

From: "Jacqui Blowfield" <jacqui@ireneinc.com.au>
Sent: Thu, 5 May 2022 15:56:19 +1000
To: "Information Management" <hvc@huonvalley.tas.gov.au>
Subject: Draft Huon Valley LPS - Representation - 598 Lymington Road
Attachments: Representation - HV LPS - 598 Lymington Rd.pdf

Please find attached representation.

Regards
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SENIOR PLANNER

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28 April 2022

The General Manager
Huron Valley Council
40 Main Street
HUONVILLE TAS 7109

By email: hvc@huonvalley.tas.gov.au

Dear General Manager

DRAFT HUON VALLEY LOCAL PROVISIONS SCHEDULE REPRESENTATION - 598 LYMINGTON ROAD, LYMINGTON

Ireneinc has been engaged by the owners of land at 598 Lymington Road, Justin & Melissa Innes, to assist in review of the Draft Huon Valley Local Provisions Schedule (LPS) as it affects their land, and to make a representation on their behalf in relation to the propose zoning.

SUBJECT LAND

The land comprising 589 Lymington Road is described in the following figure and is comprised of 4 titles, including 2 more recently acquired to expand the holding, (CT's 103020/1, 103020/2, 160456/6 and 106649/1):

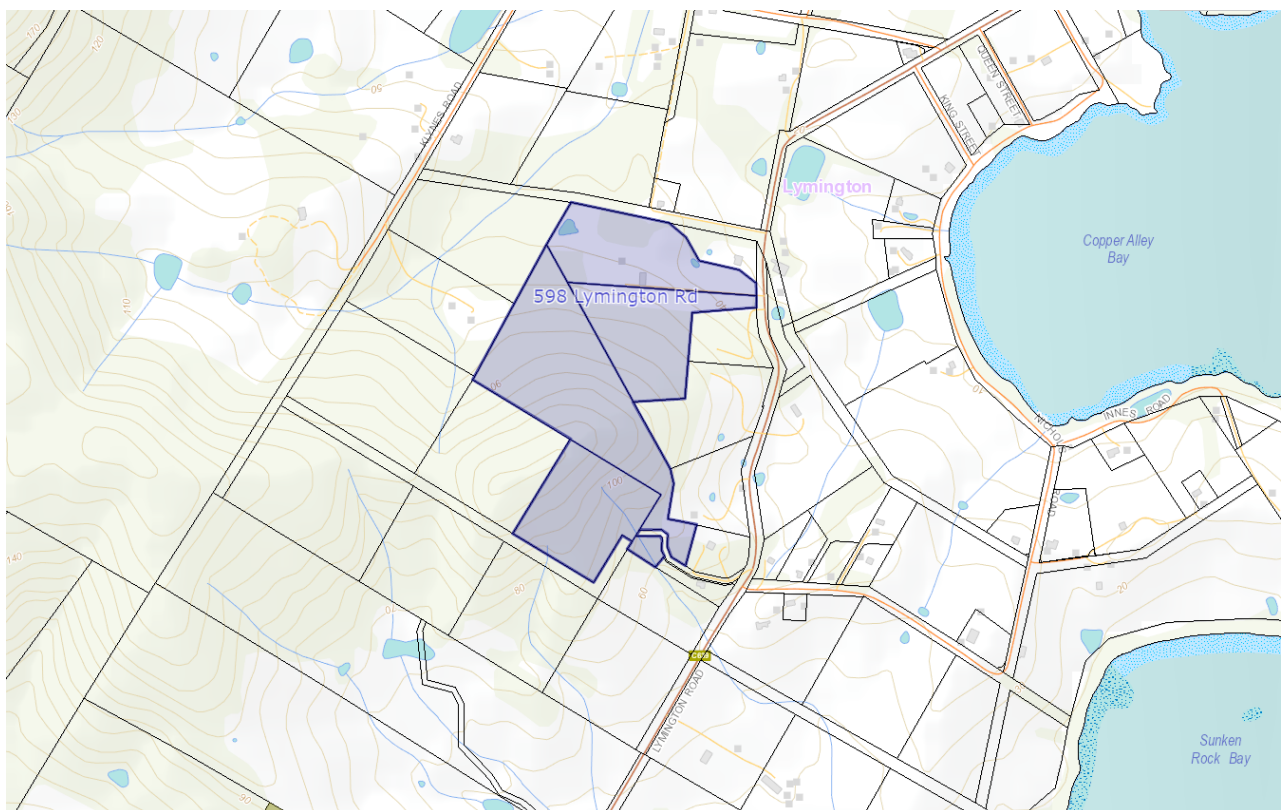


Figure 1: Location with Topographic & cadastral parcels from www.thelist.tas.gov.au © The State of Tasmania

