

## **CENTRAL HIGHLANDS DRAFT LOCAL PROVISIONS SCHEDULE**

### **REPORT TO THE TASMANIAN PLANNING COMMISSION UNDER SECTION 35F OF THE LAND USE PLANNING & APPROVALS ACT 1993**

**As Approved – Council Meeting of 7 December 2021**



## **1. INTRODUCTION**

This is the report to the Tasmanian Planning Commission under Section 35F of the *Land Use Planning & Approvals Act 1993* following the public exhibition of the Central Highland Draft Local Provisions Schedule. It includes an assessment of each representation received and Council's view on them, acting in its role as the Local Planning Authority under the Act.

Section 2 provides a summary of each representation and, pursuant to S.35F(c) of the Act, Council's comments on the merits of each representation and whether the draft LPS ought to be modified (S.35F(c)(i)). A copy of each representation in full is available at Appendix 1.

Many of the representations can be grouped into several major themes. Sections 3 to 6 deal with these matters in greater detail. Also explored are several matters of great concern to Council that have been the subject of a significant volume of correspondence with Commission prior to public exhibition.

Section 7 deals with the Planning Authority's opinion on the zoning the Interlaken Canal.

Section 8 is the Planning Authority's response under S.35F(2)(ba) to the Commission's S.35B(4B) Outstanding Issues Notice regarding the Lake Meadowbank Specific Area Plan.



## 2. ASSESSMENT OF REPRESENTATIONS

No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
1.	Tree Alliance Private Forests Tasmania Penny Wells, CEO	Advises that Private Forests Tasmania's comments will be submitted as part of the Department of State Growth's submission	<u>Comments:</u> Noted. <u>Should the Draft LPS be amended?</u> No action required. <u>Effect on the LPS as a whole:</u> Nil.
2.	TasRail Jennifer Jarvis Manager Group Property & Compliance	Notes several aspects of the Draft LPS, including the inclusion of the Road & Rail Assets Code. No objections.	<u>Comments:</u> Noted. <u>Should the Draft LPS be amended?</u> No action required. <u>Effect on the LPS as a whole:</u> Nil.
3.	Tony Donaghy	460 Dry Poles Road, Ellendale. PID 3389090 <ul style="list-style-type: none"> <li>Concerned that property is proposed to be rezoned to Agriculture. 7.269 ha and not part of a larger farm. States that it is 'too small to be viable farm'.</li> <li>Used as a 'rural dwelling' and 'should be zoned either Rural Living or Rural.</li> <li>Aerial images provided.</li> </ul> 449 Dry Poles Road, Ellendale. PID 1661759 <ul style="list-style-type: none"> <li>Block across road owned by Mr Donaghy's parents.</li> <li>Even smaller than 460 Dry Poles Rd and proposed to be Agriculture also.</li> <li>Same concerns.</li> </ul> Considers the propose zoning to be an error.	<u>Comments:</u> These lots are on the edge of the broader boundary between Rural and Agriculture zoned areas. Small lots in such locations and clearly incapable of accommodating a commercial farming enterprise and used, or intended to be used, for rural living purposes, should be in the Rural Zone. This area is part of a broader are that Council considers should be Rural Zone. Refer to section 3 of this report. <u>Should the Draft LPS be amended?</u> The zoning of both properties should be amended to Rural. <u>Effect on the LPS as a whole:</u> Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Its use in multiple-use rural areas would have a negative impact on existing and future use and development.



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4.	Reliance Forest Fibre Darryn Crook, Technical Manager	<p>Reliance Forest Fibre manages large areas of plantation forestry.</p> <p>Concerned that their land holdings are split between Rural and Agriculture Zones, and notes that plantation forestry is 'no permit required' in the Rural Zone.</p> <p>Notes that if it is desirable from a forest management perspective to have all plantation properties in the Rural zone to avoid conflict where areas are not covered by a Private Timber Reserve.</p>	<p><u>Comments:</u></p> <p>Areas dominated by forestry and other non-agricultural use, whether PTRs exist or not, should be zoned Rural.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zoning of all properties owned or managed by Reliance Forest Fibre should be amended to Rural.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Amending the zoning of areas of land dominated by forestry from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole.</p>
5.	Stuart & Karen Philp	<p>Owners of Lot 1 Lyell Highway, Bronte Park, PID 3054354, CT 241850/1</p> <p>124.9 ha property, 116.1 ha of which is covered by a Conservation Covenant.</p> <p>Proposed to be zoned Rural.</p> <p>Requests that it be zoned Landscape Conservation Zone.</p> <p>Note that this property is also part of the Conservation Landholders of Tasmania (CLT) submission.</p>	<p><u>Comments:</u></p> <p>Council's policy on this issue is that all covenanted land be proposed to be zoned Rural in the Draft LPS, and that Council would consider alternate zoning if the owners submitted a request to change.</p> <p>This policy was adopted because Council was anecdotally aware that many landowners specifically do not want their land rezoned as a consequence of entering into such a covenant, whilst others do.</p> <p>If rezoning was an automatic consequence of entering into a conservation covenant, many such covenants would not have been created, leading to reduced environmental outcomes.</p> <p>This matter is further discussed in Section 5 of this report.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zoning of Lot 1 Lyell Highway, Bronte Park, PID 3054354, CT 241850/1 should be amended to Landscape Conservation.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The rezoning of this land would have minimal impact on the LPS as a whole.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
6.	Conservation Landholders Tasmania John Thompson obo the Board of Trustees, CLT Trust.	Conservation Landholders Tasmania (CLT) describes themselves as 'an educational trust'. CLT has identified 13 Conservation Covenant areas in Central Highlands that it believes should be zoned Landscape Conservation Zone, instead of the proposed Rural Zone in the Draft LPS, 'subject to landowner agreement'. These are listed in table provided in the submission.	<p><u>Comments:</u></p> <p>It appears that CLT have contacted the owners of the Conservation Covenant areas and requested them to consider supporting the idea that the zoning of the land be changed from Rural to Landscape Conservation Zone.</p> <p>Seven of the landowners have separately made submissions making this request. These are submissions No. 5, 8, 14, 15, 19, 25 and 33. All except No. 8 requested that the entirety of their titles change to Landscape Conservation with No.8 requesting that just the covenanted area change.</p> <p>As detailed above in relation to submission No. 5, Council has indicated it would be receptive to changing the zone of covenanted areas if requested by the landowners. Therefore, it is recommended that this submission by CLT be supported insofar as the proposed zoning changes are supported by the landowners concerned.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zoning of the subject properties where landowner consent has been given should be amended to Landscape Conservation.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>No significant effects are anticipated if conservation covenanted land is amended to Landscape Conservation Zone, where supported by the landowner.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
7.	TasWater Jason Taylor  Development Assessment Manager	<p><b>A.</b> Requests that several water reservoir tank facilities be zoned Utilities. These are:</p> <ul style="list-style-type: none"> <li>• Ouse Reservoir Tank</li> <li>• Bronte Park (Various Tanks).</li> </ul> <p><b>B.</b> Requests that Attenuation Area buffers around Sewerage Treatment Plants not be mapped and that the system rely on the distances specified in the code. In support of this, the submission noted that several mapped Attenuation Areas do not match that specified in the code, and that TasWater is planning upgrade works on various facilities which would alter other appropriate attenuation distances.</p>	<p><u>Comments:</u></p> <p><b>A.</b> Agree. Key infrastructure such as township water reservoir tanks should be zoned Utilities.</p> <p><b>B.</b> Disagree. The depiction of Attenuation Areas on the maps is supported by Council.</p> <p>The downside of relying on a written description for buffer areas is that they can be missed – by members of the public, Council planners, consultant planners, people involved in conveyancing, etc. If they are mapping into an overlay, such mistakes are much less likely.</p> <p>The overarching policy embedded within the state planning system is that codes should be applied by mapped overlay wherever possible. The depiction of bushfire prone areas is one notable example of this.</p> <p>The policy for the depiction of Attenuation Areas on the LPS overlay maps is determined by the State Government. This is a matter for statewide consistency, and not for individual Councils to determine.</p> <p><u>Should the Draft LPS be amended?</u></p> <p><b>A.</b> The zoning of the land containing the TasWater-owned Ouse Reservoir Tank and Bronte Park Tanks should be amended to Utilities</p> <p><b>B.</b> Amending the Attenuation Area maps to remove buffer areas around active Sewerage Treatment Plants is not supported.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>No significant effect on the LPS as a whole.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
8.	Daniel Lee	<p><b>A.</b> Owner of Lot 1 Marked Tree Road, Hamilton, PID 3264618, CT 166564/1 41.9 ha property, 39.3 ha of which is covered by a Conservation Covenant. Proposed to be zoned Rural. Requests that the covenanted area be zoned Landscape Conservation Zone, but that the 2.5 ha portion of non-covenanted land be retained as Rural Zone. If split zoning is not possible, then the preference is to retain the Rural Zone for the entire property. This property is also part of the Conservation Landholders of Tasmania (CLT) submission.</p> <p><b>B.</b> The submitter also notes that two adjoining forested properties are proposed to be zoned Agriculture, yet they contain substantial areas of significant environmental values – the same values that led the government agreeing to the conservation covenant on Lot 1 Marked Tree Road. The submitter requests that this neighbouring land be zoned Rural so that the Priority Vegetation Overlay of the Natural Values Code can apply to provide a level of protection. Aerial mapping provided.</p>	<p><u>Comments:</u></p> <p><b>A.</b> Council’s policy on this issue is that all covenanted land would be proposed to be zoned Rural in the Draft LPS, and that Council would consider alternate zoning if the owners submitted a request to change. This policy was adopted in light of the fact that Council was anecdotally aware that many landowners specifically do not want their land rezoned as a consequence of entering into such a covenant, whilst others do. If rezoning was an automatic consequence of entering into a conservation covenant, many such covenants would not have been created, leading to reduced environmental outcomes.</p> <p><b>B.</b> This accords with Council’s view that the Agriculture Zone has been applied far too widely within Central Highlands, covering land that is clearly not agricultural land of any significance. Significant areas of land that are dominated by rural lifestyle blocks, forestry and/or nature conservation have been inappropriately mapped as ‘land potentially suitable for the Agriculture Zone’. The titles identified in the submission are a case in point. Agree that the two neighbouring titles (RF 171934/1 and FR 108593/1) be zoned Rural. These are part of a broader area of land that Council proposed to be amended to Rural Zone in Section 3 of this report.</p> <p><u>Should the Draft LPS be amended?</u></p> <p><b>A.</b> The zoning of the covenanted area on Lot 1 Marked Tree Road, Hamilton, PID 3264618, CT 166564/1 should be amended to Landscape Conservation.</p> <p><b>B.</b> The zoning of the neighbouring land referred to in Point B should be amended to Rural, subject to landowner consent.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The change to Landscape Conservation will have no significant effect on the LPS as a whole. Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Its use in multiple-use rural areas would have a negative impact on existing and future use and development.</p>



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9.	<p>Department of Justice Consumer, Building &amp; Occupational Services Peter Graham, Executive Director</p>	<p>Notes that the Bushfire Prone Areas mapping will be introduced into the Central Highlands via the Tasmanian Planning Scheme, (once the Local Provisions Schedule is finalised by the TPC).</p> <p>Requests that Council consider introducing it into the current scheme, the Central Highlands Interim Planning Scheme 2015.</p>	<p><u>Comments:</u> The Bushfire Prone Areas mapping could only be introduced into the current planning scheme via a planning scheme amendment process. This would take months – quite possible longer than to complete the Local Provisions Schedule process.</p> <p><u>Should the Draft LPS be amended?</u> Amending the Central Highlands Interim Planning Scheme 2015 to include the Bushfire Prone Areas mapped overlay is not supported as it would likely take a similar time as will the finalisation of the LPS and the subsequent incorporation of this code overlay mapping for the Central Highlands municipal area.</p> <p><u>Effect on the LPS as a whole:</u> Nil.</p>
10.	<p>Department of Police, Fire &amp; Emergency Management State Emergency Services Andrew Lea, Director.</p>	<p>Notes that there is no Flood Prone Areas overlay in the Draft LPS, and further notes that Council advised that this is because there is no reliable spatial data.</p> <p><b>A.</b> Advises that a state-wide project is underway to produce flood prone area mapping for areas that do not yet have it and asks Council to consider incorporating the mapping into the appropriate overlay in the planning scheme in the future.</p> <p><b>B.</b> Notes that, despite there being no overlay in the LPS, the Flood Prone Areas code applies anyway, via the ordinance. The submission advises that the Department of Justice / State Emergency Service is working on a guidance document for Councils to help them determine when a development application should trigger consideration under the Flood Prone Areas code.</p> <p>The submission further notes a range of information that Council officers can utilise whilst awaiting the above.</p>	<p><u>Comments:</u> <b>A.</b> Agree in principle, noting that this is not a matter for Council to determine as part of the current Draft LPS process. Flood prone areas mapping, when available in the future, should be incorporated into the appropriate overlay in the planning scheme. <b>B.</b> Noted and welcomed. Under C12.2.3 of the State Planning Provisions, planning authorities may ask for a flood hazard report. In the absence of a mapped overlay of flood prone areas, there is no specific trigger for Council to ask for such a report. A guidance document would be of great assistance to Council planning officers whilst awaiting the introduction of a mapped overlay.</p> <p><u>Should the Draft LPS be amended?</u> These matters are noted and agreed in principle. No action is required regarding the Draft Local Provisions Schedule at this point in time.</p> <p><u>Effect on the LPS as a whole:</u> Nil.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
11.	Michael Stevens & Fiona McOwan	<p>Owners of property at 370 Strickland Rd, Strickland.</p> <p>PID 7710494, CT 160316/1. 70 acres.</p> <p>Rural lifestyle block with hobby-farm level agriculture. No intention to use for commercial agriculture.</p> <p>Concerned about the restrictions on use of proposed Agriculture Zone and has requested the Rural Zone apply.</p>	<p><u>Comments:</u></p> <p>Whilst this patch is cleared, the property is part of a broader landscape dominated by forest. It is a relatively small lot close to the edge of the broader boundary between Rural Zone and Agriculture Zone. Council's view is that the Agriculture Zone has been applied far too widely within Central Highlands, covering land that is clearly not agricultural land of any significance. Significant areas of land that are dominated by rural lifestyle blocks, forestry and/or nature conservation have been inappropriately mapped as 'land potentially suitable for the Agriculture Zone'. Refer Section 3.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zoning of 370 Strickland Rd, Strickland, PID 7710494, CT 160316/1, should be amended to Rural.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Its use in multiple-use rural areas would have a negative impact on existing and future use and development.</p>



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12.	Humbie Pastoral Paul Ellis & Shauna Ellis	<p>Owners of St Patricks Plains, PID 5000165. 2,143 ha property. Class 6 agricultural land. 900m above sea level. Fit for dry sheep grazing only. Runs 1 sheep to 3 to 5 acres. Severe winters (average maximum temperatures do not exceed 10 degrees C. Widespread inundation in winter, with rocky land elsewhere. 434 ha of FCF covenanted land. Maps and BOM data provided.</p> <p>The submitters strongly question the application of the Agriculture Zone to this area, as it is poor farmland. The future, they say, is in tourism, recreation and, potentially, renewable energy. Not farming.</p> <p>The Rural Zone is much more suitable to this land.</p>	<p><u>Comments:</u></p> <p>High altitude central plateau land such as this is clearly some of the poorest and most marginal agricultural land in Tasmania. It is several orders of magnitude poorer than some of the hinterland on the northwest coast that has been allocated the Rural Zone. A core outcome of the entire state-wide single planning scheme project is consistency. In the interest of this alone, this land should be Rural Zone. Refer to Section 3 of this report for further discussion.</p> <p>Regarding the proposed windfarm, alluded to in the submission, it is noted that as the Local Planning Authority, Council must not pre-judge a possible development application upon which it may need to statutorily sit in judgment.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zoning of St Patricks Plains, including PID 5000165, (both titles), should be amended to Rural.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Its use in multiple-use rural areas would have a negative impact on existing and future use and development.</p>



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13.	Greg Pullen	<p>Resident of the Central Highlands.</p> <p>Concerned that too much land is proposed to be zoned Agriculture instead of Rural.</p> <p>Agriculture Zone up the boundaries of settlements will make future expansion all but impossible.</p> <p>The Agriculture Zone also removes consideration of natural values, as the Priority Vegetation overlay cannot apply in this zone. This will lead to ill-considered developments.</p> <p>Cites the proposed wind farm at St Patricks Plains as an example – on land proposed to be Agriculture Zone yet contains many significant natural values.</p> <p>Concerned the inability of councils to ‘tidy up ... historical anomalies’ in the planning scheme through this process will be at a substantial cost to ratepayers through the need for multiple minor planning scheme amendments in the future.</p>	<p><u>Comments:</u></p> <p>This accords with Council’s view that the Agriculture Zone has been applied far too widely within Central Highlands, covering land that is clearly not agricultural land of any significance. Significant areas of land that are dominated by rural lifestyle blocks, forestry and/or nature conservation have been inappropriately mapped as ‘land potentially suitable for the Agriculture Zone’</p> <p>The submission is correct in that the Priority Vegetation overlay cannot apply in the Agriculture Zone. This is reasonable in the case of genuine productive agricultural land, as such land was invariably cleared and farmed many years ago and therefore contains little or no natural values.</p> <p>Many large areas of proposed Agricultural Zone in the Central Highlands, conversely, are inherently poor from an agricultural perspective and there have not been subject to wholesale clearance over the course of the last 200 years and retain very substantial levels of significant natural values. This is indicative of the poor ‘fit’ of the Agriculture Zone to such land.</p> <p>In regard to the proposed windfarm, it is noted that as the Local Planning Authority, Council must not pre-judge a possible development application upon which it may need to statutorily sit in judgment.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The Agriculture Zone has been applied far to widely and covers relatively poor-quality land and land hard-up against townships where it will lead to land use conflict and make township expansion considerations more onerous than the quality of the land warrants. The application of the Agriculture Zone should be reviewed across the municipal area in accordance with the AK Consulting Decision Tree adopted by all Southern Councils. Refer to Section 3 of this report.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Its use in multiple-use rural areas would have a negative impact on existing and future use and development.</p>



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14.	ECO-NOMY P/L Dean Brampton, Director.	<p>Owner of 'Bronte Park 2', Lyell Highway, Bronte Park, PID 2304227, CT 243948/1</p> <p>15.09 ha property, 14.08 ha of which is covered by a Conservation Covenant.</p> <p>Proposed to be zoned Rural.</p> <p>Requests that it be zoned Landscape Conservation Zone.</p> <p>Note that this property is also part of the Conservation Landholders of Tasmania (CLT) submission.</p>	<p><u>Comments:</u></p> <p>Council's policy on this issue is that all covenanted land be proposed to be zoned Rural in the Draft LPS, and that Council would consider alternate zoning if the owners submitted a request to change.</p> <p>This policy was adopted because Council was anecdotally aware that many landowners specifically do not want their land rezoned as a consequence of entering into such a covenant, whilst others do.</p> <p>If rezoning was an automatic consequence of entering into a conservation covenant, many such covenants would not have been created, leading to reduced environmental outcomes.</p> <p>This matter is further discussed in Section 5 of this report.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zoning of 'Bronte Park 2', Lyell Highway, Bronte Park, PID 2304227, CT 243948/1 should be amended to Landscape Conservation.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The rezoning of this land would have minimal impact on the LPS as a whole.</p>
15.	PC Jacques & MJ Jacques	<p>Owner of property off Dennistoun Road, Bothwell, PID 1853865, CT 126437/1</p> <p>Property containing a Conservation Covenant.</p> <p>Proposed to be zoned Rural.</p> <p>Requests that it be zoned Landscape Conservation Zone.</p> <p>Note that this property is also part of the Conservation Landholders of Tasmania (CLT) submission.</p>	<p><u>Comments:</u></p> <p>Council's policy on this issue is that all covenanted land be proposed to be zoned Rural in the Draft LPS, and that Council would consider alternate zoning if the owners submitted a request to change.</p> <p>This policy was adopted because Council was anecdotally aware that many landowners specifically do not want their land rezoned as a consequence of entering into such a covenant, whilst others do.</p> <p>If rezoning was an automatic consequence of entering into a conservation covenant, many such covenants would not have been created, leading to reduced environmental outcomes.</p> <p>This matter is further discussed in Section 5 of this report.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zoning of the property off Dennistoun Road, Bothwell, PID 1843865, CT 126437/1 should be amended to Landscape Conservation.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The rezoning of this land would have minimal impact on the LPS as a whole.</p>



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16.	Tas Fire Service Tom O'Connor Senior Planning & Assessment Officer	<p>TFS is broadly supportive of the Draft LPS.</p> <p>The TFS points out that, since the Bushfire Prone Areas Code was reviewed in 2017, it no longer applies to Visitor Accommodation use. It is therefore suggested that clause P1.2(b) in the proposed Lake Meadowbank Specific Area Plan be amended to remove specific reference to the Code and simply refer to 'bushfire protection':</p> <p><i>(b) the extent of clearing is the minimum necessary <del>to meet the requirements of the Bushfire Prone Areas Code</del> for bushfire protection.</i></p> <p>TFS consider that this change will enable proposed Visitor Accommodation Use to be subject to bushfire risk mitigation considerations.</p>	<p><u>Comments:</u></p> <p>Agree. Whilst this change seems counter-intuitive, the recommendation is based on the practical experience of TFS working with the Code.</p> <p>It is somewhat inexplicable that the 2017 revision of the Code removed Visitor Accommodation from its operation, as fire emergencies are even more threatening to people unfamiliar with an area.</p> <p>The proposed change is supported.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The following change should be made to clause P1.2(b) in the proposed Lake Meadowbank Specific Area Plan to remove specific reference to the Code and simply refer to 'bushfire protection':</p> <p><i>(b) the extent of clearing is the minimum necessary <del>to meet the requirements of the Bushfire Prone Areas Code</del> for bushfire protection.</i></p> <p><u>Effect on the LPS as a whole:</u></p> <p>No significant impact on the LPS as a whole.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
17.	Venesser Oakes	<p>Owner of 168 Risbys Road, Ellendale. PID 7147419.</p> <p>12.17 ha ‘steeply sloped property, with approximately 50% natural bush’ and with electrical infrastructure running through it. Too small and steep to be successfully used for anything more than a small-scale hobby farm. Concerned that the land is proposed to be Agriculture Zone. The Rural Zone is more appropriate.</p> <p>Expressed dissatisfaction with the formatting and layout, and general usability of the various documents on display as part of the Draft LPS public exhibition.</p>	<p><u>Comments:</u></p> <p>This property is approximately 50% cleared and is relatively steep. It is part of a cluster of Rural Zoned similar-sized lots to the north and west, whilst it abuts a much larger Agriculture Zone property to the east. It is a relatively small lot on the edge of the broader boundary between Rural Zone and Agriculture Zone.</p> <p>The submission accords with Council’s view that the Agriculture Zone has been applied far too widely within Central Highlands, covering land that is clearly not agricultural land of any significance. Significant areas of land that are dominated by rural lifestyle blocks, forestry and/or nature conservation have been inappropriately mapped as ‘land potentially suitable for the Agriculture Zone’. This is a case in point. Refer to Section 3 for further comment.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zoning of 168 Risbys Road, Ellendale, PID 7147419, should be amended to Rural.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Its use in multiple-use rural areas would have a negative impact on existing and future use and development.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
18.	TasNetworks ?	<p><b>A.</b> Requests the Derwent Bridge substation and nine communication sites be zoned Utilities.</p> <p><b>B.</b> Requests that no land with Electricity Transmission Corridors over it be zoned Landscape Conservation.</p> <p><b>C.</b> Requests Priority Vegetation Overlay be removed from 18 infrastructure sites where the vegetation has already been substantially modified.</p> <p><b>D.</b> Notes several problems with the State Planning Provisions that could cause safety issues - - mainly exemptions. It is suggested that there be exceptions to these exemptions in the Electricity Transmission Corridors overlay – similarly to the exceptions associated with the Local Historic Heritage Code.</p>	<p><u>Comments:</u></p> <p><b>A.</b> Substantial infrastructure sites such as these should be zoned utilities.</p> <p><b>B.</b> It is agreed that the Landscape Conservation Zone is considered to be incompatible with Electricity Transmission Corridors. Whilst there is no Landscape Conservation Zone in the draft LPS, this may change with a number of owners of conservation covenanted land requesting this zoning. The existence of an Electricity Transmission Corridor should be checked in these cases.</p> <p><b>C.</b> It is agreed that the Priority Vegetation Overlay on substantially modified infrastructure sites is unnecessary and problematic.</p> <p><b>D.</b> Noted. As this matter relates to the State Planning Provisions, it is not within Council’s current role to form a view on this matter.</p> <p><u>Should the Draft LPS be amended?</u></p> <p><b>A.</b> The zoning of TasNetworks’ Derwent Bridge substation and the nine listed communication sites should be amended to Utilities.</p> <p><b>B.</b> Any areas amended to Landscape Conservation Zone that include Electricity Transmission Corridors should have these areas excluded from the Landscape Conservation Zone.</p> <p><b>C.</b> The Priority Vegetation Overlay should be removed from the 18 listed infrastructure sites where the vegetation has already been substantially modified.</p> <p><b>D.</b> This a matter for the State to consider.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>No significant impact on the LPS as a whole.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
19.	Malcolm Grant	<p>Owner of Lot 3 Marked Tree Road, Hamilton, PID 3268969, CT 166563/3</p> <p>40.1 ha property, 27.43 ha of which is covered by a Conservation Covenant.</p> <p>Proposed to be zoned Rural.</p> <p>Requests that it be zoned Landscape Conservation Zone.</p> <p>Note that this property is also part of the Conservation Landholders of Tasmania (CLT) submission.</p>	<p><u>Comments:</u></p> <p>Council's policy on this issue is that all covenanted land be proposed to be zoned Rural in the Draft LPS, and that Council would consider alternate zoning if the owners submitted a request to change. This policy was adopted because Council was anecdotally aware that many landowners specifically do not want their land rezoned as a consequence of entering into such a covenant, whilst others do. If rezoning was an automatic consequence of entering into a conservation covenant, many such covenants would not have been created, leading to reduced environmental outcomes.</p> <p>This matter is further discussed in Section 5 of this report.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zoning of Lot 3 Marked Tree Road, Hamilton, PID 3268969, CT 166563/3 should be amended to Landscape Conservation.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The rezoning of this land would have minimal impact on the LPS.</p>



20.	Jim Allwright	<p><b>A.</b> Concerned about the large extent of proposed Agriculture Zone, covering land that is unsuitable to agriculture:</p> <ul style="list-style-type: none"> <li>• Rural lifestyle areas around Ellendale and Westerway.</li> <li>• High-altitude seasonal grazing land, better suited to other (non-agricultural) pursuits.</li> </ul> <p>The Agriculture Zone will reduce landowners' ability to further use and development of these areas in the future.</p> <p>Applying the Agricultural Zones to marginal areas such as these is at odds with the zoning of much better agricultural potential land in the northwest as Rural, and one of the stated key aims of this entire planning reform project to achieve state-wide consistency.</p> <p><b>B.</b> Concerned that the Planning Commission has directed that Council's modified Lake Meadowbank Specific Area Plan be removed from the Draft LPS. The lake, with all its users and values, including Aboriginal heritage, needs contemporary planning arrangements.</p> <p><b>C.</b> Concerned that Council's attempts to remove minor split-zonings has not been permitted, so far, by the Commission, despite State guidance to the effect that split zoning is to be avoided if at all possible.</p> <p><b>D.</b> Concerned that this planning reform process has not allowed the removal of minor redundant anomalies, such as the removal of the Attenuation Area around the now non-existence sewerage treatment ponds at Great Lake Hotel.</p>	<p><u>Comments:</u></p> <p><b>A.</b> It is Council's view that the Agriculture Zone has been applied far too widely within Central Highlands, covering land that is clearly not agricultural land of any significance. Large areas of land that are dominated by rural lifestyle blocks, forestry and/or nature conservation have been inappropriately mapped as 'land potentially suitable for the Agriculture Zone'.</p> <p>Areas with these characteristics should be amended to the Rural Zone, in accordance with the 'decision tree' document adopted by the Southern councils. Refer to Section 3 of this report.</p> <p><b>B.</b> The amendments to the Lake Meadowbank Specific Area Plan would enable it to function more efficiently, better fit with the SPP format and protect significant Aboriginal Heritage values. Refer to Section 8 of this report.</p> <p><b>C.</b> Agree.</p> <p>The split zone titles that Council wishes to adjust so that they are entirely one zone constitute minor changes and ought to be possible.</p> <p><b>D.</b> Agree.</p> <p>Council has not been able to undertake a general 'scheme renovation' for twenty years. In the late 2000s, Council was about to embark on a new planning scheme when the Regional Planning Reform process began, and Council chose to join that process. Midway through the process it was announced by the State that the interim schemes being created had to be 'like-for-like', and hence scheme renovation was not permitted. The current Statewide planning reform process has also been designed to be a 'like-for-like' transition and, hence, general scheme renovation is similarly not allowed.</p> <p>The outcome of all of this is that schemes have become full of redundant or out-of-date components, and it will take a great deal of local government and state government resources to fix these matters through a long series of planning scheme amendments.</p> <p><u>Should the Draft LPS be amended?</u></p> <p><b>A.</b> The Agriculture Zone has been applied far too widely and covers relatively poor-quality land and land hard-up against townships where it will lead to land use conflict and make township expansion considerations more onerous than the quality of the land warrants. The application of the Agriculture Zone should be reviewed across the municipal area in accordance with the AK Consulting Decision Tree adopted by all Southern Councils. Refer to Section 3 of this report for more detail.</p> <p><b>B.</b> The modified Lake Meadowbank Specific Area Plan should be reinstated into the LPS, for the reasons previously detailed by Council including justifications under the <i>Land Use Planning and Approvals Act 1993</i>. Refer to Section 8 of this report.</p> <p><b>C.</b> The minor changes to zoning to remove unnecessary split zones, as previously proposed in the Draft LPS, should be reinstalled.</p>
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No.	FROM	KEY ISSUES	<b>PLANNING AUTHORITY ASSESSMENT AND OPINION</b> <b>Pursuant to S.35F(c)(i) &amp; (ii)</b>
			<p><b>D.</b> The redundant Attenuation Area buffer around the now non-existent sewerage treatment ponds at the Great Lake Hotel should be removed, as previously proposed in the Draft LPS. This should be entirely possible within the current process.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Its use in multiple-use rural areas would have a negative impact on existing and future use and development.</p> <p>The removal of the redundant Attenuation Area buffer around the now non-existent sewerage treatment ponds at the Great Lake Hotel would have no effect on the LPS as a whole. Its retention will have an impact in that a future planning scheme amendment process will need to be undertaken to remove it.</p> <p>Refer to Sections 3 and 8 of this report.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
21.	Eco-Nomy P/L Dean Brampton	<p>Proposes the creation of a Scenic Road Corridor (possibly a Scenic Protection Area) under the Scenic Protection Code of the State Planning Provisions.</p> <p>The area would extend 20km along the Lyell Highway, extending to the furthest skyline or 2 km if the skyline is very distant. Detailed maps and extensive landscape values analysis are provided in the submission.</p> <p>The submission is identical to No. 22.</p>	<p><u>Comments:</u></p> <p>This ultimately might be supported but the proposal should be the subject of further consultation with the community and potentially impacted landowners.</p> <p>Whilst the creation of Scenic Protection Areas may have merit, the introduction of such a significant planning mechanism should not be undertaken in this process at this stage.</p> <p>There has been no formal consultation with the community generally or impacted landowners in particular regarding this proposal. A proposed change of this magnitude should only be considered through a specific planning scheme amendment process and be based on a study by a suitably qualified person to define the area, (notwithstanding the rigour evident in the submission). Council reserves its final position on this matter until and unless such a study and formal public notification has occurred, and Council has given due consideration to the outcomes.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The establishment of the mooted Scenic Road Corridor (or alternatively a Scenic Protection Area) under the Scenic Protection Code along the Lyell Highway should be explored through a planning scheme amendment process potentially pursuant to Section 35KB of the Act. Refer to Section 4.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The establishment of Scenic Protection Areas / Scenic Road Corridors would be a major new addition to the planning scheme controls applying to the land and would have a significant impact on the LPS. This is notwithstanding the fact that such a mechanism would replace the 'landscape impact provisions' in the current Rural Resource Zone applying to much of the area. The development controls within a Scenic Protection Area mechanism would likely be significantly greater than those of the old Rural Resource Zone.</p> <p>This matter is further explored in Section 4 of this report.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
22.	S&K Superannuation Fund Stuart & Karen Philp	<p>Proposes the creation of a Scenic Road Corridor (possibly a Scenic Protection Area) under the Scenic Protection Code of the State Planning Provisions.</p> <p>The area would extend 20km along the Lyell Highway, extending to the furthest skyline or 2 km if the skyline is very distant. Detailed maps and extensive landscape values analysis are provided in the submission.</p> <p>The submission is identical to No. 21.</p>	<p><u>Comments:</u></p> <p>This ultimately might be supported but the proposal should be the subject of further consultation with the community and potentially impacted landowners.</p> <p>Whilst the creation of Scenic Protection Areas may have merit, the introduction of such a significant planning mechanism should not be undertaken in this process at this stage.</p> <p>There has been no formal consultation with the community generally or impacted landowners in particular regarding this proposal. A proposed change of this magnitude should only be considered through a specific planning scheme amendment process and be based on a study by a suitably qualified person to define the area, (notwithstanding the rigour evident in the submission). Council reserves its final position on this matter until and unless such a study and formal public notification has occurred, and Council has given due consideration to the outcomes.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The establishment of the mooted Scenic Road Corridor (or alternatively a Scenic Protection Area) under the Scenic Protection Code along the Lyell Highway should be explored through a planning scheme amendment process potentially pursuant to Section 35KB of the Act. Refer to Section 4.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The establishment of Scenic Protection Areas / Scenic Road Corridors would be a major new addition to the planning scheme controls applying to the land and would have a significant impact on the LPS. This is notwithstanding the fact that such a mechanism would replace the 'landscape impact provisions' in the current Rural Resource Zone applying to much of the area. The development controls within a Scenic Protection Area mechanism would likely be significantly greater than those of the old Rural Resource Zone.</p> <p>This matter is further explored in Section 4 of this report.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
23.	PDA Surveyors Justine Brooks Senior Planning Consultant.	<p>Pertains to an approved subdivision on the northern edge of Bothwell, for Clyde River Holdings Pty Ltd. PID 3240245, CT 164767/1.</p> <p>The subdivision for 16 residential lots and the amalgamation of a number of adjacent large rural titles was approved prior to the advent of the Central Highlands Interim Planning Scheme 2015. The small lots have not yet been created but the approval has “substantial commencement” and therefore remains alive.</p> <p>The submission states that the land was zoned Village prior to the 2015 interim scheme and that this zoning was changed to Rural Resource by that scheme. It is now proposed to be Agriculture under the draft LPS.</p> <p>It is requested that the land subject to the 16 approved small lots be changed back to Village, to appropriately suit the future development and use of this land.</p>	<p><u>Comments:</u></p> <p>Agree. The intent of the owner appears to be to go forward with the subdivision of these lots. They will be a part of the township of Bothwell and should be zoned Village.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The land accommodating the 16 approved residential lots at Bothwell on PID 3240245, CT 164767/1 be changed to Village, in line with the zoning that existed prior to the Central Highlands Interim Planning Scheme 2015.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>No substantial impact on the LPS as a whole.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
24.	Alexandra Brock & Garry Daud.	<p>Owners of 571 Thousand Acre Lane, Hamilton. Proposed to be zoned Rural. (The submitters are content with that zoning.)</p> <p>Concerned about the rezoning of neighbouring land to Agriculture.</p> <p>Their land and the neighbouring properties form a cluster of rural lifestyle lots that retain substantial areas of remnant native bush, embedded within a broader pastoral farming landscape that is predominantly cleared.</p> <p>The native bush has priority vegetation values, both on the submitters land and on the neighbouring rural lifestyle blocks. These values are not protected on the neighbouring land, due to the Agriculture Zoning.</p> <p>It is requested that these neighbouring titles be zoned Rural.</p> <p>The submitters also express broader concerns over the proposed far-ranging application of the Agriculture Zone in Central Highlands, where they consider there will be many other cases where high-value native vegetation areas are so zoned, and therefore omitted from the Priority Vegetation Overlay.</p>	<p><u>Comments:</u></p> <p>The submission accords with Council’s view that the Agriculture Zone has been applied far too widely within Central Highlands, covering land that is clearly not agricultural land of any significance. Large areas of land that are dominated by rural lifestyle blocks, forestry and/or nature conservation have been inappropriately mapped as ‘land potentially suitable for the Agriculture Zone’.</p> <p>It appears the particular land titles referred to in the representation are already proposed to be zoned Rural. This is the Smith land PID 2938748, and land over the road PID 7884814. In addition, several other titles adjoining these are proposed to be zoned Rural. These lots together form a small cluster of Rural-zoned blocks.</p> <p>In Section 3 of this report, it is proposed that the Rural Zone be allocated to much more land than appeared in the Draft LPS. This includes further titles in the vicinity of the representors’ land.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The two parcels referred to are already proposed to be zoned Rural, as are several other adjoining titles. A larger extent of land in this vicinity is proposed to be zoned Rural in Section 3 of this report.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Its use in multiple-use rural areas would have a negative impact on existing and future use and development.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
25.	Peter & Michelle Cassar Smith.	<p>Owners of Lot 3 Marked Tree Road, Hamilton, PID 3264626, CT 166564/3. (Note: a different Lot 3 to Submission No.19)</p> <p>138.9 ha property containing a Conservation Covenant.</p> <p>Proposed to be zoned Rural.</p> <p>Requests that it be zoned Landscape Conservation Zone.</p> <p>Advises that they are selling the property and that they have notified the purchases of this issue and that the purchasers agree with the Landscape Conservation Zone.</p> <p>Note that this property is also part of the Conservation Landholders of Tasmania (CLT) submission.</p>	<p><u>Comments:</u></p> <p>Council's policy on this issue is that all covenanted land be proposed to be zoned Rural in the Draft LPS, and that Council would consider alternate zoning if the owners submitted a request to change. This policy was adopted because Council was anecdotally aware that many landowners specifically do not want their land rezoned as a consequence of entering into such a covenant, whilst others do. If rezoning was an automatic consequence of entering into a conservation covenant, many such covenants would not have been created, leading to reduced environmental outcomes. This matter is further discussed in Section 5 of this report.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zoning of Lot 3 Marked Tree Road, Hamilton, PID 3264626, CT 166564/3 should be amended to Landscape Conservation.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The rezoning of this land would have minimal impact on the LPS.</p>
26.	<p>Department of State Growth</p> <p>James Verrier</p> <p>Director, Transport Systems and Planning Policy</p>	<p>Generally; in agreement with the draft LPS. Several aspects of the State Planning Provisions are noted and endorsed.</p> <p><b>A.</b> Requests amending the zoning of a newly acquired road lot to Utilities. CT 46/6704, Highland Lakes Road near Ripple Creek.</p> <p><b>B.</b> Notes that some mining leases are proposed to be zoned Agriculture and suggests that the Rural Zone might be more appropriate.</p>	<p><u>Comments:</u></p> <p><b>A.</b> Agree. The road casements of major roads such as Highland Lakes Road should be Utilities.</p> <p><b>B.</b> Not agree. The Planning Authority liaised with Mineral Resources Tasmania regarding all mining leases. Where a lease is for a relatively minor operation within a larger agricultural title, it was agreed not to spot-zone to Rural.</p> <p><u>Should the Draft LPS be amended?</u></p> <p><b>A.</b> The zoning of CT 46/6704, Highland Lakes Road, should be changed to Utilities.</p> <p><b>B.</b> Mining leases for minor mining facilities should be zoned as per the subject title, as agreed with Mineral Resources Tasmania.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The proposed change would have no impact on the LPS as a whole.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
27.	Tasmanian Land Conservancy James Hatton, CEO	<p><b>A.</b> Requests all land owned by the Tasmanian Land Conservancy to be zoned Landscape Conservation Zone.</p> <p>In Central Highlands this is multiple properties covering 20,000 ha. Protected by conservation covenants.</p> <p>Much of this land is currently proposed to be Rural.</p> <p>Some is proposed to be a mix of Environmental Management, Agriculture and Rural.</p> <p>Nevertheless, all TLC land is requested to be Landscape Conservation.</p> <p><b>B.</b> Request Council to implement a process of continually revising, updating and re-evaluating natural assets overlay mapping.</p> <p><b>C.</b> Requests that the Priority Vegetation Overlay apply to all zones.</p> <p><b>D.</b> Request that the Natural Assets Code be reviewed – principally to remove exemptions.</p> <p><b>E.</b> Suggest that all covenanted land be zoned landscape Conservation.</p>	<p><u>Comments:</u></p> <p><b>A.</b> Council’s policy on this issue is that all covenanted land would be proposed to be zoned Rural in the Draft LPS, and that Council would consider alternate zoning if the owners submitted a request to change.</p> <p>This policy was adopted because Council was anecdotally aware that many landowners specifically do not want their land rezoned as a consequence of entering into such a covenant, whilst others do.</p> <p><b>B.</b> This is not relevant to the current statutory process. It is noted that such work is best carried out at the regional or state level.</p> <p><b>C.</b> This is not within Council’s purview. It pertains to the State Planning Provisions and the underpinning policies. The State has directed that these are specifically outside the scope of the current process.</p> <p><b>D.</b> This is not within Council’s purview. This pertains to the State Planning Provisions. The State has directed that these are specifically outside the scope of the current process.</p> <p><b>E.</b> The Planning Authority does not agree with this. If rezoning was an automatic consequence of entering into a conservation covenant, many such covenants would not have been created, leading to reduced environmental outcomes.</p> <p><u>Should the Draft LPS be amended?</u></p> <p><b>A.</b> The zoning of all land owned by the Tasmanian Land Conservancy should be amended to Landscape Conservation.</p> <p><b>B.</b> This is not relevant to the Draft LPS.</p> <p><b>C.</b> This is a matter for the State.</p> <p><b>D.</b> This is a matter for the State.</p> <p><b>E.</b> It is not agreed that all land subject to a conservation covenant be rezoned to Landscape Conservation. If this was an automatic consequence of entering into a conservation covenant, many such covenants would not have been created, leading to reduced environmental outcomes.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The rezoning of all Tasmanian Land Conservancy land to Landscape Conservation would have minimal impact on the whole LPS.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
28.	Greg & Jane McGann Hatlor Pty Ltd	<p>Owners of a home on 70 acres at 389 Arthurs Lake Road, Arthurs Lake. PID 7206933.</p> <p><b>A.</b> Concerned about the proposed rezoning from Rural Resource to Agriculture, and the ‘unintended negative impacts’ that could result.</p> <p><b>B.</b> Questions why the Scenic Protection Code has not been used, given the area’s natural beauty.</p> <p><b>C.</b> Questions ‘why these changes are being proposed and what has initiated this action?’</p>	<p><u>Comments:</u></p> <p><b>A.</b> The submitters appear to hold the same concerns that Council has in regard to the proposed inappropriate rezoning of large areas of land to Agriculture. Council’s view is that the Agriculture Zone has been applied far too widely within Central Highlands, covering land that is clearly not agricultural land of any significance. Large areas of land that are dominated by rural lifestyle blocks, forestry and/or nature conservation have been inappropriately mapped as ‘land potentially suitable for the Agriculture Zone’.</p> <p><b>B.</b> Council has not sought to introduce a Scenic Protection Area into the scheme via this Tasmanian Planning Scheme establishment process. Whilst this may have merit, the introduction of such a significant planning mechanism cannot be undertaken in this process at this stage.</p> <p>A proposed change of this magnitude should only be considered through a specific planning scheme amendment process and be based on a study by a suitably qualified person to define the area. Council reserves its final position on this matter until and unless such a study and formal public notification has occurred, and Council has given due consideration to the outcomes</p> <p><b>C.</b> The Supporting Report details this State Government-initiated project. This can be provided to the representors.</p> <p><u>Should the Draft LPS be amended?</u></p> <p><b>A.</b> The Agriculture Zone has been applied far too widely and covers relatively poor-quality land often accommodating uses such as forestry and natural values conservation. The application of the Agriculture Zone should be reviewed across the municipal area in accordance with the AK Consulting Decision Tree adopted by all Southern Councils. Refer Section 3 of this report for more detail.</p> <p><b>B.</b> Council has agreed to explore the use of the Landscape Conservation Code as potential planning scheme amendments under Section 35KB of the Act. Refer to Section 4 of this report.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Its use in multiple-use rural areas would have a negative impact on existing and future use and development. Refer to Sections 3 and 4 of this report.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
29.	Dominica Sophia Tannock	<p>Melbourne resident who has recently purchased a property in the Central Highlands lakes area. Owner of 36 Lochiel Drive, Miena. PID 7149289, CT 23103/4.</p> <p><b>A.</b> Concerned about the rezoning of the Highland Lakes area from Rural Resource to Agriculture. Specifically, the potential impact on landscape.</p> <p><b>B.</b> Proposes the use of the Scenic Protection Code</p>	<p><u>Comments:</u></p> <p><b>A.</b> Council’s established view is that the Agriculture Zone has been applied far too widely within Central Highlands, covering land that is clearly not agricultural land of any significance. This includes the Highlands Lakes area. Council view therefore accords with the general concerns expressed.</p> <p><b>B.</b> Whilst the creation of scenic protection areas may have merit, the introduction of such a significant planning mechanism cannot be undertaken in this process at this stage.</p> <p>A proposed change of this magnitude should only be considered through a specific planning scheme amendment process and be based on a study by a suitably qualified person to define the area. Council reserves its final position on this matter until and unless such a study and formal public notification has occurred, and Council has given due consideration to the outcomes</p> <p><u>Should the Draft LPS be amended?</u></p> <p><b>A.</b> The Agriculture Zone has been applied far too widely and covers relatively poor-quality land often accommodating uses such as forestry and natural values conservation. The application of the Agriculture Zone should be reviewed across the municipal area in accordance with the AK Consulting Decision Tree adopted by all Southern Councils. Refer to Section 3 of this report for more discussion.</p> <p><b>B.</b> Council has agreed to explore the use of the Landscape Conservation Code as potential planning scheme amendments. Refer to Section 4 of this report.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Its use in multiple-use rural areas would have a negative impact on existing and future use and development.</p> <p>Refer to Sections 3 and 4 of this report.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
30.	GHD David Cundall, Senior Planner obo Geoffery Herbert	<p>3 Adelaide Street, Bothwell. CT 245881/1.</p> <p>Land zoned Low Density Residential and proposed to transition to the new Low Density Residential zone.</p> <p>Existing approval for subdivision of 8 lots, ranging in size from 1547m2 to 2446m2.</p> <p>Notes that this land is adjacent to five existing village-sized lots (around 900m2) and proposes that 3 Adelaide Street should also be Village Zone.</p> <p>Requests Council to commit to a structure planning process for Bothwell to consider the most appropriate zoning for the various parts of the town into the future.</p>	<p><u>Comments:</u></p> <p>Agree.</p> <p>Many rural towns around the State have been subject to structure planning projects over the last ten years.</p> <p>It would appear to be many decades since Bothwell has had the benefit of such a process.</p> <p>Structure plans often recommend rezonings, and they are then used to support planning scheme amendments.</p> <p>Council intends to pursue a structure plan for Bothwell once the LPS work is completed, potentially with financial support from the State Government. This should follow completion of the Local Provisions Schedule development process and is to set out the preferred future development of the town and any subsequent zoning changes that ought to be made.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>No changes can be proposed at this stage as part of this process.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>None, at this point in time.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
31.	Ian Fitzgerald	<p>Concerned for the preservation of the natural landscapes around The Steppes, St Patricks Plains, Thousand Lakes Wilderness Area and the Great Lake and associated water bodies.</p> <p>Specifically, concern is expressed about the possible impacts of the mooted windfarm at St Patricks Plains / Steppes.</p>	<p><u>Comments:</u></p> <p>The submitter is not specific in suggesting how the Draft LPS could be modified to address these concerns. The creation of Scenic Protection Areas under the SPP’s Scenic Protection Code would potentially address them.</p> <p>Whilst the creation of Scenic Protection Areas may have merit, the introduction of such a significant planning mechanism cannot be undertaken in this process at this stage.</p> <p>A proposed change of this magnitude should only be considered through a specific planning scheme amendment process and be based on a study by a suitably qualified person to define the area. Council reserves its final position on this matter until and unless such a study and formal public notification has occurred, and Council has given due consideration to the outcomes.</p> <p>Regarding the proposed windfarm, it is noted that as the Local Planning Authority, Council must not pre-judge a possible development application upon which it may need to statutorily sit in judgment.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The submission is not sufficiently detailed regarding proposed changes to the Draft LPS for a definitive view to be formed. However, Council has formed views on related matters regarding the zoning of this land and possible Scenic Protection Areas. This is further discussed in Section 4 of this report.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The establishment of Scenic Protection Areas and/or Scenic Road Corridors would be a major new addition to the planning scheme controls applying to the land and would have a significant impact on the LPS. This is notwithstanding the fact that such a mechanism would replace the ‘landscape impact provisions’ in the current Rural Resource Zone applying to much of the area. The development controls within a Scenic Protection Area mechanism would likely be significantly greater than those of the old Rural Resource Zone.</p> <p>This matter is further explored in Section 4 of this report.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
32.	Mary Louise Ashton Jones	<p>Concerned for the preservation of the natural landscapes around Central Highlands.</p> <p>Request that the Scenic Protection Code be utilised in the LPS.</p>	<p><u>Comments:</u></p> <p>This proposal should be the subject of further consultation with the community and potentially impacted landowners.</p> <p>Whilst the creation of Scenic Protection Areas may have merit, the introduction of such a significant planning mechanism should not be undertaken in this process at this stage.</p> <p>A proposed change of this magnitude should only be considered through a specific planning scheme amendment process and be based on a study by a suitably qualified person to define the area. Council reserves its final position on this matter until and unless such a study and formal public notification has occurred, and Council has given due consideration to the outcomes.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The establishment of Scenic Protection Areas and/or Scenic Road Corridors under the Scenic Protection Code should be explored through a planning scheme amendment process potentially pursuant to Section 35KB of the Act.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The establishment of Scenic Protection Areas and/or Scenic Road Corridors would be a major new addition to the planning scheme controls applying to the land and would have a significant impact on the LPS. This is notwithstanding the fact that such a mechanism would replace the 'landscape impact provisions' in the current Rural Resource Zone applying to much of the area. The development controls within a Scenic Protection Area mechanism would likely be significantly greater than those of the old Rural Resource Zone.</p> <p>This matter is further explored in Section 4 of this report.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
33.	Natalie Fowell	<p>Owner of Lot 2 Marked Tree Road, Hamilton, PID 3264597, CT 166564/2.</p> <p>41.64 ha property containing a 38.19 ha Conservation Covenant.</p> <p>Proposed to be zoned Rural.</p> <p>Requests that it be zoned Landscape Conservation Zone.</p> <p>Note that this property is also part of the Conservation Landholders of Tasmania (CLT) submission.</p>	<p><u>Comments:</u></p> <p>Council's policy on this issue is that all covenanted land be proposed to be zoned Rural in the Draft LPS, and that Council would consider alternate zoning if the owners submitted a request to change.</p> <p>This policy was adopted because Council was anecdotally aware that many landowners specifically do not want their land rezoned as a consequence of entering into such a covenant, whilst others do.</p> <p>If rezoning was an automatic consequence of entering into a conservation covenant, many such covenants would not have been created, leading to reduced environmental outcomes.</p> <p>This matter is further discussed in Section 5 of this report.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zoning of Lot 2 Marked Tree Road, Hamilton, PID 3264597, CT 166564/2 should be amended to Landscape Conservation.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The rezoning of this land would have minimal impact on the LPS.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
34.	Victoria Onslow & William Phipps Onslow	<p>Concerned for the preservation of the natural landscapes around Central Highlands.</p> <p>Request that the Scenic Protection Code be utilised in the LPS and that it applies to all zones.</p> <p>Cites the need to protect the area's world class trout fishing, tourism and recreation industries.</p> <p>Cites the promotion of the area's landscapes by the State Government in tourist information.</p> <p>Particularly mentions the Steppes area.</p>	<p><u>Comments:</u></p> <p>This ultimately might be supported but the proposal should be the subject of further consultation with the community and potentially impacted landowners.</p> <p>Whilst the creation of Scenic Protection Areas may have merit, the introduction of such a significant planning mechanism should not be undertaken in this process at this stage.</p> <p>A proposed change of this magnitude should only be considered through a specific planning scheme amendment process and be based on a study by a suitably qualified person to define the area. Council reserves its final position on this matter until and unless such a study and formal public notification has occurred, and Council has given due consideration to the outcomes.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The establishment of Scenic Protection Areas and/or Scenic Road Corridors under the Scenic Protection Code should be explored through a planning scheme amendment process potentially pursuant to Section 35KB of the Act.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The establishment of Scenic Protection Areas and/or Scenic Road Corridors would be a major new addition to the planning scheme controls applying to the land and would have a significant impact on the LPS. This is notwithstanding the fact that such a mechanism would replace the 'landscape impact provisions' in the current Rural Resource Zone applying to much of the area. The development controls within a Scenic Protection Area mechanism would likely be significantly greater than those of the old Rural Resource Zone.</p> <p>This matter is further explored in Section 4 of this report.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
35.	David Ridley	<p>Concerned for the preservation of the natural landscapes around Central Highlands.</p> <p>Requests that the Scenic Protection Area be created in the LPS covering those parts of the Central Plateau visible from Highland Lakes Road and Waddamana Road.</p> <p>Provides a very detail report “Central Highlands Scenic Protection Area (SPA), Tasmania”. This includes maps, photographs and a detailed and thorough analysis of landscape values.</p> <p>The submitter points out that the existing Rural Resource Zone contains some provisions pertaining to landscape protection whilst the new Rural and Agriculture Zones do not.</p>	<p><u>Comments:</u></p> <p>This ultimately might be supported but the proposal should be the subject of further consultation with the community and potentially impacted landowners.</p> <p>Whilst the creation of Scenic Protection Areas may have merit, the introduction of such a significant planning mechanism should not be undertaken in this process at this stage.</p> <p>There has been no formal consultation with the community generally or impacted landowners in particular regarding this proposal. A proposed change of this magnitude should only be considered through a specific planning scheme amendment process and be based on a study by a suitably qualified person to define the area, (notwithstanding the rigour evident in the submission). Council reserves its final position on this matter until and unless such a study and formal public notification has occurred and Council has given due consideration to the outcomes.</p> <p>The point that the transition from the existing Rural Resource Zone to the new Rural and Agriculture Zones will result in the removal of planning scheme clauses pertaining to landscape impact is well-made and should be kept in mind in any future consideration of this matter generally.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The establishment of the mooted Central Highlands Scenic Protection Area under the Scenic Protection Code along the Highland Lakes Road and Waddamana Road should be explored through a planning scheme amendment process potentially pursuant to Section 35KB of the Act.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The establishment of Scenic Protection Areas would be a major new addition to the planning scheme controls applying to the land and would have a significant impact on the LPS. This is not withstanding the fact that such a mechanism would replace the ‘landscape impact provisions’ in the current Rural Resource Zone applying to much of the area. The development controls within a Scenic Protection Area mechanism would likely be significantly greater than those of the old Rural Resource Zone.</p> <p>This matter is further explored in Section 4 of this report.</p>


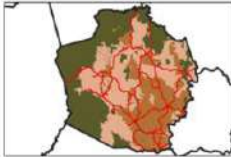


No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
36.	Irene Inc Jacqui Blowfield, Senior Planner obo the No Turbine Action Group Inc (Central Highlands).	<p>Concerned that the mooted windfarm will significantly impact on the significant natural values of the areas around Liawenee, Todds Corner and St Patricks Plains.</p> <p>Supporting the submission is a biodiversity values assessment and a statement on the impact on Wedge-tailed Eagles.</p> <p>Of particular focus is the proposed zoning of these areas to Agriculture and the subsequent omission of the Priority Vegetation Overlay of the Natural Assets Code. These areas have important natural values that ought to be protected in the new scheme.</p> <p>Suggests that the Landscape Conservation Zone is the most appropriate zone.</p>	<p><u>Comments:</u></p> <p>Partially agree.</p> <p>Recommended that the Rural Zone, and therefore the Priority Vegetation Overlay of the Natural Assets Code, apply to these areas.</p> <p>Regarding the proposed windfarm, it is noted that as the Planning Authority, Council must not pre-judge a possible development application upon which it may need to statutorily sit in judgment.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zone of the three areas subject of the submission - Liawenee, Todds Corner and St Patricks Plains - should be changed to Rural. Section3 of this report contains a boarder discussion on the Rural verses Agriculture Zone question in Central Highlands.</p> <p>The establishment of a Scenic Protection Area under the Scenic Protection Code in this area should be explored through a planning scheme amendment process potentially pursuant to Section 35KB of the Act.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Overall, the change from Agriculture to Rural Zone for these and other areas of the municipal area will bring Central Highland into great alignment with a standardised state-wide allocation of these zones.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
37.	Red Seal Urban & Regional Planning Trent Henderson, Principal Planner obo Jonathon Dorkings	<p>Jonathon Dorkings is owner of 204 Meadowbank Road, Meadowbank, PID 7516181, CT 35385/2.</p> <p>The subject land is a small 3079m2 rural lifestyle block, part of a cluster with seven similar -sized lots.</p> <p>Concern centres on the proposed Agriculture Zone.</p> <p>Request that the zone be Rural Living Zone to match the use and development of this land.</p> <p>The request is supported by a detailed planning report and an agricultural capability assessment by a qualified consultant – Geo-Environmental Solutions (GES).</p> <p>The GES report concludes the land is Class 6 agricultural land, i.e.: poor, with no capacity for cropping.</p> <p>Concludes that the subject land and the seven similar-sized adjacent lots should be Rural Living Zone.</p>	<p><u>Comments:</u></p> <p>The Agriculture Zone is inappropriate for this land and the seven similar-sized titles in this cluster.</p> <p>The information contained in the submission is received and the rationale put forward is agreed.</p> <p>It is noted that this cluster of small titles has similarities with the many small clusters of Rural Living Zone or Low Density Residential Zone areas around the Highland Lakes.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zoning of 204 Meadowbank Road, Meadowbank, PID 7516181, CT 35385/2 should be amended to Rural Living Zone.</p> <p>The zoning of the similar lots in the same cluster should also be changed to Rural Living Zone, (subject to landowner consent). These are PIDs 7571017, 7571025, 7516173, 7516165, 5470554, 1432913 and the small section of 3174225 within this cluster.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>The proposed change would result in no substantive effect on the LPS and would result in a consistent approach to small clusters of dwellings across the entire municipal area.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
		<p>Map: 204 Meadowbank Road and the cluster of similar-sized titles proposed to be zoned Rural Living.</p> <p><b>Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Imagery</b></p>  <p><i>Derwent Valley</i></p> <div data-bbox="573 1137 1245 1294"> <p><b>Legend</b></p> <ul style="list-style-type: none"> <li>Proposed Extent of Agriculture Zone</li> <li>Private Timber Reserves</li> <li>Conservation Covenant</li> <li>Reliance Forest Fibre PYT LTD</li> <li>Amend to Landscape Protection</li> <li>Cadastral Parcels</li> </ul> </div> <div data-bbox="1256 1137 1570 1294"> <p><b>Map 6 of 6</b></p> <p>Coordinate system: GDA94 MGA Zone 55 Planning data from CEN AZ-RZ Maps Council Base topographic data from the LIST © State of Tasmania Print Date: 13/12/2021</p> </div> <div data-bbox="1765 1137 1995 1294">  </div>	



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
38.	John Toohey	<p>A regular visitor to the Central Highlands.</p> <p>Wants to ensure that the intrinsic values, scenic values, aboriginal heritage, unique character and landscape values of the Highlands are maintained and protected.</p> <p>Suggests these tables in the LPS should not be left blank:</p> <p><b>A.</b> Table C6.1 Local Heritage Places</p> <p><b>B.</b> Table C6.3 Local Historic Landscape Precincts</p> <p><b>C.</b> Table C6.4 Places or Precincts of Archaeological Potential</p> <p><b>D.</b> Table C6.5 Significant Trees</p> <p><b>E.</b> Table C8.1 Scenic Protection Areas</p> <p><b>F.</b> Table C8.2 Scenic Road Corridors</p>	<p><u>Comments:</u></p> <p><b>A.</b> It is Council's preference that a modified local heritage place list be included, but not the current list that includes numerous large rural titles unnecessarily.</p> <p>Council is hopeful that the spatial extents of many of the rural listings can be modified to match the revised equivalent listings on the Tasmanian Heritage Register. To transfer them into the LPS without doing this would result in thousands of hectares of farmland unnecessarily listed for non-existent heritage values. This was apparently not possible, so the decision was made to remove the local list. It is noted that all places remain on the Tasmanian Heritage Register, and so remain protected. Refer Section 6 for more discussion.</p> <p><b>B. C. D. E &amp; F</b></p> <p>These various precincts, places and areas are not in the current planning scheme and there has been no work done to identify any or liaise with community and potentially impacted landowners. Council is not able to propose the introduction of these mechanisms as part of this current process. Regarding Scenic Protection Areas, Council considers that this could be explored through a process under S.35KB of the Act.</p> <p><u>Should the Draft LPS be amended?</u></p> <p><b>A.</b> Table C6.1 Local Heritage Places should not be utilised unless amended as described in Section 6 of this report to match the Tasmanian Heritage Register listings. It is noted the key areas of all properties are, in any case, listed on the THR, rendering the local list redundant.</p> <p><b>B.</b> Table C6.3 Local Historic Landscape Precincts should not be utilised.</p> <p><b>C.</b> Table C6.4 Places or Precincts of Archaeological Potential should not be utilised.</p> <p><b>D.</b> Table C6.5 Significant Trees should not be utilised.</p> <p><b>E. and F.</b> The establishment of Scenic Protection Areas and/or Scenic Road Corridors under the Scenic Protection Code should be explored through a planning scheme amendment process potentially pursuant to Section 35KB of the Act.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Refer to Sections 4 and 6 of this report.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
39.	Jacob Smith	<p>Owner of the former Principal's Cottage of Ouse School at 7011 Lyell Highway. PID 3412721.</p> <p>States that this land is not zoned Village despite being part of the village of Ouse, next to the school.</p> <p>Under the Draft LPS it is proposed to be zoned Agriculture. It is currently Rural Resource Zone.</p> <p>Notes that Council's Supporting Report states that there is insufficient need for more Village Zone land in Ouse pursuant to the Southern Tasmania Regional Land Use Strategy. However, the submitter argues that this strategy is out-of-date, being developed eleven years ago prior to the recent population boom in Tasmania which has led to a general shortage of housing supply.</p> <p>The land is unsuitable for an agricultural enterprise, being relatively small, adjacent to the school and unirrigated.</p> <p>Allowing the land to be subdivided would, in contrast, likely strengthen the school through increased student numbers.</p> <p>Request change to Village Zone.</p>	<p><u>Comments:</u></p> <p>A structure plan or similar settlement analysis would need to be undertaken at Ouse to support a rezoning to Village.</p> <p>Nevertheless, the Agriculture Zone is considered inappropriate for the reasons raised by the submitter.</p> <p>Smaller rural titles such as this on the periphery of villages are, in practice, part of villages. Yet they are not zoned as such. These should be zoned Rural, as a practical 'holding zone'. This would allow easier consideration of town expansion in the future.</p> <p>Rural zoning would create a buffer between the village uses and the industrial-level agriculture use that the Agriculture Zone clears the way for. This is particularly important in this case considering the land is next to the school.</p> <p>Agree that the Southern Tasmania Regional Land Use Strategy is out of date, as it was formed ten years ago and was based largely on 2006 census data.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The zoning of 7011 Lyell Highway, PID 3412721, should be changed to Rural, as this will negate potential for land use conflict, especially in such close proximity to the school, and it will perform the function of a 'holding zone' in the short term.</p> <p>A structure plan for the township of Ouse, with input from the local community should be developed. This should follow completion of the Local Provisions Schedule development process and is to set out the preferred future development of the town and any subsequent zoning changes that ought to be made.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>No impact on the LPS as a whole.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
40.	<p>Department of Primary Industries, Parks, Water &amp; Environment.</p> <p>Tim Baker, Secretary</p>	<p><b>A.</b> Does not support the zoning of the western half of the Interlaken Canal as Utilities Zone. Requests that it remain Environmental Management Zone.</p> <p>States that the EMZ zone is necessary to protect the RAMSAR wetland <i>“from further encroachment and/or hydrological impact by the canal and associated works, now and in the future”</i>.</p> <p><b>B.</b> Requests that a Public Reserve, PID 5475283, on the Lyell Highway be changed from Rural Zone. (Not stated which zone is requested).</p> <p><b>C.</b> Request unallocated Crown Land at Brady’s Lagoon (PID 2541169) be changed from Agriculture Zone to Environmental Management Zone, as it contains threatened native vegetation.</p> <p><b>D.</b> Notes that all references to the National Parks and Reserves Land Regulations 2009 should be updated to the National Parks and Reserves Management Regulations 2019.</p>	<p><u>Comments:</u></p> <p><b>A.</b> Not agree:</p> <p>Council has zoned the eastern half of the canal as Utilities Zone. This section is on an adjacent title outside the RAMSAR area.</p> <p>In the Supporting Report, Council indicates its preference for the entire canal to be zoned Utilities, reflecting the reality on the ground and providing greater certainty that this key component of the Clyde Irrigation District can continue operating properly into the future.</p> <p>The detailed RAMSAR maps clearly indicate that the actual wetland areas are located in other parts of the proscribed RAMSAR site and are not in the vicinity of the canal. The wetland’s values are in fact dependant on the proper management of water levels, which the Clyde Water Trust undertakes, using the canal. If future maintenance of the canal is impeded, the RAMSAR wetland values will be threatened. Refer Section 7 of this report for more details.</p> <p><b>B.</b> Agree.</p> <p>Public Reserves are generally appropriately zoned Environmental Management Zone.</p> <p><b>C.</b> Agree.</p> <p>Change to the Environmental Management Zone.</p> <p><b>D.</b> Noted.</p> <p>A matter for the State Government to address within the State Planning Provisions.</p> <p><u>Should the Draft LPS be amended?</u></p> <p><b>A.</b> Council maintains its view that the whole canal should be zoned Utilities, reflecting the reality on the ground. Refer to Section 7 of this report.</p> <p><b>B.</b> The zoning of Public Reserve, PID 5475283, should be changed to Environmental Management.</p> <p><b>C.</b> The zoning of unallocated Crown Land at Brady’s Lagoon (PID 2541169) should be changed to Environmental Management.</p> <p><b>D.</b> Noted.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Refer to Section 7 of this report.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
41.	<p>Susanne and Dean Klower</p> <p>Received at 8:58pm, 22 October 2021. After the advertised deadline of close of business 22 October 2021.</p>	<p>Owns land at 735 Arthurs Lake Road, Arthurs Lake.</p> <p>Concerned with the proposed extent of rezoning to the Agriculture Zoning in the area, and that this will lead to loss of important scenic and natural values.</p> <p>Cites the proposed wind farm at St Patricks Plains as an example – on land proposed to be Agriculture Zone yet contains many significant natural values.</p>	<p><u>Late Submission</u></p> <p>The late submission is accepted, pursuant to S.35F(2)(b) of the Act.</p> <p><u>Comments:</u></p> <p>This comments regarding the extent of proposed Agriculture Zone accord with Council’s view that the Agriculture Zone has been applied far too widely within Central Highlands, covering land that is clearly not agricultural land of any significance. Large areas of land that are dominated by rural lifestyle blocks, forestry and/or nature conservation have been inappropriately mapped as ‘land potentially suitable for the Agriculture Zone’.</p> <p>Regarding the proposed windfarm, it is noted that as the Planning Authority, Council must not pre-judge a possible development application upon which it may need to statutorily sit in judgment.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The Agriculture Zone has been applied far to widely and covers relatively poor-quality land and land dominated by natural values and forestry. The application of the Agriculture Zone should be reviewed across the municipal area in accordance with the AK Consulting Decision Tree adopted by all Southern Councils. Refer to Section 3 of this report.</p> <p>The establishment of a Scenic Protection Area under the Scenic Protection Code in this area should be explored through a planning scheme amendment process potentially pursuant to Section 35KB of the Act. This issue is detailed further in Section 4 of this report.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Its use in multiple-use rural areas would have a negative impact on existing and future use and development.</p> <p>Refer to Sections 3 and 4 of this report.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
42.	<p>T.L Wood</p> <p>Received at 5:27pm, 22 October 2021. After the advertised deadline of close of business 22 October 2021.</p>	<p>Concerned with the proposed extent of rezoning to the Agriculture Zoning in the area, and that this will lead to loss of important scenic and wildlife values.</p>	<p><u>Late Submission</u></p> <p>The late submission is accepted, pursuant to S.35F(2)(b) of the Act.</p> <p><u>Comments:</u></p> <p>This accords with Council’s view that the Agriculture Zone has been applied far too widely within Central Highlands, covering land that is clearly not agricultural land of any significance. Large areas of land that are dominated by rural lifestyle blocks, forestry and/or nature conservation have been inappropriately mapped as ‘land potentially suitable for the Agriculture Zone’.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The Agriculture Zone has been applied far too widely and covers relatively poor-quality land and land dominated by natural values and forestry. The application of the Agriculture Zone should be reviewed across the municipal area in accordance with the AK Consulting Decision Tree adopted by all Southern Councils. Refer to Section 3 of this report.</p> <p>The establishment of a Scenic Protection Area under the Scenic Protection Code in this area should be explored through a planning scheme amendment process potentially pursuant to Section 35KB of the Act. This issue is detailed further in Section 4 of this report.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Its use in multiple-use rural areas would have a negative impact on existing and future use and development.</p> <p>Refer to Sections 3 and 4 of this report.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
43.	<p>Odile Foster</p> <p>Received on 23 October 2021. After the advertised deadline of close of business 22 October 2021.</p>	<p>Owner of shack at Miena</p> <p>Concerned with the proposed extent of rezoning to the Agriculture Zoning in the area, and that this will lead to loss of important values.</p> <p>Cites the proposed wind farm at St Patricks Plains as an example – on land proposed to be Agriculture Zone yet contains many significant natural values.</p>	<p><u>Late Submission</u></p> <p>The late submission is accepted, pursuant to S.35F(2)(b) of the Act.</p> <p><u>Comments:</u></p> <p>This comments regarding the extent of proposed Agriculture Zone accord with Council’s view that the Agriculture Zone has been applied far too widely within Central Highlands, covering land that is clearly not agricultural land of any significance. Large areas of land that are dominated by rural lifestyle blocks, forestry and/or nature conservation have been inappropriately mapped as ‘land potentially suitable for the Agriculture Zone’.</p> <p>Regarding the proposed windfarm, it is noted that as the Planning Authority, Council must not pre-judge a possible development application upon which it may need to statutorily sit in judgment.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The Agriculture Zone has been applied far to widely and covers relatively poor-quality land and land dominated by natural values and forestry. The application of the Agriculture Zone should be reviewed across the municipal area in accordance with the AK Consulting Decision Tree adopted by all Southern Councils. Refer to Section 3 of this report.</p> <p>The establishment of a Scenic Protection Area under the Scenic Protection Code in this area should be explored through a planning scheme amendment process potentially pursuant to Section 35KB of the Act. This issue is detailed further in Section 4 of this report.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Its use in multiple-use rural areas would have a negative impact on existing and future use and development. Refer to Sections 3 and 4 of this report.</p>



No.	FROM	KEY ISSUES	PLANNING AUTHORITY ASSESSMENT AND OPINION Pursuant to S.35F(c)(i) & (ii)
44.	<p>William John Gunn</p> <p>Received on 25 October 2021. After the advertised deadline of close of business 22 October 2021.</p>	<p>Owner of house at Miena.</p> <p>Concerned with proposed changes to the planning scheme “as it appears to be mainly to allow the development of many more wind towers”.</p> <p>Concerned of the impact on the natural landscape ‘over the whole community’.</p>	<p><u>Late Submission</u></p> <p>The late submission is accepted, pursuant to S.35F(2)(b) of the Act.</p> <p><u>Comments:</u></p> <p>It is assumed the changes to the planning scheme referred to are the rezoning of large areas of Highland Lakes land to Agriculture, rather than Rural, particularly at St Patricks Plains, which has the effect of removing the priority vegetation area overlay.</p> <p>Regarding the proposed windfarm, it is noted that as the Planning Authority, Council must not pre-judge a possible development application upon which it may need to statutorily sit in judgment.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>The establishment of a Scenic Protection Area under the Scenic Protection Code in this area should be explored through a planning scheme amendment process potentially pursuant to Section 35KB of the Act. This issue is detailed further in Section 4 of this report.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Refer to Section 4 of this report.</p>
45	<p>Sue Chandler</p> <p>Following receipt of the submission, the representor was queried by council officers and confirmed that the submission is intended to be a representation to the Draft LPS.</p>	<p>Raises general concerns about the impact of development on wilderness values.</p> <p>Raises a specific concern regarding ‘the proposed aerial lifts plan’. Council has not received an application for such a proposal and is unaware of any suggestions for such a proposal in Central Highlands.</p> <p>The representation does not propose any specific changes to the Draft LPS.</p>	<p><u>Comments:</u></p> <p>No view can be formed due to the lack of detail.</p> <p><u>Should the Draft LPS be amended?</u></p> <p>No changes considered necessary.</p> <p><u>Effect on the LPS as a whole:</u></p> <p>Nil.</p>



### **3. RURAL vs AGRICULTURE ZONE**

#### **3.1 Overview**

The zoning of rural areas as presented in the Draft LPS maps does not accord with Council's view over large areas. In Council's view, the Agriculture Zone has been applied to many areas which are more appropriately zoned Rural

The LPS is required to zone rural land that is currently under the Rural Resource Zone or the Significant Agriculture Zone into either the Rural Zone (RZ) or the Agriculture Zone (AZ). These zones were created to recalibrate the Rural Resource Zone and the Significant Agriculture Zone which were inconsistently used and applied in interim schemes across the State.

