

Carolyn Rimmer

From: Debra Bellchambers
Sent: Friday, 23 June 2023 8:19 AM
To: LPS submissions
Subject: FW: KDLPS Submission
Attachments: KDLPS Submission Representation.pdf

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From: Jason Saunders <Photonicmotion@outlook.com>

Sent: Wednesday, June 21, 2023 1:06 PM

To: Kentish Council <council@kentish.tas.gov.au>

Cc: Kate Haberle <kate.haberle@kentish.tas.gov.au>; Phillip Richards <phillip.richards@kentish.tas.gov.au>; Rodney Blenkhorn <rodney.blenkhorn@kentish.tas.gov.au>; Terry Hughes <terry.hughes@kentish.tas.gov.au>; Don Thwaites <don.thwaites@kentish.tas.gov.au>; Simone Haigh <simone.haigh@kentish.tas.gov.au>; Linda Cassidy <linda.cassidy@kentish.tas.gov.au>; Penny Lane <penny.lane@kentish.tas.gov.au>

Subject: KDLPS Submission

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To whom it may concern,

Please find attached a submission for representation in regards to the Kentish Draft of the local planning scheme.

Kind Regards
 Jason Saunders

Property: 908 Staverton Road Staverton 7306 -Legal Issues with the Scheme:

Consultation: There has been six years between the Consultation and the display of the draft on public exhibition. This period is very long and the connection between them is highly questionable. In relation to my property there has changes over that time period. Changes have been made to the management and vegetation on the property due to removal of weed species and other vegetation for various reasons including fencing and natural events like the 2022 wind storm. As a result of that storm a large number of trees still remain blown over and need to be cleared to this day. This poor nexus in my opinion leaves the scheme open to legal challenge.

Vegetation mapping: Due to the large time period and innate inaccuracies in Satellite mapping there are significant errors in the vegetation mapping. On my property the E zone mapping reasoning is 100% inaccurate. Once again, an avenue for legal challenge.

Conclusion: The KDPS is not accurate and deceiving on legal grounds and if instigated will in all probability be subject to legal challenge via a class action. Considering that the KDPS documentation refers consistently throughout its pages to TAS Veg 3.0. With Methodology of the KDPS having mention only of Tas Veg 4.0. Mapping etc for residents of Kentish was all referred to Tas Veg 3.0 not the latest Tas Veg 4.0 which as stated on the Department of Natural resources and Environment Tasmania website "The current release version for mainland Tasmania is **TASVEG 4.0** and was published in July 2020". Making the KDPS document null and void as the majority of references to Tas Veg refer to Tas Veg 3.0. Again, showing that the period between consultation to Draft has been far too long and considering that Tas Veg 4.0 has been in place since 2020. The Kentish Draft Local Provisions Schedule Supporting Report was issued in 2023. Three years after Tas Veg 3.0 was replaced by Tas Veg 4.0. This is a serious oversight.

Property details:

908 Staverton Road is a small farm of approx. 10 Acres. The property has good deep basalt soils. The land is good for high quality grazing. The property is subject to waterlogging in some limited areas but this is being addressed. When purchased the property was in a run down, with fencing and weeding urgently required. Since purchase most weeds have been removed though there is still work to be done. The property runs between 21 – 50 head of sheep on the grazing land and has been set up for rotational cell grazing via 4 paddocks. Plus harvesting of Hay Bales annually. The Majority of the property has now been pasture improved and regular fertilising in these areas has taken place on an annual basis. Some boundary fences have been replaced with wallaby proof fencing.

Inaccuracies in the KDPS

E Zones:

The vegetation mapping as mentioned earlier in this submission are out of date, clearly not inspected from the ground and as a result is highly inaccurate. In fact, the reasoning for the E Zones on the property are 100% inaccurate. See Annexure A. Referencing "Non-Eucalypt Forest and woodland". Which the bulk of Trees in this area being Eucalypt trees. E Zones must also have, significant ecological, scientific, cultural or scenic value and these areas do not. The Staverton State Forest behind our property does and this is a significantly different landscape to 908 Staverton Road. Neither Tas Veg 3.0 nor Tas Veg 4.0 have been ground checked. E Zones should not be inserted on private land without landowner permission: Whilst E zones are available and may be applied into the KDPS they should not for the following reasons.

1. They destroy property rights which is one of the three cornerstones that underpins our society.
2. They lock up areas of private land for no compensation. Areas zoned environmental are effectively stolen.
3. They force landowners to maintain these areas at their own expense for no consideration. This amounts to slavery.
4. They deprive landowners of resources on their properties which they paid for in good faith.
5. They provide a precedent that Government may take property without compensation. This is Socialist behaviour.
6. Landowners will effectively pay rates on land that can no longer provide them an economic benefit.
7. Landowners will be reduced to existing rights which the High Court has described as

"transitory" and only designed "to cushion the blow" of the move to the new zoning.

8. In bushfire prone land they increase the bushfire risk and add to the intensity of bushfires because these areas inevitably end up not maintained.

