sensitive use. Therefore, the only suitable agricultural activity is livestock grazing, which also applies to the Class 5 land.</li> <li>6. It is proposed that the "decision tree" established by consultants engaged by the Southern Group of Councils has not factored in the multiple ownership that has occurred for the lots within the Braeside Road and Flakemore Road. The decision tree has not accounted for the various stages of dwelling or sensitive uses construction on the surrounding sites since the agricultural mapping was published in 2017 nor has the Council accounted for the numerous small lots distributed through the area. As a result, the land should not be considered unconstrained but should be mapped as constrained within the 'Land Potentially Suitable for Agriculture Zone'.</li> <li>7. Implications of zoning the subject sites Agriculture is divulged in an analysis of the State Planning Provisions, and the ordinance of the Agriculture Zone within the new planning scheme. Each of these lots has been purchased with the intent of building a residential dwelling, whilst horticultural use is occurring on a few lots most lots are being used for livestock grazing which has minimal impact on adjoining sensitive use: no spray drift, dust, or noise from machinery or pest management. In juxtaposition to the current Interim Planning Scheme's Significant Agriculture Zone where it must be demonstrated that there is an agricultural necessity for a residential dwelling, the new scheme does have a pathway which does not require the property owner to prove the agricultural necessity for a dwelling. However, the wording of these provisions is very subjective with minimal guidance, and it would take little to refuse a dwelling on land that is only suitable for livestock grazing such as the subject titles.</li> <li>8. Although the cluster of titles exceed 40 hectares most are in separate ownership and each has been purchased within the last five years, for</li> </ol>
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	<p>the purpose of constructing a residential dwelling at some stage. Therefore, in accordance with the AK Consultant Decision tree the sites should be classified “Potentially Constrained Titles”<sup>8</sup>. And as they are all unlikely to be purchased by a large nearby agricultural enterprise as they were recently sold by just such an enterprise, then the Decision Tree directs the land to be zoned Rural instead of Agriculture.</p> <p>9. By being Rural the core agriculture use is maintained, as the land can still be used for livestock grazing, which is the current use, but simultaneously residential use can still occur. Whilst it is recognised that although the property already has residential approval and will have existing use rights, it is positioned that the restrictions on the land are significant to warrant the site transitioning to the new scheme as Rural from Rural Resource under the current provisions. Whilst not zoned Agriculture, by being zoned Rural under the LPS the land has not been lost to the agriculture estate and the objective of the <i>Tasmanian State Policy on the Protection of Agricultural Land 2009</i> is still being achieved.</p> <p>10. Although the two of the fourteen lots are identified within the ‘Land Potentially Suitable for Agriculture Zone’, it is observed that only one title is considered large and that the surrounding properties are not of a size or scale to be considered for a larger farm sufficiently sustainable to warrant financial outlay to integrate the subject land into a larger holding. Looking at the surrounding area, each lot has been purchased with the intent of constructing a home at some point with some already underway. Therefore, the proximity to sensitive use associated with neighbouring land should be factored in. Whilst some properties are still in the design phase other properties within the area are built. Council records should have these occurrences on file. The additional fact that the soil quality is poor and insufficient to sustain cropping means that the land associated with eight titles is significantly constrained and that there is sufficient justification for Rural Zone being allocated to the site.</p> <p>11. As the intent of the Agriculture Zone is to provide for agricultural activities and avoid conflict with unrelated non-agricultural activities, the characteristics and the restrictions on the Site limit the useability and reliance of the property for a diverse range of agricultural uses. Therefore, it is considered more appropriate that the property associated with this submission, and for that matter the surrounding area, be zoned Rural. Such a zoning is particularly applicable considering that the intent of the Rural Zone is to provide for less significant agriculture and for it be applied to land with limited or no potential for agriculture. Pursuant to Section 35E (3)(b) of the <i>Land Use Planning and Approvals Act 1993</i>, the draft LPS should not apply the zone Agriculture to the subject sites, being more appropriate to be</p>
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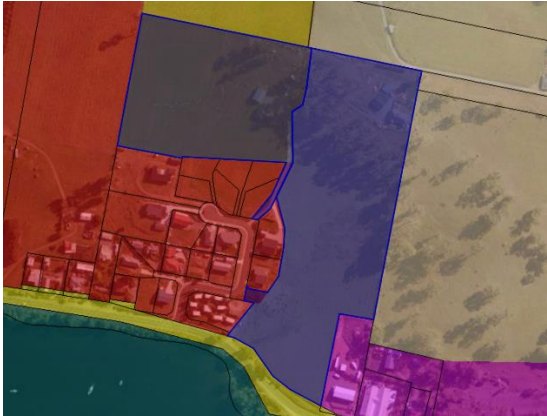
	<p>zoned Rural, which is more consistent with the actual use of the site and the agricultural use occurring within the neighbouring properties.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the HVIPS and zoned Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. The site is identified as being <i>Potentially Constrained 2B</i>. In accordance with AZ1(a) RMCG undertook further investigation and analysis to determine the site’s suitability for inclusion within the Agriculture Zone. It was concluded that the application of the Agricultural Zone was the most appropriate zone for the site.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>

<b>358.</b>	<b>J Ramirez (<i>Red Seal Urban and Regional Planning</i>)</b>
Matters raised	<p>The representation requests 180 Middle Road Pelterata (PID: 7757110; CT: 49031/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The site is used for a small horticulture farm which is why the owners purchased the Rural Resource Zoned Land. Such a use is a Resource Development use class which is a no permit required use. The purpose of the Rural zone is to prioritise primary industry related business, specifically farming and to minimise conflict with such activities. However, by proposing to zone Landscape Conservation in the LPS,</li> </ol>

	<p>resource development is a discretionary use class; therefore, it is an activity that has gone from not requiring any form of authorisation from the Planning Authority to being an activity potentially subject to a refusal under Clause 22.3.3 of the LPS. This is even though the <i>State Agricultural Land Mapping Project - Background Report</i> has suggested that the land is “Potentially Unconstrained” which generally is assigned to the Agricultural Zone.</p> <p>2. The subject land under the LPS is proposed to be zoned Landscape Conservation; however, this does not factor in the established existing user rights of individuals who have recently purchased the land for the reason that it was zoned Rural Resource. Pursuant to Section 35E (3)(b) of the Land Use Planning and Approvals Act 1993, the draft LPS should not apply the zone Landscape Conservation in accordance with the provisions of the SPP Part 22 and the <i>Guidelines No.1 Local Provisions Schedule (LPS): zone and code application</i>. The land should be considered for Rural Zone (Part 20 of the SPPs) as this reflects the land use character.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not a like-for-like zone and there is a clear policy distinction between the Rural Zone under the SPP’s and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p>

	<p>In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is partially covered by native vegetation that forms part of a larger, contiguous bushland area that incorporates the Snug Tiers Nature Recreation Area.</p> <p>The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. To avoid spot zoning and to protect these landscape values, the application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>359.</b>	<b>N Gane (<i>Red Seal Urban and Regional Planning</i>)</b>
Matters raised	<p>The representation requests 8-10 Doctor Dicks Drive Port Huon (PID: 3569403; CTs: 182269/1; 168693/8) be zoned General Residential and Low Density Residential rather than Rural, Future Urban and General Residential.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The General Residential zoned area of the site does have planning approval for a subdivision; however, the historic construction of Doctor Dicks Drive has resulted in an inadequate road network for future expansion. At a corner location the road easement is only 13m in width with the carriage way being less than this width. As a result, the Urban Growth Zoned land is hampered from development as the existing non-conforming road network will not take any additional traffic. Additionally, Port Huon has seen a significant demand for housing with the location seen as one of the more affordable sites within the Huon Valley, yet still with services such as local stores in Port Huon and more significant services in Geeveston.</li> <li>2. A proposed subdivision layout has been prepared that would remove the issue of the non-conforming road by establishing a new road (subject to Planning Approval and Engineering Design). The new route would service the Future Urban Zoned land which would be zoned</li> </ol>

	<p>residential. In addition, the route would provide a strategic lint to the adjacent General Residential lot, facilitating further development of affordable housing. As the site is currently Rural Resource and will abut a Rural zoned property, the zoning proposed is also a combination of General Residential abutting existing General Residential with Low-density Residential facing the length of the Rural zoned land. The advantage of this is that it will also buffer the activities within the Light Industrial Zone.</p> <ol style="list-style-type: none"> <li>3. Zoning the property General Residential is consistent with the Guidelines GRZ 2. Whilst the site might be a green-field location, it has already been explored and partially developed. Historical errors and similar development constraints have hindered any further expansion.</li> <li>4. Port Huon is not referenced within the Southern Regional Land Use Strategy, which only highlights how out of date the strategy has become. Instead, the area is to have a growth rate percentage. However, with the increase in aquaculture industry and the current high demand for affordable housing Port Huon has since the implementation of a very desirable location. Residential Development here provides accommodation for the aquaculture industry and the growing tourism industry, plus Port Huon has access to schools and recreation spaces, as well as basic retail needs. Changing the zoning to facilitate the General Residential and Low-density Residential zones at the subject site, will facilitate the growth rate for settlements such as Port Huon by circumventing historical design errors that hinder the ability to achieve the Strategies recommended growth rate. Therefore, the proposal is not in conflict with the Regional Strategy.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The vacant land is currently zoned Rural Resource on the eastern side and Particular Purpose (Future Urban) on the northern side. The land that is zoned General Residential has been subdivided and developed for residential purposes. The eastern Rural Resource land is proposed to change to Rural under the TPS. This zone is considered appropriate at present given the area that is</p>

zoned Future Urban is not yet developed for residential purposes, and there remains a significant amount of land zoned General Residential that remains undeveloped as well.

Access to the northern side (Future urban) can be provided from the subdivision and development of the Residential zoned land to the west. This land needs to be subdivided and developed first before the future urban zoned land can be developed. A subdivision of the abutting residential zoned land would be required to include an access point to the future urban land as part of the subdivision design and approval process.

Additionally, the land to the east (shown pink) is zoned Light Industrial. There is also a need to maintain a buffer distance from sensitive uses in adjacent zones.

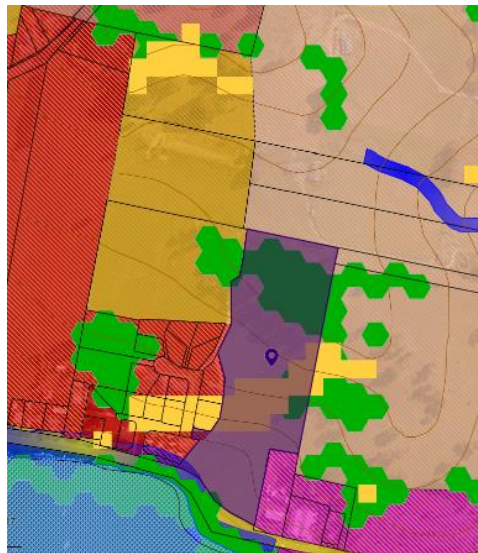



Figure 2. existing codes include biodiversity and landslide hazard code



Figure 3 – Current urban growth boundary of Port Huon as identified in the Huon Valley Land Use Strategy


	<p>At present there is no strategic justification to rezone the Rural Resource element of the land to a residential zone. This element of the land will be changed from Rural Resource to Rural as the most appropriate zone translation.</p> <p>The urban growth boundary would only be changed as a result of an updated Huon Valley Land Use &amp; Development Strategy. If this updated HVLUDS identified the need for a larger area of urban growth, then there would be strategic justification for a rezoning to residential at that time.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>360.</b>	<b>Stan Watson (<i>Red Seal Urban and Regional Planning</i>)</b>
Matters raised	<p>The representation requests Wilmot Rd, Ranelagh (PID: 9839006; CT: 179997/1) be zoned Rural Living rather than Utilities.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. As Council has only recently sold the land to the current owner as part of the Land Strategy, the site is evidentially not required for utilities use. A more appropriate zoning for the entire site is Rural Living under the Huon Valley LPS as this would be more consistent residential use of Ranelagh. Rural Living zone also recognises the fact that it is desirable to not have a residential density so close to the treatment facility, plus there are a number of site constraints for development at this location. However, Rural Living would introduce a new zoning to the site. Considering that the adjacent lot is zoned Rural under the LPS and that the flat area has no native vegetation whilst being considered to be Class 4 land, a Rural zoning for the site is not unreasonable and does not alter the residential density or impact on the surrounding activities without appropriate approvals. Noting that under a Rural Living Zone a dwelling is an No Permit Required use type. Therefore, it is not automatic that a residential dwelling would be built on the site.</li> <li>2. The property covers just over 3.9 hectares. Vegetation type is listed under the TASVeg layer of the LIST Map as Agricultural land for most of the property. An area of Eucalyptus obliqua dry forest (DOB) as per TASVeg layer of the LIST Map is along the bank on the northern section of the site, this is not listed under Schedule 3A - Threatened native vegetation communities of the <i>Nature Conservation Act 2002</i>. The Land</li> </ol>


	<p>Capability of the site and surrounding properties is Class 4, which is land moderately suitable for pastoral use and considered marginally suitable for cropping.</p> <p>3. Based on the actual land use, an analysis of the purpose of the zones, and a review of the Guidelines, the more appropriate land use zoning is that of Rural the property. Therefore, pursuant to Section 35E (3)(b) of the Land Use Planning and Approvals Act 1993, the LPS should not zone the property Utilities but instead it should be zoned Rural.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Given the site has recently been sold as a freehold title and subsequently the Utilities Zone is not required and change in zone is appropriate. Whilst the site may have Rural Living characteristics, given the land is not part of a recognised Rural Living or Environmental Living community and the proportion of lots between 1 ha – 10 ha in size in the LGA, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental and continuous increase in Rural Living land. Accordingly, the most appropriate zone for the site is Rural.</p>
Recommended action	Change to Rural in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>361.</b>	<b>Pieter Lunstedt (<i>Red Seal Urban and Regional Planning</i>)</b>
Matters raised	The representation requests 39 Golden Valley Road, Cygnet (PID: 5850274; CT: 6135/1) be zoned Light Industrial or General Residential with a Site-specific Qualification (SSQ) or a Specific Area Plan (SAP) rather than General Residential.


	<p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property covers just over 4973m<sup>2</sup> with 88m frontage to Golden Valley Road, and 48m frontage to Elizabeth Street, which is where the site access is obtained. The main shed has a floor area of 687m<sup>2</sup> and is orientated to the north. According to the valuation Property Report indicating the construction year was 1975. Presently, the shed is developed into several bays, that house self-contained boutique scale craft or artisan manufacturing. This consists of but not limited to a boat builder, a tiny-home builder, plus a few others. All are independent business that are local sole traders employing the occasional casual labour to assist with various skill requirements. Essentially, the space provides a location for small craft construction trades that are not necessarily seen as artisan but not big enough to have their own space. The property is rated as an industrial site according to Council's rates notice, with the site classified as "industrial warehouses" by the Government Valuation.</li> <li>2. Based on the use of the site, Light Industrial Zone is the best fit in terms of zoning and recognising that industrial activity has occurred on the property for nearly fifty years. However, whilst such a zoning may be more palatable to the owners of the site, it is appreciated that this would not be the case for the surrounding location. Such a zoning would be too open to activities that are not as boutique scale and impact that presently operates on site.</li> <li>3. It has been positioned that the property is a good case for a Site-specific Qualification (SSQ). This would leave the zoning General Residential and subject to the provisions of the Zone, but the uses associated the site would be permissible. As such, the operation of the site would not need to be constantly operating under a non-conforming use class provisions for the location. Noise emissions and similar environmental issues would still be governed by the provisions of the Environmental Management and Pollution Control Act 1993, which the site currently does. It is however noted that there are a range of unique uses on the site and as such it may be more appropriate to have a Specific Area Plan (SAP) for the site. Red Seal Planning and the property owner are willing to work with the Planning Authority to draft the best solution.</li> </ol>
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	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The Planning Authority can confirm there are established, lawful, non-conforming use rights for the site. Pursuant to section 32(3) of LUPAA an LPS may include a site-specific qualification that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.</p> <p>LUPAA limits the circumstances when a particular purpose zone, specific area plan or a site-specific qualification can be approved to those that demonstrate a:</p> <ul style="list-style-type: none"> <li><i>(a) significant social, economic or environmental benefit to the State, a region or a municipal area; or</i></li> <li><i>(b) a site which has particular environmental, economic, social or spatial qualities that requires a unique approach to the planning controls.</i></li> </ul> <p>Further evidence to demonstrate that the legislative requirements have been satisfied, in particular that of section 32(4) (a) or (b) of LUPAA; and similarly, further evidence of any increase in land use conflicts being appropriately mitigated, is required before the planning authority can consider the proposed site-specific qualification as being appropriate.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Matters raised	<p>The representation requests 6902 Huon Highway, Dover (PID: 2708256; CT: 144541/2) be zoned Rural Living A rather than Rural and Rural Living C.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The 16.6 hectare property is currently used for a residential dwelling, a vineyard and in the upper reaches of the lot as a bush block. There is limited opportunity to expand the vineyard into the native vegetation, yet because of the current zoning arrangement there is limited capacity for secession planning through the establishment of a lot to assist in financing expenses associated with the vineyard and the property.</li> <li>2. Although a single title, it is effectively divided into three areas, which are Rural Living along the Highway frontage; the vineyard area of the first half of the hill side; and the native vegetation area at the highest half of the lot. Whilst the zoning might appear a logical transition, it creates a problem for the property owners in that the property is not of a sufficient capacity to properly farm. With the split zoning, the two sections cannot be separated as this does not facilitate a subdivision within the Rural Zone area that meets the minimum lot size.</li> <li>3. Vegetation type is listed under the TASVeg layer of the LIST Map as Agricultural land for most of the property. The remaining site is Regenerating cleared land (FRG) although vineyards are established here, the upper area is Lowland grassland complex (GCL) and Eucalyptus globulus wet forest (WGL). The latter is listed under Schedule 3A - Threatened native vegetation communities of the <i>Nature Conservation Act 2002</i>. The Land Capability of the site and surrounding properties is Class 5, which is land moderately suitable for pastoral use but considered unsuitable for cropping. Whilst it is true that grapes to an extent do reasonably well on poor soil, this does not equate to huge quantities of harvest.</li> <li>4. The specific purpose of the Rural Living zone is to allow residential development on rural land to act as a buffer from agricultural use impacting on sensitive use. The range of permitted use classes within Rural Living Zone Use Table 11.2 is limited to residential and visitor accommodation. As such, this provides a greater range of options for succession planning with the vineyard allowing for a diversification of income and investment opportunities. Therefore, based on the zone purpose statements, the site is more suitable to be zoned Rural Living than Rural. Any environmental values would still be addressed under the Natural Assets Code which the LPS intends to have as an overlay in this area.</li> <li>5. Based on the actual land use, an analysis of the purpose of the zones, and a review of the Guidelines, the more appropriate land use zoning is that of Rural Living Zone C to maintain the same zoning across the property. This zoning facilitates agricultural activities but is more applicable to the residential activity that is occurring on the land.</li> </ol>
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	<p>6. Appendix- Agricultural Land Capability Report by GES</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The lot is split zoned Rural Resource and Rural Living under the interim planning scheme and split zone Rural and Rural Living Area C under the Huon Valley - LPS. In accordance with RLZ2 the Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, whilst it is recognised that the land currently zoned Rural under the draft Huon Valley – LPS adjoins a Rural Living area, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>Accordingly, the most appropriate zone for the site is for the split zoning of Rural and Rural Living Area C.</p>
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>363.</b>	<b>Mr and Mrs Wilcox (<i>PDA Surveyors, Engineers and Planners</i>)</b>
Matters raised	<p>The representation objects to 5 Sunset Drive, Garden Island Creek (PID: 1777313; CT: 114087/1) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The proposed zoning is not a like for like translation as per the directive to be inappropriate given the previous zoning, sizes of surrounding lots and pattern of development. The lot whilst currently having a dwelling on it and has an unusual shape has a total are of over 9,500m<sup>2</sup> which would allow for possible creation of an additional lot. This land directly adjoins onto Echo Sugarloaf Reserve and has been maintained by the owners in a modified fuel state to provide protection from possible bushfires to both this property and adjoining properties on Sunset drive.</li> <li>2. As the maximum elevation of the subject land is approximately 35m AHD it is clear that the subject land is not prominent in the landscape context of Echo Sugarloaf which has a peak of 198m AHD hence any conversion to this proposed zone does not make sense at either the landscape or local site scale.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The site is zoned Low Density Residential under the HVIPS and Landscape Conservation under the Huon Valley – LPS. In accordance with LDRZ3 the Low Density Residential Zone should not be applied for the purpose of protecting areas of important natural and landscape values, where in accordance with LCZ1 the application of the Landscape Conservation zone should be applied to land with landscape values such as bushland areas and large areas of native vegetation. The

	site is on the edge and adjoins the Echo Sugarloaf State Reserve and is only partially covered by native vegetation coverage. Given the existing zoning of Low Density Residential, the application of the Priority Vegetation overlay and the limited contribution to the landscape values of the LGA, the planning authority does not object to the zoning of Low Density.
Recommended action	Change to Low Density in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria


<b>364.</b>	<b>Anne Kovach</b>
Matters raised	<p>The representation requests 368 Braeside Road, Franklin (PID: 2505053; CT: 141613/2) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I, owner of the above property would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I believe that the more appropriate zone of Rural should be applied as it better fits with my property. As I was not made aware of this re-zoning until quite late in the process and exhibition period I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that my objection and that the above zone change be considered, and that I invoke my right to be afforded an opportunity to have this matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is on a steep slope and is substantially covered in native vegetation that is part of a larger bushland area.</p> <p>Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This site is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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<b>365.</b>	<b>Michael Brewster</b>
Matters raised	<p>The representation requests 39 Hill Street, Geeveston (PID: 3221220; CT: 164712/2) be split zoned Light Industrial and General Residential rather than General Residential.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property contains a large shed and house and is on a sizable block with the shed well away from neighbours. The shed backs directly onto the light industrial zone in the far back of the property. Owner wishes to use the shed for timber sales purposes and therefore seeks dual/split zoning to allow this to occur while retaining the house as a dwelling.</li> <li>2. Given the size of the property, its distance from other neighbours, the adjacent light industrial zone and the fact that there is a commercial trucking operation nearby which is closer to residential properties, owner believes this proposed change fits with the current land use around me and will introduce economic benefit to the region.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>In accordance with LIZ2 the Light Industrial Zone should not be applied to individual, isolated industrial uses, unless:</p> <ul style="list-style-type: none"> <li><i>(a) they are a use, or are of a scale, that is more appropriate for the Light Industrial Zone and there is a strategic intention to maintain the use; or</i></li> <li><i>(b) there is a strategic intention to expand the existing industrial area in this locality 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.</i></li> </ul> <p>The individual use identified would only be of a small scale and there is no strategic intent supported by the STRLUS or a local strategic analysis to support the introduction of the Light Industrial zone to this site.</p>


Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>366.</b>	<b>Janni and Paul deZwart</b>
Matters raised	<p>The representation requests 120 Winns Road, Cygnet (PID: 5867738; CT: 9932/1) be zoned Rural Living rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is part of a few smaller blocks that are surrounded by larger agricultural farms. It is a smaller block and has an existing house and garden and is not used for agricultural activity. Whilst not used for Agriculture, the property and surrounds are still situated in and have a rural amenity.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The spatial application of the Agriculture Zone is based on the land identified in the Land Potentially Suitable for Agriculture Zone layer published on the LIST map. The lot is identified as being Potentially Constrained Criteria 2A and is surrounded by land identified as being Unconstrained. Furthermore, due to the number of lots in the LGA that are less than hectares in size (87%), any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>RMCG undertook a site specific analysis in accordance with AZ1 and RZ1 and considered the most appropriate zone for this site is Rural (as well as 177833/1).</p>

Recommended action	Change to Rural in the draft LPS together with CT 177833/1.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>367.</b>	<b>Amy Robertson, Terry Ware and Belinda Yaxley</b>
Matters raised	<p>The representation objects to the broad-scale extent of Priority Vegetation Area overlay under the Natural Assets Code (C7.0) of the draft Huon Valley Local Provisions Schedule.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The Huon Valley is fortunate to be covered by the state's threatened species system which both identifies and prioritises, known and potential locations for threatened species and vegetation communities. With rankings from Critically Endangered through to Rare, this system allows managers and regulators to focus effort where it is most needed.</li> <li>2. It is clear from the SPPs and LPS guidelines that the Planning Scheme system is intended to relate to existing systems of prioritisation, with additional locally important areas being added where they are identified – identifying being a decision-based scoping and verification process.</li> <li>3. The proposed Priority Vegetation Area Overlay is derived from a Regional Ecosystem Model (REM) which goes far beyond the prioritisation and identification of those threatened and locally important values. It is impossible to understand from the condensed PVA Overlay mapping or Priority Vegetation Reports exactly how outputs have been derived from the Regional Ecosystem Model, but two key points are noted: <ul style="list-style-type: none"> <li>• Many other issues on the periphery of conservation prioritisation are included, such as low-occurrence, poorly-reserved and remnant sizing: in some cases these might be "locally important" but are usually drawing in very broad-scale issues beyond the intent of the SPPs.</li> <li>• Input data of varying accuracy is combined with so many concepts that the output model loses both accuracy and information to become part of a hexagonally gridded risk rating, far from the SPP goal of "identified" values and often covering beyond – or less than – the "native vegetation" intended.</li> </ul> </li> <li>4. A model is useful at a broad level but can never be intended to apply to on-ground management as is intended through the LPS. Instead of being 'Priority' the output hexagons attempt to predict a range of potentially worthwhile conservation issues but become so approximated or</li> </ol>

	<p>conceptual that they cover impossible locations and omit known Threatened Native Vegetation Community sites.</p> <ol style="list-style-type: none"> <li>5. Proposing Priority Vegetation Areas in such a broad-scale and inaccurate way will detract from achieving SPP purposes by creating unnecessary bureaucracy that undermines prioritisation and effective management. System objectives set out in Part 1 Schedule 1 of the Land Use Planning and Approvals Act 1993 include “1(c) to encourage public involvement in resource management and planning”. To enable this public involvement the system must be simple and understandable – not just for the qualified town planners and consultants using it, but for the Councillors, land owners and broader community whose interests it protects and serves. The REM’s aggregated risk-rating and approximated hexagonally-gridded output as both Priority Vegetation Area Overlay and proprietary Priority Vegetation Reports does little to assist users’ understanding of actual or potential issues. It actually loses accuracy from some of the more reliable data (eg. NVA threatened species nest records) used as inputs to the REM.</li> <li>6. As practitioners in ecology and land management, representors are concerned at the potential unnecessary burden for users of this system required to source a consultant’s report to disprove PVA overlay that is inaccurate, unreliable and overly cautious on low priority issues. This poses both a disincentive to potentially suitable development sites, and risks avoidance by unauthorised activities where landowners ‘drop out’ of the system due to its difficulty. It also potentially diverts Planning Scheme business into other systems not designed to deal with these issues – the Forest Practices system for clearing prior to development or a costly compliance route for those avoiding approvals altogether.</li> <li>7. In the Huon Valley, relevant information for flora, fauna and vegetation is maintained for currency and broad accessibility through two tools: <ul style="list-style-type: none"> <li>• Natural Values Atlas (NVA) – locates reported occurrences of threatened species and potential habitat ranges</li> <li>• TASVEG - maps vegetation communities, current version is 4.0 (REM based on v3.0) and live updated information is available on LISTmap.</li> </ul> </li> </ol> <p>Code Application Guidelines in Guideline No. 1 - Local Provisions Schedule (LPS): zone and code application include relevant points NAC 7 to 13.</p> <ol style="list-style-type: none"> <li>8. Several steps are proposed reflecting the above Guidelines on sources and data quality, to improve the Priority Vegetation Overlay: <ol style="list-style-type: none"> <li>(a) Remove cleared or modified vegetation codes from the Overlay area unless specifically intended for a known threatened species occurrence site (ie. registered on the Natural Values Atlas). TASVEG 4.0 should be used to trim the overlay to exclude F-codes (agricultural, urban etc), other than where identified significant habitat for fauna exists (eg. eagle nest in paddock tree). This will benefit many landowners without detracting from conservation outcomes.</li> </ol> </li> </ol>
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	<p>(b) Renew the vegetation community extents of the overlay based on threatened vegetation community coverage from TASVEG 4.0, the latest and most accurate version of the state's vegetation mapping system with the real priorities of threatened-status vegetation types, and not under-reserved or remnant modelling.</p> <p>(c) Recreate known and likely threatened fauna and fauna habitat extents based on relevant occupancy records from current Natural Values Atlas records, using management constraints from the contemporary Forest Practices Authority and Threatened Species Section advice available through the FPA's Threatened Species Adviser (eg. 100m radius from Grey goshawk nests, 1km radius from Eagle nests).</p> <p>8. The above work is largely a straightforward GIS-based task that is likely to resolve many landowner issues with inaccurate or broadscale Overlay extent, using the latest and most accurate data available to anyone as intended by the TPS. As experienced vegetation management specialists working in the Huon Valley LGA, representors are keen to advocate for a reasonable and successful management tool and would be willing to brief Councillors in a workshop meeting, or present to the Tasmanian Planning Commission, to enable further understanding of these proposals.</p> <p>9. To conclude, representors present a map of the Huon Valley LGA with Priority Vegetation Overlay, and an approximate boundary line for the western World Heritage Area Reserve. It seems implausible that the priority for vegetation conservation needs is weighted so heavily toward the eastern non-WHA land shaded heavily with green Priority Vegetation Area Overlay, rather than the extensive and important WHA land in the western majority of the LGA.</p>  <p>Figure 1. Priority Vegetation Areas: distribution across Huon Valley LGA, with approximate WHA boundary in orange</p>
Planning Authority response	<p>The Regional Ecosystem Model is a spatial modelling system that identifies areas which have immediate or potential conservation concerns, and provides indicators of their relative importance, to inform approaches and priorities for</p>

	<p>management. The REM was the primary informant of the priority vegetation overlay of Huon Valley Local Provisions Schedule.</p> <p>The inputs and outputs of the REM demonstrate compliance with the Section 8A guidelines in that they draw for relevant datasets and sources referenced in relevant NAC guidelines to identify locally significant priority vegetation. No dataset is complete, and REM seeks to identify potential occurrence where such gaps potentially occur. This compliance is demonstrated in the adoption of the REM based priority vegetation overlay in the majority of approved Local Provision Schedules.</p> <p>In regard to the spatial extent of priority vegetation being concentrated outside of the World Heritage Area, being that relative reservation is one issue that informed site selection, it is logical that those vegetation communities which fall outside of protected areas are favoured by the model.</p> <p>Notwithstanding this, the PA believes that the priority vegetation overlay should be supported by publicly available decision support systems (e.g. Zonation, C-Plan or Marxan) and will seek to review the feasibility of using these to update the spatial natural assets priority planning as part of its Strategic Planning program. The requirement to undertake a scheme amendment adds to the challenges of ensuring the NAC and it's various overlays are contemporary and reflect the latest available data.</p> <p>The PA supports the request to withdraw the priority vegetation overlay from non-native vegetation community areas.</p>
Recommended action	Remove the priority vegetation overlay from all non-native vegetation areas (paddocks, orchards etc.).
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

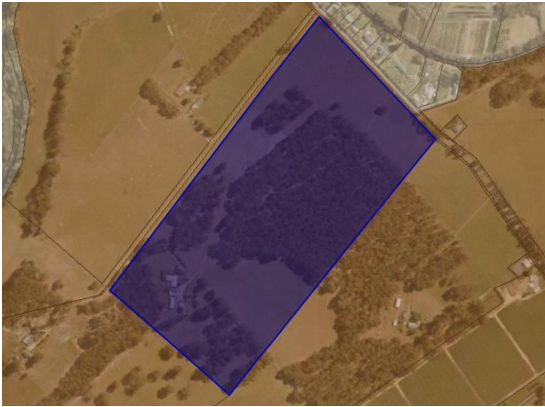
<b>368.</b>	<b>Caleb Elcock, Nathanael Elcock, Mark Jessop, Amy Robertson, Belinda Yaxley</b>
Matters raised	<p>The representation shares concern about issues found in the LPS process.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This representation is from a diverse group of community-minded Huon Valley landowners who came together as the draft Local Planning Schedule was advertised by Council. The group began to network within</li> </ol>

	<p>the community and established a Facebook group 'No compulsory Landscape Conservation Zoning in the Huon Valley'. The group firmly believes that the proposed broadscale application of Landscape Conservation zoning in the Huon LPS is grossly excessive, based on very poor scientific data and lacks any ground validity.</p> <ol style="list-style-type: none"> <li>2. At a technical level, representors are concerned about the methodology and base data overlays and how these were used to determine the zoning for their own properties. Representors are also concerned by the process and how well the Huon Valley community was aware of these significant changes.</li> <li>3. A fundamental belief of the group is that land zoning changes, particularly those with material impacts to the rights of the owner, should never be done without a full and open disclosure with the land holder. Representors understand that the flawed Legislation and equally flawed Ministerial advice encouraged Council to only advertise for 60 days. The group calls on the Huon Valley Council to be a better custodian of the rights of residents and ratepayers. Representors are also very aware of the appalling social justice issues for people in the community who do not have access to good IT, live "off the grid" and only irregularly check their mail or who have lower literacy skills. There is a significant risk that, poor Council process will disenfranchise many friends and neighbours.</li> <li>4. Evidence of Issues-       <ol style="list-style-type: none"> <li>(a) A State-wide perspective- Looking broadly across the State, a distinct divergence from the generally applied Landscape Conservation Zone (LCZ) norm can be seen emerging from data surrounding Huon Valley Council's approach to LCZ across its municipal area. Many LGAs like Central Highlands and Southern Midlands have started with little to no use of LCZ and only applied it when explicitly requested for by a landowner and where the case has merit. From a state-wide perspective, the landscape conservation issues that this zoning was developed to address are quite minimal in the Huon Valley compared to those in highly cleared agricultural or urban landscapes such as the Midlands or Northwest.</li> <li>(b) Case Study in the Huon Valley- With the broad extent of application of LCZ emerging as an issue in the Huon Valley, and Priority Vegetation Area (PVA) overlay inaccuracies also concerning, representors put together a short series of case studies to explore some issues around these. Riverside communities at Mountain River and Pelterata are explored for the extent of LCZ and Priority Vegetation Area overlay, with findings:           <ul style="list-style-type: none"> <li>• Significant error in Grey goshawk-triggered PVA at Mountain River due to excessive protection specification on an unimportant sighting record.</li> <li>• Existing Waterway and PVA (threatened vegetation community) overlays protect identified values in their own right.</li> </ul> </li> </ol> </li> </ol>
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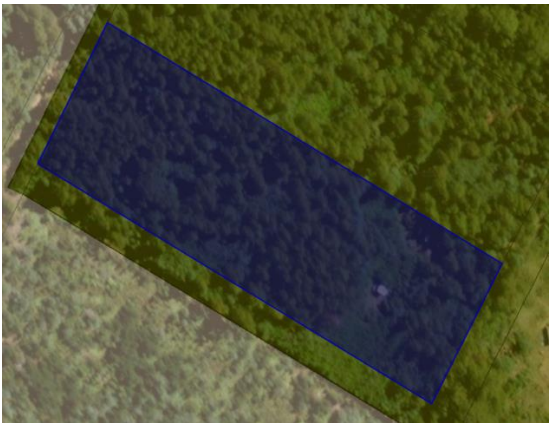
	<ul style="list-style-type: none"> <li>• Escalated zoning restriction to LCZ unreasonably impedes longstanding and sensible, well-serviced residential and rural uses of properties.</li> <li>• Numerous applications of LCZ to pastured (ie. no/minimal native vegetation) or small serviced titles with sensible residential intent.</li> </ul> <p>Coastal communities at Lady Bay and Recherche are explored for extent of LCZ and PVA overlay, with findings:</p> <ul style="list-style-type: none"> <li>• Sparse and apparently insufficient application of PVA overlay for threatened species protection around numerous Swift parrot sightings at Lady Bay, which could be supported by LCZ zoning (perhaps split-title where relevant) to address the landscape scale conservation requirements of this critically endangered species.</li> <li>• LCZ application to small cleared titles, and in bulk to titles with minimal PVA or Scenic Protection Code overlays, at Recherche's Moss Glen and Jones Beach, without demonstrated need in the context of already abundantly resourced landscape-scale conservation.</li> </ul> <p>5. Recommendations:</p> <p>(a) Landscape Conservation Zone- In representatives considered opinion, the Huon Valley LPS could be significantly enhanced by a number of key changes in how Council is applying this zoning. In particular:</p> <ul style="list-style-type: none"> <li>(i) Apply only where landowner provides fully informed consent.</li> <li>(ii) Enable broader scale application via split zoning where relevant.</li> <li>(iii) Don't apply to full-pasture titles or larger areas of cleared land.</li> <li>(iv) Reduce conflict with residential purposes by avoiding application of LCZ to existing residences.</li> <li>(v) Don't apply to small size serviced (road, electricity etc) blocks in residential living character areas.</li> <li>(vi) Advocate for reinstating Private Forest Reserves program to respectfully encourage landscape conservation contributions from private landowners.</li> </ul> <p>(b) Agriculture Zone:</p> <ul style="list-style-type: none"> <li>(i) Don't apply to small size serviced (road, electricity etc) blocks in residential living character areas.</li> </ul> <p>(c) Priority Vegetation Area Overlay:</p> <ul style="list-style-type: none"> <li>(i) Remove from non-native vegetation eg. Pasture (Tasveg F-codes)</li> <li>(ii) Redefine to listed threatened species (flora &amp; fauna) and vegetation communities as mapped on Tasveg 4.0</li> </ul> <p>(d) Community Engagement:</p>
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	<p>(i) Genuinely participate in a consultative approach to decision making and addressing challenges in changing land use, to find acceptable and fair resolutions for both parties.</p> <p>(ii) Understand and respect the capacity (or lack of) for community to participate in difficult decision-making processes: make difficult processes accessible. If a decision affects you, you get told about it directly, and processes get simplified and communicated clearly and concisely.</p> <p>(iii) Respect that change must be directed by informed strategy, and that asking early with a focus on purpose will engage and bring along community more cooperatively. A quick catch-up attempt that's not community-informed and owned doesn't work, and you need that strategy to reach for and capture opportunities for benefit (eg. Broadly supported conservation funding for greater LCZ implementation).</p>
Planning Authority response	The Planning Authority notes the concerns raised.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>369.</b>	<b>Robert Green</b>
Matters raised	<p>The representation relates to the Priority Vegetation Area Overlay on 85 Crabtree Road, Grove (PID: 7542929; CT: 30262/2).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Owner cannot see any requirements on the property for the priority vegetation overview under the Natural Asset Code LP1:7:5 LPS Local Provisions Schedule: <ul style="list-style-type: none"> <li>This property has been farmed with livestock by owner for 21 years and prior to this was part of a dairy farm. Like any good farming practice, all non-improved pasture with trees are accessible to livestock for shelter and rough grazing, not compatible with endangered flora and fauna.</li> <li>The overlay map encompasses improved pasture. The trees that have increased in size over the past 21 years that could be</li> </ul> </li> </ol>