The State Government commissioned a State-wide Agricultural Land Mapping Project (ALMP) with the primary aim of identifying Tasmania's existing and potential agricultural land, and to provide guidance to local planning authorities on the spatial application of the Agriculture Zone within their municipal area.

The ALMP alleged that the current Rural Resource Zone and the Significant Agriculture Zone were not fit for purpose. The Significant Agriculture Zone was too narrow in its scope and was limited to "land for higher productivity value agriculture dependent on soils as a growth medium". The Rural Resource Zone then had to capture all other agricultural land that was not deemed as having 'higher productivity value'.

The new Agriculture Zone is intended to provide a much broader scope for the identification and protection of agricultural land in Tasmania, with priority given to agricultural uses. The ALMP uses the term "Agricultural Estate" to describe the land as an economic asset to Tasmania that should be protected through Planning Scheme provisions. The Agriculture Zone is an inflexible single-focus zone suitable to commercial agricultural areas where very few other rural land uses occur. In this sense it is analogous to an Industrial Zone.

The Rural Zone provides for the remaining rural land where there is limited or no potential for agriculture. The Rural Zone provides for agricultural uses to occur in conjunction with a broad range of rural activities and industries. It is a flexible multi-use zone. In this sense it is analogous to the Urban Mixed Use Zone.

#### **3.2 Land Potentially Suitable to the Agriculture Zone**

Using desk-top analysis techniques at a broad, state-wide scale, the ALMP produced a map layer: Land Potentially Suitable to the Agriculture Zone, (LPSAZ). This was further categorised by a constraints analysis:

- Unconstrained agricultural land
- Potentially Constrained agricultural land (Criteria 2A)
- Potentially Constrained agricultural land (Criteria 2B)
- Potentially Constrained (Criteria 3)



Guideline No.1 requires the application of the Agriculture Zone to be based on the land identified in the LPSAZ, but provides for any analysis at a local level that:

- *Incorporates more recent or detailed analysis or mapping;*
- *Better aligns with on-ground features; or*
- *Addresses any anomalies or inaccuracies in the layer,*
- *alterations based on further identified constraints to agriculture*

In particular, Guideline AZ3 identifies that titles highlighted as Potentially Constrained Criteria 2A, 2B or 3 in Layer 2 may require further investigation as to their suitability in the Agriculture Zone.

Guideline AZ 5 provides for titles to be split-zoned to align with areas potentially suitable for agriculture, and areas on the same title where agriculture is constrained.

Guideline AZ 6 provides for alternative zoning of land identified in Layer 2 to be considered if further analysis is done and identifies the following:

- *strategically important natural occurring resources;*
- *protection of significant natural values, such as priority vegetation areas;*
- *strategically important uses; and*
- *the land has limited or no potential for agricultural use.*
- *It can be demonstrated that there are significant constraints to agricultural use*

The makers of the LPSAZ utilised generic decision rules and desktop GIS analysis to generate the layer. The process did not include on-ground verification. The constraints analysis that was utilised in the LPSAZ mapping was not designed to provide a comprehensive analysis of all the factors that may contribute to the constraint of agricultural land as it was not feasible to develop a model at the state-wide scale that could incorporate all factors of each individual title that need to be considered. Fundamentally, therefore, the LPSAZ is a broad-brush tool and not necessarily correct at the property level. Its outcomes are a good starting point and, whilst correct in many cases, often need to be tested against more detailed local-level analysis.

### **3.3 A Major Change for Southern Tasmania**

The only major broad change in zoning from the existing Interim Planning Schemes to the state-wide Tasmanian Planning Scheme in the southern region of Tasmania is the zoning of rural areas.

Currently there is the Significant Agriculture Zone which only applies to the relatively small, well defined areas of high-quality agricultural land, and the Rural Resource Zone which applies almost everywhere else and includes dry-land cropping, pastureland, summer grazing land, native pasture, grazing land under forest cover, forestry land, private forested land and mining areas. This division of zones has suited the southern region well for many decades, as there are only small areas of well-defined high quality agricultural land and large areas of much poorer quality land. The contrast is stark compared to the north and northwest of the state where the land is much more productive overall and there is comparatively little poor-quality land.



Under the new Tasmanian Planning Scheme there will be the Agriculture Zone covering almost all agricultural land seemingly regardless of quality and the Rural Zone covering forestry land, major mining operations, and the like. The spatial allocation of the Rural and Agriculture Zones is very different to the allocation of the Significant Agriculture and Rural Resource Zones and has been a major task for Councils in the southern region during this state-wide planning reform process.

### 3.4 The AK Consulting Decision Tree

To provide a more refined property-level methodology, the Southern Councils (with State Government funding) engaged the firm AK Consultants to develop the '*Decision Tree & Guidelines for Mapping the Agriculture and Rural Zones*'. This document takes the LPSAZ as a base and adds a standard methodology to enable planners to consider the facts on the ground and to decide whether land should be Rural or Agriculture Zone. It clearly sets out the circumstances in which land in the LPSAZ should in fact be zoned Rural and, conversely, where land not in the LPSAZ should be zoned Agriculture.

The Decision Tree document states that only if, after its guidelines have been applied, it is still uncertain which zone should be used, it might be appropriate for an expert consultant to be engaged to make a determination. In negotiations between the Planning Authority and the Commission, this has not been recognised by Commission officers, who have simply demanded that the Planning Authority engage external consultants whenever it considers it necessary to depart from the LPSAZ. The Planning Authority believes that in the vast majority of cases this would be an unnecessary waste of public resources when, in reality, many of the recommendations of the LPSAZ quite clearly need to be changed.

The Decision Tree document provides for a process to make these changes that is given substantive weight by the State's Guideline No.1 as *an agricultural land analysis undertaken at the regional level which incorporates more recent analysis, better aligns with on-ground features and addresses inaccuracies in the LPSAZ, and which is prepared by a suitably qualified person and adopted by all the Southern Councils*, (Guideline AZ1(a)).

Furthermore, AZ6(a) of Guideline No.1 provides for alternative zoning *if local or region strategic analysis has identified or justifies the need*. The application of the Decision Tree rules enables this.

In addition, at the time the Southern councils initially proposed to organise the creation of the Decision Tree, the idea was put to the TPC and the State Government and received endorsement.

### 3.5 Analysis

Data sources used by the Planning Authority to allocate zoning include, (in addition to the LPSAZ), the Land Use 2015 LIST layer, the Agricultural Land Capability layer (i.e. Class 1 to 7 under the Protection of Agricultural Land State Policy), aerial photography layers, Private Timber Reserves, Conservation Covenants, Mining Leases, landownership, local knowledge and site inspection, as per the Decision Tree guidelines.

In regard to Private Timber Reserves, (PTRs), the view is that the existence of a PTR should not carry sole determining weight to zone a piece of land Rural. For example, an isolated PTR making up a small part of a working farm ought to be zoned Agriculture along with the rest of the farm. However, multiple PTRs in an area, along with dominating forestry land use and/or forestry company land ownership indicates an area should be zoned Rural even though it may be mapped in the LPSAZ as



unconstrained agricultural land. The Decision Tree provides the rigour for planners / planning authorities to make this decision and the advice of an external consultant ought not be necessary.

### 3.6 State-wide Consistency

It is noted that the LPSAZ indicates large areas of high-altitude rough summer grazing land on Class 6 soils on the Central Plateau should be considered 'unconstrained agriculture', with the implication that such land ought to be zoned 'Agriculture'. The Planning Authority notes that on the northwest coast, in Burnie, Class 4 agricultural land has been zoned Rural, (seemingly because these areas form part of forestry production areas). One of the Government's stated reasons for introducing the state-wide planning scheme is to ensure consistency across the State. Central Highlands Council supports the principle that forest production areas should be zoned Rural. However, it seems incongruous that the LPSAZ would suggest high-altitude rough summer grazing land on Class 6 soils should be Agriculture Zone whilst Class 4 soils elsewhere in the State are zoned Rural. This would appear to undermine the entire rationale for moving to state-wide standardisation via the State Planning Scheme.

### 3.7 The Planning Authority's Decision-Making Rationale

The AK Consulting Decision Tree provides a sound method specific to the circumstances of Southern Tasmanian to weigh the various factors in determining whether land should be allocated the Rural Zone or the Agriculture Zone. It was created at the request of the Southern Councils to create a consistent methodology for allocating these zones, recognising the limitations of the broad-brush Land Potentially Suitable for Agriculture Zone (LPSAZ) desk-top mapping project.

The AK Consulting Decision Tree provides the following zoning guidelines:

- *Consistency of land use patterns.*
- *Titles that have characteristics that are suitable for either the Rural or Agriculture Zones (based on State Government's – Zone Application Framework Criteria) should be zoned based on surrounding titles with the chief aim of providing a consistent land use pattern.*
- *To avoid spot zoning of individual titles a minimum of 3 titles should be investigated (depending on size and scale of titles) for a zone. For planning purposes, a consistent zoning pattern is preferable to fragmented zoning patterns.*
- *Adjacent titles owned by same entity to be included in the same zone when possible:*
- *Adjacent titles under same ownership are most likely farmed in conjunction. By zoning these titles under the same zone land holders will have consistency of Planning Scheme permitted uses. However, current land use practices should also be considered as there may be instances where titles under same ownership are utilised for differing land uses which are more appropriately zoned differently. This will also potentially be the case for larger titles where split zoning might be appropriate. Plantations on land farmed in conjunction with mixed farming operations are more likely to be converted to an alternative agricultural use. Hence if the majority of the holding is in the Ag Zone then the preference would be for the title supporting plantation to also be in the Ag Zone.*
- *Split zoning of titles to only occur in exceptional circumstances:*
- *Split zoning is only to occur on titles that have significantly divergent agricultural potential. This will generally only occur on larger titles.*



A key issue is when a title is nominated as ‘Agriculture – Unconstrained’ in the LPSAZ map, and Council considers it should nevertheless be zoned Rural – based on real on-the-ground knowledge. The AK Consulting Decision Tree considerations that apply in this circumstance are as follows:

*Land mapped as unconstrained in the LPSAZ is to be zoned Rural if meeting one or more of the following criteria, (as per RZ1 and RZ3):*

- 1: *If on Class 6 or 7 Land, or land that is limited due to site characteristics.*
- 2: *If owned by a forestry company.*
- 3: *If owned by a private land holder and is adjacent to other forestry or Rural Zone titles.*
- 4: *If under private timber reserves and unlikely to be converted to pasture.*
- 5: *Adjacent land is also primarily used for forestry activities.*
- 6: *State forest and/or Future Production Forest.*

The maps on the following pages set out the Planning Authority’s preferred allocation of the Agriculture and Rural Zones using the above decision-making rules. (They also show the proposed Landscape Protection Zone allocation.) A new boundary between the Agriculture Zone and the Rural Zone is proposed, indicated by a **thick blue line**. It is the Planning Authority’s opinion that these two zones need to be applied on an area basis – not on a lot-by-lot ‘postage stamp’ basis, due to the nature of the land uses accommodated by these zones and the subsequent large setback provisions.

There are four map themes showing the proposed boundary; Aerial Imagery, Zones (i.e. the publicly exhibited zones), Land Potentially Suitable for Agriculture Zone (LPSAZ) and Land Capability.

Inside the boundary, where the Agriculture Zone is proposed, it can be seen that the land is Class 4 or 5, under cropping or improved pasture, mostly devoid of Private Timber Reserves and Conservation Covenants, divided into large ‘working farm’ titles and only flat or moderately sloping terrain.

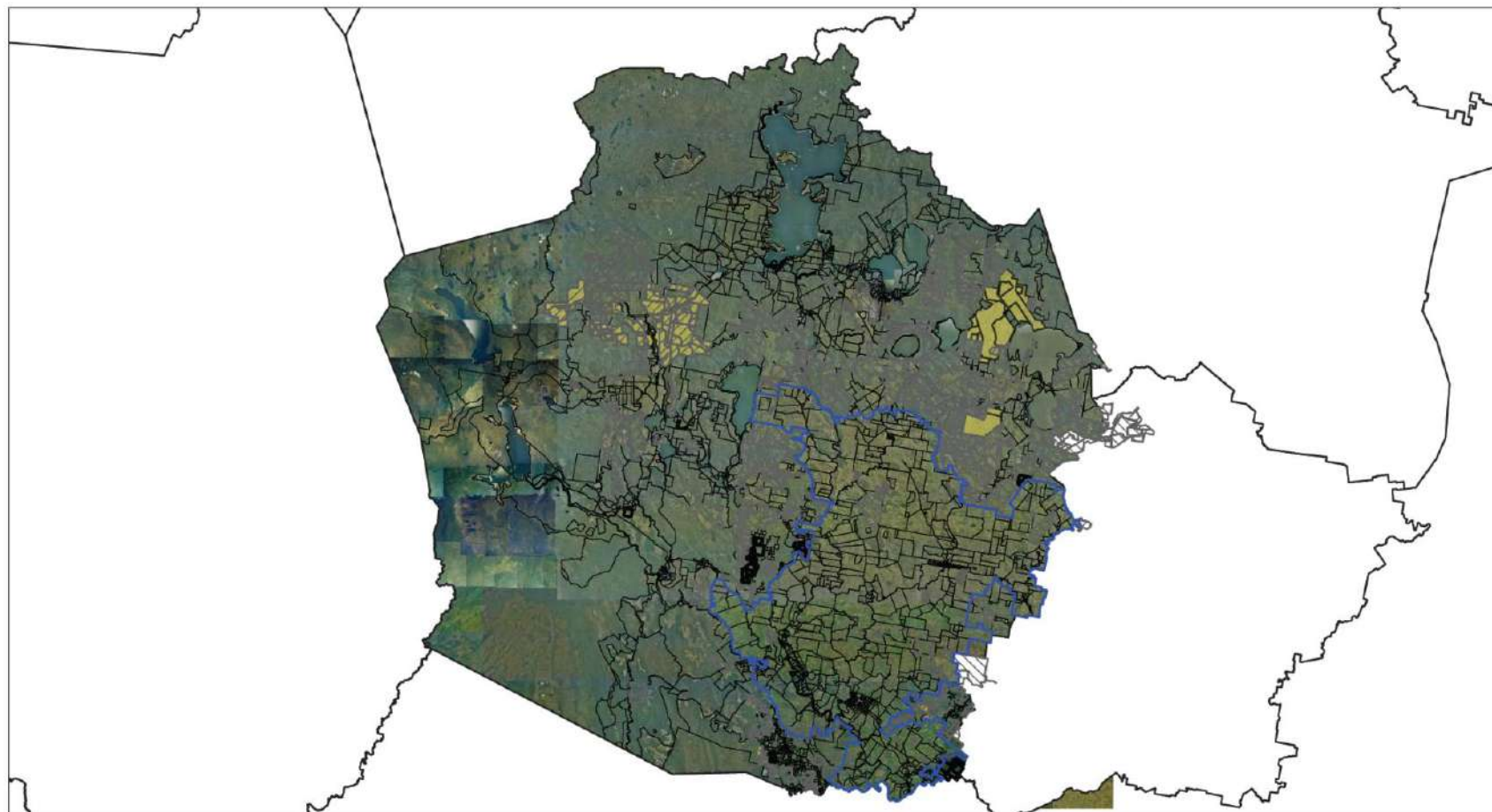
Outside the boundary, where the Rural Zone is proposed, it can be seen that the land is generally Class 6 or 7, either forested or rough summer grazing land, accommodating many Private Timber Reserves and Conservation Covenants and generally rugged terrain. Titles are mostly large, although in the south there is an area of small, de facto rural-living titles in a mixed hobby farming area. All land subject of representations requesting land to be amended to either Rural or Landscape Protection Zone is outside the proposed new Agriculture Zone boundary.

### **3.8 Effect on the LPS as a Whole**

Amending the zoning of areas of marginal agricultural land, land already subdivided and used for rural lifestyle blocks and areas dominated by forestry and nature conservation from Agriculture to Rural would have a significant beneficial effect on the LPS as a whole. The Rural zone is a flexible zone suited to this array of uses whilst the Agriculture Zone is a single-focus zone suitable to commercial agricultural areas. Applying the Agriculture Zone to multiple-use rural areas would have a serious negative impact on existing and future use and development.



### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Imagery



#### Legend

- Proposed Extent of Agriculture Zone
- Private Timber Reserves
- Conservation Covenant
- Reliance Forest Fibre PYT LTD
- Amend to Landscape Protection
- Cadastral Parcels



Map 1 of 6

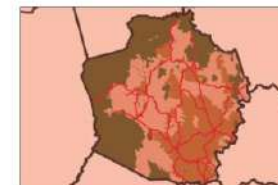
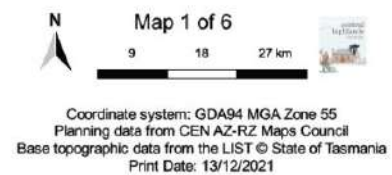
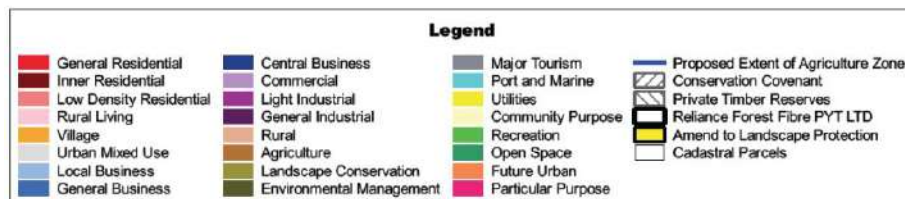
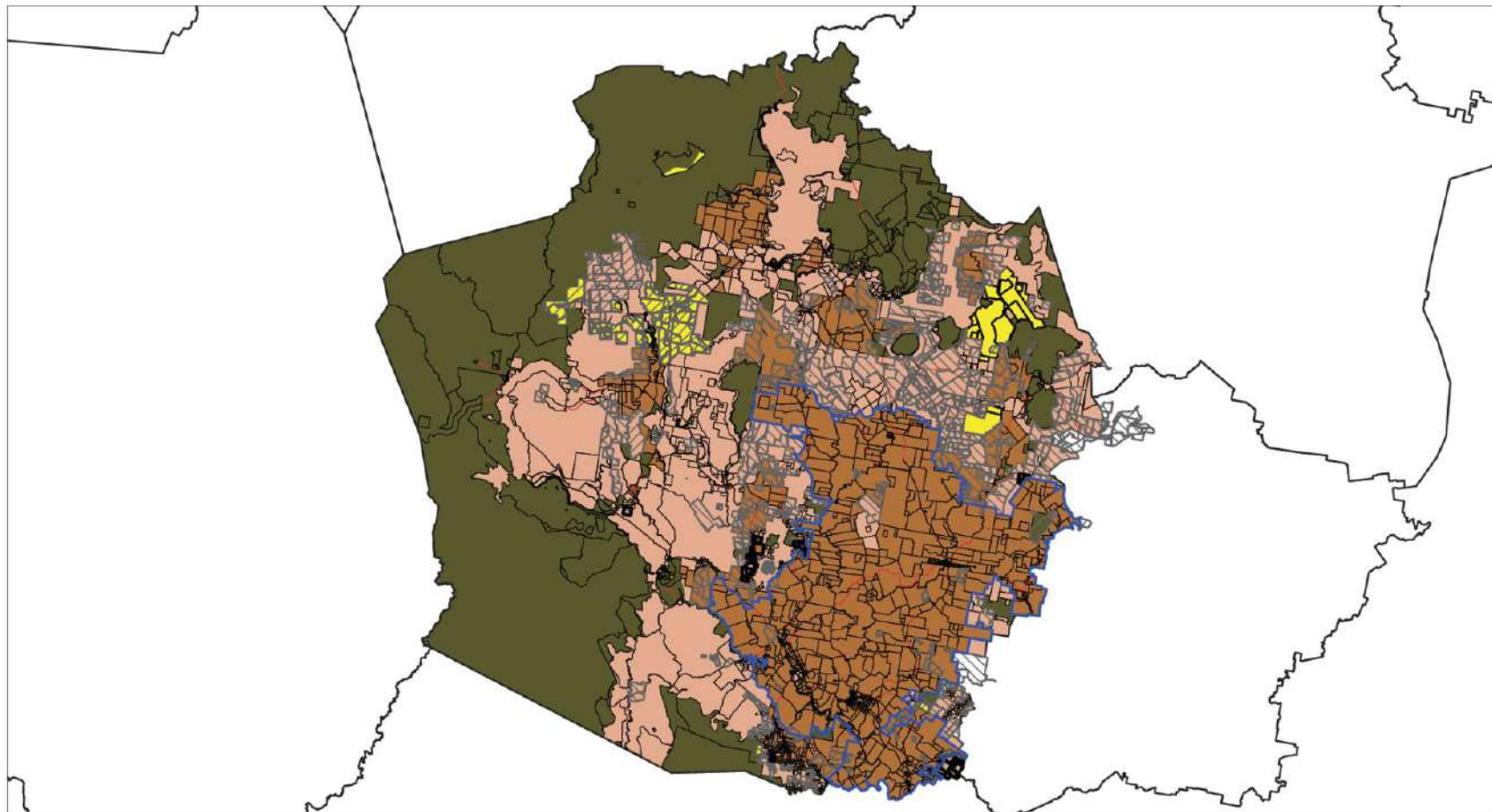
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Coordinate system: GDA94 MGA Zone 55  
Planning data from CEN AZ-RZ Maps Council  
Base topographic data from the LIST © State of Tasmania  
Print Date: 13/12/2021



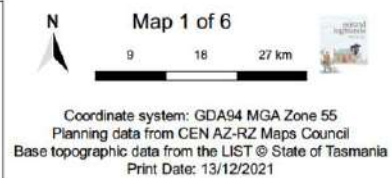
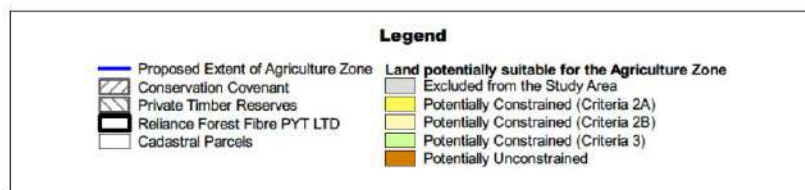
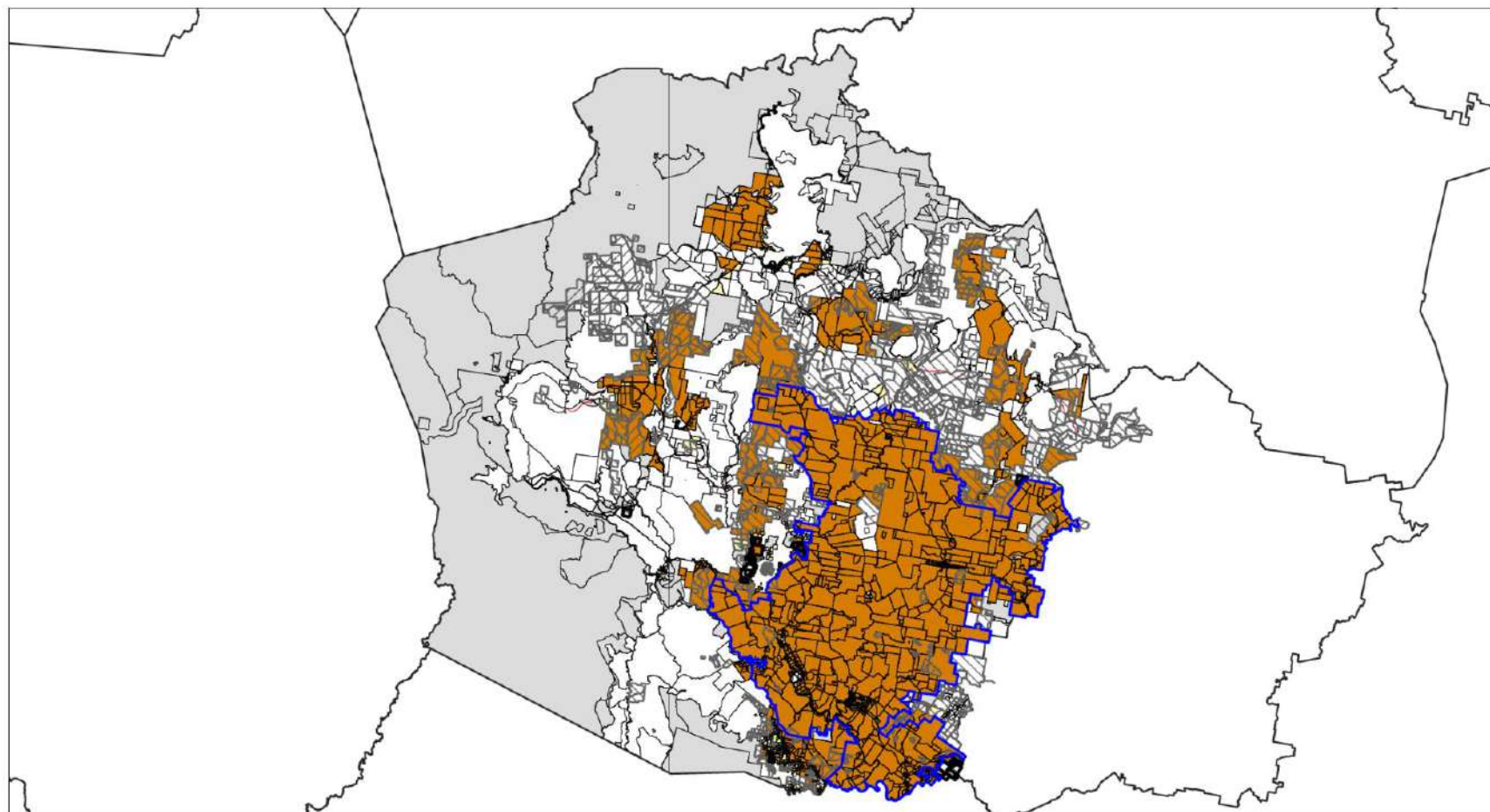


### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Zones



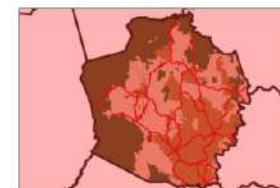
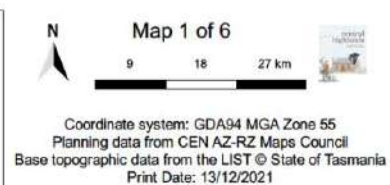
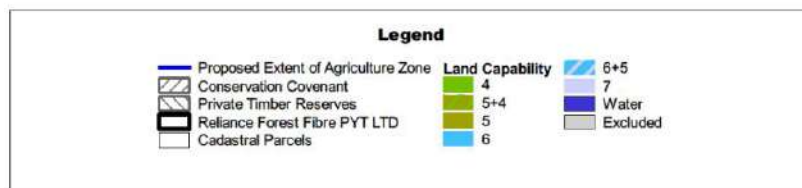
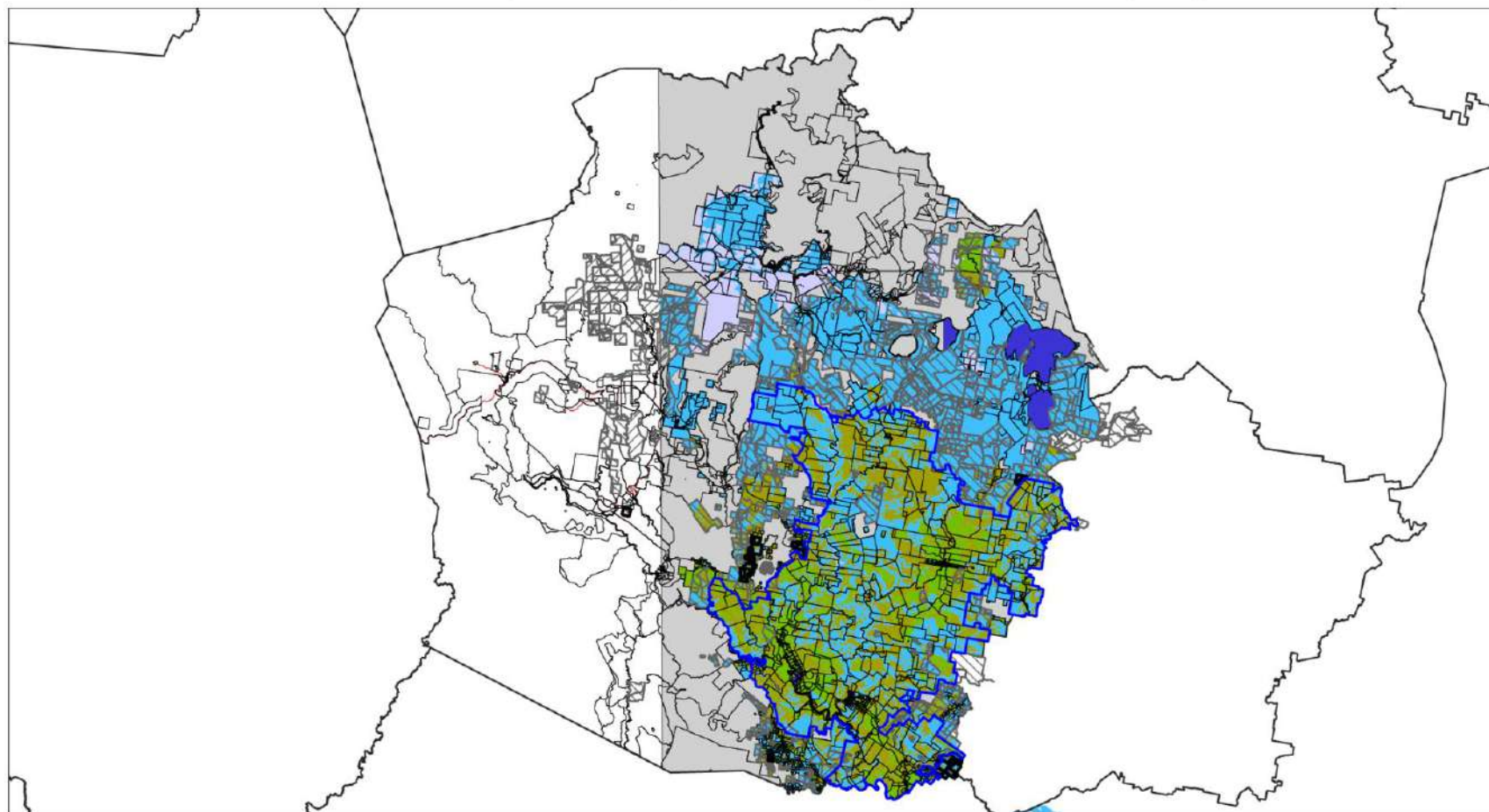


### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - LPSAZ



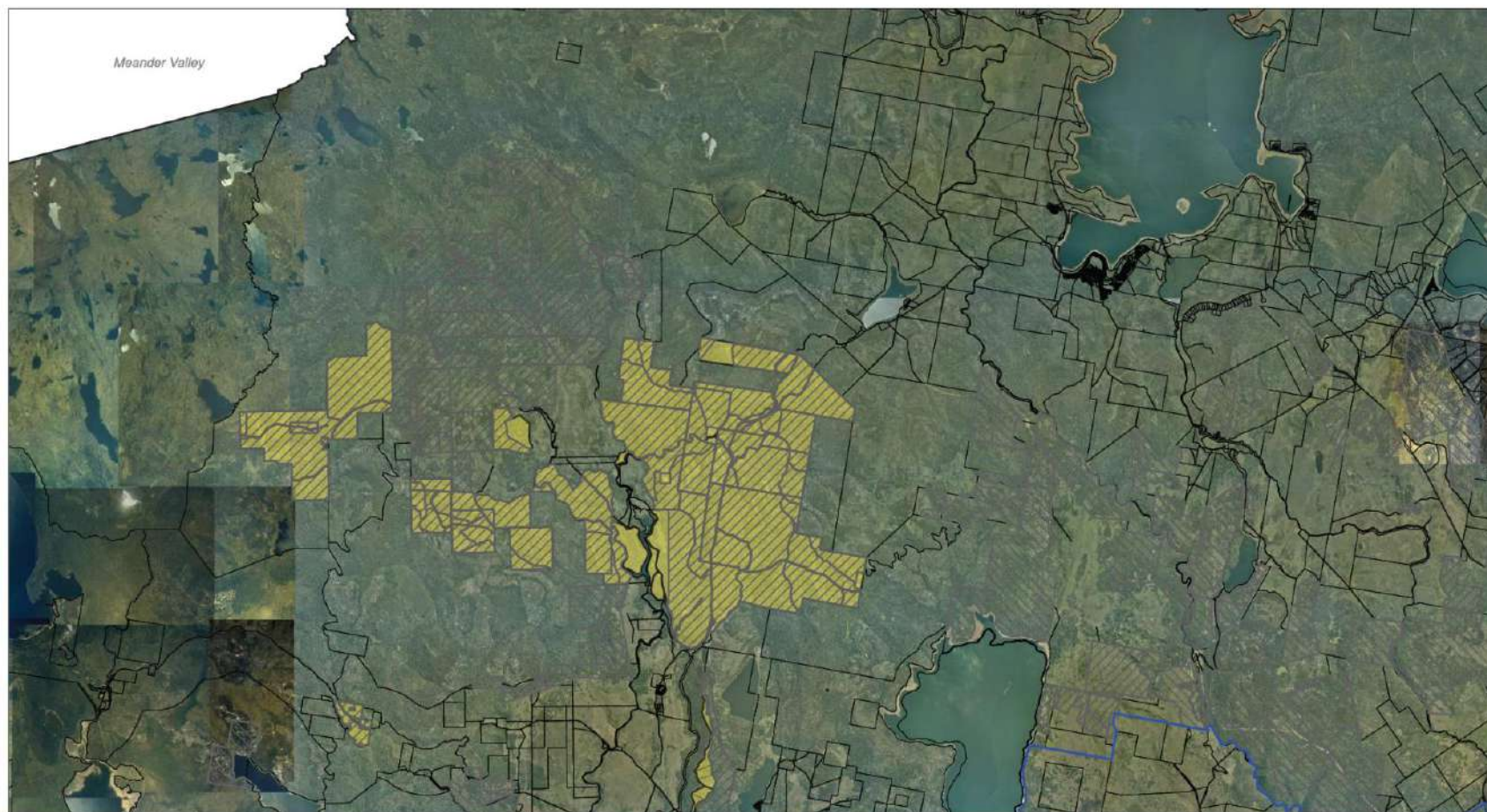


**Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Land Capability**





### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Imagery



#### Legend

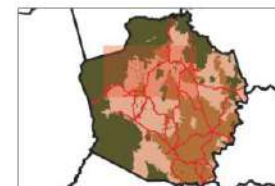
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- Private Timber Reserves
- Conservation Covenant
- Reliance Forest Fibre PYT LTD
- Amend to Landscape Protection
- Cadastral Parcels



Map 2 of 6

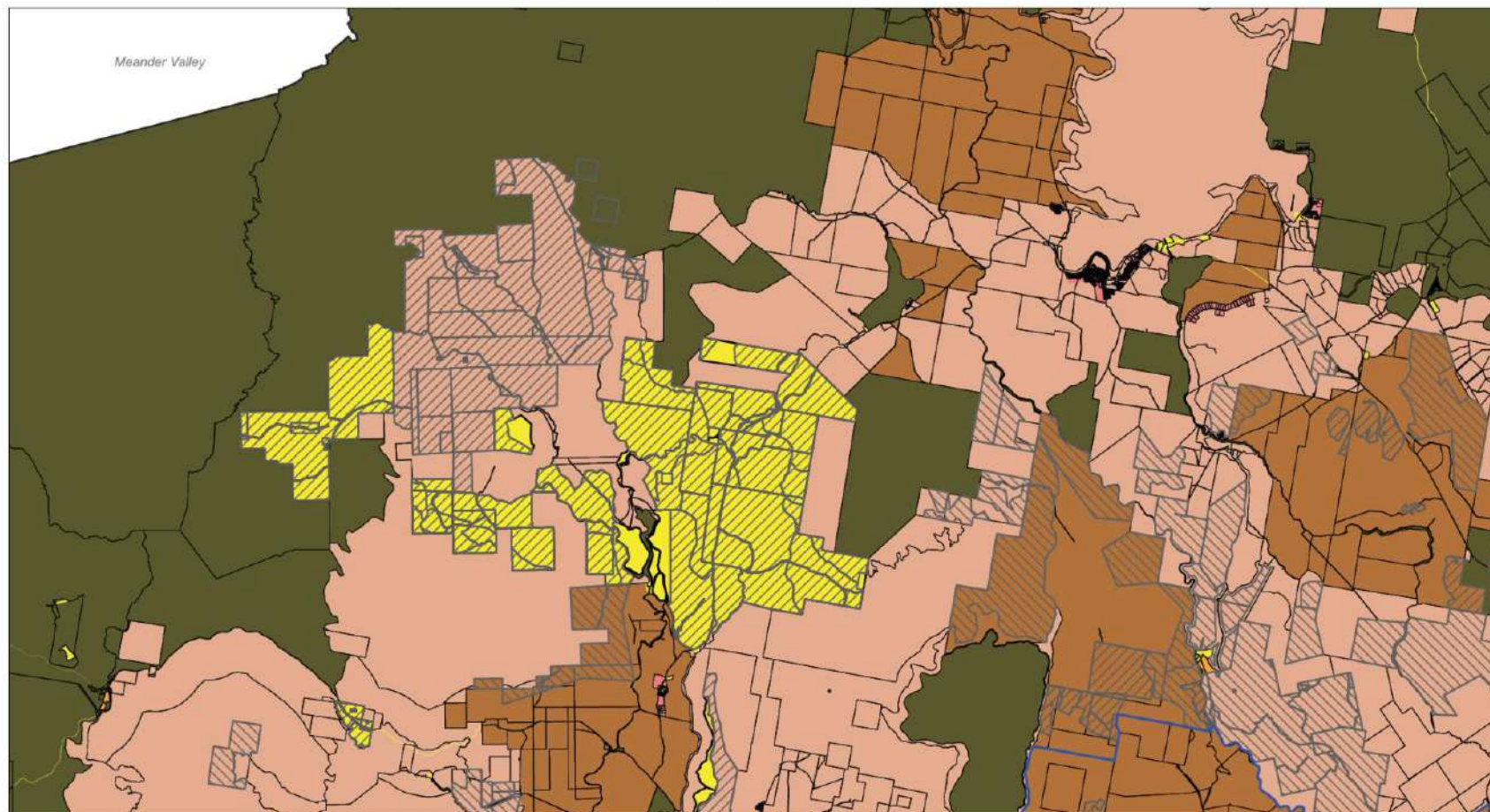


Coordinate system: GDA94 MGA Zone 55  
 Planning data from CEN AZ-RZ Maps Council  
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### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Zones

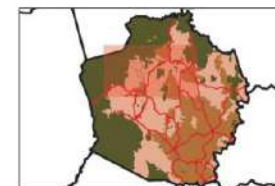


**Map 2 of 6**

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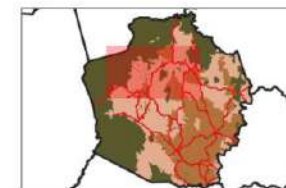
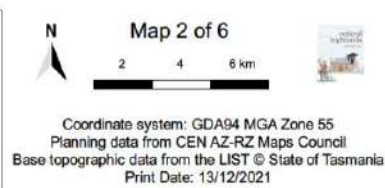
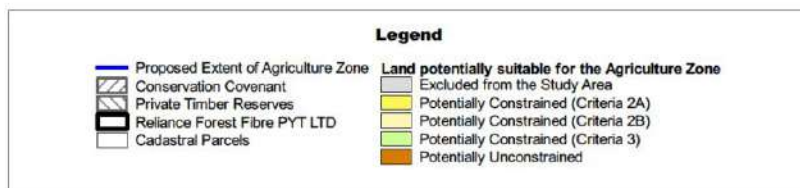
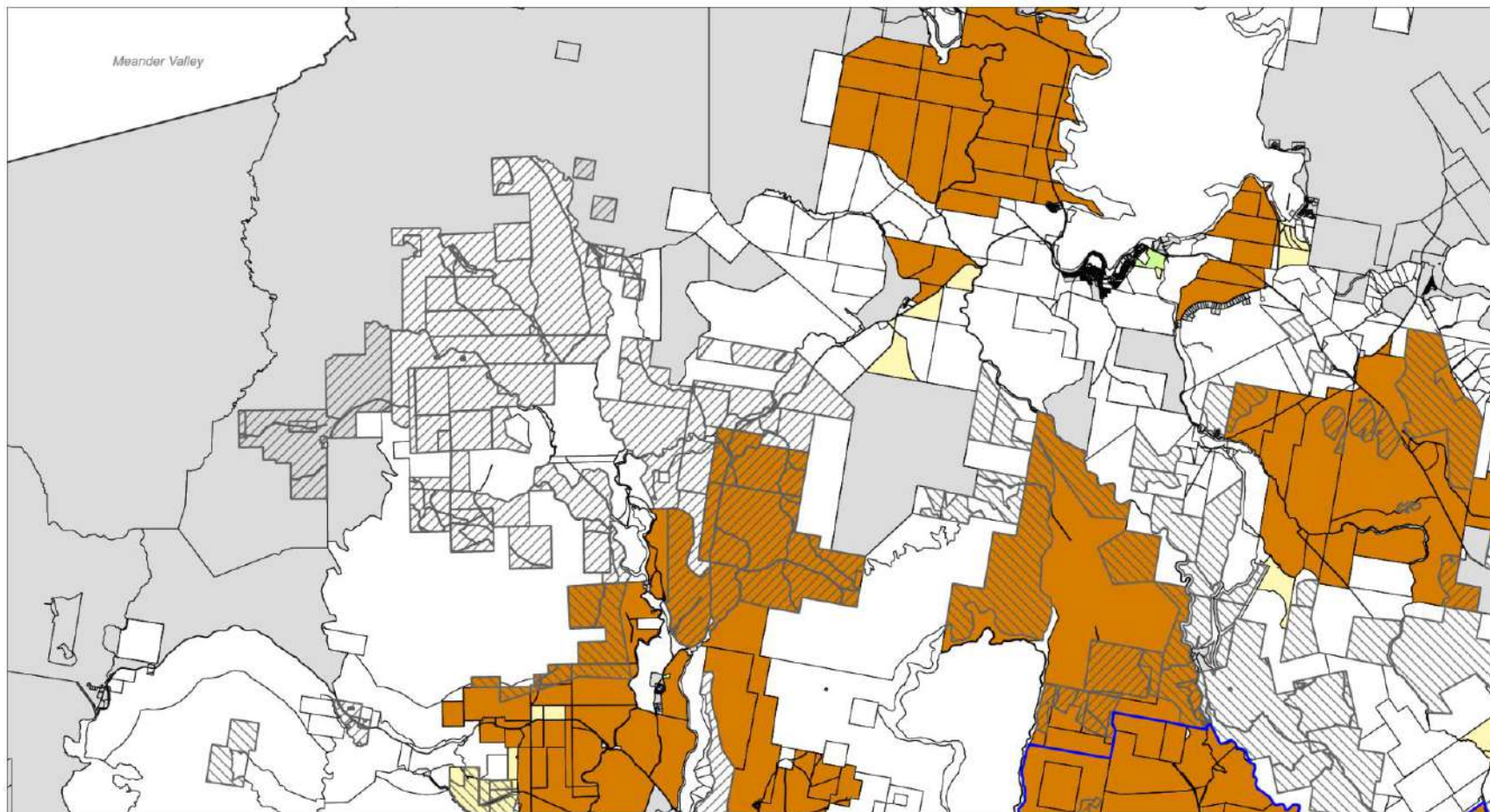
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 Print Date: 13/12/2021



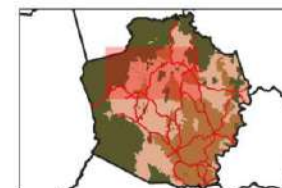
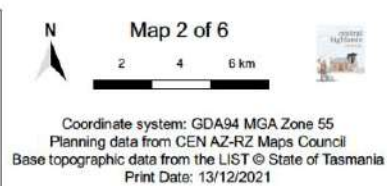
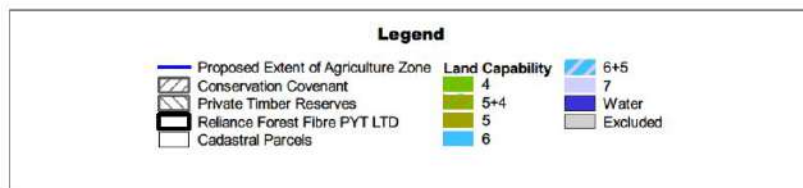
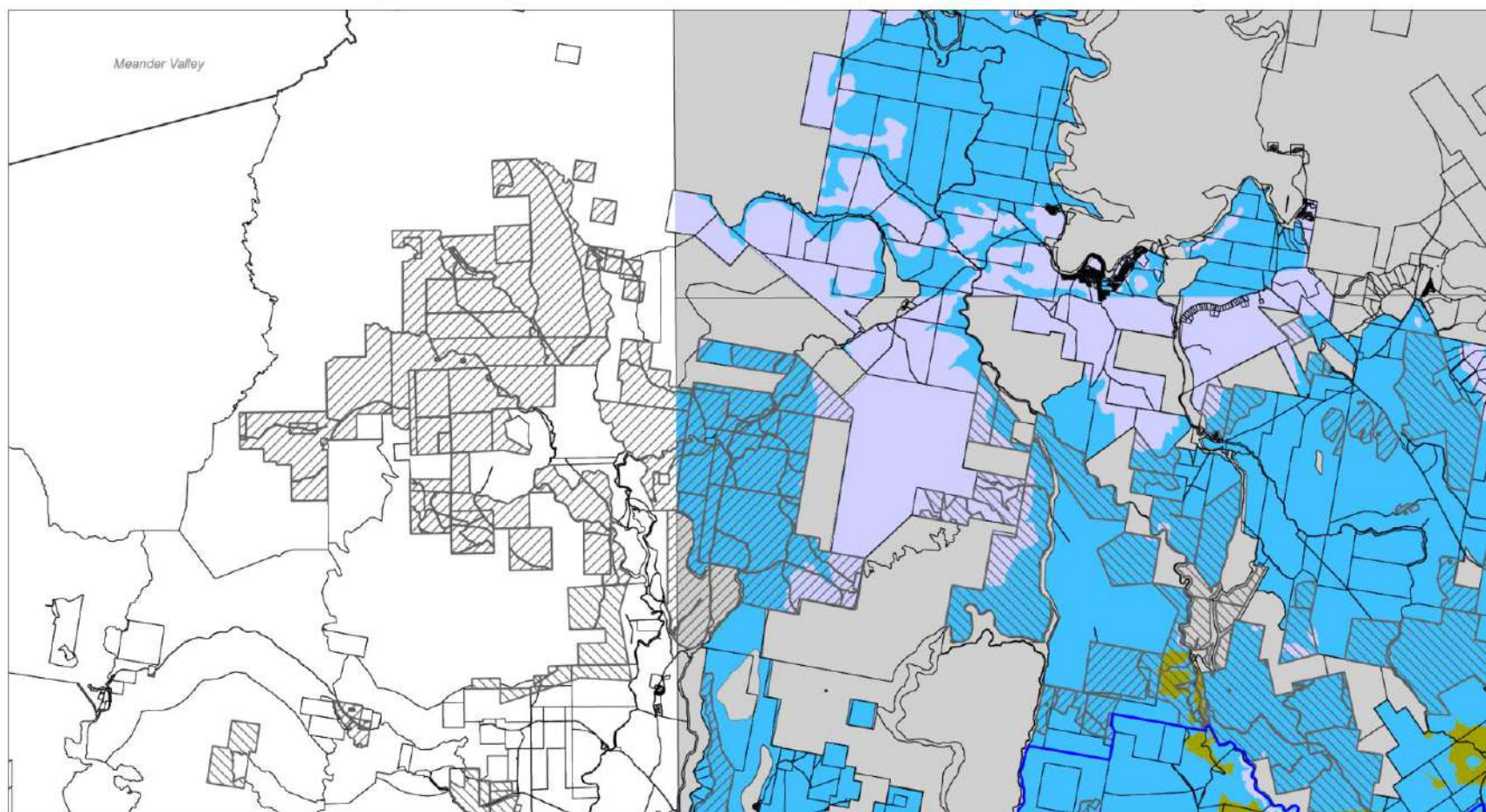


### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - LPSAZ



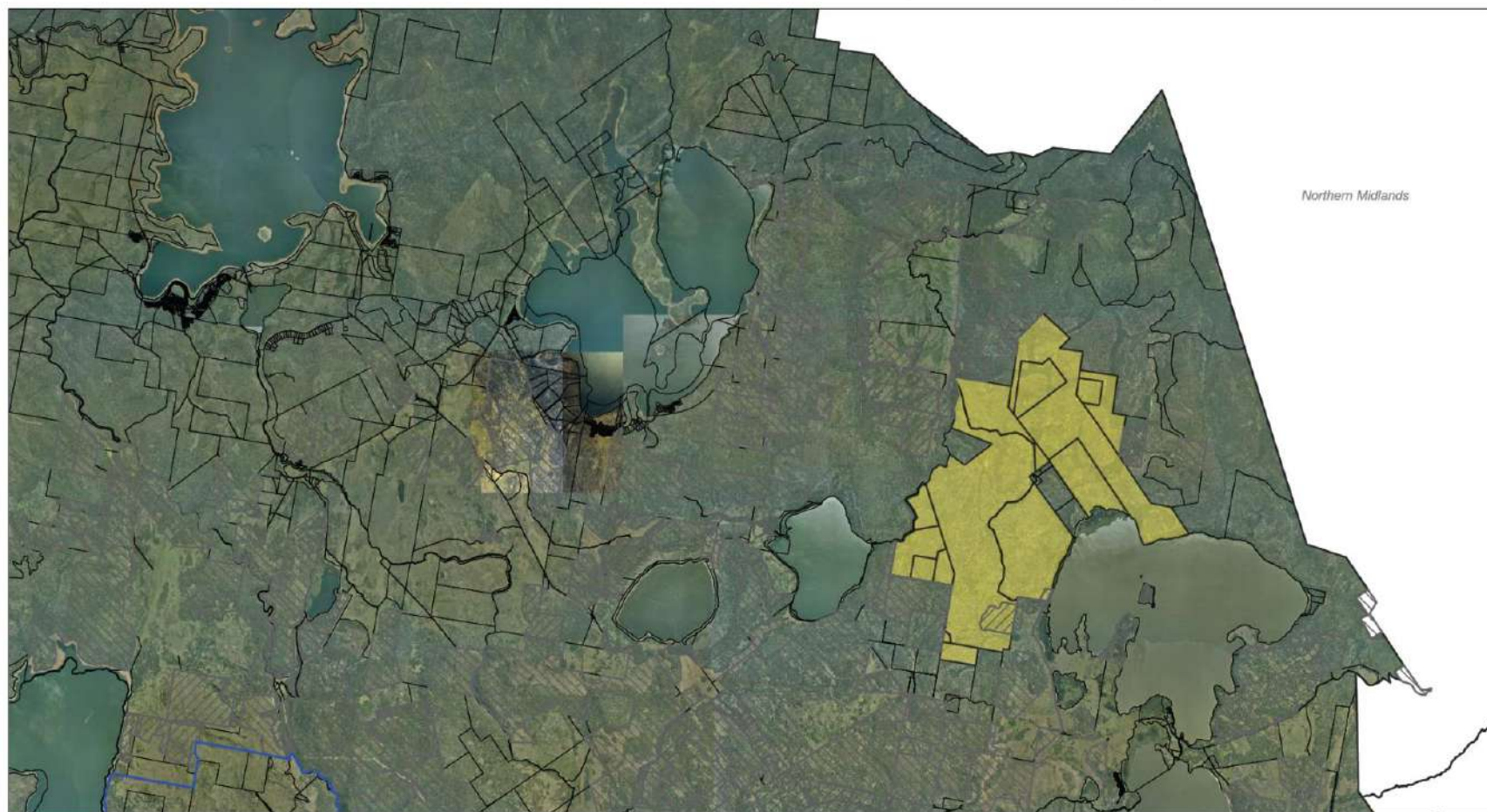


### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Land Capability











### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Imagery

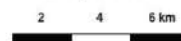


#### Legend

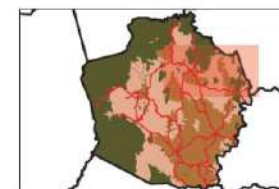
-  Proposed Extent of Agriculture Zone
-  Private Timber Reserves
-  Conservation Covenant
-  Reliance Forest Fibre PYT LTD
-  Amend to Landscape Protection
-  Cadastral Parcels



Map 3 of 6

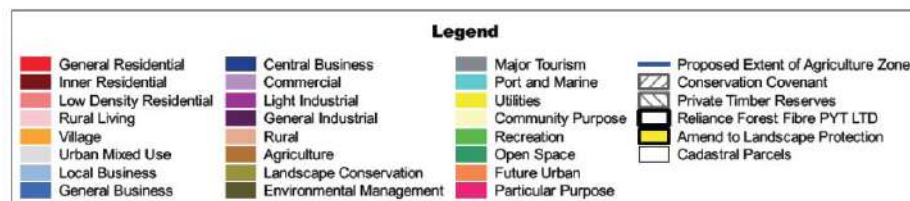
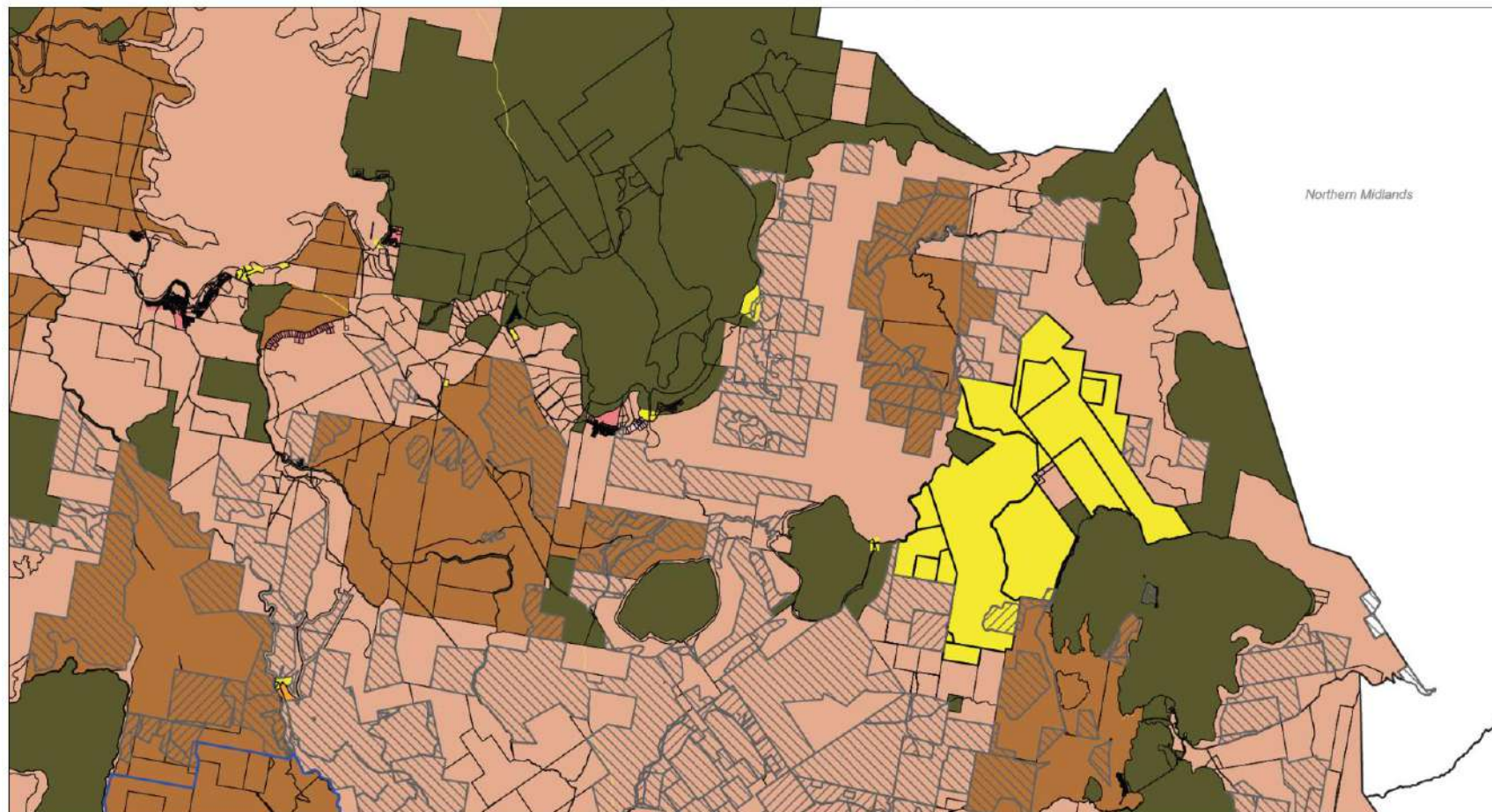


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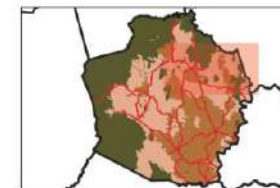


### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Zones



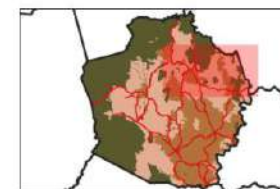
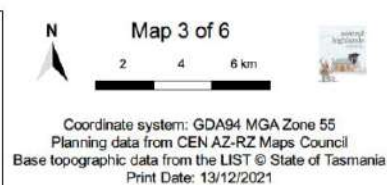
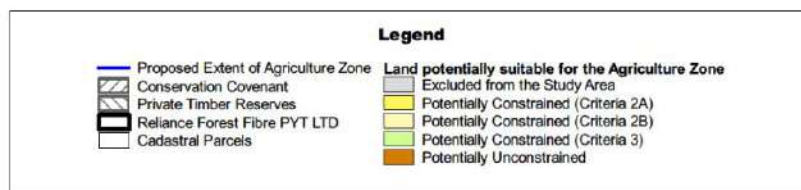
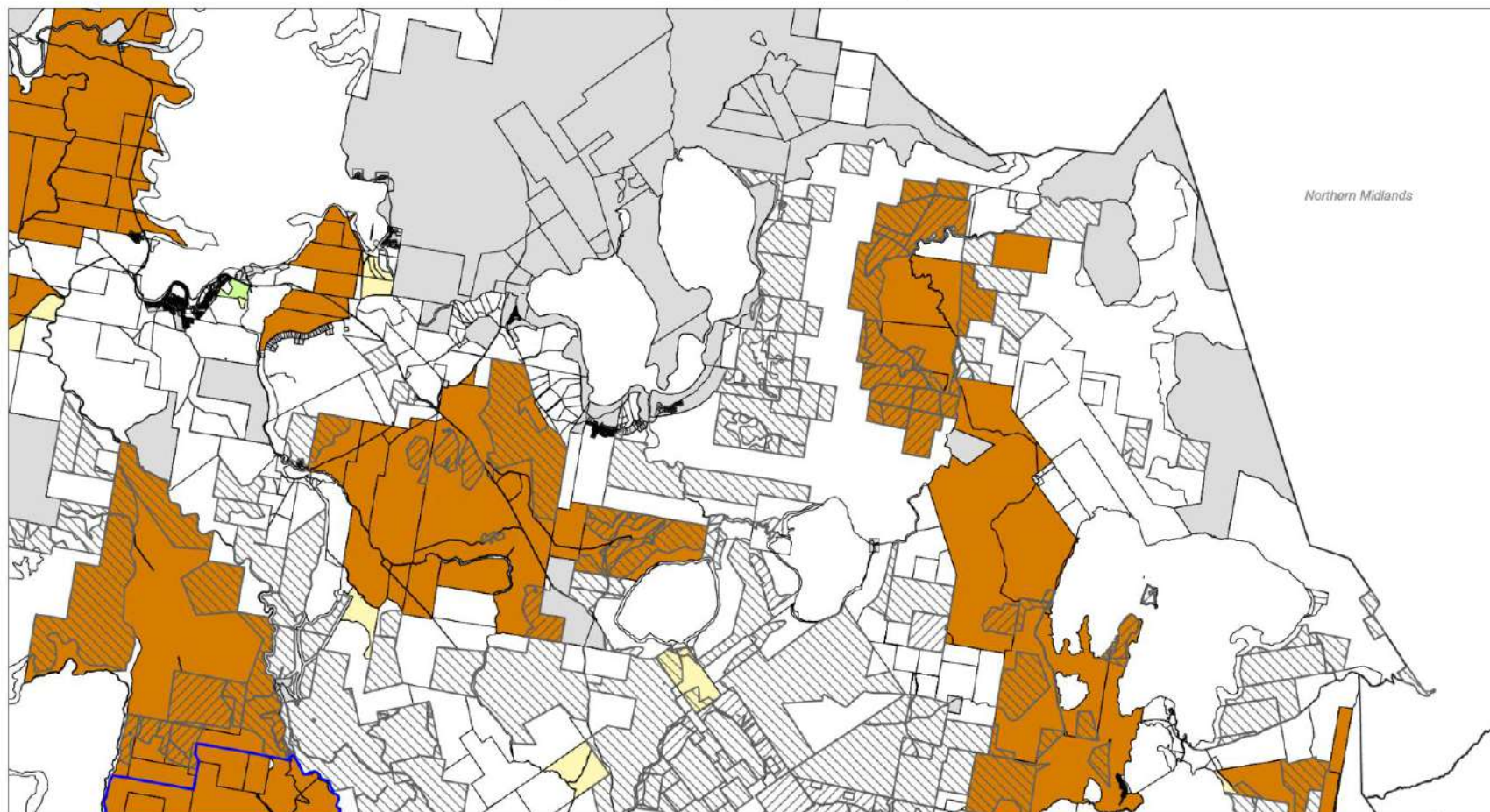
**Map 3 of 6**

Coordinate system: GDA94 MGA Zone 55  
 Planning data from CEN AZ-RZ Maps Council  
 Base topographic data from the LIST © State of Tasmania  
 Print Date: 13/12/2021



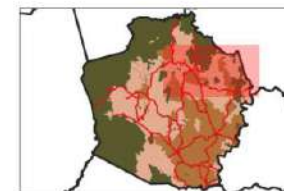
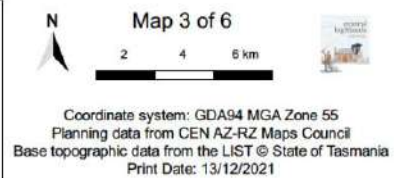
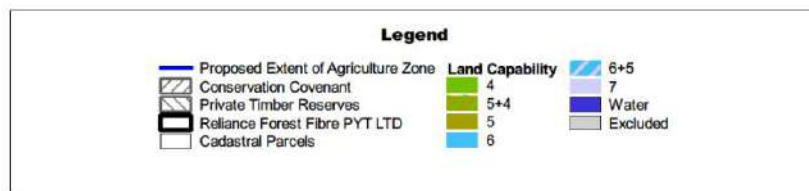
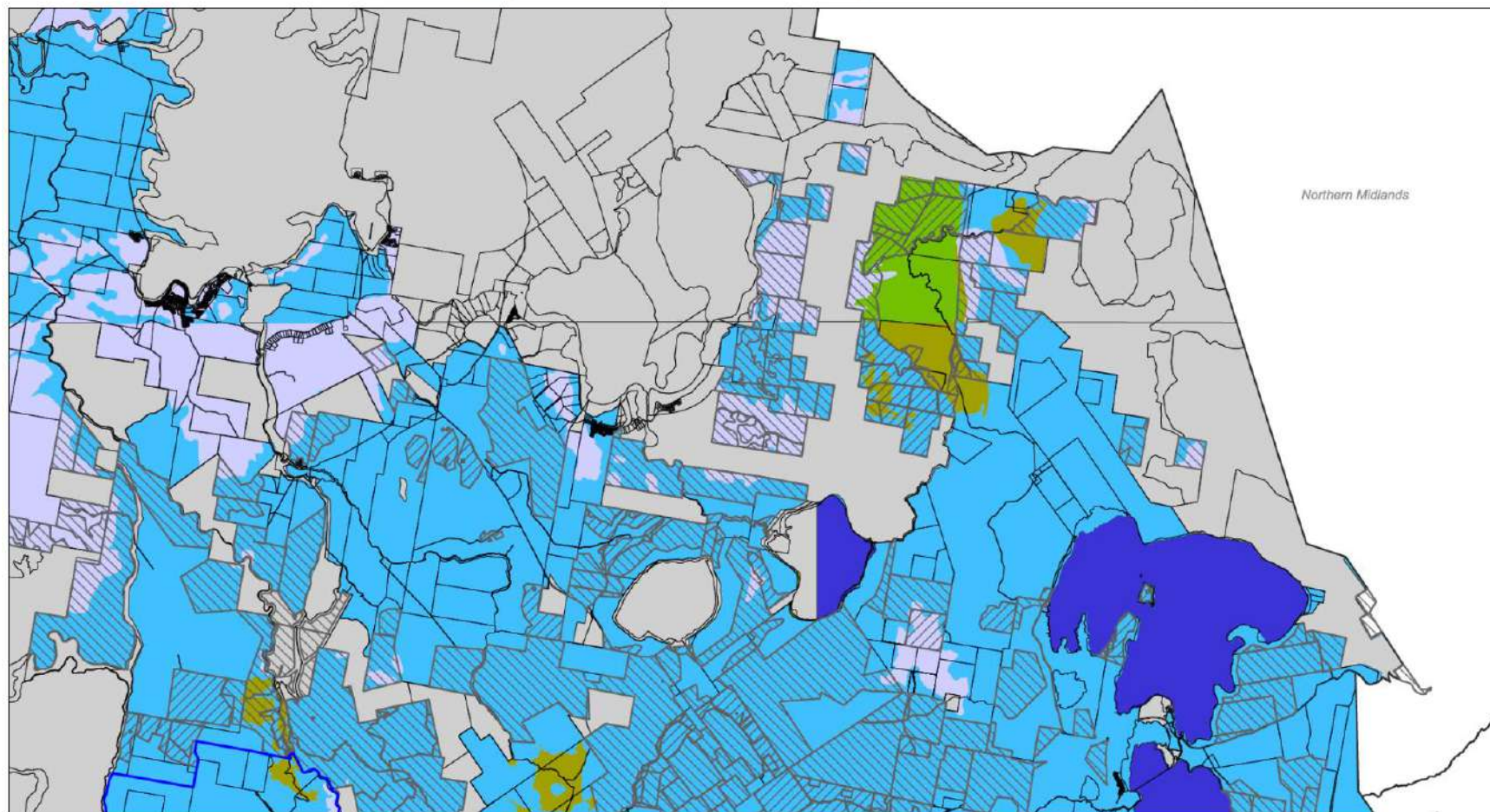


### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - LPSAZ



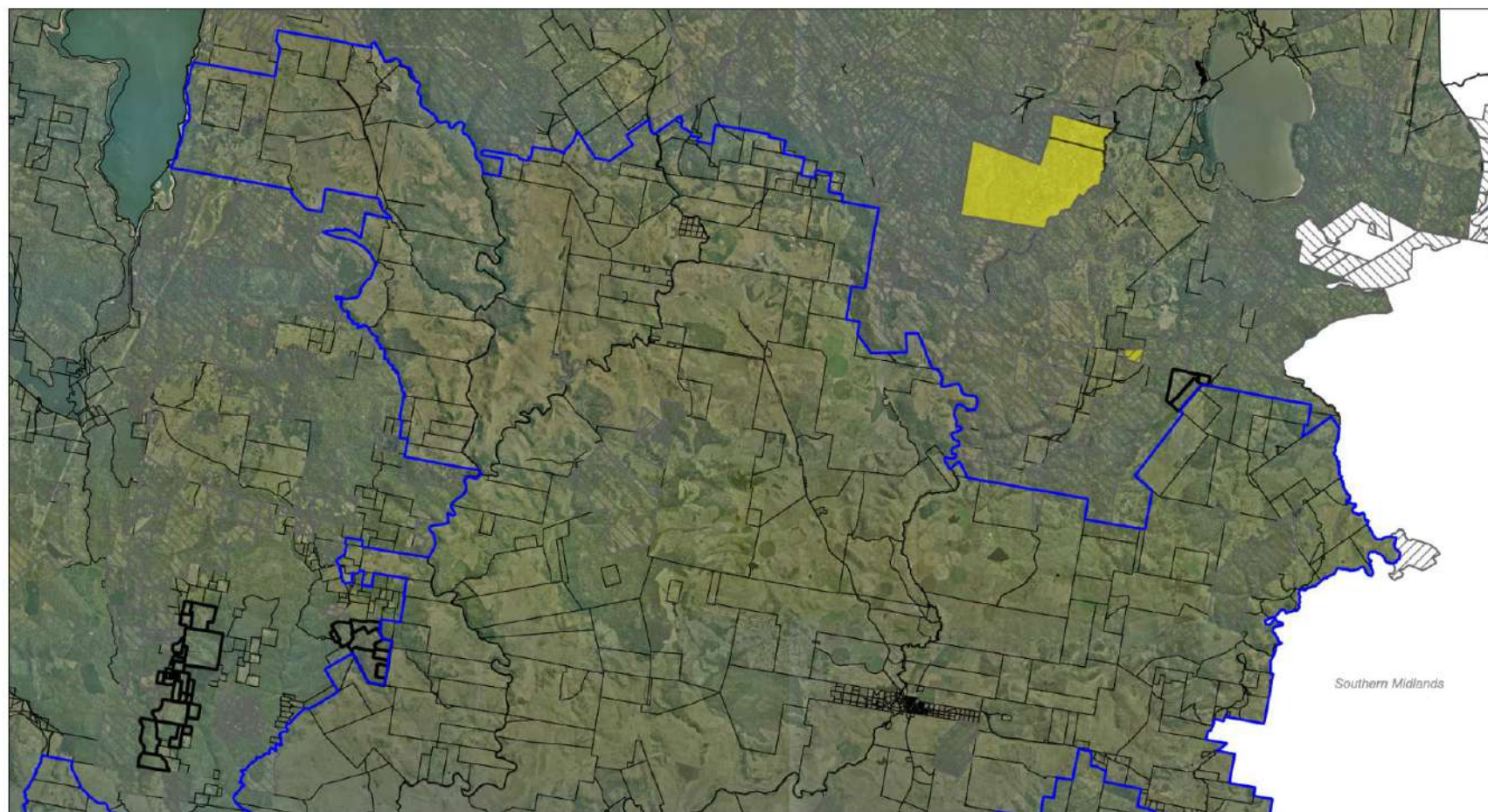


### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Land Capability





### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Imagery

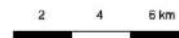


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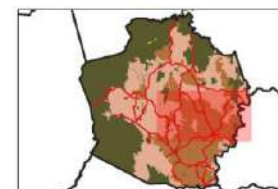
- Proposed Extent of Agriculture Zone
- Private Timber Reserves
- Conservation Covenant
- Reliance Forest Fibre PYT LTD
- Amend to Landscape Protection
- Cadastral Parcels



Map 4 of 6

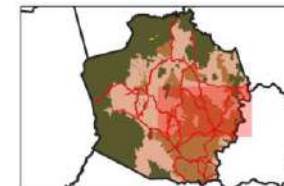
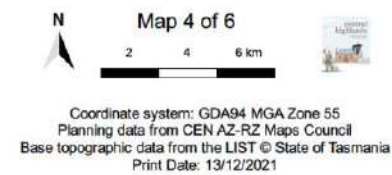
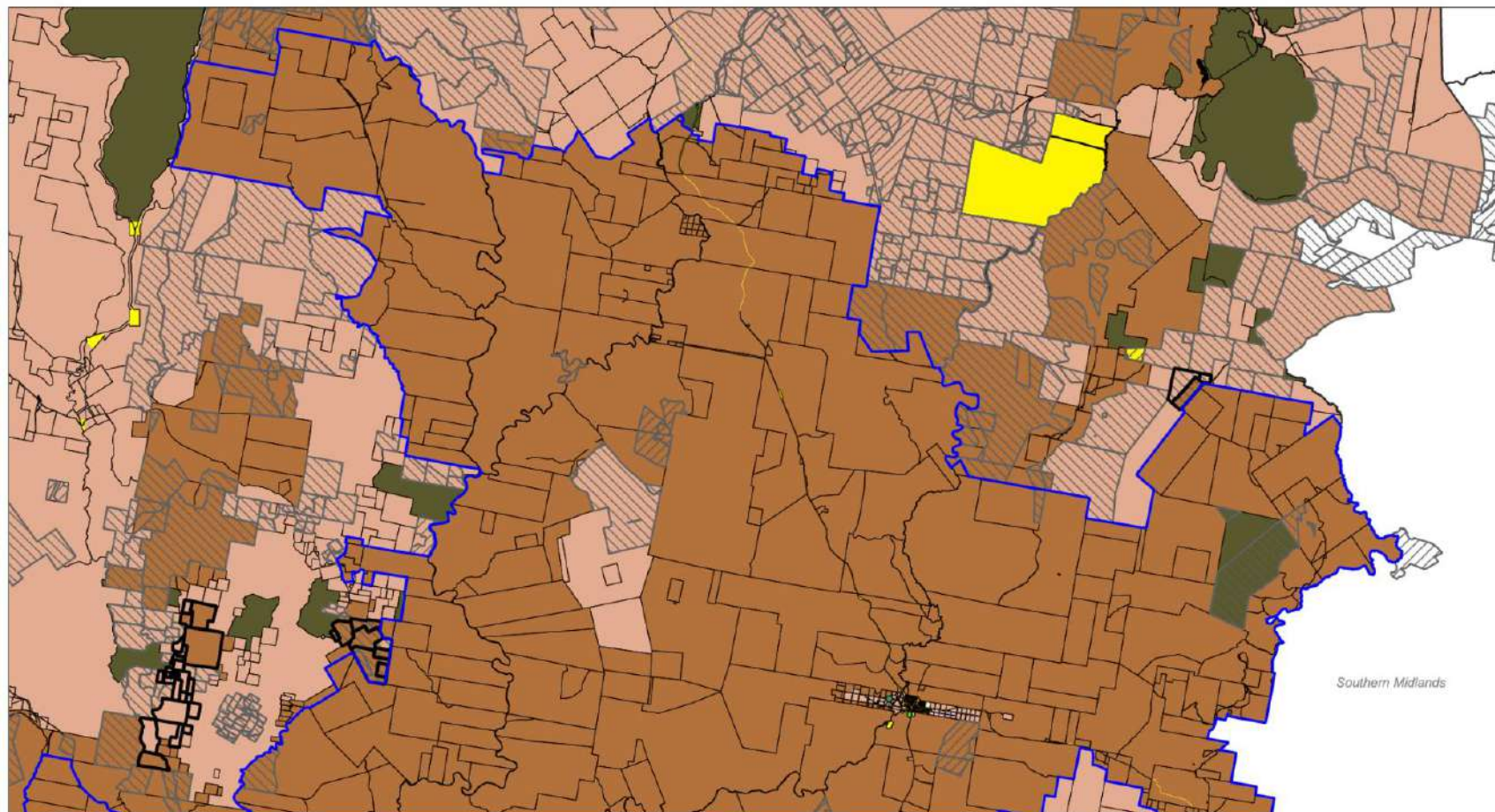


Coordinate system: GDA94 MGA Zone 55  
 Planning data from CEN AZ-RZ Maps Council  
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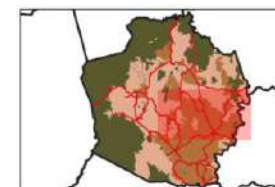
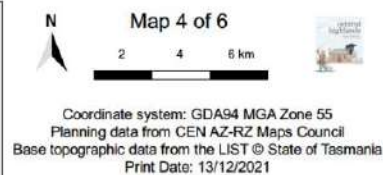
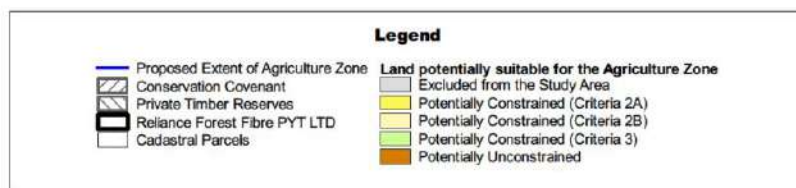
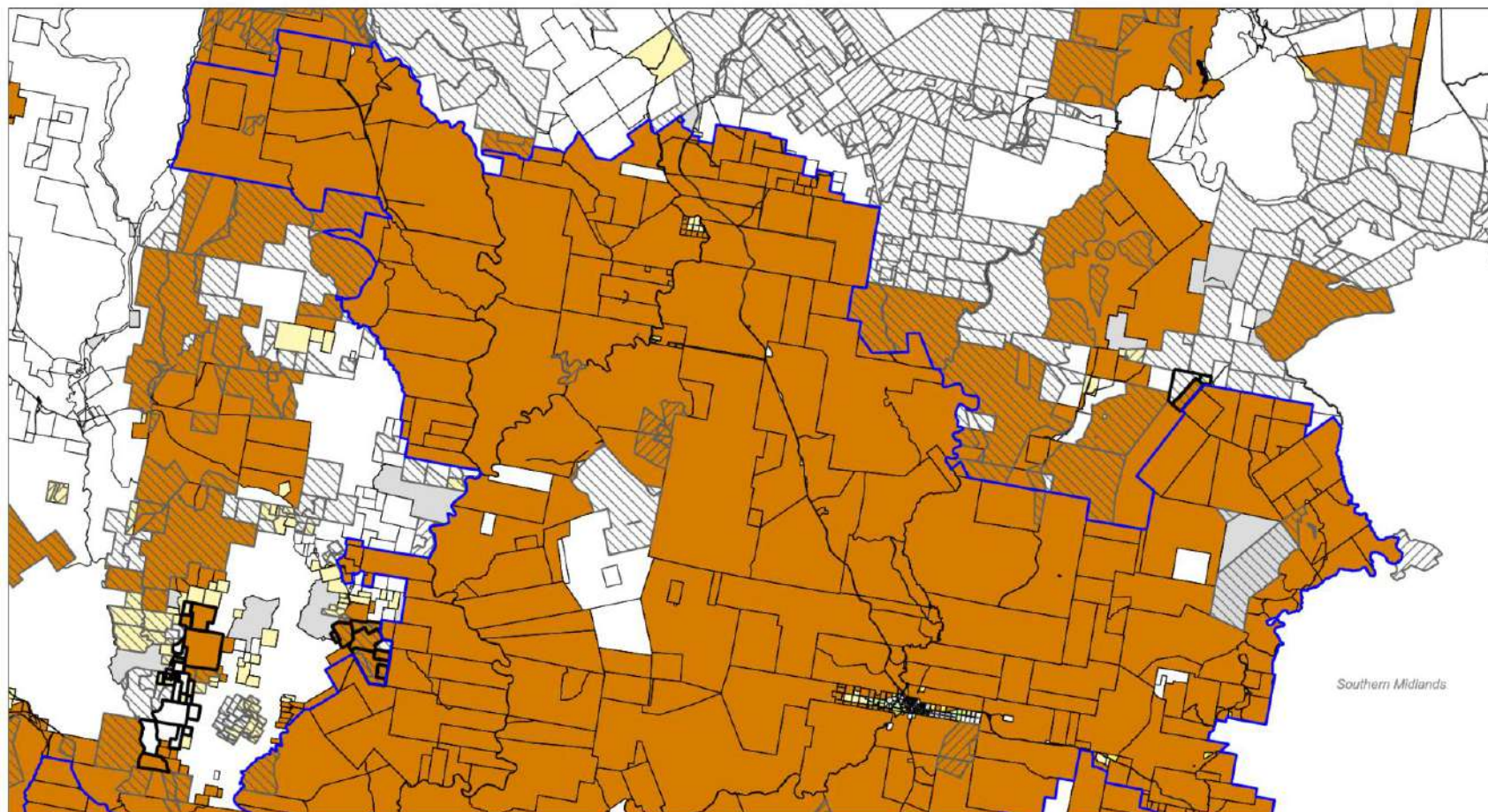


### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Zones



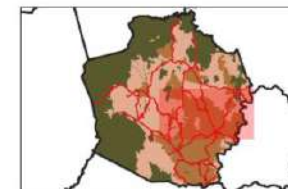
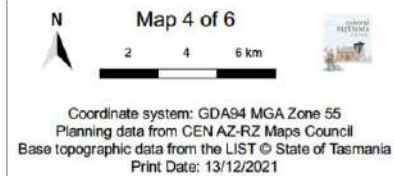
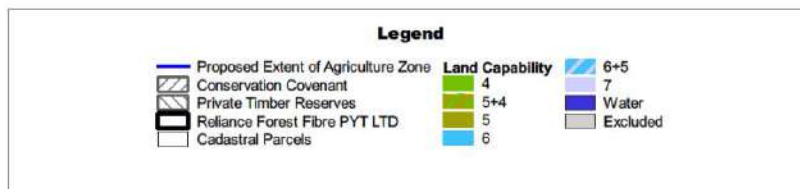
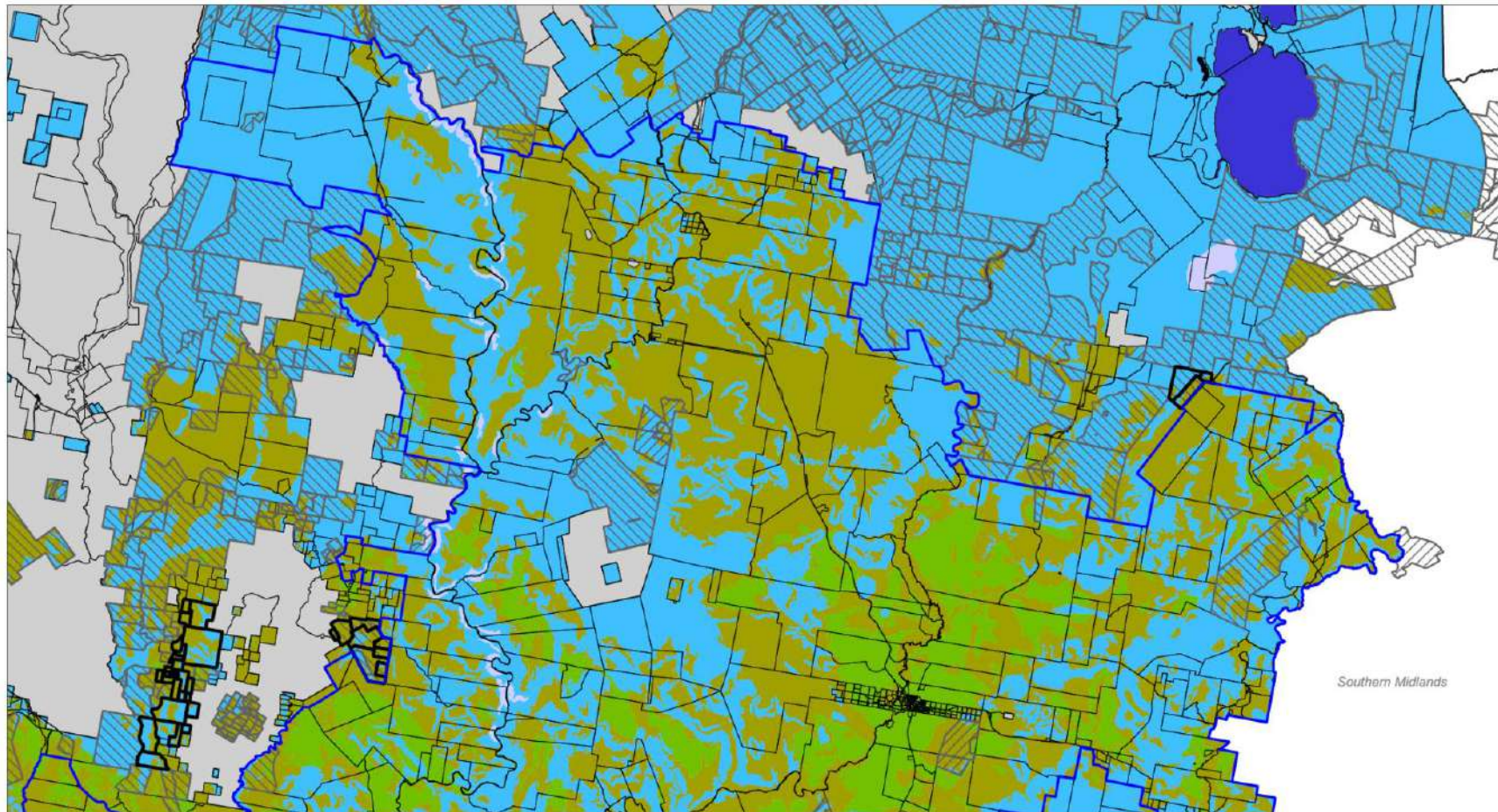


### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - LPSAZ



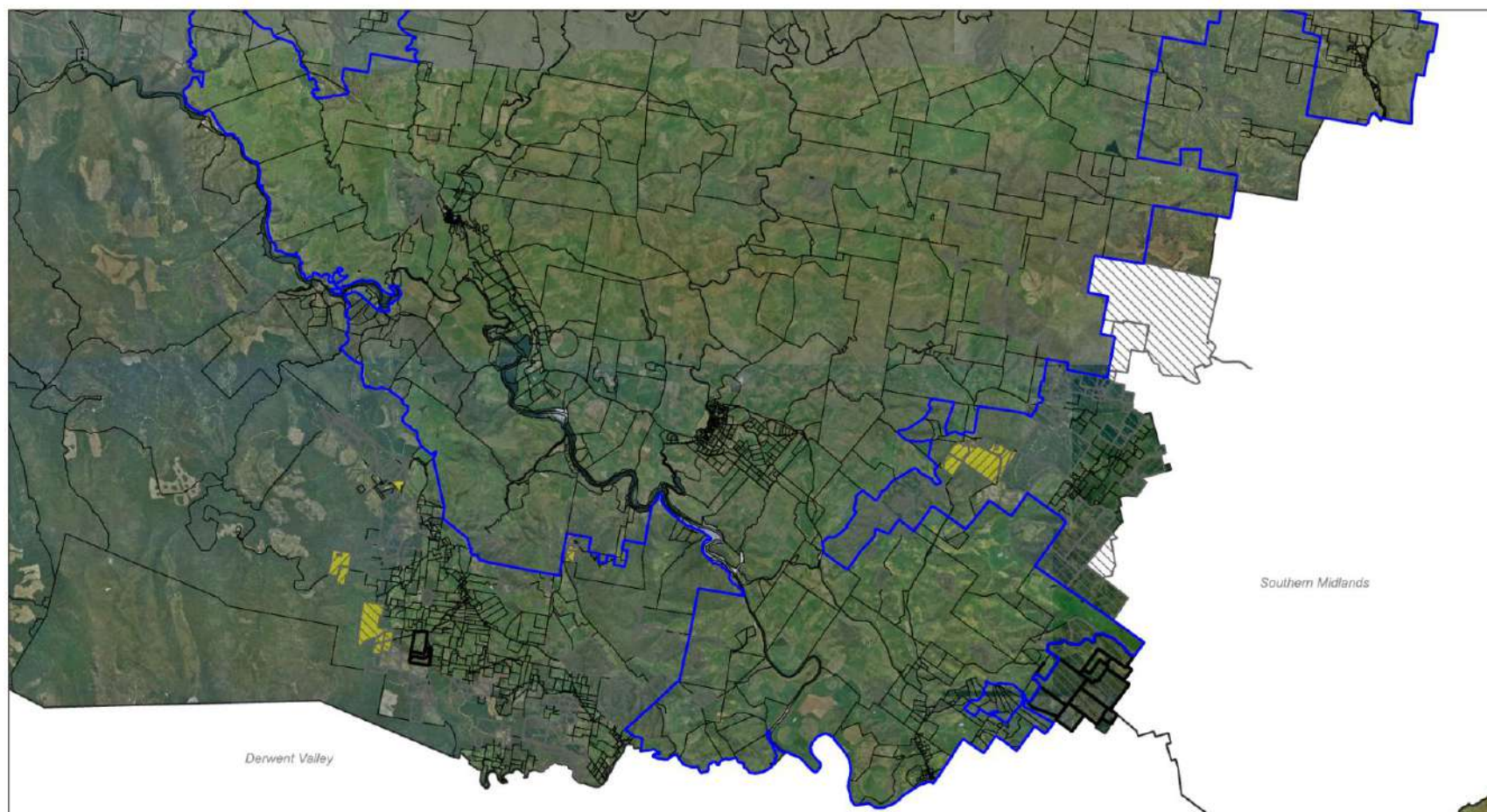


**Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Land Capability**





### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Imagery



#### Legend

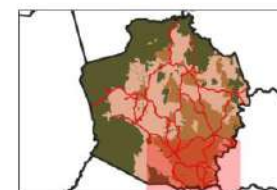
- Proposed Extent of Agriculture Zone
- Private Timber Reserves
- Conservation Covenant
- Reliance Forest Fibre PYT LTD
- Amend to Landscape Protection
- Cadastral Parcels



Map 5 of 6

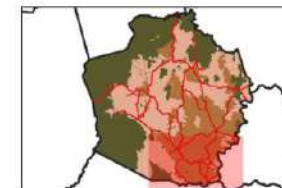
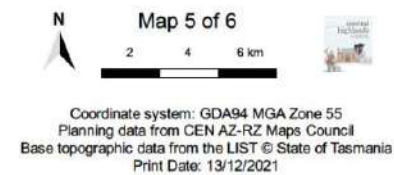
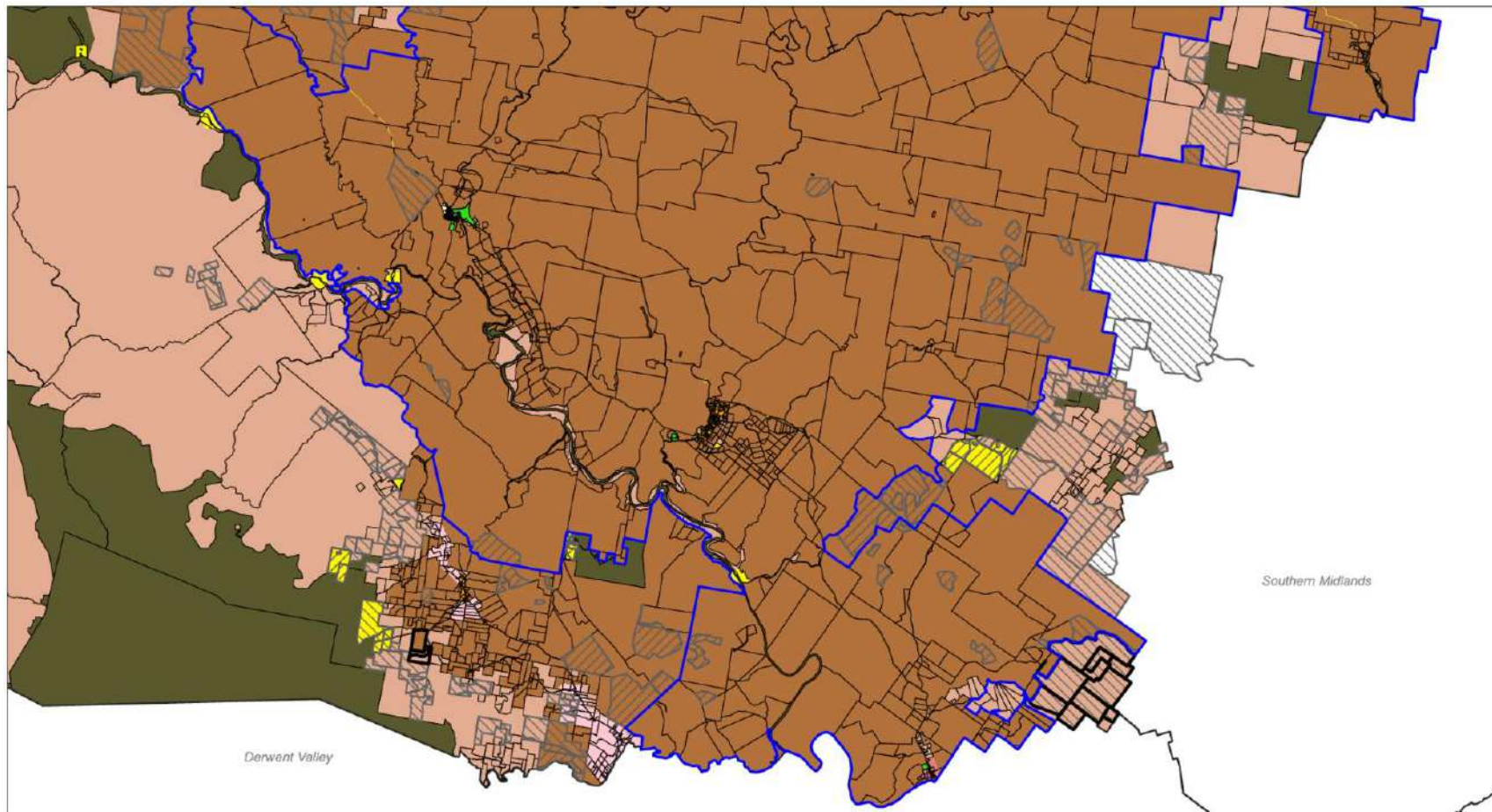


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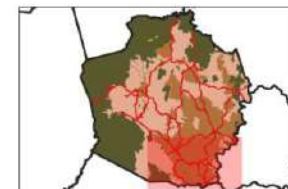
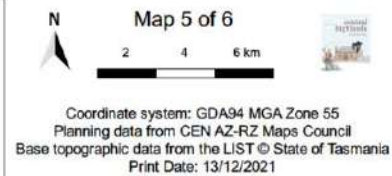
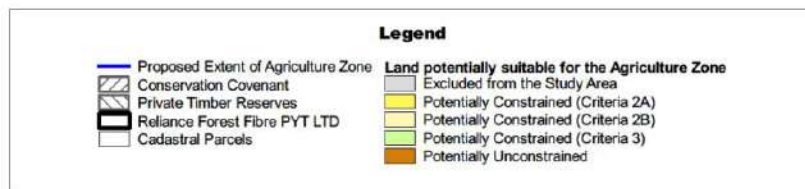
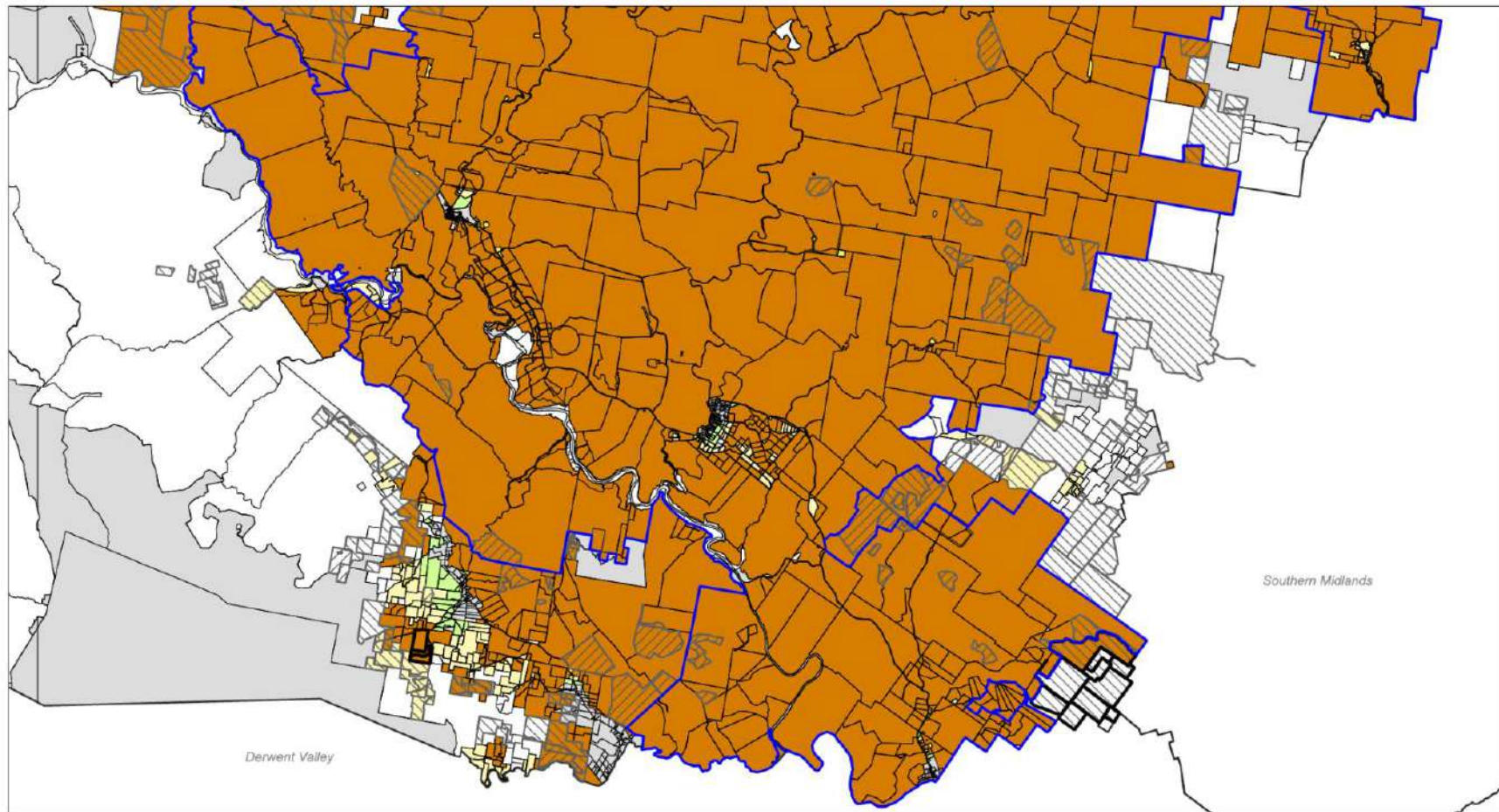


### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Zones



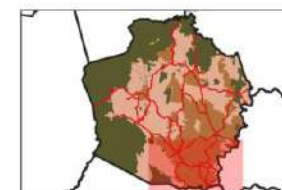
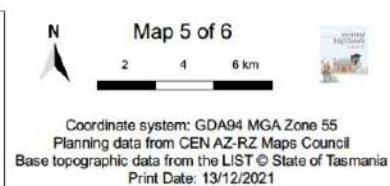
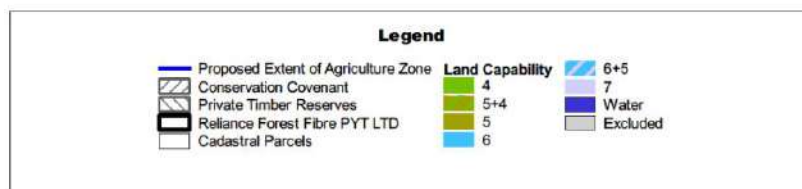
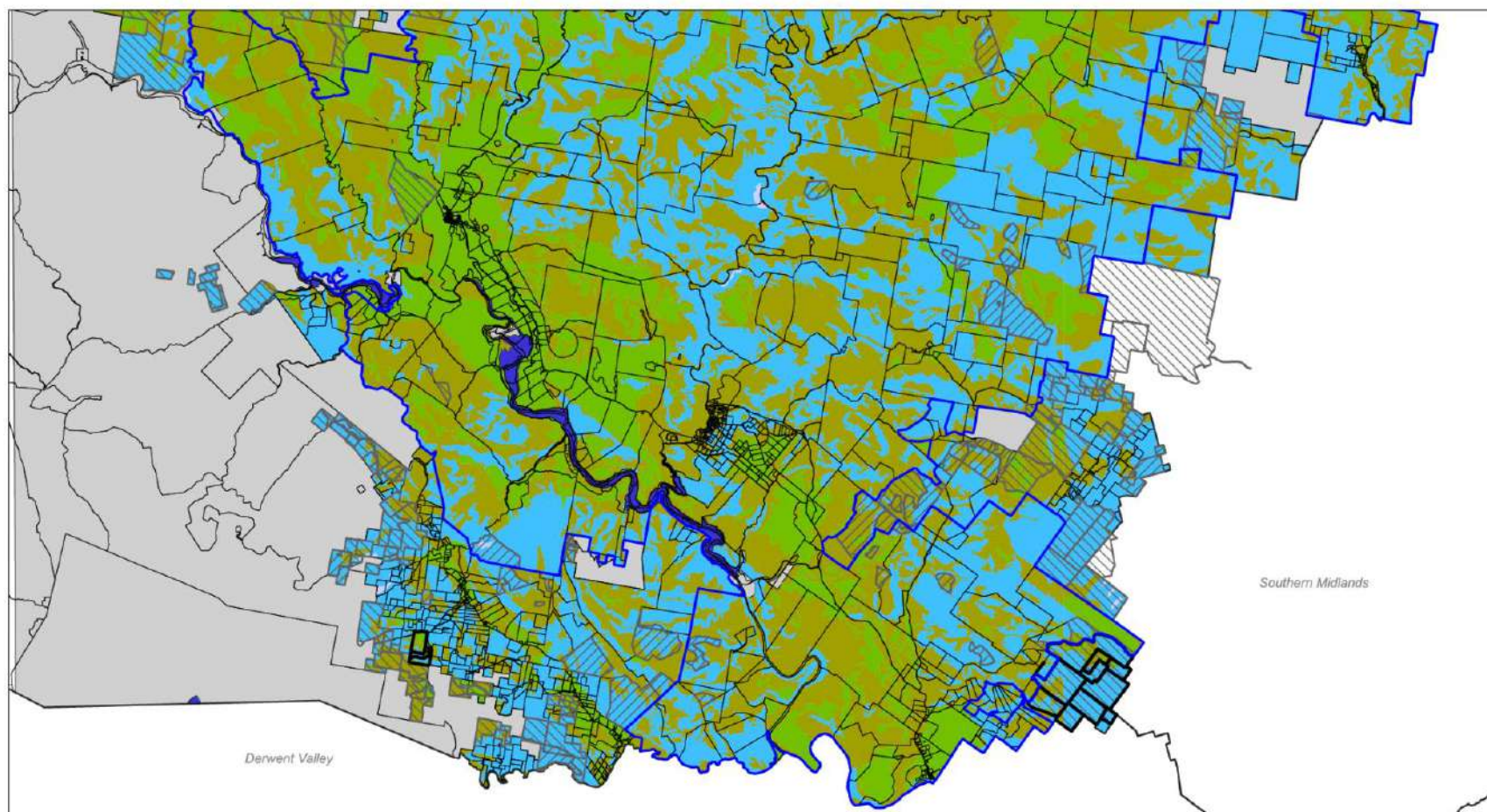


### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - LPSAZ





### Tasmanian Planning Scheme - Proposed Extent of Agriculture Zone - Land Capability





## **4. LANDSCAPE PROTECTION**

### **4.1 Overview**

A significant number of representations received expressed concerns over the lack of protection of rural landscape values in the Draft LPS. A number of these included detailed and well-researched submissions for specific landscape protection areas including landscape analysis with proposed areas defined on maps.

Several representations noted that the existing Rural Resource Zone, which covers a large proportion of the Central Highlands, includes some landscape protection clauses within the development controls, and that neither the new Agriculture or Rural zones contain such provisions. Therefore, the advent of the Tasmanian Planning Scheme will see the loss of general, albeit 'low key', landscape protection controls unless specific provisions are created under the Scenic Protection Code.

The Planning Authority accepts there is a prima facie case for the creation of Scenic Protection Areas or Scenic Road Corridors which deserves to be further explored. However, the Planning Authority reserves its final position on this matter until further information and professional advice is obtained and a formal public notification process has occurred. In short, the introduction of such a significant planning control mechanism should not be undertaken in this current process at this stage. There has been no formal consultation with the community generally or impacted landowners in particular regarding the proposed landscape protection areas.

It is the Planning Authority's opinion that the establishment of the mooted 'Central Highlands Scenic Protection Area' along the Highland Lakes Road and Waddamana Road and the Scenic Road Corridor along the Lyell Highway should be explored through a planning scheme amendment process pursuant to Section 35KB of the Act.

### **4.2 Effect on the LPS as a Whole**

The establishment of Scenic Protection Areas or Scenic Road Corridors under the Landscape Protection Code would be a major new addition to the planning scheme controls applying to the land and would have a significant impact on the LPS. This is notwithstanding the fact that such a mechanism would replace the 'landscape impact provisions' in the current Rural Resource Zone applying to much of the area because the development controls within a Scenic Protection Area mechanism would likely be significantly greater than those in the current Rural Resource Zone.

It is the Planning Authority's opinion, therefore, that these proposals ought to be subject to a planning scheme amendment process under Section 35KB of the Act. This would provide the ability for the proposed provisions to be refined, the overlay areas to be reviewed and expert advice to be sought. The process would also afford natural justice to potentially impacted landowners and allows the Planning Authority to properly weigh the impact on private property rights for the benefit of 'the greater good'.



## 5. CONSERVATION COVENANTED LAND

Council's policy position on this matter is:

*Council's policy is that the existence of a conservation covenant does not automatically warrant a change of zone from Rural or Agriculture to the Environmental Management or Landscape Conservation. The reasons for this are:*

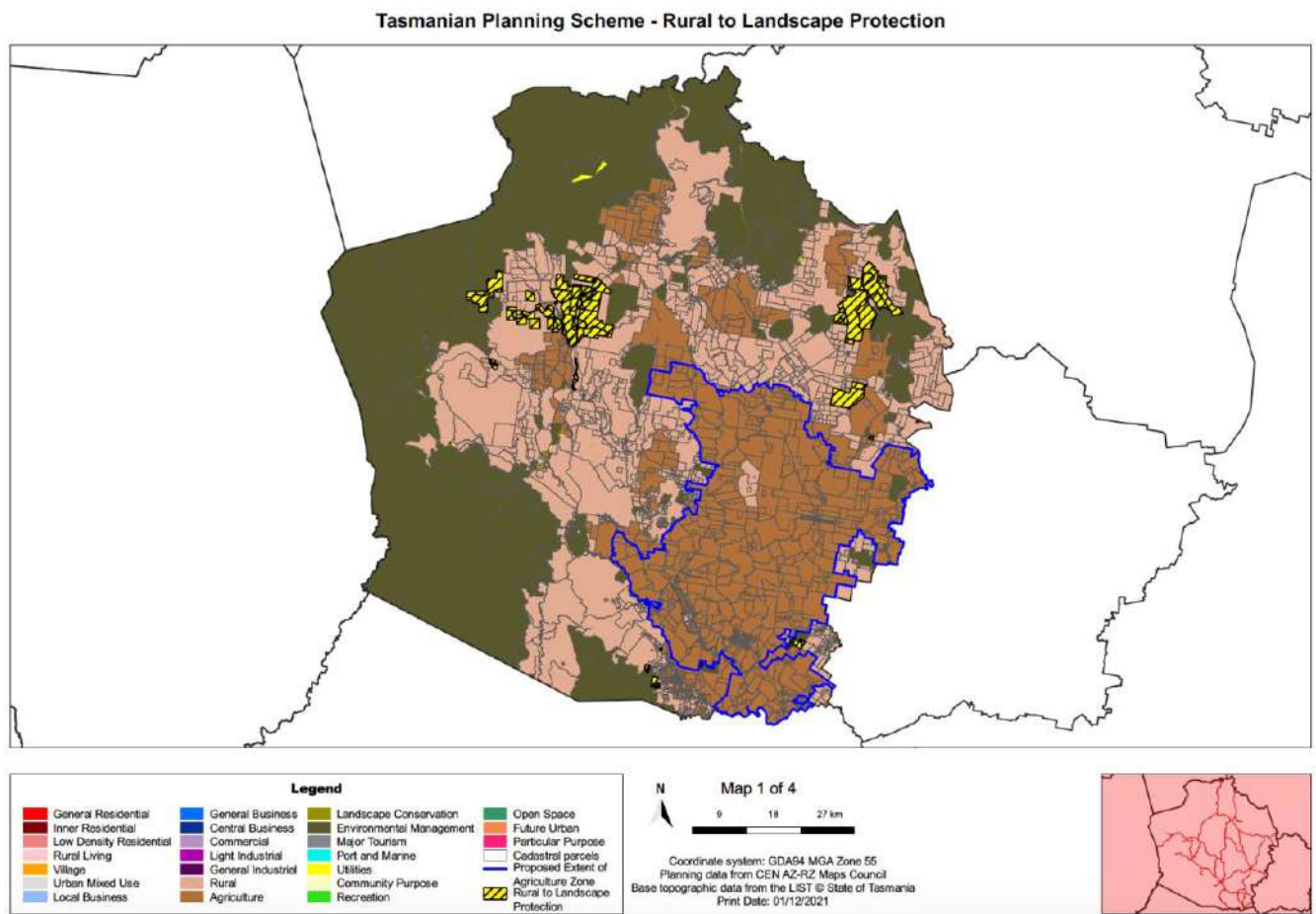
- *Many covenants are temporary. Once they expire, it should not be necessary for a landowner to seek a rezoning to regain agricultural and rural land-use options.*
- *At the time of entering into these covenants, many landowners were assured by the State that doing so would not result in their land being rezoned.*
- *Council is not willing to impose what would be, in many cases, highly adversarial rezoning on landowners.*
- *The adversarial imposition of the Environmental Management Zone or Landscape Conservation Zone on covenanted land would result in significantly fewer covenants being entered into by landowners in the future. This would have a substantial detrimental impact on overall conservation goals.*
- *Many covenants permit continuation of some agricultural activities, such as grazing.*
- *It is Council's intention to support the wishes of landowners who expresses a desire for their covenanted land to be zoned Environmental Management or Landscape Conservation during the statutory exhibition of the Draft LPS.*

During the course of the public exhibition process a number of landowners request that their properties be amended to Landscape Conservation Zone. The Planning Authority has endorsed these requests.

The maps on the following pages indicate this land.



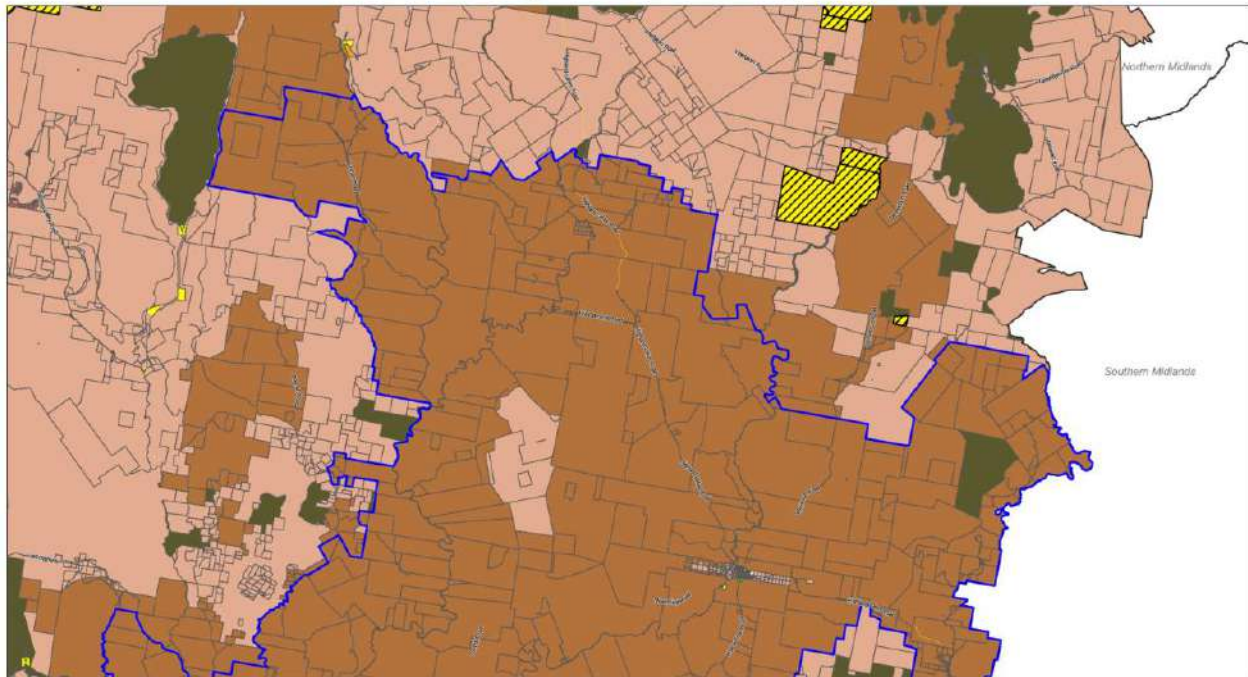
Land shown yellow with black cross-hatching is proposed to be zoned Landscape Conservation



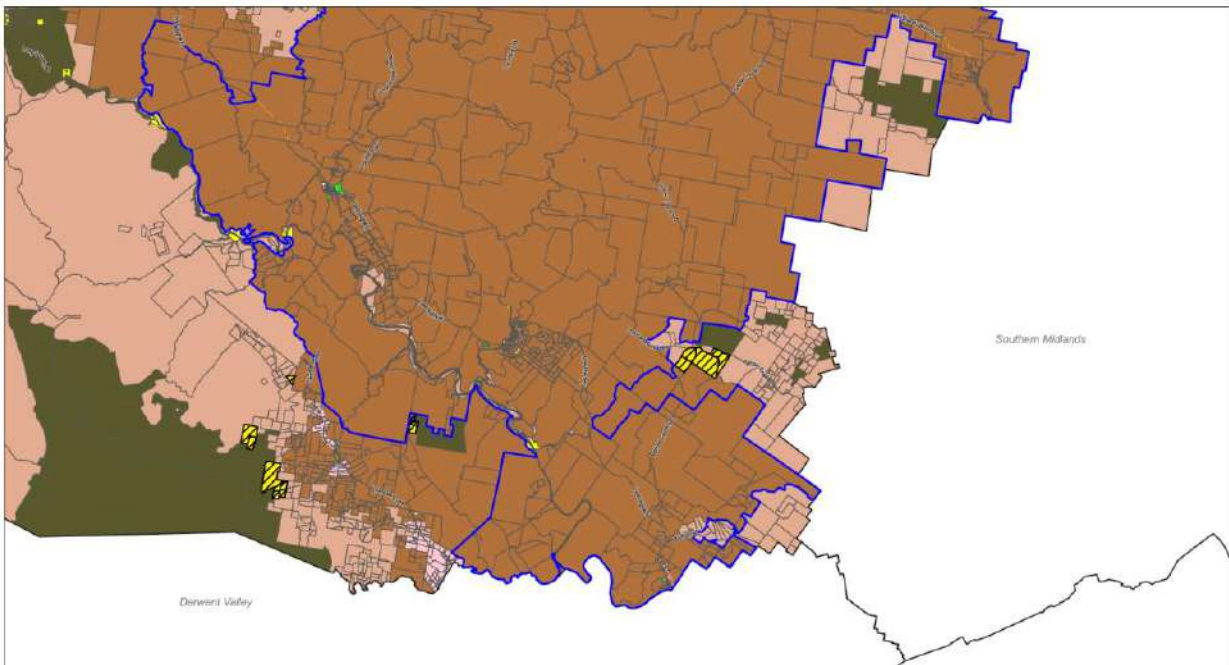
**OVERVIEW MAP**



### Tasmanian Planning Scheme - Rural to Landscape Protection



### Tasmanian Planning Scheme - Rural to Landscape Protection





## **6. LOCAL HERITAGE PLACE LIST**

### **6.1 The Planning Authority's Aim:**

The Planning Authority does not wish for the Local Heritage Place list to be removed from the LPS. Instead, it is of the opinion that it is only necessary to amend the spatial extent of the local heritage listings to remove 'superfluous titles' that have already been removed from the corresponding Tasmanian Heritage Register listings. It is the Planning Authority's view that the heritage list, thus amended under Schedule 6, Clause 8D of the *Land Use Planning & Approvals Act 1993*, should go forward into the LPS.

There is over 3,000 ha of land currently encumbered by these unnecessarily listed titles. This represents an unnecessary and unfair encumbrance on any future development of these titles.

The reduction in spatial extent of the Tasmanian Heritage Register listings has been undertaken only after extensive review and analysis of heritage values, landowner consultation and opportunity for public consultation, by the Tasmanian Heritage Council. This is a proper and rigorous process, and the results should flow to the local listings in the Central Highlands municipal area.

By retaining the local heritage list in the LPS (modified as proposed) the planning scheme will retain its function of alerting users of the scheme to the fact that a place is listed.

As an adjunct to the above, it is noted that there are no local-only listings.

### **6.2 How did 'superfluous titles' come to be listed in the planning scheme?**

The situation has arisen through a series of 'accidents of history':

- In the 1970s and 1980s planning schemes listed heritage properties simply by name (if there was one) and address. The spatial extent of the listing was not defined. This was not generally a problem for listings in cities and towns on small urban titles. However, for large rural properties there was always some doubt as to the spatial extent of the listing.
- In the 1990s the Tasmanian Heritage Register (THR) was established. It was created more or less 'overnight' by collating existing listings in council planning schemes and other lists such as the Register of the National Estate and the National Trust.
- The legislation underpinning the Tasmanian Heritage Register stated that the spatial extent of each listing must be defined. The default was the title (or titles) on which the place was located. At the time, the title was almost invariably adopted as there were no resources for expert examination of thousands of listings to define a spatial extent other than the title. Again, this was not generally a problem for listings in cities and towns.
- However, for large rural properties containing many titles, all the titles within a landholding were often included in the listing. Therefore, whilst the principal title containing, for example, a heritage house and associated outbuildings was rightfully included, also included were the property's other titles, often containing many hundreds of hectares.
- Rural planning schemes drafted after the Tasmanian Heritage Register came into being often adopted the same spatial definition as the matching THR listing, including that of Central Highlands Council.



- Thus, properties made up of multiple titles, such as Norton Mandeville in the Central Highlands, now find themselves with hundreds of hectares unintentionally encumbered by a statutory heritage listing.
- Over the last 10 or 15 years the Tasmanian Heritage Council has been expending considerable resources to review Tasmania's rural listings and make amendments to the THR to remove superfluous titles. In some cases, the Heritage Council has even created Rural Exclusion Agreements which define the extent of a heritage listing to just a part of a title, with an accompanying plan formally lodged in the Central Plan Register (CPR). Most rural THR listings in Central Highlands have thus been corrected; reduced either to just the homestead title of a smaller part of the homestead title via a CPR plan.
- Such corrections, however, do not automatically flow through to the listings in the local planning scheme.

### **6.3 Why hasn't the list been renewed by the Planning Authority already?**

The current Interim Planning Scheme 2015 was created through the Regional Planning Project. When that project started in 2009, each council voluntarily signed up to the project and scuttled their individual planning scheme replacement projects to come on board with the collective approach. In doing so, Central Highlands Council (like all Councils) assumed the project would result in renovated, up-to-date planning schemes. However, the State subsequently advised that because the new schemes were going to be brought into effect as *interim* planning schemes (meaning; prior to any public consultation process) they had to be simply transitions of the old schemes in order to preserve the principles of natural justice. This meant that no substantive renovations, or updates, were possible. This included such things as fixing up the heritage listings.

The current planning reform process, which will result in the state-wide Tasmanian Planning Scheme, includes proper public consultation and hearings process prior to coming into effect. Yet the State has again advised that many of the provisions still cannot be substantially renovated or updated and must simply be 'transitioning' provisions. This is somewhat perplexing, in terms of process. It also effectively means that despite two major planning reforms over the last decade, Councils have still not been able to undertake a wholesale 'renovation' of their planning schemes of the likes undertaken in the past.

It would, of course, have been possible for the Planning Authority to undertake multiple individual planning scheme amendments during this time. This would have been costly and time consuming for both the ratepayers and the TPC. Furthermore, at the beginning of each of the abovementioned major planning reform processes, the promise was that the resultant planning schemes would, in fact, be brought up-to-date. So, it was reasonable for the Planning Authority to assume that pursuing multiple individual planning scheme amendments would have been unnecessary and a waste of public resources.

Central Highlands' planning scheme was already around ten years old at the start of all this reform. This means that, as of 2021, many of the essential aspects of the scheme are two decades old, including the heritage list.



#### 6.4 The Planning Authority's Options:

The Planning Authority considered three options available to address this matter:

- A. Transition the current list into the LPS list with no amendments (other than correction of incorrect title references and street addresses), as per the direction of the TPC. This would mean many rural titles will continue to be unnecessarily heritage-listed.

This will result in additional expense and time delays in the development application process for future proposed developments on this land. The total area of 'superfluous titles' that are in the current planning scheme list but have been removed from the corresponding Tasmanian Heritage Register listings is 3,235 hectares.

Clearly, this would run counter to the State Government's declared aims for the whole planning reform process *"to ensure planning in Tasmania will be simpler, fairer and more efficient"* and provide *"greater certainty to investors and the community"*.

- B. Engage a suitably qualified expert to review the entire heritage list and create the necessary data sheets to enable them to be included in the LPS list as 'new listings', and in the process remove the superfluous titles.

This would require significant financial resources and would delay the progression of the LPS by twelve months, or more.

- C. Remove the heritage list from the LPS entirely. The TPC has advised that this option is allowable. This option works with Council's long-held position that it only list properties that are also on the Tasmanian Heritage Register. The heritage values of these properties would remain protected by virtue of the THR.

In fact, the State Planning Provisions explicitly state that the Heritage Code does not apply if a listed property is also listed on the THR.

Because of this, if the current listings are 'transitioned' straight into the LPS heritage list, the ridiculous situation will arise in which the Planning Authority would only deal, in a heritage assessment sense, with the superfluous titles on the LPS heritage list. This is because the actual principal heritage titles would also be listed on the THR and therefore exempt from heritage assessment under the planning scheme by the Planning Authority.



#### 6.4 Examples and Statistics:

The following pages include maps showing examples of local heritage listings that have 'superfluous titles' mentioned above. Each set of maps depicts:

- The current Interim Planning Scheme (**IPS**) heritage listing.
- Council's proposed listing in the Draft Local Provisions Schedule (**LPS**), reduced to just the principal title to match the Tasmanian Heritage Register.
- Where a Rural Exclusion Agreement exists with the Tasmanian Heritage Council, the extent of the listing now included in the THR as per the plan registered in the Central Plan Register (**CPR**).

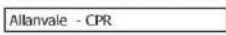
Currently there is an area of 24,925 hectares within local heritage listings in the Central Highlands Interim Planning Scheme 2015.

Council's proposed removal of 'superfluous titles' in the LPS would reduce this to 21,690 hectares, freeing up 3,235 hectares from unnecessary heritage listing.

Note that the figure of 21,690 hectares remaining under heritage listing is indicative of the large rural titles in the municipality containing heritage houses. Ideally, all such listings will eventually have Rural Exclusion Agreements with the Tasmanian Heritage Council with much-reduced areas indicated on plans in the Central Plan Register.



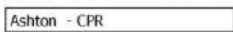
## ALLANVALE



N/A



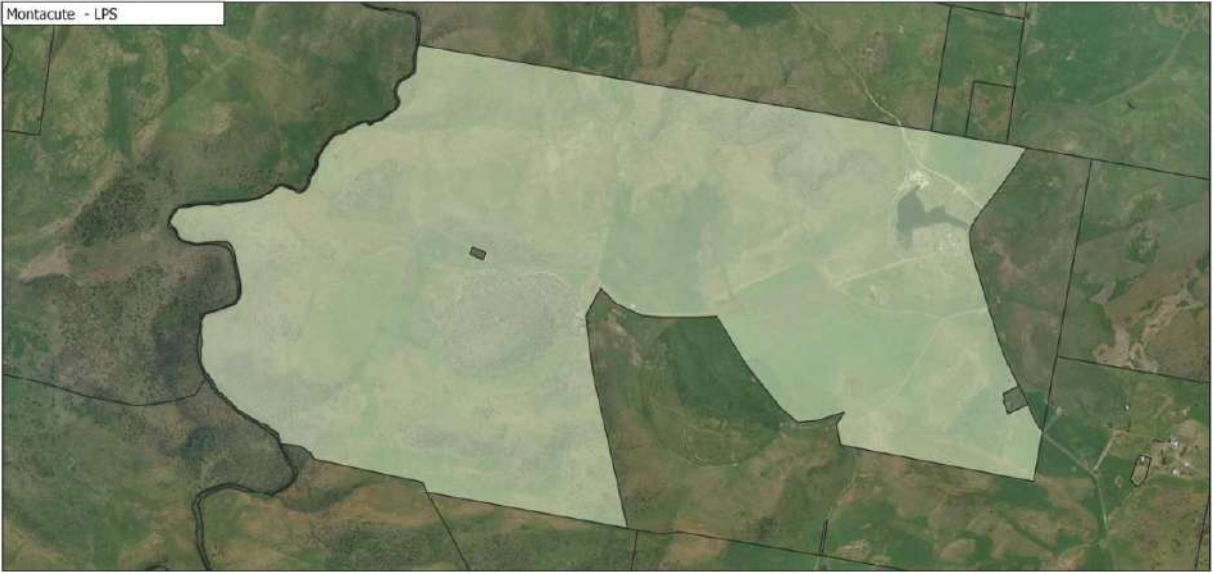
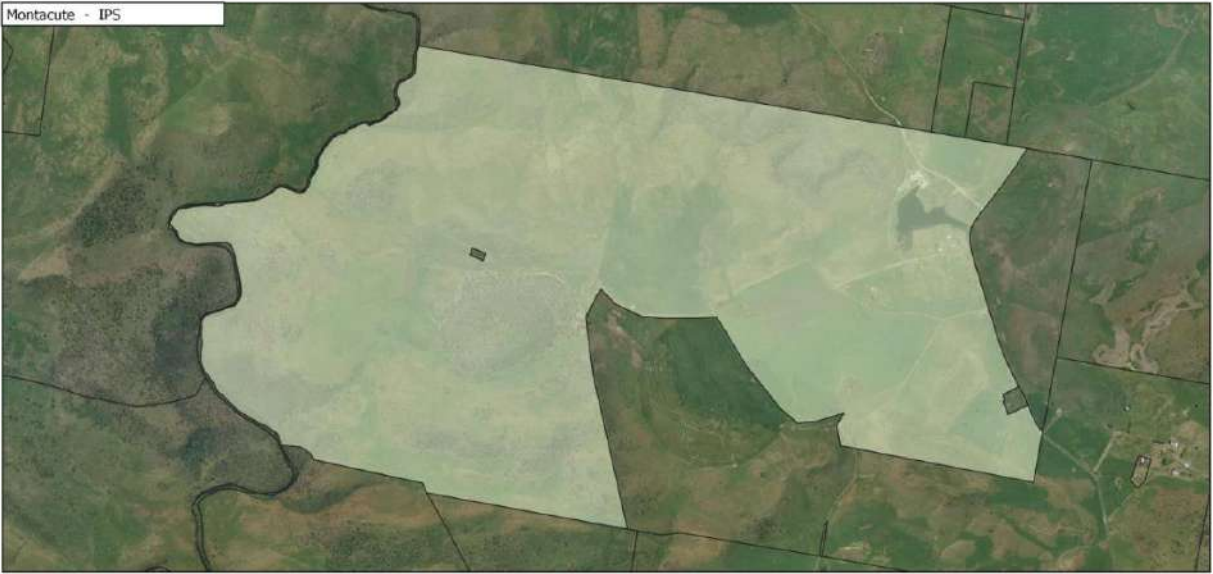
## ASHTON



N/A



MONTACUTE





NORTON MANDEVILLE

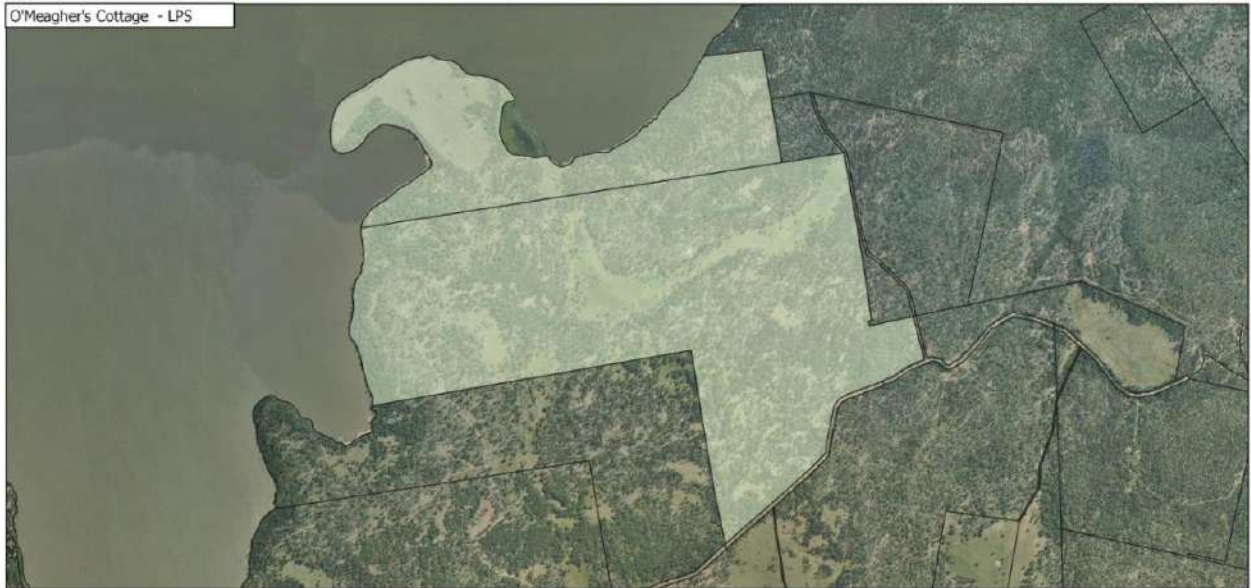


Norton Mandeville - CPR

N/A

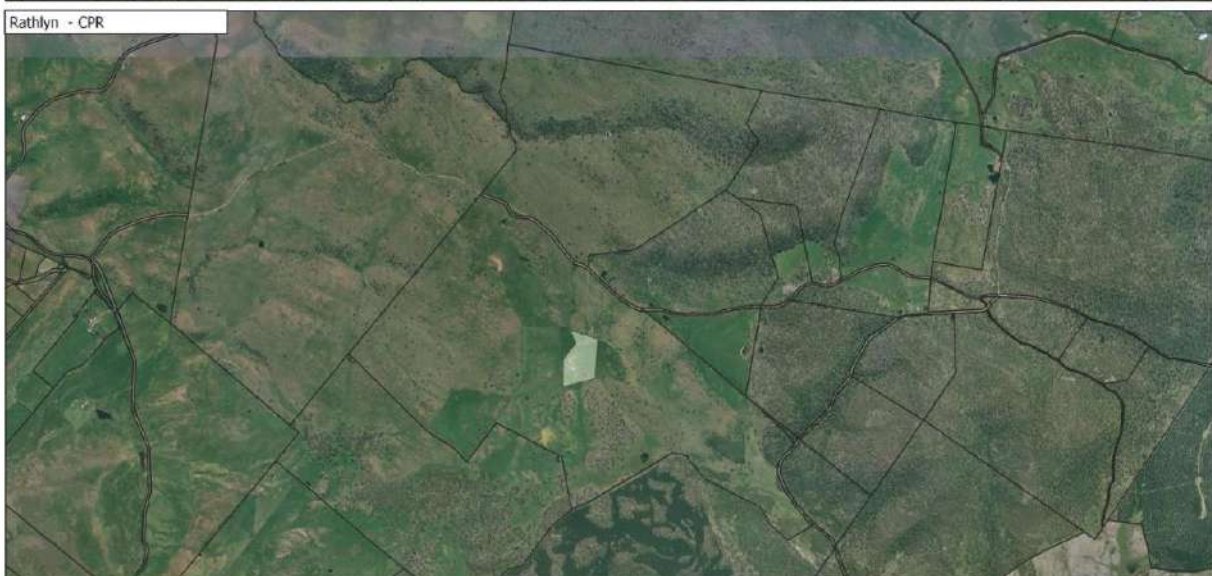


## O'MEAGER'S COTTAGE





## RATHLYN





## ROSECOT



Rosecot - CPR

N/A



**CLEVELAND (A CASE OF AN INCORRECT TITLE CURRENTLY BEING LISTED)**



N/A



## BOTHWELL SANDSTONE KERBS





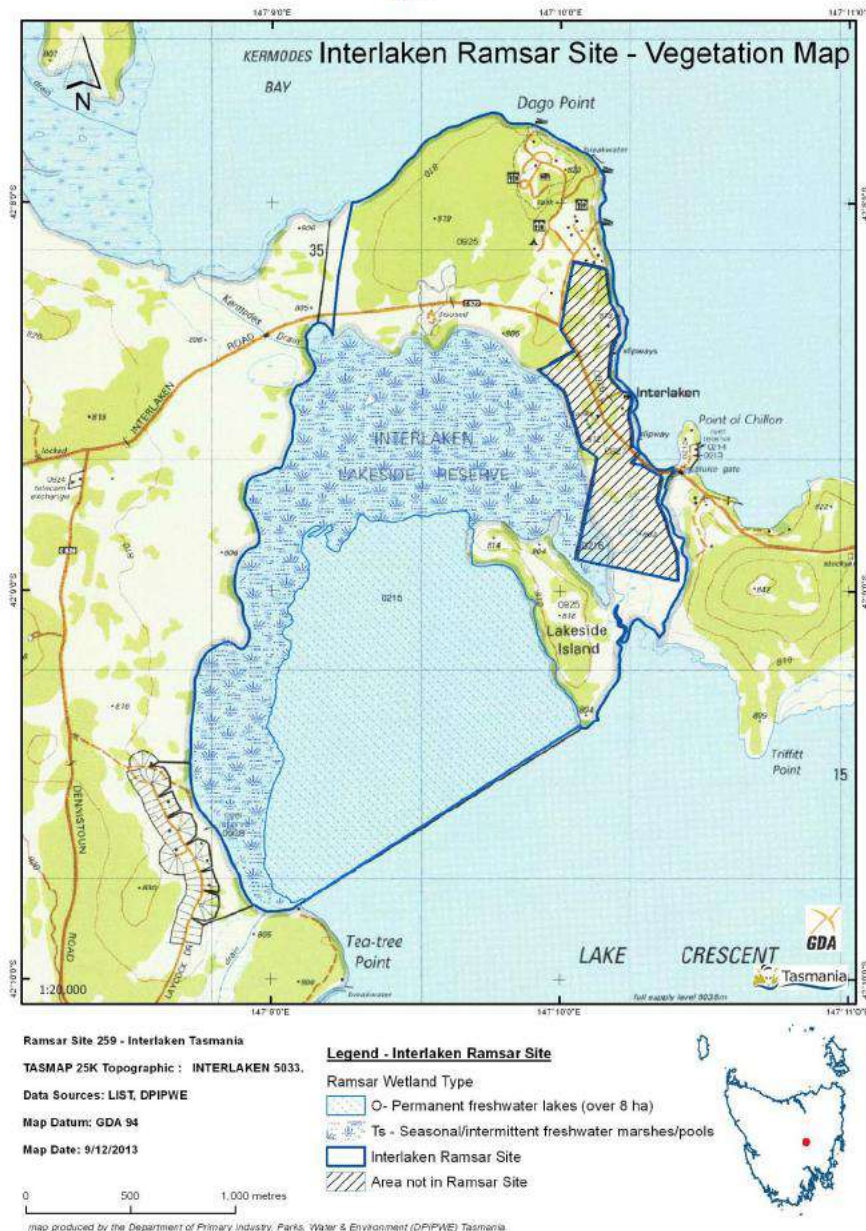
## 7. INTERLAKEN CANAL ZONING

The Planning Authority has zoned the eastern half of the canal as Utilities Zone. This section is on an adjacent title outside the overall RAMSAR site area.

As set out in the supporting report, the strong preference is for the entire canal to be zoned Utilities, reflecting the reality on the ground and providing greater certainty that this key component of the Clyde Irrigation District can continue operating properly into the future.

Information Sheet on Ramsar Wetlands (RIS), page 15

Attachment 1: Location map of the Interlaken Lakeside Reserve Ramsar site including Ramsar wetland types.



The above map from the RAMSAR information sheet shows the considerable separation between the canal (the strip on the east of the overall RAMSAR site) and the actual wetland area (the 'seasonal/intermittent freshwater marshes/pools'). It can also be seen that for two-thirds of the length of the canal a large private lot excluded from the RAMSAR site sits between the wetlands and the canal.



The wetland's values are significantly dependant on the management of water levels, which the Clyde Water Trust undertakes using the canal. At appropriate times water stored upstream in Lake Sorell is allowed to flow through the canal to Lake Crescent, where the RAMSAR site is located, thereby enabling the water levels across the marshes to be well-managed. If future maintenance of the canal is impeded, the RAMSAR wetland values may be threatened.

The RAMSAR wetland site is largely an artificial construct. The water levels of Lakes Crescent and Sorell were artificially raised in the 1800s as part of the Clyde Water Trust Irrigation Scheme, one of the oldest in Australia. Since then the Trust has managed the water levels in Lake Crescent using the canal. If the irrigation scheme works had not occurred, the wetlands subject of the RAMSAR listing would not exist, or at most would be far less extensive.

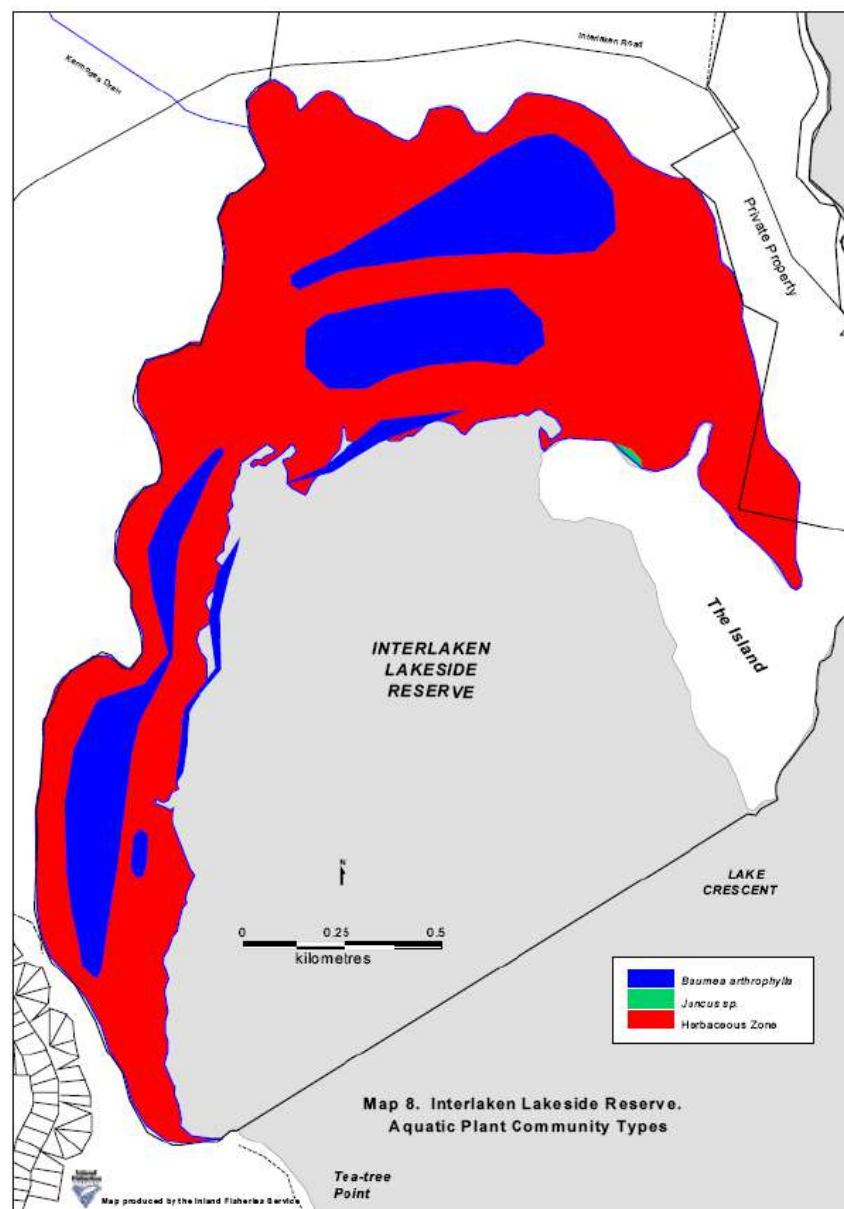


Figure 7-1  
Distribution of aquatic plant communities at ILR in 2001 (Heffer 2003a)

The above map again demonstrates the considerable distance between the wetland and the canal.



