

**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:** Wed, 27 Apr 2022 09:54:54 +1000  
**To:** hvc@huonvalley.tas.gov.au; ashikagray@gmail.com  
**Subject:** Planning Representation - Ashika Gray - {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>
Ashika Gray
<b>Are you lodging as a Individual, Company or Organisation</b>
Individual/s
<b>Of Address</b>
212 Rocky Bay Rd
<b>Town or Suburb</b>
Deep Bay
<b>Postcode</b>
7112
<b>Email</b>
<a href="mailto:ashikagray@gmail.com">ashikagray@gmail.com</a>
<b>References</b>
PID 3428002
<b>Comments</b>
I have lodged by email as well
<b>File</b>
<ul style="list-style-type: none"><li><a href="#">Submission-to-LPS-PID-3428002.pdf</a></li></ul>
<b>Submit Application</b>
<ul style="list-style-type: none"><li>Yes Submit</li></ul>

**From:** "Ash Dot" <ashikagray@gmail.com>  
**Sent:** Wed, 27 Apr 2022 09:51:41 +1000  
**To:** "Information Management" <hvc@huonvalley.tas.gov.au>; "Helen Hutchinson" <helenhutchinson8@bigpond.com>; janehutchinsontasmania@gmail.com  
**Subject:** Submission to LPS for PID 3428002  
**Attachments:** Submission to LPS PID : 3428002.pdf

To whom it may concern,

Please find attached submission to public comment/review of HVLPS for

**PID 3428002**

**212 Rocky Bay RD**

**Please contact me by return email with any issues or requests.**

**Kind Regards**

**Ashika Gray**

**Addressing the proposed changes to the planning scheme:  
Huon Valley Local Provisions Schedule**

**Concerning:**

**PropertyAddress** : 212 ROCKY BAY RD

**PID** : 3428002

**CT** : 170755/2

**TenureType** : Freehold Title

**CID** : 1477440

**Locality** : DEEP BAY

**Improvements** : DWELLING

**Area** : 681206.687

**Current Zoning: Rural Resource**

**LPS\_NO** : Huon Valley Local Provisions Schedule

**ZONE\_NO** : Landscape Conservation

**ZONE\_SUBGRP** :

**NOTES** :

**TABLE** : lps\_planning\_zones

**The following submission is made bound by the condition that the landholder has not had the opportunity to engage a planner or substantially review detail as to the affect that the new zoning will have on the title and that the Landholder requests an opportunity to undertake further research, seek further advice and conduct a face to face review of the provisions with the relevant authority.**

**The following is the Landholders submission to the HVLPS (Huon Valley Local Provisions Schedule) in regard to the proposed planning scheme changes. Where “the authority” or “the planning authority” is mentioned in the document this may refer to the Huon Valley Council planning department or the authorities within the Tasmanian government as it is currently beyond the understanding of the author whom is responsible for each detail in the proposed planning changes and the author begs the readers forgiveness in this regard.**

**Summary:**

**The landholder asserts:**

**In applying the TPS to the HVLPS with regard to the above title the authority has erred in that it has failed to properly assess the title with regard to existing developments on the title, the nature and use of surrounding titles and the intent of the TPS.**

**The landholder is not ethically or scientifically opposed to the rezoning or overlay amendments on sections of the title but asserts that in the case of rezoning using the title as a boundary a broad brush has been used and that using such an approach it is preferred that the benefit where applicable be given to existing use and future intent of the landholder rather than arbitrary radical change without consultation. It is obvious from the statements in the HVLPS that no-one from the planning authority has set foot on the title or contacted the landholder to assess this change as appropriate. In the case of the proposed scenic overlay it is likewise obvious that the planning authority has not attempted to physically ascertain the actual visual sight-lines from scenic corridors or observation points and appears to have rather just drawn a rather random line on the map and called it an overlay plan.**

**The landholder requests that the title be dual-zoned “Rural Living”/“Landscape Conservaton” rather than completely “Landscape Conservation” under the HVLPS of the TPS(Tasmanian Planning Scheme). See visualisation in this document.**

