

**From:** "Paul Evans" <paulevans23@hotmail.com>  
**Sent:** Tue, 31 May 2022 00:03:25 +1000  
**To:** "hvc@huonvalley.tas.gov.au" <hvc@huonvalley.tas.gov.au>  
**Cc:** "nettie\_passmore@yahoo.com.au" <nettie\_passmore@yahoo.com.au>  
**Subject:** Draft Huon Valley Local Provisions Schedule 1010 Halls Track Rd Pelverata Representation  
**Attachments:** 1010 Halls Track Rd Pelverata Representation.pdf

To the General Manager,

Please find attached my representation for the Draft Huon Valley Local Provisions Schedule for 1010 Halls Track Rd Pelverata

Regards,

Paul Evans  
0400775790  
Paulevans23@hotmail.com

30 May 2022

General Manager  
Huon Valley Council  
PO Box 210  
Huonville TAS 7109

To whom this may concern,

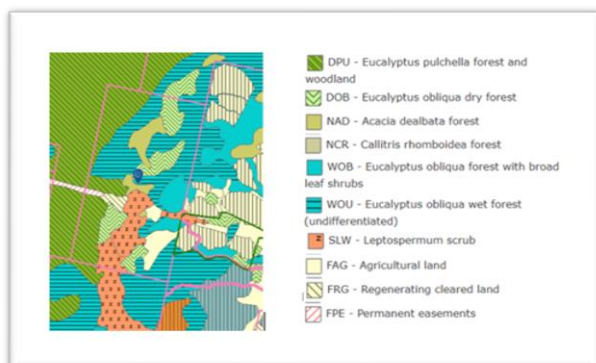
**RE: Representation for the Huon Valley Council's advertised zoning of 1010 Halls Track Road, PELVERATA 7150, Tasmania.**

My name is Paul Evans, I am the owner of the above property. The following is my representation in objection to the proposed Landscape Conservation zoning as put forward by the Huon Valley Council (herein HVC) as part of the advertised draft Local Provisions Schedule (LPS) submission.

I believe that my 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 for my family that aligns with our goals of self-sufficiency, and further to that, a space in which we could operate a small-scale home-based business with room for growth.

I have spent the last four years familiarising myself with the landscape and its microbiota, particularly because I have a vested interests in the types of flora growing on the property because we run a business as honey producers on the said property. This has meant we (myself, friends, and family members) have traversed the landscape extensively to note the types of vegetation and its locality within the property.

Considering the proposed zone changes for the said property, I 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 my family and I, 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 (refer to image 1.0 below).



1.0 – Priority Vegetation Area overlay (TASVEG 3.0) for said property

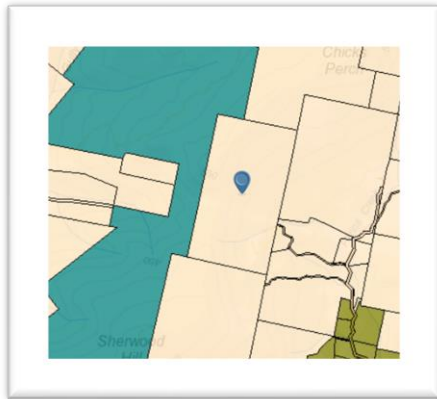
The last known vegetation up-date by the council for this land was in 2011, suffice to say a lot can happen in that time. Furthermore, I'm curious to know why some of the neighbouring properties are zoned as Rural when they have similar characteristics to ours?