**8. LAKE MEADOWBANK SPECIFIC AREA PLAN:  
RESPONSE TO MATTERS RAISED IN THE OUTSTANDING ISSUES NOTICE  
Pursuant to S.35F(2)(ba) of the Act**

**8.1 Direction from the Commission:**

*ISSUE*

*The planning authority (PA) proposes to insert CHI-S1.0 Lake Meadowbank Specific Area Plan (SAP) in the Central Highlands LPS.*

*The PA has advised it does not wish to transition F1.0 Lake Meadowbank Specific Area Plan in the Central Highlands Interim Planning Scheme 2015 into the LPS, under Schedule 6 – Savings and Transitional Provisions of the Act, but instead insert the new SAP shown in Attachment 1.*

*The Act requires a new SAP in an LPS to meet the LPS criteria under section 34(2).*

*INFORMATION NEEDED*

*Information and justification to demonstrate the attached SAP meets the LPS Criteria under section 34(2) (a), (b), (c), (d) and (e) of the Act. Specifically, the Commission requires information that the SAP:*

- (a) contains all the provisions that the State Planning Provisions (SPPs) specify must be contained in an LPS;*
- (b) is in accordance with section 32(4) of the Act;*
- (c) furthers the objectives set out in Schedule 1;*
- (d) is consistent with the State Policy on the Protection of Agricultural Land 2009 (PAL Policy); and*
- (e) as far as practicable, is consistent with the Southern Tasmania Regional Land Use Strategy 2010-2035.*

**8.2 Response from the Planning Authority:**

**8.2.1 (a) contains all the provisions that the State Planning Provisions (SPPs) specify must be contained in an LPS;**

The SAP contains all the provisions the State Planning Provisions specify must be contained in an LPS. It is noted that the State Planning Provisions are in the form of headings only, not content.

**8.2.2 (b) is in accordance with section 32(4) of the Act;**

1. Lake Meadowbank is the premier water-skiing facility in Tasmania. The Planning Authority wants to allow this recreation facility of state-wide strategic importance to expand, both on and off the water. This includes clubrooms and other shore-based facilities, water-edge facilities such as jetties, pontoons, boat ramps and on-water recreational infrastructure. For these reasons the SAP is necessary pursuant to Section 32(4)(a) of the Act.
2. These water-edge and on-water facilities, however, also need to be shared and consolidated so that the current unsystematic proliferation trend is halted and potentially reversed. For this reason, the SAP is necessary pursuant to Section 32(4)(b) of the Act.



3. As the lake's status as the State's premier water-skiing location grows, more accommodation will need to be allowed around the lake, over a range of modes including camping, caravans and holiday cabins. This needs clear siting criteria to ensure the lake's landscape values are not destroyed by, for example, numerous buildings close to the water's edge. For this reason, the SAP is necessary pursuant to Section 32(4)(b) of the Act.
4. Many operational Hydro lakes have a degree of recreational use. The difference with Lake Meadowbank is the high degree of recreational use arising from its close proximity to greater Hobart, the specific nature of that use (predominantly; the State's premier water-skiing facility) and associated pressures for more accommodation / housing / camping and aquatic structures. A SAP is required to do this. For this reason, the SAP is necessary pursuant to Section 32(4)(a) of the Act.
5. This high-level of specific water-based recreational activities and development pressures pose particular management challenges for Hydro Tasmania, over and above that which exist for other lakes where water-based recreation occurs. Development applications for sites close to the foreshore should be referred to Hydro Tasmania for comment. For this reason, the SAP is necessary pursuant to Section 32(4)(b) of the Act.
6. The agricultural value of the land is not highly significant, whilst the economic and social values of the lake as the State's premier water-skiing facility are highly significant. The scheme provisions should lean in favour of the recreational use within the SAP area. The SAP is necessary to do this.
7. The land around the lake contains highly significant Aboriginal heritage sites. Development applications involving buildings and works should be referred to AHT for comment. The SAP is necessary to do this. For this reason, the SAP is necessary pursuant to Section 32(4)(a) of the Act.
8. The Landscape Conservation Zone is not used in the Central Highlands LPS and, in any case, would not suit this special area. The proposed SAP, in part, introduces some aspects of this zone. For this reason, the SAP is necessary pursuant to Section 32(4)(b) of the Act.
9. The Commission guidelines document: "*An approach to applying Section 32(4)*" list a number of 'tests' to be answered when considering a Specific Area Plan. Overall, the tests are satisfied by the content of the above eight points, as follows:

*The significant benefit test:* State, regional and local social and economic benefit deriving from its status as the premier water ski recreational facility in the State.

Regional social and environmental benefit deriving from its position as the last hydro-electric dam on the Derwent River and thus the main source of drinking water for greater Hobart.

*The particular qualities test:* State, regional and local social and economic benefit deriving from its status as the premier water ski recreational facility in the State.

State, regional and local social benefit deriving from the rich Aboriginal heritage within the area.



**8.2.3 (c) furthers the objectives set out in Schedule 1;**

The objectives of the resource management and planning system of Tasmania are –

- (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and
- (b) to provide for the fair, orderly and sustainable use and development of air, land and water; and
- (c) to encourage public involvement in resource management and planning; and
- (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c) ; and
- (e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

The SAP is necessary to sustainably manage the use and development of this area, which has been and will remain to be, subject to significant recreational and visitor accommodation pressures, due to the facility's status as the State's premier water-skiing recreational facility. This includes the collective management of onsite wastewater systems, recognising and protecting Aboriginal heritage and providing for the fair orderly and sustainable use and development of the area.

**8.2.4 (d) is consistent with the State Policy on the Protection of Agricultural Land 2009 (PAL Policy);**

As with all Central Highlands, there is no Prime Agricultural Land within the SAP area.

Relevant Principle:

1. *Agricultural land is a valuable resource and its use for the sustainable development of agriculture should not be unreasonably confined or restrained by non-agricultural use or development.*

The modest agricultural land within the SAP area is less significant than the use of small parts of the land for the State's major water ski recreational facility. It is therefore reasonable that agricultural use of this land is confined or restrained, noting that the majority of agricultural land within the area will remain available for agriculture.

Relevant Principle:

7. *The protection of non-prime agricultural land from conversion to non-agricultural use will be determined through consideration of the local and regional significance of that land for agricultural use.*

The agricultural land within the SAP area is an insignificant area compared to the extensive area of similar-value agricultural land available in the municipal area.

**8.2.5 (e) as far as practicable, is consistent with the Southern Tasmania Regional Land Use Strategy 2010-2035;**

The SAP is not inconsistent with the Southern Tasmania Regional Land Use Strategy.



**8. PLANNING AUTHORITY OPINION ON WHETHER THE DRAFT LPS MEETS THE LPS CRITERIA  
Pursuant to S.35F(2)(d) of the Act.**

It is the Planning Authority's opinion that the Draft LPS meets the LPS criteria only if amended as described in this report.



**ATTACHMENTS**

**REPRESENTATIONS**





Growing the future

30 Patrick Street, Hobart 7000  
Tel: (03) 6165 4074  
Email: [admin@pft.tas.gov.au](mailto:admin@pft.tas.gov.au)  
[treealliance.com.au](http://treealliance.com.au)

Free Helpline 1300 661 009

5 July 2021

Graham Rogers  
Manager Development and Environmental Services  
Central Highlands Council  
Alexander Street  
BOTHWELL TAS 7030

Inquiries: Tracey King  
Phone: (03) 6477 7389  
Email: [tracey.king@pft.tas.gov.au](mailto:tracey.king@pft.tas.gov.au)  
Our Ref: 0239-4

Dear Graham

**Exhibition – Central Highlands Draft Local Provisions Schedule**

Thank you for your letter dated 20 August 2021 regarding notification of the Exhibition – Central Highlands Council Draft Local Provisions Schedule.

Private Forests Tasmania will be providing input through a consolidated Department of State Growth submission by the due date.

Yours sincerely

**Penny Wells**  
Chief Executive Officer



**Kathy Bradburn**

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**From:** Jennifer Jarvis <Jennifer.Jarvis@tasrail.com.au>  
**Sent:** Thursday, 2 September 2021 5:28 PM  
**To:** development  
**Subject:** Central Highlands Draft Local Provisions Scheme

Thank you for notifying TasRail of the Southern Midlands Council Draft Local Provisions Scheme.

TasRail has taken the opportunity to review the available information and makes the following comments:

- All State Rail Network land should be zoned Utilities and covered by the Road and Railway Assets Code. We note that the only section of State Rail Network land within the Central Highlands Municipality is at National Park. The adjoining landholdings to this State Rail Network land include a private landholding (property ID 9331607 Title 178776/1) and DPIPWE (Crown land). We note a change of zoning is proposed under the Draft LPS for the private land from Rural Resource to Rural. TasRail has no objection, but will be reliant on a referral of any future development/planning application to ensure proposed activities do not pose a safety or operational risk to future rail operations.
- The Rail Infrastructure Act 2007 (Tas) forms part of the legal and regulatory framework that governs rail assets and operations in Tasmania. Under this Act, TasRail is the Rail Infrastructure Owner (RIO) and the Rail Infrastructure Manager (RIM) of the State Rail Network (and all of the attendant rail infrastructure). The Rail Network consists of the railways specified in Schedule One of the Act. It is important to read Schedule One in conjunction with the definition of rail infrastructure and subsection (2) of the Act.
- Subsection (2) states” ‘In this Act, unless the contrary intention appears, a reference to a railway is taken to be a reference to the track of the railway, the land corridor along which the track of the railway is laid and all of the attendant rail infrastructure. *Rail infrastructure* is defined as being:
  - (a) Rail lines and fastenings; and
  - (b) Crossing loops, sidings, switches and points; and
  - (c) Sleepers and ballast; and
  - (d) Drains and culverts; and
  - (e) Bridges, cuttings, tunnels and embankments; and
  - (f) Poles and pylons; and
  - (g) Structures and supports; and
  - (h) Overhead lines; and
  - (i) Platforms and railway stations; and
  - (j) Rail yards; and
  - (k) Freight sheds, workshops and associated buildings; and
  - (l) Electrical substations; and
  - (m) Signs and signalling equipment; and
  - (n) Train control and communication systems; and
  - (o) Traffic control devices that are capable of being automatically activated by trains; and
  - (p) Plant, machinery and other fixed equipment;.
- TasRail has noted your advice that spatial allocation of the zones and overlays is mostly ‘like for like’ conversions of the Interim Planning Scheme.
- We also note the Road and Railway Assets Code will be adopted in the Local Provisions Scheme.

Please don’t hesitate to contact [property@tasrail.com.au](mailto:property@tasrail.com.au) should you have any questions re the above.

Kind regards



**Jennifer Jarvis**



Manager Group Property & Compliance | Property  
Phone: 03 6335 2603 | Mobile: 0428 139 238  
11 Techno Park Drive, Kings Meadows, Tasmania, 7249  
[Jennifer.Jarvis@tasrail.com.au](mailto:Jennifer.Jarvis@tasrail.com.au)

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**Kathy Bradburn**


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**From:** Tony Donaghy <tony\_donaghy@hotmail.com>  
**Sent:** Friday, 3 September 2021 3:08 PM  
**To:** development  
**Cc:** Lou Triffitt; Jim Allwright  
**Subject:** Representation on Central Highlands Planning Scheme Local Provision Schedule - erroneous proposed zonation 460 Dry Poles Rd Ellendale

I wish to make a representation that the Central Highlands draft Local Provision Schedule for the Tasmanian Planning Scheme is in error in the proposed zonation for address 460 Dry Poles Road, Ellendale 7140 (PID 3389090) as AGRICULTURE. This land parcel is 7.269Ha and is too small for a viable farm. It is the only land owned by myself, and is not attached to any other property in the area. It is now used as a rural dwelling. It should be zoned either RURAL or RURAL LIVING.

I refer you to the following images.





Search by address

Ion: 146.713829 lat: -42.633722

Titles
 1

PID 3389090

Parcel Address 460 DRY POLES RD

CT 121227/1

Overlays
 

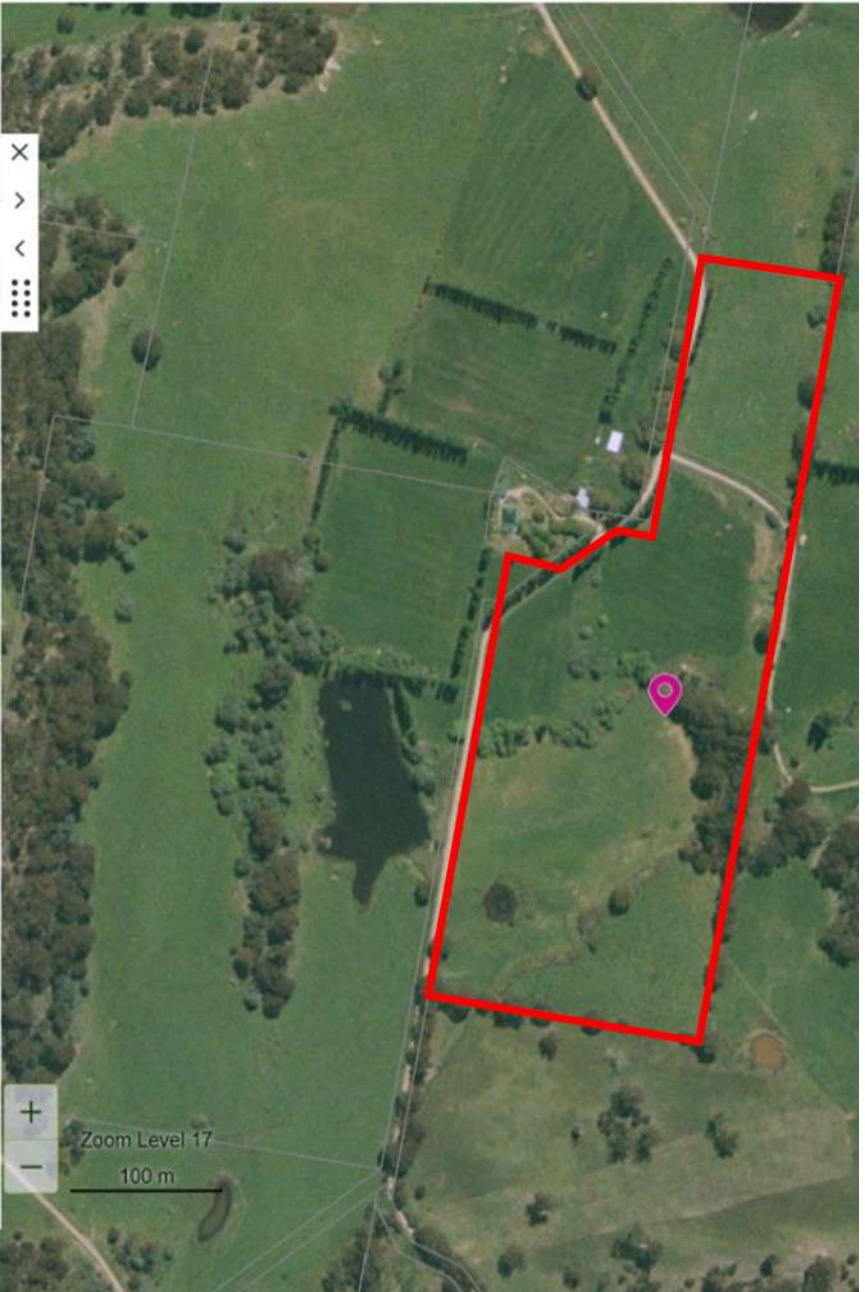
Bushfire Prone Areas  
 Waterway and Coastal Protection  
NOTE: Additional codes are not mapped and may be triggered based on description

Links
 

Priority Veg Report

Zones
 1

LPS\_NO : Central Highlands Local Provisions Schedule  
 ZONE\_NO : Agriculture  
 ZONE\_SUBGRP :  
 NOTES :  
 TABLE : lps\_planning\_zones

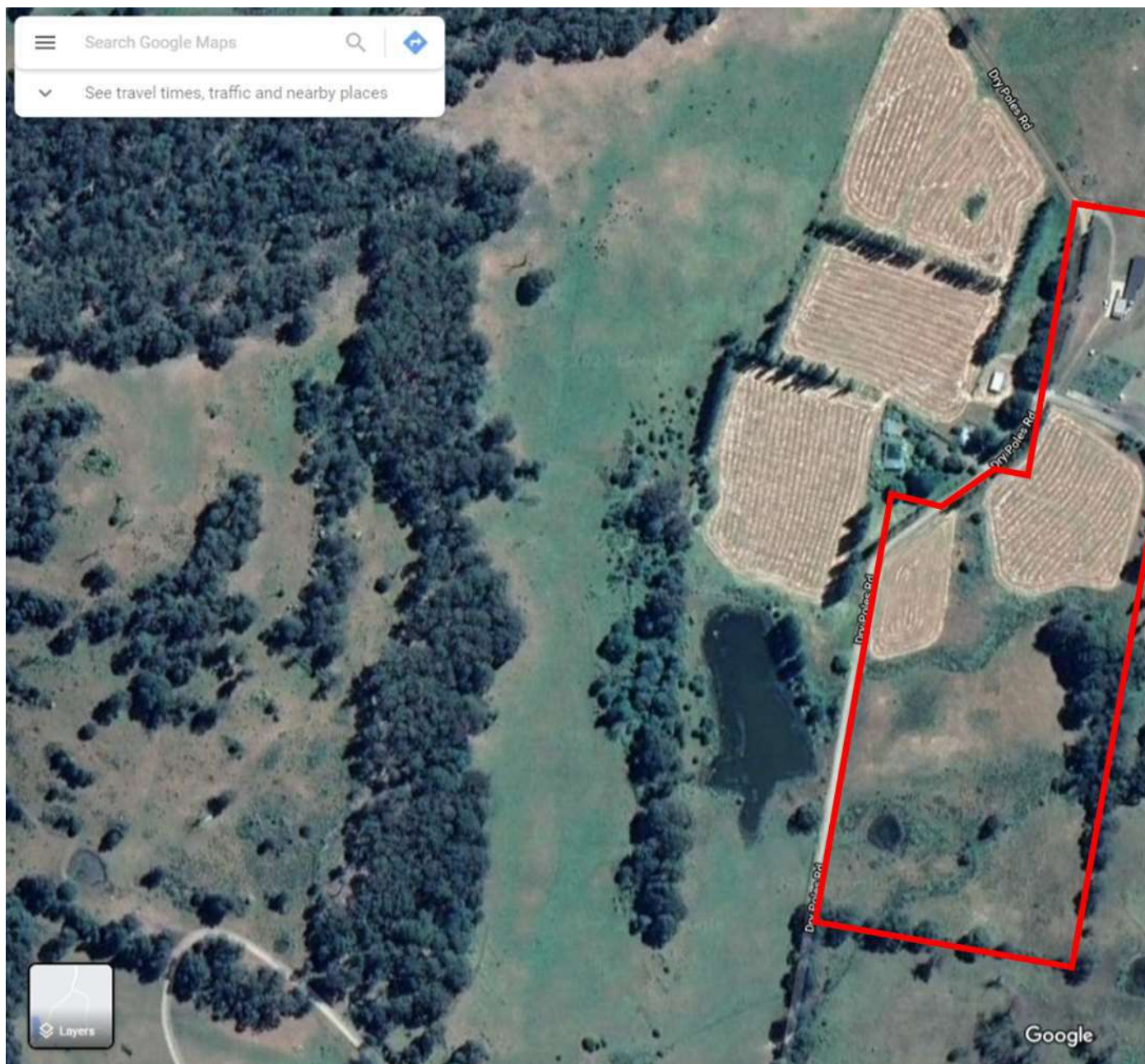


Zoom Level 17  
 100 m

The first image represents the base aerial photograph taken from the Tasmanian Planning Scheme Consultation website provided by the Central Highlands Council ([TPS | Central Highlands \(discovercommunities.com.au\)](https://discovercommunities.com.au)) that has been used to determine zonation. This aerial photograph is clearly many years out of date. This property now has a house on it and has had a house on it for the past 5 years. I live in that house and have done so since it was constructed, and have paid rates to the Central Highlands Council for that dwelling for 5 years.

Please refer to the google maps image of the same property at 460 Dry Poles Rd that clearly shows the house on the land title. Also refer to Central Highlands Council's own property records for that address.





I would appreciate it if the error was corrected before the Planning Scheme zonation was set permanently. The proposed zonation needs to be altered immediately from the currently erroneously proposed AGRICULTURAL zonation to either RURAL or RURAL LIVING zonation.

Similarly, I direct your attention to property 449 Dry Poles Rd Ellendale (PID 1661759), immediately across the road from 460 Dry Poles Rd. This also has been given the proposed zonation of AGRICULTURE despite only being a parcel of land some 0.75 of an acre in area and not attached to any other property. Clearly this is also an error as there is no way that parcel of land and house can be used for agricultural purposes, and should be zoned RURAL or RURAL LIVING. This property is owned by my parents Anne and Tony Donaghy Sr, who I suspect are completely unaware of the proposed zonation changes. A check of councils' own rates records should quickly ascertain the facts of the matter.

In general, it would behove council to ensure all records used to determine planning scheme zonation were up to date and correct to ensure such errors didn't occur, causing completely unnecessary distress for the ratepayers affected. Errors such as the use of aerial imagery that is at least half a decade out of date and a failure to cross reference land titles and rates paid for changed housing conditions shows a failure in planning and execution of the zonation exercise. I suspect that this is because the exercise has been outsourced to contractors with no local knowledge or ability to access council records, and no desire to take the time to assess every proposed change in detail – preferring to scan large areas at a large scale. It would also be a good idea for council to take the proactive



step of officially notifying landowners personally about zonation changes affecting their property before such matters become set in stone. Council has no issue mailing out rates notices, a simple mail out with proposed zonation changes could be handled the same way.

Sincerely

Tony Donaghy

460 Dry Poles Rd Ellendale TAS 7140

Ph 0431082974



**Kathy Bradburn**

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**From:** Darryn Crook <darryn.crook@relianceff.com.au>  
**Sent:** Friday, 10 September 2021 3:13 PM  
**To:** development  
**Cc:** Janette Bartels  
**Subject:** Central Highlands Draft LPS

To whom it may concern

Reliance Forest Fibre manages approx. 40,000ha of freehold land in Tasmania some of this falls in the Central Highlands LGA.

After reviewing the Landscape planning zones after receiving your letter I have noticed that zoning is being carried out on a title level and not a PID level. While I can see the logic of this to a degree it does cause some concern when our properties which are fully developed into plantation are in some instances split between Rural in which no permit is required for plantation and Agricultural where a permit is required if our plantation is established on prime agricultural land. While our properties are covered by a PTR I thought I would write to advise that from a forest management perspective it would be desirable to have plantation properties all zoned the same across the PID to avoid conflict in particular if not covered by a PTR.

Sincerely

**Darryn Crook**  
Technical Manager



Mobile: +61 409 005 992

Email: [darryn.crook@relianceff.com.au](mailto:darryn.crook@relianceff.com.au)



**Kathy Bradburn**

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**From:** Stuart & Karen Philp <philp.s.k@gmail.com>  
**Sent:** Thursday, 16 September 2021 8:06 PM  
**To:** development  
**Subject:** Email representation re Central Highlands Draft LPS

To: [development@centralhighlands.tas.gov.au](mailto:development@centralhighlands.tas.gov.au)

Subject: Representation on the Central Highlands Draft Local Provisions Schedule - S. and K. Philp

Attention: Central Highlands Planning Authority

We are the owners of the 124.9 ha conservation property in the Central Highlands municipality at Lot 1 Lyell Highway, Bronte Park, (PID 3054354, Title Ref. 241850/1). In the currently exhibited Central Highlands Draft Local Provisions Schedule our property has been rezoned as Rural.

The property is mostly covered by the 116.1 ha Bronte Park #1 Reserve protected by conservation covenant and has therefore been identified by both the State and Commonwealth Governments for protection and conservation of the biodiversity it contains. As most of the property is private reserve and the non-reserved part of the property is unsuitable and not used for agriculture, Guidelines LCZ1 and RZ1 together indicate that our property should be rezoned to Landscape Conservation.

The Bronte Park #1 Reserve contains the threatened vegetation community No 28 Highland grassy sedgeland as listed in Schedule 3A of the *Nature Conservation Act 2002*. It also contains the rare *Hovea montana* (Mountain purplepea) and the vulnerable *Hovea tasmanica* (Hill hovea) as listed in Schedules 5 and 4, respectively, of the *Threatened Species Protection Act 1995*, and also contains and provides habitat for the endangered *Aquila audax fleayi* (Tasmanian wedge-tailed eagle), *Sarcophilus harrisii* (Tasmanian devil) and *Dasyurus viverrinus* (Eastern quoll) all listed in Schedule 3 of the same Act.

The Reserve has also been identified as providing suitable habitat for the following flora and fauna:

- the rare *Pentachondra ericifolia* (Fine frillyheath)
- the rare *Viola cunninghamii* (Alpine violet)
- the rare *Corunastylis nuda* (Tiny midge orchid)
- the endangered *Galaxias johnstoni* (Clarence galaxias)
- the rare *Dasyurus maculatus maculatus* (Spotted tailed quoll)
- the potentially endangered *Tyto novaehollandiae* (Masked owl)

Full details of the natural values being protected are in the Nature Conservation Plan for the Reserve which is held by the Private Land Conservation Program in DPIPW.

Could you please acknowledge receipt of our presentation.

Stuart & Karen Philp  
 Mobile 0422643384

[Email philp.s.k@gmail.com](mailto:philp.s.k@gmail.com)





19<sup>th</sup> September 2021

Central Highlands Planning Authority  
Development and Environmental Services  
19 Alexander Street  
Bothwell TAS 7030

Via email: [development@centralhighlands.tas.gov.au](mailto:development@centralhighlands.tas.gov.au)

**Representation about the Central Highlands Draft LPS – proposal to change the zoning of thirteen (13) reserved properties to Landscape Conservation**

***Summary of Representation***

Conservation Landholders Tasmania (CLT) has reviewed the Central Highlands Draft LPS Zone Maps and the Supporting Report and believes that thirteen (13) properties containing Private Reserves with land reserved for the protection of biodiversity should be rezoned to Landscape Conservation based on Guideline LCZ1, when read together with Guideline RZ1, subject to landowner agreement.

<b><i>Reserve Name</i></b>	<b><i>Property Address</i></b>	<b><i>Property ID</i></b>	<b><i>Title Reference</i></b>
Bronte Park #1	Lot 1 LYELL HWY BRONTE PARK TAS 7140	3054354	241850/1
Bronte Park #2	LYELL HWY BRONTE PARK TAS 7140	2304227	243948/1
Cockatoo Hill	LYELL HWY BRADYS LAKE TAS 7140	1860790	127910/12
London Lakes	Lot 8 VICTORIA VALLEY RD LONDON LAKES TAS 7140	3210249	164812/8
Bothwell	DENNISTOUN RD BOTHWELL TAS 7030	1853865	126437/1
Bullock Hills Reserve	1190 MARKED TREE RD HAMILTON TAS 7140	3268942	166563/1

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ABN 47 746 051 320  
website [www.clt.asn.au](http://www.clt.asn.au)  
post 675 Cradle Mountain Road Erriba TAS 7310  
email [gaidennett@gmail.com](mailto:gaidennett@gmail.com)



<b><i>Reserve Name</i></b>	<b><i>Property Address</i></b>	<b><i>Property ID</i></b>	<b><i>Title Reference</i></b>
Bullock Hills Reserve	Lot 2 MARKED TREE RD HAMILTON TAS 7140	3268950	166563/2
Bullock Hills Reserve	Lot 3 MARKED TREE RD HAMILTON TAS 7140	3268969	166563/3
Bullock Hills Reserve	Lot 1 MARKED TREE RD HAMILTON TAS 7140	3264618	166564/1
Bullock Hills Reserve	Lot 2 MARKED TREE RD HAMILTON TAS 7140	3264597	166564/2
Bullock Hills Reserve	Lot 3 MARKED TREE RD HAMILTON TAS 7140	3264626	166564/3
Gold Hole Gully	NICHOLS RD ELDERSLIE TAS 7030	5467371	119278/1
Pelham Tier	SONNERS RD PELHAM TAS 7030	5467400	212268/1

The natural values within these Reserves have already been identified for protection and conservation by the Minister for Environment and Landscape Conservation Zone should be applied during the current Draft Local Provisions Schedule assessment process given that Landscape Conservation zone was not applied when drafting the LPS.

This representation has not considered the various Private Reserves owned by the Tasmanian Land Conservancy or trawtha makuminya Reserve owned by the Aboriginal Land Council of Tasmania as these properties will be the subject of separate representations.

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## ***Background***

Conservation Landholders Tasmania (CLT) is an educational trust. Conservation landholders including those with land reserved by conservation covenant are the beneficiaries of the Trust. In Tasmania there are currently about 900 reserves under conservation covenant totaling 111,000 ha, or 4.2% of the private property in the state. The Trustees organise field days and forums on topics of relevance and interest to these conservation landholders. CLT has been supported by the three NRMs and the Tasmanian Land Conservancy for over 9 years.

In late 2019 CLT became aware that private properties with land reserved for their significant natural values are routinely being rezoned from Rural Resource to Rural or Agriculture by local planning authorities in their Draft LPS. CLT considers that much of this reserved land is more appropriately zoned as Landscape Conservation.

## ***The application of Landscape Conservation Zone in the Central Highlands Draft LPS***

Section 5.3 CHIPS2015- SPP Zone Conversions on pp 57-60 of the Supporting Report makes it clear that the Planning Authority has as far as possible adopted a 'like for like' zone conversion and has not considered any zones that do not map directly according to its zone conversion table.



Consequently the new Landscape Conservation zone has not been used in the Central Highlands Draft LPS and does not appear to have been considered even though the AK Consultants publication *Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones* prepared in 2018 for the Southern Tasmanian Councils Authority (Appendix H) indicates that either Environmental Management or Landscape Conservation Zone should be considered for Private Reserves

*where deemed appropriate and as per Guideline EMZ 1 or LCZ 1 & LCZ 2.*

The lack of consideration of Landscape Conservation zone for titles containing reserved land protected by conservation covenant is even more surprising given the Tasmanian Planning Commission guidance on the Planners Portal dated 22 April 2021 on this matter (included in Appendix A of this representation) that states:

*Guideline No.1 for both the Landscape Conservation Zone (LCZ) and Environmental Management Zone (EMZ) indicate that land which contains a conservation covenant will invariably have values that can result in the land being suitable for zoning in either the EMZ or LCZ.*

The Home Page of the Planners Portal states:

*The Planners Portal acts as a central resource to obtain clarification and information leading up to exhibition of a draft LPS.*

The Planning Authority apparently failed to monitor the Planners Portal leading up to exhibition and therefore failed to consider this additional guidance on the application of Landscape Conservation zone to reserved land even though it was available four months prior to the exhibition.

As a result of the 'like for like' conversion three titles containing Private Reserves have been zoned Environmental Management because that was their zoning under CHIPS2015.

<b>Reserve Name</b>	<b>Property Address</b>	<b>Property ID</b>	<b>Title Reference</b>
trawtha makuminya	MARLBOROUGH RD BRONTE PARK TAS 7140	5475806	202798/1
trawtha makuminya	MARLBOROUGH RD BRONTE PARK TAS 7140	5475806	202794/1
Skullbone Plains	GOWAN BRAE RD CENTRAL PLATEAU TAS 7304	5476083	224902/1

CLT considers that the failure of the Central Highlands Planning Authority to consider the rest of the private reserves within the municipality for rezoning to Landscape Conservation or Environmental Management is an unfortunate oversight but can be remedied in their Section 35F Report.



### ***Private land in Central Highlands municipality reserved for the protection and conservation of biodiversity***

In the Central Highlands planning area there are 61 properties containing 28,412 ha of private reserved land protected by conservation covenant distributed across 127 titles. This represents 3.6 % of the land in the municipality.

All of this land is included in the Tasmanian Reserve Estate which is land reserved to be managed for biodiversity conservation under Tasmania's Regional Forest Agreement. All of this land is also part of Australia's National Reserve System thereby contributing to the fulfilment of Australia's obligations under the international *Convention on Biological Diversity 1993*. All of the reserves are listed in the latest version of the Collaborative Australian Protected Area Database (CAPAD 2020) available at <https://www.environment.gov.au/land/nrs/science/capad>.

The landscape values within these Reserves have already been identified for protection and conservation by both the State and Federal Ministers for the Environment. Details of the natural values are contained in the Nature Conservation Plans which are held by the Private Land Conservation Program in DPIPW. These natural values were 'ground-truthed' by DPIPW or Tasmanian Land Conservancy ecologists when the Reserves were established.

### ***Case for rezoning many of these properties to Landscape Conservation***

Of the 61 properties with Private Reserves mentioned above 3 are owned by the Aboriginal Land Council of Tasmania and 8 are owned by the Tasmanian Land Conservancy, and the rezoning of these properties will be the subject of separate representations.

Of the remaining 50, CLT considers that 13 of the properties, all zoned Rural in the Draft Zone Maps, should have Landscape Conservation Zone applied to them. The other 37 properties were not considered as significant areas within titles on those properties are also used for agriculture.

Guideline LCZ1, when read together with Guideline RZ1, requires that 'Landscape Conservation Zone should be applied' to titles containing land within the Tasmanian Reserve Estate as they contain natural values 'that are identified for protection and conservation' (see Appendix A for the relevant extracts from Guideline No. 1).

Titles that are fully reserved as well as titles that are partly reserved, where the non-reserved part is unsuitable for agriculture, should therefore be zoned as Landscape Conservation.

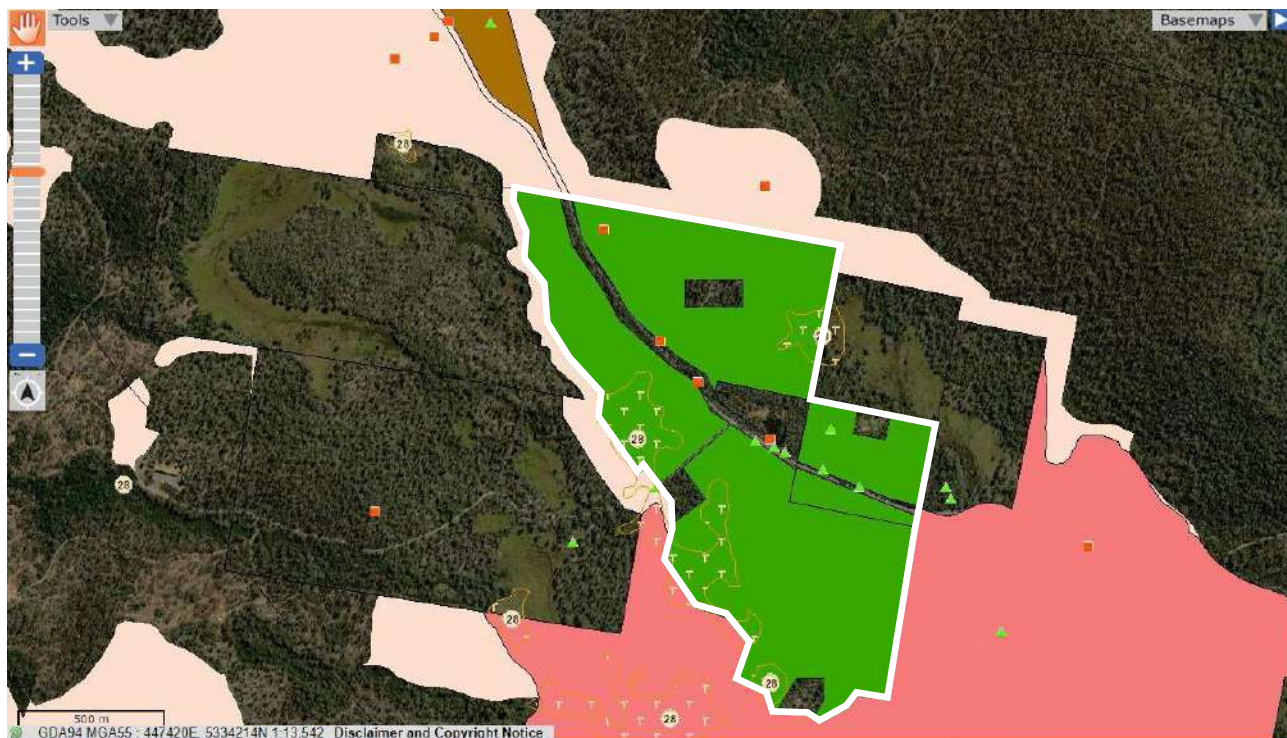
Details of the 8 Reserves across the 13 properties are provided below including ListMap screenshots of the Tasmanian Reserve Estate (green areas), Threatened Flora Points (light green triangles), Threatened Fauna Points (red squares) and Threatened Native Vegetation Communities (numbered areas with 'T' pattern) layers. Where there are adjoining Private Reserves these have been discussed together.



**Bronte Park #1 Reserve** (CAPAD 2020 Row Nos 1271-1273)

**Bronte Park #2 Reserve** (CAPAD 2020 Row Nos 1274-1275)

Addresses	PIDs	Title Refs	Percent reserved
Lot 1 LYELL HWY BRONTE PARK TAS 7140	3054354	241850/1	93%
LYELL HWY BRONTE PARK TAS 7140	2304227	243948/1	92%



Bronte Park #1 Reserve covers 116.1 ha (93%) of the 124.9 ha Title Ref 241850/1 and Bronte Park #2 Reserve covers 10.6 ha (92%) of the 11.6 ha Title Ref 243948/1. An existing residence is located in the non-reserved area of Title Ref 243948/1. Bronte Park #1 Reserve adjoins a Sustainable Timbers Tasmania Informal Reserve on its north and part of its south west boundary (pale pink) and is 200 m from the 96,404 ha Central Plateau Conservation Area (brown area).

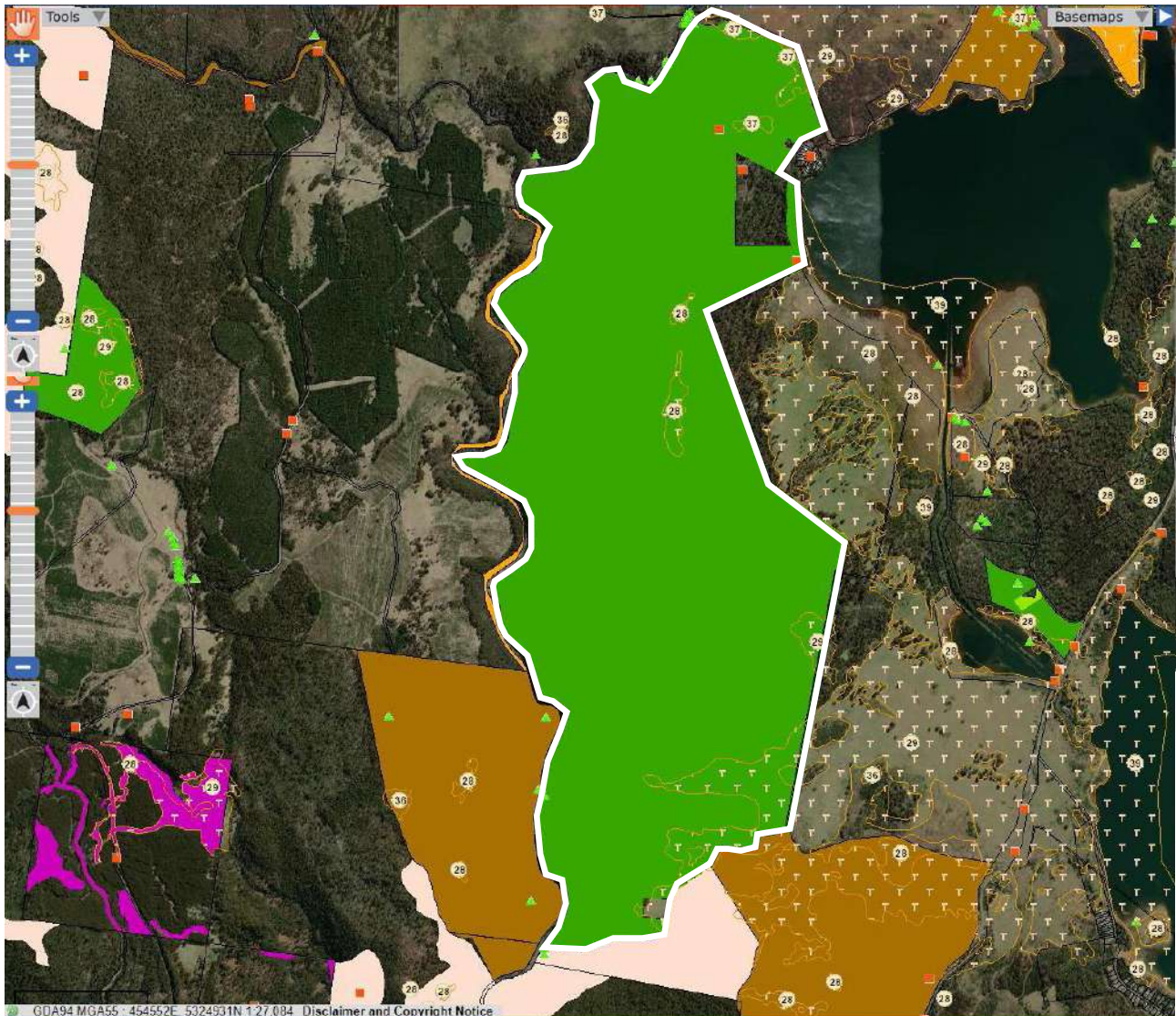
It is proposed that all of the adjoining Title Refs 241850/1 and 243948/1 (white border) are rezoned to Landscape Conservation as the non-reserved parts of the titles are unsuitable and not used for agriculture.

The combined Bronte Park Reserves contain the threatened vegetation community No 28 Highland grassy sedgeland listed in Schedule 3A of the *Nature Conservation Act 2002*. They also contain the vulnerable *Hovea tasmanica* (Hill hovea) and the rare *Hovea montana* (Mountain purplepea) as listed in Schedules 4 and 5, respectively, of the *Threatened Species Protection Act 1995*. They also contain and provide habitat for the endangered *Aquila audax fleayi* (Tasmanian wedge-tailed eagle), *Sarcophilus harrisii* (Tasmanian devil) and *Dasyurus viverrinus* (Eastern quoll) all listed in Schedule 3 of the same Act. Further details of the natural values protected by these Reserves are in the Nature Conservation Plans held by DPIPWE.



## Cockatoo Hill Reserve (CAPAD 2020 Row Nos 1333-1334)

Address LYELL HWY BRADYS LAKE TAS 7140  
PID 1860790  
Title Ref 127910/12



The 1240.0 ha Cockatoo Hill Reserve covers 98% of the 1268.4 ha Title Ref 127910/12. There are small non-reserved areas in the north and south of the title. A Reserved Road is located inside the south east boundary of the title. Cockatoo Hill Reserve adjoins the 461 ha Lake Binney Conservation Area (brown area) to its south east and the 250 ha Wentworth Creek Conservation Area (brown area) to its south west.

It is proposed that all of Title Ref 127910/12 (white border) is rezoned to Landscape Conservation as the small non-reserved parts of the title are unsuitable and not used for agriculture.

The Reserve contains the threatened vegetation communities No 28 Highland grassy sedgeland, No 29 Highland *Poa* grassland and No 37 Subalpine *Diplarrena latifolia* rushland listed in Schedule 3A of the *Nature Conservation Act 2002*. It also contains the endangered *Barbarea australis*



(Riverbed wintercress) listed in Schedule 3 of the *Threatened Species Protection Act 1995*, and also contains and provides habitat for the endangered *Tyto novaehollandiae* (Masked owl) and *Accipiter novaehollandiae* (Grey goshawk) also listed in Schedule 3 of the same Act. Full details of the natural values protected by this Reserve are in the Nature Conservation Plan held by DPIPWE.

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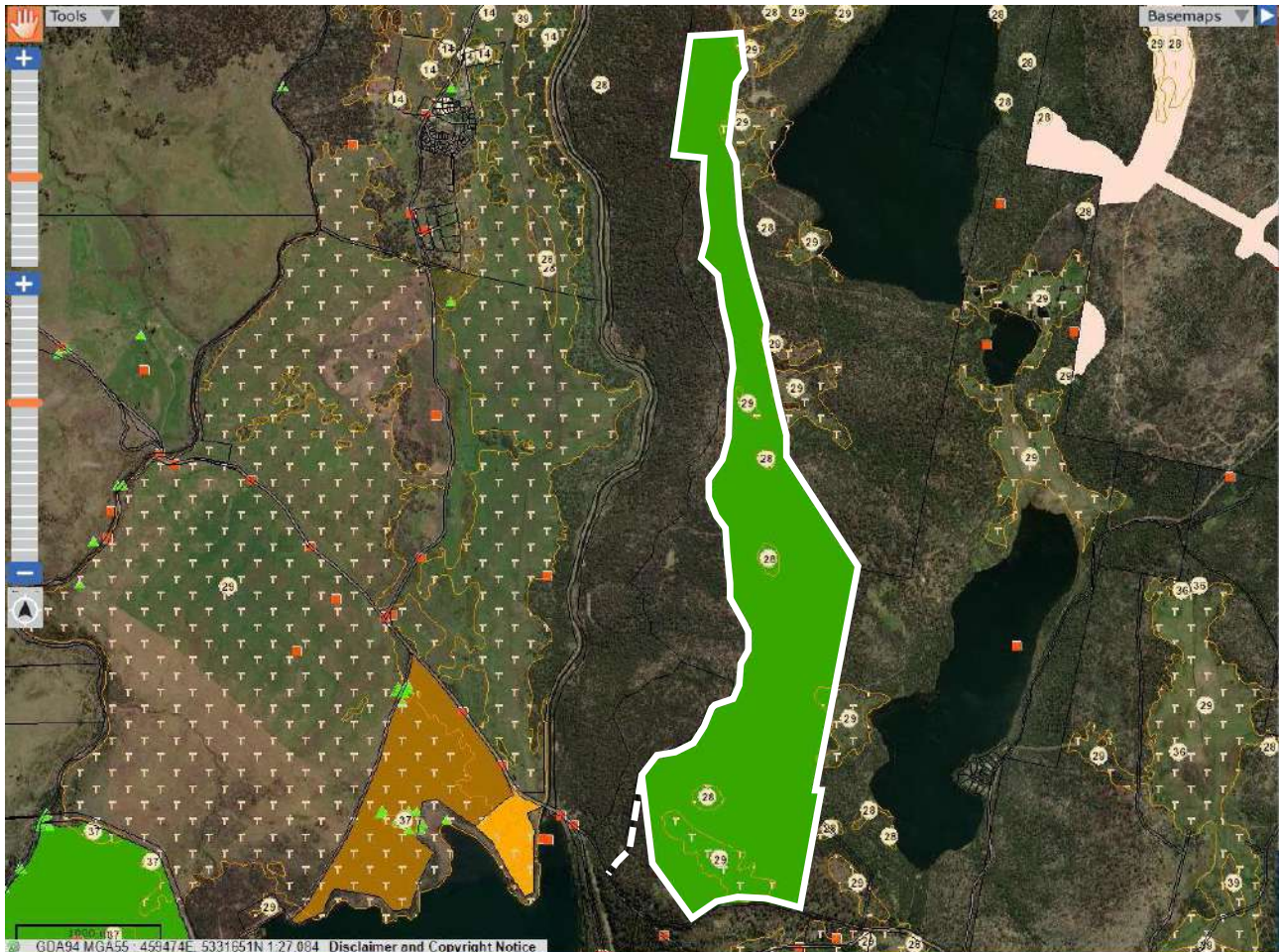


## London Lakes Reserve (CAPAD 2020 Row No 1881)

Address Lot 8 VICTORIA VALLEY RD LONDON LAKES TAS 7140

PID 3210249

Title Ref 164812/8



The 379.9 ha London Lakes Reserve covers 99.9%% of the 380.3 ha Title Ref 164812/8. The 0.4 ha of access track in the south west linking the Reserve to Victoria Valley Road is not reserved.

It is proposed that the 379.9 ha London Lakes Reserve on Title Ref 164812/8 (solid white border) is rezoned to Landscape Conservation with the access track (dashed white line) remaining in the Rural zone.

The Reserve contains the threatened vegetation communities No 28 Highland grassy sedgeland and No 29 Highland *Poa* grassland as listed in Schedule 3A of the *Nature Conservation Act 2002*. Further details of the natural values protected by this Reserve are in the Nature Conservation Plan held by DPIPWE.



## Bothwell Reserve (CAPAD 2020 Row No 1247)

Address DENNISTOUN RD BOTHWELL TAS 7030

PID 1853865

Title Ref 126437/1



The 35.3 ha Bothwell Reserve covers 100% of Title Ref 126437/1. A 0.78 ha Domestic Zone is located in the south west corner of the title. The Bothwell Reserve adjoins the 134 ha Tiger Rise Conservation Area (brown area) to its north.

It is proposed that all of Title Ref Title Ref 126437/1 (white border) is rezoned to Landscape Conservation.

The Bothwell Reserve contains and provides habitat for the endangered *Aquila audax subsp. Fleayi* (Tasmanian wedge-tailed eagle) listed in Schedule 3 of the *Threatened Species Protection Act 1995*. Further details of the natural values protected by the Reserve are in the Nature Conservation Plan held by DPIPWE.

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**Bullock Hills Reserve (CAPAD 2020 Row Nos 1288-1294)**

Addresses	PIDs	Title Refs	Title Area (ha)	Reserve Area (ha)	Percent reserved
1190 MARKED TREE RD HAMILTON TAS 7140	3268942	166563/1	20.5	16.6	81%
Lot 2 MARKED TREE RD HAMILTON TAS 7140	3268950	166563/2	20.7	18.1	87%
Lot 3 MARKED TREE RD HAMILTON TAS 7140	3268969	166563/3	40.1	27.3	68%
Lot 1 MARKED TREE RD HAMILTON TAS 7140	3264618	166564/1	41.9	39.3	94%
Lot 2 MARKED TREE RD HAMILTON TAS 7140	3264597	166564/2	41.8	38.2	91%
Lot 3 MARKED TREE RD HAMILTON TAS 7140	3264626	166564/3	138.9	132.2	95%



The total area of the Bullock Hills Reserve on the six titles listed above is 271.7 ha. The first three titles in the above list adjoin the 294 ha Pelham West Nature Reserve (dark green area) to their north east. There is an existing residence within the non-reserved part of Title Ref 166563/1.

It is proposed that all of the six adjoining titles containing this Reserve, as well as Lot 1 Marked Tree Road (PID 2820117, Title Ref 152912/1) between the two groups of titles and the short length of Reserved Road in the north west are all rezoned to Landscape Conservation as the non-reserved areas are unsuitable and not used for agriculture.



The Bullock Hills Reserve contains the threatened vegetation communities No 20 *Eucalyptus ovata* forest and woodland and No 22 *Eucalyptus tenuiramis* forest and woodland on sediments listed in Schedule 3A of the *Nature Conservation Act 2002*. The Reserve also contains and provides habitat for the endangered *Aquila audax subsp. Fleayi* (Tasmanian wedge-tailed eagle) listed in Schedule 3 of the *Threatened Species Protection Act 1995*. Further details of the natural values protected by this Reserve are in the Nature Conservation Plans held by DPIPWE.

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**Gold Hole Gully Reserve (CAPAD 2020 Row No 1657)**  
**Pelham Tier Reserve (CAPAD 2020 Row No 2155)**

Addresses	PIDs	Title Refs	Title Area (ha)	Reserve Area (ha)	Percent reserved
NICHOLS RD ELDERSLIE TAS 7030	5467371	119278/1	11.6	11.6	100%
SONNERS RD PELHAM TAS 7030	5467400	212268/1	123.7	114.7	93%



Including the part of Gold Hole Gully Reserve on Title Ref 209091/1 in the Southern Midlands municipality (dashed white border), the combined Reserves have an area of 138.8 ha. Both Reserves adjoin the 67 ha Pelham North Nature Reserve (dark green area) and the Pelham Tier Reserve also adjoins the 49 ha Pelham Nature Reserve (dark green area). There is a residential dwelling on the non-reserved part of Title Ref 212268/1.

It is proposed that all of Title Refs 209091/1 and 212268/1 (solid white border) are rezoned to Landscape Conservation zone as the non-reserved part of Title Ref 212268/1 is unsuitable and not used for agriculture and existing Residential Use is Permitted under the General Provisions. Title Ref 209091/1 has also been proposed for rezoning to Landscape Conservation in our representation on the Southern Midlands Draft LPS that was exhibited recently.

Both Reserves contain the threatened vegetation community No 22 *Eucalyptus tenuiramis* forest and woodland on sediments listed in Schedule 3A of the *Nature Conservation Act 2002*. Both Reserves also contain and provide habitat for the endangered *Aquila audax subsp. Fleayi* (Tasmanian wedge-tailed eagle) listed in Schedule 3 of the *Threatened Species Protection Act 1995*. Further details of the natural values protected by these Reserves are in the Nature Conservation Plans held by DPIPWE.



Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Thompson', with a stylized flourish at the end.

John Thompson  
On behalf of the Board of Trustees, CLT Trust

Phone 0424 055 125

Email [thompsonjohng@gmail.com](mailto:thompsonjohng@gmail.com)



## Appendix A

### ***The relevant Guidelines***

The following are extracts from *Section 8A Guideline No. 1 - Local Provisions Schedule (LPS): zone and code application (version 2.0)*, June 2018 for 22.0 Landscape Conservation Zone and 20.0 Rural Zone with key words and phrases underlined.

- 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.*
- RZ 1 *The Rural Zone should be applied to land ... which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.*

### ***The relevant Q & A from the Planners Portal***

Extract from the 'Questions and Answers Zones – Other' with key phrases underlined.

22/4/2021

**Question** *What is the most appropriate zone for land with a conservation covenant?*

**Answer** *Guideline No.1 for both the Landscape Conservation Zone (LCZ) and Environmental Management Zone (EMZ) indicate that land which contains a conservation covenant will invariably have values that can result in the land being suitable for zoning in either the EMZ or LCZ.*

*But that land may also be suitable for inclusion in the Rural or Agriculture Zone (and potentially others such as Rural Living). The values that are identified in the conservation covenant are managed or protected by the terms of the covenant and that management or protection is not dependent on the zoning of the land for land use planning purposes. Determining the zone to apply to land with a conservation covenant needs to be balanced with application of zones based on sound planning principles, such as, minimising spot zoning and applying the zoning that satisfies the Guideline No. 1 and the regional strategy.*

*The application of zoning, as the primary method of the control of use and development, should firstly be undertaken irrespective of whether a covenant applies, with weight given to the existence and content of a covenant when multiple zoning options may be available.*

*Therefore, the LCZ should not simply be applied on the basis that a conservation covenant is in place. However, areas that have extensive conservation covenants (such*



as, a cluster of many, a large area, or both, or connectivity with other land zoned for similar values) may demonstrate good strategic planning merit for applying this zone.

Where a conservation covenant applies to a small portion of a large landholding that is appropriately zoned Rural or Agriculture or another relevant zone, it may not be appropriate or necessary to apply the LCZ to the area covered by the covenant as the values will be protected by the terms of the covenant, and at the same time be compatible with the wider use of that land.



**Kathy Bradburn**

**From:** Taylor, Jason <Jason.Taylor@taswater.com.au>  
**Sent:** Monday, 27 September 2021 2:21 PM  
**To:** development  
**Subject:** TasWater Representation - Central Highlands Draft Local Provisions Schedule

To Whom It May Concern,

Please consider this email a representation from TasWater regarding Central Highlands Local Provisions Schedule (LPS).

The below table is land containing TasWater infrastructure (specifically a water storages that fit the definition of Utilities) that we consider should be zoned Utilities:

NAME	TYPE	SERVICE
Ouse Reservoir Tank	Tank	Water
Bronte Park (Various Tanks)	Tank	Water

TasWater are of the opinion that treatment plants for both water and sewer, and water storages should be zoned as Utilities, but pump stations are suited to the underlying/surrounding zoning remaining in place.

TasWater are also of the opinion that Attenuation Area buffers around Sewerage Treatment Plants (STP's) should not be mapped in the LPS's. It is noted that the Attenuation Areas as mapped in the LPS do not match the distances as tabled in the Attenuation Code. TasWater are undertaking a long term improvement program involving most STP's in the state, which may impact on attenuation distances and accordingly would prefer to rely on the code, rather than mapping buffers in the LPS's which may soon be out of date or incorrect.

Regards

Jason Taylor

Development Assessment Manager



**M** 0459 167 683  
**F** 1300 862 066  
**A** GPO Box 1393, Hobart TAS 7001  
 169 Main Road, Moonah, TAS 7009  
**E** [jason.taylor@taswater.com.au](mailto:jason.taylor@taswater.com.au)  
**W** <http://www.taswater.com.au/>

Have I been helpful? Please provide feedback by clicking [here](#).



**Disclaimer**



**Kathy Bradburn**

---

**From:** ecosystematic <ecosystematic@protonmail.com>  
**Sent:** Saturday, 2 October 2021 12:56 PM  
**To:** development  
**Subject:** Representation on the Central Highlands Draft Local Provisions Schedule - Daniel Lee  
**Attachments:** Bullock\_Hills\_and\_Neighbouring\_Property\_Details.pdf; Zoning\_of\_Lot\_1\_Marked\_Tree\_Road\_PID\_3264618.pdf

Attention: Central Highlands Planning Authority

I am the owner of the 41.9 ha conservation property in the Central Highlands municipality at Lot 1 Marked Tree Road, Hamilton, (PID 3264618, Title Ref. 166564/1).

In the currently exhibited Central Highlands Draft Local Provisions Schedule my property and the five other properties containing the Bullock Hills Reserve have been rezoned as Rural.

Proposed zoning of Title Ref 166564/1

39.3 ha (94%) of my property (see p 1 of attachment) is covered by the Bullock Hills Reserve protected by conservation covenant and has therefore been identified by both the State and Commonwealth Governments for protection and conservation of the biodiversity it contains. Guidelines LCZ1 and RZ1 together indicate that the reserved land should be rezoned to Landscape Conservation.

In its representation Conservation Landholders Tasmania has proposed that all of my property be rezoned to Landscape Conservation but I would prefer that the 2.5 ha of non-covenanted land in the south-west corner remain in the Rural zone to accommodate my future uses and development on that land. I agree to the proposed rezoning of the 39.3 ha of covenanted land to Landscape Conservation.

The proposed split zoning of my title is easily defined by three cadastral points and the 2.5 ha area to remain in the Rural Zone adjoins Title Ref. 102690/1 to the west which is also proposed for Rural Zone in the Draft Zone Map (see p 3 of attachment).

If the Tasmanian Planning Commission considers that split zoning is not an option for my property then Rural Zone should apply, as exhibited.

Proposed rezoning of Title Refs 171934/1 and 108593/1

In the Draft Zone Map the two forested titles to the south and east of my property are proposed for the Agriculture Zone. Page 2 of my attachment shows a LISTmap satellite image of my property and the surrounding titles with the Tasmanian Reserve Estate and the Threatened Vegetation Communities layers. The image shows the extent of the Schedule 3A threatened vegetation community No 22 Eucalyptus tenuiramis forest and woodland on sediments in the Bullock Hills Reserve and across Title Refs 171934/1 and 108593/1.

Additionally, from work undertaken by the Tasmanian Land Conservancy (TLC) as well as records available on LISTmap, it is clear that the property with title reference 108593/1 also provides habitat for three endangered species, as well as a number of species with conservation significance recorded on this property and the property with title reference 171934/1. The three endangered species present are the Wedge-tailed eagle (*Aquila audax fleayi*), Tasmanian devil (*Sarcophilus harrisii*) and the Eastern Quoll (*Dasyurus viverrinus*). The records are identified in the attached map titled "Bullock Hills and Neighbouring Property Details" that has been generated from data



available on LISTmap.

The Vegetation Management Plan prepared by the TLC for the covenanted properties identifies a south facing gully that extends southerly from Lot 3 of the Bullock Hills properties and into 108593/1. At the time of the report it is noted that active nests for Wedge-tailed eagle (*Aquila audax fleayi*) have been recorded. As well as this reference in the Vegetation Management plan, three Wedge-tailed eagle(s) observation records exist on LISTmap dated 23/09/2021. This indicates that this property currently has active habitat for the Wedge-tailed eagle.

In the Southern extents of this property, observation records dated as above also exist for the Tasmanian devil (*Sarcophilus harrisii*) and the Eastern Quoll (*Dasyurus viverrinus*). This indicates that the property is likely to provide significant habitat for these two species as well.

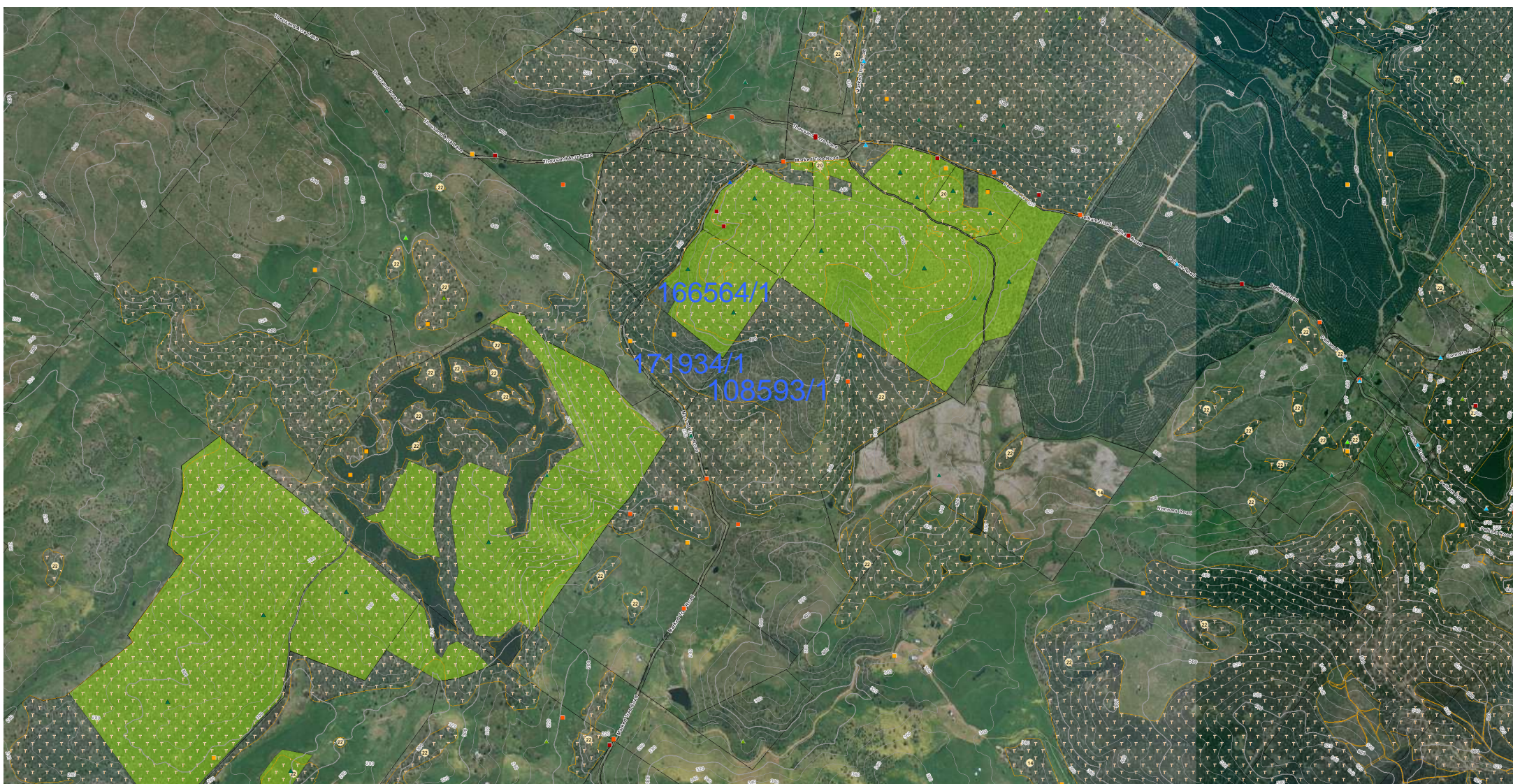
For property 171934/1 although observation records do not exist on LISTmap for endangered species, vegetation characteristics including the vulnerable *Eucalyptus tenuiramis* forest and woodland on sediments community and the presence of sandstone escarpments indicate that it would likely be significant habitat for the Tasmanian devil (*Sarcophilus harrisii*). Similar escarpments present on my property have been identified as providing foraging habitat for this species with latrine sites identified in the TLC report mentioned earlier.

As the Natural Assets Code does not apply in the Agriculture Zone I wish to propose that Title Refs 171934/1 and 108593/1 are rezoned to the Rural Zone to allow the Natural Assets Code to apply as it provides protection for priority vegetation areas and for significant habitat of threatened fauna species. These properties have extensive tracts of threatened vegetation which are connected to the same vegetation protected by the Bullock Hills Reserve, as well as are likely to provide significant habitat for endangered faunal species and a number of species with conservation significance.

Could you please acknowledge receipt of my representation?

