

**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:** Mon, 30 May 2022 15:13:51 +1000  
**To:** hvc@huonvalley.tas.gov.au;jcrosbee73@gmail.com  
**Subject:** Planning Representation - Janet and Peter Crosbee - {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>
Janet and Peter Crosbee
<b>Are you lodging as a Individual, Company or Organisation</b>
Individual/s
<b>Of Address</b>
94 Rifle Range Rd
<b>Town or Suburb</b>
Cygnets
<b>Postcode</b>
7112
<b>Email</b>
<a href="mailto:jcrosbee73@gmail.com">jcrosbee73@gmail.com</a>
<b>Phone Number</b>
0448554944
<b>Comments</b>
Please find attached the details of our submission to revert the current zoning of our property as Landscape Conservation Zone to Rural Zone as part of the Tasmanian Planning Scheme. We are currently zoned as Rural Resource and should be mapped to the Rural Zone as this is consistent with the current use of the land.
<b>File</b>
<ul style="list-style-type: none"><li><a href="#">94-Rifle-Range-Rd-Cygnets-Submission.pdf</a></li></ul>
<b>Submit Application</b>
<ul style="list-style-type: none"><li>Yes Submit</li></ul>

General Manager  
Huon Valley Council  
PO Box 210 Huonville  
TAS 7109

Janet and Peter Crosbee  
30/5/2022

Dear Sir/Madam,

**Re: Representation for the Huon Valley Council's advertised Landscape Conservation Zoning applied to 94 Rifle Range Rd, Cygnet (PID 2665129)**

**Purpose: Change zoning from Landscape Conservation to Rural Zone**

We, Janet and Peter Crosbee, owners of the above property, would like to submit the following representation that objects to the proposed Landscape Conservation Zone (LCZ) being applied to 94 Rifle Range Rd, Cygnet.

The land is currently zoned Rural Resource. LCZ has been applied due to the use of the priority vegetation overlay and a ecosystems model (the REM) that we believe over represents habitat and which Council Officers have acknowledged as likely to be incorrect. The Priority Veg Report lists its finding reliability as "variable" to "extremely variable". By Council staff using inaccurate GIS models rather than making a detailed physical assessment has resulted in staff failing to make the best "like for like" zoning decision. The use of deficient data, a faulty assessment of the land potential and over reliance on models resulted in the decision to incorrectly zone our 20ha farm as Landscape Conservation Zone. Our analysis firmly places the property in the Rural Zone. This process lacks procedural fairness for us, the current owners.

**RECOMMENDATION**

1. The HVC accepts that the zone best applied to 94 Rifle Range Rd, Cygnet is Rural.
2. HVC modify the LPS zoning from Landscape Conservation to Rural Zone.

**SUMMARY**

Under the Huon Interim Planning Scheme this 40 acre farm is currently zoned Rural Resource. We believe a like for like zoning under the new Scheme would be Rural. Rather the LPS proposes the Landscape Conservation Zone. When asked (on 17/2/22) the reason for proposing LCZ, I as yet have not received any reply apart from the automated response.

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New Planning Scheme reasons for rezoning 94 Rifle Range Rd, Cygnet



Janet CROSBEE  
To hvc@huonvalley.tas.gov.au

Reply Reply All Forward ...  
Thu 17/02/2022 3:48 PM

Hi

I have become aware that my property is being rezoned from Rural Resource to Landscape Conservation under the new Tasmanian Planning Scheme. Can you please advise me what factors in your decision making process led you to reclassify my property as Landscape Conservation and not Rural? Can you please advise me why the majority of my direct boundary neighbours have been classified as Rural and not also Landscape Conservation? My property is a working farm, we breed goats and have other livestock which fits with a Rural zoning. Can you please advise your reasons for not leaving our property as a Rural property as it has been Rural Resource.

Thanks,

Janet Crosbee

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Automatic reply: New Planning Scheme reasons for rezoning 94 Rifle Range Rd, Cygnet



Huon Valley Council <hvc@huonvalley.tas.gov.au>  
To Janet CROSBEE

Reply Reply All Forward ...  
Thu 17/02/2022 3:49 PM

Thank you for your email. It will be forwarded to the relevant department for action.