**The landholder does not dispute the need for the scenic overlay but requests that the scenic overlay be amended to exclude areas of the title that do not impact the visual amenity from points mentioned in the HVLPS, specifically raising the scenic overlay marginally on the northern area of the title and significantly on the eastern valley end of the title (see included draft visualisation in this document).**

**The landholder will not contest or otherwise resist the proposed planning changes if these requests are accepted and incorporated into the LPS.**

**The landholder may seek compensation from the relevant authority if the LPS is enacted as proposed.**

**Detail:**

**The Landholders ask that the HVLPS acknowledge:**

- The existence of an historic and existing road passing through the valley from the end of Rocky Bay Rd to Sky Farm Rd.**
- The existence of existing, maintained track on the ridge-line and several tracks extending from this track down the hill to the north.**
- The existence of a newly approved and cleared house site on the un-named ridge to the North that has already impacted the ridge-line and thus presumably its scenic value.**
- That the land historically: has been extensively clear-felled, logged and burned; until quite recently has been used as a cattle run; and is currently used a wood and timber lot; for the harvest of native cherry and pepper and**

that it is thus this scenic snapshot that the HVLPS seeks to preserve rather than that of an untouched, un-managed woodland.

- That the title includes existing dwelling, multiple sheds, extensive productive gardens, orchard, dams, tracks, paddocks, storage areas and managed forests.
- That the current owner is presently working towards extensions of the agricultural production zone, aiming to continue harvesting timber without clearing or reducing tree cover and further the rehabilitation of the land and wildlife using sound silviculture and bushland management practice.
- The proposed amendment of Thomas Hill and surrounds to “Landscape Conservation” would encapsulate an area where multiple “Rural Living” properties already exist.
- The existing developments on this title and adjacent titles are already in line with the objectives of the “Rural Living” classification.

The landscape values as mention in the HVLPS are:

- (a) The unbroken eucalypt forest on the ridges, and the large forested area of Mt Cygnet behind, contribute to the naturalness and remoteness of the Scenic Protection Area.
- (b) Thomas Hill can be viewed from Port Cygnet, which is a significant viewing point for visitors and locals.
- (c) The Channel Highway connects Huonville to Cygnet, and other coastal towns in the Huon area, as well as the municipal area of Kingborough.
- (d) The Cygnet Coast Road is an alternative ‘scenic route’ connecting Huonville to Cygnet.
- (e) The scenic values are often enhanced by dramatic weather conditions including storms, fog in the valley and snow-capped hills and mountains

The Landholder observes that:

- (a) The unbroken eucalypt forest on the ridges are a product of 20+ years of good forestry management and the large forested area of Mt Cygnet behind, contributes to the naturalness but adds nothing to the remoteness of the Scenic Protection Area as that part of the SPA in question is located 1 minutes drive from a major arterial road and 5 mins from a town.

- **(b) That no part Thomas Hill can be viewed from Port Cygnet township but can be viewed from the points around the coast towards the boat ramp and from the public jetty which may be potentially significant viewing points for visitors and locals.**
- 
- **Thomas Hill is distant to this view however and existing houses and landscape features are indeterminate. Also a large portion of Thomas Hill also covered by the proposed new zoning and scenic overlay cannot be easily viewed from anywhere except the adjacent ridge-lines.**
- **(c) That the fact that The Channel Highway connects Huonville to Cygnet, and other coastal towns in the Huon area, as well as the municipal area of Kingborough is somewhat irrelevant as the only part of the channel hwy that affords a view of the ridge-line of Thomas Hill is travelling North whilst dropping down towards Deep Bay from the pass above Randells Bay and then only for approximately 1km and the landholder does not dispute the inclusion of this area of the title in the scenic overlay.**
- **(d) The Cygnet Coast Road that offers an alternative ‘scenic route’ connecting Huonville to Cygnet affords only distant views of Thomas Hill from Lymington for approximately 1km driving North and for approximately 1km driving south, the view from this perspective is filtered, distant and indeterminate of features without magnification.**
- **(e) That “the scenic values are often enhanced by dramatic weather conditions including storms, fog in the valley and snow-capped hills and mountains” is poetic, wistful but not particularly objective.**

