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General Manager
Huon Valley Council
40 Main Street
Huonville TAS 7109

To the General Manager

**RE: Draft Huon Valley Local Provisions Schedule
249 Bakers Creek Road, Lucaston, TAS 7109**

We request that 249 Bakers Creek Road, Lucaston (Property ID 9267054, Title Reference 119725/1) be revised from Agriculture Zone to the Rural or Rural Living Zone C.

It is our belief that the draft LPS has not applied a provision of the State Planning Provisions correctly when zoning this land.

It is currently proposed that the land be transferred from Significant Agriculture to Agricultural zoning, however 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 both its size and shape. As such the 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 249 Bakers Creek Road falls within this scope. The address totals approximately 0.8 hectares, or 2 acres. Although identified as "Potentially Constrained (Criteria 2B)" (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 0.35 hectares (0.86 acres) of garden - surrounding the residential dwelling and shed.

Approximately 0.45 hectares (1.1 acres) of pasture.

This illustrates that the property has very limited constraints for agricultural use.

The 1.1 acres of pasture is on a slope of 20 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. There is also no existing access to dam or underground water on the property which means the land is impossible to use for agricultural pursuits, development, or cultivation.

The land instead has a lifestyle character that will not support agricultural enterprise at any scale. As such the land is not currently being used for any agricultural pursuits due to the outlined limitations.

There are neighbouring properties on the same road which are similarly developed with a dwelling (yet with stronger agricultural merits), that have differing and more appropriate zoning including numbers 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:

Rural Zone.

Reason: the agricultural use of the land is extremely limited as a result of size, topographical and environmental characteristics, and the Rural 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.

We welcome the opportunity to discuss this further with you.

Yours sincerely



Ronette Piva