We speculate that the reason for our property to be rezoned as LCZ is purely due to LZ1 criteria of 80% native vegetation coverage. We believe this to be incorrect as we will show in this submission. We will contend that Priority Veg report used to make this determination is not correct, our land consists of the following make-up:

- 8 acres pasture, used for sheep and goat breeding
- 9 acres of logging regrowth which consists of a mix of non-native and native plus a substantial amount of boneweed and
- 23 acres of actual native vegetation which is already protected by Scenic and Protected species overlays

We currently operate a small scale goat and miniature sheep breeding enterprise, this fits with the intention of the existing rural resource and future rural zone. We have plans to convert some of the area on the lower slope which is regrowth from logging to productive pasture or invest in the cultivation of native Pepperberries. Historically this property has been used for cattle grazing and prior to that it was large scale orchards.

The fact sheet for the Rural and zone states:

"The Rural Zone provides for all agricultural uses to occur in conjunction with a range of rural businesses and industries. The Rural Zone importantly acknowledges that significant areas of Tasmania's rural land provide a variety of other activities beyond agriculture, all of which significantly contribute to Tasmania's economic growth."

We believe that our current and intended future use of our property fits exactly into this definition and not the definition of the Landscape Conservation Zone. By contrast the LCZ zone is designed with the sole purpose of limiting use, the Rural zone encourages it. We are concerned that Council staff have been telling the public and Councillors that LCZ is not at all incompatible with resource development and we will not notice any difference. Let me quote from the Fact Sheet what some of the critical differences (and benefits) of Rural Zone are:

- providing significant exemptions from the need to gain planning approval for agricultural buildings and works;
- reducing setbacks for agricultural buildings such as sheds to ensure that land is not sterilised by the need to put a shed in the middle of a paddock.
- supporting Tasmania's rural entrepreneurs by providing for diversification and value adding of agricultural uses and supporting Tasmania's renowned 'paddock to plate' and 'paddock to gate' experiences;
- not restricting processing facilities such as wineries by dictating where produce can be sourced for processing thereby making businesses more sustainable into the future;
- providing contemporary and practical planning rules, in particular the recognition that land size is not the key to success of agricultural industries;
- not dictating what farmers grow and how they grow it;
- achieving a balance between development control and allowing industry, business and communities to flourish with minimal regulation.

Importantly the sheet states "Both the Rural and Agriculture Zones provide a clear pathway for agricultural uses, with uses largely being No Permit Required". This is the opposite to LCZ!

In this submission we will show:

LZ1 Guideline not followed	The HVC assessment of the property is in error and it does not meet the LZ1 criteria of 80% native vegetation coverage.
Rural Zone for 94 Rifle Range Rd is consistent with past, current and future use	Past use as orchard, cattle grazing. Current use as pasture for goat and sheep farming. Future use as increased pasture and/or Pepperberry cultivation.
Consistent Zoning patterns are preferred within neighbouring blocks	The majority of neighbouring blocks along Rifle Range Rd and Guys Rd are Rural or Agriculture.
Priority Veg Report - has not been ground tested and is wrong	Many images and descriptions are provided to show that the Priority Vegetation report is wrong.
Threatened species can be protected without Zoning	Any conservation / landscape values are well protected without this zoning by topography and Code overlays.
Like for Like transition not applied	Currently Rural Resource, an assessment against the Rural Zone criteria are a better fit.

## PROPERTY DESCRIPTION AND CURRENT USE

Our property is 40 acres which we have split into approx. 8 acres of pasture divided into 6 fully wallaby proofed paddocks, each paddock has shelter and water supply. We have 2 x Agriculture sheds, one used for equipment and one used for hay and feed storage.





There is approximately 9 acres of our property which was previously logged, we estimate about 10 to 15 years ago. This area now consists of regrowth of native and non-native species plus a considerable amount of boneweed and bracken.



