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Sent: Tue, 31 May 2022 16:13:44 +1000
To: "Huon Valley Council" <hvc@huonvalley.tas.gov.au>
Subject: Huon Valley LPS Submission 89 Graces Road, Glaziers, GT: 39295/1 (PID: 3116834)
Attachments: RedSealPlanning_Huon-LPS_Submission_J-Roberts_31-May-2022.pdf

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Huon Valley Local Planning Schedule (LPS)
Submission Section 35E – Land Use Planning and
Approvals Act 1993:

- 89 Graces Road, Glaziers, GT: 39295/1 (PID: 3116834)

For: R Roberts

BY: TRENT J. HENDERSON

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Principal Planner

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Appendix A – Farm Management Plan,

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Summary

Project:	Huon Valley Local Provision Schedule Planning Submission relating to the land known as • 89 Graces Road, Glaziers, GT: 39295/1 (PID: 3116834).
Planning Authority:	Huon Valley Council
Planning Policy:	Section 35E - <i>Land Use Planning and Approvals Act 1993</i>
Current Zoning:	Environmental Management
Proposed Zoning:	Landscape Conservation
Recommended Zoning :	Rural
Date of Assessment:	May 2022

1 Introduction

The property owners have engaged Red Seal Urban & Regional Planning to review the exhibited documents of the Huon Valley draft Local Provisions Schedule (LPS) in relation to land associated with the 89 Graces Road, Glaziers, GT: 39295/1 (PID: 3116834) and the proposal to zone the land Landscape Conservation.

1.1 Background

Pursuant to Section 35E of the *Land Use Planning and Approvals Act 1993* (LUPAA), the following representation is made to assist Council and the Tasmanian Planning Commission (TPC) in implementing zoning by providing onsite clarification for the properties of concern.

The site proposed to be zoned 'Landscape Conservation'; however, it is our position that pursuant to Section 35E (3)(b) of LUPAA, the draft LPS should not apply Landscape Conservation Zone of the SPPs to the area of land specified, and it should remain zoned Rural Part 20 of the LPS.

1.2 Site

The specific area of concern is 89 Graces Road, Glaziers, 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.



Figure 1.1a – 89 Graces Road, Glaziers, GT: 39295/1 (PID: 3116834). (Source LIST Map)

1.3 Surrounding

Under the current planning provisions, the site is Rural Resource Zone and is surrounded by Rural Resource Zone, except along parts of Forsters Rivulet, which is zoned Environmental management Figure 1.3a.

In addition to being zoned Landscape Conservation, the entire property is proposed to be subject to the Priority Vegetation Area of the Natural Assets Code.

No scenic overlays currently apply or are proposed at this stage.

The Landslide Hazard overlays are to transition across to the LPS in the same alignment.



Figure 1.3a – Current Interim Planning Scheme Zoning, the site is zoned Rural Resource (light brown) and is subject to the Biodiversity Code (hatched). (Source LIST Map)

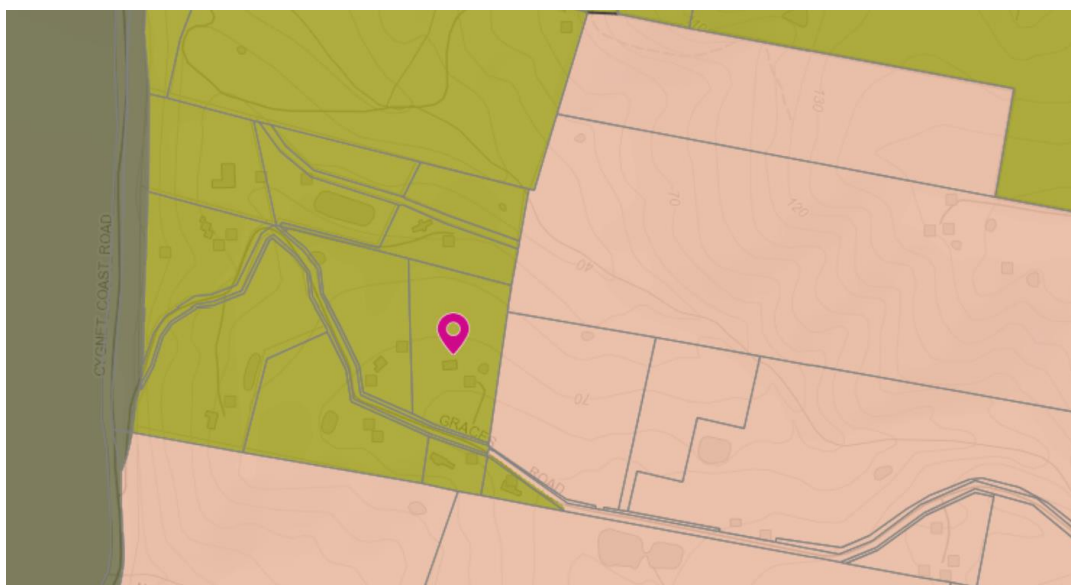


Figure 1.3b – Huon Valley LPS – the subject lots are to be zoned Landscape Conservation (green) with the surrounding area zoned Rural (light brown). (Source Huon Valley Council LPS Draft Interactive Map)

1.4 The Property and Operations

As outlined in Appendix A, the property has no native vegetation has is currently used for grazing.