	<p>considered too close to the house, makes for serious concerns when a bushfire gains momentum from other properties in its path, toward the property that are more than likely zoned to grow unmanaged. The road into and out of the property is straight through the middle of said area.</p> <ul style="list-style-type: none"> <li>• There is an easement for town water through the middle of said overlay map.</li> <li>• These areas left unmanaged become a haven for noxious weeds, gorse, blackberries, sags, rushers and many more species like of the late endorsement of <i>Achillea Millefolium</i> (yarrow) which is noticed on the road verges in previous years, left untouched fast become a major fire hazard of rubbish weeds.</li> </ul>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Significant Agriculture in the HVIPS. In accordance with the zone application guidelines (AZ2) land within the Significant Agriculture zone in an interim planning scheme should be included in the Agriculture Zone unless considered consistent with AZ6. In light of the lack of quality native vegetation on the site which was the purpose of applying the Rural Zone, the most appropriate zone for the site in accordance with AZ6 Agriculture and the removal of the priority vegetation overlay.</p>
Recommended action	<p>Change site to Agriculture and remove priority vegetation overlay in draft LPS</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>


Matters raised	<p>The representation objects to 38 Deering Street, Franklin (PID: 2550671; CT: 50892/1) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner believes that the only fair and naturally just way to apply the Landscape Conservation zone to properties that are currently zoned Environmental Living is to include a SAP in the proposed LPS to support the recognition of the residential land use by substituting the discretionary status for single dwellings with permitted status instead. This will ameliorate the concerns of current property owners, who feel extremely worried and anxious that their property, which was purchased and financed with the intent to build a residential dwelling, will be rendered invalid and any future plans will not be able to proceed and owners will be put into a very financially difficult position as a result. It is a potential solution to avoid the many financial and legal issues that will be caused for the property owners and the Huon Valley Council as a result. Failing the above proposal, owner would prefer that the zoning change be to Rural, not Landscape Conservation, as the landscape values will still remain protected under the current overlays. But this still does not solve the problem of taking away the residential land use.</li> <li>2. The property has been purchased and is currently financed on the basis that a single residential dwelling is permitted. This was the main reason owners purchased the property. Owners have confirmed with the bank that the proposed Landscape Conservation zone will likely jeopardise their financial situation and plans to build a house for their family to live in on the property, as the banks will require a much larger deposit (50%) to proceed with any finance as the property will become a 'non-residential' zoned property in their eyes. This will render owners plans and dreams for the family in the future near impossible.</li> <li>3. The proposed Landscape Conservation zoning is not a like-for-like transition, given that it completely ignores the current purpose of permitting property owners to build and live in a residential dwelling on the property - the proposal that a single dwelling is Permitted as long as it falls within a building area noted on a Sealed Plan is a paradoxical, Catch-22 condition, given that the large majority of properties zoned Environmental Living do not currently have a building area noted on a Sealed Plan.</li> <li>4. The size of the lot is just under 6 acres, which is well below the minimum lot size of 20 ha recommended for Landscape Conservation zoning. A good portion of the property has already been cleared by the previous owner for access and development and there are currently outbuildings. The entire property was cleared as recently as 2005. The native vegetation on the property is only 50% at best, which is considerably less than the minimum 80% cover. By the Council's own selection criteria for</li> </ol>
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	<p>assessing properties for potential LCZ zoning, this would make this property inappropriate for LCZ zoning.</p> <ol style="list-style-type: none"> <li>There have been no record of the threatened species (Tasmanian devil) observed on the property, and no observations of any fauna whether of Conservation Significance, Non Threatened or Threatened Status as per the LIST. There are already current overlays protecting the flora, fauna and waterway on the property without having to rely on a zoning change. The protections under the Landscape Conservation zone are redundant and not necessary, given there are already currently protections.</li> <li>The Priority Vegetation Code report has not been ground tested and by the Tasmanian government's own admission, needs more supporting data to verify its data accuracy before being able to apply the Priority Vegetation Code. Owners request that a qualified person assess the property and verify this report for accuracy before confirming any zoning changes based on this report.</li> <li>"As we were not made aware of this re-zoning until quite late in the process and exhibition period (3 weeks before the deadline), we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf. The council has not allowed adequate or appropriate time for the thousands of Huon Valley residents to not only educate themselves on the zoning changes, but also engage with the appropriate and qualified planners to assess their situation. Therefore, we request our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. This has, under the HVIPS been done through the application of the Environmental Living Zone or the Scenic</p>

	<p>Protection Code. The Environmental Living Zone has not been carried over to the SPP's. The Landscape Conservation Zone under the draft LPS has been applied to most land currently zoned Environmental Living in the HVIPS due to the landscape values afforded by these areas through vegetation coverage, proximity to the Huon River or their elevated positions.</p> <p>In reviewing this representation received and others in the Environmental Living Zone of Franklin, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Living Zone and determined for most of these lots, their characteristics are akin to a Rural Living in terms of lot size, vegetation coverage and density. This is consistent with RLZ2 that provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied.</p> <p>Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to avoid spot zoning and ensure a consistent pattern of applying the Rural Living Zone, this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS are recommended to go to Rural Living (D).</p>																																																												
Recommended action	<p>Include this site and the lots within this area that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D. Specific title references include:</p> <table><tr><td>120962/1</td><td>128515/1</td><td>145197/1</td><td>134283/2</td><td>249545/2</td></tr><tr><td>61964/1</td><td>152751/1</td><td>219187/5</td><td>122304/1</td><td>154579/2</td></tr><tr><td>141849/2</td><td>100190/5</td><td>145197/2</td><td>37052/1</td><td>154579/3</td></tr><tr><td>133384/1</td><td>108765/4</td><td>154579/9</td><td>133383/1</td><td>154579/4</td></tr><tr><td>48358/1</td><td>134283/1</td><td>144364/1</td><td>144364/2</td><td>54116/1</td></tr><tr><td>168664/1</td><td>37801/1</td><td>151619/2</td><td>53926/1</td><td>50892/1</td></tr><tr><td>37319/1</td><td>122303/1</td><td>104032/2</td><td>120089/1</td><td>108765/2</td></tr><tr><td>45861/1</td><td>104032/3</td><td>119727/1</td><td>123275/1</td><td>23157/1</td></tr><tr><td>154579/7</td><td>54116/2</td><td>100191/9</td><td>104032/1</td><td>249545/1</td></tr><tr><td>154579/6</td><td>230456/1</td><td>40328/2</td><td>141849/1</td><td>154579/8</td></tr><tr><td>156764/1</td><td>151619/1</td><td>154579/1</td><td>144971/1</td><td>144364/3</td></tr><tr><td>95797/1</td><td>154579/5</td><td></td><td></td><td></td></tr></table>	120962/1	128515/1	145197/1	134283/2	249545/2	61964/1	152751/1	219187/5	122304/1	154579/2	141849/2	100190/5	145197/2	37052/1	154579/3	133384/1	108765/4	154579/9	133383/1	154579/4	48358/1	134283/1	144364/1	144364/2	54116/1	168664/1	37801/1	151619/2	53926/1	50892/1	37319/1	122303/1	104032/2	120089/1	108765/2	45861/1	104032/3	119727/1	123275/1	23157/1	154579/7	54116/2	100191/9	104032/1	249545/1	154579/6	230456/1	40328/2	141849/1	154579/8	156764/1	151619/1	154579/1	144971/1	144364/3	95797/1	154579/5			
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	<p>Other lots within this are to be changed are:</p> <p>29232/1              Rural</p> <p>155370/2            Rural</p> <p>152751/2            Split zone Rural (replacing the current HVIPS Rural Resource portion) and Rural Living (replacing the current HVIPS Environmental Living portion) along the current HVIPS zone boundary.</p>
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>371.</b>	<b>Daniel Han Gray-Barnett and Daniel Richard Barnett</b>
Matters raised	<p>The representation requests 159 Lloyds Road, Franklin (PID: 7623358; CT: 33185/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property has an approved Building Application - including a conditional Part 5 Agreement to address the provisions of the Biodiversity Code (E.10 of the Huon Valley Interim Planning Scheme 2015) of the property. This was done at considerable expense to the property owner and achieves the same objectives as the proposed Landscape Conservation zone, which will make redundant all the efforts and expenses of the owner to meet the Council's requirements for Building Application approval.</li> <li>2. The Part 5 agreement nominates a Conservation Area of 2.7 ha which protects and conserves all of the areas noted in the Priority Vegetation Report apart from the remaining Balance Land (1.68 ha) which was either a) previously cleared by prior owner or b) is marked for the Development Area to be cleared for the building site or as part of the Bushfire Hazard Management Area.</li> <li>3. Due to the areas of the property that have been Council approved for residential use/clearing, the remaining vegetation is approximately 60% of the property, which is considerably less than the minimum 80% vegetation used as selection criteria in the LSP supporting report. By the Council's own selection criteria for assessing properties for potential LCZ zoning, this would make this property inappropriate for LCZ zoning.</li> <li>4. The Natural Assets code identifying Waterway and Coastal Protection is not accurate, as it shows a waterway running on the property of which there has been no evidence during the past 5 years. The property has</li> </ol>


	<p>been surveyed by land surveyors, and inspected by Council officers and the owner's architect has discussed this with the council to confirm that the waterway is not present before obtaining Planning approval.</p> <p>5. The property is surrounded on 3 sides by properties to be zoned Rural. Owners believe the property should be zoned Rural for consistency sake and also due to the Council approved residential development and management of the landscape values, the property's size and given that Council has already imposed a Part 5 agreement to manage the Biodiversity of this property, this property is more appropriate for Rural than it is for Landscape Conservation.</p> <p>6. "As we were not made aware of this re-zoning until quite late in the process and exhibition period, we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf. Therefore, we shall be abstaining from making further comment other than requesting that our objection and request concerning the above zone change be considered, and that we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p>

	<p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is substantially covered in vegetation, is located on a hillside and forms part of a larger contiguous bushland area.</p> <p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the site</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>372.</b>	<b>Lance and Helen Lovell</b>
Matters raised	<p>The representation relates to 171 Lloyds Rd, Franklin (PID: 3529401; CT: 38723/2).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "We, the owners of the above property would like to submit the following representation that objects to the proposed Rural zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. We cannot comment on what we believe to be more appropriate, given the very little notice provided by the Council (3 weeks) to not only educate ourselves on the zoning changes, but also find someone qualified and available to help us make a submission based on this proposal. The council has not allowed adequate or appropriate time for the thousands of Huon Valley residents to not only educate themselves on the zoning changes, but also engage with the small number of appropriate and qualified planners to assess their situation. As we were not made aware of this re-zoning until quite late in the process and exhibition period, we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf. Therefore, we shall be abstaining from making further comment other than requesting that our objection to the above zone change be</li> </ol>


	<p>considered, and that we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The representation includes no substantive request for a change to a component of the Local Provision Schedule noting the site is zoned Rural Resource under the HVIPS and Rural under the draft Huon Valley – LPS. The Planning Authority, consequently, cannot make significant comment or recommendation, other than to reiterate the application of the proposed zone and any applicable code overlays directly considered by the Section 8A Zone and Code Application Guidelines.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>373.</b>	<b>Daniel Han Gray-Barnett and Daniel Richard Barnett</b>
Matters raised	<p>The representation relates to 173 Lloyds Road, Franklin (PID: 3529428; CT: 50892/2).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "We, the owners of the above property would like to submit the following representation that objects to the proposed Rural zoning as put forward by the council as part of the advertised draft Local Provisions Schedule</li> </ol>

	<p>submission. We cannot comment on what we believe to be more appropriate, given the very little notice provided by the Council (3 weeks) to not only educate ourselves on the zoning changes, but also find someone qualified and available to help us make a submission based on this proposal. The council has not allowed adequate or appropriate time for the thousands of Huon Valley residents to not only educate themselves on the zoning changes, but also engage with the small number of appropriate and qualified planners to assess their situation. As we were not made aware of this re-zoning until quite late in the process and exhibition period, we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf. Therefore, we shall be abstaining from making further comment other than requesting that our objection to the above zone change be considered, and that we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The representation includes no substantive request for a change to a component of the Local Provision Schedule noting the site is zoned Rural Resource under the HVIPS and Rural under the draft Huon Valley – LPS. The Planning Authority, consequently, cannot make significant comment or recommendation, other than to reiterate the application of the proposed zone and any applicable code overlays directly considered by the Section 8A Zone and Code Application Guidelines.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>

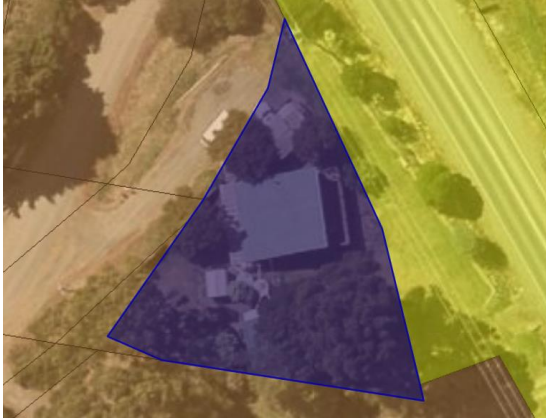
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>374.</b>	<b>Daniel Han Gray-Barnett and Daniel Richard Barnett</b>
Matters raised	<p>The representation objects to Lot 2 Morrisons Rd, Franklin (PID: 5706387; CT: 102947/2) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner believes that the only fair and naturally just way to apply the Landscape Conservation zone to properties that are currently zoned Environmental Living is to include a SAP in the proposed LPS to support the recognition of the residential land use by substituting the discretionary status for single dwellings with permitted status instead. This will ameliorate the concerns of current property owners, who feel extremely worried and anxious that their property, which was purchased and financed with the intent to build a residential dwelling, will be rendered invalid and any future plans will not be able to proceed and owners will be put into a very financially difficult position as a result. It is a potential solution to avoid the many financial and legal issues that will be caused for the property owners and the Huon Valley Council as a result. Failing the above proposal, owner would prefer that the zoning change be to Rural, not Landscape Conservation, as the landscape values will still remain protected under the current overlays. But this still does not solve the problem of taking away the residential land use.</li> <li>2. The property has been purchased and is currently financed on the basis that a single residential dwelling is permitted. This was the main reason owners purchased the property. Owners have confirmed with the bank that the proposed Landscape Conservation zone will likely jeopardise their financial situation and plans to build a house for their family to live in on the property, as the banks will require a much larger deposit (50%) to proceed with any finance as the property will become a 'non-residential' zoned property in their eyes. This will render owners plans and dreams for the family in the future near impossible.</li> <li>3. The proposed Landscape Conservation zoning is not a like-for-like transition, given that it completely ignores the current purpose of permitting property owners to build and live in a residential dwelling on the property - the proposal that a single dwelling is Permitted as long as it falls within a building area noted on a Sealed Plan is a paradoxical, Catch-22 condition, given that the large majority of properties zoned</li> </ol>

	<p>Environmental Living do not currently have a building area noted on a Sealed Plan.</p> <ol style="list-style-type: none"> <li>4. The Priority Vegetation Code report has not been ground tested and by the Tasmanian government's own admission, needs more supporting data to verify its data accuracy before being able to apply the Priority Vegetation Code. Owners request that a qualified person assess the property and verify this report for accuracy before confirming any zoning changes based on this report. There are already current overlays protecting the flora, fauna and waterway on the property without having to rely on a zoning change. The protections under the Landscape Conservation zone are redundant and not necessary, given there are already currently protections.</li> <li>5. "As we were not made aware of this re-zoning until quite late in the process and exhibition period (3 weeks before the deadline), we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf. The council has not allowed adequate or appropriate time for the thousands of Huon Valley residents to not only educate themselves on the zoning changes, but also engage with the appropriate and qualified planners to assess their situation. Therefore, we request our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living in the interim planning scheme. RLZ 2(b) allows for land within the Environmental Living Zone to be considered for the Rural Living zone. The site is largely covered by native vegetation some of which is mapped as <i>Eucalyptus globulus</i> wet forest, which is primary foraging habitat for critically endangered swift parrot, is on hillside and forms part of a larger contiguous bushland area incorporating Cannells Hill.</p>

	<p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>Due to the landscape values afforded by the site the planning authority considers Landscape Conservation the most appropriate zone</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>375.</b>	<b>Jayne Martin-Lewis</b>
Matters raised	<p>The representation requests 7943 Channel Highway, Cradoc (PID: 7668943; CT: 47781/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner believes the Rural zoning better fits with the property, which is a 2-bedroom timber cottage with outbuildings on a standard corner block and is in keeping with the adjoining 3 other properties.</li> <li>2. "As I was not made aware of this rezoning until quite late in the process and exhibition period, I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that my objection and that the above zone change be considered and that I invoke my right to be afforded the opportunity to have my matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The land is zoned Significant Agriculture under the interim planning scheme and Agriculture under the Huon Valley – LPS. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6</i>. RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Rural. Noting this is related to rep 389 (CT 125580/1) and north of rep 199 (CT171691/1).</p>
Recommended action	<p>Change site to Rural in the draft LPS.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>


<b>376.</b>	<b>Bruce &amp; Evelyn Bond</b>
Matters raised	<p>The representation requests the following properties be zoned Rural:</p> <ul style="list-style-type: none"> <li>• Lonnavele Road, Judbury (PID: 5699439; CTs: 217098/1 and 118789/1)</li> <li>• 1 Jacobsons Road, Judbury (PID: 7709805; CTs: 55162/1 and 247588/1)</li> <li>• 49 Lonnavele Road, Judbury (PID: 5699367; CT: 220412/1)</li> <li>• Glen Huon Road, Judbury (PID: 2892102; CTs: 130703/2, 154626/2 and 251927/1)</li> <li>• Lonnavele Road, Judbury (PID: 3400798; CTs: 216299/1, 6770/1 and 55162/2)</li> </ul> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. There are four critical implications arising from the zoning which is proposed for the land:</li> </ol>

