

**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:** Tue, 31 May 2022 16:07:59 +1000  
**To:** hvc@huonvalley.tas.gov.au;turnmike@bigpond.net.au  
**Subject:** Planning Representation - Michael Turner - {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.

<b>I/We (name)</b>	Michael Turner
<b>Are you lodging as a Individual, Company or Organisation</b>	Individual/s
<b>Of Address</b>	Trestle Park
<b>Address Line 2</b>	29 Waggs Road
<b>Town or Suburb</b>	Mountain River
<b>Postcode</b>	7109
<b>Email</b>	<a href="mailto:turnmike@bigpond.net.au">turnmike@bigpond.net.au</a>
<b>Phone Number</b>	0418661908
<b>References</b>	Title 136005/3 and HVC Reference 2186128
<b>Comments</b>	<p>Inappropriate Zoning of the Rural Residential Land on East side of Mountain River Road adjacent to Waggs Road.</p> <p>I wish to request that consideration be given to rezoning of Land Title Reference 136005/3 from Zone 21.0 Agriculture Zone in the draft LPS, purpose - 21.1.1 To provide for the use or development of land for agricultural use. And consider the reclassification of title 136005/03 to Zone 20.0 Rural Zone.</p> <p>I have been advised this month by the HCV that Land Title Reference 136005/3 has had an Interim Planning Scheme zoning of Significant Agriculture, which was drafted in 2015, but has never been advised or discussed with the title holder Michael Turner.</p>

It has been assumed until this month that the title still held the original zoning of Rural Residential until the letter of advice of 3rd May 2022 was sent by HCV proposing the Planning Changes of the Draft Provisions Schedule (LPS) of the Tasmanian Planning Scheme (TPS) for the title 136005/3 to Zone 21.0 Agriculture Zone.

The title holder purchased the land in 2005, at which time it was zoned 'Rural Residential', fulfilling the explicit use intended under the original zoning use of a rural property for a healthy-living, active retirement lifestyle; and since the property has two road frontages (being Mountain River Road and Waggs Road), and is under the 50 acre subdivision restriction, the title at the time therefore provided for either subdivision or development of an eco-tourism potential of visitor accommodation, with the balance of the title for limited use as a small hobby farm.

Visitor Accommodation provision remains supported by the draft SPP Zone Application Guideline.

However Zone Application Guideline AZ 5 proposes 'Titles may be split-zoned to align with areas potentially suitable for agriculture, and areas on the same title where agriculture is constrained. This may be appropriate for some larger titles.' My concern and representation is this guideline should not exclude smaller titles.

This can be demonstrated in line with Zone 21.0 Agriculture provision AZ 6 (e) 'Land identified in the 'Land potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if'. Title 136005/3 is approximately 45 acres of mixed topography land, and consists 1/3 (approximately 15 acres) of mature timber and regeneration bushland; 5/9 (approximately 25 acres) of clay and mudstone with very sour and hungry shallow topsoil and little humus or tilth; and 1/9 (approximately 5 acres) of sandy loam and sand, which fronts directly with the East side of Mountain River Road.

The bushland consists of heavy clay and rock with no workable topsoil and no intrinsic agricultural value. Intensive investment has been made over the past 17 years in the 25 acres of shallow top soil with heavy clay and rock structure, which has been fenced and continually serviced in the attempt to improve the PH and denude the poor pastureland of weeds (including cutting rush, Teatree, Thistles, etc.), but with limited result and rapid return of weeds.

A number of trial crops have failed including Oates, Lucerne, Huon Valley Hay pasture grass. Cutting grass remains dominant and the paddocks appear to grow continuous supply of mudstone.

Zone 20.0 Rural Zone purpose 20.1.1 is 'To provide for a range of use or development in a rural location:  
(a) Where agriculture use is limited or marginal due to topographical, environmental or other site or regional characteristics;

(b) That require a rural location for operational reasons;

The Zone 20.0 Rural Zone purpose and guidelines are more aligned to the inherent topographical constraints of title 136005/3.

Importantly the LPS rezoning of the land titles on the other side of Mountain River Road, between the East side of Mountain River Road and the flowing Mountain River, which consist of deep sandy loam alluvial pastureland, rich in humus and minerals, has been proposed as Zone 20.0 Rural Zone.

Zone Application Guideline provision AZ 2 of Zone 21.0 Agriculture states 'Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for alternate zoning under AZ 6.'

I maintain that application of the zone descriptors should automatically lead to the classification of title 136005/3 as Zone 20.0 Rural Zone or at least be a split-zone rather than 100% Zone 21.0 Agriculture Zone, and request that this be addressed in the finalisation of the draft LPS.

Thank you and yours sincerely,

Michael Turner  
Trestle Park  
29 Waggs Road  
Mountain River  
Tasmania 7109  
Tel 0418 661 908

**Submit Application**

- Yes Submit