**And thus the landholder asks the HVLPS to consider that:**

- **That the land be considered under the TPS as “Rural Living A”/”landscape Conservation” with an amended scenic overlay as suggested rather than as “Landscape Conservation” as there is no particular need to conserve that part of the title outside the Landholders proposed inclusion as the Landholders plan encapsulates the bulk of the forest all of the Landholder identified rare forest types and communities and allows a substantial wildlife refuge and corridor through to the coast from the surrounding titles to the east. Also consider that due to the lower slopes being substantially clear-felled and used as a bush-run for cattle during the last owners tenure this section of the title is highly damaged an significant die-back of some eucalyptus types is occurring. It is an area requiring further intensive management rather than conservation.**
- **Designating the lower slopes as “rural living” may have future benefit to the conserved area in that improved fire management is likely to be undertaken under this zoning thus protecting the ridge and upper slopes from fire fetch and thus lowering the intensity of any possible wildfire.**

- That the scenic overlay be amended in consultation with the landholder so that the elements of the overlay that do not impact the visual amenity of the views mentioned in the HVLPS are excluded from the overlay. This would involve practically raising the height limit of the overlay substantially on the north side particularly to the east and in the valley region of the title which cannot be observed from any position except the adjoining ridges.
- That changing the zoning to a dual-zoned “Rural Living”/“Landscape Conservation” and amending the proposed Scenic Overlay (HUO-C8.1.15) satisfies all the management objectives in the TPS whilst allowing the Landholder to continue utilising this rural resource in its historical fashion with an acknowledgement that a desire to maintain and preserve the aesthetic and natural values of the landscape exists.

## Scenic Overlay

Reference Number	Scenic Protection Area Name	Description	Scenic Value	Management Objectives
HUO-C8.1.15	Deep Bay/ Gardners Bay(Thomas Hill)	<p>Deep Bay/ Gardners Bay(Thomas Hill)Deep Bay/Gardners Bay (Thomas Hill) Scenic Protection Area overlays</p> <p>Thomas Hill, and two unnamed ridges to the north, running down to the 100m contour.</p> <p>The area is located approximately 400m east of the Channel Highway.</p> <p>Thomas Hill has a summit elevation of 224m.The area is predominantly undisturbed forest with some cleared land on the northern side and some track development.</p>	<p>(a) The unbroken eucalypt forest on the ridges, and the large forested area of Mt Cygnet behind, contribute to the naturalness and remoteness of the Scenic Protection Area.</p> <p>(b) Thomas Hill can be viewed from Port Cygnet, which is a significant viewing point for visitors and locals.</p> <p>(c) The Channel Highway connects Huonville to Cygnet, and other coastal towns in the Huon area, as well as the municipal area of Kingborough.</p> <p>(d) The Cygnet Coast Road is an alternative 'scenic route' connecting Huonville to Cygnet.</p> <p>(e) The scenic values are often enhanced by dramatic weather conditions including storms, fog in the valley and snow-capped hills and mountains.</p>	<p>a) That vegetation is maintained as the dominant landscape element when viewed from public roads and places;</p> <p>(b) That development and works avoids impact on skylines; and</p> <p>(c) That visual contrast between buildings and works and the natural bushland is minimised.</p>