	<ul style="list-style-type: none"> <li>• Owners would not be able to continue our longstanding farming activities on some of our land, as it is proposed to be zoned Rural Living;</li> <li>• Capacity to fund owner's retirement and achieve a fair market value for the sale of smaller parcels of land would be removed, as it is proposed to be zoned Agricultural and would no longer be attractive to hobby farmers, market gardeners etc. as they would not be able to satisfy the requirement that a dwelling must be necessary for farming activities;</li> <li>• Capacity to put land (which is not prime agricultural land) to other uses would be unduly restricted; and</li> <li>• Continued use of the residence, which has existed on the land since approximately 1909, may be an illegal use of the land if it is re-zoned as Agricultural.</li> </ul> <p>2. Aligning the historical use, and historical rating of the properties to what is now proposed under the Draft LPS, the following is relevant:</p> <ul style="list-style-type: none"> <li>• The proposed zoning change to Agricultural is the result of a recommendation by LK Consultants. Owners oppose that recommendation.</li> <li>• The allowable use of the property under the zoning which is reflected by historical rates notices was not as restrictive as that which is proposed to be imposed upon us under the Draft LPS.</li> </ul> <p>3. There are no Local Area Objectives able to justify the removal of liberties which would result from converting the land to Agricultural Zone (from Rural Resource). Pursuant to the Supporting Report Attachment 4 (Decision Tree) for Potentially Constrained Titles, it is open to zone these titles as Rural (as opposed to Agricultural) because:</p> <ul style="list-style-type: none"> <li>• Titles adjacent to Residential Zones that display very constrained characteristics may be more suited to a Residential Zone.</li> <li>• While Rural Living is an alternative, that would unduly restrain the continuation of existing farming activities on the land and would not promote the best use of the land;</li> <li>• The land is not directly adjacent to 'medium to large-scale' agricultural characteristics or activities</li> <li>• Size of Land Parcels- Even taken at its absolute highest, and even if the entire landholdings were taken into account (which should not be the case due to the character and undulating nature of the land) there is an insufficient area to conclude that medium or large-scale agricultural characteristics are present on the titles which are proposed to be changed to the Agricultural Zone.</li> </ul> <p>4. Applying Table 6 (Appendix 1) of the Supporting Report Attachment 4 (Decision Tree) to the land:</p> <ul style="list-style-type: none"> <li>• The Land Capability has been classified as 5. It is not optimal for intensive agricultural activities;</li> </ul>
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	<ul style="list-style-type: none"> <li>• The size of the land holding is not sufficient to sustain a “viable” agricultural business, having regard to the following factors: <ul style="list-style-type: none"> <li>(a) For grazing cattle (which is the primary farming activity undertaken on the property since the 1960’s) the farm size required for a “viable” business is 5,000 to 10,000 dse (dry sheep equivalent) depending on rainfall;</li> <li>(b) Applying the information published by <i>Meat &amp; Livestock Australia</i> on its website, it would be necessary to have a herd size of between 625 and 1,250 in order to meet the “viable” agricultural business criteria. Owner’s herd size of approximately 40 head would need to be at least 16 times larger (or potentially up to 32 times larger) to amount to a viable agricultural business, which would simply not be possible on the landholdings.</li> </ul> </li> <li>• Contrary to the observations made in the Decision Tree, p7, these properties do not have underpasses to enable conveying of stock, vehicles or small machinery between the different areas of the properties, causing issues in relation to connectivity, and irrigation potential. Further, the proximity of the land to the centre of the district (and public amenity) must be kept in mind and supports a zoning of Rural. That would be consistent with the STRLUS regional policy.</li> </ul> <div data-bbox="416 1137 967 1552" data-label="Image"> </div> <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>Regarding the sites zoned Rural Resource under the HVIPS that are zoned Agriculture under the draft Huon Valley – LPS. The spatial application of the Agriculture Zone is based on the land identified in the <i>Land Potentially Suitable for Agriculture Zone</i> layer published on the LIST map. RCMG undertook further investigation as to these site’s suitability for inclusion within the Agriculture Zone and determined that the Agriculture Zone is the most appropriate zone for the titles:</p>


	RMCG also confirmed that there were no concerns with CT 130703/2, CT 154626/2 and CT 251927/1 to be in the Rural Zone (rather than Rural Living) in the draft LPS. However, this 'back-zoning' as identified by RMCG may be counterproductive and given that Resource Development is a discretionary use in the Rural Living Zone the land should remain as Rural Living in the draft LPS.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>377.</b>	<b>Robert Brackenbury</b>
Matters raised	<p>The representation requests 754 Mountain River Road, Mountain River (PID: 7335786; CT: 27866/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Ultimately four key areas of evidence are presented in the representation to show that the LCZ is in contradiction with how owner manages the land: <ul style="list-style-type: none"> <li>• Inaccuracy of the Priority Vegetation Area (PVA) overlay applied by the HUO LPS with no verification of the property's natural values;</li> <li>• Contradiction with the LCZ on past and current land use;</li> <li>• No natural justice has been undertaken in the process with TPC or the HVC;</li> <li>• The PVA is based on extent in bioregion that is not reserved but should then be applied to the landholder to carry this conservation liability. The statement regarding the amount of priority vegetation that is not under reserve is also not valid due to the inaccuracy of the data and the modelling.</li> </ul> </li> <li>2. The property has no evidence of threatened species existence and none within a 500m buffer of the property and no evidence of threatened vegetation communities. The property should have the property retained values of Rural Resource zoning by applying the "like for like" transition. It is important to recognise that there is already a Resource Management and Planning System that protects the property's natural values. These values are already protected by legislation and regulators.</li> <li>3. The property was denuded of all vegetation during the 1967 fires and was excavated for two building sites in the 1980s. The Eucalyptus</li> </ol>


	<p>obliqua wet forest (WOB) regrowth on pasture is solid throughout the property although there is mention of <i>E. viminalis</i> on a small section this is inaccurate on the PVA. The intention is to continue to maintain the vegetation around the cleared area for maximum bushfire management and convert some of the WOB regrowth back to rough pasture for gardens and livestock.</p> <ol style="list-style-type: none"> <li>4. Much of the area can be described as Rural which is why titles on this road have been zoned Rural. There is a wide range of uses on the property from selective timber harvesting for manufacture of rustic furniture to animal breeding that meet the Rural Zone criteria. The property has limited agricultural use due to shallow poor soil and rocks. It is suitable for running light numbers of livestock and hardy crops such as some varieties of grapes and berries.</li> <li>5. In summary, moving from the Landscape Conservation Zone to the Rural Zone is the most appropriate outcome because it meets the criteria for the Rural Zone and not the criteria for the Landscape Conservation Zone. The property is rural and being used for rural purposes, with plans to continue farming trees. The property has no records of threatened species, is under 20 ha and is not priority vegetation according to TasVeg 4.0 (it is WOB). Given the inaccuracy of the Priority Vegetation Area overlay and the way this model takes an expansive view of only “possible” issues, it proposes an overlay constraint on the land which is unnecessary. The rezoning of the property to LCZ is fundamentally not in accordance with the TPC’s Section 8A Guidelines No.1 LPS Zone and Code application Guidelines.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP’s and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ 1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values</p>

	<p>when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site.</p> <p>In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is relatively steep, substantially covered in native vegetation, is in proximity to Mountain River and forms part of a larger contiguous bushland area.</p> <p>Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>378.</b>	<b>Jason Browning</b>
Matters raised	<p>The representation requests 200 Kermadie River Road, Geeveston (PID: 5257526; CT: 121400/1) be zoned Rural rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The site measures 20.23ha and contains a residential dwelling, storage sheds and some very small-scale hobby farming areas, namely a pig pen and a chicken coop. This site is completely surrounded by productive forestry operations, over half of which is plantation and has been cleared in the last couple of years following the Geeveston Bushfires in January 2019 which burnt through the area.</li> </ol>


	<p>2. Going through the zone application guidelines LCZ 1 to LCZ 4, it is apparent that this title does not meet many of the requirements for these guidelines and is an outlier in the surrounding area. Due to the topography in the area, the title cannot be seen by the public along any of the main tourist highways. In fact, due to the hill at Britcliffes Road, it can't be seen until you are reaching the end of Kermandie River Road. As the property is surrounded by forestry land, active logging will continue to destroy any scenic values.</p> <p>3. While there is a reasonably large canopy from the trees on site, much of the southern half of the block has been maintained of undergrowth. In particular, there is a larger area around the house, sheds and animal pens that has been maintained as lawn/low pasture, this has significantly reduced the native vegetation values other than the large trees overhead. It is noted that while there are quite a few large trees that are onsite which would likely have the values this zone intends to protect, these trees are already protected by other mechanisms within related legislation and other sections of the planning scheme. Therefore owner feels it does not meet the requirements of this section and is redundant to zone the land as Landscape conservation.</p> <p>4. Given that the surrounding lots have recently been cleared following the bushfires in 2019 and they are proposed to be zoned Rural, there is no reason why these titles can't be sold and homes built on them in a similar fashion to owner's. There is no strategic purpose in singling out this lot for conservation. Owner currently manages the land in an effective way that allows for the retention of the rural values while allowing for sensitive residential use as well as some hobby agricultural use.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. In reviewing this representation received, the Planning Authority reassessed the application of</p>

	<p>the Landscape Conservation Zone and the Rural Zone and determined the site is more appropriately zoned Rural due to the isolated nature of the site being surrounding by land zoned Rural and the site itself not being entirely covered by native vegetation. It is highlighted that the site is mostly covered by the Natural Assets Code.</p> <p>Accordingly, to ensure a continuity of zoning, the site should be zoned Rural in the draft LPS.</p>
Recommended action	Change site to Rural in the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

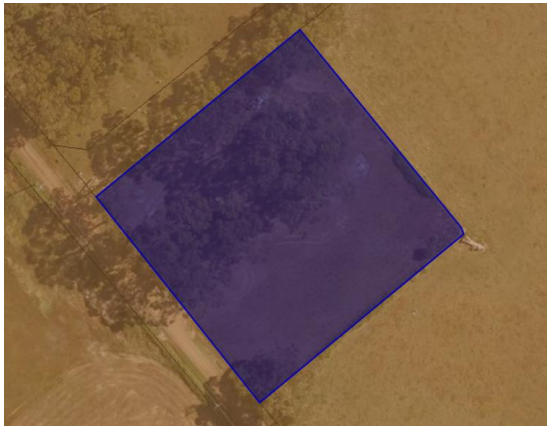
<b>379.</b>	<b>Angelo Kessarios</b>
Matters raised	<p>The representation requests a section of PID: 1929882; CT: 131578/15 in Glen Road, Ranelagh be zoned Low Density Residential rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The land requested to be rezoned is on the same levels as neighbouring Low Density Residential zoning, has the same soil types and has access to the same services including the newly upgraded Glen Road. All current services and new road would easily support the zone change to Low Density Residential of this land, which is also less productive from a agricultural point of view.</li> </ol>  <p>Figure 1. Site location, existing zoning and approximate location of requested Low Density Residential Zone (top left of property).</p>

Planning Authority response	The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>380.</b>	<b>Darrin and Sharon Davie</b>
Matters raised	<p>The representation requests 390 Slab Road, Cygnet (PID: 5856924; CT: 224326/1) be zoned Rural Resource rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "We, owners of the above property, would like to submit the following representation that objects to the proposed Landscape Conservation zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. We believe that the more appropriate zone of Rural Resource should be applied as it better fits with our property. As we were not made aware of this re-zoning until quite late in the process and exhibition period, we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on our behalf. Therefore, we shall be abstaining from making further comment other than requesting that our objection to the above zone change be considered, and that we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
<p>Planning Authority response</p>	<p>The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is steep, forms part of the Gaylors Sugarloaf landscape feature, is substantially covered in native vegetation of which approximately half is mapped as threatened <i>Eucalyptus globulus</i> dry forest and woodland, and forms part of a larger, contiguous bushland area incorporating the Snug Tiers Nature Recreation Area.</p> <p>Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This area is reflective of these important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area</p>
<p>Recommended action</p>	<p>No modification to the draft LPS is required.</p>

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>381.</b>	<b>Angelo Kessarios</b>
Matters raised	<p>The representation requests PID: 5701359; CT: 107966/4 on Nation Road, Huonville be zoned Low Density Residential rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is a 1-acre block, half covered by trees. It has house foundations from a previous house that burnt down. The block cannot support any agriculture use due to its size and quality of land. Low Density residential would allow this block to be used as it once was.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6</i> . RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.
Recommended action	No modification to the draft LPS is required
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

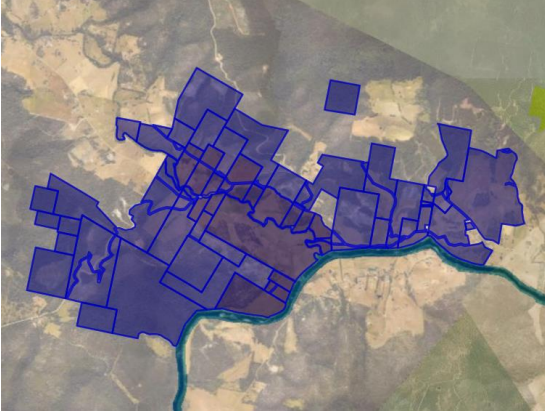
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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382.	Mark O'May																																																																																																															
Matters raised	<div>The representation objects to zoning changes of the following properties:</div> <table><tr><th>Address</th><th>PID</th><th>CT</th></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>165973/1</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158396/19</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158398/13</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158397/20</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158395/6</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158560/24</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158397/26</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158398/10</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158397/21</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>111744/2</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158397/22</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158395/7</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158396/18</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158396/17</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158560/25</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>111744/1</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158398/12</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158396/11</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>247452/2</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158504/31</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>163647/2</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158560/14</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158504/29</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158504/30</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158504/32</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158560/15</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158504/28</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158560/16</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>158504/27</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>172517/1</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>53305/4</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>250912/2</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>144294/2</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>250912/3</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>210262/1</td></tr><tr><td>383 Lonnavale Road, Judbury</td><td>3525451</td><td>53305/2</td></tr></table>	Address	PID	CT	383 Lonnavale Road, Judbury	3525451	165973/1	383 Lonnavale Road, Judbury	3525451	158396/19	383 Lonnavale Road, Judbury	3525451	158398/13	383 Lonnavale Road, Judbury	3525451	158397/20	383 Lonnavale Road, Judbury	3525451	158395/6	383 Lonnavale Road, Judbury	3525451	158560/24	383 Lonnavale Road, Judbury	3525451	158397/26	383 Lonnavale Road, Judbury	3525451	158398/10	383 Lonnavale Road, Judbury	3525451	158397/21	383 Lonnavale Road, Judbury	3525451	111744/2	383 Lonnavale Road, Judbury	3525451	158397/22	383 Lonnavale Road, Judbury	3525451	158395/7	383 Lonnavale Road, Judbury	3525451	158396/18	383 Lonnavale Road, Judbury	3525451	158396/17	383 Lonnavale Road, Judbury	3525451	158560/25	383 Lonnavale Road, Judbury	3525451	111744/1	383 Lonnavale Road, Judbury	3525451	158398/12	383 Lonnavale Road, Judbury	3525451	158396/11	383 Lonnavale Road, Judbury	3525451	247452/2	383 Lonnavale Road, Judbury	3525451	158504/31	383 Lonnavale Road, Judbury	3525451	163647/2	383 Lonnavale Road, Judbury	3525451	158560/14	383 Lonnavale Road, Judbury	3525451	158504/29	383 Lonnavale Road, Judbury	3525451	158504/30	383 Lonnavale Road, Judbury	3525451	158504/32	383 Lonnavale Road, Judbury	3525451	158560/15	383 Lonnavale Road, Judbury	3525451	158504/28	383 Lonnavale Road, Judbury	3525451	158560/16	383 Lonnavale Road, Judbury	3525451	158504/27	383 Lonnavale Road, Judbury	3525451	172517/1	383 Lonnavale Road, Judbury	3525451	53305/4	383 Lonnavale Road, Judbury	3525451	250912/2	383 Lonnavale Road, Judbury	3525451	144294/2	383 Lonnavale Road, Judbury	3525451	250912/3	383 Lonnavale Road, Judbury	3525451	210262/1	383 Lonnavale Road, Judbury	3525451	53305/2
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383 Lonnvale Road, Judbury	3525451	158395/1
383 Lonnvale Road, Judbury	3525451	158395/5
383 Lonnvale Road, Judbury	3525451	209099/1
383 Lonnvale Road, Judbury	3525451	158397/23
383 Lonnvale Road, Judbury	3525451	204708/1
383 Lonnvale Road, Judbury	3525451	158396/4
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383 Lonnvale Road, Judbury	3525451	158398/9
383 Lonnvale Road, Judbury	3525451	163647/3
383 Lonnvale Road, Judbury	3525451	1307381/1
383 Lonnvale Road, Judbury	3525451	55159/1
207 Woolleys Road, Lonnvale	1659317	231048/1
Williscroft Road, Judbury	5699738	53248/1
33 Williscroft Road, Judbury	5699690	208255/1

Representation general comments:


1. "I/We, owners of the above property would like to submit the following representation that objects to the proposed zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am/We are believe that the more appropriate zone of should be applied as it better fits with my/our property. As I was/we were not made aware of this rezoning until quite late in the process and exhibition period I am/we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my/our behalf. Therefore, I/we shall be abstaining from making further comment other than requesting that our objection and that the above zone be change be considered, and that we invoke my/our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my/our objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."

	 <p>Figure 1. Site locations and existing zonings</p>
Planning Authority response	The representation includes no substantive request for a change to a component of the Local Provision Schedule. The Planning Authority, consequently, cannot make significant comment or recommendation, other than to reiterate the application of the proposed zone and any applicable code overlays directly considered by the Section 8A Zone and Code Application Guidelines.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>383.</b>	<b>Paul Kenny</b>
Matters raised	<p>The representation requests 194 Cloverside Road, Lucaston (PID: 5694945; CTs: 204472/1; 237748/1 and 210489/1) be zoned rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. There is an almost universal coverage of Stringy Bark that is common to most properties in the area. There is, on one block, a larger percentage of land that had been cleared 42 years ago. Since 2005, owner has not maintained the fence lines and applied the fire mitigation process required. Owner has plans to accommodate out buildings and support structures, with but the added perceived cost and uncertain process is prohibitive.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living in the interim planning scheme. The sites are steep, elevated and contribute to a large bushland area. Large portions of vegetation across all three lots are mapped as threatened <i>Eucalyptus tenuiramis</i> forest and woodland on sediments. The vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape values of the Huon Valley. This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. Due to the landscape values afforded by the site the planning authority considers Landscape Conservation the most appropriate zone.</p>
Recommended action	<p>No modification to the draft LPS is required.</p>
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
Meets LPS criteria	<p>The Planning Authority recommendation meets the LPS criteria.</p>

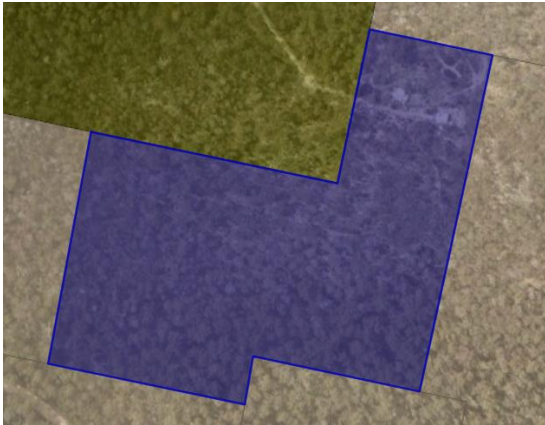
<b>384.</b>	<b>Mark O'May</b>
Matters raised	<p>The representation requests 715 She Oak Road, Judbury (PID: 3008913; CTs: 213477/1; 213468/1; 239216/1; 209510/1; 132716/2 and 132716/1) be zoned Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I/We, owners of the above property would like to submit the following representation that objects to the proposed zoning as put forward by the council as part of the advertised draft Local Provisions Schedule submission. I am/We are believe that the more appropriate zone of Rural should be applied as it better fits with my/our property. As I was/we were not made aware of this rezoning until quite late in the process and</li> </ol>

	<p>exhibition period I am/we are unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my/our behalf. Therefore, I/we shall be abstaining from making further comment other than requesting that our objection and that the above zone be change be considered, and that we invoke my/our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my/our objections. I/we also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>All listed titles are to be zoned Rural except for CT132716/2 and CT 132716/1 which are identified as Landscape Conservation.</p> <p>Given the significant native vegetation coverage across these lots together with the vegetation located on the edge of She Oak Hills (elevation generally above the 100 m contour) and the breadth of allowable uses in the Rural Zone and consequent potential for significant disturbance of landscape characteristics as a result of their use characteristics, the Landscape Conservation Zone is considered to be the most appropriate zone for these lots.</p> <p>This application is consistent with RZ1 which specifically requires consideration whether the land is more appropriately included within the Landscape Conservation Zone for the protection of specific values.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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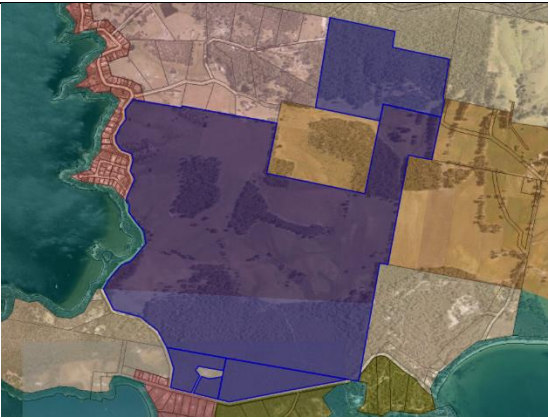
<b>385.</b>	<b>Andrew Simpson</b>
Matters raised	<p>The representation requests 28 Bonds Road, Ranelagh (PID: 7195197; CT: 24094/1) be zoned Rural Living A (IPS 2015) rather than TPS Rural Living A.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is currently zoned rural living zone B even though it is less than the 1 hectare required in the definition of said zoning and is adjacent to other much smaller lots. Owners feel that the more appropriate zoning should be the current rural living zone A as this would accommodate owner's desire to subdivide the currently useless part of the lot, to build a new home - one that better suits owner's needs.</li> <li>2. "As I was not made aware of this rezoning until quite late in the process and exhibition period, I am unable to engage the appropriate legal/planning council at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that my objection and the above zone change be considered, and that I invoke my right to be afforded an opportunity to have the matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak of my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	It is not possible to apply the Rural Living Zone in accordance with Area A of the HVIPS.
Recommended action	No modification to the draft LPS is required.