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The following aerial image further describes the subject land:



Figure 2: Aerial with ESRI imagery & cadastral parcels from www.thelist.tas.gov.au © The State of Tasmania

The overall land area is some 18ha, approximately 11ha of which have been relatively recently purchased (CT's 160456/6 and 106649/1). As described above the land partially cleared and partially treed, typical of the area more generally.

The developed and currently grazed areas of the land to the north have generally gentle to moderate northerly slopes, while the southern parts have more easterly facing and somewhat steeper slopes.

The subject land contains a dwelling and outbuildings on the northern title, with the property's further developed cleared pasture and other grazing land extending further.

The recently acquired land was purchased from an adjoining landowner, to provide additional land to allow expansion of the property and intended expanded farming activity. The newly acquired areas while having frontage and access further to the south, have land that is easily accessible from existing areas of the site and where it would provide a logical extension.

CURRENT PLANNING SCHEME

HVIPS ZONE

The current zoning of the land under the *Huon Valley Interim Planning Scheme 2015* (HVIPS) is Rural Resource as described in the following figure:

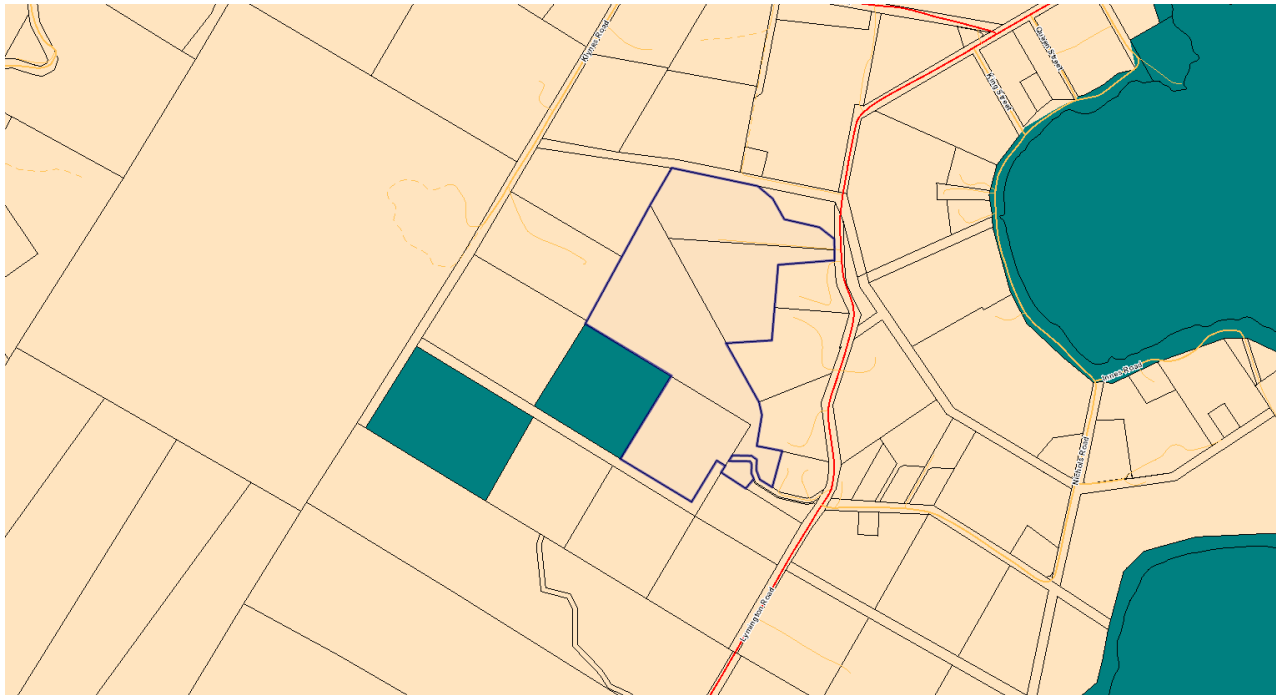


Figure 3: HVIPS Zoning with IPS Zones, Road centrelines & cadastral parcels from www.thelist.tas.gov.au © The State of Tasmania