Daniel Lee  
Owner of Lot 1 Marked Tree Road, Hamilton, (PID 3264618, Title Ref. 166564/1).  
0458467237  
ecosystematic@protonmail.com





[www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)



## Legend

### Conservation Significance Fauna Point



### Conservation Significance Fauna Polygon



### Species Observations Point

#### Threatened Flora



#### Threatened Fauna



#### Priority Weeds



#### Weed management Act



#### Conservation Significance Flora



### Conservation Significance Fauna



### Non-threatened Flora



### Non - threatened Fauna



### Contours (10 metres)



### Threatened Native Vegetation Communities 2020 (TNVC 2020)

#### 1 - Alkaline pans



#### 2 - Allocasuarina littoralis forest



#### 3 - Athrotaxis cupressoides/Nothofagus gunnii short rainforest



#### 4 - Athrotaxis cupressoides open woodland



#### 5 - Athrotaxis cupressoides rainforest



#### 6 - Athrotaxis selaginoides/Nothofagus gunnii short rainforest



#### 7 - Athrotaxis selaginoides rainforest



#### 8 - Athrotaxis selaginoides subalpine scrub



#### 9 - Banksia marginata wet scrub



#### 10 - Banksia serrata woodland



#### 11 - Callitris rhomboidea forest



#### 13 - Cushion moorland



#### 14 - Eucalyptus amygdalina forest and woodland on sandstone



#### 15 - Eucalyptus amygdalina inland forest and woodland on cainozoic deposits



#### 16 - Eucalyptus brookeriana wet forest



#### 17 - Eucalyptus globulus dry forest and woodland



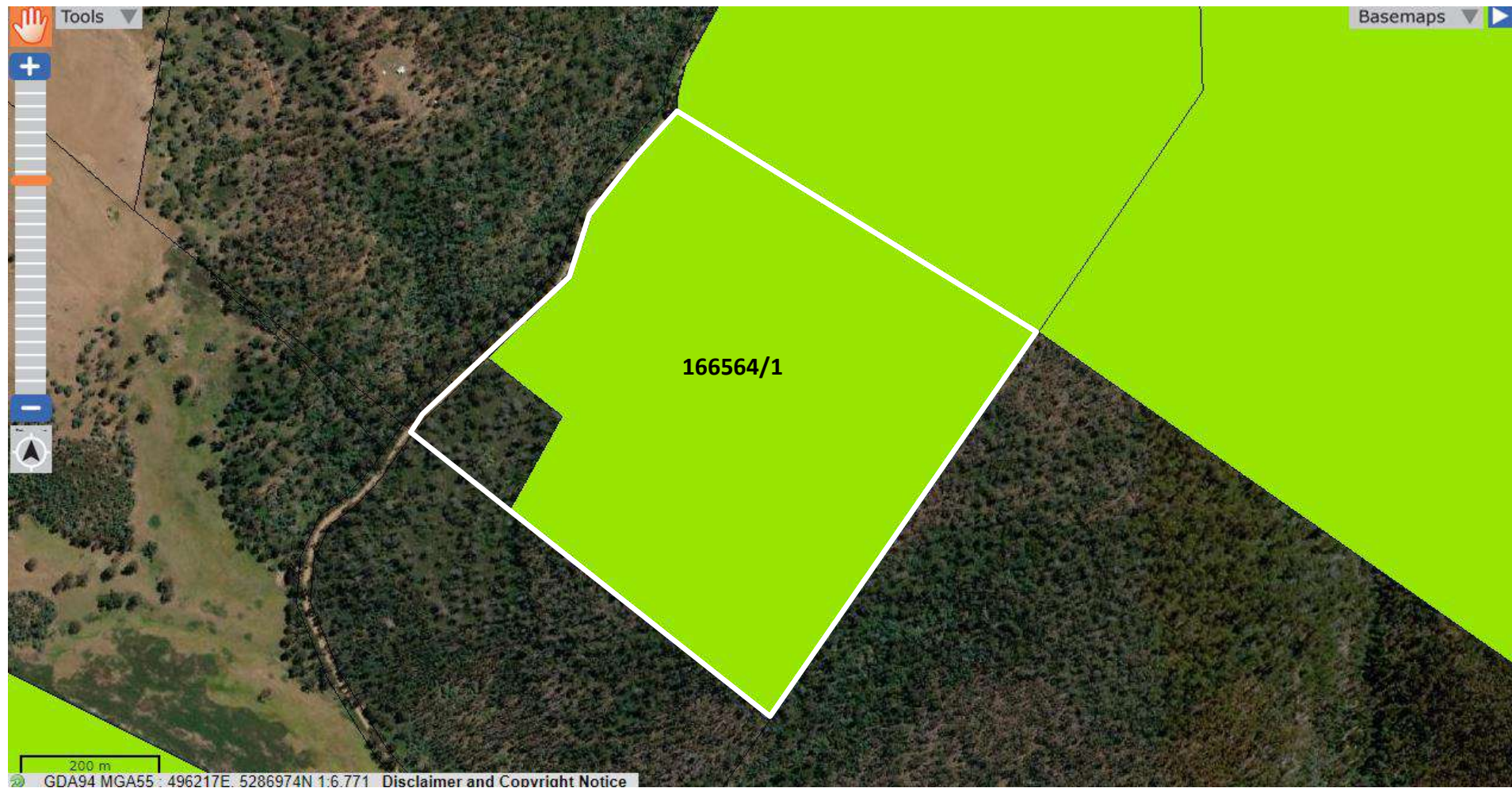
#### 18 - Eucalyptus globulus King Island forest



#### 19 - Eucalyptus morrisbyi forest and woodland



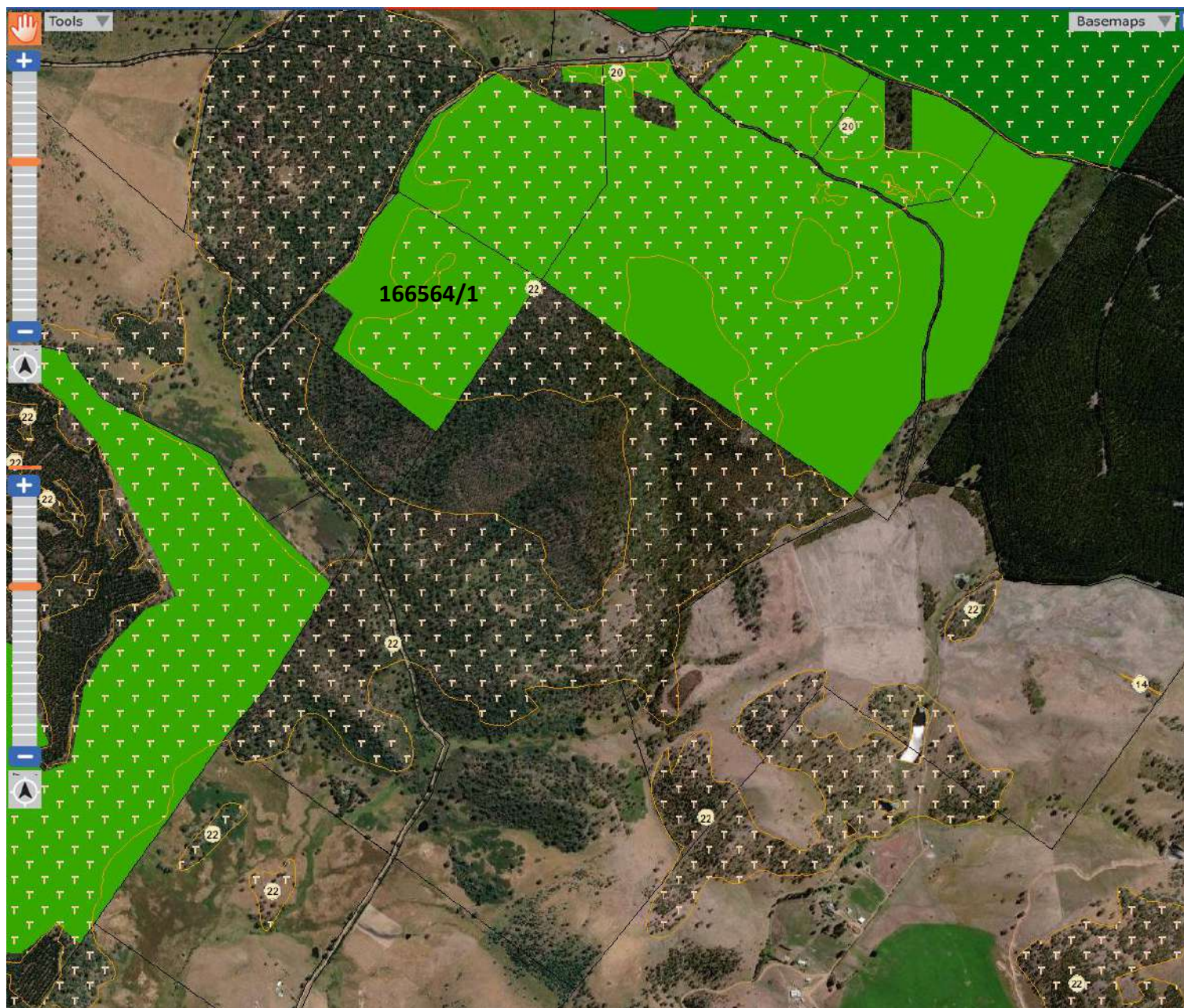
ListMap – Satellite Image of Lot 1 Marked Tree Road PID 3264618 Title Ref 166564/1 showing covenanted area (light green)





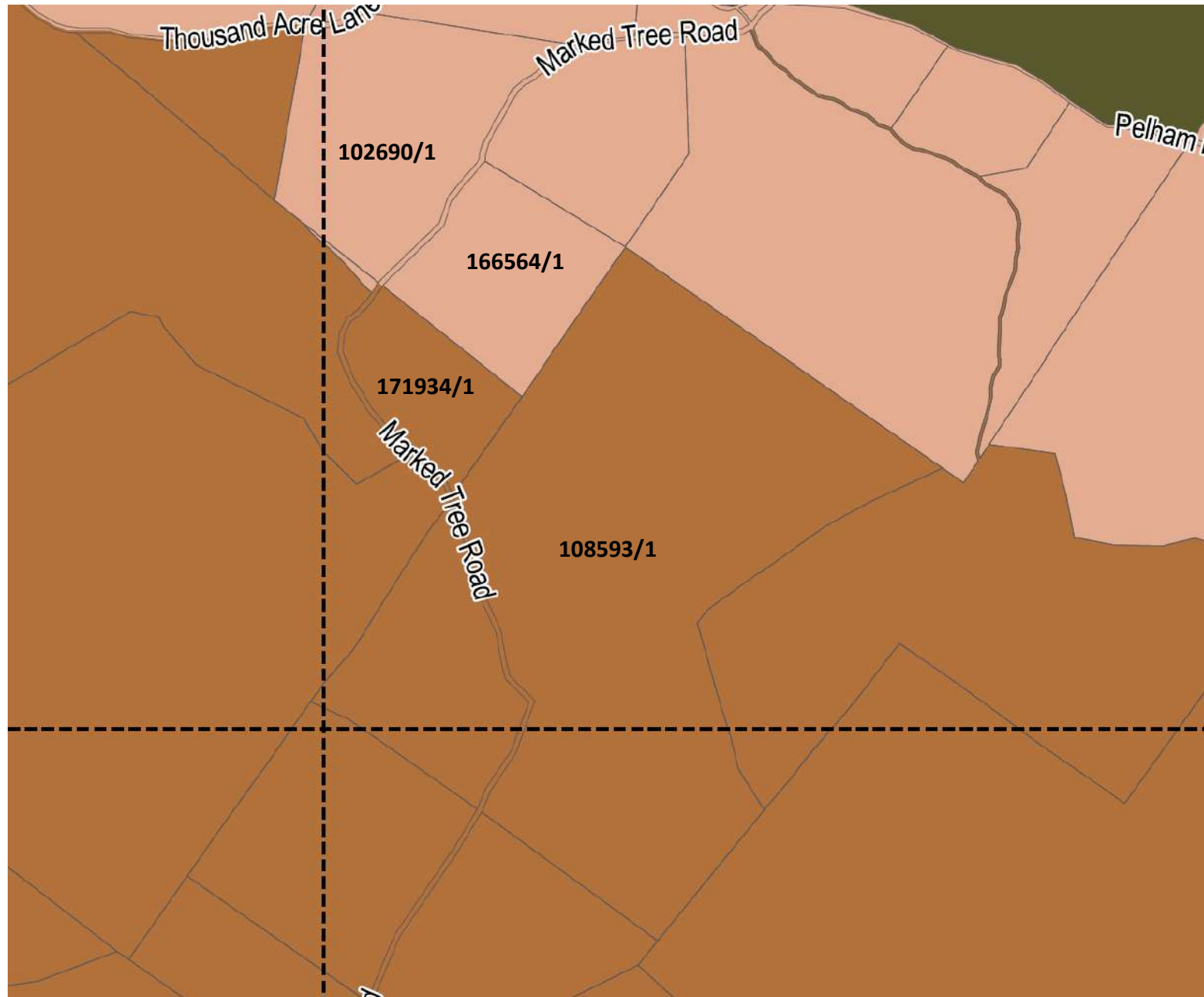
ListMap – Satellite Image of the six titles containing the Bullock Hills Reserve protected by conservation covenant

The 'T' pattern shows the areas containing *Nature Conservation Act 2002* Schedule 3A threatened vegetation communities





Draft Zone Map – as exhibited





Department of Justice  
CONSUMER, BUILDING AND OCCUPATIONAL SERVICES

30 Gordons Hill Road, Rosny Park 7018  
PO Box 56, Rosny Park TAS 7018  
Phone 1300 65 44 99  
Email [cbos.info@justice.tas.gov.au](mailto:cbos.info@justice.tas.gov.au) Web [www.cbos.tas.gov.au](http://www.cbos.tas.gov.au)



Lyn Eyles  
General Manager  
Central Highlands Council

By email: [leyles@centralhighlands.tas.gov.au](mailto:leyles@centralhighlands.tas.gov.au)

Dear Ms Eyles

### **Bushfire Prone Area Mapping**

In order to strengthen the public awareness of bushfire risk to properties and the mitigation measures required to reduce these risks, the Tasmanian Fire Service (TFS) has worked with Councils to map Bushfire Prone Areas within their municipality.

It was envisaged that these maps would form part of the Local Provision Schedules (LPS) of the Tasmanian Planning Scheme, or be adopted within the Council's current interim planning scheme.

I understand that Central Highlands Council is in the process of developing its LPS and the date that it will come into effect is unknown.

To make the bushfire maps available to the public as soon as possible, I am asking that Central Highlands Council consider making the Bushfire Prone Area overlay available in the council's interim planning scheme.

This will allow the public to have access to this key critical spatial data as soon as practical. This data can then be available by the LIST and also via PlanBuild Tasmania which is to go-live with general enquiry functionality later this year.

If you would like to discuss this matter further, please contact [Megan.Ryan@justice.tas.gov.au](mailto:Megan.Ryan@justice.tas.gov.au).

I look forward to hearing from you.

Yours sincerely

Peter Graham  
**Executive Director**  
Consumer, Building and Occupational Services

7 September 2021





Department of Police, Fire and Emergency Management  
STATE EMERGENCY SERVICE  
GPO Box 1290 HOBART TAS 7001  
Phone (03) 6173 2700  
Email [ses@ses.tas.gov.au](mailto:ses@ses.tas.gov.au) Web [www.ses.tas.gov.au](http://www.ses.tas.gov.au)



Our ref: A21/202536

29 September 2021

Ms Lyn Eyles  
General Manager  
Central Highlands Council  
PO Box 20  
HAMILTON TAS 7140

Dear Ms Eyles

### **Representation – Central Highlands Draft Local Provisions Schedule**

Thank you for the opportunity to make a representation on the Central Highlands Draft Local Provisions Schedule (LPS). This representation raises matters related to:

- Flood-prone area hazards; and
- Zoning

#### **Flood-prone areas hazards**

The State Emergency Service (SES) notes that a Flood-Prone Areas Hazard Overlay, has not been included as part of the draft LPS. The Central Highlands draft LPS Supporting Report recognises there is currently no state-wide mapping available for use in preparing the draft LPS.

In recognition of the limited flood-prone areas mapping across Tasmania, the State Government is undertaking the Tasmanian Flood Mapping Project. This project will deliver a state-wide comprehensive and consistent flood hazard map later this year. The map will be made available to planning authorities for land use planning purposes, including updating or introducing LPS Flood-Prone Areas Hazard Overlays. The SES invite Central Highlands Council to participate in this project.

Until the state-wide flood hazard map is delivered, many flood-prone areas will remain unmapped within a LPS Flood-Prone Areas Hazard Overlay.

SES take this opportunity to confirm the absence of a Flood-Prone Areas Hazard Overlay in a LPS does not preclude the implementation of the Flood-Prone Areas Hazard Code.

The Flood-Prone Hazard Areas Code applies in a number of circumstances, including; to use in a habitable building, or development of land, identified in a report prepared by a suitably qualified person, that is requested by a planning authority, as subject to risk from flood or that has the potential to cause increased risk from flood.



A planning authority may request such a report where it reasonably believes, based on information in its possession, that the land is subject to risk from flood, or has the potential to cause increased risk from flood.

SES is working with the Department of Justice to prepare draft guidance on what information a planning authority should use to determine if it reasonably believes that land is subject to risk from flood, or where a proposed use or development has the potential to cause increased risk from flood, including offsite impacts and damages. A request will be made to the Tasmanian Planning Commission to consider issuing the guidance under section 8A of the *Land Use Planning and Approvals Act 1993*.

In the interim, SES suggests that, to determine if it reasonably believes land is subject to risk from flood, or where a proposed use or development has the potential to cause increased risk from flood, including offsite impacts and damages, planning authorities should have regard to the best, publicly available flood hazard information including:

- any report adopted by a council in accordance with the *Building Regulations 2016* and *Director's Determination – Riverine Inundation Hazard Areas*;
- any flood study available on the Australian Flood Risk Information Portal;
- any flood hazard report prepared in accordance with the Flood-Prone Areas Hazard Code; any flood marks, photos, or other historical evidence that are publicly discoverable;
- Flood Data books available from the Department of Primary Industries, Parks, Water and Environment; and,
- the modelled 2016 flood high water mark extent map available on ListMap (layer called June 2016 Flood HWM Extent).

## **Zoning**

SES notes there are changes in zoning in the transition from the Interim Planning Scheme to the draft LPS. SES supports the use of zones that provide for the management of density in flood-prone areas.

Yours sincerely

A handwritten signature in black ink, appearing to be 'AL' or 'A. Lea', enclosed within a circular loop.

Andrew Lea ESM  
**Director**



## Kathy Bradburn

---

**From:** Joanne Housego  
**Sent:** Thursday, 7 October 2021 11:10 AM  
**To:** Kathy Bradburn  
**Subject:** FW: Submission - 370 Strickland Road Strickland (to remain as Rural Resource Zone)  
**Attachments:** Submission for 370 Strickland Rd Strickland.docx

---

**From:** Michael Stevens <michael@totalfs.com.au>  
**Sent:** Tuesday, 5 October 2021 3:38 PM  
**To:** council <council@centralhighlands.tas.gov.au>; dmackey@southernmidlands.tas.gov.au; Lyn Eyles <leyles@centralhighlands.tas.gov.au>  
**Cc:** fiona97@optusnet.com.au  
**Subject:** Submission - 370 Strickland Road Strickland (to remain as Rural Resource Zone)

Good Afternoon all,

Please find attached, Submission for our property 370 Strickland Road Strickland Tasmania 7140, to remain as a Rural Resource Zone.

Please ensure the content forms part of Central Highlands Council's report to the Tasmanian Planning Commission.

Note this Submission is emailed prior, to the required cut-off date of close of business Friday 22 October 2021.

If there are any questions or additional information required, please contact us directly.

Thank you and regards,  
Michael Stevens and Fiona McOwan  
370 Strickland Road  
Strickland TAS 7140

Michael's M: 0410 433 150  
Fiona's M: 0402 405 531



Submission  
to  
Central Highlands Council  
(Tasmanian Planning Scheme Consultation)  
**supporting**  
zoning to  
**remain as Rural Resource**  
of  
370 Strickland Road Strickland Tasmania 7140



# Personal Introductions

We would like to introduce ourselves and owners of our property - 370 Strickland Road Strickland Tasmania 7140.

## **Michael Stevens**

I am a retired Engineer inclusive of R.A.A.F. service.

Originally from Sydney, my long-term plan and goal upon retirement was to purchase a property and live permanently in Tasmania.

After many years of visiting Tasmania on business, I realised with the fantastic lifestyle, wildlife, people, and food this was only state I wished to live in.

## **Fiona McOwan**

I am a retired Business Administrator and Executive Assistant inclusive of R.A.A.F. service.

Born in Fingal Tasmania and living across the state, with my Mining Engineer Father and family. I joined the R.A.A.F. and began my career within the Military and later Corporate Sectors.

Upon retirement I too, wanted to return to my home state to enjoy the incredible lifestyle and spend more quality time with my family.



We began our search for a rural property, to move to and live in a quiet non suburbia environment.

It is not and never will be our intention to utilise our property as a commercial venture.

We consider ourselves incredibly fortunate to be the owners of 370 Strickland Road Strickland Tasmania and will continue to care for, nurture and protect our 70 acres.

The property is our **permanent home and full-time residence.**

We seek your *total* support, together with the Tasmanian Planning Commission for our property to **remain zoned as Rural Resource.**



## DETAILS OF PROPERTY

<b>ADDRESS:</b>	370 Strickland Road, Strickland
<b>CONTRACT:</b>	Copy enclosed
<b>TITLE REFERENCE:</b>	Volume 160316 Folio 1
<b>TITLE HELD:</b>	Murdoch Clarke
<b>TITLE SEARCH &amp; PLAN:</b>	Refer copy enclosed
<b>EASEMENTS:</b>	Refer copy title search enclosed
<b>PROPERTY SEARCHES:</b>	Copy Council and Tas Water searches enclosed
<b>MUNICIPALITY:</b>	Central Highlands Council
<b>ZONING:</b>	Rural Resource (pursuant to Central Highlands Planning Scheme 2015)
<b>CURRENT PROPERTY IDENTIFICATION NUMBER:</b>	7710494
<b>PURCHASE FUNDS:</b>	Refer enclosed copy Settlement Statement
<b>NOTICE OF SALE</b>	Copy enclosed

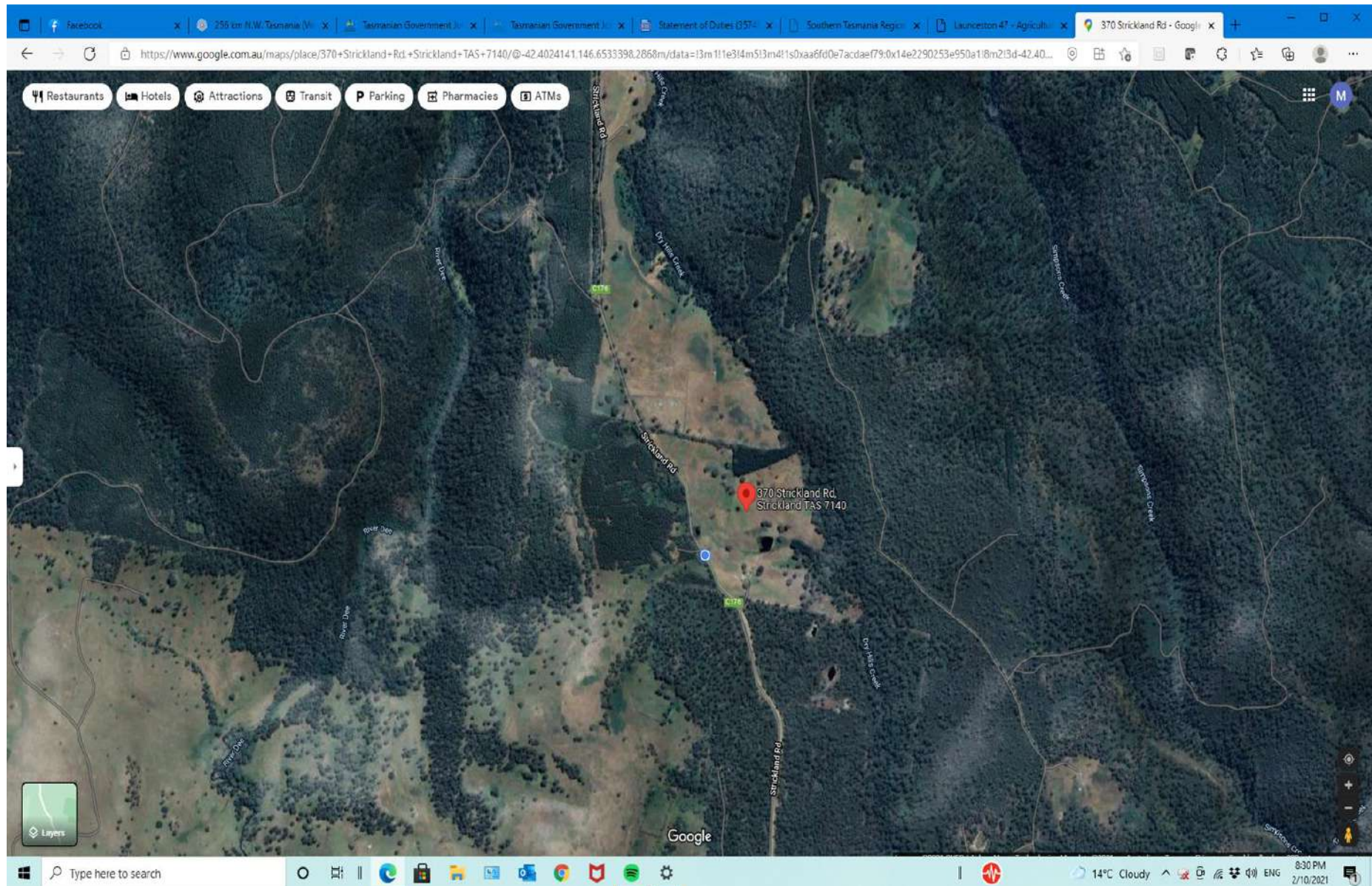


## 370 Strickland Road Strickland Tasmania 7140



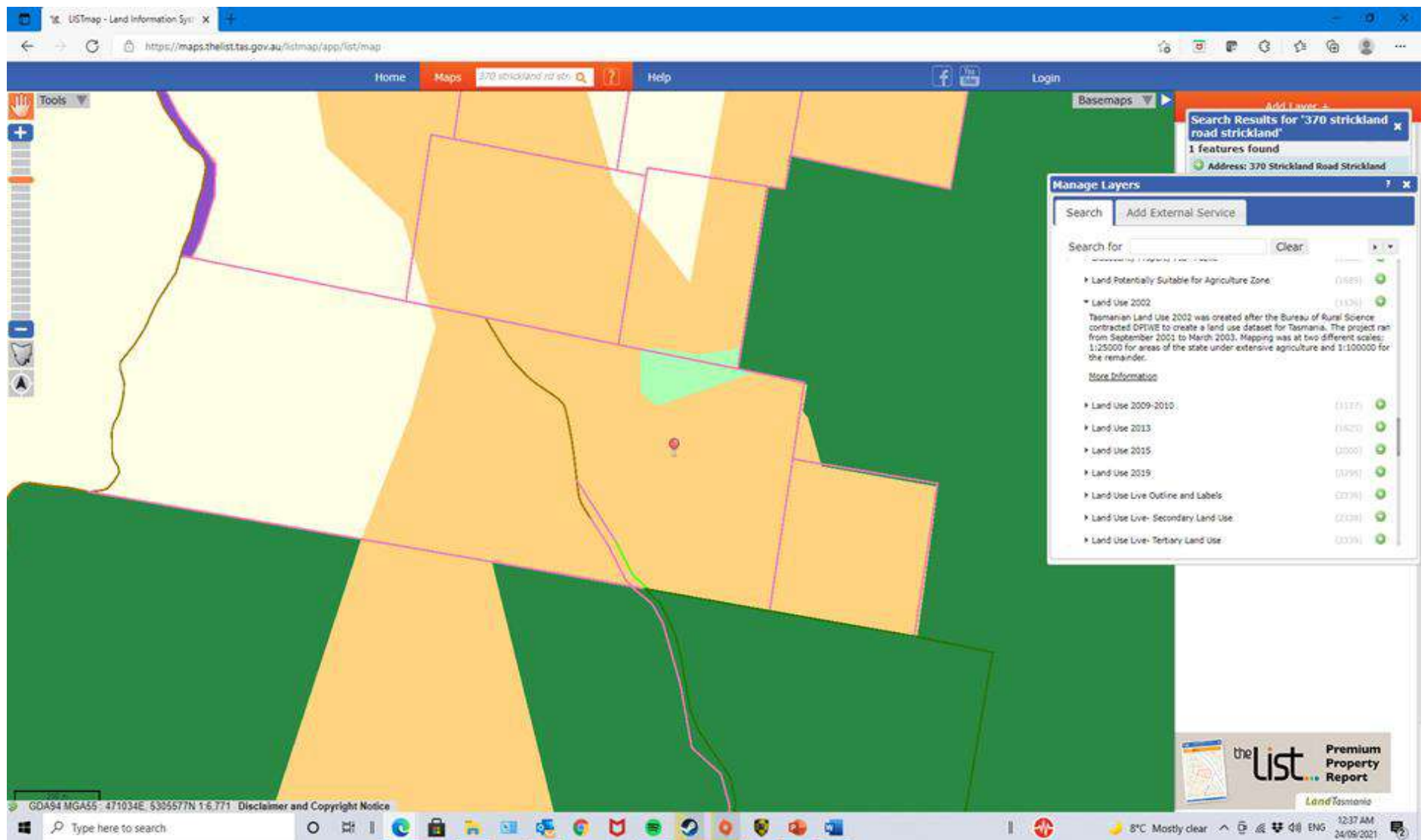


# 370 Strickland Road Strickland Tasmania 7140



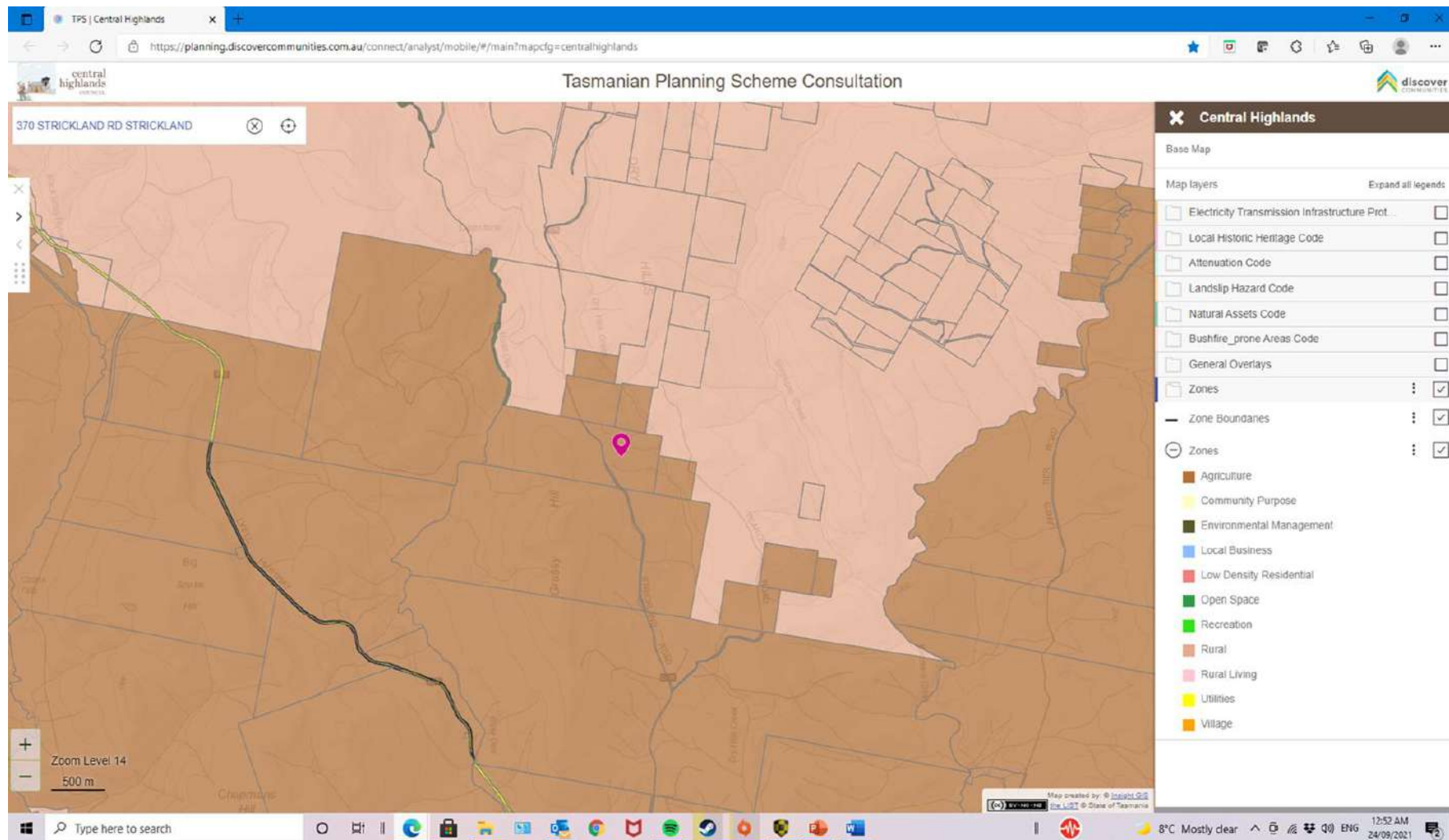


# Land Use 2002





# Proposed Rezoning from Rural Resource to Agricultural





# Background:

A significant proportion of the Rural Resource Zone is likely to be rezoned to the Agriculture Zone.

Where the agricultural potential of the land is limited, some areas within the Rural Resource Zone will be reallocated to the new Agricultural Zone.

## Rural Area Zoning Issues:

- The two zones applying to rural areas have been significantly re-worked by the State Government.
- In the current planning scheme – the Central Highland Interim Planning Scheme 2015 – there is the ‘Significant Agricultural Zone’ and the ‘Rural Resource Zone’. As the name implies, the Significant Agricultural Zone **only** applies to good quality agricultural land. It favours ‘agriculture’ and makes other developments hard or impossible to get approved. There is relatively only a small amount of land in the Central Highlands zoned ‘Significant Agriculture’ – principally around Bothwell (45 minutes’ drive on way from our Strickland Road property) and in some areas close to the Derwent River.
- In the new Tasmanian Planning Scheme these two zones have been changed to the ‘Agriculture Zone’ and the ‘Rural Zone’. As the name implies, the Agriculture Zone not only applies to good agriculture land but is intended to apply to medium and low-quality land. Similarly, to the Significant Agriculture Zone, the new Agriculture Zone makes it easy to undertake development and use of land for agriculture but **makes it difficult or impossible to gain approval for most other things.**



- Central Highlands Council has created an interactive map tool which makes it much easier, to locate a property of interest and see what zones and code overlays are intended to apply. **Our property reflects on this map as Agricultural Zone, noting our property was purchased as Rural Resource with conveyancing completed by Murdoch Clarke (note reference page 4).**
- The **State Government has dictated** which land should be zoned Agriculture.

**Land that is:**

- In areas used substantially for forestry or nature conservation.
- On relatively small titles that are not capable of containing viable commercial agriculture (that is, they are used as rural living / rural lifestyle lots with hobby-farm level agriculture.



In the new Agriculture Zone, a quarry, plantation forestry, **the construction of a dwelling**, visitor accommodation, will all be 'discretionary' **and** planning applications to Central Highlands Council for these developments **must demonstrate that they are necessary to support agriculture on the land.**



**In the Rural Zone, these things are either permitted or discretionary – but if discretionary, applications do not need to demonstrate that they are necessary to support agriculture on the land. In simpler terms, it will be much easier to obtain approval. The Rural Zone also allows a much broader range of uses and developments than the Agriculture Zone, many of which might be entirely appropriate on smaller titles.**



For relatively small properties especially those less than 100 acres in non-irrigated regions, (our property of 70 acres) it will be difficult to prove a new house is necessary to support the agricultural use of that land. This will be especially so, if there is little or no agriculture on the land, or if the land is close to a town (our property is 11 kilometres - one way from Ouse).

Lots are often owned by people who just want a rural lifestyle or rural location (which this is, in our case).

**This will make it unnecessarily difficult and costly (or simply impossible) to gain approval for use and developments, that are not strictly agricultural or necessary to support agriculture.**



- *Areas of concern* are scattered throughout this municipality. Principally these areas are large parts of the Highland Lakes country at high altitude which accommodate rough seasonal grazing, and which are also used substantially for forestry and conservation.
- However, there are many other locations (**our property is one of these locations**) around the municipality that the State Government has dictated to be zoned Agriculture where the lots are relatively small, often dominated by forestry or natural bush, or intended to be used, by their owners as lifestyle lots (**our property is utilised as our permanent home and full-time residence with nil commercial activity**).
- Central Highlands Council has indicated far too much land has been zoned this way. **We agree and totally support this view.**



# Conclusion:

The Rural Zone allows a much broader range of uses and developments than the Agriculture Zone, which we have clearly and decisively demonstrated, throughout our presentation.

***Thank you for your time.*** For listening to and understanding our presentation, which has provided a clear and decisive documented argument, for our property to remain as a Rural Resource Zone.

We seek **your total support and confirmation in writing** for provision of our property – 370 Strickland Road Strickland Tasmania 7140 to **remain as a Rural Resource Zone.**

**Thank you.**



# HUMBIE PASTORAL

Attn: Damian Mackey  
Central Highlands Council  
6 Tarleton St  
Hamilton  
TAS 7140

8 October 2021

## Submission regarding the proposed Tasmanian Planning Scheme

### **Central Highlands Draft Local Provisions Schedule: St Patricks Plains, Steppes**

St Patricks Plains (2,143 ha) (Property ID: 5000165) has been family owned and grazed since 1912. We have serious concerns that the proposed amendments to the Tasmanian Planning Scheme to re-zone this property from Rural to Agricultural Zone are inappropriate and do not reflect the nature, climate and topography of the land. Having studied all the available information and attended a local information session, we are still unclear about the full implication of the changes, or the logic behind such a decision. The following are the points we would like to draw to your attention:

- **Climate:** At an altitude of 900 m, this land is fit for dry sheep grazing only and winters are severe with average maximum temperatures not exceeding 10°C (see attached data from BOM). This precludes any form of cropping due to snow and frosts that occur throughout the year.
- **Land Capability:** In addition to climatic limitations, large areas of the property are subject to inundation during winter months. The open areas of the property have limited potential due to the rocky nature of the land. Historically carrying capacity is comparatively low (our property at Bothwell runs 3 to 5 sheep per acre; St Patricks Plains runs 1 sheep per 3 to 5 acres).
- **Mapping Inaccuracies:** 434 ha of FCF covenanted land on St Patricks Plains are not identified on the current proposed maps. Two registered eagle nests are not shown. Re-zoning this area as Agricultural does not correspond to the DPIPW classification of the land as Class 6 (see attached Land Capability Map — Shannon).
- **Property Potential:** Opportunities for diversification on the Central Highlands Plateau lie more in tourism/recreation and perhaps even in renewable energy, rather than in agricultural development. Agricultural use of the land has reached its potential due to climatic conditions. There is a reason why little has changed agriculturally in this area in the last 35 years.

Accordingly, it is difficult to understand how such areas as the Central Highlands Plateau would be given the same classification as the North West Coast with its milder climate, intensive agriculture and highly fertile soils. Below are quotes from the Tasmanian Planning Commission website that seem to indicate that, considering the above reasoning, St Patricks Plains should be classified as 'Rural':

The recalibrated rural zones in the State Planning Provisions aim to address these issues directly by creating two zones which:  
-provide a broader scope for identification and protection of agricultural land (the Agriculture Zone);  
and



-allows the zoning land with limited potential for agricultural use and which is not otherwise identified for the protection of specific values (the Rural Zone). (p. 3 Agricultural Land Mapping Project Background Report 2017)

What are the 'specific values' of this area that require it be re-zoned?

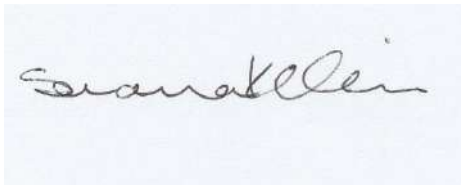
The Rural Zone provides for the remaining rural land where there is limited or no potential for agriculture. (p. 2, 'Fact Sheet 4 – Tasmanian Planning Scheme – Rural and Agriculture')

Because of its limited potential for agricultural development, we cannot understand the reasons for classifying St Patricks Plains as Agricultural Zone.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Paul Ellis', on a light-colored background.

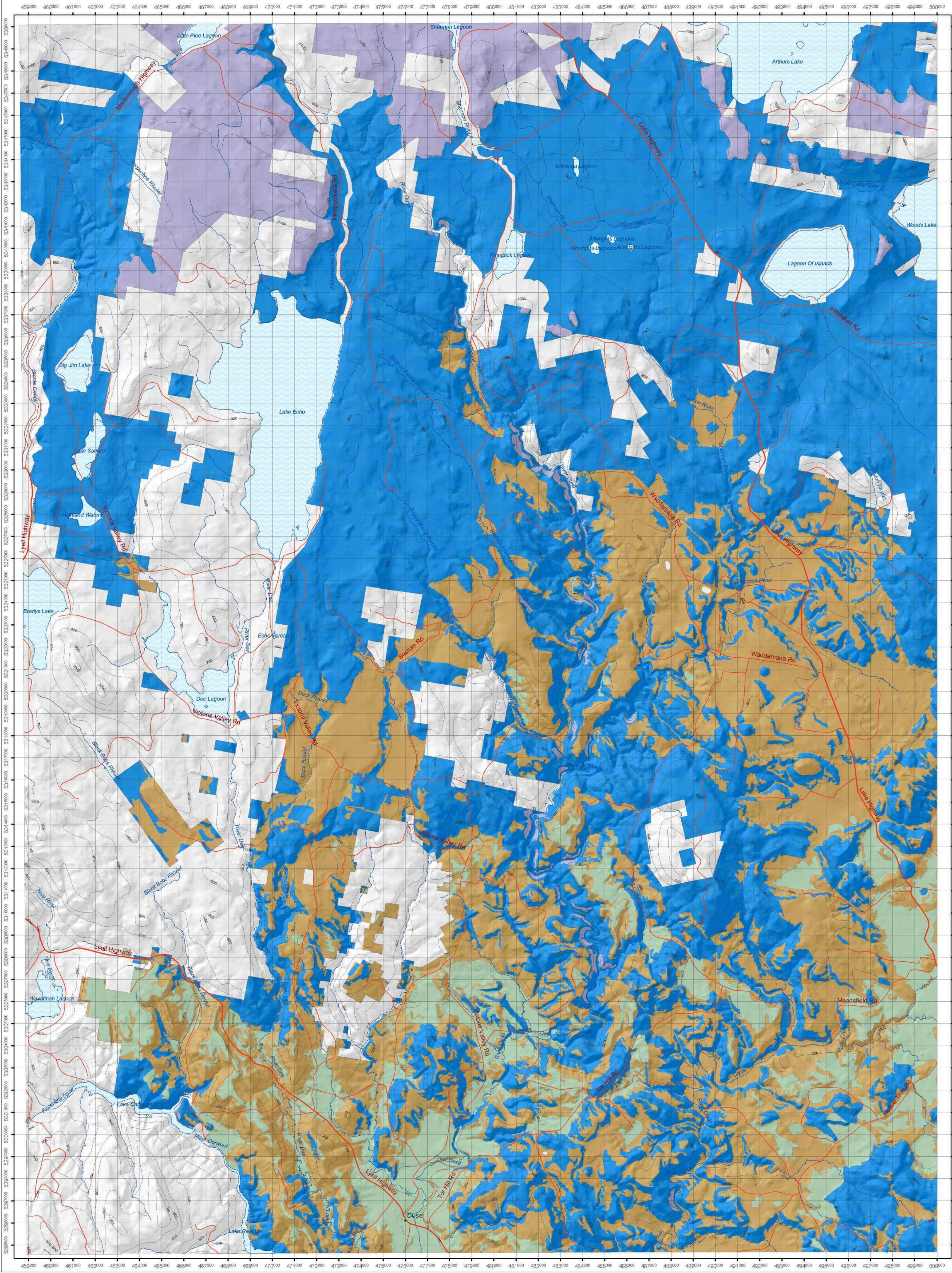
Paul E J Ellis

A handwritten signature in dark ink, appearing to read 'Shauna Ellis', on a light-colored background.

Shauna K Ellis



SHANNON - Modelled Land Capability Classes



LAND CAPABILITY CLASSIFICATION

- CLASS 1

Land well suited to a wide range of intensive cropping and grazing activities. It occurs on flat land with deep, well drained soils, and in a climate that favours a wide variety of crops. While there are virtually no limitations to agricultural usage, reasonable management inputs need to be maintained to prevent degradation of the resource. In many cases more than two crops in a single growing season are possible.
- CLASS 2

Land well suited to a wide range of intensive cropping and grazing activities. It occurs on flat to gently inclined land with deep, well drained soils, and in a climate that favours all but the most frost sensitive crops. Limitations to use are slight, and good management and minor conservation practices can readily overcome these. However, the level of inputs is greater, and the variety and/or number of crops that can be grown are marginally more restricted than for Class 1 land.
- CLASS 3

Land suited to cropping and grazing. Moderate levels of limitation restrict the choice of crops or reduce productivity in relation to Class 1 or Class 2 land. Soil conservation practices and sound management are needed to overcome the moderate limitations to cropping use.
- CLASS 4

Land well suited to grazing but which is limited to occasional cropping or to a very restricted range of crops. The length of the cropping phase and/or range of crops are constrained by severe limitations of erosion, wetness, soils or climate. Major conservation treatments and/or careful management is required to minimise degradation.
- CLASS 5

Land with slight to moderate limitations to pastoral use but which is unsuitable for cropping, although some areas on easier slopes may be cultivated for pasture establishment or renewal and occasional fodder crops may be possible. The effects of limitations on the grazing potential may be reduced by applying appropriate soil conservation measures and land management practices.
- CLASS 6

Land only marginally suited to grazing activities due to severe limitations. The land has low productivity, high risk of erosion, low natural fertility or other limitations that severely restrict agricultural use. This land should be retained under its natural vegetation cover.
- CLASS 7

Land with very severe to extreme limitations, which make it unsuitable for agricultural use.
- EXCLUSION AREAS

Land other than Private Freehold or Leased Crown Land, eg. State Forests, State Reserves, conservation areas, major urban areas, major water bodies, National Parks and other conservation areas.

MAPUSERS NOTE

This map depicts agricultural land capability of the Shannon mapsheet at a scale of 1:100,000. Assessment is based upon the capability of the land for long-term sustainable agricultural production. This map is reliable only at the published scale and should not be enlarged. Only Private Freehold and Leased Crown Land has been mapped.

The land capability classes depicted on this map have been delineated by computer modelling and limited field work. A variety of data sources have been combined in a Geographic Information System using rules developed through field mapping of other map sheets. Due to the variable nature of some landscape processes it is not possible to develop rules for all possible scenarios. This map should therefore be considered to indicate the 'most likely' land capability class to be found in any particular location. If detailed knowledge is required, the area of interest should be mapped using conventional techniques at an appropriate scale.

The information on this map has been prepared by the Tasmanian Department of Primary Industries, Water and Environment to assist in land use planning and management. The Crown in the right of the State of Tasmania does not accept responsibility for any loss or damage which may result to any person arising from reliance on all or any part of this information, whether or not that loss or damage has resulted from negligence or any other cause.

ACKNOWLEDGEMENTS

Compiled by: S. Lynch and C. Grose 2002.  
GIS, drafting and map design by: S. Lynch & M. Brown 2002.  
Base data supplied by: Information & Land Services, DPIWE.  
Custodianship of digital data held by DPIWE, Land Resource Assessment, Launceston.

Refer to this map as:  
Lynch, S, 2002, Modelled Land Capability Classes of Tasmania, Shannon 1:100,000 map. Department of Primary Industries Water and Environment, Tasmania.

Shannon  
1 : 100,000  
Modelled  
Land Capability Classes

ABOUT THIS MAP:  
This map depicts modelled land capability classes at a scale of 1: 100,000. It is part of a series of Land Capability Maps covering all the Private Freehold and Leased Crown land in Tasmania. The land capability information is shown over a topographic base. The classification system used to generate this map consists of seven classes based on the capability of the land for long-term sustainable agricultural production.



PROJECTION: Universal Transverse Mercator  
HORIZONTAL DATUM: Australian Geodetic Datum 1966  
VERTICAL DATUM: Australian Height Datum (Tas)  
GRID: Zone 55 (Australian Map Grid), Australian National Spheroid.  
CADASTRAL BASE: 1: 250,000 digital data.

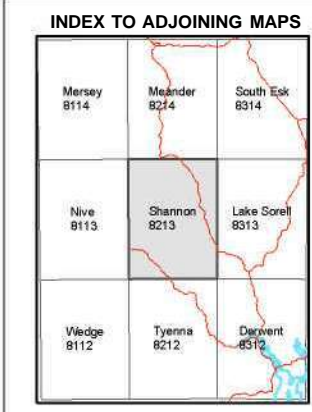
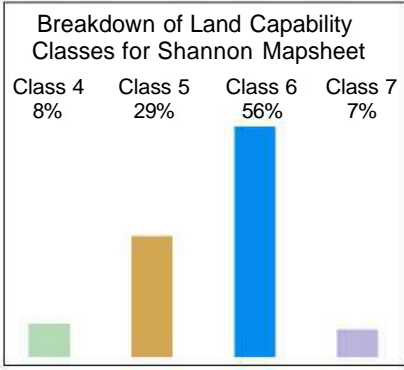
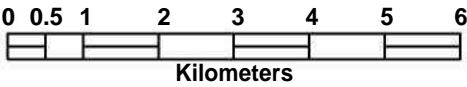


DEPARTMENT of  
PRIMARY INDUSTRIES,  
WATER and ENVIRONMENT

Tasmania



1: 100,000





# Mean Maximum Temperature (degrees Celsius)

## LIAWENEE

Station Number: 096033 · State: TAS · Opened: 2001 · Status: Open · Latitude: 41.90°S · Longitude: 146.67°E · Elevation: 1057 m

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2001	19.9	21.2	15.6	12.9	9.0	7.0	6.6	6.1	11.2	10.6	13.0	13.3	12.2
2002	16.4	15.7	15.9	14.0	10.4	6.1	5.9	7.1	7.5	10.5	15.7	16.9	11.8
2003	19.4	20.0	14.8	12.2	10.2	6.3	5.3	6.0	6.4	9.7	16.5	17.8	12.1
2004	16.0	17.7	16.0	11.8	7.5	5.2	4.3	6.4	9.9	12.2	13.9	16.8	11.5
2005	18.0	16.6	15.2	13.8	9.0	7.7	6.1	6.9	9.9	11.7	14.7	16.2	12.1
2006	19.2	17.6	16.9	8.8	7.3	6.3	5.7	8.7	10.0	11.2	14.4	16.3	11.9
2007	19.1	21.0	16.2	13.5	11.1	5.2	5.3	7.1	8.4	11.0	17.9	16.7	12.7
2008	20.5	16.5	17.3	11.4	9.2	8.2	4.6	6.0	7.5	12.6	13.4	14.0	11.8
2009	19.2	17.5	15.7	11.2	9.4	7.0	5.3	6.2	8.5	12.0	18.3	16.9	12.3
2010	19.5	19.4	17.6	12.9	8.7	6.1	6.8	5.6	7.4	11.7	14.9	14.8	12.1
2011	18.0	17.4	14.7	12.2	8.7	6.7	5.1	8.2	8.9	11.8	15.2	16.8	12.0
2012	19.5	17.8	14.4	12.7	7.9	4.6	5.9	5.9	9.1	12.7	15.6	16.5	11.9
2013	19.2	19.6	18.6	11.3	9.5	6.4	6.6	5.9	9.6	11.0	13.5	16.7	12.3
2014	20.2	20.0	16.3	11.2	9.5	7.6	6.6	7.7	10.7	12.4	15.1	16.9	12.8
2015	16.7	19.4	13.9	11.6	8.3	6.6	4.1	4.5	10.6	16.7	15.2	18.5	12.2
2016	19.4	18.4	16.8	13.6	8.4	6.8	5.3	6.7	9.6	9.8	13.9	16.8	12.1
2017	19.1	16.6	18.9	13.0	8.7	7.7	5.4	5.9	7.4	14.0	17.8	17.2	12.6
2018	21.2	18.2	15.2	13.9	9.6	7.0	5.3	6.0	8.5	13.2	14.0	19.1	12.6
2019	22.2	18.1	16.7	12.7	9.4	7.1	5.6	6.3	9.9	13.9	12.8	17.7	12.7
2020	19.0	17.0	14.2	10.4	8.8	6.8	6.5	6.3	8.8	11.2	16.8	14.3	11.7
2021	18.3	16.8	15.1	12.2	8.9	7.4	5.6	6.1					

Quality control: 12.3 Done & acceptable, 12.3 Not completed or unknown





## Mean Maximum Temperature (degrees Celsius)

### LIAWENEE

Station Number: 096033 · State: TAS · Opened: 2001 · Status: Open · Latitude: 41.90°S · Longitude: 146.67°E · Elevation: 1057 m

#### Statistics for this station calculated over all years of data

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
<b>Mean</b>	19.0	18.2	16.0	12.3	9.0	6.7	5.6	6.5	9.0	12.0	15.1	16.5	12.2
<b>Lowest</b>	16.0	15.7	13.9	8.8	7.3	4.6	4.1	4.5	6.4	9.7	12.8	13.3	11.5
<b>5th percentile</b>	16.4	16.5	14.2	10.4	7.5	5.2	4.3	5.6	7.3	9.8	13.0	14.0	11.7
<b>10th percentile</b>	16.7	16.6	14.4	11.2	7.9	5.2	4.6	5.9	7.4	10.4	13.4	14.3	11.8
<b>Median</b>	19.2	17.8	15.9	12.2	9.0	6.8	5.6	6.2	9.0	11.8	15.0	16.8	12.1
<b>90th percentile</b>	20.5	20.0	17.6	13.8	10.2	7.7	6.6	7.7	10.6	13.9	17.8	17.9	12.7
<b>95th percentile</b>	21.2	21.0	18.6	13.9	10.4	7.7	6.6	8.2	10.7	14.1	17.9	18.5	12.7
<b>Highest</b>	22.2	21.2	18.9	14.0	11.1	8.2	6.8	8.7	11.2	16.7	18.3	19.1	12.8

#### 1) Calculation of statistics

Summary statistics, other than the Highest and Lowest values, are only calculated if there are at least 20 years of data available.

#### 2) Gaps and missing data

Gaps may be caused by a damaged instrument, a temporary change to the site operation, or due to the absence or illness of an observer.

#### 3) Further information

<http://www.bom.gov.au/climate/cdo/about/about-airtemp-data.shtml>.





## SUBMISSION TO CENTRAL HIGHLANDS DRAFT LOCAL PROVISIONS SCHEDULE

I share the concerns of the Central Highlands Council regarding the rezoning of land under the imminent Tasmanian Planning Scheme. With the Local Provisions Schedule as the only way Council can attempt to have the State Government institute area-specific regulation there is a worry ratepayers will lose control of ill-conceived or disruptive development.

The rezoning of Agricultural and Rural land is a worry.

The Government got this wrong when they unilaterally reclassified land across the State some years ago. This is from their Fact Sheet 4 – TPS – Rural and Agriculture: *“It is clear from resultant interim planning schemes that the Rural Resource Zone and Significant Agriculture Zone were not fit for purpose.”*

They are about to repeat the mistake. With no building allowed within 200 metres of an Agricultural Zone boundary, and no dwelling being allowed unless a 40 hectare , subdivided block, the possibility of expanding small settlements like Miena, Wiburville, or even Bothwell, will be severely restrained. Their settlement footprints will be forever constrained.

While not welcoming a vast incursion of people into our towns, there is a real need to provide suitably-sized blocks for sensitive development as housing stress increases. In addition, we have a Liberal Party which envisages Tasmanian’s population increasing by 150,000 in the next two decades, while also hosting 1.5 million visitors annually.

The reclassification of Agricultural Zones will also remove any consideration of Natural Values in these areas. While I understand the need for “the right to farm”, we are living in an era of climate change after profit-driven pressure on global ecosystems. Tasmanians should be alert to further unwarranted destruction.

Areas such as St Patricks Plains host a variety of rare and threatened flora, which in turn support endemic animal and bird life. The proposed SPP wind farm could be built without any consideration of endangered flora and fauna, with no avenue of appeal for concerned citizens.

Council’s view that this revision process should be the time to “tidy up... historical anomalies” and to “remove redundant components” is prudent. The alternative, should these matters be ignored, will be at a substantial cost to ratepayers in both time and money as the CHC is forced to make future representations to the Tasmanian Planning Commission.

Centralised regulation is a boon for influential lobby groups, but comes at a cost to local residents with a desire to preserve the intrinsic qualities of their region.

This is the Minister’s forward in the Scoping Paper: *“Good land use planning articulates a vision for our future: what we want our society, our settlements, our infrastructure and our landscapes to look like, and how we want them to work.”*

When he says “we” and “our”, I think he’s using the very dangerous, non-inclusive pronouns much-loved by autocrats.

Greg Pullen  
365 Barren Plains Road  
Miena, 7030



**Kathy Bradburn**

---

**From:** Dean Brampton <brontepk@gmail.com>  
**Sent:** Monday, 11 October 2021 12:39 PM  
**To:** development  
**Subject:** representation on the central Highlands Draft Local Provisions Schedule ECO-NOMY P/L

Attention : Central highlands Planning Authority

I represent ECO-NOMY P/L , the land owners of the 15.09 ha conservation property in the central Highlands Municipality at Lyell Highway , Bronte park , ( PID 2304227 , Title Ref . 243948/1 ).  
In the currently exhibited Central Highlands Draft local provisions schedule the property has been rezoned as rural .

The property is mostly covered by the 14.08 ha #2 Reserve protected by conservation covenant and has therefore been identified by both & state governments for protection & conservation of the biodiversity it contains .As most of the property is private reserve and the non reserved part of the property is unsuitable for and not used for agriculture , Guidelines LCZ1 and RZ1 together indicate that the property SHOULD be rezoned to Landscape Conservation .It adjoins the 116.1 ha Bronte park # 1 Reserve within title ref 2141850/1 with a combined reserve area of 126.7 ha and the owners of that title have also requested requested rezoning to Landscape conservation .

In itrs representation Conservation land holders tasmania has represented a detailed case for rezoning our property .We support their case & agree to our property being rezoned to landscape conservation .

Could you please acknowledge receipt of our representation ?

Dean Brampton Director ECO-NOMY P/L  
32 Bronte Estate Road Bronte Park Tas 7140  
0413 215 355



**Kathy Bradburn**

---

**From:** robsan43@bigpond.com  
**Sent:** Monday, 18 October 2021 9:49 AM  
**To:** development  
**Cc:** gaildennett@gmail.com  
**Subject:** Tasmanian Planning Scheme

Manager  
Central Highlands Council

Tasmanian Planning Scheme Rezoning Property PID 1853865 , Title ref 126437/1 Dennistoun Road Bothwell

Under the proposed new planning scheme it is proposed that our property off Dennistoun Road that has a conservation covenant on it is the classified to the new TPS zone Rural .

We believe that the more appropriate zoning would be Landscape Conservation Zone.

We request that Council endorse our request and move to make the appropriate changes to the zoning of our property..

Regards

P C Jacques and M J Jacques

18 Oct 2021

Sent from [Mail](#) for Windows





Tasmania Fire Service

Bushfire Risk Unit

File No: AD3699

General Manager  
Central Highlands Council  
[development@centralhighlands.tas.gov.au](mailto:development@centralhighlands.tas.gov.au)

Dear Sir/Madam,

### **DRAFT CENTRAL HIGHLANDS LOCAL PROVISIONS SCHEDULE (LPS)**

I write in relation to Council's draft Local Provisions Schedule (LPS), which is currently on public exhibition.

Tasmania Fire Service is broadly supportive of Council's draft LPS however we wish to draw your attention to a potential issue in relation to the proposed Lake Meadowbank Specific Area Plan.

It is understood the draft provisions in CHI-S1.0 Lake Meadowbank Specific Area Plan are designed to facilitate Visitor Accommodation and recreational land uses in a manner that is compatible with the natural and cultural values of the area. The proposed provisions are broadly consistent with – but not identical to – the existing provisions under F1.0 of the *Central Highlands Interim Planning Scheme 2015*.

CHI-S1.7.4 Landscape Protection seeks to ensure development is compatible with the landscape values of the site and surrounding area. Vegetation removal associated with buildings and works will need to comply with Performance Criteria P1.1 and P1.2, the latter of which states:

#### **P1.2**

*be located in an area requiring the clearing of native vegetation only if*

- (a) *there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure; and*
- (b) *the extent of clearing is the minimum necessary to meet the requirements of the Bushfire-Prone Areas Code.*

Following revisions to the Bushfire-Prone Areas Code in 2017, the scope of the Code was reduced so that it currently only applies to subdivision, some vulnerable uses and hazardous uses. Whilst Visitor Accommodation land uses are considered to be particularly vulnerable to bushfire risks, they are not currently classified as such under

**State Headquarters** Cnr Argyle and Melville Streets | GPO Box 1526 Hobart Tasmania 7001 | Phone (03) 6173 2740

**Southern Region** 1040 Cambridge Road, Cambridge Tasmania 7170 | Phone (03) 6166 5500

**Northern Region** 339 Hobart Road Youngtown Tasmania 7249 | Phone (03) 6777 3666 | Fax (03) 6345 5860

**North West Region** 15 Three Mile Line | PO Box 1015 Burnie Tasmania 7320 | Phone (03) 6477 7250 Fax (03) 6433 1551

**[www.fire.tas.gov.au](http://www.fire.tas.gov.au)**





the Code. Furthermore, the Code would not apply to any of the other potential uses permissible under the Specific Area Plan.

As a result of the current limitations of the Code, the current wording of P1.2(b) may have unintended consequences. Because no vegetation clearing would be required to satisfy the Code, P1.2(b) could be satisfied without making any allowance for bushfire protection. This may then result in a planning permit being granted for development that has no prospect of complying with bushfire requirements that now apply through the building approvals process. Furthermore, there would be no discretion available to Council to allow for the necessary vegetation removal required for building compliance.

Vegetation removal and management is integral to bushfire protection but is also a legitimate planning consideration. We therefore recommend that P1.2(b) be retained but modified as follows:

- (b) *the extent of clearing is the minimum necessary to meet the requirements of the ~~Bushfire-Prone Areas Code~~ for bushfire protection.*

In our view this minor revision would allow the issue of vegetation removal to be considered whilst avoiding the potential compliance issue described above.

If Council or the Tasmanian Planning Commission require any clarification or further information in relation to this representation please contact me at [tom.oconnor@fire.tas.gov.au](mailto:tom.oconnor@fire.tas.gov.au) or on 0438 101 367.

Yours faithfully,



Tom O'Connor  
**SENIOR PLANNING & ASSESSMENT OFFICER**

19 October 2021



**Kathy Bradburn**

---

**From:** voakes@internode.on.net  
**Sent:** Tuesday, 19 October 2021 10:51 AM  
**To:** development  
**Cc:** voakes@internode.on.net; bmfitz@internode.on.net  
**Subject:** Tasmanian Planning Scheme - Central Highlands - Feedback

To whom it may concern

To be brutally honest what is going on with this rezoning business. As a consumer of food I get the preservation of our agricultural land is critical. As a Horticulture teacher I understand the nuances of food security more than most. But why on earth is my tiny block proposed to be reclassified from 'Rural Resource' to 'Agriculture'.

My property is located at 168 Risbys Road, Ellendale Tasmania 7140. According to my council rates the property ID is 7147419. At present our land is classified as 26.0 Rural resource. Being a 12.17ha steeply sloped property, with approximately 50% natural bush, our property is not what anyone would call 'prime agricultural land'. I understand classifying adjacent allotments that are significantly larger as '21.0 Agriculture', but not ours. Yes, I know this sounds like a 'not in my backyard' type argument of which I hear a lot, especially when it comes to tree preservation on suburban blocks. The fact is that our property is too small, and too steeply sloped to be successfully used for anything more than a small scale hobby farm.

Were our property be reclassified to 21.0 Agriculture I am concerned that it will make out home unlivable. It will certainly significantly limit our ability to earn a living from our small block as enterprises other than those specifically classed as 'Agriculture' will be prohibited. I am also concerned that the 'No acceptable solution' bit in the regulations in regards to residential dwellings. I presume that existing dwellings will be exempted from this, but what happens if I have children and need to extend the house to fit more bedrooms in, or at some point would like to add a verandah so my home is more in keeping with a farm house.

And who on earth did the mapping for this? Was there any 'boots on ground' to 'ground truth' the arbitrary lines placed on a map? Our little property juts out from the line that is following the boundaries of the adjacent large properties, almost like someone sneezed while drawing the outline. There is also powerlines and associated infrastructure running through the middle of our property which has not been included on the plans available. This infrastructure owned by the utility company further limits the potential use of our property. Even if we were to be able to start large scale production of a valuable agricultural crop we are limited in the harvest machinery that can be brought onto our block, due to the steepness of the slopes, softness of the sand based topsoil and the clearance required for the powerlines.

To add to the challenge of all this the documents provided by the Planning Department are written in such verbose legalese that much of it is incomprehensible. My primary training is in Landscape Design and Arboriculture Consultancy. I have spent many years reviewing local, state and federal government legislation and planning policy documents. The maps and documents provided during this public consultation process are indigestible. The sheer number of documents to be waded through is daunting. When you actually then start to dive in the references to 'Criteria 1' and 'Guideline AZ' the document become a quagmire of cross-referenced cross-referencing. I swear there was one point where I went in a loop for a good 15 minutes bouncing from one document to the next to the next before I realized I was going around in circles.

And don't start me on the blasted formatting of these documents. If this were a student assessment task I'd send it back for a thorough review. Repeating table headings take 5 clicks to incorporate. If you don't know how to do this please google '[add a header row to a table](#)'. There will literally be over 48 million results, the first being the Microsoft guide on how to do this. If you get really stuck please call me and I'll talk you through the steps. In this day and age with copy and paste and autocorrect please stop using abbreviations. A paragraph full of AZ's, RZ's and ALMP's becomes a quagmire to decipher. I know you're trying to keep up with the youngsters and their DM speak, but really. This is an official government policy document. It should read as such. There should be proper captions



on all images, colour codes on maps should be clearly discernable with no colours that are close in tone, paragraphs should contain a minimum of 2 sentences, not one. And as an English teacher once said to me 'If you need to take a breath while reading a sentence it is too long'. And last point on basic grammar and communications, please set your dictionary to Australian English. The appearance of the letter 'z' should be significantly smaller than it is in these documents, or has someone been paid by the US government to speed up the subversion of the English language.

And for my last concern about this proposal who is the numpty in charge of deciding to take away the discretionary powers of local government as it relates to the management and protection of specific areas such as Lake Meadowbank. Its almost like the state government is attempting to do away with local government entirely. Who is better placed to know the opportunities, constraints and community sentiments in regards to managing locally significant areas such as Lake Meadowbank than the local council who has boots on the ground and ears in the community. The section in charge of managing say Mount Wellington has no concept of the necessities of managing Lake Meadowbank, and nor should they be expected to. Yes, I agree there needs to be a consistent, overarching, framework governing how decisions about managing areas of local significance are made, but to essentially take the minutia of daily management out of local government's hands is preposterous.

If you require any additional information please don't hesitate to contact me.

Regards

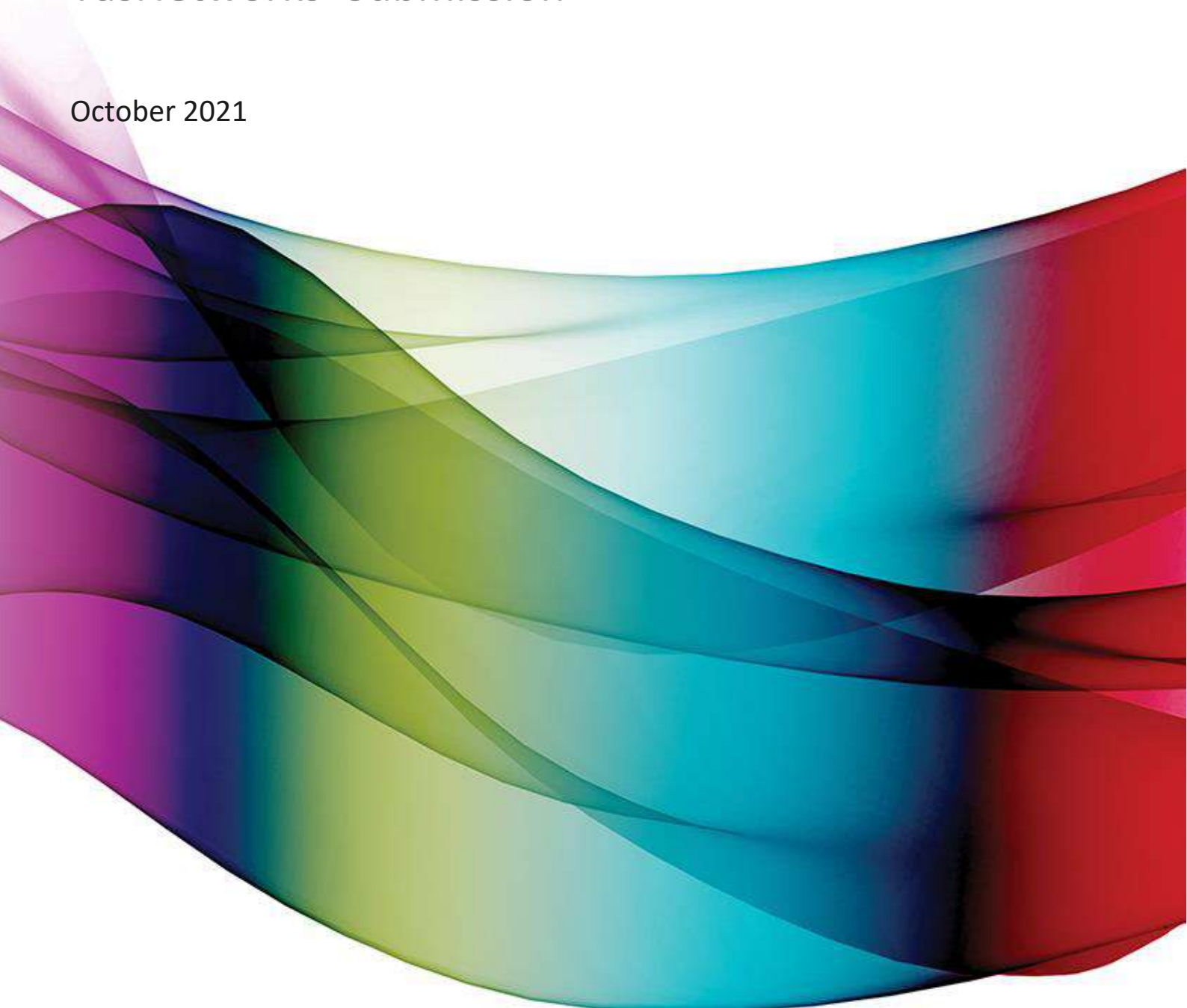
Venesser Oakes  
168 Risbys Road, Ellendale Tasmania 7140  
Email: [vaokes@internode.on.net](mailto:vaokes@internode.on.net)  
Phone: 0429-856-690



# Central Highlands Council draft Local Provisions Schedule

TasNetworks' Submission

October 2021





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## 1. Who is TasNetworks?

TasNetworks was formed on 1 July 2014, through a merger between Aurora Energy's distribution network (the poles and wires) and Transend Networks (the big towers and lines). TasNetworks is a Tasmanian state-owned corporation that supplies power from the generation source to homes and businesses through a network of transmission towers, substations and powerlines.

### Transmission

TasNetworks own, operate and maintain 3564 circuit kilometres of transmission lines and underground cables, 49 transmission substations and six switching stations across the State.

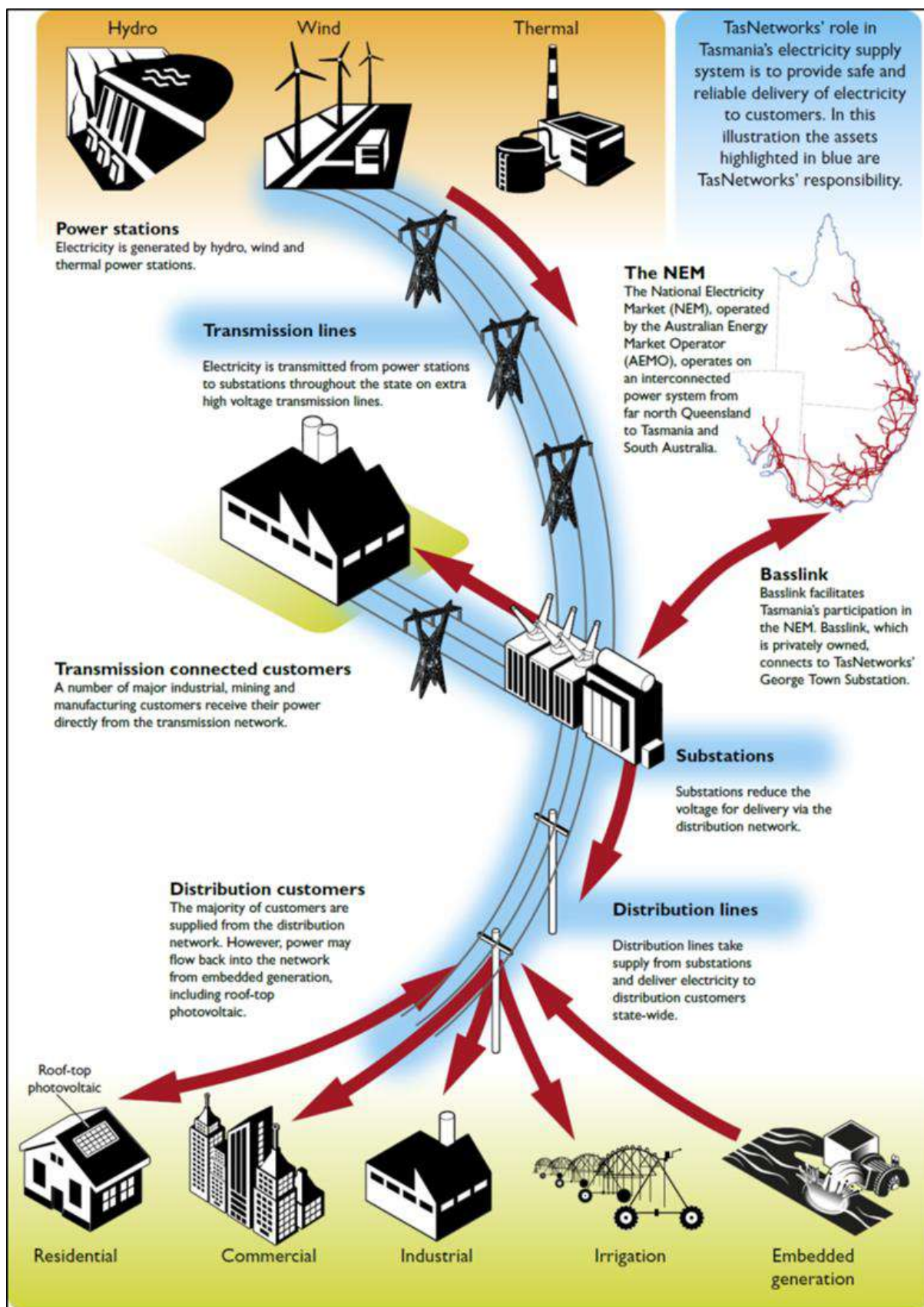
### Distribution

TasNetworks own, operate and maintain 22,400km of distribution overhead lines and underground cables, 227,000 power poles, 18 large distribution substations and 33,000 small distribution substations. There's also 20,000 embedded generation and photovoltaic (PV) grid-connected installations connected to the distribution network.