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>386.</b>	<b>Jane Binning and Andrew Lloyd</b>
Matters raised	<p>The representation objects to 69 Franklin's Road, Crabtree (PID: 5695067; CT: 129699/3) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "We, as the owners of the above property, would like to submit the following representation that objects to the proposed Landscape Conservation being applied to the above property. We only received correspondence from you in regard to this matter on the 20/05/2020 and have had insufficient time to enable us to engage with any appropriate legal or planning representatives to fully address the relevant points on our behalf. Therefore we shall be abstaining from making further comment other than requesting that our objection be considered, and that we invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commissions hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The site is zoned Rural Resource under the interim planning scheme. The Rural Resource zone and the Rural zone are not like-for-like zones and there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or

	<p>Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p>The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ 1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The site is on a steep slope, is substantially covered in native vegetation and contributes to a larger bushland area incorporating Crouchs Hill. Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. This site is reflective of the important landscape values and accordingly only small-scale use or development is appropriate.</p> <p>The application of the Landscape Conservation zone is therefore considered the most appropriate zone for the area.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

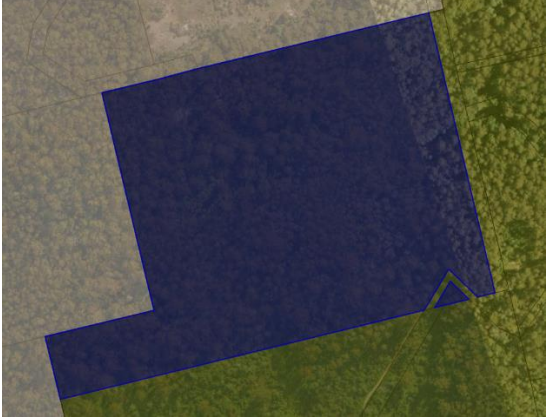
<b>387.</b>	<b>Malcolm Thomas</b>
Matters raised	<p>The representation objects to changes of useage to 100 Randalls Bay Road, Randalls Bay (PID: 9754201: 229352/1); Abels Bay Road, Abels Bay (PID: 7418418; CTs: 244204/1; 321571/1 and 230291/1).</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owner has not had the time or ability to properly review all the changes or obtain a reason for them but would like the time to make a move.</li> </ol>

	 <p data-bbox="427 611 922 645">Figure 1. Site location and existing zoning</p>
Planning Authority response	<p data-bbox="427 696 1394 1099">The land that is currently zoned Significant Agriculture under the HVIPS is zoned Agriculture under the draft LPS. The remaining sites are currently zoned Rural Resource and are zoned Landscape Conservation under the Huon Valley – LPS. The Rural Resource zone and the Rural zone are not like-for-like zone and that there is a clear policy distinction between the Rural Zone under the SPP's and the Rural Resource Zone under the HVIPS. Hence the specific requirement in RZ1 to consider the appropriateness of the application of the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values when considering the application of the Rural Zone. The policy difference can be broadly categorised in terms of use, and natural and landscape values.</p> <p data-bbox="427 1149 1394 1798">The combination of the intensity of use allowable in the Rural zone and the lack of locational requirements relating to landscape and vegetation clearance impacts results in the Rural zone not to be the most appropriate zone for the site. In accordance with LCZ1, the Landscape Conservation Zone is to be applied to land with landscape values that includes bushland areas and large areas of native vegetation. The sites contribute to large contiguous bushland areas, that are elevated and sit above the Huon River. Vegetated hills and valleys which frame cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. Additionally significant portions of this vegetation are mapped as threatened <i>Eucalyptus globulus</i> dry forest and woodland, <i>Eucalyptus tenuiramis</i> forest and woodland on sediments, and <i>Eucalyptus ovata</i> forest and woodland This area is reflective of the important landscape values and accordingly only small-scale use or development is appropriate. The application of the Landscape Conservation zone is therefore considered the most appropriate zone rather than the Rural zone.</p> <p data-bbox="427 1848 1394 1962">Regarding the Agriculture zone objection, RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Agriculture.</p>


Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>388.</b>	<b>Duncan Mills</b>
Matters raised	<p>The representation objects to rezoning 373 Guys Road, Cygnet (PID: 5856035; CT: 237661/1) and proposes amendments to the Act.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This property is 18.46 ha of Estate in Fee Simple (Freehold); Comprising, SE facing Wet Schlerophyll Forest with small section of Dry Schlerophyll on a rocky West slope. It has a 1 ha grassy forest clearing around a 1976 era four room dwelling. Access is by right of way of Guys rd, and off Tobys hill. There is evidence of habitation and forest use dating back to the 18th Century. Current use is as a weekend retreat and food; garden and orchard. Proposed future use- residence and extending its retreat function to cabins, combined with selectively managed native forest for optimum ecological function, selective timber extraction and bushfire mitigation.</li> <li>2. The proposed “Land Conservation Zoning” makes any residence and or extractive use discretionary by Local Government and subject to numerous community/environmental values overlays; clearly making it an Arbitrary restriction of Freehold rights as of owner’s purchase in *2000. Restrictions to which owner formally objects. These rights exist in principle under Section 51 (xxxi) of the Australian constitution and may not be restricted without appropriate compensation by Government. Whilst somewhat ambiguous in direct reading, it has since been clarified by High Court decisions. (<i>Ref: Barwick CJ and others</i>)</li> <li>3. Whilst it is noted that “just compensation” is not available under state legislation, Natural Justice provision remains. Further, it is noted <i>Tasmanian Land Acquisition Act 1993 - sect 29</i> precludes compensation for diminution of value for Planning Zoning purposes, Natural Justice rights are still asserted, and require respect. Therefore, on the basis of functional failures of the Tasmanian Planning Act 1997 as detailed below, and as authorised by subsequent Amendments to the Act- <i>“a person may request a planning authority to prepare an amendment of the planning instrument, and the planning instrument may be amended, under this Act as in force immediately before the commencement day as if this Act as in force immediately before”</i>.</li> </ol>

	<p>4. Representor hereby requests the Planning Authority prepare an amendment to ensure this Property is rezoned to a Zone that permits the intended uses (above) as of right, and not at the discretion of the Local Authority. Noting that proposed Discretionary qualification imposes further attenuation of property rights by putting the cost of providing expert evidence required substantiate Conditions required (a community benefit) on to the individual private landowner. A landowner who may, or may not have the resources, in any case to fund the expert advice (or should have to, given the conditions are generally of a community benefit).</p> <p>5. Zoning System on evidence, Itself Has no Functional or Legal Integrity. Failing the intent of Tasmanian Planning Act 1997. Participating in an informal community survey of the Proposed new Tasmanian Planning Scheme Zonings revealed numerous anecdotal accounts of Proposed rezonings failing completely to correspond with existing land use. Commonly cleared and grassed pasture zoned as Landscape Conservation, and hilly Eucalypt forest zoned and Agricultural. It is quite apparent that the methodology used has substantially failed to incorporate commonly available existing data on ground cover. Not only has the Methodology failed, nor has it been verified. This should be apparent from other submissions.</p> <p>6. Reading and interpreting the Tasmanian Land Planning Act 1997 (current version) is difficult due to its at times correct but too convoluted reasoning , and its many laborious minor amendments; Because of this it likely to make its understanding difficult to all stakeholders having to implement, interpret or comply with it; So in all likelihood, given the evidence of its implementation so far, in the field of application. Redrafting is urgently required.</p> <p>7. All dry forests needs active management to restore the once open understorey structure and vitality of their living communities. This means in an effective Land Conservation Zone, active management is required, including thinning of redundant and senescent canopy, and control of excessive understorey, and sedges where grassy groundcover is normally endemic. The latter, once controlled by mega herbivores (the era of peak planetary, and after their anthropocene extinction, indigenous cultural burning. Cultural burning being the default grassy forest land management practice, rather than the ecological ideal.</p> <p>8. Representor requests amending the Tasmanian Land Planning Act 1997 objectives in all zones to limiting destructive exploitation, and encouraging informed ecologically regenerative practice and risk mitigation.</p>
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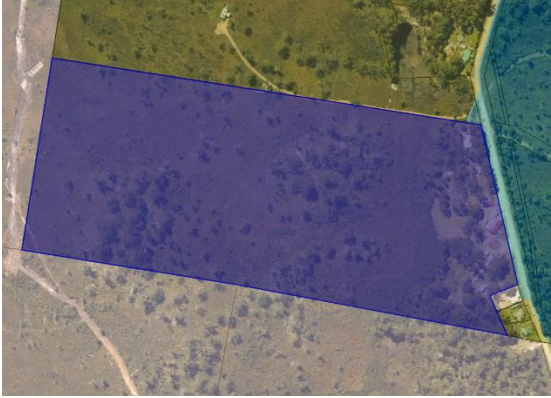
	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Environmental Living under the HVIPS and is proposed to be zoned Landscape Conservation. Given the significant native vegetation coverage across the title together with the vegetation located above the 280 m contour and the breadth of allowable uses in the Rural Zone and consequent potential for significant disturbance of landscape characteristics as a result of their use characteristics, the Landscape Conservation Zone is considered to be the most appropriate zone for this title. The native vegetation on the site contributes to a large, contiguous bushland area that adjoins the Snug Tiers Nature Recreation Area.</p> <p>The most appropriate zone for the site is considered to be the Landscape Conservation Zone.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>389.</b>	<b>Jayne Martin-Lewis</b>
Matters raised	<p>The representation requests 6 Sandhill Road, Cradoc (PID: 7475551; CT: 125580/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. A timber dwelling has been on site since 1905, the property has been running a successful Backpacking hostel accommodation business, mainly for overseas visitors, operating on this site for over 45 years in</li> </ol>

	<p>existing buildings, there are also several outbuildings situated on the property.</p> <p>2. "As I was not made aware of this rezoning until quite late in the process and exhibition period, I am unable to engage with the appropriate legal/planning counsel at this time to address the relevant points on my behalf. Therefore, I shall be abstaining from making further comment other than requesting that my objection and that the above zone change be considered and that I invoke my right to be afforded the opportunity to have my matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to my objections. I also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The land is zoned Significant Agriculture under the interim planning scheme. In accordance with AZ 2: <i>Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</i> RMCG undertook site specific analysis in accordance with AZ6 and confirmed that the most appropriate zoning of the site is Rural.
Recommended action	Change to Rural in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


390.	Ida Bay Railway Preservation Society Inc. ( <i>Arthur Clarke</i> )
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Matters raised	<p>The representation supports 328 Lune River Road, Ida Bay (PID: 5267994; CT: 238040/1) being zoned Environmental Management and request additional improvements be listed and three Codes be added.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Representor is a Public Officer for the Ida Bay Railway Preservation Society Inc. (IBRPS) and makes this representation with the full support of the IBRPS steering committee.</li> <li>2. The property is Crown Land administered by Parks and Wildlife Service (PWS), which in recent times has been the site of the Ida Bay tourist railway. As a body with a caring interest in this property, members of IBRPS and its forebearer group: Friends of Ida Bay Historical Society (FoIBHS) have had a long association with this Crown Land property that forms part of the Ida Bay State Reserve. The site is the western terminus and starting point for the Ida Bay tourist railway, running from Ida Bay to Deep Hole. Combined with its two-foot gauge rail tracks and sidings, the site's infrastructure includes locomotive and rail carriage workshop &amp; machinery shed, two train platforms, community meeting room and former quarry workers huts. Some of these huts have been previously converted into rail ticket office, café, history room, museum and accommodation for staff or volunteers, including a shower block. Since 2008, members of FoIBHS, and now IBRPS, provided continuing support for the operation of the tourist railway virtually up to the point when PWS foreclosed on the most recent lessee. The Crown Solicitor, acting for PWS, recently provided IBRPS with the draft of a 5year licence to be considered for approval by the IBRPS membership.</li> <li>3. The LPS for the property records the Improvements as "Railway Buildings", with no mention of the actual two-foot gauge railway. Although some of the previously mentioned infrastructure can loosely be described as railway buildings, IBRPS members would like the dedicated locomotive and rail carriage workshop listed separately together with the two-foot gauge railway. Additional improvements include rail track sidings, community meeting room, museum, history room, rail passenger platforms and a wastewater treatment plant.</li> <li>4. With regard to the listed Codes applicable to this property, IBRPS requests that three additional codes be added: C1.0 Signs Code, C2.0 Parking and Sustainable Transport Code and C3.0 Road and Railway Assets Code, as listed on pp. 27-29 of Section 8A Guideline No. 1 - Local Provisions Schedule (LPS). The inclusion of these added codes may necessitate additional Overlays. Although much of the infrastructure is already recorded on the Tas Heritage Register, aspects of the Local Historic Heritage Code may also be applicable for unlisted assets at the property.</li> <li>5. The Priority Veg report indicates the principal vegetation types being Black Gum (<i>Eucalyptus ovata</i>) and Wet Heathland, along with threatened</li> </ol>
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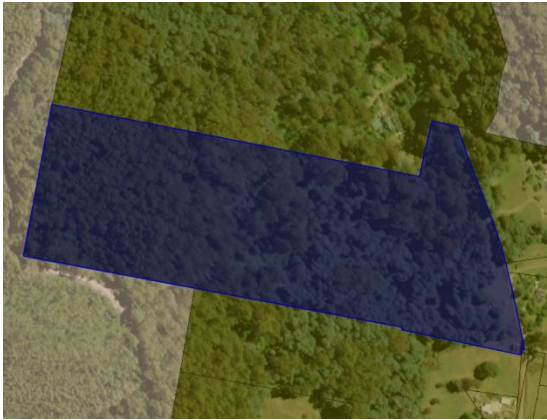
	<p>species that may include Wedge-tailed Eagles and Swift Parrots. Although reports of these species have not reached representor's ears, there have been recent confirmed sightings of the Tasmanian Ground Parrot (<i>Pezoporus wallicus leachi</i>), a close relative to the Eastern Ground Parrot from mainland Australia.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The support of the Environmental Management zone is noted. The additional codes will apply to the site if they are relevant through the development proposed. They are not in and of themselves an overlay applicable to the site such that the Priority Vegetation Area is.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>391.</b>	<b>Arthur Clarke</b>
Matters raised	<p>The representation supports 299 Francistown Road, Dover (PID: 1881073; CT: 129688/1) being zoned Landscape Conservation and raises concerns about the Codes.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Given the observed presence of a number of rare and threatened species as listed with the Priority Veg Report, plus the recent biomonitoring camera images of Spotted Tail Quoll and a wombat, the landscape conservation zone (LCZ) is very appropriate. There is also a Wedge-tailed Eagle's nest.</li> </ol>

	<p>2. Owner has concerns regarding two of the Codes applied to this property's LCZ :</p> <p>(a) Map layers include Coastal Erosion Hazard Code and Coastal Inundation Hazard Code, possibly a consequence of the Waterway and Coastal Protection overlay. Mapping contours on the 1:25K Raminia map, indicate the elevation of this property ranges from a low of c. 115-120m near Bates Creek to c. 240m, near the property's western boundary, so owner believes these two codes are not applicable to the property and are in contradiction to the State Planning Provisions (SPPs).</p> <p>(b) The Coastal Inundation Hazard Code has been devised in respect to the projected sea level rises in 2050 and 2100; from Table C11.1 (in the LPS) for the respective high, medium and low hazard areas it shows Dover as 0.9m to 1.8m in 2050 and 2.5m in 2100. Given the much higher elevation here and together with the defined applications of these codes in the SPPs, to owner's mind this represents a conflict or contradiction in the assignment of this component of the LPS and therefore should not be applying these "Coastal" provisions of the SPPs to this property.</p> <p>3. Amongst the other map layers there is the Local Historic Heritage Code. While owner has no objection to this code, owner is unable to determine how it relates to this property. However, owner is aware of former horse-drawn timber tramways, some deeply gouged shoe run channels and the remnants of a large old sawmill with huge decaying sawdust pile on the property, relating to its past history of logging in the 1880s/ 1890s and perhaps earlier.</p> <p>4. Regarding the Priority Veg Report, on this property owner notes that aside from the "Non eucalypt forest and woodland/ (NAD) Silver Wattle (<i>Acacia dealbata</i>) forest", a substantial component of the forested area is shown as "Wet eucalypt forest and woodland/ (WGL) Blue Gum (<i>Eucalyptus globulus</i>) wet forest" and potential Swift Parrot habitat, though owner has never seen any "Swifties" here. On this property the Blue Gums are predominantly located in the more elevated western parts above c. 160m; the majority of the lower elevation eucalypts are Stringybark (<i>E. obliqua</i>) and Swamp Gum (<i>E. regnans</i>). Along with the latter two species in the mixed wet sclerophyll forest and the more sheltered rainforest component within this mapped "Blue Gum" forest, together with the <i>Dicksonia</i> manferns the dominant species are Blackwood (<i>Acacia melanoxylon</i>), Sassafras (<i>Atherosperma moschatum</i>), Musk (<i>Olearia argophylla</i>) and a few Myrtle (<i>Nothofagus cunninghamii</i>) at higher elevation.</p>
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	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The support for the proposed LCZ is noted.</p> <p>The representation raises concerns with the land being subject to the Coastal Erosion Hazard Code and Coastal Inundation Hazard Code, and the Local Historic Heritage Code, however, these code overlays are not proposed for the land.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>392.</b>	<b>Arthur Clarke</b>
Matters raised	<p>The representation supports 275 Francistown Road, Dover (PID: 7668740; CT: 41395/4) being zoned Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Given the recorded presence of a few rare and threatened species at one "Conservation Significance Fauna Point" as listed with the Priority Veg Report, the LCZ is very appropriate.</li> <li>Owner is concerned regarding two of the Codes applied to this property's LCZ and also wishes to make comment in regard to the vegetation types as shown in the mosaic of mapped attributes:             <ol style="list-style-type: none"> <li>The map layers include Coastal Erosion Hazard Code and Coastal Inundation Hazard Code, possibly a consequence of having the Waterway and Coastal Protection overlay. Mapping contours on the 1.25K Raminea map sheet, indicate the elevation of this property ranges from a low of c. 90m near Bates Creek to c. 260m, near the property's western boundary with the Bates Loop forestry road, so</li> </ol> </li> </ol>

	<p>owner believes these two codes are not applicable to the property and are in contradiction to the State Planning Provisions (SPPs).</p> <p>(b) The Coastal Inundation Hazard Code has been devised in respect to the projected sea level rises in 2050 and 2100; from Table C11.1 (in the LPS) for the respective high, medium and low hazard areas it shows Dover as 0.9m to 1.8m in 2050 and 2.5m in 2100. Given the much higher elevation here and together with the defined applications of these codes in the SPPs, to owner's mind this represents a conflict or contradiction in the assignment of this component of the LPS and therefore should not be applying these "Coastal" provisions of the SPPs to this property.</p> <p>3. Amongst the other map layers there is the Local Historic Heritage Code. While owner has no objection to this code, owner is unable to determine how it relates to this property, although owner is aware of the presence of former horse-drawn timber tramways and a small old sawmill on the property that relate to its past history of logging in the 1880s/ 1890s and perhaps earlier. In later years, the property became a strawberry farm and apple orchard for the Francis family and in the early 1970s these trees were still bearing fruit.</p> <p>4. On this property, the vegetation is mapped as "Wet eucalypt forest and woodland/ as (WGL) Eucalyptus globulus wet forest; Non eucalypt forest and woodland/ as (NAD) Acacia dealbata forest and Modified land/ (FRG) as Regenerating cleared land". Although the latter FRG category includes the remnants of grassy paddocks and a former orchard, it has now become densely forested with Silver Wattle (<i>Acacia dealbata</i>) which extend from the lowlands well east of Bates Creek, up the western slopes to around c. 160-170m where it verges into Blackwood (<i>Acacia melanoxylon</i>) in the gullies and Blue Gum (<i>Eucalyptus globulus</i>) on the slopes.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The support for the proposed LCZ is noted.