**Please note the motives for this objection;**

- 1) the 2019 commitment to apply a 'like for like' as per the objectives from the HVC
- 2) 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)
- 3) I did not receive sufficient communication, specific to my property, stating the reasons for the recommended change from the HVC as promised, and within an appropriate timeframe
- 4) 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 our vision for the property

**An Overview of My Property and Future Development**

I reside on the property with my family and we run a small-scale honey production and bee breeding business from home. It's important to know this property was thoughtfully purchased with a self-sufficient lifestyle in mind. Our property is currently zoned as 26.0 Rural Resource Zone (RRZ) under the Huon Valley Interim Planning Scheme 2015 as per the data on LISTmap (refer to image 1.1)



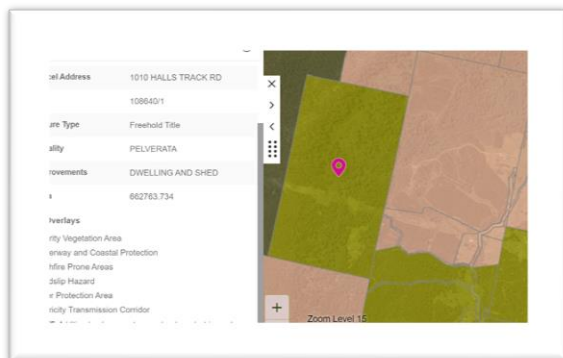
1.1 – Said Property - Rural Resource Zone -Huon Valley Interim Planning Scheme 2015 – LISTmap

Land improvements include a dwelling and sheds/storage which can be seen on the HVC TPS Consultation map, and importantly, there is a certified honey production room (refer to images 1.2)



1.2 – Land improvements – Dwelling/Sheds/registered food-grade processing room for honey harvesting

The property has several overlays present, including Priority Vegetation Area, Waterway and Coastal Protection, Bushfire Prone Areas, Landslip Hazard (moderate & mild), Inner Protection Area and Electricity Transmission Corridor (refer to image 1.3).



### 1.3 – TPS Consultation Property Overlays

The topography of the land is moderately sloped, with an altitude up to approximately 580m. It is made up largely of vegetation with regenerative and agricultural clearings. As stated previously, the land is used primarily in two ways, in a residential capacity and in a rural capacity. There are land improvements such as existing dwellings, sheds, orchards, and roads to access apiary sites on the property. We seek to further establish the property to achieve self-sufficiency as best as we can. We currently manage the vegetation within and directly around the cleared area to mitigate bushfires by small controlled burn offs. There are a significant amount of deteriorating Wattle trees, and thus we infer the removal of those encroaching on the fence line as an important step in bushfire management. The plan is to give ourselves a bigger fire break, as well as manage the risk of falling trees on dwellings and in areas we frequent on the property. We have been removing the remaining weakened trees, within, and directly around the cleared area. Furthermore, like many other properties in this area, we are subject to invasive species and have located the *Rubus fruticosus* aggregate (blackberry) throughout our vegetation, which borders on the cleared area.

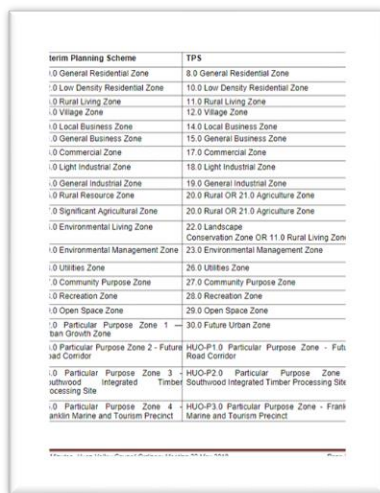
To summarise, the cleared land is divided into two distinctive areas, residential living, and rural operations. I, along with my family have been working hard to attain a self-sufficient lifestyle, teaching our children as we go along and working alongside each other in a home-based business. We intend 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, we will be extending our orchard so that it transforms into an extensive netted food forest area, and erecting two poly tunnels for seasonal growing. Our aim as parents is to set our family up to live a life that has healthy impacts, whilst teaching our children basic life skills that encourage community sufficiency and supports the movement to reduce climate change.