### Communications

TasNetworks own, operate and maintain communication network infrastructure to enable safe and efficient operation of the electricity system.





**Figure 1 TasNetworks' role in Tasmania's Electricity Supply System**



## 2. Executive Summary

TasNetworks, as a referral agency, has been notified of the public exhibition of Central Highlands Council's draft Local Provisions Schedule (LPS) under section 35B of the *Land Use Planning and Approvals Act 1993* (LUPAA). Council has been given direction by the Tasmanian Planning Commission (Commission) to publicly exhibit the draft LPS and invite representations. TasNetworks has undertaken a review of the draft LPS and makes the following representation with a view of seeking a state-wide consistent approach to major electricity infrastructure.

TasNetworks assets within the Central Highlands Council Local Government Area include: eight substations, 18 communication sites and 20 electricity transmission corridors.

Electricity transmission infrastructure is protected by the Electricity Transmission Infrastructure Protection Code (ETIPC) under the State Planning Provisions (SPP). The ETIPC applies to transmission lines, terminal substations, switching stations and radio transmission communication assets. The purpose of the ETIPC is:

- *To protect use and development against hazards associated with proximity to electricity transmission infrastructure;*
- *To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure; and*
- *To maintain future opportunities for electricity transmission infrastructure.*

The draft LPS includes the ETIPC Overlay maps which is based on data provided by TasNetworks. As part of its review, TasNetworks has examined the ETIPC Overlay maps to ensure that it applies to all relevant assets and that the locations of these assets is correct.

The draft LPS also includes the spatial application of zoning and overlays via the mapping. In preparing this representation, TasNetworks has reviewed the draft LPS maps for each of its assets. This representation seeks to ensure:

- Utilities zoning is applied to existing substations and communication facilities;
- Impacts on the strategic benefits and development potential of existing corridors through the application of the Landscape Conservation Zone are mitigated;
- The Natural Asset Code – Priority Vegetation Overlay is not applied to part of a substation or communication site that is cleared of native vegetation; and
- The Scenic Protection Code – Scenic Protection Area has not been applied to substations, communication site or corridors.

The LPS and the potential impact on future development has also been reviewed. These considerations include whether there is a permissible approval pathway for Utilities under the Particular Purpose Zones (PPZ) or Specific Area Plans (SAP); and any Local Area Objectives or Site Specific Qualifications. TasNetworks representation is made having regard to the draft LPS requirements under LUPAA.

These submissions are consistent with those previously made by TasNetworks (formerly Transend) on the Meander Valley, Brighton, Central Coast, Burnie, Glamorgan Spring Bay, Clarence, Circular Head, Devonport, Glenorchy, West Coast, Sorell, Southern Midlands and Launceston draft LPS's as well as the draft State Planning Provisions and Interim Planning Schemes.



### 3. Overview

#### 3.1. Glossary

The following table provides the definitions of the terms used throughout this submission.

**Table 1 Definitions**

Term	Definition
Commission	Tasmanian Planning Commission
Council	Central Highlands Council
D	Discretionary
ESI exemption	Activities classified as ‘work of minor environmental impact’ for the purposes of Regulation 8 of the <i>Electricity Supply Industry Regulations 2008</i> .
ETC	Electricity Transmission Corridor
ETIPC	Electricity Transmission Infrastructure Protection Code
Guideline	<i>Guideline No. 1 – Local Provisions Schedule Zone and Code Application</i> (Tasmanian Planning Commission, 2018)
interim scheme	Central Highlands Interim Planning Scheme 2015
IPA	Inner Protection Area
LGA	Local Government Area
LPS	Central Highlands draft Local Provisions Schedule
LUPAA	<i>Land Use Planning and Approvals Act 1993</i>
NPR	No Permit Required
P	Permitted
PPZ	Particular Purpose Zone
SAP	Specific Area Plan
SPP	State Planning Provisions
SSQ	Site Specific Qualification
UWA	Unregistered Wayleave Agreement

#### 3.2. Existing Assets

Central Highlands LGA is located in TasNetworks Central planning geographic area. An operationally significant part of the Tasmanian transmission electricity network is contained within the boundaries of the Central Highlands LGA. This includes:

- Transmission lines which:



- Provide critical north/south power transfer via Waddamana, Tungatinah and Liapootah substations in central Tasmania via a network of 110kV and 220kV transmission lines.
- Provides connection to 10 hydroelectric power stations as part of the Derwent hydropower scheme via a network of radial and interconnected 110kV and 220kV transmission lines.
- Transfer power to customer loads in greater Hobart via a network of 110kV and 220kV transmission lines.
- Transfers power to customer load in Derwent Bridge via a radial 110kV transmission line.
- Substations including:
  - Meadowbank Substation 110kV which is critical for connecting the Meadowbank hydroelectric power station to the National Electricity Market. The substation transforms electrical power from 110kV to 22kV, where it provides a critical role in facilitating the supply of power to distribution customers in the region. The site is also required to facilitate the supply of power from the Weasel Plains embedded generator to the national electricity market.
  - Wayatinah Substation 220kV which transforms electrical power from 110kV to 22kV, where it provides a critical role in facilitating the supply of power to distribution customers in the region. The site is also required to facilitate the supply of power from the Thunderbolt embedded generator to the national electricity market.
  - Liapootah Substation is connected at 220kV to Palmerston, Waddamana and Chapel Street substations and forms part of the main north-south transmission corridor in the State. The connection to this transmission corridor is critical in connecting regional hydropower generation to the National Electricity Market.
  - Tarraleah Substation 110kV is critical for connecting the Tarraleah hydroelectric power station to the National Electricity Market.
  - Tungatinah Substation 110kV is critical in connecting regional hydropower generation to the National Electricity Market. The substation also provides a critical role in facilitating the supply of power to distribution customers at Bronte Park and Tarraleah village.
  - Derwent Bridge Substation 110kV provides a critical role in facilitating the supply of power to distribution customers in the Derwent Bridge community.
  - Waddamana Substation 220kV is connected to the Liapootah-Waddamana-Palmerston 220 kV transmission corridor, the main north-south transmission corridor in the State. It provides interconnection to the 220kV Lindisfarne Substation and is also critical in supplying power from the Cattle Hill wind farm to the National Electricity Market. This substation also transforms electrical power from 220kV to 110kV, where it is critical in connecting regional hydropower generation to the National Electricity Market.
  - Arthurs Lake Substation 110kV is critical for supplying electrical power to the Arthurs Lake Pumping station. The substation transforms electrical power from 110kV to 22kV, where it provides a critical role in facilitating the supply of power to distribution customers in the region. The site is also required to facilitate the supply of power from the Tods Corner power station to the national electricity market.
- Communication sites used in operation, metering and control of the transmission electricity network.



The following table and figure provide more detail regarding these assets. Notification and negotiation of work or changes in land use around these assets is critical for the safety and operation of the electricity network, the safety of people working on these assets and the general public whether living near or traversing the transmission network areas.

**Table 2 TasNetworks Assets in Central Highlands LGA**

Asset type	Location
Substation sites	<ul style="list-style-type: none"> <li>- Meadowbank Substation</li> <li>- Wayatinah Substation</li> <li>- Liapootah Substation</li> <li>- Tarraleah Substation</li> <li>- Tungatinah Substation</li> <li>- Derwent Bridge Substation</li> <li>- Waddamana Substation</li> <li>- Arthurs Lake Substation</li> </ul>
Communication sites	<ul style="list-style-type: none"> <li>- Meadowbank Repeater Communication Site</li> <li>- Repulse Repeater Communication</li> <li>- Repulse Power Station Communication Site</li> <li>- Cluny Switchyard Communication Site</li> <li>- Bilton Hill Communication Site</li> <li>- Catagunya Power Station Communication Site</li> <li>- Wayatinah Power Station Communication Site</li> <li>- Heals Spur Communication Site</li> <li>- Liapootah Power Station Communication Site</li> <li>- Tarraleah Substation Communication Site</li> <li>- Tarraleah Passive Reflector Communication Site</li> <li>- Butlers Gorge Repeater Communication Site</li> <li>- Bradys Sugarloaf Communication Site</li> <li>- Lake Echo Repeater Communication Site</li> <li>- Waddamana Power Station Communication Site</li> <li>- Five Mile Pinnacles Communication Site</li> <li>- Poatina Intake Communication Site</li> <li>- Poatina Saddle Communication Site</li> </ul>
Electricity Transmission Corridors	<ul style="list-style-type: none"> <li>- Line 417 Tarraleah – New Norfolk (east) 110kV</li> <li>- Line 418 Tarraleah – New Norfolk (west) 110kV</li> <li>- Line 419 Meadowbank Spur 110kV</li> <li>- Line 420 Meadowbank P.S 110kV</li> <li>- Line 500 Liapootah – Chapel Street 220kV</li> <li>- Line 501 Repulse – Cluny Spur 220kV</li> <li>- Line 507 Liapootah – Wayatinah 220kV</li> <li>- Line 508 Wayatinah – Catagunya 220kV</li> <li>- Line 502 Liapootah – Palmerston 220kV</li> <li>- Line 527 Liapootah – Palmerston No. 2 220kV</li> <li>- Line 408 Tungatinah – Butlers Gorge Tee 110kV</li> <li>- Line 407 Butlers Gorge – Lake St. Clair 110kV</li> <li>- Line 425 Waddamana – Tungatinah (north) 110kV</li> <li>- Line 426 Waddamana – Tungatinah (south) 110kV</li> </ul>



Asset type	Location
	<ul style="list-style-type: none"> <li>- Line 427 Lake Echo Spur (east) 110kV</li> <li>- Line 428 Lake Echo Spur (west) 110kV</li> <li>- Line 400 Waddamana – Bridgewater 110kV</li> <li>- Line 520 Waddamana – Lindisfarne 220kV</li> <li>- Line 410 Waddamana – Palmerston 110kV</li> <li>- Line 409 Waddamana – Parknook 110kV</li> </ul>



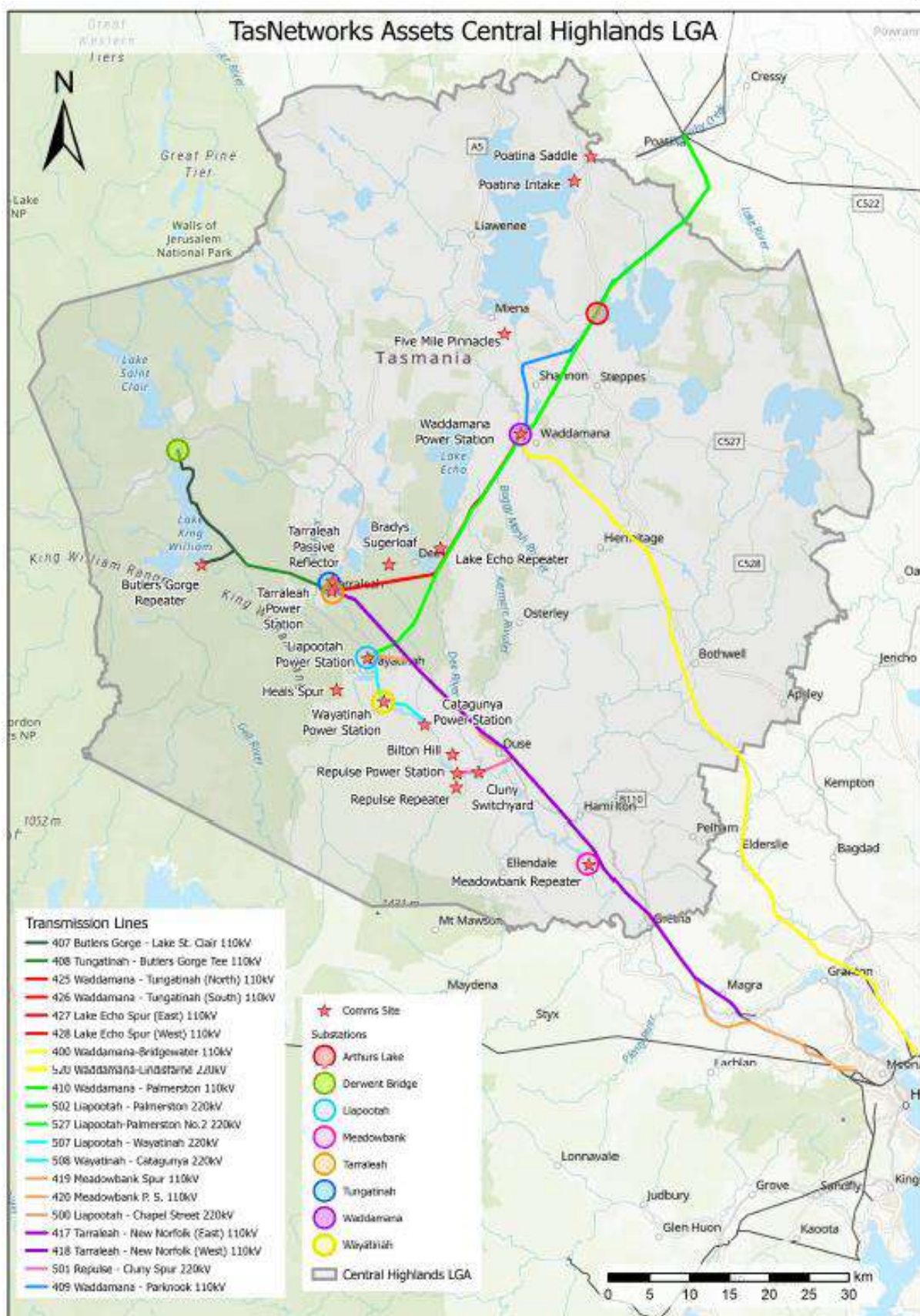


Figure 2 TasNetworks Assets within Central Highlands LGA



### 3.3. Planned Future Development

As Tasmania's transmission and distribution network service provider, TasNetworks has a responsibility to ensure the infrastructure to supply Tasmanians with electricity and to meet customer and network requirements in an optimal and sustainable way. We achieve this through our network planning process to ensure the most economic and technically acceptable solution is pursued.

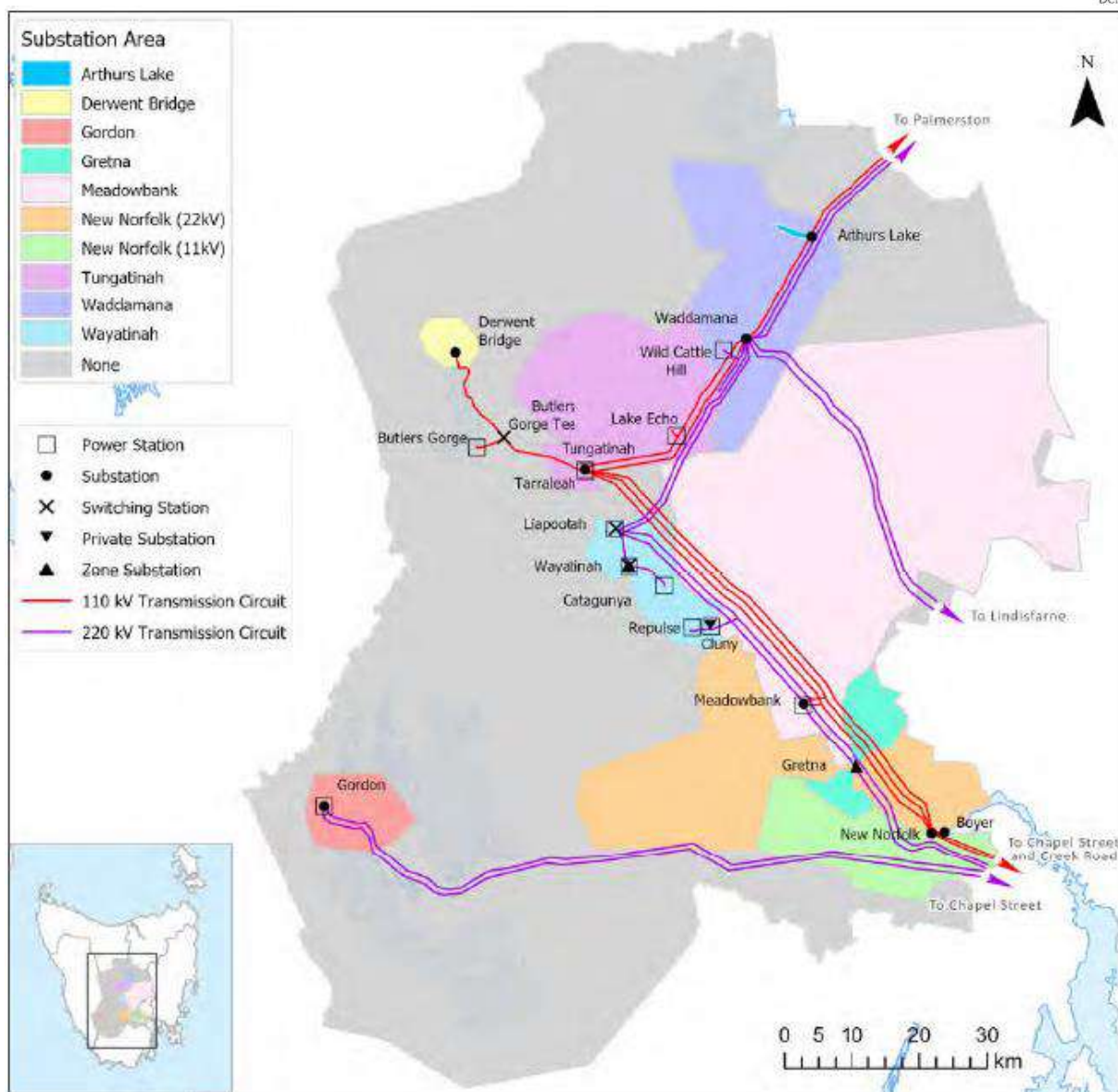
The need for network changes can arise for a number of factors. Annually, TasNetworks undertakes a planning review that analyses the existing distribution and transmission networks and considers their future requirements to accommodate changes to load and generations, and whether there are any limitations in meeting the required performance standards.

The Central Highlands municipal area is identified as being within the Central planning area, as stated in [TasNetworks Annual Planning Report 2020](#). The Report details that the Central planning area supplies the majority of the distribution-connected load in the New Norfolk township. The remaining substations supply low load density areas in the highlands with limited, if any, transfer capability between feeders. There is one major industrial customer supplied directly from the transmission network.

The transmission-connected generation in the Central area is critical to supplying southern Tasmanian load. Power stations in the Derwent scheme have a capacity of more than 500 MW and connect into both the 110 kV and 220 kV networks. Gordon Power Station has a capacity of 432 MW. Wild Cattle Hill Wind Farm (144 MW) connected to the network in the past year, and connects to Waddamana Substation.

The Report details a range of network developments and asset replacements over the next five years including upgrades at Waddamana and Meadowbank substations. The following figure is an extract from the Report identifying the Central planning area.





**Figure 3** TasNetworks Central planning area network



## 4. Submission

### 4.1. Overview

TasNetworks is seeking state-wide consistency across all LPSs in the treatment of its assets. TasNetworks Policy Position is summarised in Table 3 and is further detailed below. Appendix 1 provides more detailed analysis on an asset by asset basis.

#### Legend for Table 3:

Consistent with Policy Position, supported	
Inconsistent with Policy Position, amendments are possible to achieve consistency	
Inconsistent with Policy Position, Schedule 6 transition prevents amendments required for consistency	



**Table 3 Policy Position – Submission Summary and Central Highlands LPS evaluation**

LPS Mapping	Policy Position	Rationale	Central Highlands LPS evaluation summary / submission
Zoning	<ul style="list-style-type: none"> <li>- Substations (terminal and zone) to be zoned Utilities</li> <li>- Communication sites to be zoned Utilities where the communications facility is the primary use of the site.</li> </ul>	<ul style="list-style-type: none"> <li>- Reflects the primary use of the site and the nature of the asset</li> <li>- Reflects the long asset lifespan</li> <li>- Utilities zone allows for the future operation, maintenance modification and development requirements of the asset (this is particularly important for communications sites as these do not enjoy any ESI Act exemptions once established)</li> <li>- Clear message to the community about the existing and long term use of the site.</li> </ul>	<p>Amendment sought, inconsistent with Policy Position.</p> <ul style="list-style-type: none"> <li>- Rezone Derwent Bridge Substation to Utilities.</li> </ul> <p>Rezone the following Communication Site to Utilities</p> <ul style="list-style-type: none"> <li>- Meadowbank Repeater</li> <li>- Repulse Repeater</li> <li>- Bilton Hill</li> <li>- Heal Spur</li> <li>- Tarraleah Passive Reflector</li> <li>- Bradys Sugarloaf</li> <li>- Five Mile Pinnacles</li> <li>- Poatina Intake</li> <li>- Poatina Saddle</li> </ul>
	No specific zoning is to be applied to ETC	<ul style="list-style-type: none"> <li>- Allows for other compatible uses to occur in corridor</li> <li>- Corridors are protected by ETIPC</li> </ul>	LPS is consistent with this Policy Position, supported.
	Landscape Conservation Zone (through LPS rezoning) is not applied to ETC	<ul style="list-style-type: none"> <li>- Conflicts with the existing use of the land for electricity transmission</li> <li>- Diminishes strategic benefit of existing corridors making consideration of new corridors more likely</li> <li>- More onerous approvals pathway for augmentation of assets</li> </ul>	LPS is consistent with this Policy Position, supported.



LPS Mapping	Policy Position	Rationale	Central Highlands LPS evaluation summary / submission
		<ul style="list-style-type: none"> <li>- Sends conflicting message to public regarding the ongoing use of the land</li> </ul>	
Natural Asset Code – Priority Vegetation Overlay	<p>Not to be applied to</p> <ul style="list-style-type: none"> <li>- Substations or communication sites where the site is cleared of native vegetation</li> </ul>	<ul style="list-style-type: none"> <li>- Assets are required to be cleared for safety and maintenance</li> <li>- Clearing of vegetation is exempt under ESI Act</li> <li>- Where asset already exists impact on the natural assets have already been assessed / approved and will continue to be impacted for the lifespan of the asset</li> <li>- Supports strategic value of the site</li> <li>- Clear messaging to community regarding the use of the site.</li> </ul>	<p>Amendment sought, inconsistent with Policy Position. Remove priority vegetation overlay from:</p> <ul style="list-style-type: none"> <li>- Liapootah Substation</li> <li>- Tungatinah Substation</li> <li>- Derwent Bridge Substation</li> <li>- Waddamana Substation</li> <li>- Arthurs Lake Substation</li> <li>- Meadowbank Repeater Communication Site</li> <li>- Repulse Power Station Communication Site</li> <li>- Catagunya Power Station Communication Site</li> <li>- Liapootah Power Station Communication Site</li> <li>- Tarraleah Substation Communication Site</li> <li>- Tarraleah Passive Reflector Communication Site</li> <li>- Butlers Gorge Repeater Communication Site</li> <li>- Bradys Sugarloaf Communication Site</li> <li>- Lake Echo Repeater Communication Site</li> <li>- Waddamana Power Station Communication Site</li> <li>- Five Mile Pinnacles Communication Site</li> <li>- Poatina Intake Communication Site</li> <li>- Poatina Saddle Communication Site</li> </ul> <p>Code has been applied to developed / cleared parts of the site.</p>



LPS Mapping	Policy Position	Rationale	Central Highlands LPS evaluation summary / submission
Scenic Protection Code Overlay	Not to be applied to <ul style="list-style-type: none"> <li>- Substations,</li> <li>- Communication sites, or</li> <li>- ETC</li> </ul>	<ul style="list-style-type: none"> <li>- Assets are required to be cleared for safety and maintenance</li> <li>- Where asset already exists impact on scenic quality / natural assets have already been assessed / approved and will continue to be impacted for the lifespan of the asset.</li> </ul>	LPS is consistent with Policy Position, supported.
SAPs / PPZs	Not to apply to substations	To ensure that future development on these sites is not unreasonably affected by SAP.	LPS is consistent with Policy Position, supported.
Utilities Use Approval Status	<p>In all zones, PPZs and SAPs the Use Class for Utilities and Minor Utilities must be either</p> <ul style="list-style-type: none"> <li>- No Permit Required,</li> <li>- Permitted or</li> <li>- Discretionary</li> </ul> <p>Utilities must not be Prohibited</p>	The ability to consider Utilities Use Class in all zones is a requirement for the effective planning and development of linear utility infrastructure, which is required to be located in a range of areas and will be subject to multiple zonings.	LPS is consistent with Policy Position, supported.
PPZs or SAPs use, development and subdivision standards	<p>Are drafted with at least a discretionary approval pathway. For example:</p> <ul style="list-style-type: none"> <li>- No absolute height limit</li> <li>- Allow subdivision for utilities</li> </ul>	<ul style="list-style-type: none"> <li>- Consistent with policy in SPPs that enables consideration of Utilities in all zones and no finite quantitative development or subdivision standards.</li> </ul>	LPS is consistent with Policy Position, supported.



LPS Mapping	Policy Position	Rationale	Central Highlands LPS evaluation summary / submission
ETIPC	Is correctly mapped and applied to relevant transmission infrastructure	Consistent with policy in SPPs	LPS is consistent with Policy Position, supported.
Local Area Objectives	Are drafted in a manner that does not conflict with the ETIPC if they apply over an area within the Code	<ul style="list-style-type: none"> <li>- Potential impact on future development</li> <li>- Diminishes strategic benefit of existing corridors making consideration of new corridors more likely</li> <li>- More onerous approvals pathway for augmentation of assets</li> <li>- Sends conflicting message to public regarding the ongoing use of the land</li> </ul>	LPS is consistent with Policy Position, supported.



## 4.2. SPP Issues

Please note, this aspect of TasNetworks' representation should not be taken as a request to change or amend the SPPs. However, this information is provided to highlight fundamental land use conflict issues that could occur as each LPS implements the SPPs across the State.

### 4.2.1. Exemptions

In this representation, TasNetworks would like to highlight a failing in the SPPs that causes a fundamental conflict between existing electricity transmission easement rights and SPP Exemptions and will prevent implementation of the purpose of the ETIPC. This failing is resulting from not applying the Code, in particular the Electricity Transmission Corridor (ETC) and Inner Protection Area (IPA), to certain exemptions that would:

- On almost every occasion, conflict with easement rights (and have the potential to impact human safety) and compromise the purpose of the Code; and
- Unless managed appropriately, have the potential to conflict with easement rights (and have the potential to impact human safety) and the Purpose of the Code.

Where the Code does not apply, easement rights still exist but can only be enforced once a breach has occurred or (at best) is imminent. This can result in a costly process of removal or relocation and in the interim, could pose a safety risk. When the Code applies, it provides developers, Councils and TasNetworks an opportunity to avoid or manage this issue early in the application process. Please refer to Appendix 2 for benefits that can be realised by considering electricity transmission assets in the planning process and conflict examples.

### 4.2.2. Scenic Protection Code

The Scenic Protection Code does not apply to sites in the Utilities Zone. As a result, assuming a Utilities zoning, TasNetworks' substations and communication sites are not subject to the application of this Code, thus supporting the continued and consolidated use and development of these sites for electricity infrastructure.

TasNetworks' recognises that a Council may wish to regulate other activities in the ETC that could impact on scenic values. However, the application of the Scenic Protection Code to new electricity transmission use and development within an existing ETC, has a number of impacts in conflict with the continued use of these corridors including:

- Not recognising the already established vegetation clearance and scenic quality;
- Not recognising the existing and continued use of these corridors, including vegetation clearance, for significant linear infrastructure on a state wide basis;
- Unreasonably diminishes the strategic benefit of the ETC;
- Devalues the substantial investment already made in the establishment of these corridors;
- Unreasonably fetters augmentation of existing corridors by imposing development standards relating to scenic protection to electricity transmission use and development in an existing electricity transmission corridor;
- Conflicts with the purpose of the ETIPC; and



- Supports a misconception in the community that where the Scenic Protection Code (tree preservation) is applied, vegetation clearance will be limited, when in fact vegetation clearance for transmission lines is required and authorised by separate regulatory regimes in these locations.

If the Scenic Protection Code in the SPPs were amended to ensure that, where this Code intersects with an ETC, it does not apply to electricity transmission use and development in that ETC, these impacts could be largely mitigated. This approach recognises the presence of this substantial electricity infrastructure and:

- its place in a broader state-wide network that is essential to the safe and reliable provision of electricity to Tasmania (as recognised in the Regional Land Use Strategy);
- implements the purpose of the ETIPC; and
- facilitates continued use or augmentation of existing corridors and ensures that future development (that is not otherwise exempt) can be efficiently provided.

The purpose of the Scenic Protection Code is to recognise and protect landscapes that are identified as important for their scenic values. In accordance with the Commission's Guidelines: *The scenic protection area overlay and the scenic road corridor overlay should be justified as having significant scenic values requiring protection from inappropriate development that would or may diminish those values.*

The ETIPC Code Purpose is: *To protect use and development against hazards associated with proximity to electricity transmission infrastructure. To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure. To maintain future opportunities for electricity transmission infrastructure.*

The application of the Scenic Protection Code to electricity transmission use and development in an ETC is inconsistent with the ETIPC purpose to retain electricity transmission infrastructure in these locations and to maintain future development opportunities.

For works that do not have the benefit of ESI exemptions, it would be difficult to comply with the Scenic Protection Code standards. Further, these assets form part of a wider network that is essential to the safe and reliable provision of electricity to Tasmania which is recognised in the Regional Land Use Strategy.

Please note that these issues have been previously raised and discussed with Meander Valley, Brighton, Central Coast, Glamorgan Spring Bay, Clarence, Circular Head, Devonport, Glenorchy City, West Coast, West Tamar, Sorell, Southern Midlands and Launceston councils as well as the Commissioners throughout the draft LPS assessment process and will continue to be raised as part of this process.

#### 4.2.3. Landscape Conservation Zone

The introduction and subsequent rezoning of land within the ETC to the Landscape Conservation Zone has created a number of unforeseen issues for TasNetworks. Primarily the Landscape Conservation Zone – Zone Purpose is *to provide for the protection, conservation and management of landscape values*. This is considered to potentially conflict with the Purpose of the ETIPC which is *to maintain future opportunities for electricity transmission infrastructure*.

Additionally, development approval for augmentation of an existing corridor under the Landscape Conservation Zone is more onerous than if under the Environmental Living or Rural Resource Zones in the



interim scheme or the Rural Zone under the SPP. For example, the Acceptable Solution building height requirement in the Landscape Conservation Zone is 6m as opposed to 12m under the Rural Zone.

Further, TasNetworks has concern regarding the rezoning of land within an ETC to the Landscape Conservation Zone and the inconsistent messaging it provides to the public. That being that the land is for 'conservation', where in fact clearing of vegetation within the ETC is exempt and augmentation of corridors can occur.

TasNetworks acknowledges that the introduction of the Landscape Conservation Zone is per SPP drafting guidelines however would like to open discussions with Council and relevant stakeholders regarding the impacts that this change in zoning has on the continued operation of electricity transmission infrastructure across the State.



## 5. Appendix 1 – Detailed Assessment

### 5.1. Substations

There are eight substations located within Central Highlands LGA. These are:

- Meadowbank Substation
- Wayatinah Substation
- Liapootah Substation
- Tarraleah Substation
- Tungatinah Substation
- Derwent Bridge Substation
- Waddamana Substation
- Arthurs Lake Substation

The following table details TasNetworks planning Policy Position with respect to substations.

**Table 4 Substations Policy Position Summary**

Zoning	Overlay	SAP / PPZ	ETIPC
Zoned Utilities	<ul style="list-style-type: none"><li>- Priority Vegetation not applied where the site is cleared of native vegetation</li><li>- Scenic Protection not applied</li></ul>	<ul style="list-style-type: none"><li>- Not applied or</li><li>- Utilities use is NPR, P or D.</li><li>- No finite discretionary development standards</li></ul>	Applied

Meadowbank Substation is represented in the in the draft LPS in line with TasNetworks Policy Position. As such no amendment is sort. Similarly, Wayatinah Substation is represented in the draft LPS in line with TasNetworks Policy Position and as such no amendment is sort.

Liapootah Substation is zoned Utilities; the Scenic Protection Code nor a SAP or PPZ has been applied to the site and the ETIPC has been applied correctly. This is consistent with TasNetworks Policy Position. Notwithstanding this, as shown in the following figure, the Natural Assets Code – Priority Vegetation Overlay has been applied to a portion of the site that is developed and cleared of native vegetation. As such, TasNetworks requests that this overlay be removed from the site where there is no vegetation and the site is developed.

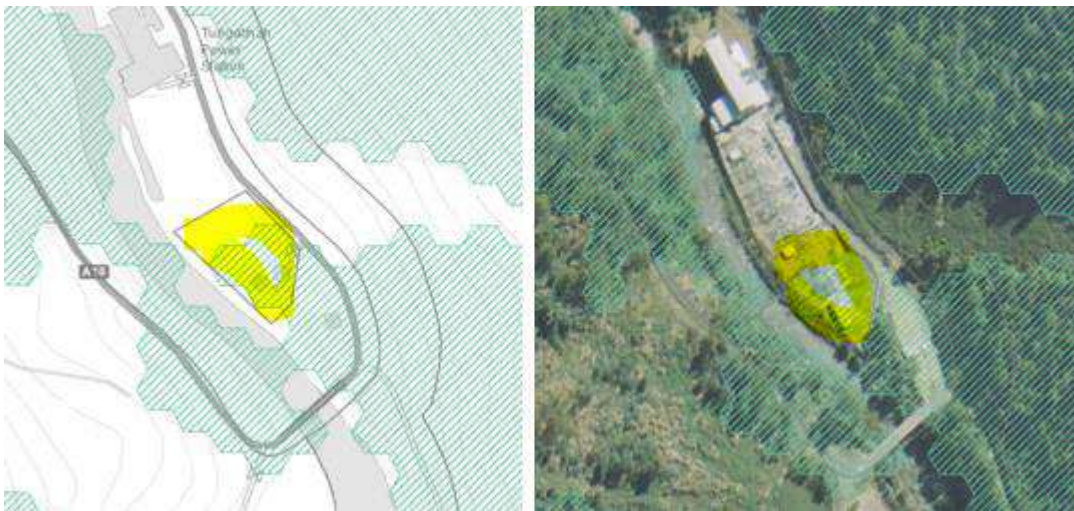




**Figure 4 Liapootah Substation Priority Vegetation Overlay**

Tarraleah Substation is represented in the in the draft LPS in line with TasNetworks Policy Position. As such no amendment is sort.

Tungatinah Substation is represented in the draft LPS in accordance with TasNetworks Policy Position with the exception of the Natural Assets Code. The Natural Asset Code – Priority Vegetation Layer has been applied to portion of the site that is developed and cleared of native vegetation. As such, TasNetworks requests that this overlay be removed from the site where there is no vegetation and the site is developed as shown in the following figure.



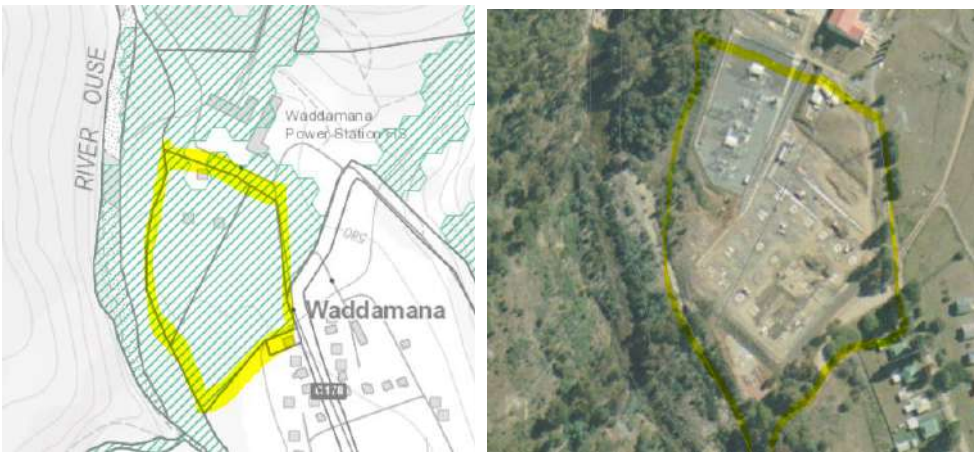
**Figure 5 Tungatinah Substation Priority Vegetation overlay**

Similarly, Derwent Bridge, Waddamana and Arthurs Lake substations are represented in the draft LPS in accordance with TasNetworks Policy Position with the exception of the Natural Asset Code. The Priority Vegetation Layer has been applied to portions of these substation sites that are developed and cleared of native vegetation. As such, TasNetworks requests that this overlay be removed from the site where there is no vegetation and the site is developed. This is shown in the following figures.

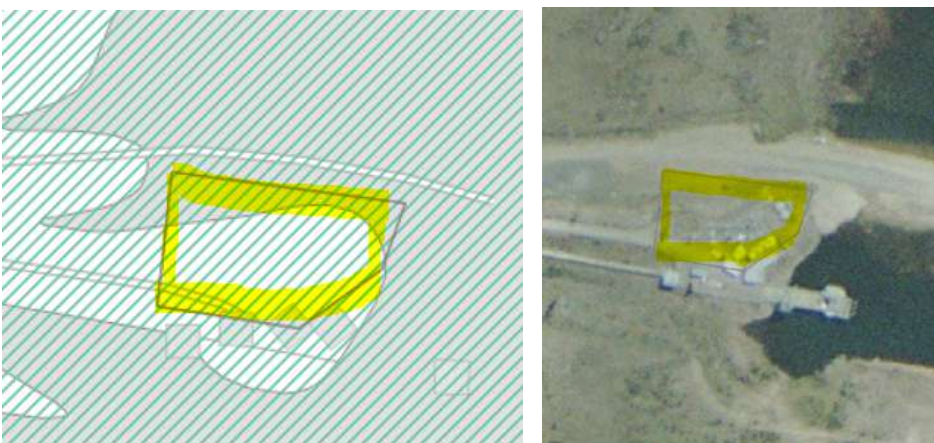




**Figure 6 Derwent Bridge Substation Priority Vegetation overlay**



**Figure 7 Waddamana Substation Priority Vegetation overlay**



**Figure 8 Arthurs Lake Substation Priority Vegetation overlay**



## 5.2. Communication Sites

There are 18 communication sites with Central Highlands LGA that are operated by TasNetworks and are required to be protected through the ETIPC Overlay. These are:

- Meadowbank Repeater Communication Site
- Repulse Repeater Communication
- Repulse Power Station Communication Site
- Cluny Switchyard Communication Site
- Bilton Hill Communication Site
- Catagunya Power Station Communication Site
- Wayatinah Power Station Communication Site
- Heals Spur Communication Site
- Liapootah Power Station Communication Site
- Tarraleah Substation Communication Site
- Tarraleah Passive Reflector Communication Site
- Butlers Gorge Repeater Communication Site
- Bradys Sugarloaf Communication Site
- Lake Echo Repeater Communication Site
- Waddamana Power Station Communication Site
- Five Mile Pinnacles Communication Site
- Poatina Intake Communication Site
- Poatina Saddle Communication Site

The following table details TasNetworks planning Policy Position with respect to communication sites.

**Table 5 Communication Sites Policy Position Summary**

Zoning	Overlay	SAP / PPZ	ETIPC
Zoned Utilities	<ul style="list-style-type: none"><li>- Priority Vegetation not applied where the site is cleared of native vegetation</li><li>- Scenic Protection not applied</li></ul>	<p>Not applied or</p> <ul style="list-style-type: none"><li>- Utilities use is NPR, P or D.</li><li>- No finite discretionary development standards</li></ul>	Applied

The ETIPC Code has been applied correctly to all of the communication sites. Neither a SAP or PPZ or the Scenic Protection Code has been applied to any of the communication sites which is in line with TasNetworks Policy Position.

TasNetworks requests the Utilities Zone be applied to its communication sites. The Utilities Zone is considered appropriate for TasNetworks communication infrastructure as it forms a key part of the broader electricity network and is considered as major utilities. Whilst the Utilities Zone has been applied to the majority of the communication sites, TasNetworks requests the following sites to be rezoned:

- Meadowbank Repeater Communication Site from Rural Zone to Utilities Zone
- Repulse Repeater Communication Site from Rural Zone to Utilities Zone



- Bilton Hill Communication Site from Agricultural to Utilities Zone
- Heal Spur Communication Site from Environmental Management to Utilities Zone
- Tarraleah Passive Reflector Communication Site from Rural Zone to Utilities Zone
- Bradys Sugarloaf Communication Site from Rural Zone to Utilities Zone
- Five Mile Pinnacles Communication Site from Rural Zone to Utilities Zone
- Poatina Intake Communication Site from Environmental Management to Utilities Zone
- Poatina Saddle Communication Site from Environmental Management to Utilities Zone.

This submission is in line with how similar communication sites have been represented in other LPSs.

TasNetworks further requests that the Natural Assets Code – Priority Vegetation Layer be removed from the cleared and developed parts of the following communication sites:

- Meadowbank Repeater Communication Site
- Repulse Power Station Communication Site
- Catagunya Power Station Communication Site
- Liapootah Power Station Communication Site
- Tarraleah Substation Communication Site
- Tarraleah Passive Reflector Communication Site
- Butler Gorge Repeater Communication Site
- Bradys Sugarloaf Communication Site
- Lake Echo Repeater Communication Site
- Waddamana Power Station Communication Site
- Five Mile Pinnacles Communication Site
- Poatina Intake Communication Site
- Poatina Saddle Communication Site

This submission is consistent with other requests from TasNetworks for previous LPSs.

### 5.3. Electricity Transmission Corridors

There are 20 TasNetworks Electricity Transmission Corridors that extend across the Central Highlands LGA. These are:

- Line 417 Tarraleah – New Norfolk (east) 110kV
- Line 418 Tarraleah – New Norfolk (west) 110kV
- Line 419 Meadowbank Spur 110kV
- Line 420 Meadowbank P.S 110kV
- Line 500 Liapootah – Chapel Street 220kV
- Line 501 Repulse – Cluny Spur 220kV
- Line 507 Liapootah – Wayatinah 220kV
- Line 508 Wayatinah – Catagunya 220kV
- Line 502 Liapootah – Palmerston 220kV
- Line 527 Liapootah – Palmerston No. 2 220kV
- Line 408 Tungatinah – Butlers Gorge Tee 110kV
- Line 407 Butlers Gorge – Lake St. Clair 110kV



- Line 425 Waddamana – Tungatinah (north) 110kV
- Line 426 Waddamana – Tungatinah (south) 110kV
- Line 427 Lake Echo Spur (east) 110kV
- Line 428 Lake Echo Spur (west) 110kV
- Line 400 Waddamana – Bridgewater 110kV
- Line 520 Waddamana – Lindisfarne 220kV
- Line 410 Waddamana – Palmerston 110kV
- Line 409 Waddamana – Parknook 110kV

These corridors are shown in Figure 2. The following table details TasNetworks Policy Position regarding the ETC.

**Table 6 ETC Policy Position Summary**

Zoning	Overlay	ETIPC	SAP / PPZ
<ul style="list-style-type: none"> <li>- No specific zoning applied to ETC;</li> <li>- Landscape Conservation Zone not applied to ETC</li> </ul>	<ul style="list-style-type: none"> <li>- Scenic Protection Code not applied to ETC</li> </ul>	Applied	Not applied or <ul style="list-style-type: none"> <li>- Utilities use is NPR, P or D.</li> <li>- No finite discretionary development standards</li> </ul>

A range of zones have been applied to the land subject to these corridors and as the SPP allows for consideration of Utilities in all zones this is acceptable to TasNetworks.

The Scenic Protection Code has not been applied to the ETIPC which is supported by TasNetworks. Further, the Inner Protection Area (IPA) and Electricity Transmission Corridor (ETC) have been mapped correctly in the draft LPS. Neither a SAP nor PPZ has been applied to the ETIPC which is supported.

#### 5.4. Particular Purpose Zones (PPZ) and Specific Area Plans (SAP)

The following table provides an overview of TasNetworks Policy Position regarding PPZs and SAPs.

**Table 7 PPZ and SAP Policy Position Summary**

Application	Policy
Use Standards in PPZ or SAP	<ul style="list-style-type: none"> <li>- Use Class for Utilities or Minor Utilities must be either NPR, P or D. Must not be Prohibited</li> </ul>
Development Standards in PPZ or SAP	<ul style="list-style-type: none"> <li>- Are not drafted without a discretionary approval pathway (e.g not include a finite development standard - an absolute height limit)</li> <li>- Allow subdivision for Utilities use in all zones</li> </ul>

It is understood that the draft LPS does not include a PPZ or a SAP. It is noted that the Meadowbank SAP is an Outstanding Issues Notice. Notwithstanding this, TasNetworks has no submission regarding the drafting of this SAP in the Supporting Report as the Utilities Use Class is Discretionary and the development standards allow a permitted pathway.



## 6. Appendix 2 – SPP Issues

**In addition to TasNetworks' request regarding the Scenic Protection Code application, this appendix outlines the benefits of considering electricity transmission assets in the planning process for new development.**

The following benefits can be realised if impact on electricity transmission assets are considered in the planning process. (See Table 8 below for the list of relevant exemptions):

- Removes the incorrect perception that buildings and other works exempt under the SPPs can safely occur in a transmission line or underground cable easements without the need to consider asset easement rights or operational requirements.
- Empowers the Planning Authority to request further information, condition or refuse a development that conflict with the Code requirements and purposes.
- Saves developers, Councils, TasNetworks and the community time, cost and distress associated with easement right enforcement after a building, structure or other works have either commenced construction or have been built.
- Reflects the reality with respect to what can and cannot safely occur in an electricity easement.
- Saves developers project delay and cost required as a result of reworking proposals to ensure easement rights are not compromised later in the process.
- Increases the chances of considering the impact of new development on electricity assets early in the planning assessment process, before significant expenditure on project preparation has occurred.
- Prevents land use conflict between existing critical electricity transmission assets and new development.
- Protects human safety.
- Aligns the planning considerations and electricity easement rights.
- Avoids increased acquisition or construction cost for future assets as a result of encroachment (eg: dwelling encroachments within strategically beneficial easements may not cause operational issues for existing assets. However, dwelling acquisition and increased community and social impact of processes required to remove dwellings in the easement if it is required later can be avoided if encroachment is prevented in the first place.
- Supports compliance with AS 7000.
- The strategic benefit of existing electricity easements and the strategic purpose of the Code is preserved.



## Conflict Examples

Table 8 presents examples of exempt development where TasNetworks believes conflict with easement rights can occur.

Colour coding indicates the following:

Conflicts with easement rights and may be capable of management to ensure appropriate alignment with easement rights.
Conflicts with easement rights. In almost all cases, this exemption will pose a safety and operational hazard for overhead and underground transmission lines and cables.

**Table 8 Exemptions and land use conflict with electricity transmission assets**

SPP exemption	Comment
4.3.6 unroofed decks	<p>If not attached to a house and floor level is less than 1m above ground level.</p> <p><b>TasNetworks Comment:</b></p> <p>A deck of this nature can pose an impediment to safe access and due to other exemptions can be roofed without further assessment which is in conflict with easement rights and could compromise safety.</p> <p>A deck over the operational area required for an underground cable would always be unacceptable.</p>
4.3.7 outbuildings	<p>One shed: up to 18m<sup>2</sup>, roof span 3m, height 2.4m, fill of up to 0.5m.</p> <p>Up to two shed: 10m<sup>2</sup>, sides 3.2m, height 2.4m.</p> <p>Similar to PD1.</p> <p><b>TasNetworks Comment:</b></p> <p>This type of building almost always poses a safety and operational hazard for transmission lines, cables and human safety.</p> <p>This type of building over the operational area required for an underground cable always poses an unacceptable safety risk.</p>
4.3.8 outbuildings in Rural Living Zone, Rural Zone or Agriculture Zone	<p>4.3.8</p> <p>Provides for an unlimited number of outbuilding per lot as follows:</p> <p>Floor area 108m<sup>2</sup>, height 6m, wall height 4m.</p>
4.3.9 agricultural buildings and works	<p>Already subject to the Local Historic Heritage Code.</p>



SPP exemption	Comment
<p>in the Rural Zone or Agriculture Zone</p>	<p>Slightly broader than PD1.</p> <p>4.3.9</p> <p>New and broader than PD1 exemptions.</p> <p>Provides for unlimited number of outbuilding per lot as follows:</p> <p>Must be for agricultural use, floor area 200m<sup>2</sup>, height 12m.</p> <p>Already subject to the Local Historic Heritage Code and the Scenic Protection Code.</p> <p><b>TasNetworks Comment:</b></p> <p>These exemptions create a new and potentially more dangerous conflict with electricity transmission lines and cables where a larger and higher building can be constructed in an electricity transmission easement without the need for planning approval.</p> <p>Buildings of this nature can severely impede TasNetworks' ability to safely access, operate and maintain electricity transmission lines. If built, these buildings could also present a threat to human safety.</p> <p>As a result, in almost all cases, if built, buildings covered by these exemptions would necessitate the enforcement of easement rights, either during or after construction and after the planning and building (exemption), process has occurred. This will likely mean relocating the proposal, a further planning assessment and added cost and time to a development.</p> <p>The nature of electricity transmission line assets (ie: running from isolated generation locations into populated areas) means the zones mentioned in this exemption are almost certain to contain (and appropriately so) electricity transmission assets. The cost of removing substantial agricultural buildings from easements required for new assets also adds to future asset construction costs.</p>
<p>4.3.11 garden structures</p>	<p>Unlimited number, 20m<sup>2</sup>, 3m height max. Already subject to the Local Historic Heritage Code.</p> <p><b>TasNetworks Comment:</b></p> <p>If not managed appropriately, this type of structure has the potential to compromise clearances and the safe and reliable operation of transmission lines and underground cables. Depending on location within an easement, could also present a threat to human safety.</p>



SPP exemption	Comment
	Cost of removal is limited, however still requires post breach enforcement of easement rights.
4.5.1 ground mounted solar energy installations	<p>Each installation can be 18m<sup>2</sup> area. Already subject to the Local Historic Heritage Code.</p> <p><b>TasNetworks Comment:</b></p> <p>This type of activity has the potential to compromise clearances or adversely impact easement access (especially during emergency repair conditions).</p>
4.5.2 roof mounted solar energy installations	<p>Already subject to the Local Historic Heritage Code. This would likely only apply to existing buildings within easements.</p> <p><b>TasNetworks Comment:</b></p> <p>Encroachment is likely existing, however, this exemption has the potential to compromise clearances in what may be a compliant situation.</p>
4.6.8 retaining walls	<p>4.6.8 Allows for retaining 1m difference in ground level. This exemption is already subject to the Local Historic Heritage Code and the Landslip Hazard Code. Reflects what was in PD1.</p> <p>4.6.9 Allows for filling of up to 1m above ground level. This exemption is already subject to the Natural Assets Code, Coastal Erosion Hazard Code, Coastal Inundation Hazard Code, Flood-Prone Areas Hazard Code and Landslip Hazard Code. Reflects what was in PD1.</p> <p><b>TasNetworks Comment:</b></p> <p>This type of activity has the potential to compromise ground clearances for existing transmission lines and safe operational separation for underground transmission cables. Subject to appropriate management, this type of activity can usually occur within transmission line easements, however, may pose a more challenging risk for underground cables.</p>
4.6.9 land filling	
4.6.13 rain-water tanks	Rainwater, hot water & air conditioner exemptions with the 1.2m stand were already included in PD1 and were carried through to the draft and finalised SPPs.
4.6.14 rain-water tanks in Rural Living Zone, Rural Zone, Agriculture Zone or Landscape Conservation Zone	<p>This was one exemption in the draft SPPs and was modified by the Commission into four exemptions. TasNetworks requested the original exemption be subject to the Code.</p> <p>4.6.13: attached or located to the side or rear of a building and can be on a stand height 1.2m high. Subject to the Local Historic Heritage Code.</p>



SPP exemption	Comment
<p>4.6.15 fuel tanks in the Light Industrial Zone, General Industrial Zone, Rural Zone, Agriculture Zone or Port and Marine Zone</p> <p>4.6.16 fuel tanks in other zones</p>	<p>4.6.14 attached or located to the side or rear of a building with no height limit. Subject to the Local Historic Heritage Code.</p> <p>4.6.15 no height limit, no requirement is be located near a building. Limited when storage of hazardous chemicals is of a manifest quantity and Coastal Erosion Hazard Code, Coastal Inundation Hazard Code, Flood-Prone Areas Hazard Code, Bushfire-Prone Areas Code or Landslip Hazard Code, applies and requires a permit for the use or development.</p> <p>4.6.16 must be attached or located to the side or rear of a building, max 1kL capacity, on a stand up to 1.2m high and subject to the Local Historic Heritage Code.</p> <p><b>TasNetworks Comment:</b></p> <p>These exemptions allow for water tanks on stands and some have no height limit. These developments have the potential to compromise access to the easement, compromise ground clearances for existing transmission lines and safe operational separation for underground transmission cables. Depending on location in the easement, these developments could pose a threat to human safety. Subject to appropriate management, this type of activity may occur within transmission line easements, however, may pose a more challenging risk for underground cables.</p>



**Kathy Bradburn**

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**From:** malcolm.grant@optusnet.com.au  
**Sent:** Wednesday, 20 October 2021 3:56 PM  
**To:** development  
**Cc:** thompsonjohnng@gmail.com  
**Subject:** Representation on Central Highlands Draft LPS  
**Attachments:** SPPs - 20 Rural Zone.pdf; SPPs - 22 Landscape Conservation Zone.pdf; Letter to CH landholder Grant PID 3268969 - 20Sep21.pdf; Representation to Central Highlands Council re Draft LPS - CLT - 19Sep21.pdf; SPPs - 20 Rural Zone.pdf; SPPs - 22 Landscape Conservation Zone.pdf; Letter to CH landholder Grant PID 3268969 - 20Sep21.pdf; Representation to Central Highlands Council re Draft LPS - CLT - 19Sep21.pdf

**Attention: Central Highlands Planning Authority**

To Whom it may concern,

I am the owner of the 40.1 ha property located at Lot 3 Marked Tree Road, Hamilton, (PID 3268969, Title Ref. 166563/3).

The Central Highlands Draft Local Provisions Schedule currently exhibited indicates that it is intended that my property be rezoned as Rural.

The majority of my property (27.43 ha) is covered by the Bullock Hills Reserve and protected by a Conservation Covenant. As such it has been identified by both the Tasmanian State Government and Australian Federal Government as worthy of protection and conservation as a result of the biodiversity it contains.

As more than 60% of my property is private reserve, and the non-reserved part of the property is unsuitable and not used for agriculture, Guidelines LCZ1 and RZ1 together indicate that the property should not be rezoned to Rural, but should be rezoned to Landscape Conservation.

In further support of my claim, my property is part of a cluster of six adjoining properties containing the 271.7 ha Bullock Hills Reserve which in turn adjoins the 294 ha Pelham West Nature Reserve to the north proposed for Environmental Management Zone.

In its representation, Conservation Landholders Tasmania, has presented a detailed case for rezoning my property and those in the cluster of which it is a part as Landscape Conservation. I support their case and agree to my property being rezoned to Landscape Conservation.

Please acknowledge receipt of my representation.

Regards

Malcolm Grant

41 MacDonald St  
Erskineville, NSW 2043

0416 051 644

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Email sent using Optus Webmail



## 20.0 Rural Zone

### 20.1 Zone Purpose

The purpose of the Rural Zone is:

20.1.1 To provide for a range of use or development in a rural location:

- (a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;
- (b) that requires a rural location for operational reasons;
- (c) is compatible with agricultural use if occurring on agricultural land;
- (d) minimises adverse impacts on surrounding uses.

20.1.2 To minimise conversion of agricultural land for non-agricultural use.

20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.

### 20.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Resource Development	
Utilities	If for minor utilities.
<b>Permitted</b>	
Business and Professional Services	If for: <ul style="list-style-type: none"> <li>(a) a veterinary centre; or</li> <li>(b) an agribusiness consultant or agricultural consultant.</li> </ul>
Domestic Animal Breeding, Boarding or Training	
Educational and Occasional Care	If associated with Resource Development or Resource Processing.
Emergency Services	



Use Class	Qualification
Extractive Industry	
Food Services	If associated with Resource Development or Resource Processing.
General Retail and Hire	If associated with Resource Development or Resource Processing.
Manufacturing and Processing	If for the processing of materials from Extractive Industry.
Pleasure Boat Facility	If for a boat ramp.
Research and Development	If associated with Resource Development or Resource Processing.
Residential	If for: (a) a home-based business in an existing dwelling; or (b) alterations or extensions to an existing dwelling.
Resource Processing	
Storage	If for: (a) a contractors yard; (b) freezing and cooling storage; (c) grain storage; (d) a liquid, solid or gas fuel depot; or (e) a woodyard.
Utilities	If not listed as No Permit Required.
Visitor Accommodation	If for guests accommodated within an existing building.
<b>Discretionary</b>	
Bulky Goods Sales	If for: (a) a supplier for Extractive Industry, Resource Development or Resource Processing; (b) a garden and landscaping materials supplier; (c) a timber yard; or (d) rural supplies.
Business and Professional Services	If not listed as Permitted.
Community Meeting and Entertainment	
Crematoria and Cemeteries	



Use Class	Qualification
Custodial Facility	
Educational and Occasional Care	If not listed as Permitted.
Food Services	If not listed as Permitted.
General Retail and Hire	If not listed as Permitted.
Manufacturing and Processing	If not listed as Permitted.
Motor Racing Facility	
Pleasure Boat Facility	If not listed as Permitted.
Recycling and Waste Disposal	
Research and Development	If not listed as Permitted.
Residential	If for a single dwelling and not restricted by an existing agreement under section 71 of the Act.
Service Industry	If associated with Extractive Industry, Resource Development or Resource Processing.
Sports and Recreation	
Storage	If not listed as Permitted.
Tourist Operation	
Transport Depot and Distribution	
Visitor Accommodation	If not listed as Permitted.
<b>Prohibited</b>	
All other uses	



## 20.3 Use Standards

### 20.3.1 Discretionary use

Objective:	That the location, scale and intensity of a use listed as Discretionary: <ul style="list-style-type: none"> <li>(a) is required for operational reasons;</li> <li>(b) does not unreasonably confine or restrain the operation of uses on adjoining properties;</li> <li>(c) is compatible with agricultural use and sited to minimise conversion of agricultural land; and</li> <li>(d) is appropriate for a rural location and does not compromise the function of surrounding settlements.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b> A use listed as Discretionary, excluding Residential, is for an alteration or extension to an existing use, if: <ul style="list-style-type: none"> <li>(a) the gross floor area does not increase by more than 30% from that existing at the effective date; and</li> <li>(b) the development area does not increase by more than 30% from that existing at the effective date.</li> </ul>	<b>P1</b> A use listed as Discretionary, excluding Residential, must require a rural location for operational reasons, having regard to: <ul style="list-style-type: none"> <li>(a) the nature, scale and intensity of the use;</li> <li>(b) the importance or significance of the proposed use for the local community;</li> <li>(c) whether the use supports an existing agricultural use;</li> <li>(d) whether the use requires close proximity to infrastructure or natural resources; and</li> <li>(e) whether the use requires separation from other uses to minimise impacts.</li> </ul>
<b>A2</b> No Acceptable Solution.	<b>P2</b> A use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the location of the proposed use;</li> <li>(b) the nature, scale and intensity of the use;</li> <li>(c) the likelihood and nature of any adverse impacts on adjoining uses;</li> <li>(d) whether the proposed use is required to support a use for security or operational reasons; and</li> <li>(e) any off site impacts from adjoining uses.</li> </ul>
<b>A3</b> No Acceptable Solution.	<b>P3</b> A use listed as Discretionary, located on agricultural land, must minimise conversion of agricultural land to non-agricultural use and be compatible with



	<p>agricultural use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature, scale and intensity of the use;</li> <li>(b) the local or regional significance of the agricultural land; and</li> <li>(c) whether agricultural use on adjoining properties will be confined or restrained.</li> </ul>
<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<p><b>P4</b></p> <p>A use listed as Discretionary, excluding Residential, must be appropriate for a rural location, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature, scale and intensity of the proposed use;</li> <li>(b) whether the use will compromise or distort the activity centre hierarchy;</li> <li>(c) whether the use could reasonably be located on land zoned for that purpose;</li> <li>(d) the capacity of the local road network to accommodate the traffic generated by the use; and</li> <li>(e) whether the use requires a rural location to minimise impacts from the use, such as noise, dust and lighting.</li> </ul>

## 20.4 Development Standards for Buildings and Works

### 20.4.1 Building height

Objective:	<p>To provide for a building height that:</p> <ul style="list-style-type: none"> <li>(a) is necessary for the operation of the use; and</li> <li>(b) minimises adverse impacts on adjoining properties.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must be not more than 12m.</p>	<p><b>P1</b></p> <p>Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the proposed height of the building;</li> <li>(b) the bulk and form of the building;</li> <li>(c) the separation from existing uses on adjoining properties; and</li> <li>(d) any buffers created by natural or other features.</li> </ul>



20.4.2 Setbacks

Objective:	That the siting of buildings minimises potential conflict with use on adjoining sites.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Buildings must have a setback from all boundaries of: <ul style="list-style-type: none"> <li>(a) not less than 5m; or</li> <li>(b) if the setback of an existing building is within 5m, not less than the existing building.</li> </ul>		<b>P1</b> Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the bulk and form of the building;</li> <li>(b) the nature of existing use on the adjoining properties;</li> <li>(c) separation from existing use on the adjoining properties; and</li> <li>(d) any buffers created by natural or other features.</li> </ul>
<b>A2</b> Buildings for a sensitive use must be separated from an Agriculture Zone a distance of: <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) if an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</li> </ul>		<b>P2</b> Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use within the Agriculture Zone, having regard to: <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the location of existing buildings on the site;</li> <li>(d) the existing and potential use of adjoining properties;</li> <li>(e) any proposed attenuation measures; and</li> <li>(f) any buffers created by natural or other features.</li> </ul>



20.4.3 Access for new dwellings

Objective:	That new dwellings have appropriate vehicular access to a road maintained by a road authority.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.</p>	<p><b>P1</b></p> <p>New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is appropriate, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of users of the access;</li> <li>(b) the length of the access;</li> <li>(c) the suitability of the access for use by the occupants of the dwelling;</li> <li>(d) the suitability of the access for emergency services vehicles;</li> <li>(e) the topography of the site;</li> <li>(f) the construction and maintenance of the access;</li> <li>(g) the construction, maintenance and usage of the road; and</li> <li>(h) any advice from a road authority.</li> </ul>



## 20.5 Development Standards for Subdivision

### 20.5.1 Lot design

Objective:	To provide for subdivision that: (a) relates to public use, irrigation or Utilities; or (b) facilitates use and development for allowable uses in the zone.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) be required for public use by the Crown, a council or a State authority;</li> <li>(b) be required for the provision of Utilities or irrigation infrastructure;</li> <li>(c) be for the consolidation of a lot with another lot provided each lot is within the same zone; or</li> <li>(d) be not less than 40ha with a frontage of no less than 25m and existing buildings are consistent with the setback and separation distance required by clause 20.4.2 A1 and A2.</li> </ul>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) have sufficient useable area and dimensions suitable for the intended purpose, excluding Residential or Visitor Accommodation, that: <ul style="list-style-type: none"> <li>(i) requires the rural location for operational reasons;</li> <li>(ii) minimises the conversion of agricultural land for a non-agricultural use;</li> <li>(iii) minimises adverse impacts on non-sensitive uses on adjoining properties; and</li> <li>(iv) is appropriate for a rural location; or</li> </ul> </li> <li>(b) be for the excision of an existing dwelling or Visitor Accommodation that satisfies all of the following: <ul style="list-style-type: none"> <li>(i) the balance lot provides for the sustainable operation of a Resource Development use, having regard to: <ul style="list-style-type: none"> <li>a. not materially diminishing the agricultural productivity of the land;</li> <li>b. the capacity of the balance lot for productive agricultural use; and</li> <li>c. any topographical constraints to agricultural use;</li> </ul> </li> <li>(ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;</li> </ul> </li> </ul>



	<ul style="list-style-type: none"> <li>(iii) the existing dwelling or Visitor Accommodation must meet the setbacks required by subclause 20.4.2 in relation to setbacks to new boundaries;</li> <li>(iv) it is demonstrated that the new lot will not unreasonably confine or restrain the operation of any adjoining site used for agricultural use; and</li> <li>(c) be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: <ul style="list-style-type: none"> <li>(i) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(ii) the topography of the site;</li> <li>(iii) the functionality and useability of the frontage;</li> <li>(iv) the anticipated nature of vehicles likely to access the site;</li> <li>(v) the ability to manoeuvre vehicles on the site;</li> <li>(vi) the ability for emergency services to access the site; and</li> <li>(vii) the pattern of development existing on established properties in the area.</li> </ul> </li> </ul>
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, is provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic, including pedestrians; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>



## 21.0 Agriculture Zone

### 21.1 Zone Purpose

The purpose of the Agriculture Zone is:

- 21.1.1 To provide for the use or development of land for agricultural use.
- 21.1.2 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.
- 21.1.3 To provide for use or development that supports the use of the land for agricultural use.

### 21.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Resource Development	If: <ul style="list-style-type: none"> <li>(a) on land other than prime agricultural land; or</li> <li>(b) an agricultural use, excluding plantation forestry, on prime agricultural land if it is dependent on the soil as the growth medium or conducted in a manner which does not alter, disturb or damage the existing soil profile or preclude it from future use as a growth medium.</li> </ul>
Utilities	If for minor utilities.
<b>Permitted</b>	
Food Services	If associated with Resource Development or Resource Processing.
General Retail and Hire	If associated with Resource Development or Resource Processing.
Pleasure Boat Facility	If for a boat ramp.
Residential	If for:



Use Class	Qualification
	(a) a home-based business in an existing dwelling; or (b) alterations or extensions to an existing dwelling.
<b>Discretionary</b>	
Bulky Goods Sales	If: (a) a supplier for Extractive Industry, Resource Development or Resource Processing; (b) a garden and landscape supplier; or (c) a timber yard.
Domestic Animal Breeding, Boarding or Training	
Educational and Occasional Care	
Emergency Services	
Extractive Industry	
Food Services	If not listed as Permitted.
General Retail and Hire	If not listed as Permitted.
Manufacturing and Processing	If for: (a) the manufacturing of agricultural equipment; or (b) the processing of materials from Extractive Industry.
Research and Development	
Residential	If: (a) not restricted by an existing agreement under section 71 of the Act; and (b) not listed as Permitted.
Resource Development	If not listed as No Permit Required.
Resource Processing	
Storage	If for: (a) a contractors yard; (b) freezing and cooling storage; (c) a liquid, solid or gas fuel depot; or (d) a woodyard.



Use Class	Qualification
Tourist Operation	
Transport Depot and Distribution	If for the transport and distribution of agricultural produce and equipment.
Utilities	If not listed as No Permit Required.
Visitor Accommodation	
<b>Prohibited</b>	
All other uses	

## 21.3 Use Standards

### 21.3.1 Discretionary uses

Objective:	That uses listed as Discretionary: (a) support agricultural use; and (b) protect land for agricultural use by minimising the conversion of land to non-agricultural use.	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solution.		<b>P1</b> A use listed as Discretionary, excluding Residential or Resource Development, must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to: <ul style="list-style-type: none"> <li>(a) access to a specific naturally occurring resource on the site or on land in the vicinity of the site;</li> <li>(b) access to infrastructure only available on the site or on land in the vicinity of the site;</li> <li>(c) access to a product or material related to an agricultural use;</li> <li>(d) service or support for an agricultural use on the site or on land in the vicinity of the site;</li> <li>(e) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and</li> <li>(f) provision of essential Emergency Services or</li> </ul>



	Utilities.
<b>A2</b> No Acceptable Solution.	<b>P2</b> A use listed as Discretionary, excluding Residential, must minimise the conversion of agricultural land to non-agricultural use, having regard to: <ul style="list-style-type: none"> <li>(a) the area of land being converted to non-agricultural use;</li> <li>(b) whether the use precludes the land from being returned to an agricultural use;</li> <li>(c) whether the use confines or restrains existing or potential agricultural use on the site or adjoining sites.</li> </ul>
<b>A3</b> No Acceptable Solution.	<b>P3</b> A use listed as Discretionary, excluding Residential, located on prime agricultural land must: <ul style="list-style-type: none"> <li>(a) be for Extractive Industry, Resource Development or Utilities, provided that: <ul style="list-style-type: none"> <li>(i) the area of land converted to the use is minimised;</li> <li>(ii) adverse impacts on the surrounding agricultural use are minimised; and</li> <li>(iii) the site is reasonably required for operational efficiency; or</li> </ul> </li> <li>(b) be for a use that demonstrates a significant benefit to the region, having regard to the social, environmental and economic costs and benefits of the proposed use.</li> </ul>



<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<p><b>P4</b></p> <p>A Residential use listed as Discretionary must:</p> <ul style="list-style-type: none"> <li>(a) be required as part of an agricultural use, having regard to: <ul style="list-style-type: none"> <li>(i) the scale of the agricultural use;</li> <li>(ii) the complexity of the agricultural use;</li> <li>(iii) the operational requirements of the agricultural use;</li> <li>(iv) the requirement for the occupier of the dwelling to attend to the agricultural use; and</li> <li>(v) proximity of the dwelling to the agricultural use; or</li> </ul> </li> <li>(b) be located on a site that: <ul style="list-style-type: none"> <li>(i) is not capable of supporting an agricultural use;</li> <li>(ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use; and</li> <li>(iii) does not confine or restrain agricultural use on adjoining properties.</li> </ul> </li> </ul>
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## 21.4 Development Standards for Buildings and Works

### 21.4.1 Building height

Objective:	To provide for a building height that: (a) is necessary for the operation of the use; and (b) minimises adverse impacts on adjoining properties.
Acceptable Solutions	Performance Criteria
<b>A1</b> Building height must be not more than 12m.	<b>P1</b> Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to: (a) the proposed height of the building; (b) the topography of the site; (c) the bulk and form of the building; (d) separation from existing use on adjoining properties; (e) the nature of the existing uses on adjoining properties; and (f) any buffers created by natural or other features.

### 21.4.2 Setbacks

Objective:	That the siting of buildings minimises potential conflict with use on adjoining properties.
Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings must have a setback from all boundaries of: (a) not less than 5m; or (b) if the setback of an existing building is within 5m, not less than the existing building.	<b>P1</b> Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: (a) the bulk and form of the building; (b) the nature of existing use on the adjoining properties; (c) separation from existing use on the adjoining properties; and (d) any buffers created by natural or other features.