	The representation raises concerns with the land being subject to the Coastal Erosion Hazard Code and Coastal Inundation Hazard Code, and the Local Historic Heritage Code, however, these code overlays are not proposed for the land.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>393.</b>	<b>Jennifer Cambers-Smith</b>
Matters raised	<p>The representation requests 80 Mitchells Road, Crabtree (PID: 7609775; CT: 247721/1) be zoned Landscape Conservation rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The representor is very familiar with this property and has helped the owner of the property to manage weeds, chainsaw and chop firewood, and general maintenance tasks. The representor has spent countless hours navigating the bushland on this property, spot-spraying and hoeing the highly invasive foxgloves that have been gaining a foothold. Representor is therefore aware that this property is very biodiverse, with rough terrain and significant bushland, and is completely unsuitable for significant development over and above the existing house, dam and associated gardens and sheds. Spotted-tailed quolls, Eastern quolls, Tasmanian devils and other endangered species live on and in the vicinity of this property.</li> <li>2. The TasVeg 4.0 overlay was used to assess the extent of bush cover, but in the case of this property, is significantly out of date. The TasVeg 4.0 Listmap layer is applied to the state aerial basemap and it can be seen that a significant area of bush is omitted from the layer. It is probable that the bush has regrown since the TasVeg 4.0 layer and Priority Vegetation Areas were first mapped.</li> <li>3. The owner of the property is a signatory to and beneficiary of a Tasmanian Farmers and Graziers Association \$10K grant recently awarded to the representor and thirteen other adjoining properties (including the owner's property at 56 Mitchells Road), to tackle foxgloves and Californian thistles on a landscape scale. Owner is keen to restore the property to a native pristine state and representor believes owner would be supportive of this zone change.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The site is zoned Rural Resource under the HVIPS and Rural under the Huon Valley – LPS. The site is steep, is substantially vegetated and contributes to a large, contiguous bushland area connecting to the Russell Ridge Conservation Area. Vegetated hills and valleys framing cleared agricultural land, interspersed with remnant areas of bushland, together with the Huon River and tributary waterways is a key characteristic and landscape value of the Huon Valley. Whilst this site is generally reflective of these important landscape values and small-scale use or development is appropriate, the Rural Zone was applied due to the lower slopes of the site being cleared of native vegetation.</p> <p>Notwithstanding, due to the site contributing to the landscape values of the area, the most appropriate zoning of the site is the Landscape Conservation Zone.</p>
Recommended action	Change to Landscape Conservation Zone in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

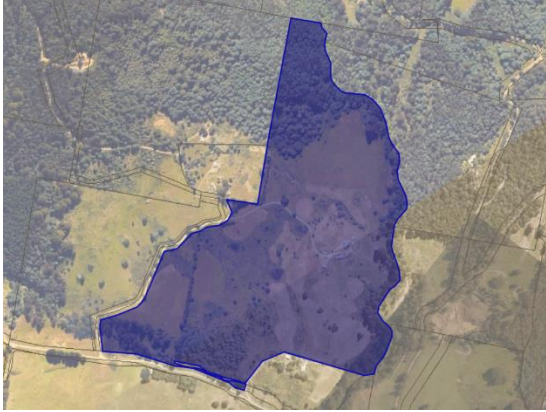
<b>394.</b>	<b>Jennifer Cambers-Smith</b>
Matters raised	<p>The representation supports 56 Mitchells Road, Crabtree (PID: 3514840; CT: 172017/2) being zoned Rural and requests the Biodiversity Overlay be extended to take in significant wetlands, in addition to the currently identified bushland and riparian corridors.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Owners request an extension to the Biodiversity Overlay. Much of this proposed area is extremely wet, fed by significant springs and seepages.</li> </ol>

The area is home to frogs, bats, bandicoots, dragonflies, praying mantis and a whole diverse range of native wildlife. Owners wish to ensure this area is protected from inappropriate development into the future, and that the area is preserved for its significant natural values. The preservation of well-vegetated wetlands will become ever more important in the future as they are known to sequester carbon as well as acting as important water stores through drought periods


2. Major burrows have been identified on the property and are monitored by trailcam. Most recently, another young wombat has been born and a thriving community of wombats and Tasmanian devils need wildlife corridors and undeveloped land to survive into the future. Spotted-tailed quolls have been observed at various locations and this land remains a haven for Eastern-barred bandicoots, platypus and Eastern quolls. The property is regularly visited by raptors including Wedge-tailed eagles, brown falcons, brown goshawks and grey goshawks. Owners have actively controlled feral flora and fauna including cats, sparrows and invasive weeds. TasWildlife is in the process of collating data for uploading to national biodiversity and conservation databases.
3. The owner recently secured a grant from the Tasmanian Farmers and Graziers Association to tackle invasive weeds across 14 properties on a landscape scale (comprising 200ha). Owners are members of 'Farmers for Climate Change', and the land is registered as 'Land for Wildlife', as administered by the Tasmanian Land Conservancy, owing to its impressive biodiversity credentials. It is very important to owners that as much of the land as possible is preserved and managed sensitively for its natural values for the benefit of wildlife and future human generations



Figure 1. Existing overlay and proposed extension

	 <p>Figure 2. Site location and existing overlay</p>
Planning Authority response	<p>The Planning Authority has no objection to the extension of the priority vegetation overlay (PVO) over this area but queries whether the Waterway and Coastal Protection Area (WCPA) or a combination of the two would be more effective in achieving the desired outcome of protecting a well vegetated wetland. The PVO assessment criteria focus on the clearance of native vegetation while the WCPA takes a more 'ecosystem' based approach to impact assessment. This can be further explored as part of the Hearing process.</p>
Recommended action	<p><b><i>Confirm preferred component of the Natural Assets Code to be extended as part of the Section 35H Hearings. Principally support the extension of either the WCPA or PVO based on the information provided in the representation.</i></b></p>
Effect of recommended action on the draft LPS	<p><b><i>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</i></b></p>
Meets LPS criteria	<p><b><i>The Planning Authority recommendation meets the LPS criteria.</i></b></p>

<b>395.</b>	<b>Jennifer Cambers-Smith</b>
Matters raised	<p>The representation requests PID: 3392222 in Liddells Road, Crabtree be included within the Russell Ridge Conservation Area.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This small forested 8.3ha lot (see Figure 7 over page), is tenured by Sustainable Forestry Tasmania and is slated as Future Production Zone. However, it is very much a 'stranded asset', surrounded as it is by reserve, covenanted properties (to become LCZ) and freehold properties (LCZ and Rural in the draft HVC LPS). While potentially accessible from Jefferys Track, it could never be economically viable to develop even a small section of road to recover and harvest this property, particularly as typical STT coupes are around 70Ha in size.</li> </ol>

	<p>2. It is submitted that this property's tenure and zoning are both an anomaly, and it should more properly be included within the Russell Ridge Conservation Area, which was created in 2009 as part of the Forestry Agreement and creates an essential wildlife corridor between Wellington Park and the WHA to the west. It appears that the omission of this block was an oversight rather than a deliberate excision.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	This is beyond the scope of the LPS process.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>396.</b>	<b>Jennifer Cambers-Smith</b>
Matters raised	<p>The representation opposed the Huon Valley Anti-LCZ Group.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The representor is opposed to the Anti-LCZ group that has been very vocal in the Huon Valley, led by the fakely-profiled (on Facebook) William Blackstone. Representor believes their opposition to LCZ is based on misconceptions regarding the nature of the Tasmanian Planning Scheme and a misunderstanding of the zones. They have spread misinformation and have taken upon themselves to send out letters which have unnecessarily frightened people into thinking their properties will become 'National Parks'.</li> </ol>

	<p>2. Representor makes the following brief points in response to some of the issues they raise in their social media and leaflets:</p> <ul style="list-style-type: none"> <li>(a) The group claims that HVC has applied LCZ more widely than any other Municipal Area. Representor believes this is misinformation. They went so far as to say Kingborough had not applied any LCZ which is clearly untrue. The Tasman Council has applied LCZ to fewer properties than HVC, but properties in that Municipal Area tend to be much larger and therefore are less likely to meet the criteria for LCZ.</li> <li>(b) The group has been disingenuous about the full range of uses allowed under Rural zoning. People are not commonly aware that innocuous sounding terms such as 'Resource Development', 'Resource Processing' and 'Storage' encompass many uses (with reduced setbacks from the IPS), that landowners would rarely wish to have as a near neighbour. Mineral extraction (eg quarries) are also permitted on Rural zones. LCZ prevents potentially highly inappropriate developments</li> <li>(c) Another glaring omission in the anti-LCZ group's publicity is that the existing zone for most properties to be transferred to LCZ, is 'Rural Resource', as defined in the Tasmanian Interim Planning Scheme. It is already only discretionary for a residence to be built on land zoned Rural Resource, therefore changing the zone is unlikely to make it any harder to gain planning permission than at present.</li> <li>(d) LCZ properties (according to the data accessible to council) have 80% or greater bushland and are already subjective to restrictive overlays such as Priority Vegetation, Biodiversity or WCPA. Thus, development is already restricted according to Code and Zone rules, with LCZ unlikely to make much difference to the planning hurdles to be overcome.</li> <li>(e) Anyone buying a bush block zoned Rural Resource under the IPS, did so at considerable vendor risk, and it would appear this anti-LCZ group is now seeking to offset this risk by opening-up large tracts of the Huon to potentially highly inappropriate development that could drastically alter the character, scenic quality and liveability of our region.</li> <li>(f) The group has preferred to not tell its members that the State Planning Provisions themselves will come up for review in 2022, once all State Planning Policies have been developed. This review will give people a chance to comment-upon zone rules.</li> </ul> <p>3. Representor fully supports HVC's application of the LCZ zone in the Huon Valley and strongly submits this group should not be allowed to overturn LCZ zoning made in good faith, in accordance with SPP rules, unless it can be shown that the zoning was allocated in specific instances on incorrect data that don't support the application of LCZ.</p>
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Planning Authority response	This representation does not specifically address any issue with zoning of land, but rather provides broad commentary on their concerns with not applying the LCZ to appropriate land.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>397.</b>	<b>Jennifer Cambers-Smith</b>
Matters raised	<p>The representation requests a new Scenic Protection Overlay at the head of Crabtree Valley.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Scenic Protection overlays are applied to the steep and lofty sides of the Crabtree Road corridor in both the IPS and the HVC draft LPS, however, it seems a large omission not to provide the northern head of the Crabtree Valley with the same level of scenic protection. While some of the impressive mountains visible as one drives up Crabtree Road and side-streets at its northern end (e.g., Rocky Creek and Mitchells Roads), are protected by them being within state reserves (Wellington Park and the Russell Ridge Conservation Area), significant portions are wholly unprotected. Unsuitable and unsightly development on these soaring slopes, would truly be blots on the landscape. Therefore, it is proposed that a further Scenic Protection Overlay be established in Crabtree. While the Russell Ridge Conservation Area is a state reserve it is categorised in the lowest level of reserve protection. Therefore, it could well be appropriate to extend the Scenic Overlay across into the RRCA as a further level of protection for its scenic and natural values.</li> <li>2. To conclude, this submission requests the instatement of a new Scenic Protection Area overlay to extend across the impressive slopes visible from the upper reaches of Crabtree Road and side roads, across the northern head of the valley</li> </ol>

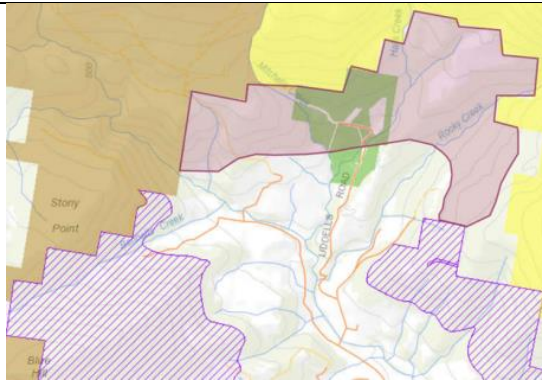


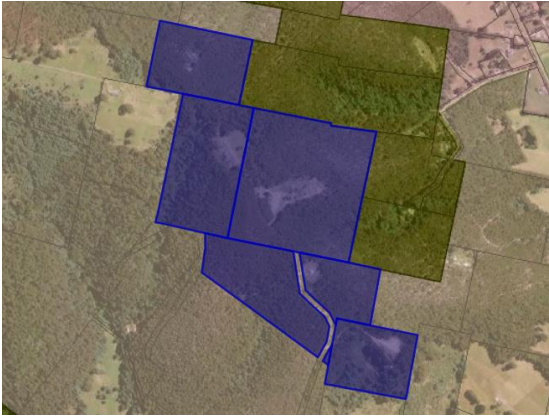
Figure 1. Site location and proposed new Scenic Protection Overlay (top half of image)



Figure 2. Site location and existing zoning


Planning Authority response	<p>The draft LPS includes areas subject to the scenic protection areas overlay and scenic road corridor overlay. These overlays are consistent with the current scenic landscape area overlay and landscape corridor overlay that apply under the Interim Planning Scheme.</p> <p>Further strategic planning work is required before the scenic protection areas overlay can be introduced to areas that are not currently submit to this overlay under the interim planning scheme given the code application requirements require, specific scenic values and management objectives to be identified and detailed.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

398.	Josh Graeme-Evans
Matters raised	<p>The representation requests 5 properties in Crouches Hill Road, Lucaston be zoned Rural Living:</p> <ol style="list-style-type: none"> <li>1. 128 Crouchs Hill Road, Lucaston (PID: 7194063; CT: 181146/1)</li> <li>2. 154 Crouchs Hill Road, Lucaston (PID: 2816046; CT: 152441/1)</li> <li>3. 164 Crouchs Hill Road, Lucaston (PID: 2953681; CT: 156729/1)</li> <li>4. 200 Crouchs Hill Road, Lucaston (PID: 3374104; CT: 168847/1)</li> <li>5. 230 Crouchs Hill Road, Lucaston (PID: 5694996; CT: 169521/1)</li> </ol> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Rural Residential is the best fit under the S8A Guidelines. The Rural Residential Zoning purpose matches the intentions of property owners and their historic investment decisions to date. Property owners 1 to 5 have made significant investments towards the residential use, including substantial investments in road upgrades to Council specifications along the Public Reserve Road. Property Owners 2 and 4 have established residential dwellings. Property Owners 1, 3 and 5 are progressing Planning Applications for residential development. The Rural Residential Zone closely aligns with intended use and land capability and gives appropriate levels of certainty to the Property Owners.</li> <li>2. The Landscape Conservation Zone is not a good fit for Properties 1 to 5 under the S8A Guidelines. The Purpose and Zone table for Landscape Conservation Zoning does not appropriately match the intentions of property owners and the investment decisions to date. Property owners 1 to 5 all bought the properties with a primary motivation for residential use and secondary intentions to support a range of other uses which are fully supported by the “No Permit Required” and “Permitted” Use Classes in the Rural Living Zone. Under the Landscape Conservation Zoning, the intended uses of the property owners become “Discretionary”, thereby taking away certainty of use. This is not appropriate when Natural Justice and historic investment decisions are taken into account, along with land capability considerations – which is a stated Objective under the Land Use Planning and Approvals Act 1993. Whilst the Property owners are sympathetic to natural values, the conservation of landscape values has not been a primary motivation in investment decisions made to date. The use of Landscape Conservation Zoning will establish a significant conflict in purpose between the intended residential use and amenity of the properties, versus the purpose of the Zone which is to prioritise landscape values.</li> <li>3. Not applying the Rural Living Zoning is anticipated to have natural justice issues with respect to property financing and the intentions of the property owners to use their properties for residential purposes as was their original intention when acquired under the Huon Valley Planning Scheme 1979. The majority of properties noted in this submission were purchased under the former planning scheme when residential use was</li> </ol>

	<p>“Permitted”. Not having residential use as permitted will cause adverse issues in relation to property financing and remove pre-existing residential development rights upon which significant investment decisions have already been made. There is potential under the draft LPS to render worthless, the substantial investment of time and money by existing owners in progressing residential development, including significant sums of money invested in access and road upgrades to specification. With respect to the financing issue, the local bank manager at the Commonwealth Bank in Huonville has advised that 50% deposits will be required in instances where residential use is listed as “Discretionary” for vacant lots and that building is significantly more difficult under this Use Class. The financing issue has also been acknowledged by Glamorgan Spring Bay Council in the Section 35F Report to the Local Provisions Schedule for the Municipal Area.</p>  <p>Figure 1. Site location and existing zoning of all five properties</p>
Planning Authority response	<p>The lots are currently 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:</p> <ul style="list-style-type: none"> <li>a. <i>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</i></li> <li>b. <i>the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Accordingly, any increase in the Rural Living Zone needs to be considered on a municipal level</p>