DRAFT LPS PROVISIONS

DRAFT LPS ZONE

In drafting the LPS's the existing Rural Resource Zoned land has, in Lyminster, be placed in either the Rural Zone or the Landscape Conservation Zone as described in the following figure:



Figure 4: Draft LPS Zones from <https://planning.discovercommunities.com.au/connect/analyst/mobile/#/main?mapcfg=huonvalley>

While the original 2 lots comprising 598 Lymington Road are zoned Rural by the Draft LPS, the 2 recently acquired lots (160456/6 & 106649/1) have been proposed to be zoned Landscape Conservation as described in the following figure:

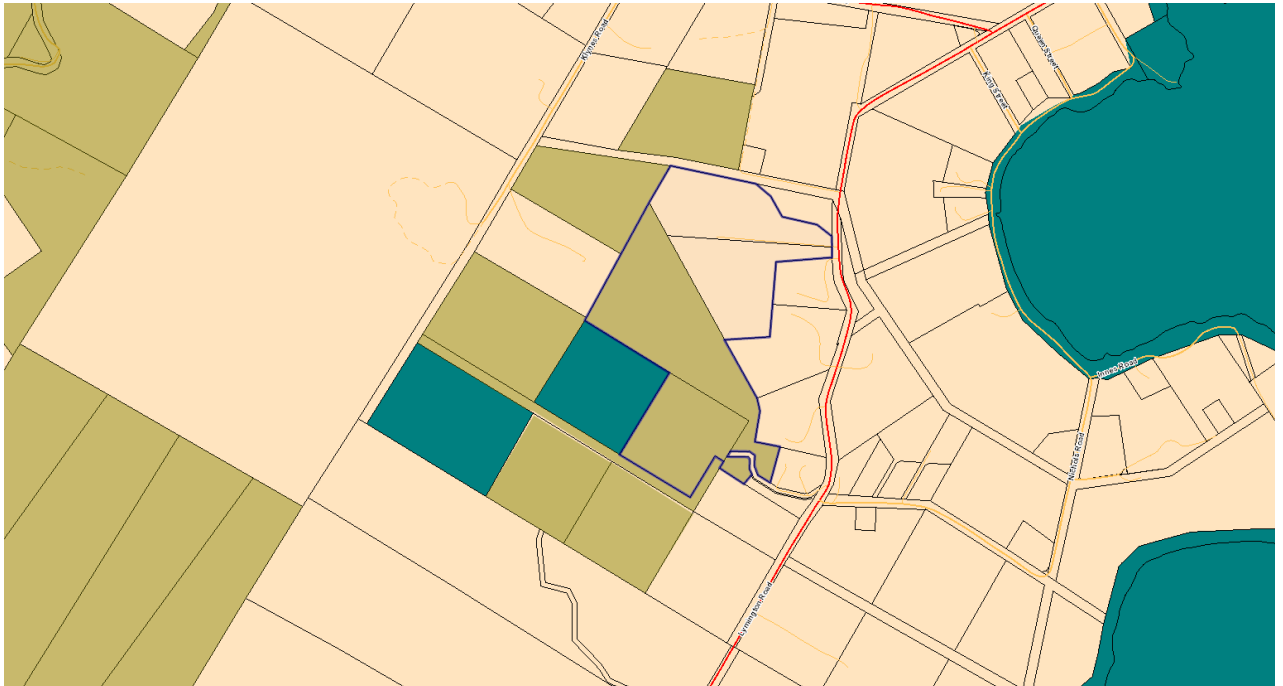


Figure 5: Draft HV LPS Landscape conservation zoned areas with IPS Zones, Road centrelines & cadastral parcels from www.thelist.tas.gov.au © The State of Tasmania