The following photos show the vegetation type in the regrowth area:

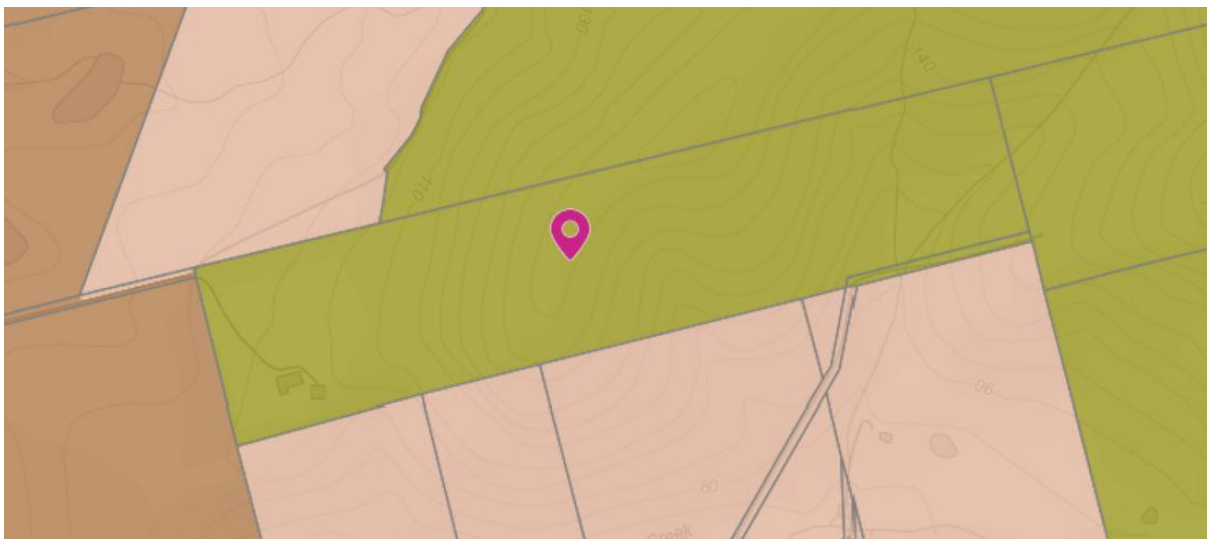






#### NEIGHBOURING PROPERTIES

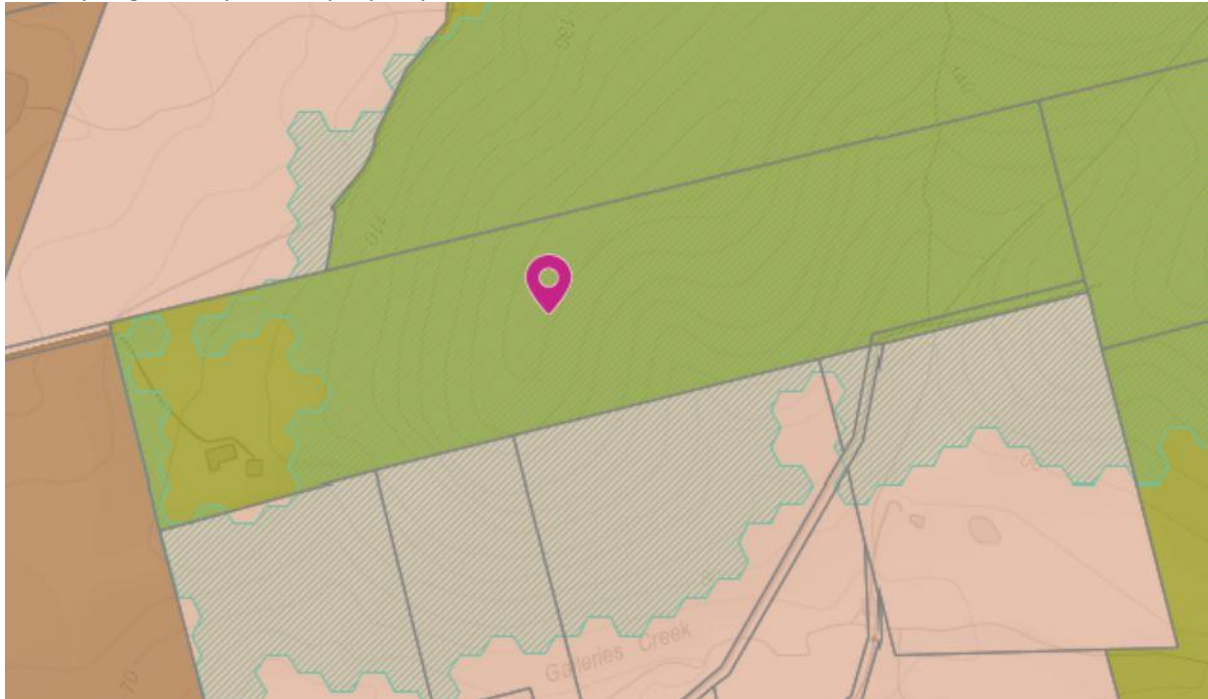
As you can see from the following picture, the majority of our neighbours on Rifle Range Rd and Guys Rd have been zoned Rural or Agriculture. Our view is that our property should have been zoned the same as our neighbours. Our only 2 neighbours who have been rezoned as LCZ consist of nearly 99% bush and were previously zoned Environmental Living as part of the interim planning scheme.