## MOTIVES FOR OBJECTION

### 1. LIKE for LIKE

Importantly, the HVC did not honour their commitment to apply a 'like for like' as per the comparison table below (refer to image 1.4). The said property is currently zoned 26.0 Rural Resource (RRZ) under the Huon Valley Interim Planning Scheme 2015. The 'Like for Like' transition has not been applied to the said property, and our land not comparatively assessed between LCZ and RRZ. There is a SIGNIFICANT difference between RRZ and LCZ and this has potential to negatively impact the reasons we purchased the property. The land is classified as Primary Producer, it has and is, currently operating in a rural capacity and will continue to do so moving forward. With that said, if the land were properly assessed it would be more suitable to that of Rural as it better suits the criteria. Furthermore, under the Huon Valley Interim Planning Scheme and the new LPS, the surrounding properties with similar landscape characteristics are zoned as Rural and not LCZ, indicating inconsistency.



Interim Planning Scheme	TPS
10 General Residential Zone	8.0 General Residential Zone
10 Low Density Residential Zone	10.0 Low Density Residential Zone
10 Rural Living Zone	11.0 Rural Living Zone
10 Village Zone	12.0 Village Zone
10 Local Business Zone	14.0 Local Business Zone
10 General Business Zone	15.0 General Business Zone
10 Commercial Zone	17.0 Commercial Zone
10 Light Industrial Zone	18.0 Light Industrial Zone
10 General Industrial Zone	19.0 General Industrial Zone
10 Rural Resource Zone	20.0 Rural OR 21.0 Agriculture Zone
10 Significant Agricultural Zone	20.0 Rural OR 21.0 Agriculture Zone
10 Environmental Living Zone	22.0 Landscape Conservation Zone OR 11.0 Rural Living Zone
10 Environmental Management Zone	23.0 Environmental Management Zone
10 Utilities Zone	26.0 Utilities Zone
10 Community Purpose Zone	27.0 Community Purpose Zone
10 Recreation Zone	28.0 Recreation Zone
10 Open Space Zone	29.0 Open Space Zone
10 Particular Purpose Zone 1 - Urban Growth Zone	30.0 Future Urban Zone
10 Particular Purpose Zone 2 - Future Road Corridor	HUO-P1.0 Particular Purpose Zone - Full Road Corridor
10 Particular Purpose Zone 3 - Southwood Integrated Timber Processing Site	HUO-P2.0 Particular Purpose Zone - Southwood Integrated Timber Processing Site
10 Particular Purpose Zone 4 - Frankston Marine and Tourism Precinct	HUO-P3.0 Particular Purpose Zone - Frankston Marine and Tourism Precinct

#### 1.4 – Comparison Table from the Minutes of the Ordinary Meeting of the HVC May 2019

### 2. LAND CURRENTLY USED IN RURAL CAPACITY

The land is currently being used in a rural capacity to support a home-based business in honey production and bee breeding. We currently have approximately 60 beehives on the block and are in the process of doubling our beehives to 120 within the next twelve months. We have a registered food-grade processing room for honey harvesting, several known apiary sites on the property, a large shed, and shipping containers accommodating the beekeeping equipment. The intention is to expand the business and establish ourselves as reputable honey producers within the community and beyond.



### 3. INSUFFICIENT CORRESPONDANCE FROM HVC

HVC had a responsibility to be transparent and effectively communicate the Draft LPS of the TPS and inform those owners of the zone changes. I did not receive sufficient communication, specific to my property, stating the reasons for the recommended change from the HVC as promised by them back in May 2019, and within an appropriate timeframe (refer to image 1.5). They failed to meet their obligations. I finally received an email on the 12<sup>th</sup> of May 2022 regarding the recommended LCZ change, but only 14 business days before the submission deadline, stating only the proposed changes (RRZ to LCZ), and still without proper planning analysis.



#### 1.5 Minutes of the Ordinary Meeting of the HVC May 2019

#### 4) PROPERTY GROWTH IN QUESTION?

The land was thoughtfully purchased. It was purchased with the vision of being able to give it to our children one day as a financial safeguard for their future, and as a place where memories were cemented from our time spent as a family living and working on the land. It was purchased so we 'could' create our desired lifestyle. Unfortunately, proposed zone changes are highly likely to impact our vision for the property, and it's at my family's detriment.

The fact is we would have 'never' purchased the land had it been LCZ.