	<p>with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>Regarding the application of the Landscape Conservation Zone, all of the sites are steep, substantially covered in native vegetation and contribute to a larger bushland area which is reflective of the important landscape values of the LGA. Accordingly, the Landscape Conservation Zone is considered to be the most appropriate zone for the lots.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>399.</b>	<b>Josh Graeme-Evans</b>
Matters raised	<p>The representation requests 164 Crouchs Hill Road, Lucaston (PID: 2953681; CT: 156729/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The intended use of the property aligns with the “Rural Residential” style zoning of the Rural Zone under the Huon Valley Planning Scheme 1979 when purchased in 2009. As the primary intended use is residential, it conflicts with the purpose of the Landscape Conservation Zone. Secondary intended uses align closely with the RZ, but do not align closely with LCZ.</li> <li>2. The Rural Living Zone is the most suitable zoning for the property (and adjoining properties) in accordance with the S8A Guidelines and the STRLUS and a separate representation has been submitted in relation to this. If RLZ is not applied, then the next most suitable zoning is RZ as outlined in this representation.</li> <li>3. The proposed application of LCZ is not consistent with historical usage and historical landscape values, nor has the property been identified for protection and conservation through any other rigorous process or on the ground and there is no Conservation Covenant in place. There is a scenic overlay over the property, however this is contested in a separate representation. The Crouchs Hill area is an unremarkable component in the Huon Valley landscape.</li> <li>4. the Rural Zoning is the closest “like for like” zoning for the Rural Resource Zoning under the IPS and the inherent land capability aligns to RZ. The Landscape Conservation Zoning is the least suitable for the property and</li> </ol>

	<p>creates natural justice given the significant levels of investment that have been made towards primary intended usage, including and with respect to a Planning Application currently being developed based upon the requirements of the Rural Resource Zone under the IPS.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>The property includes a hilltop and ridgeline. This is a prominent vegetated hilltop that is subject to a Scenic Landscape Area overlay and Biodiversity overlay due to the land being a vegetated hill and ridgelines that assist with framing the entrance to the Huon Valley.</p> <p>The rezoning of the land to Rural Living is not consistent with the Section 8A application for guidelines for Rural Living zone (RLZ 4), which states that the Rural Living Zone should not be applied to land that contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see Landscape Conservation Zone), unless the values can be appropriately managed through the application and operation of the relevant codes.</p> <p>Likewise, the application of the Rural zone would effectively remove the consideration of landscape values when assessing proposed use and would allow for uses that are potentially not compatible with the landscape and biodiversity values detailed above. It would also be contrary to Section 8A guideline RZ 1 in that the lots contain specific values that are more appropriately included within the Landscape Conservation Zone. Application of the Rural Zone would remove consideration of natural assets considerations.</p> <p>The lots predominantly vegetated state and contribution to a significant scenic feature most closely align with the Section 8A application for guidelines for LCZ.</p>
Recommended action	No modification to the draft LPS is required.


Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>400.</b>	<b>Josh Graeme-Evans</b>
Matters raised	<p>The representation opposes the proposed scenic protection area HUO-C8.1.4 – “Crabtree 3 (Crouchs Hill)”.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Representor opposes the scenic protection area on the basis that its application is not appropriately justified under the TPC’s Section 8A Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application guidelines. The HUO-C8.1.4 – “Crabtree 3 (Crouchs Hill) scenic area should be removed entirely from the Draft LPS or modified such that its application is limited to the more prominent and elevated “Mount Ruddy” area down to the 370m contour line.</li> <li>2. This representation presents evidence that the subject area covered by the proposed scenic protection area: <ul style="list-style-type: none"> <li>• Is not a dominant feature within the upper Huon Valley</li> <li>• Is not a framing feature of significance within the upper Huon Valley from most aspects</li> <li>• Is already constrained through the Natural Assets Code</li> <li>• Has been subject to significant historical land use, clearing and habitation consistent with historical landscape values of the local area.</li> <li>• That overall, the Scenic Protection Area is not required to maintain landscape values consistent with the existing and nearby character of the Huon Valley</li> </ul> </li> <li>3. Whilst the importance of maintaining landscape values is well documented in the Huon Valley Land Use and Development Strategy, the misuse of the Scenic Code can create significant costs, time delays and impediments to reasonable use which are not in line with historical precedents or the character or sense of place of the Huon Valley Region. In fact, any use of the Scenic Code which focuses solely on “natural values” and ignores historical landscape values (which is the case with the subject area) will be detrimental to the Huon Valley. The Huon Valley has great appeal to residents and visitors alike through the patchwork of cleared and uncleared, developed and undeveloped properties in the hills of the region. A singular focus on “natural values” puts at risk both historical landscape values and land capability which will be progressively lost over time with vegetation regrowth.</li> </ol>


	<ol style="list-style-type: none"> <li>4. Crouchs Hill is a distant, non-dominant and unremarkable component of the Huon Valley landscape that sits below more prominent hills and mountain ranges in the Huon Valley landscape. Crouchs Hill and the associated ridgeline (at level) is obscured from view from many, if not the majority of popular locations around the upper Huon Valley. When it is visible, it is clearly not a dominant or primary feature of the landscape. In nearly all instances, it is an unremarkable component that fits into the patchwork of the broader landscape.</li> <li>5. The most prominent and unobstructed view of Crouchs Hill and ridgeline from a populous area is arguably from the Orchard Rd suburban area at the northern end of the Huonville township. From this location, the Crouchs Hill and ridgeline is at a distance of 6.4km, is low lying compared to other landscape elements and can hardly be considered a framing feature of any significance. The subject area merely fits into the patch work landscape and vistas of cleared and uncleared hillsides that characterise the region.</li> <li>6. The Natural Assets Code in combination with Forest Practices System (consisting of the Forest Practices Act 1985 and Forest Practices Regulations 2007) either prohibits, constrains, or ensures that vegetation harvesting is conducted in a responsible manner and with appropriate controls. However, any such vegetation removal, should it be required as part of a planning application or otherwise, would be in perfect keeping with the historic land use of the subject site and the surrounding area.</li> <li>7. Crouchs Hill shows evidence of extensive historic landscape use that is not consistent with the application of the proposed application of the Scenic Code under the draft LPS. This includes forestry operations, clearings, the construction of numerous tracks, homestead occupation and subsistence agriculture. It is understood that much of the activity centred around a former homestead that was established along the ridgeline.</li> <li>8. The Scenic Protection Area is not required to maintain landscape values consistent with the existing and nearby character of the Huon Valley. Scenic values extend to more than "Naturalness". This is recognized in the Huon Valley Land Use and Development Strategy notes on Page 50. The essential character of the Huon Valley Landscape extends beyond Natural features. It includes historical and cultural landscape values, including cleared hillside areas and rural residential developments. This scene is popularly portrayed in promotional material for Huon Valley experiences and in photos that characterise the Huon Valley. Accordingly, the Scenic Code on Crouchs Hill is unnecessary to protect scenic values, which consist of a mixture of use in keeping with the character of the Huon Valley landscape.</li> </ol>
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Planning Authority response	The scenic protection area overlay has been directly transitioned from the Scenic Landscape Management area under the HVIPS. Any changes to the scenic protection area requires a detailed analysis by a suitably qualified person. Insufficient evidence has been provided to warrant a change in the overlay.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>401.</b>	<b>Amy and Andrew Smyth</b>
Matters raised	<p>The representation requests 83 Woodcock Road, Cygnet (PID: 5857492; CT: 10021/1) be zoned Rural rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is 3000m2 and is fully developed. It includes a dwelling, shed, waterway and application area for an AWTS. There is no chance for any agricultural development on the land.</li> <li>2. "We were not made aware of this rezoning until late in this process and we are unable to engage with the appropriate legal or planning counsel at this time to address the relevant points. Therefore, we shall be abstaining from further comment other than requesting that our objection and the above zone change be considered. We invoke our right to be afforded an opportunity to have our matter heard at the Tasmanian Planning Commission's hearing should further information be required to speak to our objections. We also reserve the right to bring further objections to this hearing should they arise from engaging with appropriate counsel."</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The spatial application of the Agriculture Zone is based on the land identified in the Land Potentially Suitable for Agriculture Zone layer published on the LIST map. In accordance with AZ1 (a) RMCG undertook further investigation and analysis as to each site's suitability for inclusion within the Agriculture Zone. It was concluded that the application of the Agricultural Zone was the most appropriate zone for the site.
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>402.</b>	<b>Kane Ebel</b>
Matters raised	<p>The representation requests Lot 2 Narrows Road, Strathblane (PID: 2863336; CT: 153985/2) be zoned Rural Living rather than Rural and 41 Narrows Road, Strathblane (PID: 2863344; CT: 153985/3) be zoned Rural Living B rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Lot 2 Narrows Road is 4.7 acres, there is no possible way of producing fruit, vegetables or any alternative produce from this very small block of land and most certainly not for profit. This block is a hobby block at best. It is unclear how 4.7 acres could be zoned rural resource for a start, but owner most certainly will not accept a change from rural resource to rural. This property is rural living only.</li> <li>2. 41 Narrows Road is 1.7 acres, it is owner's home and nothing more. Owner will not except any rezoning on the property unless it goes</li> </ol>

	<p>back to the rural living B that it was zoned when the property was purchased.</p>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>In accordance with RLZ2 the Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) the land is within the Environmental Living Zone in an interim planning scheme...</i></li> </ul> <p>The STRLUS (see regional policy SRD1.3) supports the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. It is highlighted that the pattern of small lot sizes in the LGA (i.e. only 13 % of lots in the Municipal Area are greater than 10 ha) is a unique characteristic of the LGA in that there is a substantial portion of lots of a size typically associated with a rural-residential lifestyle – 26 % of lots are between 1 ha – 10 ha. Therefore, whilst it is recognised that the rezoning would provide for limited subdivision, given the land is not part of a recognised Rural Living or Environmental Living community and the proportion of lots sized between 1 ha – 10 ha in the LGA, any increase in the Rural Living Zone needs to be considered on a municipal level with supporting detailed strategic analysis to avoid an incremental continuous increase in Rural Living land.</p> <p>Accordingly, the most appropriate zone for the sites is Rural and Agriculture as identified.</p>
Recommended action	No modification to the draft LPS is required.


Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>403.</b>	<b>Shane Pritchard</b>
Matters raised	<p>The representation requests the area zoned Future Urban at Lot 6 and 7 Mary Street, Cygnet (PID: 3238321; CT: 165335/6 and PID: 3238313; CT: 165335/7) be zoned Residential.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Representor is a part of the group who purchased the land with the intent to develop it as a mix of commercial and residential use. It is understood that a cygnet structure plan has been completed with plans for new road access along the west of the property to facilitate commercial development. The group would welcome any proposal that would facilitate further development in the area.</li> <li>2. The future urban zoned land on the property, and those adjacent) would allow for much needed housing development in the local area, especially for the aging population in region.</li> <li>3. The group would also like the area proposed for zoning as environmental management along the boundary with Agnes Rivulet to be reviewed. This area is too broad and covers a large area of pasture that has been intensively grazed for many years and is devoid of native vegetation. The group is willing to engage an environmental consultant to survey the land in order to refine this area.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

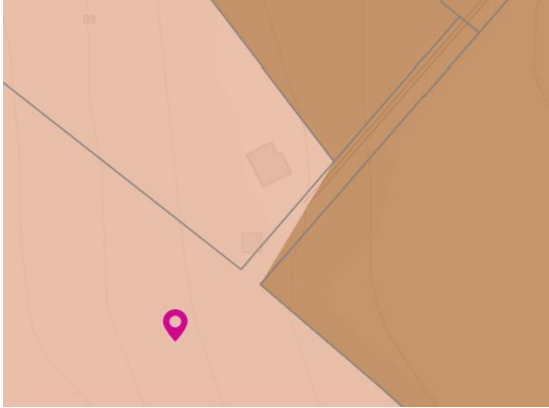
Planning Authority response	<p>The site is zoned Future Urban under the HVIPS and Future Urban under the Huon Valley – LPS. Potentially therefore, the proposal could be consistent with GRZ2. However, the zone application guidelines identify regarding the Future Urban Zone that:</p> <p><i>The Future Urban Zone may be used for future urban land for residential use and development where the intention is to prepare detailed structure/precinct plans to guide future development.</i></p> <p>These types of documents not only guide future development but are based on detailed strategic analysis of the township of which the General Residential zoned land is within and considers timing and sequencing of land release. To this end, whilst there may be strategic merit to have this land zoned General Residential (noting some of the land would remain as Environmental Management) due to the lack of structure or precinct plan to guide future development, the Particular Purpose Zone – Future Urban is the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

Section 35F(2)(e) of LUPPA	
<b>404.</b>	<b>Huon Valley Council</b>
Matters raised	The representation requests the current Flood-Prone Hazard Areas Overlay be transitioned to the draft LPS in accordance with the LUPPA.
Planning Authority response	<p>The Commission requested additional information from the Planning Authority to that identified in recent flood studies:</p> <ul style="list-style-type: none"> <li>(a) Huon Valley Flood Resilience 2017</li> <li>(b) Mountain River Flood Study 2018</li> <li>(c) Kermantie River Flood Study 2018</li> <li>(d) Skinners Creek Flood Study 2018</li> </ul> <p>Given the Planning Authority does not have the additional information required the intention is to transition the existing Riverine Inundation Hazard Area Overlay in the HVIPS. To this end the request is supported.</p>
Recommended action	Transition the existing Riverine Inundation Hazard Area Overlay in the HVIPS

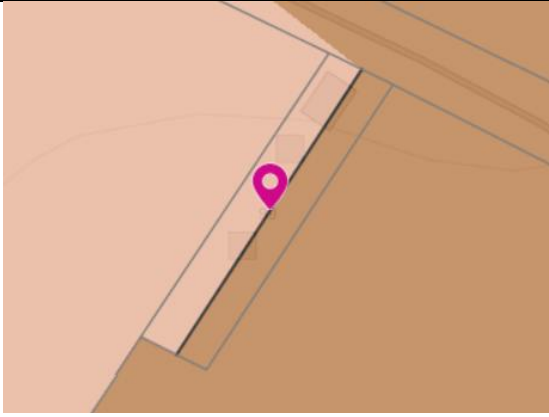
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


<b>405.</b>	<b>Huon Valley Council</b>
Matters raised	<p>The representation requests part of the land adjoining 11 Norris Street, Cygnet (PID: 7279550; CT: 170664/1) be rezoned Future Urban rather than Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. Land that adjoins properties at Norris Street, Cygnet is zoned Rural Resource under the Planning Scheme. Under the draft LPS this land is proposed to be zoned Rural.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	It is recommended for this to be rezoned Future Urban under the draft LPS in a manner consistent with other land adjoining Norris Street zoned Future Urban and to ensure any further subdivision and development of the land can be undertaken consistently with that land surrounding it.
Recommended action	Change to Future Urban.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>406.</b>	<b>Huon Valley Council</b>
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Matters raised	<p>The representation requests all land comprised in 93 Griggs Road, Lucaston (PID: 5698292; CT: 239333/1) be zoned Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The driveway area of the property has a sliver of Agriculture Zone which is clearly a mapping error.</li> </ol>  <p>Figure 1. Site location and TPS zoning</p>
Planning Authority response	The planning authority has no objection to having the entire title area including the section between 124 Bakers Creek Road and 88 Bakers Creek Road to Rural.
Recommended action	Apply the Rural Zone to the entire lot in the draft LPS.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>407.</b>	<b>Huon Valley Council</b>
Matters raised	<p>The representation requests all land comprised in 99 Lonnvale Road, Judbury (PID: 5699447; CT: 71684/1) be zoned Rural rather than split zoned Agriculture and Rural.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. This will correct the current Rural/Agriculture split zone across this small land parcel and enable the zoning to align with the current predominant use of this parcel of land. This will enable the split zoning of the property to be removed.</li> </ol>

	 <p>Figure 1. Site location and TPS zoning</p>
Planning Authority response	The planning authority has no objection to having the entire title area including the section between 124 Bakers Creek Road and 88 Bakers Creek Road to Rural.
Recommended action	Apply the Rural Zone to the entire lot in the draft LPS.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>408.</b>	<b>Huon Valley Council</b>
Matters raised	<p>The representation requests 115 Cemetery Road, Dover (PID: 2989772; CT: 100627/1) be zoned Rural rather than Recreation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>Under the former Esperance Planning Scheme 1989 the property was zoned Open Space.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>

Planning Authority response	The site, CT 100627/1 is privately owned and not associated with a recreation use and is part of of PID 2989772 that includes land zoned Rural Resource under the HVIPS and Rural under the Huon Valley – LPS. The Rural Zone is considered to be the most appropriate zone for the site
Recommended action	Change site to Rural in draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria

<b>409.</b>	<b>Huon Valley Council</b>
Matters raised	<p>The representation requests 42 Hill Street, Geeveston (PID: 5254819; CT: 61195/4) be zoned General Residential rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The property is currently zoned General Residential with lot characteristics that match this zone. The proposed zoning of Landscape Conservation in the draft Local Provision Schedule was a modelling error and the block should have been proposed as General Residential.</li> </ol>  <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	The site is zoned General Residential under the HVIPS. It appears that the application of the Landscape Conservation zone was an error in mapping given the size of the site, the existing zoning and the lack of landscape values. The site should transition to the General Residential Zone under the draft LPS.
Recommended action	Change site to General Residential in draft LPS

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>410.</b>	<b>Huon Valley Council</b>
Matters raised	<p><u>Additional Specific Area Plans</u></p> <p>The representation requests the following two Specific Area Plans (SAPs) be included in the LPS:</p> <ul style="list-style-type: none"> <li>• <i>HUO-S4.0 Grove to Cockle Creek Potential Acid Sulfate Soils Specific Area Plan, and</i></li> <li>• <i>HUO-S5.0 Grove to Cockle Creek Potential Dispersive Soils Specific Area Plan.</i></li> </ul> <p>In summary, the purpose of each proposed SAP is as follows for both development sites and for associated works, for example, construction of an internal access road to a development site on a property:</p> <p><i>Grove to Cockle Creek Potential Acid Sulfate Soils Specific Area Plan:</i></p> <ul style="list-style-type: none"> <li>• To minimise and mitigate adverse impacts from development and/or works occurring on land that contains potentially acid sulfate soils.</li> </ul> <p><i>Grove to Cockle Creek Potential Dispersive Soils Specific Area Plan:</i></p> <ul style="list-style-type: none"> <li>• To minimise and/or mitigate adverse impacts from development and/or works occurring on land that contains potential dispersive soils.</li> </ul> <p><u>Supporting Report</u></p> <p>In the Supporting Report (Section 35F Report: Attachment B) background information on each proposed SAP previously included as part of the draft LPS is set out from paragraph 5.2 on page 138.</p> <p><u>Section 32(4) of the Land Use Planning and Approvals Act 1993</u></p> <p>Under Section 32(4) of the LUPPA, an LPS may only include a new SAP in relation to an area of land if:</p> <p><i>(a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or</i></p> <p><i>(b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.</i></p> <p><u>Deletion of the draft SAPs from the draft LPS</u></p>

	<p>Whilst the two draft SAPs were included previously in the draft LPS, the Commission in the Notice issued on 25 October 2021, directed the Planning Authority to delete them.</p> <p>A reason for this requirement was that the Commission was not satisfied there had been adequate justification under Section 32(4) of the LUPPA for the inclusion of the two SAPs by the provision of a report from a suitably qualified person demonstrating how the areas intended to be subject to each SAP had the qualities that satisfy the requirements of that section.</p> <p>Justification under Section 32(4)(b)</p> <p>Following the above Direction, the Planning Authority commissioned two reports from William C. Cromer Pty Ltd that were provided in February 2022 which include advice from a suitably qualified person to justify the inclusion of each SAP in the LPS.</p> <p>These reports are an <i>Acid Sulphate Soils Areas Report</i> (February 2022), and <i>Dispersive Soils Areas Plan Report</i> (February 2022), and will be part of the documentation submitted to the Commission in support of these draft SAPs being included in the LPS. (<i>Acid Sulphate Soils</i> are referred to as ASS below)</p> <p>Essentially, environmental (soil based) qualities of some locations require additional local planning provisions (i.e., the two SAPs) that are unique to the identified areas of land being included in the LPS as an addition to the SPPs.</p> <p>This justification in accordance with Section 32(4)(b) of the LUPPA is outlined further in the following reasons.</p> <p>(1) Under Section 32(4)(b) of LUPPA, specific areas of land within the municipal area are identified in each of the above reports that is subject to either ASS or dispersive soils, and thereby have particular environmental qualities (soil based) that require this land to be subject to a proposed SAP based on the advice of the suitably qualified person. Therefore, these areas of land have the environmental qualities that satisfy the requirements of s.32(4)(b) of the LUPPA.</p> <p><u>(a) Acid Sulphate Areas Report</u></p> <p>In this report the following is stated on page 4: <i>“The current report describes the occurrence of acid sulphate soils (ASS) in rural and residential areas of the Municipal Area (Figure 1), to support the compilation of a Specific Area Plan (SAP) for ASS as part of the LPS.”</i></p> <p>The report also states on page 11 the following:</p>
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Under section 32(4) of the [Land Use Planning and Approvals Act 1993](#) the land reviewed in this supporting report needs to be subject of the SAP as it has .. *particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

Recommended minor adjustments to the wording of the draft SAP have been made to the SAP in accordance with advice in the report.