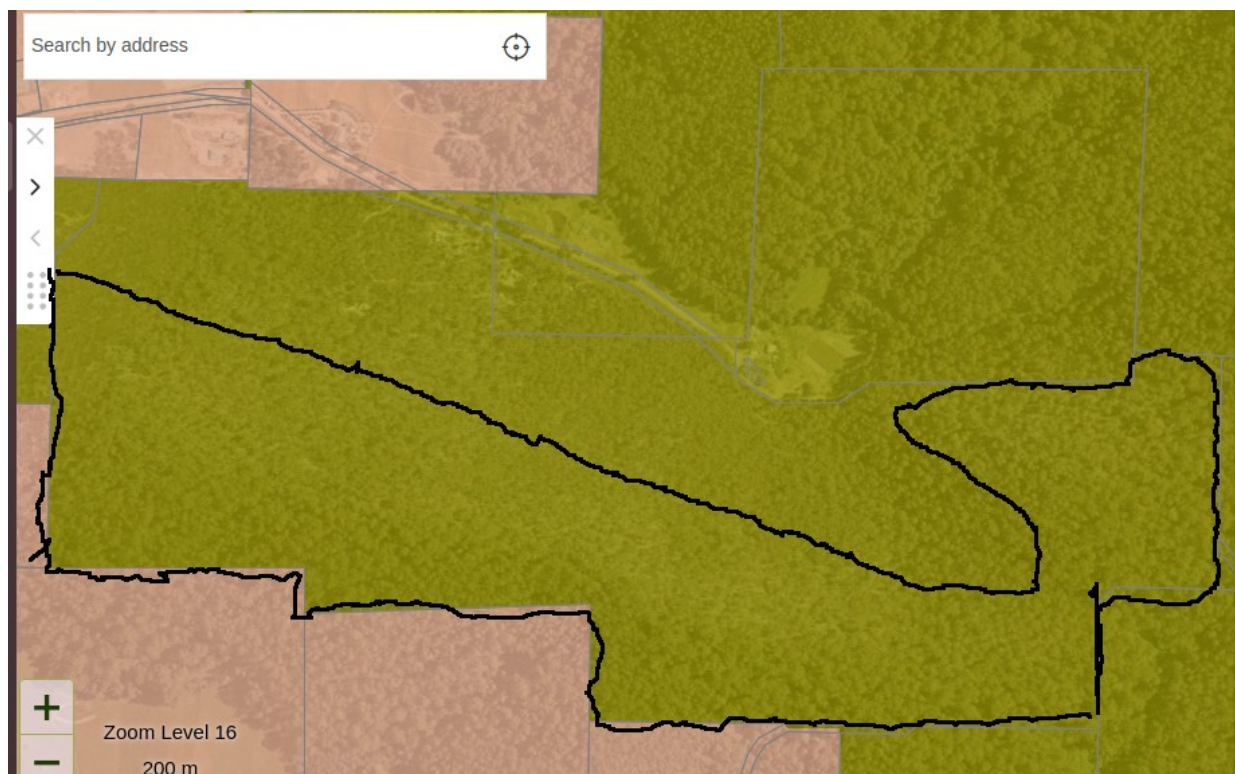
The Landholder Suggests creating a dual zoning “Rural Living A” / “Landscape Conservation” rather than complete re-zoning of land to “Landscape Conservation”

The Landholder requests that the Planning Authority consider the image below as a draft dual re-zoning of the title rather than a complete re-zoning proposed in the HVLPS, as the Landholder feels that this better reflects the intent of the LPS, the size of the title and the actual reality of the landscape on the ground.

The Landholder suggests that the apex and south slope of the hill enclosed by the black line on the image could potentially be re-zoned “Landscape Conservation” and the remainder as “Rural Living A”. This would conserve the bulk of the land area and best of the forest whilst allowing rural living development along the road frontage on the lower slopes at the north of the block.

\*The Landholder notes that this would bring the lower elements of the title in line with the rezoning to “Rural Living” of the surrounding titles to the North, West and South of the title and connect the “Landscape Conservation” area of the title to proposed similar areas under the HVLPS.

\*\*The Landholder suggests that the amended scenic overlay and this suggested re-zoning are near matches and that thus any developments in the “Rural Living” area of the title would not impact the visual amenity roads or viewpoints by this planning design.



**The Landholder asserts that all facts mentioned in this submission are factual and should the relevant authority require proof it can be provided in swift course on request to the landholder using the contact listed below.**

**The Landholder asks that the Planning Authority consider this submission and direct any correspondence arising to the landholder by email to:**  
**[ashikagray@gmail.com](mailto:ashikagray@gmail.com)**

**Thankyou for your consideration of this submission.**

**Kind Regards**

**Ashika Gray**  
**Landholder of PID : 3428002**