## PRIORITY VEG REPORT V REALITY

As described above, the priority veg report is inaccurate for the type of vegetation on our property. We have a large block of approx. 9 acres of logging regrowth which is a mix of native and non native plants plus a large quantity of bracken and bone weed.

### Priority veg overlay on our property



The photo above show the actual protected vegetation as it is today excluding the logging regrowth and pasture area of our property. As you can see this does not align with the priority veg overlay as per the previous picture from the Tasmanian Planning scheme. This demonstrates that our property does not meet LZ1 of over 80% protected vegetation as approx. 57.5% is actually protected vegetation.



## ARGUMENT

This submission puts 6 cases for why LCZ is either incorrectly applied or unnecessarily applied. In summary it is argued:

Observation	Impact	Argument	Outcome
LZ1 Guideline not followed	94 Rifle Range Rd does not meet LZ1 for inclusion of the LCZ	Using the REM, HVC assessed 94 Rifle Range Rd was over 80% native vegetation. This has been overestimated and in fact it is approx. 57.5%	The block does not meet LCZ1 and cannot be zoned LC.
Rural Zone for 94 Rifle Range Road is consistent with past, current and future use	STRLUS would encourage the most productive use of the land - which is rural	The property has been used in the past for stock grazing, commercial orchard. Currently used for sheep and goat farming. Future use as Pepperberry orchard.	The block most appropriately fits the Rural zoning
Consistent Zoning patterns are preferred within neighbouring blocks	LCZ is inconsistent with other properties in the area	Under the interim scheme and the new LPS the majority of properties on Rifle Range Rd and Guys road are not zoned LC - but more likely Agriculture or Rural	The block should be zoned Rural
Like for Like transition not applied	The block was not comparatively assessed between LCZ and RZ	When the block is assessed against RZ it meets RZ1, RZ2 and RZ3. When assessed against LCZ it does not meet the criteria.	The block should be zoned Rural
Priority Veg Report - has not been ground tested and is wrong	Topography and Natural Asset and Scenic Code Overlays provide protection to these values	The REM is a model and has not been ground tested - it is inaccurate. Natural Asset and Scenic Protection Codes provide ample protection where it is desirable	The property has been a mix of bush and pasture/orchard for a century. Continuing as a managed farm will provide ongoing protection to the natural assets of the area.
Threatened species can be protected without Zoning	Topography and Natural Asset and Scenic Code Overlays provide protection to these values	The REM is a model and has not been ground tested - it is inaccurate.	LCZ is not required to achieve a balance between resource development and preservation of natural assets

We believe that the application of the LCZ is incorrect and the best like for like transition is from Rural Resource to Rural zoning. We believe that the estimate of native vegetation as over 80%, based purely on spatial analysis is incorrect and in fact the property is approx. 57% protected native vegetation. We believe the REM model is largely untested in the Huon Valley, contains substantial over estimates of habitats and is not fit for purpose in determining zoning decisions. We believe that the topography, Natural Asset and Scenic Protection Code Overlays provides sufficient protection for any natural or scenic asset values. We believe Rural zoning is the best strategic use of this land for the social and economic well being of the Huon Valley. Finally, Rural Zoning is best suited to the current and historic land use of the block and is consistent with the use of other properties in the area. Application of the LCZ would make it harder to operate our rural business and potentially limit our ability to invest capital in important issues such as weed and pest control. We are open to meeting with planning staff to find an agreeable solution.

Yours Sincerely

Janet Crosbee  
Peter Crosbee