(b) Dispersive Soils Areas Plan

In this report the following is stated on page 4: *“The current report describes the occurrence of dispersive soils in rural and residential areas of the Municipal Area (Figures 1 and 2), to support the compilation of a Specific Area Plan(SAP) for such soils as part of the LPS.”*

The report also states on page 9 the following:

Under section 32(4) of the [Land Use Planning and Approvals Act 1993](#) at least the land reviewed in this supporting report needs to be subject of the SAP as it has .. *particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

Recommended minor adjustments to the wording of the draft SAP have been made to the SAP in accordance with advice in the report.

(c) Southern Tasmania Regional Land Use Strategy (Regional Strategy)

Both proposed SAPs are considered a suitable way to address the following policies of the Regional Strategy. This approach is also consistent with how these soils are currently considered under the respective codes (*Acid Sulfate Soils Code* and *Dispersive Soils Code*) of the HVIPS:

- *MRH 5.1: Manage risks of dispersive soils with due consideration at the subdivision and development stages.*
- *MRH 5.2: Manage risks of acid sulphate soils.*

(d) Infrastructure considerations

It is important for development engineering assessment requirements, where necessary, to form an integral part of an assessment proposed where ASS and/or dispersive soils are located as part of the development application process. This is currently the process under taken by the Planning Authority as consideration is required, under the HVIPS provisions, of the suitability of residential and rural areas within the municipal area for proposed development including works.

Whilst consideration of areas or locations (including access roads) that may, under the HVIPS, be subject to flooding, coastal erosion and other environmental impacts set out in a code is currently required, it is not clear why there should be a different approach taken by a planning authority under the SPPs when a location that is potentially subject to ASS or dispersive soils is under consideration as a development site or consideration regarding proposed works.

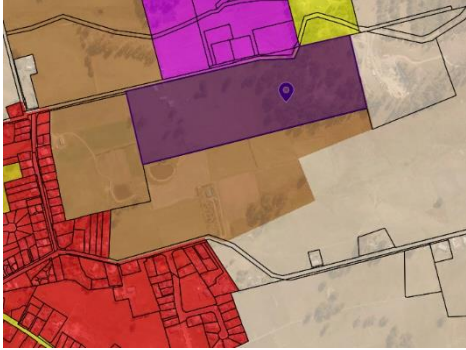
	<p><i>Post approval development controls</i></p> <p>Whilst management of a development site following the issue planning permit is often addressed via permit conditions requiring provision of a suitable soil and water management plan prior to the commencement of development works this needs to be, as is currently the case, a separate consideration to site suitability for the development itself, or in relation to associated works, where ASS or dispersive soils are present.</p> <p>For example, there often need to be permit conditions included in an approval that apply beyond the construction phase as there can be impacts, for example, from stormwater runoff in rural locations over these soils which then adversely affect municipal drainage infrastructure and incur maintenance costs on Council.</p> <p>To complete a full assessment of the development site and / or access road to the site or other related works, and to establish what permit conditions need to be applied for an approval often therefore requires a report from a suitably qualified person to be lodged with the application for locations known to be subject of these soils.</p> <p>Attempting to address these matters via building or plumbing related conditions (if in fact possible in some cases, or alternatively fully effective in other cases) is a sub-optimum approach to take in relation to the interests of property owners, developers and councils including as planning authority.</p>
Planning Authority response	<p>It is considered by the Planning Authority for the reasons set out above, and on the advice in the above two reports, that justification, in accordance with Section 32(4)b) of the LUPPA, is provided for inclusion of each proposed SAP in the LPS. Based on suitably qualified advice contained in the <i>Acid Sulphate Soils Areas Report</i> and <i>Dispersive Soils Areas Plan Report</i>, the Planning Authority supports the inclusion of both SAPs into the LPS.</p> <p>Both SAPs are compliant with section 32(4) of the LUPPA in that the areas to which the SAP applies have unique characteristics that require specific provisions in addition to those included in the SPPs. The purpose of these SAPs is to, as part of a development application, assess and manage the risk that potential acid sulphate and dispersive soils present to life and the environment.</p>
Recommended action	<p>The following draft SAPs be included in the draft LPS:</p> <ul style="list-style-type: none"> <li>• <i>HUO-S4.0 Grove to Cockle Creek Potential Acid Sulfate Soils Specific Area Plan</i>, and</li> <li>• <i>HUO-S5.0 Grove to Cockle Creek Potential Dispersive Soils Specific Area Plan</i>.</li> </ul>

Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>411.</b>	<b>Huon Valley Council</b>																																
Matters raised	<p>As part of the Planning Authority's reassessment of the application of the Landscape Conservation Zone and the Rural Living Zone, several clusters of lots were identified which had characteristics akin to Rural Living, in terms of lot size and density. RLZ2 provides for the Rural Living Zone to be applied to land if it is in the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. Moreover, it was determined that the area's landscape values could be maintained under the Rural Living Zone provisions, given the limited types and intensity of uses allowable, the limited no permit required and permitted uses, together with the zone purpose statements identifying, existing natural and landscape values are to be retained and consideration of scale and intensity of use (in the context of amenity) being required.</p> <p>Accordingly, to ensure a consistent pattern of applying the Rural Living Zones, the following lots are proposed for Rural Living Zone D in the LPS.</p> <p>Note no representations were made against any of the lots listed and this representation is made in terms of Section 35F(2)(e).</p> <table> <tr> <td>Nicholls Rivulet:</td><td>Ida Bay:</td></tr> <tr> <td>153350/1</td><td>14015/1</td></tr> <tr> <td>131236/1</td><td>52408/16</td></tr> <tr> <td>122839/2</td><td>102237/9</td></tr> <tr> <td>207571/1</td><td>102237/2</td></tr> <tr> <td>146393/3</td><td>102237/3</td></tr> <tr> <td>122839/7</td><td>102237/4</td></tr> <tr> <td>153350/3</td><td>52408/15</td></tr> <tr> <td>110596/1</td><td>126370/1</td></tr> <tr> <td>122839/1</td><td>52408/14</td></tr> <tr> <td>122839/4</td><td>102237/6</td></tr> <tr> <td>122839/6</td><td>102237/1</td></tr> <tr> <td>122839/5</td><td>123372/1</td></tr> <tr> <td>178870/2</td><td>102237/5</td></tr> <tr> <td>146393/1</td><td></td></tr> <tr> <td>208301/1</td><td></td></tr> </table>	Nicholls Rivulet:	Ida Bay:	153350/1	14015/1	131236/1	52408/16	122839/2	102237/9	207571/1	102237/2	146393/3	102237/3	122839/7	102237/4	153350/3	52408/15	110596/1	126370/1	122839/1	52408/14	122839/4	102237/6	122839/6	102237/1	122839/5	123372/1	178870/2	102237/5	146393/1		208301/1	
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208301/1																																	

	146393/2 122839/3 30205/4 153350/2 146393/4 30205/5
Planning Authority response	This proposed change is a made in terms of Section 35F(2)(e), being a recommendation of the Planning Authority in relation to its draft LPS.
Recommended action	Change the listed lots that are currently zoned Environmental Living and identified as Landscape Conservation Zone in the draft LPS to Rural Living D.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>412.</b>	<b>Martin and Carol Brereton</b>
Matters raised	<p>The representation requests the land be zoned General Residential rather than Agriculture.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The current zone is Significant Agriculture and is proposed to be Agriculture.</li> <li>2. It was understood that the land was previously classed as Noxious Industry (as previously being used as a slaughter house and blood and bone factory).</li> <li>3. The condition of the soil on the majority of the property is such that you would not be able to use it for agricultural purposes, it is rocky in parts with poor top soil. It has similar properties as a quarry, with no clay underground which you need for agricultural use.</li> <li>4. Request consideration to rezone from Significant Agriculture to General Residential Zone based on the above information and the fact that the property also boards current residential zoning.</li> </ol>

	 <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>A rezoning to General Residential as requested or a zoning change for the area more generally, would require a detailed local strategic analysis such as a structure plan and population growth scenarios for Cygnet therefore General Residential is not supported. In addition the land is adjoining contiguous Significant Agriculture zoned land and does not border General Residential zoned land.+</p> <p>The land is currently zoned entirely Significant Agriculture under the interim planning scheme. In accordance with AZ2: Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ6. In accordance with AZ6, the site's suitability for inclusion within the Agriculture Zone has been considered and determined that the current Agriculture zoned area on the site and surrounding area is the most appropriate zone for the site.</p>
Recommended action	No modification to the draft LPS is required.
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

<b>413.</b>	<b>Matthew Brereton and Tracey Marriott</b>
Matters raised	<p>The representation requests 306 Silver Hill Road, Cygnet (PID: 2226812; CT: 139542/7) be zoned Rural or Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. The current zone under the Interim Planning Scheme is Rural Resource which is proposed to be zoned Landscape Conservation.</li> </ol>

	<ol style="list-style-type: none"> <li>2. An ecological assessment of the, then, proposed dwelling in 2019 was provided does not raise any particular biodiversity values associated with the existing vegetation on the property. The report supports the fact that the property does not fit under the Landscape Conservation Zone application guidelines and therefore is not the correct zoning for the property.</li> <li>3. There are approved planning and building applications on the property that allows the owners to build a residential dwelling and shed.</li> <li>4. The Zone application guidelines at LCZ4 state that Landscape Conservation should not be applied to: (a) Land where the priority is for residential use and development (see Rural Living Zone).</li> <li>5. Consideration is requested to rezone the property from Rural Resource to either Rural or Rural Living to allow the use of the property for Residential Dwelling and rural purposes.</li> <li>6. Other properties under CT 139542 have been advised that these will be rezoned Rural.</li> <li>7. The property has been cleared to allow for the approved build of a residence and shed and the owners also want to use the property as a small hobby farm.</li> <li>8. Rezoning to Landscape Conservation would devalue the property also and could affect any future use of the land.</li> </ol> <div data-bbox="437 1093 825 1518" data-label="Image"> <p>The image is an aerial photograph overlaid with a map showing land parcels. A small purple dot is placed on one of the parcels, indicating the specific site location. The surrounding area shows various land uses, including what appears to be agricultural land and some developed areas.</p> </div> <p>Figure 1. Site location and existing zoning</p>
Planning Authority response	<p>Scenic values of vegetated hills and prominent ridgelines in the Huon Valley have been prioritised, and development managed to minimise the visual impact on the landscape, primarily through the application of zoning. In reviewing this representation received, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Zone and determined, on balance, that the site is more appropriately zoned Rural. Whilst the existing vegetation is contiguous with proposed Landscape Conservation zoned land, the property also borders proposed Rural Zoned land and the site itself not being entirely covered by native vegetation. The property is not covered by the Natural Assets Code.</p>

	<p>Ongoing residential use is continued with the Landscape Conservation zone and this is not any compelling argument for any change in zone.</p> <p>Accordingly, to ensure a continuity of zoning with the more consistent adjoining Rural zoned land the site should be zoned Rural in the draft LPS.</p>
Recommended action	Change site to Rural in the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.


## **APPENDIX ONE - REVIEW**

On review of the Draft Section 35F Report the following have been identified for clarification including correction and updating:


<b>Rep No.</b>	<b>Clarification</b>
1	200380/1 to be removed from "Recommended Action"  Conflicts with Representation 84
2	200380/1 to be removed from "Recommended Action"  Conflicts with Representation 84
44	Include 108515/1 and 108515/2 in "Recommended Action"  Titles referred to in the representation omitted in error
52	Update assessment and recommended action (see below)  Incorrect title reference assessed
73	12206/5 to be removed from "Recommended Action"  Conflicts with Representation 122
81	Update assessment and recommended action (see below)  Assessment does not reflect the property
94	200380/1 to be removed from "Recommended Action"  Conflicts with Representation 84
112	Change 1718191 to 171819/1 in "Recommended Action"  Typographical error
178	Amend "Recommended Action" to: <i>"Amend to Rural Living Area B together with CT 104783/5 being split zoned Rural Living Area B and Landscape Conservation at the same location as the current split zoning."</i>  The split zoning for CT 104783/5 was not defined
195	Amend "Planning Authority Response" to include "and 28375/3" after "28375/3" where appearing  Amend "Recommended Action" to: <i>"No modification to the draft LPS is required."</i>  Conflict between Planning Authority Response and Recommended Action
276	200380/1 to be removed from "Recommended Action"  Conflicts with Representation 84
341	200380/1 to be removed from "Recommended Action"  Conflicts with Representation 84

## Updated Assessment

52.	Robert Patterson
Matters raised	<p>The representation requests 70 Dillons Road, Gardeners Bay (PID: 5861803; CT: 237940/1) be zoned Rural rather than Landscape Conservation Zone.</p> <p>Representation general comments:</p> <ol style="list-style-type: none"> <li>1. "I have only recently become aware of this issue and therefore request that this intention to submit a full submission at some future date when I can gather information which I believe will correct this reports assertions."</li> <li>2. Hartzview as it has been known since 1988 consists of 50 ha that has been farmed since 1874. Since that time Hartzview has been used for grazing, small fruit production and since 1988 wine production. A cellar door was opened in 1992. Tourist Accommodation was commenced in 1992.</li> <li>3. The property in question is 6.235 ha with the balance approximately 43 ha remaining as Rural.</li> <li>4. Covid 19 has had a significant impact on owner's Cellar Door with the closure of their cafe. Since that time, the business has restructured and now includes commercial garlic production and increased visitor accommodation. Plans are currently being prepared for an extension to the current accommodation and will be submitted to Council in the next few weeks. Additional accommodation is planned in the next few years. Increased accommodation will enhance the visitor experience of the existing working farm.</li> <li>5. Reasons why owner believes Landscape Conservation is not appropriate for title 237940/1, supported by Natural Values assessment by ECOtas:             <ol style="list-style-type: none"> <li>(a) This part of the property was extensively cleared as shown in the attached Report by ECO Tas Fig 9a, an aerial photograph taken in 1976 the year we purchased the whole 50 ha. Extensive areas were cleared and primarily used for summer grazing. We hope to restock when our new fencing program is completed. There is a small dam.</li> <li>(b) This land cannot be seen viewed from either the Woodbridge Hill Road or the Nicholls Rivulet Road due to the general convex nature of the adjacent properties. There appear to be no potential sky lining issues.</li> <li>(c) As shown in the attached report is unlikely that the existing vegetation coverage in the western portion of this land will not be disturbed as the relatively steep nature of this land would prevent building. Potential Landslip issues.</li> <li>(d) The attached advice from Council in relation threatened Flora and Fauna by ECOtas together with associated Appendices clearly demonstrates that Council data on which the decision was primarily based was apparently inaccurate. This was confirmed by this detailed on-site survey.</li> </ol> </li> </ol>

	<p>(e) There are no threatened Fauna and Flora species.</p>  <p>Figure 1. Site location</p>
Planning Authority response	<p>Site is zoned Rural Resource under the HVIPS.</p> <p>In reviewing this representation received, the Planning Authority reassessed the application of the Landscape Conservation Zone and the Rural Zone noting that over half the land has previously been converted to rural use but has regrowth mainly in the form of wattles. The balance land is heavily vegetated consistent with the adjoining land but is on the southern side of the summit and is not considered to be part of the scenic landscape. Whilst the land is proposed to be covered by the Natural Values overlay an independent report determined there was no threatened flora or fauna species on the land. There is contiguous vegetation to the north and west however the land is also consistent with the proposed rural zone to the East and South. The site is more appropriately zoned Rural.</p>
Recommended action	Change site to Rural in the draft LPS
Effect of recommended action on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.

## Updated Assessment

81.	Kayla Roberts										
Matters raised	<p>The representation requests 38 Frypan Road, Glen Huon (PID: 7768741; CT: 49931/1) be zoned Rural Living rather than Landscape Conservation.</p> <p>Representation general comments:</p> <p>1. Owner is concerned Landscape Conservation Zone will make it difficult in the future to build and create a business on the property without the ability to remove a few trees where needed. The property has been logged and cleared many times prior to current ownership, and whilst there is no intention of logging it, owner wishes to reserve the right to Rural Living and make decisions related to the property. Owner believes Landscape Conservation will also devalue the property, and owner's intrinsic rights as a landowner and ratepayer.</p>  <p>Figure 1. Site location and existing zoning</p>										
Planning Authority response	<p>Property is in a comparatively isolated area of the Huon Valley. Surrounded by predominantly forestry land. This lot was not included in the original set of planning authority proposed Landscape Conservation properties. The planning authority therefore has no objection with it being Rural and, on reflection, the adjoining properties earmarked as Landscape Conservation Zone should be changed to Rural as there are negligible scenic values and landscape value mapping is somewhat course, with larger cleared areas and some silviculture included as native vegetation.</p>										
Recommended action	<p>Change this site and the following sites to Rural in the draft LPS:</p> <table><tr><td>54055/1</td><td>133190/2</td><td>208045/1</td><td>40644/2</td><td>133190/1</td></tr><tr><td>49931/1</td><td>44120/1</td><td>49931/3</td><td>52787/1</td><td></td></tr></table>	54055/1	133190/2	208045/1	40644/2	133190/1	49931/1	44120/1	49931/3	52787/1	
54055/1	133190/2	208045/1	40644/2	133190/1							
49931/1	44120/1	49931/3	52787/1								
Effect of recommended action on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>										

Meets LPS criteria	The Planning Authority recommendation meets the LPS criteria.
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