<p><b>A2</b></p> <p>Buildings for a sensitive use must have a setback from all boundaries of:</p> <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</li> </ul>	<p><b>P2</b></p> <p>Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the location of existing buildings on the site;</li> <li>(d) the existing and potential use of adjoining properties;</li> <li>(e) any proposed attenuation measures; and</li> <li>(f) any buffers created by natural or other features.</li> </ul>
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#### 21.4.3 Access for new dwellings

Objective:	That new dwellings have appropriate vehicular access to a road maintained by a road authority.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.</p>		<p><b>P1</b></p> <p>New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority, that is appropriate having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of users of the access;</li> <li>(b) the length of the access;</li> <li>(c) the suitability of the access for use by the occupants of the dwelling;</li> <li>(d) the suitability of the access for emergency services vehicles;</li> <li>(e) the topography of the site;</li> <li>(f) the construction and maintenance of the access;</li> <li>(g) the construction, maintenance and usage of the road; and</li> <li>(h) any advice from the road authority.</li> </ul>



## 21.5 Development Standards for Subdivision

### 21.5.1 Lot design

Objective:	To provide for subdivision that: (a) relates to public use, irrigation infrastructure or Utilities; and (b) protects the long term productive capacity of agricultural land.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) be required for public use by the Crown, a council or a State authority;</li> <li>(b) be required for the provision of Utilities or irrigation infrastructure; or</li> <li>(c) be for the consolidation of a lot with another lot provided both lots are within the same zone.</li> </ul>		<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) provide for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> <li>(i) not materially diminishing the agricultural productivity of the land;</li> <li>(ii) the capacity of the new lots for productive agricultural use;</li> <li>(iii) any topographical constraints to agricultural use; and</li> <li>(iv) current irrigation practices and the potential for irrigation;</li> </ul> </li> <li>(b) be for the reorganisation of lot boundaries that satisfies all of the following: <ul style="list-style-type: none"> <li>(i) provides for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> <li>a. not materially diminishing the agricultural productivity of the land;</li> <li>b. the capacity of the new lots for productive agricultural use;</li> <li>c. any topographical constraints to agricultural use; and</li> <li>d. current irrigation practices and the potential for irrigation;</li> </ul> </li> <li>(ii) all new lots must be not less than 1ha in area;</li> <li>(iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;</li> <li>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use; and</li> <li>(v) it does not create any additional lots; or</li> </ul> </li> </ul>



	<p>(c) be for the excision of a use or development existing at the effective date that satisfies all of the following:</p> <ul style="list-style-type: none"> <li>(i) the balance lot provides for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> <li>a. not materially diminishing the agricultural productivity of the land;</li> <li>b. the capacity of the balance lot for productive agricultural use;</li> <li>c. any topographical constraints to agricultural use; and</li> <li>d. current irrigation practices and the potential for irrigation;</li> </ul> </li> <li>(ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;</li> <li>(iii) any existing buildings for a sensitive use must meet the setbacks required by clause 21.4.2 A2 or P2 in relation to setbacks to new boundaries; and</li> <li>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use.</li> </ul>
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic, including pedestrians; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>



## 22.0 Landscape Conservation Zone

### 22.1 Zone Purpose

The purpose of the Landscape Conservation Zone is:

- 22.1.1 To provide for the protection, conservation and management of landscape values.
- 22.1.2 To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.

### 22.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
<b>Permitted</b>	
Residential	If for a: (a) home-based business; or (b) single dwelling located within a building area, if shown on a sealed plan.
Utilities	If for minor utilities.
<b>Discretionary</b>	
Community Meeting and Entertainment	If for a place of worship, art and craft centre or public hall.
Domestic Animal Breeding, Boarding or Training	
Emergency Services	
Food Services	If for a gross floor area of not more than 200m <sup>2</sup> .
General Retail and Hire	If associated with a Tourist Operation.
Residential	If for a single dwelling.
Resource Development	If not for intensive animal husbandry or plantation forestry.



Use Class	Qualification
Sports and Recreation	If for an outdoor recreation facility.
Tourist Operation	
Utilities	If not listed as Permitted.
Visitor Accommodation	
<b>Prohibited</b>	
All other uses	

## 22.3 Use Standards

### 22.3.1 Community Meeting and Entertainment, Food Services, and General Retail and Hire uses.

Objective:	That Community Meeting and Entertainment, Food Services, and General Retail and Hire uses operate at a scale and in a manner that does not cause an unreasonable impact on landscape values.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation for Community Meeting and Entertainment, Food Services, and General Retail and Hire must be within the hours of 8.00am to 6.00pm.		<b>P1</b> Hours of operation for Community Meeting and Entertainment, Food Services, and General Retail and Hire must not cause an unreasonable impact on the landscape values having regard to: <ul style="list-style-type: none"> <li>(a) the duration or extent of vehicle movements; and</li> <li>(b) noise, lighting or other emissions.</li> </ul>



22.3.2 Visitor Accommodation

Objective:	That Visitor Accommodation is of a scale that is: (a) compatible with the landscape values of the site and surrounding area; and (b) does not impact the safety and efficiency of local roads or private rights of way.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Visitor Accommodation:  (a) guests are accommodated in existing buildings; and  (b) has a gross floor area of no more than 300m <sup>2</sup> .		<b>P1</b>  Visitor Accommodation must:  (a) be of a scale that respects the character of use in the area;  (b) not cause an unreasonable impact on the landscape values of the site; and  (c) not adversely impact the safety and efficiency of the local road network or unreasonably disadvantage owners and users of rights of carriageway.

22.3.3 Discretionary use

Objective:	That the location, scale and extent of a use listed as Discretionary is compatible with landscape values.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solution.		<b>P1</b>  Use listed as Discretionary must be compatible with landscape values, having regard to:  (a) the nature, scale and extent of the use; (b) the characteristics and type of the use; (c) the landscape values of the site; (d) the landscape value of the surrounding area; and (e) measures to minimise or mitigate impacts.



## 22.4 Development Standards for Buildings and Works

### 22.4.1 Site coverage

Objective:	That the site coverage is compatible with the protection, conservation and management of the landscape values of the site and surrounding area.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Site coverage must be not more than 400m <sup>2</sup> .		<b>P1</b> Site coverage must be compatible with the landscape values of the site and surrounding area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the capacity of the site to absorb run-off;</li> <li>(c) the size and shape of the site;</li> <li>(d) the existing buildings and any constraints imposed by existing development;</li> <li>(e) the need to remove vegetation;</li> <li>(f) the location of development in relation to cleared areas; and</li> <li>(g) the location of development in relation to natural hazards.</li> </ul>

### 22.4.2 Building height, siting and exterior finishes

Objective:	That building height, siting and exterior finishes: <ul style="list-style-type: none"> <li>(a) protects the amenity of adjoining properties;</li> <li>(b) minimises the impact on the landscape values of the area; and</li> <li>(c) minimises the impact on adjoining agricultural uses.</li> </ul>	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Building height must be not more than 6m.		<b>P1</b> Building height must be compatible with the landscape values of the site, having regard to: <ul style="list-style-type: none"> <li>(a) the height, bulk and form of proposed buildings;</li> <li>(b) the height, bulk and form of existing buildings;</li> <li>(c) the topography of the site;</li> <li>(d) the visual impact of the buildings when viewed from roads and public places; and</li> <li>(e) the landscape values of the surrounding area.</li> </ul>



<p><b>A2</b></p> <p>Buildings must have a setback from a frontage not less than 10m.</p>	<p><b>P2</b></p> <p>Building setback from a frontage must be compatible with the landscape values of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the frontage setbacks of adjacent buildings;</li> <li>(c) the height, bulk and form of existing and proposed buildings;</li> <li>(d) the appearance when viewed from roads and public places;</li> <li>(e) the safety of road users; and</li> <li>(f) the retention of vegetation.</li> </ul>
<p><b>A3</b></p> <p>Buildings must have a setback from side and rear boundaries not less than 20m.</p>	<p><b>P3</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity, or impact on landscape values of the site, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the side and rear setbacks of adjacent buildings;</li> <li>(d) the height, bulk and form of existing and proposed buildings;</li> <li>(e) the need to remove vegetation as part of the development;</li> <li>(f) the appearance when viewed from roads and public places; and</li> <li>(g) the landscape values of the surrounding area.</li> </ul>
<p><b>A4</b></p> <p>Buildings for a sensitive use must be separated from the boundary of an adjoining Rural Zone or Agriculture Zone a distance of:</p> <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</li> </ul>	<p><b>P4</b></p> <p>Buildings for a sensitive use must be sited to not conflict or interfere with uses in the Rural Zone or Agriculture Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the separation from those zones of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the existing and potential use of land in the adjoining zones;</li> <li>(d) any buffers created by natural or other features; and</li> <li>(e) any proposed attenuation measures.</li> </ul>



<p><b>A5</b></p> <p>Exterior building finishes must have a light reflectance value not more than 40%, in dark natural tones of grey, green or brown.</p>	<p><b>P5</b></p> <p>Exterior building finishes must not cause an unreasonable loss of amenity to occupiers of adjoining properties or detract from the landscape values of the site or surrounding area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the appearance of the building when viewed from roads or public places in the surrounding area;</li> <li>(b) any screening vegetation; and</li> <li>(c) the nature of the exterior finishes.</li> </ul>
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#### 22.4.3 Access to a road

Objective:	That new dwellings have appropriate vehicular access to a road maintained by a road authority.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.</p>		<p><b>P1</b></p> <p>New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of users of the access;</li> <li>(b) the length of the access;</li> <li>(c) the suitability of the access for use by the occupants of the dwelling;</li> <li>(d) the suitability of the access for emergency services vehicles;</li> <li>(e) the topography of the site;</li> <li>(f) the construction and maintenance of the access; and</li> <li>(g) the construction, maintenance and usage of the road.</li> </ul>



22.4.4 Landscape protection

Objective:	That the landscape values of the site and surrounding area are protected or managed to minimise adverse impacts.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building and works must be located within a building area, if shown on a sealed plan.</p>	<p><b>P1</b></p> <p>Building and works must be located to minimise native vegetation removal and the impact on landscape values, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the extent of the area from which vegetation has been removed;</li> <li>(b) the extent of native vegetation to be removed;</li> <li>(c) any remedial or mitigation measures or revegetation requirements;</li> <li>(d) provision for native habitat for native fauna;</li> <li>(e) the management and treatment of the balance of the site or native vegetation areas;</li> <li>(f) the type, size, and design of development; and</li> <li>(g) the landscape values of the site and surrounding area.</li> </ul>
<p><b>A2</b></p> <p>Buildings and works must:</p> <ul style="list-style-type: none"> <li>(a) be located within a building area, if shown on a sealed plan; or</li> <li>(b) be an alteration or extension to an existing building providing it is not more than the existing building height; and</li> <li>(c) not include cut and fill greater than 1m; and</li> <li>(d) be not less than 10m in elevation below a skyline or ridgeline.</li> </ul>	<p><b>P2.1</b></p> <p>Buildings and works must be located to minimise impacts on landscape values, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size and shape of the site;</li> <li>(c) the proposed building height, size and bulk;</li> <li>(d) any constraints imposed by existing development;</li> <li>(e) visual impact when viewed from roads and public places; and</li> <li>(f) any screening vegetation.</li> </ul> <p><b>P2.2</b></p> <p>If the building and works are less than 10m in elevation below a skyline or ridgeline, there are no other suitable building areas.</p>



## 22.5 Development Standards for Subdivision

### 22.5.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; (b) contain areas which are suitable for development, located to protect and conserve landscape values; and (c) is provided with appropriate access to a road.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a proposed lot in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) have an area of not less than 50ha and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum area of 25m x 25m, where native vegetation cover has been removed, with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> <li>a. all setbacks required by clause 22.4.2 A2, A3 and A4; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 22.4.2 A2, A3 and A4;</li> </ul> </li> <li>(b) be required for public use by the Crown, a council or a State authority;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</li> </ul>	<p><b>P1</b></p> <p>Each lot, or a proposed lot in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the relevant Acceptable Solutions for development of buildings on the lots;</li> <li>(b) existing buildings and the location of intended buildings on the lot;</li> <li>(c) the ability to retain vegetation and protect landscape values on each lot;</li> <li>(d) the topography of the site; and</li> <li>(e) the pattern of development existing on established properties in the area,</li> </ul> <p>and must have an area not less than 20ha.</p>
<p><b>A2</b></p> <p>Each lot, or a proposed lot in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities must have a frontage of not less than 40m.</p>	<p><b>P2</b></p> <p>Each lot, or a proposed lot in a plan of subdivision, must be provided with a frontage, or legal connection to a road by a right of carriageway that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage;</li> </ul>



	<ul style="list-style-type: none"> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.</li> </ul>
<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the length of the access;</li> <li>(c) the distance between the lot or building area and the carriageway;</li> <li>(d) the nature of the road and the traffic; and</li> <li>(e) the anticipated nature of vehicles likely to access the site.</li> </ul>
<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<p><b>P4</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be capable of accommodating an on-site wastewater management system adequate for the intended use and development of the land, which minimises any environmental impacts.</p>





20 September 2021

Malcolm Grant  
41 MacDonald Street  
ERSKINEVILLE NSW 2043

**Advice about the rezoning of your covenanted property at Lot 3 Marked Tree Road, Hamilton, by Central Highlands Council and the current public Exhibition Period until 22 October 2021**

Dear Conservation Landholder

If you are a recipient of *The Running Postman* you will know who we are and that as fellow covenant landholders we have been organising forums and field days for conservation landholders for over 9 years.

With the change to the state-wide Tasmanian Planning Scheme (TPS) many properties in the Central Highlands municipality are being rezoned due to the retirement of several zones in the Central Highlands Interim Planning Scheme 2015.

Most of the conservation properties with Private Reserves protected by conservation covenant in the Central Highlands municipality will be rezoned as Rural or Agriculture by your Council unless the owners request that their property be zoned otherwise. The Exhibition Period was notified by two public notices in Tasmanian newspapers and on the Council web site, the only legal requirement for public notification.

Your 40.1 ha property at Lot 3 Marked Tree Road, Hamilton, (PID 3268969, Title Ref. 166563/3) is currently zoned as Rural Resource. In the recently exhibited Draft Zone Maps your property is being rezoned to the new TPS zone Rural.

Rural or Agriculture may be appropriate for titles where part of the land is used for agriculture but the new zone Landscape Conservation is more appropriate for titles fully covered by a Private Reserve or partly covered by a Private Reserve where the non-reserved part is not used for agriculture.

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ABN        47 746 051 320  
website   [www.clt.asn.au](http://www.clt.asn.au)  
post      675 Cradle Mountain Road Erriba TAS 7310  
email     [gaidennett@gmail.com](mailto:gaidennett@gmail.com)



Conservation Landholders Tasmania (CLT) is of the view that the new Landscape Conservation Zone should be applied to all of your property. Given that the Bullock Hills Reserve, the name of your covenanted area, covers 27.3 ha (68%) of the 40.1 ha Title Ref. 166563/3, Landscape Conservation Zone should apply to the whole title as the non-reserved area appears unsuitable and not used for agriculture.

CLT is proposing that all six adjoining properties that contain the 271.7 ha Bullock Hills Reserve are rezoned to Landscape Conservation and have also written to the other five landowners. A ListMap screenshot below shows the combined area (solid white border).



If you were considering building on the non-reserved land in the future, Residential Use for a new dwelling is a Discretionary Use under both the Rural and Landscape Conservation zones. The Performance Criteria that you would need to meet under Landscape Conservation only require you to demonstrate that a new dwelling will be compatible with the landscape values, i.e. the natural and scenic values.

In the Central Highland Draft Zone Maps the new Landscape Conservation Zone has not been used anywhere and there is no evidence in the Supporting Report prepared by the Planning Authority that they considered using Landscape Conservation Zone for your property.

However, the Tasmanian Planning Commission Guidelines make it clear that Landscape Conservation Zone should be applied to titles containing Private Reserves where the non-reserved part is not used for agriculture.

In Tasmania all land under conservation covenant is classed as Private Reserve, has a Reserve Name and is part of the Tasmanian Reserve Estate. It has been identified for protection and conservation by both the State and Federal Governments.



You are entitled to request rezoning of your property to Landscape Conservation during the current 60 day Public Exhibition period provided by your Council which closes on **22 October 2021**.

The benefits of rezoning to Landscape Conservation Zone for titles containing conservation covenants are:

1. The planning protection provided by Landscape Conservation Zone under the Tasmanian Planning Scheme complements the restrictions on use and development by the landowner within the covenanted area under the *Nature Conservation Act 2002*.
2. Landscape Conservation Zone prohibits Extractive Industries (i.e. mining, quarrying), as well as plantation forestry and intensive animal husbandry (e.g. feed lots, piggeries, poultry farms) - all of these and many other uses incompatible with a conservation property are permitted under Rural and Agriculture Zones. A conservation covenant will not prevent mining but the inability of the mining company to obtain a planning permit will.
3. On the non-covenanted part of the title Landscape Conservation Zone will still permit uses compatible with the covenanted part such as residential, visitor accommodation and home based business. Any existing uses on the non-covenanted part are necessarily permitted under the General Provisions of the TPS.
4. Having a title containing a conservation covenant zoned as Landscape Conservation provides planning protection under the *Land Use Planning and Approvals Act 1993* across the whole title, not just the covenanted area.
5. Landscape Conservation zoning will have greater influence on a neighbour's planning application for discretionary use or development on their property than the conservation covenant. Conservation covenants are not recognised *per se* under the *Land Use Planning and Approvals Act 1993*.

If you wish to have your conservation property zoned as Landscape Conservation during the current Planning Scheme process it is critical that you make a representation by post or email to your Council by the **22 October 2021** deadline. Information on how to make a representation and the Draft Zone Maps are available on the Central Highlands Council web site at <https://centralhighlands.tas.gov.au/central-highlands-draft-local-provisions-schedule-lps/>

During the Tasmanian Planning Commission hearings that follow the Exhibition process you will have the opportunity to present your case in person or online via Microsoft Teams to the commissioners whether Central Highlands Council supports your representation or not.

CLT has submitted a representation to Central Highlands Council on 19 September requesting that 13 of the 61 properties containing Private Reserves in the Central Highlands municipality, currently rezoned to Rural, should be rezoned to Landscape Conservation subject to landowner agreement. Your property is included in the 13 properties. Given the tight timeframe it has been necessary to make our representation before contacting you but you can be reassured that the Tasmanian Planning Commission will not agree to rezoning your property unless you request it in writing.

Please contact me by phone or email if you would like more information about the implications of Landscape Conservation Zone, or if you would like assistance with making a representation. CLT



has been successful in arguing the case for rezoning to Landscape Conservation in other municipalities. We are happy to share what we have learnt as well as draft a representation for you.

Yours sincerely

John Thompson  
On behalf of the Board of Trustees, CLT Trust

Phone 0424 055 125  
Email [thompsonjohnng@gmail.com](mailto:thompsonjohnng@gmail.com)





19<sup>th</sup> September 2021

Central Highlands Planning Authority  
Development and Environmental Services  
19 Alexander Street  
Bothwell TAS 7030

Via email: [development@centralhighlands.tas.gov.au](mailto:development@centralhighlands.tas.gov.au)

**Representation about the Central Highlands Draft LPS – proposal to change the zoning of thirteen (13) reserved properties to Landscape Conservation**

***Summary of Representation***

Conservation Landholders Tasmania (CLT) has reviewed the Central Highlands Draft LPS Zone Maps and the Supporting Report and believes that thirteen (13) properties containing Private Reserves with land reserved for the protection of biodiversity should be rezoned to Landscape Conservation based on Guideline LCZ1, when read together with Guideline RZ1, subject to landowner agreement.

<b><i>Reserve Name</i></b>	<b><i>Property Address</i></b>	<b><i>Property ID</i></b>	<b><i>Title Reference</i></b>
Bronte Park #1	Lot 1 LYELL HWY BRONTE PARK TAS 7140	3054354	241850/1
Bronte Park #2	LYELL HWY BRONTE PARK TAS 7140	2304227	243948/1
Cockatoo Hill	LYELL HWY BRADYS LAKE TAS 7140	1860790	127910/12
London Lakes	Lot 8 VICTORIA VALLEY RD LONDON LAKES TAS 7140	3210249	164812/8
Bothwell	DENNISTOUN RD BOTHWELL TAS 7030	1853865	126437/1
Bullock Hills Reserve	1190 MARKED TREE RD HAMILTON TAS 7140	3268942	166563/1

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ABN        47 746 051 320  
website   [www.clt.asn.au](http://www.clt.asn.au)  
post      675 Cradle Mountain Road Erriba TAS 7310  
email     [gaidennett@gmail.com](mailto:gaidennett@gmail.com)



<b><i>Reserve Name</i></b>	<b><i>Property Address</i></b>	<b><i>Property ID</i></b>	<b><i>Title Reference</i></b>
Bullock Hills Reserve	Lot 2 MARKED TREE RD HAMILTON TAS 7140	3268950	166563/2
Bullock Hills Reserve	Lot 3 MARKED TREE RD HAMILTON TAS 7140	3268969	166563/3
Bullock Hills Reserve	Lot 1 MARKED TREE RD HAMILTON TAS 7140	3264618	166564/1
Bullock Hills Reserve	Lot 2 MARKED TREE RD HAMILTON TAS 7140	3264597	166564/2
Bullock Hills Reserve	Lot 3 MARKED TREE RD HAMILTON TAS 7140	3264626	166564/3
Gold Hole Gully	NICHOLS RD ELDERSLIE TAS 7030	5467371	119278/1
Pelham Tier	SONNERS RD PELHAM TAS 7030	5467400	212268/1

The natural values within these Reserves have already been identified for protection and conservation by the Minister for Environment and Landscape Conservation Zone should be applied during the current Draft Local Provisions Schedule assessment process given that Landscape Conservation zone was not applied when drafting the LPS.

This representation has not considered the various Private Reserves owned by the Tasmanian Land Conservancy or trawtha makuminya Reserve owned by the Aboriginal Land Council of Tasmania as these properties will be the subject of separate representations.

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### ***Background***

Conservation Landholders Tasmania (CLT) is an educational trust. Conservation landholders including those with land reserved by conservation covenant are the beneficiaries of the Trust. In Tasmania there are currently about 900 reserves under conservation covenant totaling 111,000 ha, or 4.2% of the private property in the state. The Trustees organise field days and forums on topics of relevance and interest to these conservation landholders. CLT has been supported by the three NRMs and the Tasmanian Land Conservancy for over 9 years.

In late 2019 CLT became aware that private properties with land reserved for their significant natural values are routinely being rezoned from Rural Resource to Rural or Agriculture by local planning authorities in their Draft LPS. CLT considers that much of this reserved land is more appropriately zoned as Landscape Conservation.

### ***The application of Landscape Conservation Zone in the Central Highlands Draft LPS***

Section 5.3 CHIPS2015- SPP Zone Conversions on pp 57-60 of the Supporting Report makes it clear that the Planning Authority has as far as possible adopted a 'like for like' zone conversion and has not considered any zones that do not map directly according to its zone conversion table.



Consequently the new Landscape Conservation zone has not been used in the Central Highlands Draft LPS and does not appear to have been considered even though the AK Consultants publication *Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones* prepared in 2018 for the Southern Tasmanian Councils Authority (Appendix H) indicates that either Environmental Management or Landscape Conservation Zone should be considered for Private Reserves

*where deemed appropriate and as per Guideline EMZ 1 or LCZ 1 & LCZ 2.*

The lack of consideration of Landscape Conservation zone for titles containing reserved land protected by conservation covenant is even more surprising given the Tasmanian Planning Commission guidance on the Planners Portal dated 22 April 2021 on this matter (included in Appendix A of this representation) that states:

*Guideline No.1 for both the Landscape Conservation Zone (LCZ) and Environmental Management Zone (EMZ) indicate that land which contains a conservation covenant will invariably have values that can result in the land being suitable for zoning in either the EMZ or LCZ.*

The Home Page of the Planners Portal states:

*The Planners Portal acts as a central resource to obtain clarification and information leading up to exhibition of a draft LPS.*

The Planning Authority apparently failed to monitor the Planners Portal leading up to exhibition and therefore failed to consider this additional guidance on the application of Landscape Conservation zone to reserved land even though it was available four months prior to the exhibition.

As a result of the 'like for like' conversion three titles containing Private Reserves have been zoned Environmental Management because that was their zoning under CHIPS2015.

<b>Reserve Name</b>	<b>Property Address</b>	<b>Property ID</b>	<b>Title Reference</b>
trawtha makuminya	MARLBOROUGH RD BRONTE PARK TAS 7140	5475806	202798/1
trawtha makuminya	MARLBOROUGH RD BRONTE PARK TAS 7140	5475806	202794/1
Skullbone Plains	GOWAN BRAE RD CENTRAL PLATEAU TAS 7304	5476083	224902/1

CLT considers that the failure of the Central Highlands Planning Authority to consider the rest of the private reserves within the municipality for rezoning to Landscape Conservation or Environmental Management is an unfortunate oversight but can be remedied in their Section 35F Report.



### ***Private land in Central Highlands municipality reserved for the protection and conservation of biodiversity***

In the Central Highlands planning area there are 61 properties containing 28,412 ha of private reserved land protected by conservation covenant distributed across 127 titles. This represents 3.6 % of the land in the municipality.

All of this land is included in the Tasmanian Reserve Estate which is land reserved to be managed for biodiversity conservation under Tasmania's Regional Forest Agreement. All of this land is also part of Australia's National Reserve System thereby contributing to the fulfilment of Australia's obligations under the international *Convention on Biological Diversity 1993*. All of the reserves are listed in the latest version of the Collaborative Australian Protected Area Database (CAPAD 2020) available at <https://www.environment.gov.au/land/nrs/science/capad>.

The landscape values within these Reserves have already been identified for protection and conservation by both the State and Federal Ministers for the Environment. Details of the natural values are contained in the Nature Conservation Plans which are held by the Private Land Conservation Program in DPIPW. These natural values were 'ground-truthed' by DPIPW or Tasmanian Land Conservancy ecologists when the Reserves were established.

### ***Case for rezoning many of these properties to Landscape Conservation***

Of the 61 properties with Private Reserves mentioned above 3 are owned by the Aboriginal Land Council of Tasmania and 8 are owned by the Tasmanian Land Conservancy, and the rezoning of these properties will be the subject of separate representations.

Of the remaining 50, CLT considers that 13 of the properties, all zoned Rural in the Draft Zone Maps, should have Landscape Conservation Zone applied to them. The other 37 properties were not considered as significant areas within titles on those properties are also used for agriculture.

Guideline LCZ1, when read together with Guideline RZ1, requires that 'Landscape Conservation Zone should be applied' to titles containing land within the Tasmanian Reserve Estate as they contain natural values 'that are identified for protection and conservation' (see Appendix A for the relevant extracts from Guideline No. 1).

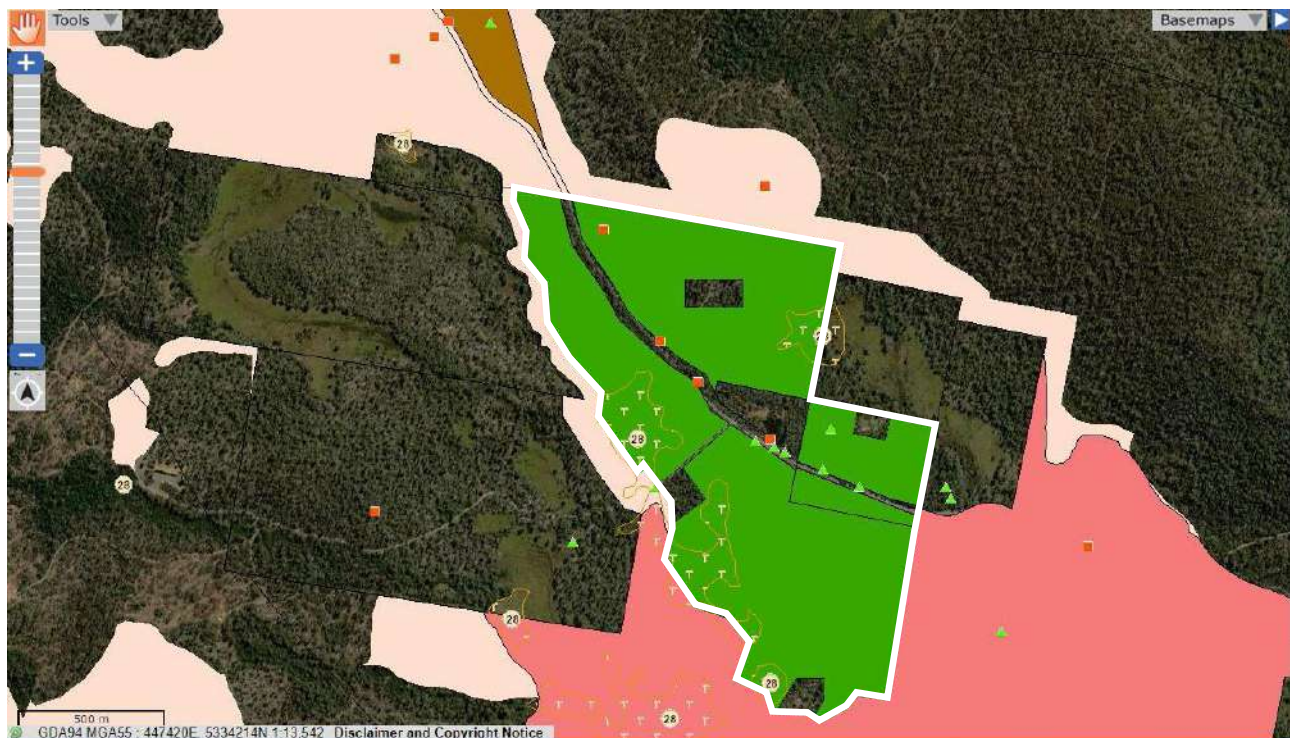
Titles that are fully reserved as well as titles that are partly reserved, where the non-reserved part is unsuitable for agriculture, should therefore be zoned as Landscape Conservation.

Details of the 8 Reserves across the 13 properties are provided below including ListMap screenshots of the Tasmanian Reserve Estate (green areas), Threatened Flora Points (light green triangles), Threatened Fauna Points (red squares) and Threatened Native Vegetation Communities (numbered areas with 'T' pattern) layers. Where there are adjoining Private Reserves these have been discussed together.



**Bronte Park #1 Reserve** (CAPAD 2020 Row Nos 1271-1273)  
**Bronte Park #2 Reserve** (CAPAD 2020 Row Nos 1274-1275)

Addresses	PIDs	Title Refs	Percent reserved
Lot 1 LYELL HWY BRONTE PARK TAS 7140	3054354	241850/1	93%
LYELL HWY BRONTE PARK TAS 7140	2304227	243948/1	92%



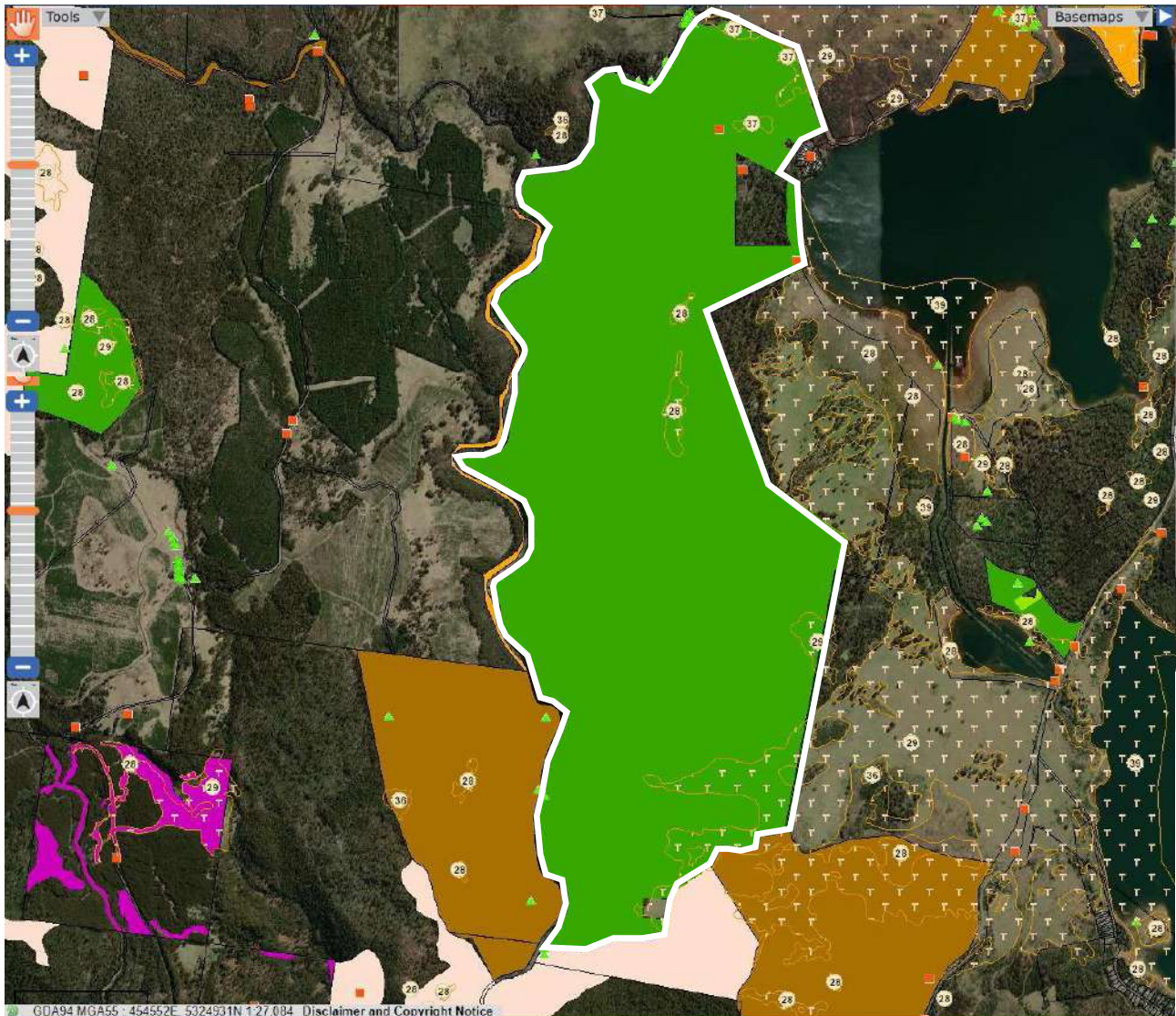
Bronte Park #1 Reserve covers 116.1 ha (93%) of the 124.9 ha Title Ref 241850/1 and Bronte Park #2 Reserve covers 10.6 ha (92%) of the 11.6 ha Title Ref 243948/1. An existing residence is located in the non-reserved area of Title Ref 243948/1. Bronte Park #1 Reserve adjoins a Sustainable Timbers Tasmania Informal Reserve on its north and part of its south west boundary (pale pink) and is 200 m from the 96,404 ha Central Plateau Conservation Area (brown area).

It is proposed that all of the adjoining Title Refs 241850/1 and 243948/1 (white border) are rezoned to Landscape Conservation as the non-reserved parts of the titles are unsuitable and not used for agriculture.

The combined Bronte Park Reserves contain the threatened vegetation community No 28 Highland grassy sedgeland listed in Schedule 3A of the *Nature Conservation Act 2002*. They also contain the vulnerable *Hovea tasmanica* (Hill hovea) and the rare *Hovea montana* (Mountain purplepea) as listed in Schedules 4 and 5, respectively, of the *Threatened Species Protection Act 1995*. They also contain and provide habitat for the endangered *Aquila audax fleayi* (Tasmanian wedge-tailed eagle), *Sarcophilus harrisii* (Tasmanian devil) and *Dasyurus viverrinus* (Eastern quoll) all listed in Schedule 3 of the same Act. Further details of the natural values protected by these Reserves are in the Nature Conservation Plans held by DPIPWE.



Address LYELL HWY BRADYS LAKE TAS 7140  
PID 1860790  
Title Ref 127910/12



It is proposed that all of Title Ref 127910/12 (white border) is rezoned to Landscape Conservation as the small non-reserved parts of the title are unsuitable and not used for agriculture.

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(Riverbed wintercress) listed in Schedule 3 of the *Threatened Species Protection Act 1995*, and also contains and provides habitat for the endangered *Tyto novaehollandiae* (Masked owl) and *Accipiter novaehollandiae* (Grey goshawk) also listed in Schedule 3 of the same Act. Full details of the natural values protected by this Reserve are in the Nature Conservation Plan held by DPIPWE.

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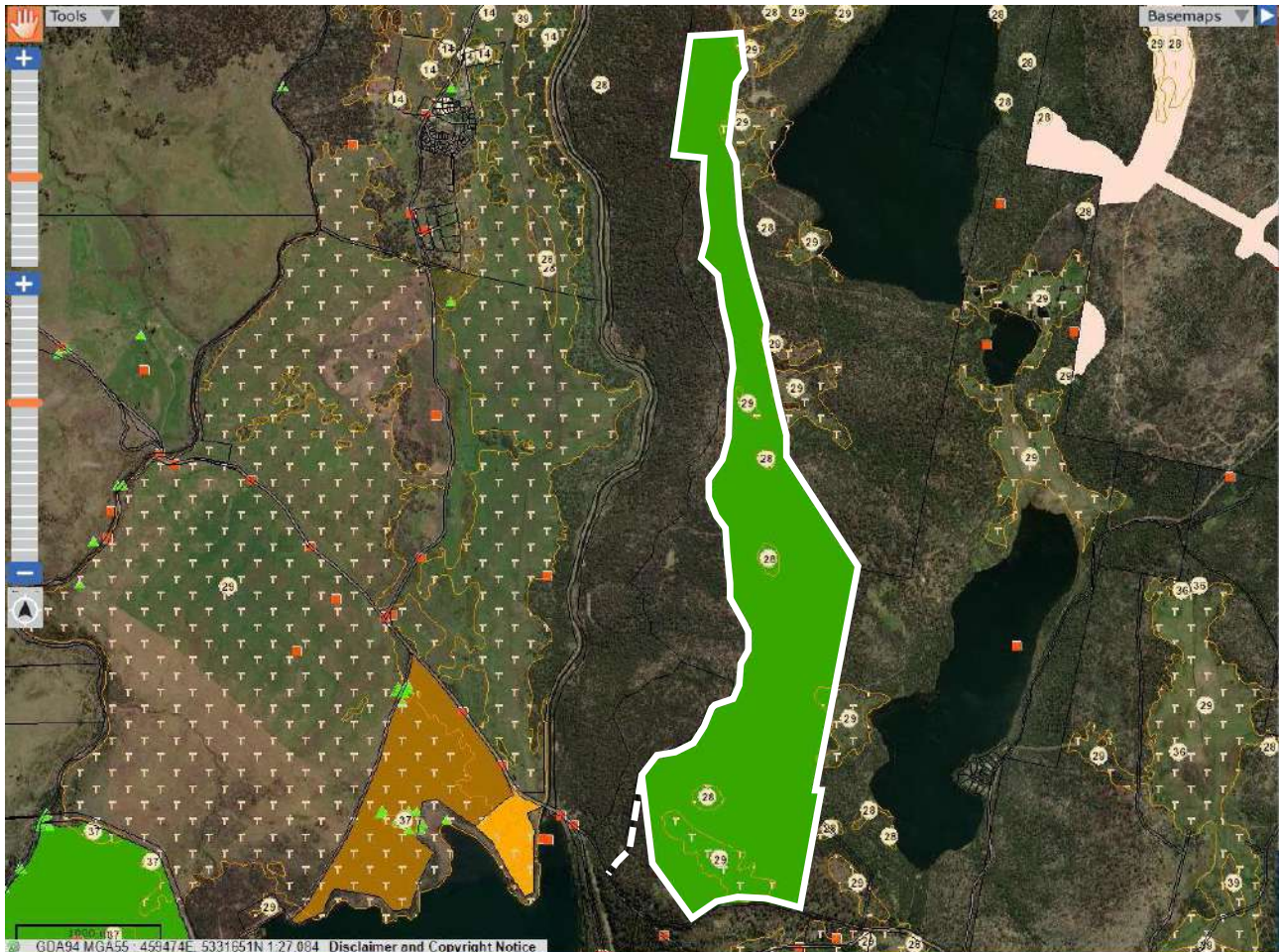


## London Lakes Reserve (CAPAD 2020 Row No 1881)

Address Lot 8 VICTORIA VALLEY RD LONDON LAKES TAS 7140

PID 3210249

Title Ref 164812/8



The 379.9 ha London Lakes Reserve covers 99.9%% of the 380.3 ha Title Ref 164812/8. The 0.4 ha of access track in the south west linking the Reserve to Victoria Valley Road is not reserved.

It is proposed that the 379.9 ha London Lakes Reserve on Title Ref 164812/8 (solid white border) is rezoned to Landscape Conservation with the access track (dashed white line) remaining in the Rural zone.

The Reserve contains the threatened vegetation communities No 28 Highland grassy sedgeland and No 29 Highland *Poa* grassland as listed in Schedule 3A of the *Nature Conservation Act 2002*. Further details of the natural values protected by this Reserve are in the Nature Conservation Plan held by DPIPWE.



## Bothwell Reserve (CAPAD 2020 Row No 1247)

Address DENNISTOUN RD BOTHWELL TAS 7030

PID 1853865

Title Ref 126437/1



The 35.3 ha Bothwell Reserve covers 100% of Title Ref 126437/1. A 0.78 ha Domestic Zone is located in the south west corner of the title. The Bothwell Reserve adjoins the 134 ha Tiger Rise Conservation Area (brown area) to its north.

It is proposed that all of Title Ref Title Ref 126437/1 (white border) is rezoned to Landscape Conservation.

The Bothwell Reserve contains and provides habitat for the endangered *Aquila audax subsp. Fleayi* (Tasmanian wedge-tailed eagle) listed in Schedule 3 of the *Threatened Species Protection Act 1995*. Further details of the natural values protected by the Reserve are in the Nature Conservation Plan held by DPIPWE.



**Bullock Hills Reserve (CAPAD 2020 Row Nos 1288-1294)**

Addresses	PIDs	Title Refs	Title Area (ha)	Reserve Area (ha)	Percent reserved
1190 MARKED TREE RD HAMILTON TAS 7140	3268942	166563/1	20.5	16.6	81%
Lot 2 MARKED TREE RD HAMILTON TAS 7140	3268950	166563/2	20.7	18.1	87%
Lot 3 MARKED TREE RD HAMILTON TAS 7140	3268969	166563/3	40.1	27.3	68%
Lot 1 MARKED TREE RD HAMILTON TAS 7140	3264618	166564/1	41.9	39.3	94%
Lot 2 MARKED TREE RD HAMILTON TAS 7140	3264597	166564/2	41.8	38.2	91%
Lot 3 MARKED TREE RD HAMILTON TAS 7140	3264626	166564/3	138.9	132.2	95%



The total area of the Bullock Hills Reserve on the six titles listed above is 271.7 ha. The first three titles in the above list adjoin the 294 ha Pelham West Nature Reserve (dark green area) to their north east. There is an existing residence within the non-reserved part of Title Ref 166563/1.

It is proposed that all of the six adjoining titles containing this Reserve, as well as Lot 1 Marked Tree Road (PID 2820117, Title Ref 152912/1) between the two groups of titles and the short length of Reserved Road in the north west are all rezoned to Landscape Conservation as the non-reserved areas are unsuitable and not used for agriculture.



The Bullock Hills Reserve contains the threatened vegetation communities No 20 *Eucalyptus ovata* forest and woodland and No 22 *Eucalyptus tenuiramis* forest and woodland on sediments listed in Schedule 3A of the *Nature Conservation Act 2002*. The Reserve also contains and provides habitat for the endangered *Aquila audax subsp. Fleayi* (Tasmanian wedge-tailed eagle) listed in Schedule 3 of the *Threatened Species Protection Act 1995*. Further details of the natural values protected by this Reserve are in the Nature Conservation Plans held by DPIPWE.

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**Gold Hole Gully Reserve (CAPAD 2020 Row No 1657)**  
**Pelham Tier Reserve (CAPAD 2020 Row No 2155)**

Addresses	PIDs	Title Refs	Title Area (ha)	Reserve Area (ha)	Percent reserved
NICHOLS RD ELDERSLIE TAS 7030	5467371	119278/1	11.6	11.6	100%
SONNERS RD PELHAM TAS 7030	5467400	212268/1	123.7	114.7	93%



Including the part of Gold Hole Gully Reserve on Title Ref 209091/1 in the Southern Midlands municipality (dashed white border), the combined Reserves have an area of 138.8 ha. Both Reserves adjoin the 67 ha Pelham North Nature Reserve (dark green area) and the Pelham Tier Reserve also adjoins the 49 ha Pelham Nature Reserve (dark green area). There is a residential dwelling on the non-reserved part of Title Ref 212268/1.

It is proposed that all of Title Refs 209091/1 and 212268/1 (solid white border) are rezoned to Landscape Conservation zone as the non-reserved part of Title Ref 212268/1 is unsuitable and not used for agriculture and existing Residential Use is Permitted under the General Provisions. Title Ref 209091/1 has also been proposed for rezoning to Landscape Conservation in our representation on the Southern Midlands Draft LPS that was exhibited recently.

Both Reserves contain the threatened vegetation community No 22 *Eucalyptus tenuiramis* forest and woodland on sediments listed in Schedule 3A of the *Nature Conservation Act 2002*. Both Reserves also contain and provide habitat for the endangered *Aquila audax subsp. Fleayi* (Tasmanian wedge-tailed eagle) listed in Schedule 3 of the *Threatened Species Protection Act 1995*. Further details of the natural values protected by these Reserves are in the Nature Conservation Plans held by DPIPWE.



Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Thompson', with a stylized, cursive script.

John Thompson  
On behalf of the Board of Trustees, CLT Trust

Phone 0424 055 125

Email [thompsonjohng@gmail.com](mailto:thompsonjohng@gmail.com)



## Appendix A

### *The relevant Guidelines*

The following are extracts from *Section 8A Guideline No. 1 - Local Provisions Schedule (LPS): zone and code application (version 2.0)*, June 2018 for 22.0 Landscape Conservation Zone and 20.0 Rural Zone with key words and phrases underlined.

- 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.*
- RZ 1 *The Rural Zone should be applied to land ... which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.*

### *The relevant Q & A from the Planners Portal*

Extract from the 'Questions and Answers Zones – Other' with key phrases underlined.

22/4/2021

**Question** *What is the most appropriate zone for land with a conservation covenant?*

**Answer** *Guideline No.1 for both the Landscape Conservation Zone (LCZ) and Environmental Management Zone (EMZ) indicate that land which contains a conservation covenant will invariably have values that can result in the land being suitable for zoning in either the EMZ or LCZ.*

*But that land may also be suitable for inclusion in the Rural or Agriculture Zone (and potentially others such as Rural Living). The values that are identified in the conservation covenant are managed or protected by the terms of the covenant and that management or protection is not dependent on the zoning of the land for land use planning purposes. Determining the zone to apply to land with a conservation covenant needs to be balanced with application of zones based on sound planning principles, such as, minimising spot zoning and applying the zoning that satisfies the Guideline No. 1 and the regional strategy.*

*The application of zoning, as the primary method of the control of use and development, should firstly be undertaken irrespective of whether a covenant applies, with weight given to the existence and content of a covenant when multiple zoning options may be available.*

*Therefore, the LCZ should not simply be applied on the basis that a conservation covenant is in place. However, areas that have extensive conservation covenants (such*



as, a cluster of many, a large area, or both, or connectivity with other land zoned for similar values) may demonstrate good strategic planning merit for applying this zone.

Where a conservation covenant applies to a small portion of a large landholding that is appropriately zoned Rural or Agriculture or another relevant zone, it may not be appropriate or necessary to apply the LCZ to the area covered by the covenant as the values will be protected by the terms of the covenant, and at the same time be compatible with the wider use of that land.



## Submission to Tasmanian Planning Commission – Central Highlands Municipality

To the Tasmanian Planning Scheme commissioners, I wish to raise my concerns over a number of key areas that the Commission is imposing on our municipal area through the Local Provisions Schedule:

1. Significant changes to the proposed Agriculture & Rural Zones
2. Refusal to allow Council to modify the Meadowbank Specific Area Plan
3. Forcing Council to have split zone titles
4. Refusing to allow Council to remove the redundant Attenuation Zone around the decommissioned & rehabilitated sewage ponds at the Great Lake Hotel.

(1) - The significant extension of the Agriculture Zone into the, at present Rural Resource Zone, around Ellendale and Westerway substantially reduces the particular ratepayer's ability develop their properties. This area has a multitude of small, vacant agriculturally unviable titles, that have been predominantly purchased for retirement purposes ... it's difficult to prove an agricultural use to build a dwelling on a 2 Ha title.

The extension of the Agriculture Zone to the high-altitude seasonal grazing country has the same effect, making it difficult to develop non-agricultural uses, which the area needs if it is to further contribute to both the municipality's & Tasmania's growth.

In the North West of Tas (Burnie City Council), Class 4, 5 & 6 agricultural land is zoned Rural, apparently transitioning directly from their previous Rural Resource Zone, whilst their best agricultural land, Class 1, 2 & 3 appears to transition from Significant Agriculture to the newly created Agriculture Zone. The Central Highlands Council area however has only a limited area of about 3 Ha of Class 3. Our best agricultural land is Class 4 in small pockets around our main towns Bothwell, Hamilton, Ouse, Gretna & Ellendale. This land is to transition into the new Agriculture Zone. What is concerning however, is the significant extension of this zone to include Class 5 & 6 land that is used for extensive grazing & is presently in our Rural Resource Zone.

This is not the hallmark of a scheme that is promoted on the basis of the same rules state-wide, and places an unfair burden on the municipality's farmers

(2) - The Lake Meadowbank Specific Area Plan was developed some 10 yrs ago at the insistence of the State Govt to help develop some specific planning guidance around the State's premier recreational lake, which is also a significant source of irrigation water & hydro power. The cost of developing this plan was borne equally by Central Highlands Council, Hydro & State Govt.

It is time now to make the plan more contemporary around the protection of Aboriginal Heritage, protection of water quality as well as further recognising the lake's economic importance. This requires some minor modification of the plan ... not just transitioning it straight across to the new scheme.

(3) - The Planning Commission's advice, when developing our local provisions, was to avoid split-zones titles but won't let council remove these. This will cause significant confusion to land owners.

(4) - New technology has allowed for the removal & rehabilitation of the sewage ponds at Great Lake Hotel and it seems an opportune time to remove the Attenuation Zone that still surrounds the area. Given that this new Planning Scheme has been promoted as reducing red-tape it is difficult to see that this is the case if council has to implement a planning scheme amendment costing all parties time and money.



## **Submission to Tasmanian Planning Commission – Central Highlands Municipality**

All these four points appear to be imposed on the Central Highlands Council seemingly without justification and uniformity. They will add costs to our ratepayers to manage & rectify, and is inconsistent with the concept of a new planning scheme that promises the same rules, state-wide and a reduction of red-tape.

Your Sincerely

Jim Allwright: B.App.Sc (Ag)(Hons), 2008  
B.AgrSc, 1980  
Deputy Mayor, Central Highlands Council



**Kathy Bradburn**

---

**From:** Dean Brampton <brontepk@gmail.com>  
**Sent:** Thursday, 21 October 2021 8:01 AM  
**To:** development  
**Subject:** Representation on the Central Highlands Draft LPS-Proposed scenic Corridor  
**Attachments:** Appendix A - Maps showing location of proposed Scenic Road Corridor v1.0.pdf;  
Appendix B - Photopoints at various locations along the proposed Scenic Road  
Corridor v1.0.pdf; Representation on the Central Highlands Draft LPS - proposed  
Scenic Road Corridor v1.0.pdf

Please acknowledge receipt .  
Eco-Nomy P/L



## **Representation on the Central Highlands Draft Local Provisions Schedule**

### **Proposed Tasmanian Wilderness Eastern Gateway Scenic Road Corridor**

#### **Summary**

A 20 km Scenic Road Corridor along the Lyell Highway, from 2.5 km west of Fourteen Mile Road to Lake King William, is proposed to protect the recognised scenic values of the eastern gateway to the Tasmanian Wilderness World Heritage Area. The Lyell Highway has recently been promoted by Tourism Tasmania as part of the tourist experience for the new Western Wilds Road Trip. The Corridor is mostly defined by the skyline visible from the Highway and incorporates a mixture of land tenure and 55% of the land is part of the Tasmanian Reserve Estate. The proposed management objectives include collaborating with Sustainable Timbers Tasmania to extent their Informal Reserves to better protect the skyline and foreground scenic values.

#### **The Lyell Highway from 2.5 km west of Fourteen Mile Road to Lake King William – a recognised Scenic Road Corridor**

The Lyell Highway serves as the eastern gateway to the Tasmanian Wilderness World Heritage Area. (See Map 1 in Appendix A). The 20 km of the Lyell Highway from 2.5 km west of Fourteen Mile Road to Lake King William travels through high country landscape mostly covered by various eucalypt forest communities, stands of roadside native forest as well as expanses of button grass and sedges in the foreground with sub-alpine hills and mountains in the background. The final 13 km before reaching Lake King William adjoin the World Heritage area to the north (see purple area in Map 2).

The Lyell Highway also serves as the only direct route from Hobart to the West Coast and has recently been promoted by Tourism Tasmania in its Discover Tasmania campaign as part of the tourist experience for the new Western Wilds Road Trip.

The Central Highlands Council through its Highlands Tasmania brand has identified Lake St Clair and Derwent Bridge/The Wall as two of its tourism destinations.

Discover Tasmania promotes Lake St Clair as

*Australia's deepest freshwater lake and marks the southern end of Cradle Mountain-Lake St Clair National Park and the end of the multi-day Overland Track*

and encourages

*an overnight stay at Lake St Clair's wilderness retreat Pumphouse Point or Lake St Clair Lodge.*

Derwent Bridge is home to the unique Wilderness Hotel located in the village and



*the ambitious art installation Wall in the Wilderness at Derwent Bridge, where 100 metres of carved Huon-pine panels depict the pioneering stories that helped shape the Central Highlands*

on the Lyell Highway 2 km from the village.

The Parks and Wildlife Service pre-Covid annual visitor numbers for Lake St Clair were over 90,000. The number of tourists traversing this section of the Lyell Highway would be significantly higher than this given that Department of State Growth vehicle counts in 2018 indicate 525 vehicles per day on the Lyell Highway and 270 vehicles per day on the Lake St Clair Road.

### **How the Scenic Road Corridor is defined**

Travelling from the east along the Lyell Highway, the proposed Scenic Road Corridor commences at the forested landscape 2.5 past the intersection with Fourteen Mile Road and continues through mostly forested landscape to Lake King William just beyond Derwent Bridge. Its boundary is defined by the skyline as viewed from the Lyell Highway except in the northwest where the boundary is set at 2 km from the Highways because the skyline is quite distant in that direction (see Map 2).

### **View from four points along the Lyell Highway**

Appendix B contains recent photos from four points along the Lyell Highway within the proposed Corridor showing the forested skyline, expanses of button grass and sedges as well as the forested foreground.

### **Land Tenure within the proposed Corridor**

The distribution of land tenure can be seen in Maps 3-5 with approximate percentages as follows:

Public Reserve	38%
Private Freehold (Private Reserve)	2%
Sustainable Timbers Tasmania	43%
Future Potential Production Forest	10%
Private Freehold (non-reserved)	7%

The two Private Freehold properties containing the Bronte Park #1 and #2 Private Reserves protected by conservation covenant are:

<b>Property Address</b>	<b>Property ID</b>	<b>Title References</b>
Lot 1 LYELL HWY BRONTE PARK	3054354	241850/1
LYELL HWY BRONTE PARK	2304227	243948/1

The owners of both of these properties have requested rezoning from Rural Zone to Landscape Conservation Zone to better protect, conserve and manage the already identified landscape values of these properties while allowing for compatible uses such as Residential, Tourist Operation and Visitor Accommodation.



The other eight Private Freehold properties on 9 titles within the Scenic Road Corridor from west to east are:

<b>Property Address</b>	<b>Property ID</b>	<b>Title References</b>
LYELL HWY DERWENT BRIDGE	5475400	212288/1
'THE WALL' - 15352 LYELL HWY DERWENT BRIDGE	5475320	243683/1
LYELL HWY DERWENT BRIDGE	5475312	207295/1
Lot 1 LYELL HWY BRONTE PARK	3054346	225350/1
LYELL HWY BRONTE PARK	5475291	201135/1
14461 LYELL HWY BRONTE PARK	5475275	209496/1
14246 LYELL HWY BRONTE PARK	2572694	200563/1, 241772/1
FOURTEEN MILE RD BRONTE PARK	3262997	205466/1

### **Public and Private Reserves within the proposed Corridor**

The scenic values of approximately 40% of the landscape along the proposed Scenic Road Corridor have already been partly protected indirectly under the *Nature Conservation Act 2002* because it is covered by public or private reserve. Another 15% is protected for its natural values as Sustainable Timbers Tasmania Informal Reserve within its Permanent Timber Production Zone (see Map 6). This means that about 55% of the proposed Corridor is part of the Tasmanian Reserve Estate and is also part of Australia's National Reserve System thereby contributing to the fulfilment of Australia's obligations under the international *Convention on Biological Diversity 1993*.

### **Proposed Corridor almost completely covered by the Natural Assets Code**

Map 8 shows the 'as exhibited' Priority Vegetation Area and Waterway and Coastal Protection overlays under the Natural Assets Code. Not surprisingly the significant landscape values are reflected in the 98% coverage of the Corridor landscape by the Priority Vegetation Area overlay with about 40% also covered by the Waterway and Coastal Protection overlay.

However, the Natural Assets Code does not apply to use and, therefore, only provides some protection against inappropriate discretionary development, i.e. building or works, particularly in the areas covered by the Waterway and Coastal Protection provisions. The Natural Assets Code provides no direct protection of the scenic values.

### **Consistency with the Southern Tasmania Regional Land Use Strategy 2010-2035**

The Regional Policy under Tourism to 'provide for innovative and sustainable tourism for the region' includes on page 59

*T 1.1 Protect and enhance authentic and distinctive local features and landscapes throughout the region.*

*T 1.2 Identify and protect regional landscapes, which contribute to the region's sense of place, through planning schemes.*



Also relevant is the following Regional Policy under Biodiversity and Geodiversity on page 26

*BNV 3 Protect the biodiversity and conservation values of the Reserve Estate.*

*BNV 3.1 Include within Planning Schemes requirements to setback use*

The proposed Scenic Road Corridor will protect the landscape values by restricting inappropriate development as well as setback use from the land already identified and protected within the Tasmanian Reserve Estate.

### **Use of the Scenic Protection Code in the Central Highlands Draft LPS**

Neither Scenic Protection Areas nor Scenic Road Corridors have been used in the exhibited Central Highlands Draft Local Provisions Schedule.

In Table 4 on page 40 of the Supporting Report, which deals analyses the consistency of the Draft LPS with the Southern Tasmanian Regional Land Use Strategy (STRLUS), under 'Tourism' the Report states in response to STRLUS Policy T 1.1

*Scenic Protection areas are provided in the draft LPS as a translation of existing highway scenic protection areas.*

*Local features and landscapes are otherwise protected through use of the Open Space, Zone and Environmental Management Zones and Heritage Code in the LPS.*

The first statement is incorrect as there are no existing highway scenic protection areas in CHIPS 2015 and there are Scenic Protection areas in the draft LPS. The second statement relates to the application of three Zones that provide some protection of scenic values but implies that the Draft LPS provides no protection of local features or landscapes outside of those three Zones.

### **Consistency of the proposed Scenic Road Corridor with the Scenic Protection Code provisions and Guideline No 1**

The Scenic Protection Code purpose (C8.1.1) is

*To recognise and protect landscapes that are identified as important for their scenic values.*

The Western Wilds Road Trip, which includes the 20 km of the Lyell Highway forming the eastern gateway to the Tasmanian World Heritage Area, promotes this trip for its scenic values. It is therefore imperative that the scenic values along this stretch of the Lyell Highway are protected by the provisions of the Scenic Protection Code to allow the Planning Authority to assess whether a discretionary development application would be incompatible with those scenic values.

Note that the Scenic Protection Code, like the Natural Assets Code, does not apply to use and therefore provides no protection for the scenic values against inappropriate use.



Guideline SPC1 states

*The scenic protection area overlay and the scenic road corridor overlay may be applied to land identified at the local or regional level as important for the protection of scenic values. These may include areas:*

*(a) containing significant native vegetation or bushland areas with important scenic values (such as skyline areas); or*

*(b) identified for their significant scenic views.*

The area within the proposed Scenic Road Corridor has been identified at a State level by Tourism Tasmania as having scenic values worthy of protection, and given the importance of the Tasmanian Wilderness WHA to the Tasmanian tourism brand, planning protection should also be afforded to its eastern gateway.

As mentioned earlier, a significant part of the proposed Scenic Road Corridor is included in the Tasmanian Reserve Estate is protected by both public and private formal reserves as well as Sustainable Timbers Tasmania Informal Reserves (see Map 6).

The Public Reserves are the Cradle Mountain-Lake St Clair National Park and the Central Plateau Conservation Area which are both part of the Tasmanian Wilderness WHA. The Private Reserves are the Bronte Park #1 and #2 reserves protected by conservation covenant and the subject of separate representations requesting rezoning to Landscape Conservation.

While all of these reserves are principally protected for their significant natural values this does not preclude the importance of the scenic values that derive from their reserve status.

Guideline SPC2 states

*The scenic protection area overlay and the scenic road corridor overlay should be justified as having significant scenic values requiring protection from inappropriate development that would or may diminish those values.*

As shown in Map 7 in Appendix, the two Zones that apply to the proposed Scenic Road Corridor are Environmental Management Zone for the two public reserves within the Tasmanian Wilderness WHA and Rural Zone for the rest. The Scenic Protection Code applies in both of these Zones.

Inappropriate development visible from the Lyell Highway would diminish the significant scenic values described earlier.

### **Protecting the Scenic Values in the Crown Land managed by Sustainable Timbers Tasmania**

Because all of this land is within the Rural Zone, Resource Development is a 'No Permit Required' Use within this Zone, and also because the Scenic Protection Code only applies to development, the application of a Scenic Road Corridor over this land will have no effect under the Tasmanian Planning Scheme.



Achieving the Management Objectives on the Crown Land managed by Sustainable Timbers Tasmania will require their separate agreement to reclassify areas of Production Forest and Non-Production Forest as Informal Reserve. In view of the economic impact of such reclassification it is envisaged that this might be achieved progressively without significantly disrupting the current 3 Year Production Plan.

Map 9 shows the current distribution of Production Forest, Non-Production Forest and Informal Reserve within the STT land affected by the proposed Scenic Road Corridor. Maps 10 and 11 show the areas proposed for reclassification to Informal Reserve to provide scenic protection of the skyline as well as an increased setback of harvesting operations from the edge of the Lyell Highway.

### **Protecting the Scenic Values in the Future Potential Production Forest managed by DPIPWE**

Securing DPIPWE's support for the Scenic Road Corridor over the Future Potential Production Forest will be essential for the protection of the landscape values in the eastern end of the proposed Corridor. The creation of the Leven Canyon/Loyetee Peak Scenic Protection Area in the Central Coast LPS with DPIPWE's support indicates that DPIPWE will be prepared to consider the proposal on its merits.



## Proposed CHI-Table C8.2 Scenic Road Corridors

Reference Number	Scenic Road Corridor Description	Scenic Value	Management Objectives
CHI-C8.2.1	Tasmanian Wilderness World Heritage Area eastern gateway on the Lyell Highway from 2.5 km west of Fourteen Mile Road to Lake King William	<p>(a) A unique awe-inspiring landscape comprising open button grass ranges, woodland and subalpine hills and mountains.</p> <p>(b) Areas of intact, open, subalpine highland landscape.</p> <p>(c) A spectacular forested skyline on both sides of the Highway framed by periodic stands of native sub-alpine eucalypt forest communities in the foreground.</p>	<p>Protect the scenic values of the Tasmanian Wilderness eastern gateway Scenic Road Corridor by:</p> <p>(a) maintaining undisturbed native vegetation as the dominant element of the skyline and foreground</p> <p>(b) maintaining skylines and escarpments and forested slopes free of visible development and fragmentation;</p> <p>(c) retaining the landscape connectivity including the contiguous native forest canopy cover;</p> <p>(d) avoiding visual contrast between buildings and works and the natural bushland; and</p> <p>(e) working with Sustainable Timbers Tasmania to progressively extend the Informal Reserves within their Permanent Production Forest to better protect the skylines and foreground.</p>



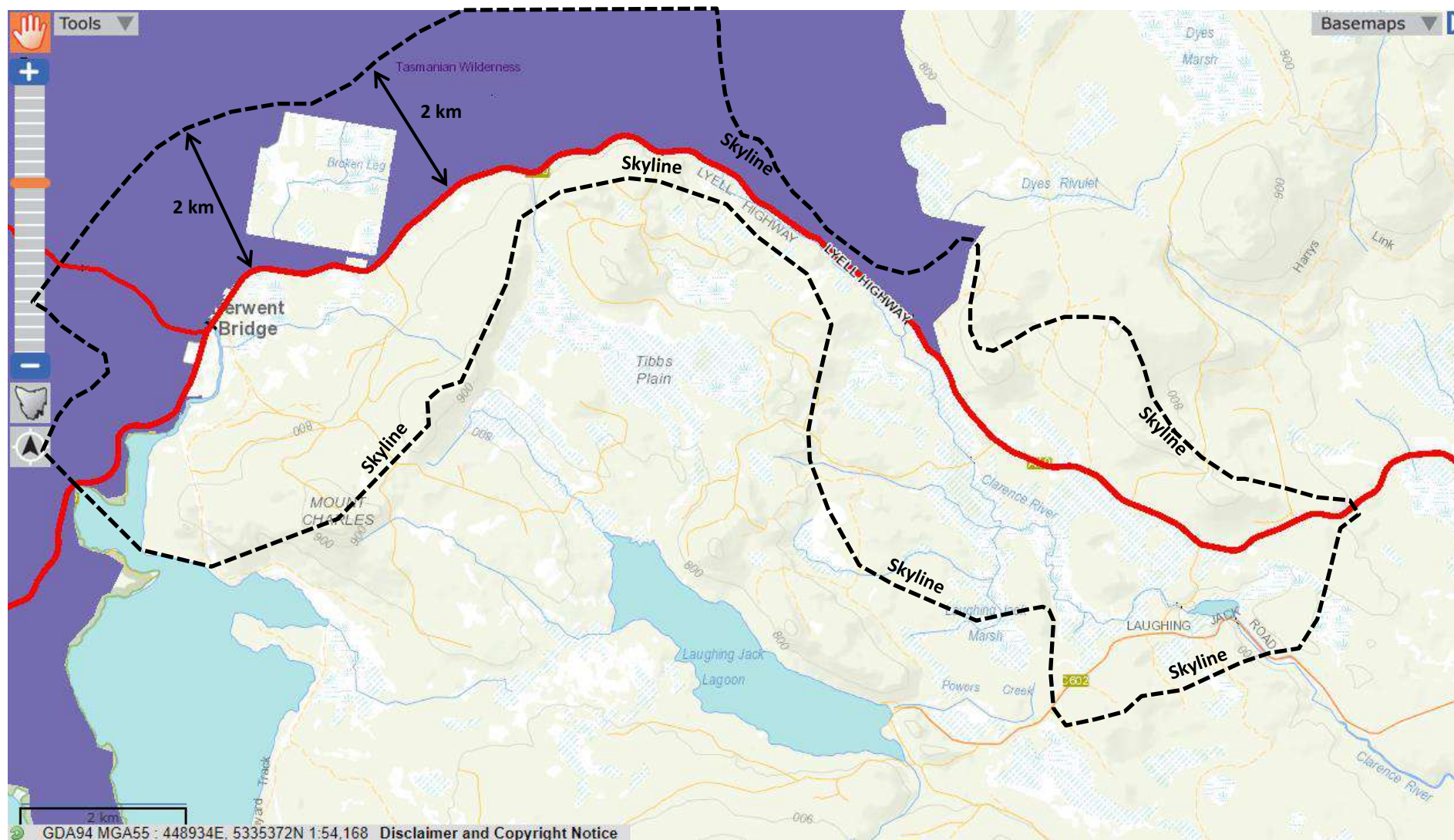
## Appendix A – Maps showing location of proposed Scenic Road Corridor

MAP 1 – Eastern Gateway to the Tasmanian Wilderness World Heritage Area (purple area)





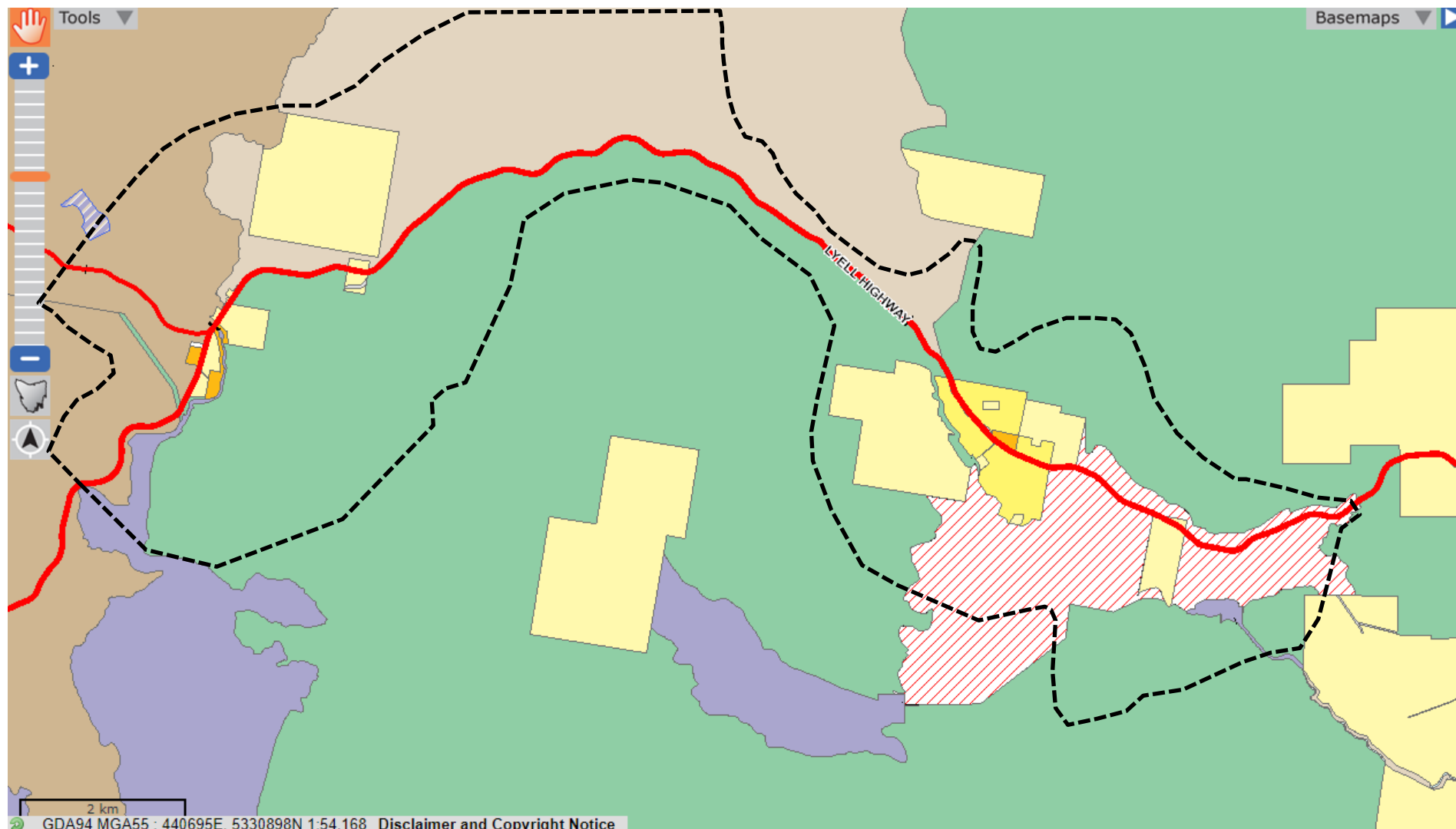
**MAP 2 – ListMap topographic map overlain by the Tasmanian Wilderness World Heritage Area (purple) with the proposed Scenic Road Corridor (dashed black line)**



**NOTE:** The proposed Scenic Road Corridor is defined by the furthest skyline from the Lyell Highway except for the northwest where the skyline is distant. In this area the limit of the Scenic Road Corridor is set at 2 km from the Lyell Highway.