1.5 Impact of the Site & Surrounding Analysis

The Tasmanian State Planning Scheme (SPP) adopts Tasmanian *State Policy on the Protection of Agricultural Land 2009*, to define Agricultural land:

“...means all land that is in agricultural use or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses”.

Agricultural use:

“...means use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding domestic animals and pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture and plantation forestry.”

Therefore, the proposal of the Rural zones is consistent with the State Policy.

2 Conclusion

The subject land under the LPS is proposed to be zoned Landscape Conservation; however, this does not factor in the established historic 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*.

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*, the land known as:

- 89 Graces Road, Glaziers, GT: 39295/1 (PID: 3116834),

instead, the land should be considered for Rural Zone (Part 20 of the SPPs) as this reflects the land use character.

Application for partial change of use to allow resource development

The applicant (Paul Lipscombe) is the tenant of the property at 89 Graces Rd, Glaziers Bay. Paul and his wife, Gilli, rent the property from Rod Roberts. The owners of the property desire to have a vineyard installed on the current vacant pasture land surrounding the house. The property (FR 39295/1) is zoned Environmental Living (14.0) under the Huon Valley Interim Planning Scheme 2015 and the establishment of a vineyard is deemed to be Resource Development and as such is a discretionary use (14.2).

Current business operation

We (Paul and Gilli Lipscombe) own and operate an 8ha vineyard in Cradoc at 102 Armstrongs Rd called Sailor Seeks Horse, focused on producing ultra-premium fruit for our wine label. We also lease the winery space at Panorama vineyard in Cradoc where we make our wine and those of two clients.

We

- produce 1200 cases of \$60/bottle Pinot Noir and Chardonnay per year which sells out within a couple of months of release
- aim to increase production to 2000 cases per annum
- target consumers that are high net-worth individuals purchasing the wines directly via our website, at leading Australian restaurants or at leading independent retailers
- sell our wine across every state in Australia and export to the USA, Singapore and Hong Kong
- were also the winemakers for Home Hill wines in Ranelagh who won the Jimmy Watson Trophy (Australia's most prestigious red wine award) at the Royal Melbourne Show in 2015.

Our business manages a 1.3ha vineyard in Glaziers Bay (Chatto wines) and have a number of clients looking for suitable vineyard sites in the Huon Valley and, more specifically, the high-quality growing area between Cradoc and Wattle Grove. Between Sailor Seeks Horse, Chatto wines, Panorama and Elsewhere, the Cradoc/Glaziers Bay region excels in ultra-premium wine. These vineyards are based on poor-quality agricultural soils with north-facing slopes, that limit excessive vigour and maximise sunlight – necessities in the coolest wine-growing climate in Australia. There are a number of exciting, potential vineyard sites along the Cygnet Coast Rd between Wattle Grove and Cradoc that match these criteria. These high-quality wine sites are few and far between in the Huon due to the valley's marginal climate and nuanced micro-climates. Though the majority of the Cygnet Coast Road between Cradoc and Wattle Grove is zoned Rural Resource and as such permits Resource Development (vineyards), there is a stretch between 1820 Cygnet Coast Rd and 72 Graces Rd that is zoned Environmental Living and requires a discretionary partial change of use to establish vineyards. This stretch has a number of north-facing slopes with poor soils that would suit the establishment of boutique 'Burgundian-sized' vineyard holdings that could help supply the insatiable demand for Huon Valley wine grape fruit (supply of fruit is extremely limited and demand is very, very high) and further grow the reputation of the Valley as an ultra-premium, gourmet wine and food destination.

The Environmental Living boundary for this area borders Panorama vineyard to the north and ends with our neighbouring property (72 Graces Rd) to the south. The Panorama vineyard abuts two properties to its west where the houses are located only 20-27m from the vines themselves (1820 & 1823 Cygnet Coast Rd). Whilst Panorama is zoned Significant Agricultural, its proximity to houses that fall under the Environmental Living zoning is less than that proposed at 89 Graces Rd. The Chatto vineyard at 68 Dillons Hill Rd is zoned Rural Resource yet the nearest house to the vines is located at 70 Dillons Hill Rd and is situated only 17m from the vines themselves. There are obviously

existing properties that already sit comfortably beside vineyards in the Huon Valley without disrupting their residential amenity.

89 Graces Rd has been identified as a potentially outstanding small vineyard site where top-quality wine (\$50-100 per bottle) can be produced.

- The site will be naturally low-yielding and we are planning on managing it organically (no synthetic chemicals will be used).
- The focus will be on Pinot Noir and it will have a unique planting strategy where the Pinot Noir clones will be mixed together (it is typical to divide vines into clones and plant them in individual rows). This combination offers a unique, boutique proposition that will further increase the premium reputation of the gourmet wine and food offerings of the Huon Valley.
- The fruit will be hand-harvested and transported off-site to Home Hill Winery where it will be processed.
- There will be no processing of the fruit on the vineyard site.
- There will be no tourism or cellar door activities at the proposed vineyard.
- The fruit growing pursuit is to support an existing operation that will further the reputation of the Huon Valley.

