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Sent: Mon, 30 May 2022 21:56:10 +1000
To: hvc@huonvalley.tas.gov.au;nikki.denexter@gmail.com
Subject: Planning Representation - Nicole den Exter - {Application No:7}

Your representation has been submitted.

Please note: This representation may be subject to the provisions of the Right to Information Act 2009 which may result in its disclosure to a third party.

I/We (name)	Nicole den Exter
Are you lodging as a Individual, Company or Organisation	Individual/s
Of Address	184 Golden Valley Road
Town or Suburb	Cygnets
Postcode	7112
Email	nikki.denexter@gmail.com
Phone Number	0429 410 921
Comments	<p>1. Application of the Landscape Conservation Zone - I support 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.</p> <p>2. Application of the Agriculture Zone - I support 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 my own property at 184 Golden Valley Road.</p> <p>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.</p> <p>Even small areas of native vegetation can contain natural values worthy of consideration eg 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).</p> <p>Furthermore, where clearing in the Agriculture Zone relates to broad-scale clearing for agriculture or forestry, it is already exempt from the Natural Assets Code (NAC) under Clause C7.4.1 (d), regardless of whether it is within a</p>

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 as 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.

3. Application of urban-type zones, especially LDR - 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.

4. Priority Vegetation Overlay - 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 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.

5. Waterway and Coastal Protection buffer - 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

6. The Old School Site, Cygnet - 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 (eg 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.

6. Future Road Corridor in Cygnet - The future road corridor at the rear of the businesses on Mary Street is supported.

Submit Application

- Yes Submit