If my family and I are not able to grow on the land, practice self-sufficiency, extend our existing home, and, or sheds for our business, then to us this land is devoid of the very reasons we bought it.

If the land is in any way devalued because of these changes, then who is responsible?

Below is a graph from a professional property evaluation report showing the impact of zone and environmental issues on a property's value (refer to image 1.6)

#### 15.0 Property Analysis

##### 15.1 Risk Ratings

Based on the attributes of the property the valuer has considered the risk profile of the property. The risk profile is considered to be best illustrated graphically, as follows:



Risk ratings: 1 - Low 2 - Low to medium 3 - Medium 4 - Medium to high 5 - High

Image 1.6 Image property evaluation report showing the impact of zone and environmental issues on a property's value

**OBSERVATIONS IN SUM:**

Observations: I was not directly notified, via letter, as stated by HVC during a meeting in May 2019 that the said property was subject to being changed to LCZ and owners whose properties are recommended to change would be notified by a letter.

Observations: HVC have failed to conduct a proper analysis on the said property regarding the recommended zone change and council are aware their assessment is flawed.

Observation: I received my first email from HVC on the 12<sup>th</sup> of May 2022 regarding the recommended LCZ change, only 14 business days before the submission deadline, and still without proper analysis. This is almost 3 years after HVC promised they'd send letters informing landowners impacted by the proposed changes

Observation: 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 my landowner rights.

<p><b>C7.0</b></p> <p><b>Natural Assets Code</b></p> <p>Waterway and coastal protection area</p>		<p>The purpose of the Natural Assets Code is:</p> <p>C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological</p>	<p><b>Overview</b></p> <p>The Natural Assets Code applies to land within the following overlays:</p> <ul style="list-style-type: none"> <li>waterway and coastal protection area;</li> <li>future coastal refuge area; and</li> </ul>
33			
<p><b>Code</b></p> <p>Red 141, Green 200, Blue 202</p> <p>Future coastal refuge area</p> <p>Red 202, Green 242, Blue 98</p> <p>Priority vegetation area</p> <p>Red 202, Green 194, Blue 105</p>	<p><b>Code Purpose</b></p> <p>C7.1.2 To enable impacts on coastal and foreshore assets, rather than riparian vegetation, water coastal processes and the natural ecological functions of the coast.</p> <p>C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transportation of sand, debris, rocks, sediments and other sensitive coastal habitats due to sea level rise.</p> <p>C7.1.4 To minimise impacts on identified priority vegetation.</p> <p>C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.</p>	<p><b>Code Application Guidelines</b></p> <ul style="list-style-type: none"> <li>priority vegetation area.</li> </ul> <p>The waterway and coastal protection area overlay includes land within a specified buffer distance from Class 1 &amp; watercourses and wetlands, including former wetlands, Class 1 watercourses, include lakes and tidal waters.</p> <p>The future coastal refuge area overlay is applied to land identified for the protection of land for the landward retreat of coastal habitats, such as saltmarshes and tidal wetlands, which have been identified as at risk from predicted sea level rise.</p> <p>The priority vegetation area overlay is intended for native vegetation that:</p> <ul style="list-style-type: none"> <li>forms an integral part of a threatened native vegetation community as prescribed under Schedule 34 of the Nature Conservation Act 2002;</li> <li>is a threatened fauna species;</li> <li>forms a significant habitat for a threatened fauna species; or</li> <li>has been identified as native vegetation of local importance.</li> </ul> <p><b>Guidelines for applying the Natural Assets Code overlays</b></p> <p><b>Waterway and Coastal Protection Area Overlay</b></p> <p>A 'Waterway and Coastal Protection Area Guidance Map' (guidance map) has been prepared and published on the LCI to provide guidance for preparing the waterway and coastal protection area overlay. The guidance map identifies the required buffer distances for the overlay based on the class of water course and the type of wetland.</p>	
34			

Image 1.7 Image TPS State Planning Provisions – C7.0 Natural Assets Code Pg 33 & 34