Establishment

The vineyard will be installed in year one requiring

- 2 days' worth of post installation
- 2 days' of irrigation installation
- half a day for a bore to be sunk and connected
- minor ground preparation – 1 day of ripping rows and rotary hoeing

The posts will be either steel or Tanalith-E posts, avoiding the use of toxic CCA-treated pine

- Planting will be conducted by Paul and Gilli plus their staff member.
- All equipment for managing the vineyard will be kept off-site at the Cradoc vineyard.
- It typically takes 5 years to bring cool climate vineyards to fruition. During that time vineyard operations are considerably less (approximately half) time intensive than once the vines are starting to fruit.

Once the vineyard is established machinery operations per year would include;

- One fungicide spray every 2 weeks between October and February (10-12 sprays). Each spray would only take an hour for a one-hectare vineyard.
- Slashing – 3 or 4 times per year. One hour per slash.
- Trimming – once per year. 2.5 hours.
- All other operations are by hand and will be conducted by Paul and Gilli or their staff member.

Picking is the only time when other labour would be called in and it would involve 8 people from a labour hire team for one day only (8 pickers can pick 5 tons, the projected total yield, in one day).

Use standards

14.3.1 Non-Residential Use

Objective:

To ensure that non-[residential](#) use does not unreasonably impact [residential amenity](#).

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Hours of operation must be within:</p> <p>(a) 8.00 am to 6.00 pm Mondays to Fridays inclusive;</p> <p>(b) 9.00 am to 12.00 noon Saturdays;</p> <p>(c) nil Sundays and Public Holidays;</p> <p>except for office and administrative tasks or visitor accommodation.</p>	<p>P1</p> <p>Hours of operation must not have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.</p>
<p>A2</p> <p>Noise emissions measured at the boundary of the site must not exceed the following:</p> <p>(a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;</p> <p>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am;</p> <p>(c) 65dB(A) (LAm_{ax}) at any time.</p>	<p>P2</p> <p>Noise emissions measured at the boundary of the site must not cause environmental harm.</p>

Hours of operation – all operations would only be conducted during normal business hours on weekdays as per the ‘Acceptable solution’ A1.

Noise standards – spraying is typically the noisiest operation but at a maximum of 12 hours of spraying per year, the noise should not cause environmental harm to neighbouring properties as per the Performance Criteria P2.

Other emissions not covered by the planning scheme that may concern neighbours and that have to be considered are the sprays themselves. Our foliar spray regime will be organic so no synthetic fungicides or insecticides will be used. This is how we currently operate at our other vineyard in Cradoc. We also follow best practice guidelines on when to spray – we don’t spray when the wind gets above 15kph and we don’t spray when the wind is blowing towards neighbouring houses. Our sprayers are also very targeted at the leaves, are low-volume and there is very little spray drift, especially when compared to typical orchard airblast sprayers. Those sprayers require high volumes of water to penetrate deep into a tree’s architecture but this is unnecessary with low-vigour vines.

The properties to the east are pasture paddock and zoned Rural Resource. The boundaries to the west (69 Graces Rd) and north (45 Graces Rd) are zoned Environmental Living and are fairly densely lined with gum trees and so any (unlikely) potential spray drift would mostly be absorbed by those trees. The houses contained on those properties are 32m and 43.5m away from the boundary edge respectively. The boundary to the south is Graces Rd which runs along the ridgeline and then the neighbour to the south (82 Graces Rd) is on the other side of the ridgeline and the house is approximately 42m away. The topography, distance and vegetation again should provide enough buffer in the unlikely event of any spray drift. The potential concern is spray materials getting into drinking water. Our own house is in the centre of the property, our water supply is rainwater from our roof and so we are acutely cognisant of the need to spray only when conditions will not cause potential spray drift.

Codes

Of the relevant codes for this partial change of use, the only ones that appear relevant are;

6.0 Parking and Access Code - under which resource development does not require car parking spaces to be provided. As the owners will be performing most of the manual operations there will be no increase in traffic/parking/access. The one day of the year when picking occurs there will be a maximum of 3 cars present and can easily park in the existing carpark of the house and the headlands of the vineyard.

E7.0 Stormwater code - the proposal does not seek to amend anything that will impact on the stormwater

Supporting statement

From Elias Eichler, 70 Dillons Hill Rd, Glaziers Bay on the impact on residential amenity from the neighbouring Chatto vineyard;

“The Lipscombes (from Sailor Seeks Horse) manage our neighbour’s vineyard (Chatto wines) at 68 Dillons Hill Rd and are always utterly professional in their management of the property. The environmental impact on our property and lifestyle is negligible. They spray only when conditions are ideal and we have had our rainwater tested for any spray contaminants and got a clean bill of health. There is very little noise impact and it only occurs for a very short time once every couple of weeks in summer. Our house and its roof are only 17m from the first row of the vineyard, so we are very close to the operations.”



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