Annexure A:

Tas Veg 4.0

Identify Results**Disclaimer** ✕

One feature found in one layer

Feature	
Vegetation Community Group	Non eucalypt forest and woodland
Vegetation Community Code	NAD
Vegetation Community Description	(NAD) Acacia dealbata forest
Canopy Tree	
Forest Structure	Forest
Source Date	2/04/1999
Field Checked	
Source Type	Photo
Source IRS	3.
Project	PRE_TASVEG_1_2-DPIPWE-2005
Shape Area	392833.612245

POI: GDA94 MGA55 : 431272E, 5410436N Identify Options

Tas Veg 3.0

Identify Results**Disclaimer** ✕

One feature found in one layer

▼ TASVEG 3.0 (one feature)

+ **WARNING: TASVEG mapping boundaries are indicative only. See explanation [here](#).**

Feature	
Vegetation Community Group	Non eucalypt forest and woodland
Vegetation Community Code	NAD
Vegetation Community Description	(NAD) Acacia dealbata forest
Emergent Tree	Null
Forest Structure	Forest
Source Date	2/04/1999
Field Checked	Null

POI: GDA94 MGA55 : 431228E, 5410443N Identify Options

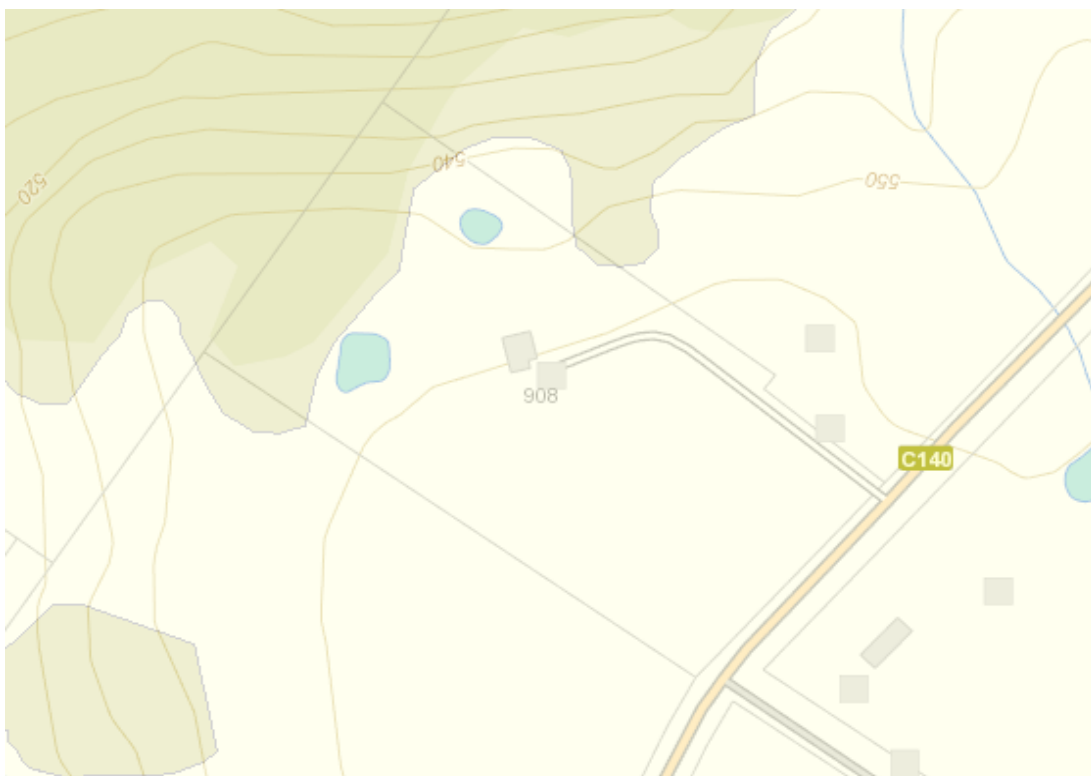
Annexure B: Threaten Fauna and Significant Habitat. This annexure depicts an area bordering my neighbour’s property on the North East and bushland on the North West. When purchased this area was heavily infested with blackberry and other invasive weeds which have been subsequently been removed and reverted back to grazing land. It has since grown over with Bracken Ferns (circled in Red). This again has changed in Tas Veg 4.0. I have not seen any evidence of spotted-tailed quoll in these areas during my time on the property. This zone is inappropriate and should be removed.

Annexure B:

Tas Veg 3.0



Tas Veg 4.0



Annexure B: "Non Eucalypt Forest and woodland". This annexure depicts an area on the north west boundary of the property which is less than 1.5 Acres in size. According to Knight and Cullen 2010 areas under 2 ha are considered to be of little importance to landscape function. This area

is landslip area and trees regularly fall over in storms. The area is also used to collect fallen timber for firewood that would otherwise be a fire hazard in the warmer months. The vegetation mapping here is very inaccurate.

Should the KDPS proceed, Kentish Council will leave themselves open to a can of worms in the form of legal action against all involved including the individuals who acted to illegally rezone my land without as much as a field survey to understand the true landscape of my property and its current species within forested areas,

Kind Regards

Jason Saunders
908 Staverton Road, Staverton Tas 7306.