

From: no-reply=huonvalley.tas.gov.au@mailgun.huonvalley.tas.gov.au on behalf of "Huon Valley Council" <no-reply@huonvalley.tas.gov.au>
Sent: Thu, 7 Apr 2022 16:26:29 +1000
To: hvc@huonvalley.tas.gov.au;rainer.benny@gmail.com
Subject: Planning Representation - Ben and Sharna Rainer - {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)
Ben and Sharna Rainer
Are you lodging as a Individual, Company or Organisation
Individual/s
Of Address
259 Bakers Creek Road
Town or Suburb
Lucaston
Postcode
7109
Email
rainer.benny@gmail.com
Phone Number
0458062872
Comments
We are not satisfied with the zoning that is to be applied to this land. We believe that there is more appropriate zoning. The attached letter serves as our submission. We are happy to provide additional information, if there is something that is holding back our submission.
File
<ul style="list-style-type: none">07042022162528-0001.pdf
Submit Application
<ul style="list-style-type: none">Yes Submit

7 April 2022

General Manager
Huron Valley Council
40 Main Street
Huronville TAS 7109

To the General Manager

**RE: Draft Huron Valley Local Provisions Schedule
259 Bakers Creek Road, Lucaston, TAS 7109**

We request that 259 Bakers Creek Road, Lucaston (Property ID 7887628, Title Reference 52828/3) be revised from Agriculture Zone to the Rural or Rural Living Zone C. We do not believe that the draft LPS has applied a provision of the State Planning Provisions correctly when zoning this land.

Although it is proposed that the land be transferred from Significant Agriculture to Agricultural zoning, we do not believe that the land meets the definition of agricultural land, as defined in the State Planning Provisions. We contend that the land is restricted for agricultural use by its size and shape. As such, 2.0 Planning Scheme Purpose, 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.

The Tasmanian Planning Scheme - State Planning Provisions states, the purpose of the Agriculture Zone is:

To provide for the use or development of land for agricultural use.

To protect land for the use or development of agricultural use by minimising:

(a) conflict with or interference from non-agricultural uses;

(b) non-agricultural use or development that precludes the return of the land to agricultural use;

and

(c) use of land for non-agricultural use in irrigation districts.

To provide for use or development that supports the use of the land for agricultural use

It does not appear that the land at 259 Bakers Creek Road falls within this scope. The address totals approximately 8 hectares, or 19.7 acres. Although identified as "Potentially Unconstrained" (under the Land Potentially Suitable for Agriculture Zone overlay on the LIST), the land can be assessed as follows (via aerial imagery on the LIST):

- Approximately 6 hectares (14.7 acres) of native bush / eucalyptus forest
- Approximately 0.65 hectares (1.6 acres) of garden - surrounding the residential dwelling and shed.
- Approximately 0.45 hectares (1.2) acres of scrub - consists of native shrubbery, bracken fern and cutting grass
- Approximately 0.9 hectares (2.2 acres) of pasture

This illustrates that the property has constraints for agricultural use.

The 2.2 acres of pasture is on a slope of 20 - 25 degrees (as seen on topographic maps 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, development, or cultivation.

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 not currently being used for any agricultural pursuits due to the outlined limitations.

There are neighbouring properties on the same road, similarly developed with a dwelling (yet possibly with stronger agricultural merits), that have differing and more appropriate zoning - namely 138, 310, 311, 325, 330, 346, 357, 360.

It is our belief that the following zoning is better suited to the characteristics of the land:

- 1) Rural Zone. Reason: the agricultural use of the land is limited as a result of topographical and environmental characteristics, and the zoning provides a broader range of discretionary uses - and hence our possibilities for the land. The Rural Zoning would not compromise the use of adjacent plots of land.
- 2) Rural Living Zone C (minimum lot size 5 hectares). Reason: 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 Zone would not hinder agricultural use of neighbouring land.

We welcome the opportunity to discuss this further with you.

Yours sincerely



Ben and Sharna Rainer
0458 062 872 / 0421 736 133