These drafted zones are further described in the following figure which includes aerial imagery and contour information:



Figure 6: Draft HV LPS Landscape conservation zoned areas with IPS Zones, 10m contours, Road centrelines & cadastral parcels from www.thelist.tas.gov.au © The State of Tasmania

ZONE APPLICATION TO SUBJECT & ADJOINING LAND

As described above, the two titles, as well as some of the nearby lots, have been placed in the Landscape Conservation Zone, however as described these lots have been added to the larger holding and contain areas used for grazing and intended for further expansion of rural resource uses.

While these lots contain some more steeply sloping areas, they also have flatter land which adjoins other part of the subject land and therefore provides for logical extension. While there would be some degree of existing use for Resource Development on these titles, it is of concern to the landowner that further development within the Resource Development use class would become discretionary.

There are neighbouring lots proposed to be Rural Zone which are at the same contour level as the proposed Landscape Conservation zoned areas of the subject land as well as areas of the ridge to the west that is also drafted to be zoned Rural. The land directly adjacent upslope from the subject titles is protected by 1 of two titles of Crown land currently, and proposed to remain, zoned Environmental Management as detailed in the figures above.

In relation to the criteria understood to have been used for determining the Zone mapping of the Rural v Landscape Conservation Zones while large parts of these lots have existing tree coverage they have previously, and still are, managed as part of larger land holdings.

Rural zoning of the subject land would be, on the basis of the above, a consistent approach to nearby land.

CONSISTENCY WITH GUIDELINE NO. 1 - LOCAL PROVISIONS SCHEDULE

Application Guidelines for the Landscape Conservation Zone include as follows:

LCZ 1 The Landscape Conservation Zone should be applied to land with landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values, where some small scale use or development may be appropriate.

Neither of the 2 lots have been identified for scenic protection through the relevant Code. As detailed previously, while there is tree cover across the majority of the lots they include areas which have provided sheltered grazing and useful resource as part of wider farm operations.

Consistent with the current planning scheme Codes, controls provided through the Natural Assets Code overlays for Priority Vegetation and Waterway & Coastal Protection areas, will provide consideration of natural values through application of that Code if or when future development were to be proposed on either lot. However, the mapped TASVEG community is (DOB) *Eucalyptus obliqua* dry forest, which is not a threatened or vulnerable community.

The LC zone is therefore not necessary to provide protection to the limited identified values in the site.

LCZ 2 The Landscape Conservation Zone may be applied to:

- (a) large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation;*
- (b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or*
- (c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.*

The subject land is not consistent with LCZ 2 given:

- a) The subject land is not mapped as containing Threatened Vegetation Communities or Threatened species.
- b) While parts of the land are mapped within the Natural Assets Code, this is not inconsistent with similar properties in the adjoining area.
- c) The land is not currently mapped Environmental Living.

The Zone Application Guidelines for the Rural Zone include as follows:

RZ 1 The Rural Zone should be applied to land in non-urban areas with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area, and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.

RZ 2 The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.

RZ 3 The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:

(a) it can be demonstrated that the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;

(b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;

(c) the land is identified for the protection of a strategically important naturally occurring resource which is more appropriately located in the Rural Zone and is supported by strategic analysis;

(d) the land is identified for a strategically important use or development that is more appropriately located in the Rural Zone and is supported by strategic analysis; or

(e) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.

The Lymington and Petcheys Bays areas have not been identified as suitable for inclusion in the Agriculture Zone, which appears reasonable given that there is still some constraint on agricultural activity through combinations of limitations from topography and vegetation which while inconsistent with the Agriculture Zone are not so limiting that the LC Zone is necessary. **Zoning the subject land Rural would therefore be considered consistent with RZ 1, 2 & 3.**

Based on the above it is therefore submitted that the appropriate zone for CTs 160456/6 and 106649/1 is Rural consistent with the other part of the property.

If there are any queries in relation to the above or you wish to discuss any of the detail, please contact our office on 03 6234 9281 or email me at jacqui@ireneinc.com.au.

Yours faithfully



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