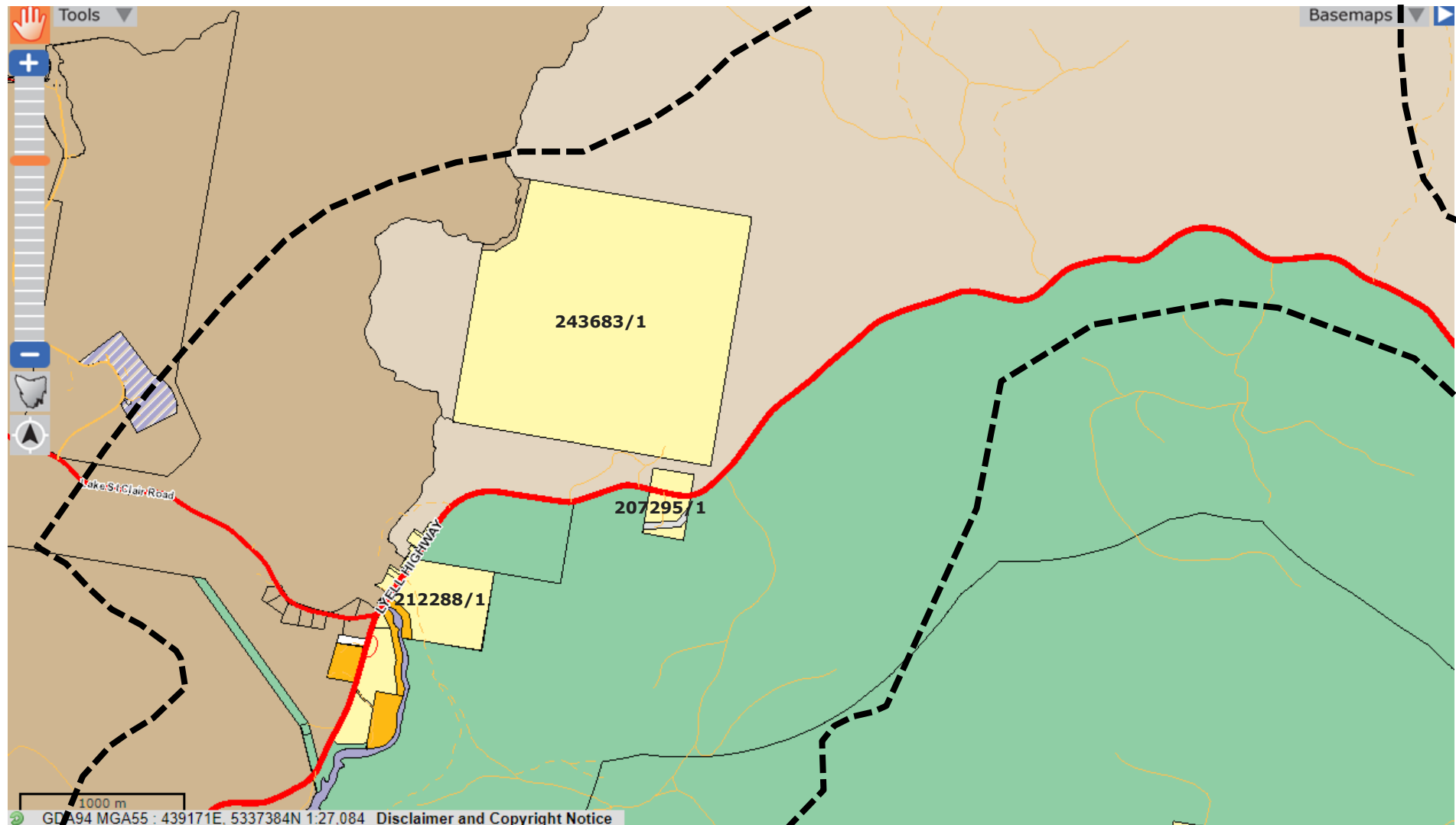
MAP 3 – Land Tenure within proposed Scenic Road Corridor



- |                       |                                       |  |
|-----------------------|---------------------------------------|--|
| Private Freehold      | Conservation Area                     | Future Potential Production Forest (Crown) |
| Conservation Covenant | Permanent Timber Production Zone Land | Hydro-Electric Corporation                 |
| National Park         | Public Reserve                        |  |



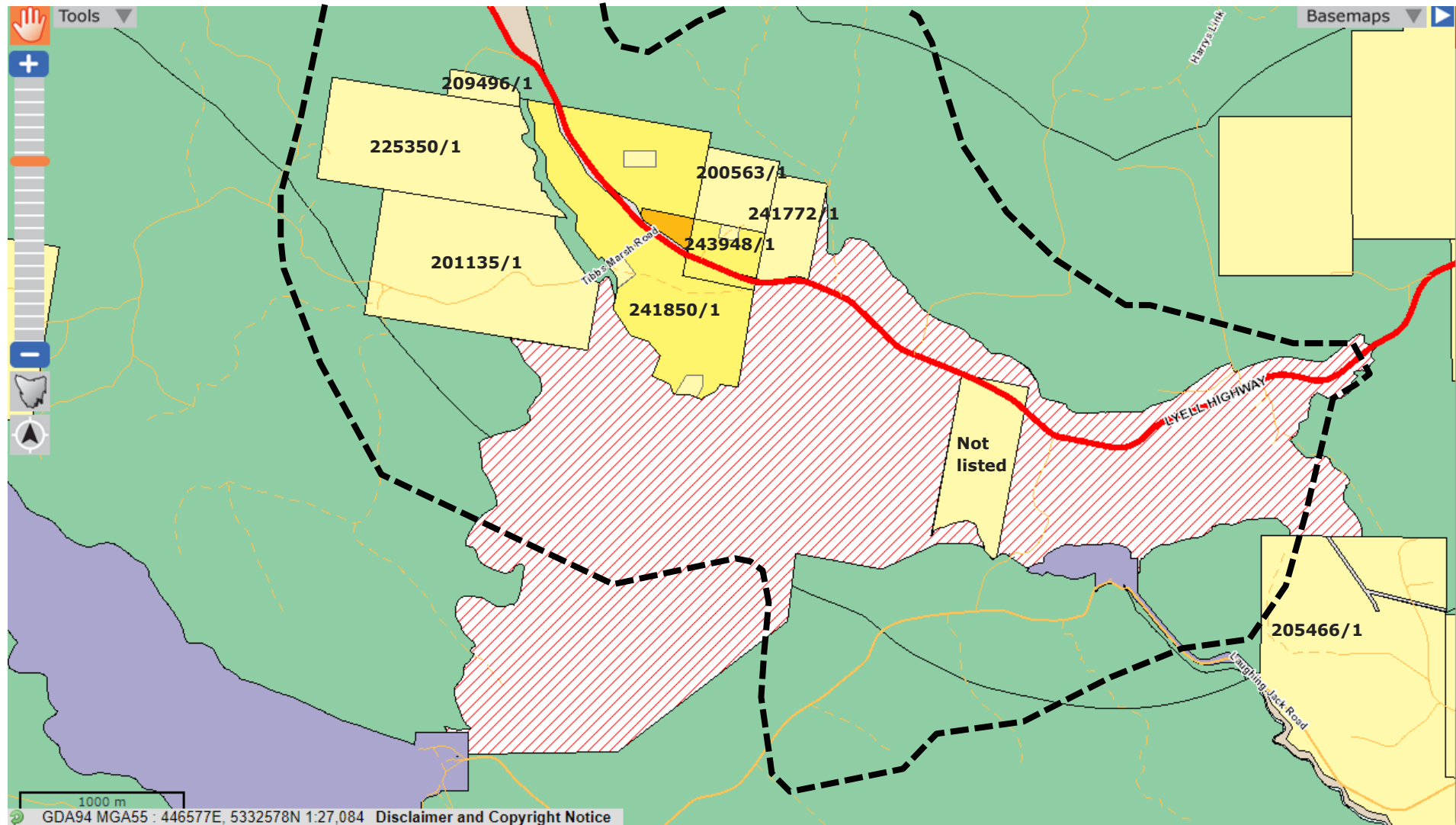
MAP 4 – Cadastral Parcels and Land Tenure within proposed Scenic Road Corridor - western end



- |                       |                                       |  |
|-----------------------|---------------------------------------|--|
| Private Freehold      | Conservation Area                     | Future Potential Production Forest (Crown) |
| Conservation Covenant | Permanent Timber Production Zone Land | Hydro-Electric Corporation                 |
| National Park         | Public Reserve                        |  |



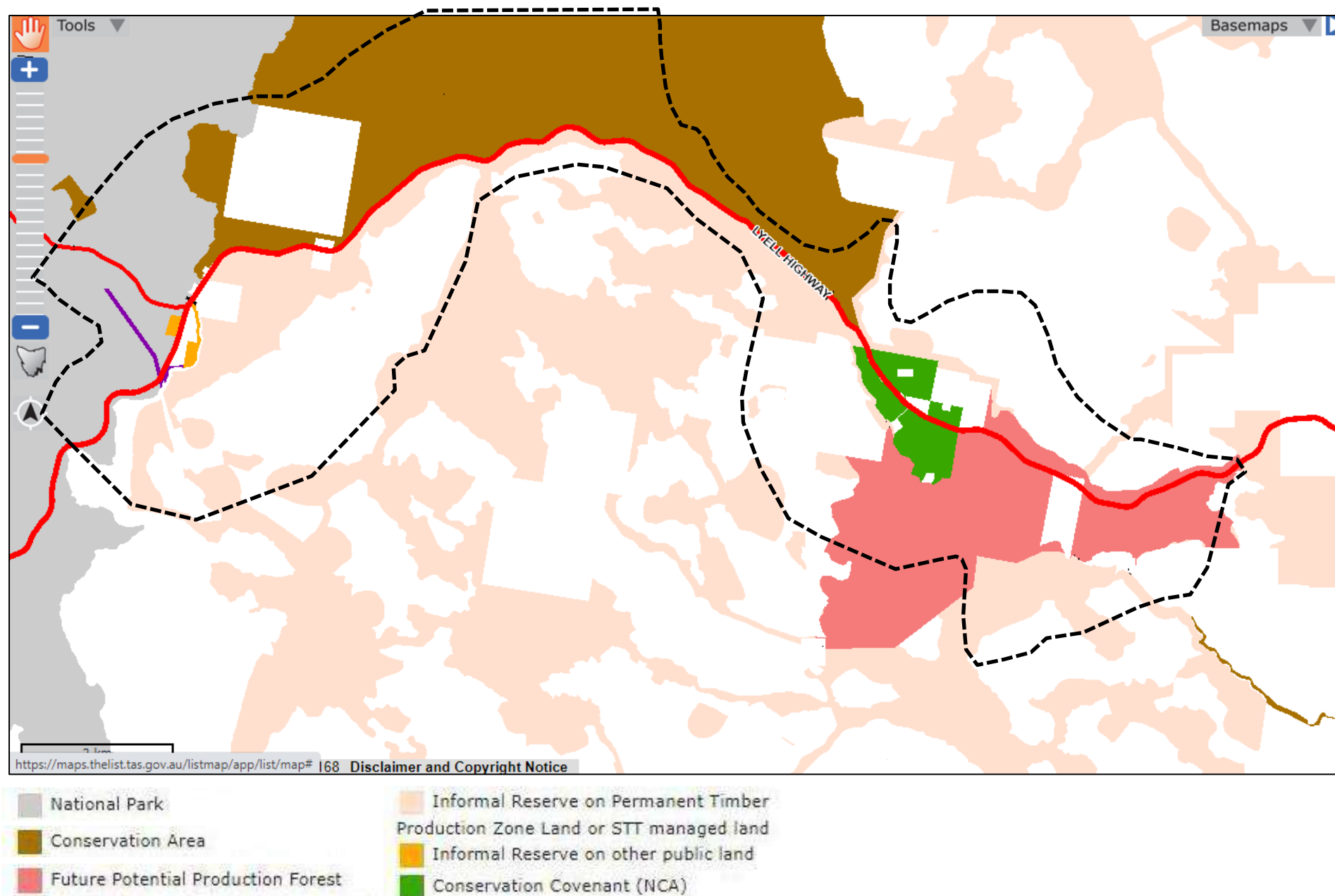
MAP 5 – Cadastral Parcels and Land Tenure within proposed Scenic Road Corridor - eastern end



- |                       |                                       |  |
|-----------------------|---------------------------------------|--|
| Private Freehold      | Conservation Area                     | Future Potential Production Forest (Crown) |
| Conservation Covenant | Permanent Timber Production Zone Land | Hydro-Electric Corporation                 |
| National Park         | Public Reserve                        |  |

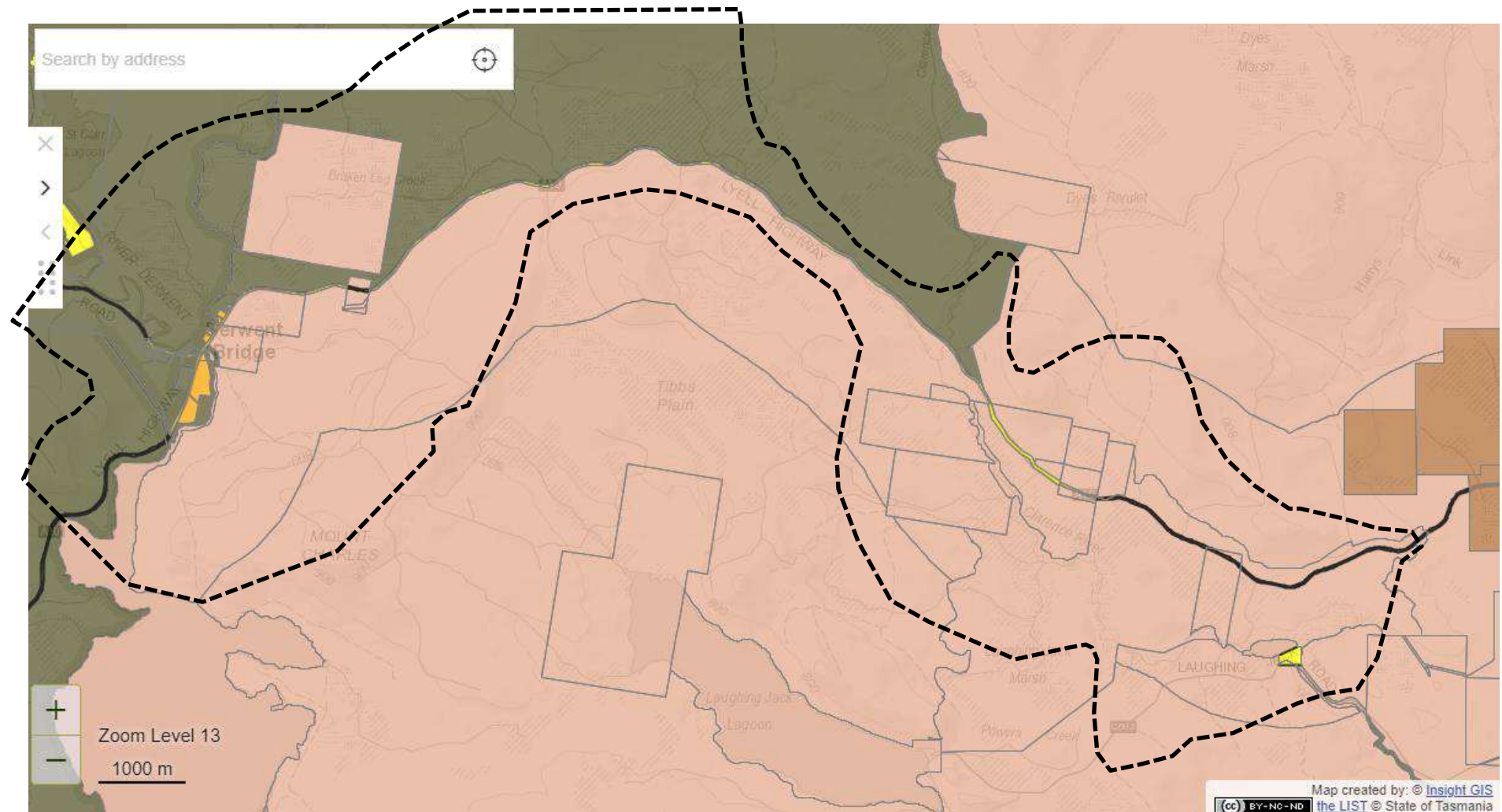









MAP 6 – ListMap with no base map showing the Tasmanian Reserve Estate within proposed Scenic Road Corridor





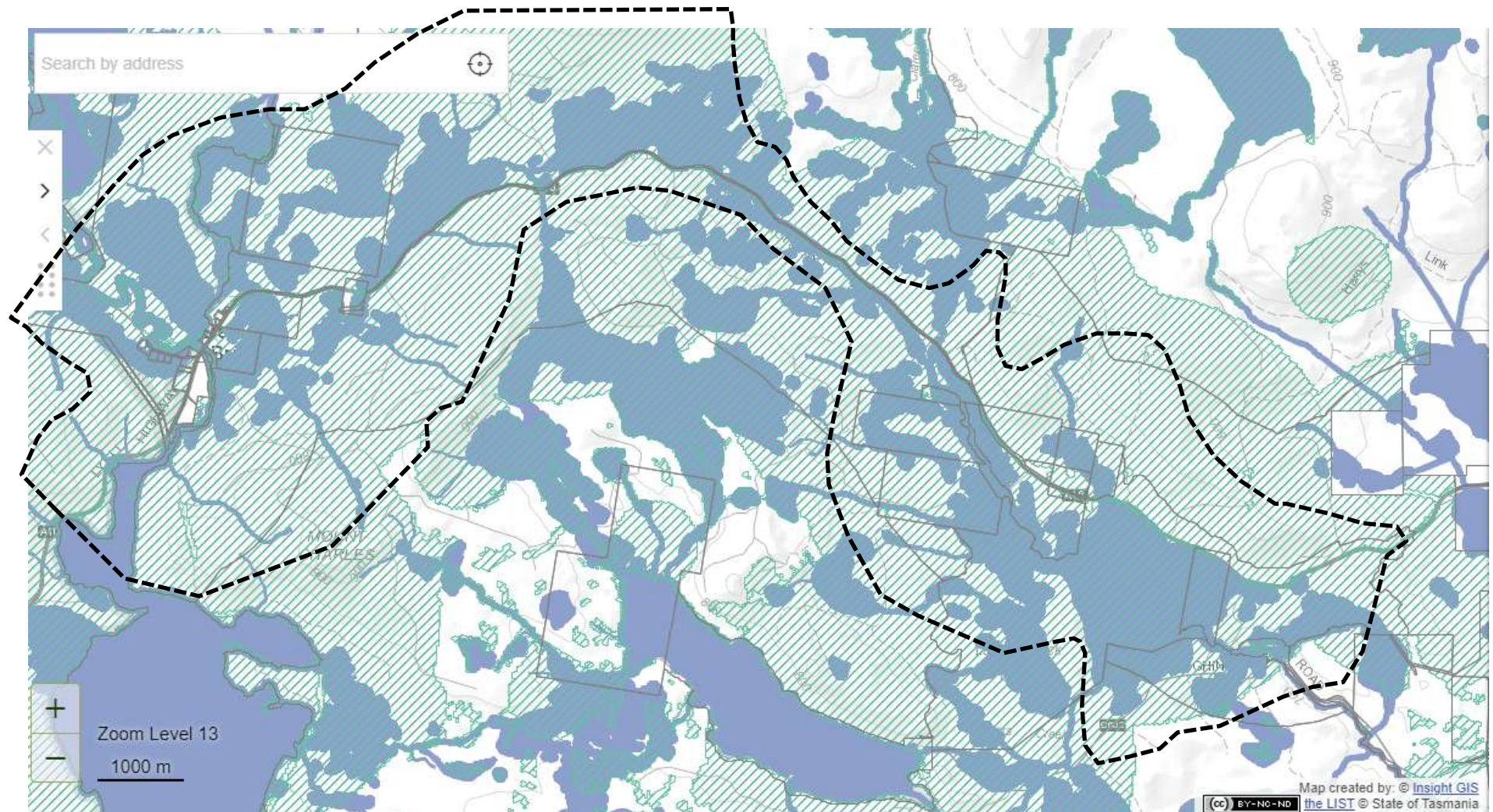
MAP 7 – Central Highlands Interactive Plan showing Zoning within proposed Scenic Road Corridor




- |  |  |
|--|--|
|  Agriculture              |  Rural        |
|  Community Purpose        |  Rural Living |
|  Environmental Management |  Utilities    |
|  |  Village      |



**MAP 8 – Central Highlands Interactive Plan showing Priority Vegetation Area and Waterway and Coast Protection Layers under the Natural Assets Code**

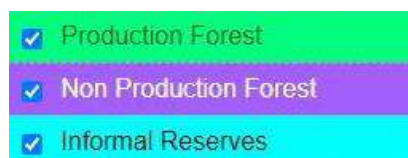
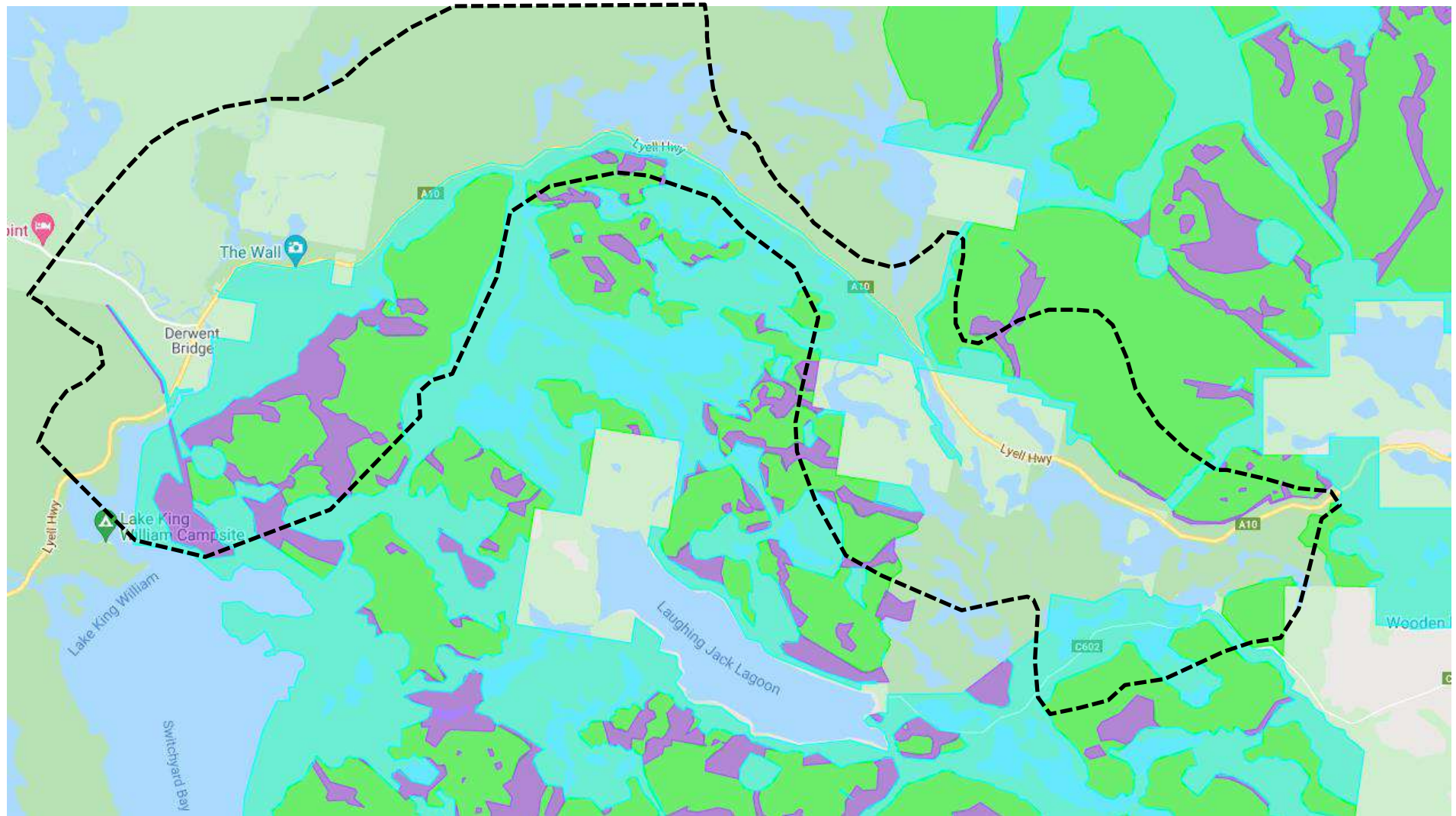


 Priority Vegetation Area

 Waterway And Coastal Protection

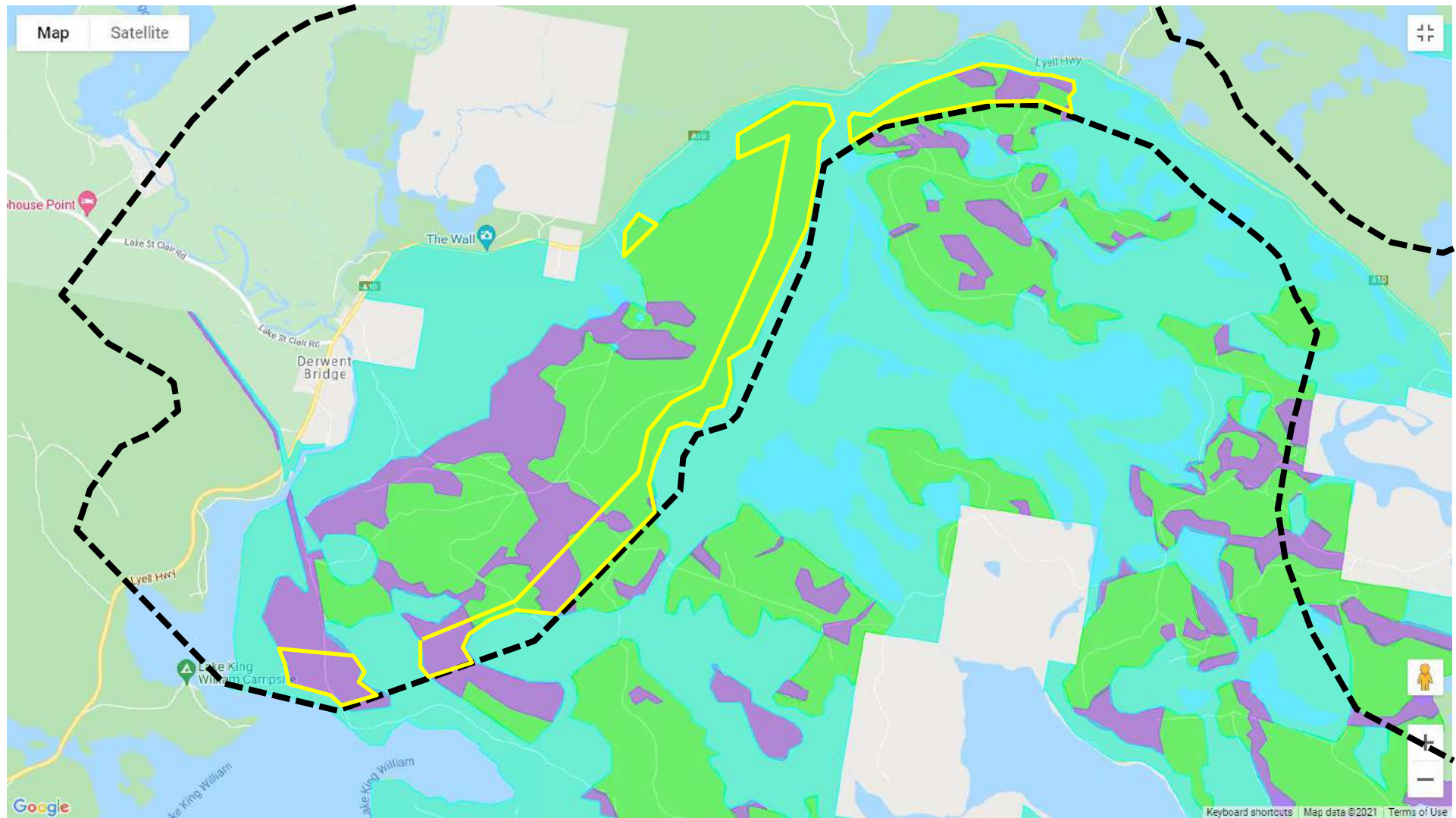


MAP 9 – Sustainable Timbers Tasmania Interactive Map overlain by the proposed Scenic Road Corridor





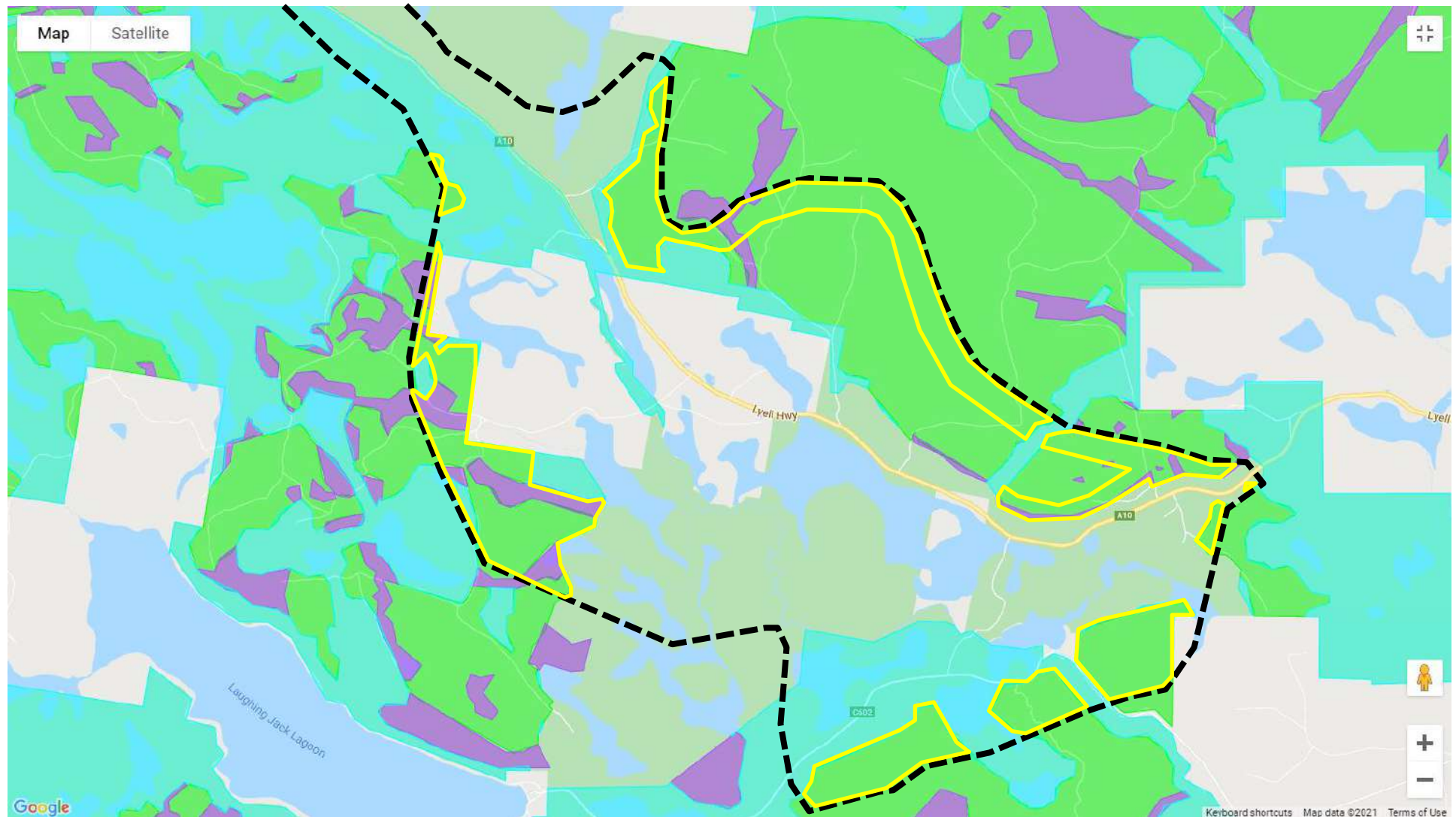
**MAP 10 – Sustainable Timbers Tasmania Interactive Map – western end of proposed Scenic Road Corridor – proposed extension of STT Informal Reserve (bounded by yellow lines) to increase setback from the Lyell Highway and protect the skyline visible from the Highway**



- ☒ Production Forest
- ☒ Non Production Forest
- ☒ Informal Reserves



**MAP 11 – Sustainable Timbers Tasmania Interactive Map – eastern end of proposed Scenic Road Corridor – proposed extension of STT Informal Reserve (bounded by yellow lines) to increase setback from the Lyell Highway and protect the skyline visible from the Highway**

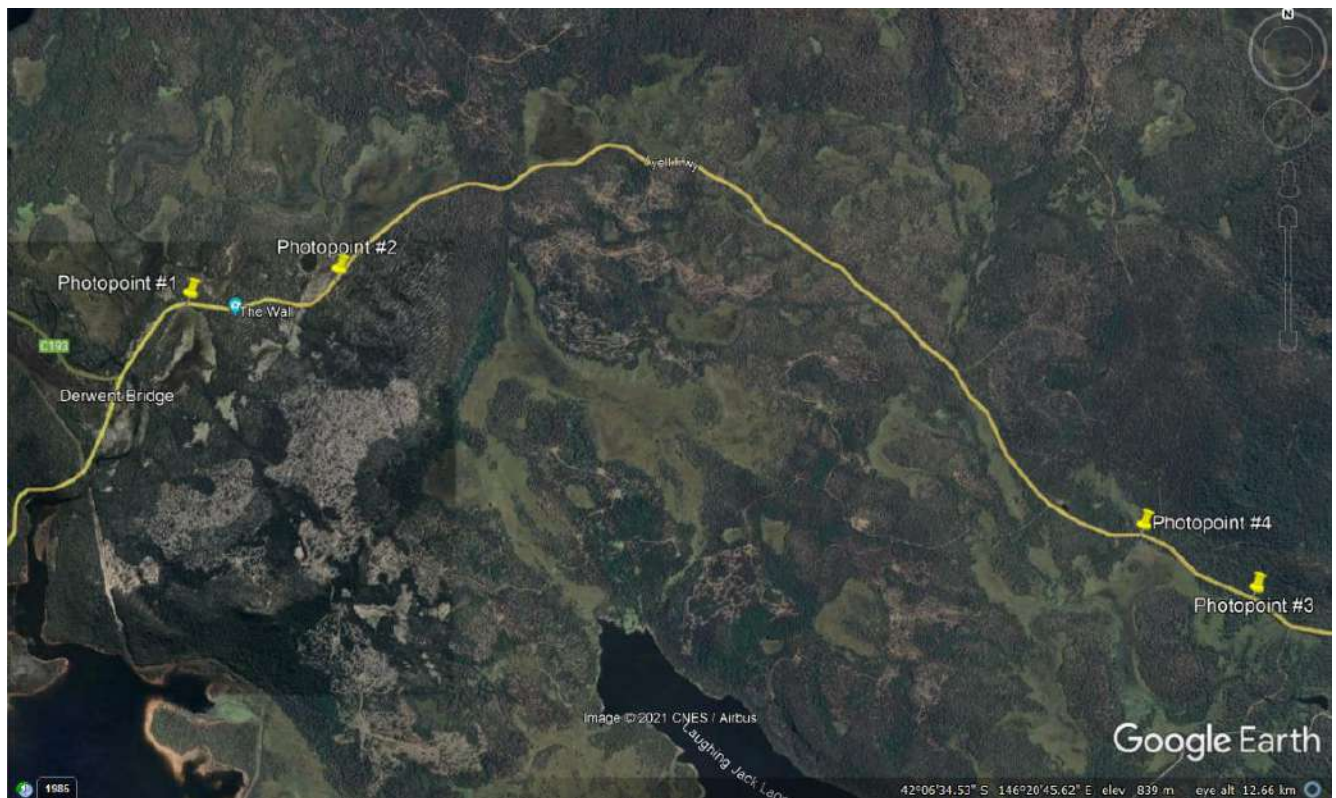


- ☒ Production Forest
- ☒ Non Production Forest
- ☒ Informal Reserves



## Appendix B – Photos of skyline and foreground at four locations along the Proposed Scenic Road Corridor

Photopoint	Latitude	Longitude
1	-42.128376	146.238615
2	-42.125854	146.257137
3	-42.155544	146.372668
4	-42.149572	146.358531





**Photopoint #1**



**Photopoint #2**





**Photopoint #3**



**Photopoint #4**





**Kathy Bradburn**

---

**From:** Stuart & Karen Philp <philp.s.k@gmail.com>  
**Sent:** Thursday, 21 October 2021 8:31 AM  
**To:** development  
**Subject:** Fwd: Representation on the Central Highlands Draft LPS-Proposed scenic Corridor  
**Attachments:** Appendix A - Maps showing location of proposed Scenic Road Corridor v1.0.pdf;  
Appendix B - Photopoints at various locations along the proposed Scenic Road  
Corridor v1.0.pdf; Representation on the Central Highlands Draft LPS - proposed  
Scenic Road Corridor v1.0.pdf

**Date:** 21/10/2021

Hello, see attachment below. Thanks.

To: <[development@centralhighlands.tas.gov.au](mailto:development@centralhighlands.tas.gov.au)>

Please acknowledge receipt .  
S&K superannuation fund.



## **Representation on the Central Highlands Draft Local Provisions Schedule**

### **Proposed Tasmanian Wilderness Eastern Gateway Scenic Road Corridor**

#### **Summary**

A 20 km Scenic Road Corridor along the Lyell Highway, from 2.5 km west of Fourteen Mile Road to Lake King William, is proposed to protect the recognised scenic values of the eastern gateway to the Tasmanian Wilderness World Heritage Area. The Lyell Highway has recently been promoted by Tourism Tasmania as part of the tourist experience for the new Western Wilds Road Trip. The Corridor is mostly defined by the skyline visible from the Highway and incorporates a mixture of land tenure and 55% of the land is part of the Tasmanian Reserve Estate. The proposed management objectives include collaborating with Sustainable Timbers Tasmania to extent their Informal Reserves to better protect the skyline and foreground scenic values.

#### **The Lyell Highway from 2.5 km west of Fourteen Mile Road to Lake King William – a recognised Scenic Road Corridor**

The Lyell Highway serves as the eastern gateway to the Tasmanian Wilderness World Heritage Area. (See Map 1 in Appendix A). The 20 km of the Lyell Highway from 2.5 km west of Fourteen Mile Road to Lake King William travels through high country landscape mostly covered by various eucalypt forest communities, stands of roadside native forest as well as expanses of button grass and sedges in the foreground with sub-alpine hills and mountains in the background. The final 13 km before reaching Lake King William adjoin the World Heritage area to the north (see purple area in Map 2).

The Lyell Highway also serves as the only direct route from Hobart to the West Coast and has recently been promoted by Tourism Tasmania in its Discover Tasmania campaign as part of the tourist experience for the new Western Wilds Road Trip.

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Derwent Bridge is home to the unique Wilderness Hotel located in the village and



*the ambitious art installation Wall in the Wilderness at Derwent Bridge, where 100 metres of carved Huon-pine panels depict the pioneering stories that helped shape the Central Highlands*

on the Lyell Highway 2 km from the village.

The Parks and Wildlife Service pre-Covid annual visitor numbers for Lake St Clair were over 90,000. The number of tourists traversing this section of the Lyell Highway would be significantly higher than this given that Department of State Growth vehicle counts in 2018 indicate 525 vehicles per day on the Lyell Highway and 270 vehicles per day on the Lake St Clair Road.

### **How the Scenic Road Corridor is defined**

Travelling from the east along the Lyell Highway, the proposed Scenic Road Corridor commences at the forested landscape 2.5 past the intersection with Fourteen Mile Road and continues through mostly forested landscape to Lake King William just beyond Derwent Bridge. Its boundary is defined by the skyline as viewed from the Lyell Highway except in the northwest where the boundary is set at 2 km from the Highways because the skyline is quite distant in that direction (see Map 2).

### **View from four points along the Lyell Highway**

Appendix B contains recent photos from four points along the Lyell Highway within the proposed Corridor showing the forested skyline, expanses of button grass and sedges as well as the forested foreground.

### **Land Tenure within the proposed Corridor**

The distribution of land tenure can be seen in Maps 3-5 with approximate percentages as follows:

Public Reserve	38%
Private Freehold (Private Reserve)	2%
Sustainable Timbers Tasmania	43%
Future Potential Production Forest	10%
Private Freehold (non-reserved)	7%

The two Private Freehold properties containing the Bronte Park #1 and #2 Private Reserves protected by conservation covenant are:

<b>Property Address</b>	<b>Property ID</b>	<b>Title References</b>
Lot 1 LYELL HWY BRONTE PARK	3054354	241850/1
LYELL HWY BRONTE PARK	2304227	243948/1

The owners of both of these properties have requested rezoning from Rural Zone to Landscape Conservation Zone to better protect, conserve and manage the already identified landscape values of these properties while allowing for compatible uses such as Residential, Tourist Operation and Visitor Accommodation.



The other eight Private Freehold properties on 9 titles within the Scenic Road Corridor from west to east are:

<b>Property Address</b>	<b>Property ID</b>	<b>Title References</b>
LYELL HWY DERWENT BRIDGE	5475400	212288/1
'THE WALL' - 15352 LYELL HWY DERWENT BRIDGE	5475320	243683/1
LYELL HWY DERWENT BRIDGE	5475312	207295/1
Lot 1 LYELL HWY BRONTE PARK	3054346	225350/1
LYELL HWY BRONTE PARK	5475291	201135/1
14461 LYELL HWY BRONTE PARK	5475275	209496/1
14246 LYELL HWY BRONTE PARK	2572694	200563/1, 241772/1
FOURTEEN MILE RD BRONTE PARK	3262997	205466/1

### **Public and Private Reserves within the proposed Corridor**

The scenic values of approximately 40% of the landscape along the proposed Scenic Road Corridor have already been partly protected indirectly under the *Nature Conservation Act 2002* because it is covered by public or private reserve. Another 15% is protected for its natural values as Sustainable Timbers Tasmania Informal Reserve within its Permanent Timber Production Zone (see Map 6). This means that about 55% of the proposed Corridor is part of the Tasmanian Reserve Estate and is also part of Australia's National Reserve System thereby contributing to the fulfilment of Australia's obligations under the international *Convention on Biological Diversity 1993*.

### **Proposed Corridor almost completely covered by the Natural Assets Code**

Map 8 shows the 'as exhibited' Priority Vegetation Area and Waterway and Coastal Protection overlays under the Natural Assets Code. Not surprisingly the significant landscape values are reflected in the 98% coverage of the Corridor landscape by the Priority Vegetation Area overlay with about 40% also covered by the Waterway and Coastal Protection overlay.

However, the Natural Assets Code does not apply to use and, therefore, only provides some protection against inappropriate discretionary development, i.e. building or works, particularly in the areas covered by the Waterway and Coastal Protection provisions. The Natural Assets Code provides no direct protection of the scenic values.

### **Consistency with the Southern Tasmania Regional Land Use Strategy 2010-2035**

The Regional Policy under Tourism to 'provide for innovative and sustainable tourism for the region' includes on page 59

*T 1.1 Protect and enhance authentic and distinctive local features and landscapes throughout the region.*

*T 1.2 Identify and protect regional landscapes, which contribute to the region's sense of place, through planning schemes.*



Also relevant is the following Regional Policy under Biodiversity and Geodiversity on page 26

*BNV 3 Protect the biodiversity and conservation values of the Reserve Estate.*

*BNV 3.1 Include within Planning Schemes requirements to setback use*

The proposed Scenic Road Corridor will protect the landscape values by restricting inappropriate development as well as setback use from the land already identified and protected within the Tasmanian Reserve Estate.

### **Use of the Scenic Protection Code in the Central Highlands Draft LPS**

Neither Scenic Protection Areas nor Scenic Road Corridors have been used in the exhibited Central Highlands Draft Local Provisions Schedule.

In Table 4 on page 40 of the Supporting Report, which deals analyses the consistency of the Draft LPS with the Southern Tasmanian Regional Land Use Strategy (STRLUS), under 'Tourism' the Report states in response to STRLUS Policy T 1.1

*Scenic Protection areas are provided in the draft LPS as a translation of existing highway scenic protection areas.*

*Local features and landscapes are otherwise protected through use of the Open Space, Zone and Environmental Management Zones and Heritage Code in the LPS.*

The first statement is incorrect as there are no existing highway scenic protection areas in CHIPS 2015 and there are Scenic Protection areas in the draft LPS. The second statement relates to the application of three Zones that provide some protection of scenic values but implies that the Draft LPS provides no protection of local features or landscapes outside of those three Zones.

### **Consistency of the proposed Scenic Road Corridor with the Scenic Protection Code provisions and Guideline No 1**

The Scenic Protection Code purpose (C8.1.1) is

*To recognise and protect landscapes that are identified as important for their scenic values.*

The Western Wilds Road Trip, which includes the 20 km of the Lyell Highway forming the eastern gateway to the Tasmanian World Heritage Area, promotes this trip for its scenic values. It is therefore imperative that the scenic values along this stretch of the Lyell Highway are protected by the provisions of the Scenic Protection Code to allow the Planning Authority to assess whether a discretionary development application would be incompatible with those scenic values.

Note that the Scenic Protection Code, like the Natural Assets Code, does not apply to use and therefore provides no protection for the scenic values against inappropriate use.



Guideline SPC1 states

*The scenic protection area overlay and the scenic road corridor overlay may be applied to land identified at the local or regional level as important for the protection of scenic values. These may include areas:*

*(a) containing significant native vegetation or bushland areas with important scenic values (such as skyline areas); or*

*(b) identified for their significant scenic views.*

The area within the proposed Scenic Road Corridor has been identified at a State level by Tourism Tasmania as having scenic values worthy of protection, and given the importance of the Tasmanian Wilderness WHA to the Tasmanian tourism brand, planning protection should also be afforded to its eastern gateway.

As mentioned earlier, a significant part of the proposed Scenic Road Corridor is included in the Tasmanian Reserve Estate is protected by both public and private formal reserves as well as Sustainable Timbers Tasmania Informal Reserves (see Map 6).

The Public Reserves are the Cradle Mountain-Lake St Clair National Park and the Central Plateau Conservation Area which are both part of the Tasmanian Wilderness WHA. The Private Reserves are the Bronte Park #1 and #2 reserves protected by conservation covenant and the subject of separate representations requesting rezoning to Landscape Conservation.

While all of these reserves are principally protected for their significant natural values this does not preclude the importance of the scenic values that derive from their reserve status.

Guideline SPC2 states

*The scenic protection area overlay and the scenic road corridor overlay should be justified as having significant scenic values requiring protection from inappropriate development that would or may diminish those values.*

As shown in Map 7 in Appendix, the two Zones that apply to the proposed Scenic Road Corridor are Environmental Management Zone for the two public reserves within the Tasmanian Wilderness WHA and Rural Zone for the rest. The Scenic Protection Code applies in both of these Zones.

Inappropriate development visible from the Lyell Highway would diminish the significant scenic values described earlier.

### **Protecting the Scenic Values in the Crown Land managed by Sustainable Timbers Tasmania**

Because all of this land is within the Rural Zone, Resource Development is a 'No Permit Required' Use within this Zone, and also because the Scenic Protection Code only applies to development, the application of a Scenic Road Corridor over this land will have no effect under the Tasmanian Planning Scheme.



Achieving the Management Objectives on the Crown Land managed by Sustainable Timbers Tasmania will require their separate agreement to reclassify areas of Production Forest and Non-Production Forest as Informal Reserve. In view of the economic impact of such reclassification it is envisaged that this might be achieved progressively without significantly disrupting the current 3 Year Production Plan.

Map 9 shows the current distribution of Production Forest, Non-Production Forest and Informal Reserve within the STT land affected by the proposed Scenic Road Corridor. Maps 10 and 11 show the areas proposed for reclassification to Informal Reserve to provide scenic protection of the skyline as well as an increased setback of harvesting operations from the edge of the Lyell Highway.

### **Protecting the Scenic Values in the Future Potential Production Forest managed by DPIPWE**

Securing DPIPWE's support for the Scenic Road Corridor over the Future Potential Production Forest will be essential for the protection of the landscape values in the eastern end of the proposed Corridor. The creation of the Leven Canyon/Loyetee Peak Scenic Protection Area in the Central Coast LPS with DPIPWE's support indicates that DPIPWE will be prepared to consider the proposal on its merits.



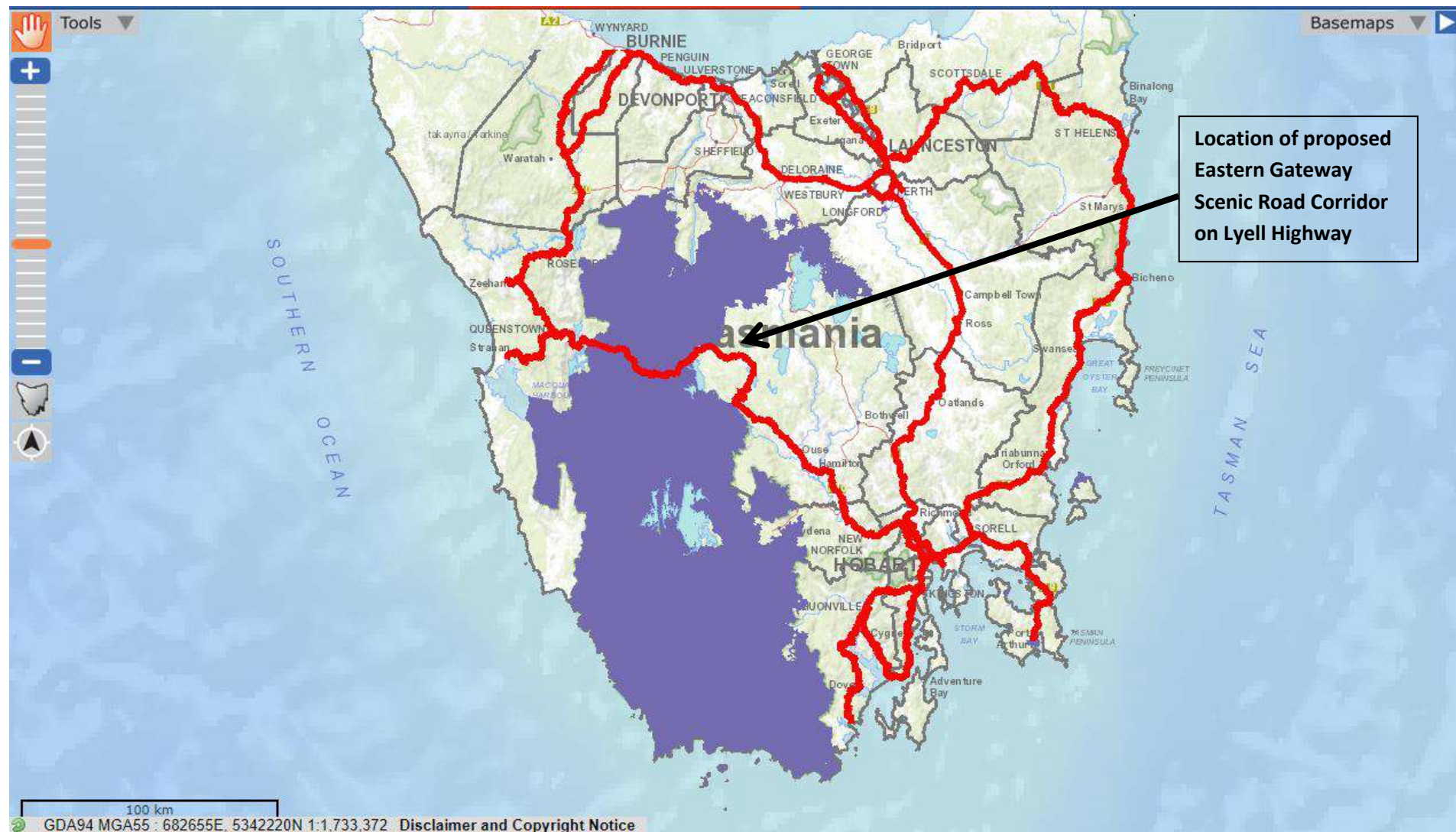
## Proposed CHI-Table C8.2 Scenic Road Corridors

Reference Number	Scenic Road Corridor Description	Scenic Value	Management Objectives
CHI-C8.2.1	Tasmanian Wilderness World Heritage Area eastern gateway on the Lyell Highway from 2.5 km west of Fourteen Mile Road to Lake King William	<p>(a) A unique awe-inspiring landscape comprising open button grass ranges, woodland and subalpine hills and mountains.</p> <p>(b) Areas of intact, open, subalpine highland landscape.</p> <p>(c) A spectacular forested skyline on both sides of the Highway framed by periodic stands of native sub-alpine eucalypt forest communities in the foreground.</p>	<p>Protect the scenic values of the Tasmanian Wilderness eastern gateway Scenic Road Corridor by:</p> <p>(a) maintaining undisturbed native vegetation as the dominant element of the skyline and foreground</p> <p>(b) maintaining skylines and escarpments and forested slopes free of visible development and fragmentation;</p> <p>(c) retaining the landscape connectivity including the contiguous native forest canopy cover;</p> <p>(d) avoiding visual contrast between buildings and works and the natural bushland; and</p> <p>(e) working with Sustainable Timbers Tasmania to progressively extend the Informal Reserves within their Permanent Production Forest to better protect the skylines and foreground.</p>



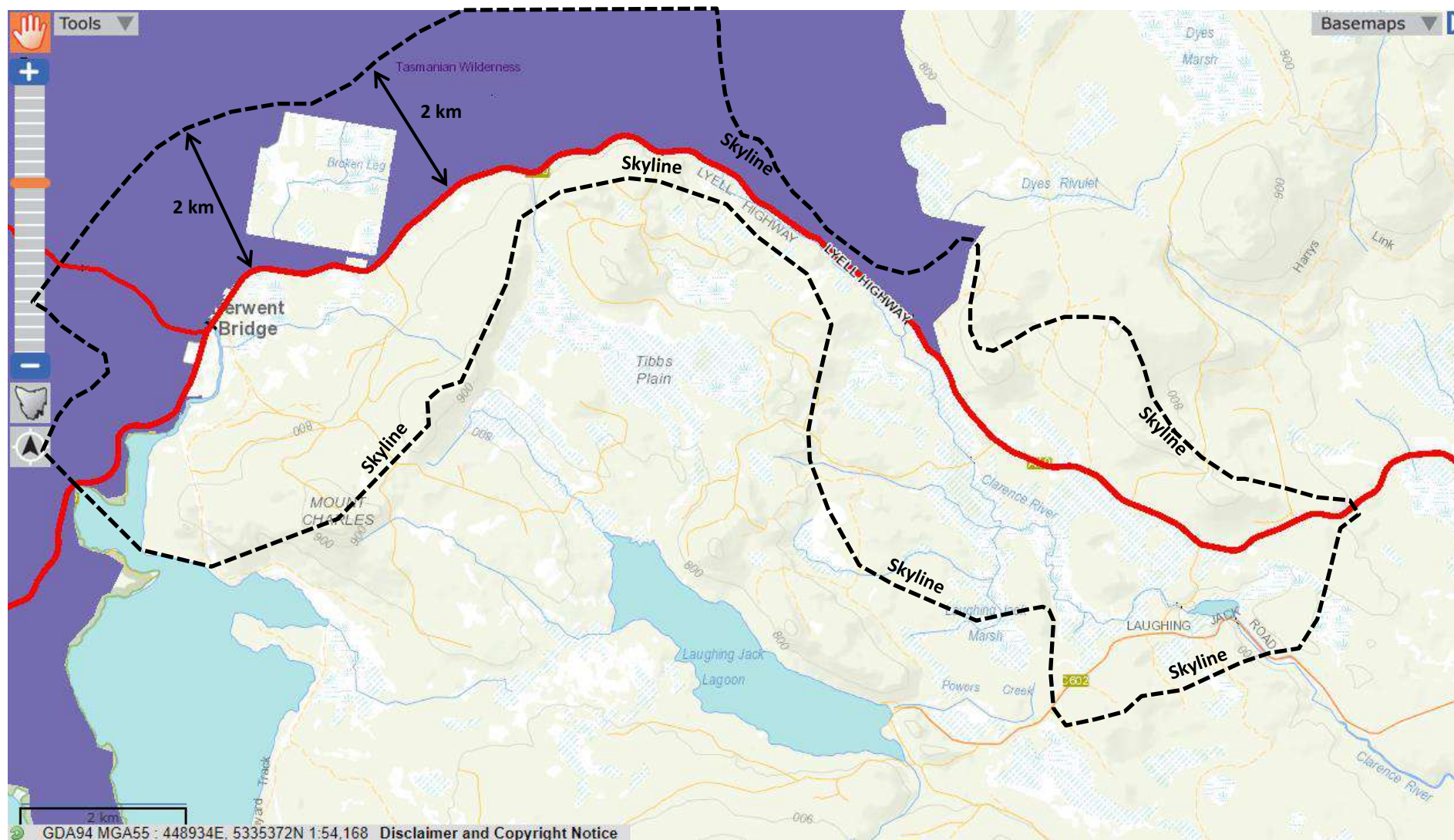
## Appendix A – Maps showing location of proposed Scenic Road Corridor

MAP 1 – Eastern Gateway to the Tasmanian Wilderness World Heritage Area (purple area)





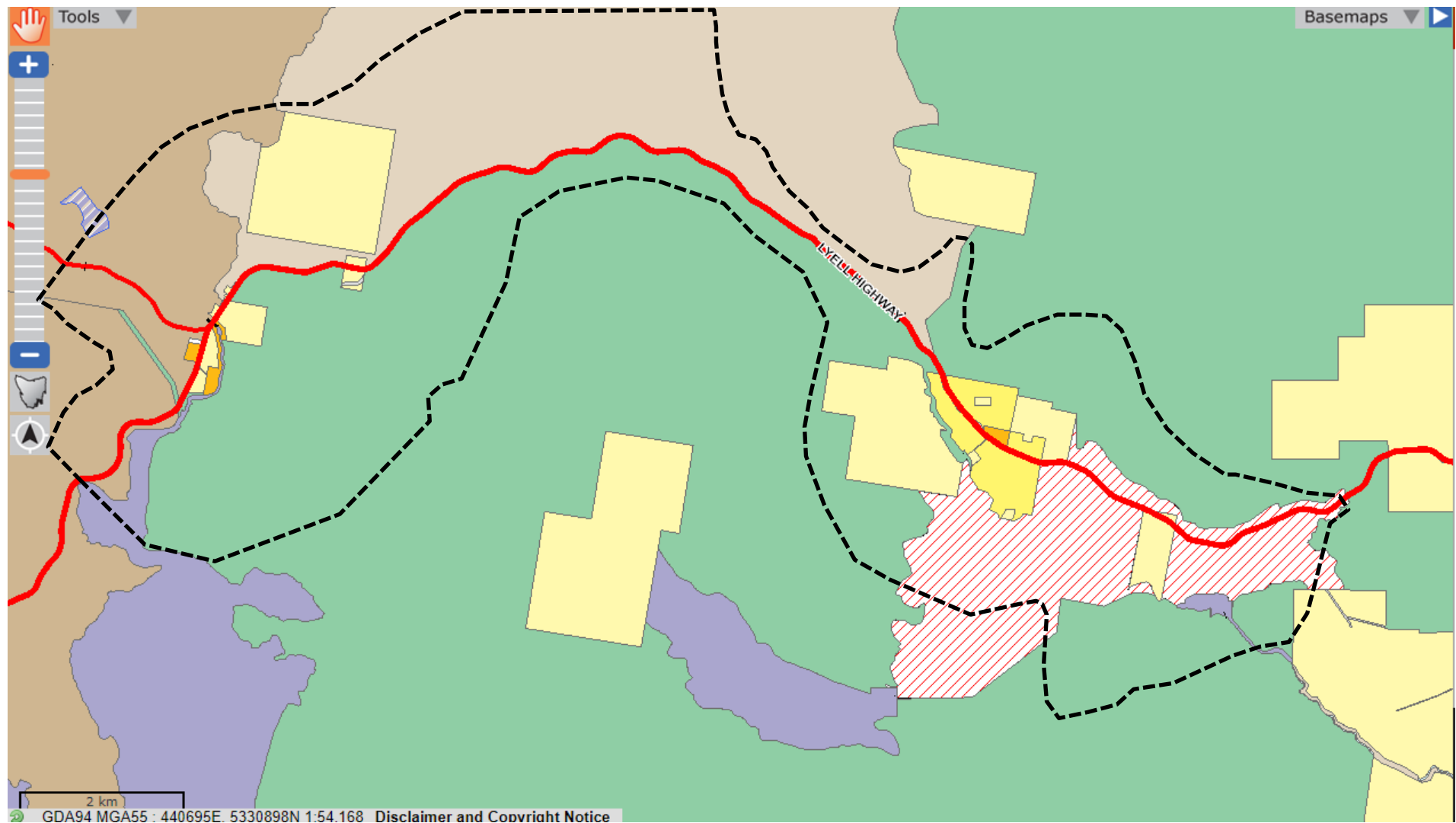
**MAP 2 – ListMap topographic map overlain by the Tasmanian Wilderness World Heritage Area (purple) with the proposed Scenic Road Corridor (dashed black line)**



**NOTE:** The proposed Scenic Road Corridor is defined by the furthest skyline from the Lyell Highway except for the northwest where the skyline is distant. In this area the limit of the Scenic Road Corridor is set at 2 km from the Lyell Highway.



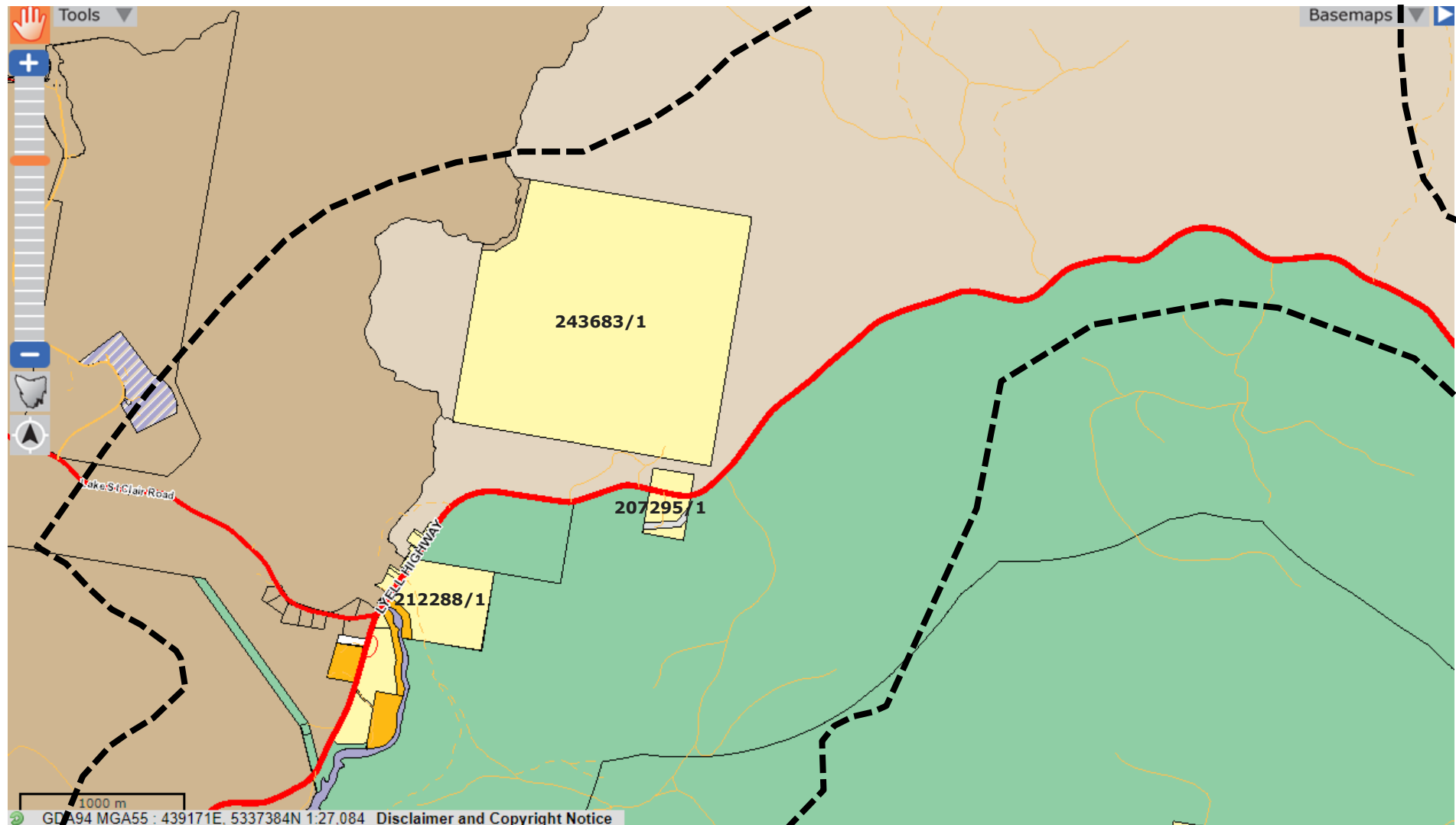
MAP 3 – Land Tenure within proposed Scenic Road Corridor



- |                       |                                       |  |
|-----------------------|---------------------------------------|--|
| Private Freehold      | Conservation Area                     | Future Potential Production Forest (Crown) |
| Conservation Covenant | Permanent Timber Production Zone Land | Hydro-Electric Corporation                 |
| National Park         | Public Reserve                        |  |



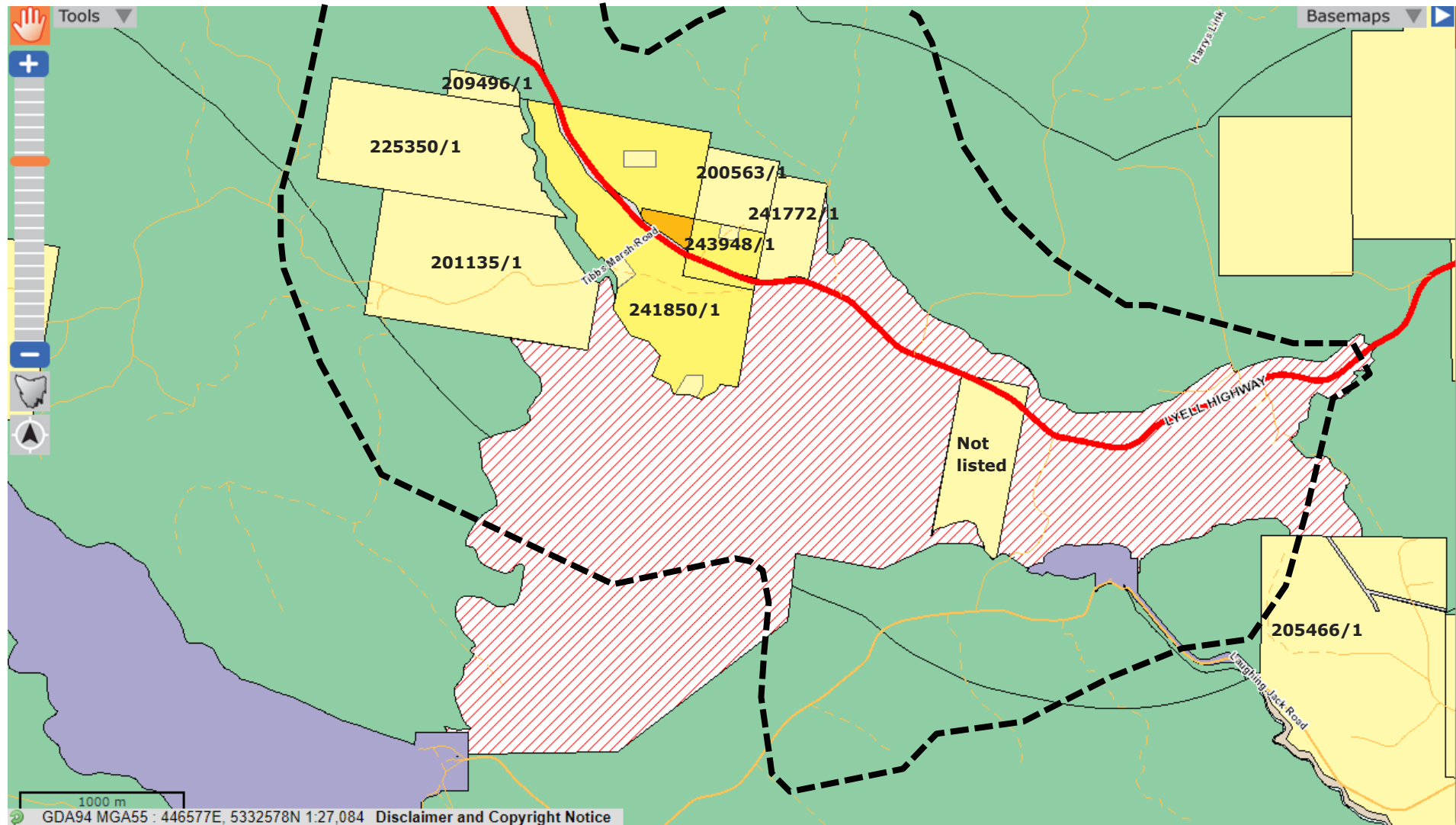
MAP 4 – Cadastral Parcels and Land Tenure within proposed Scenic Road Corridor - western end



- |                       |                                       |  |
|-----------------------|---------------------------------------|--|
| Private Freehold      | Conservation Area                     | Future Potential Production Forest (Crown) |
| Conservation Covenant | Permanent Timber Production Zone Land | Hydro-Electric Corporation                 |
| National Park         | Public Reserve                        |  |



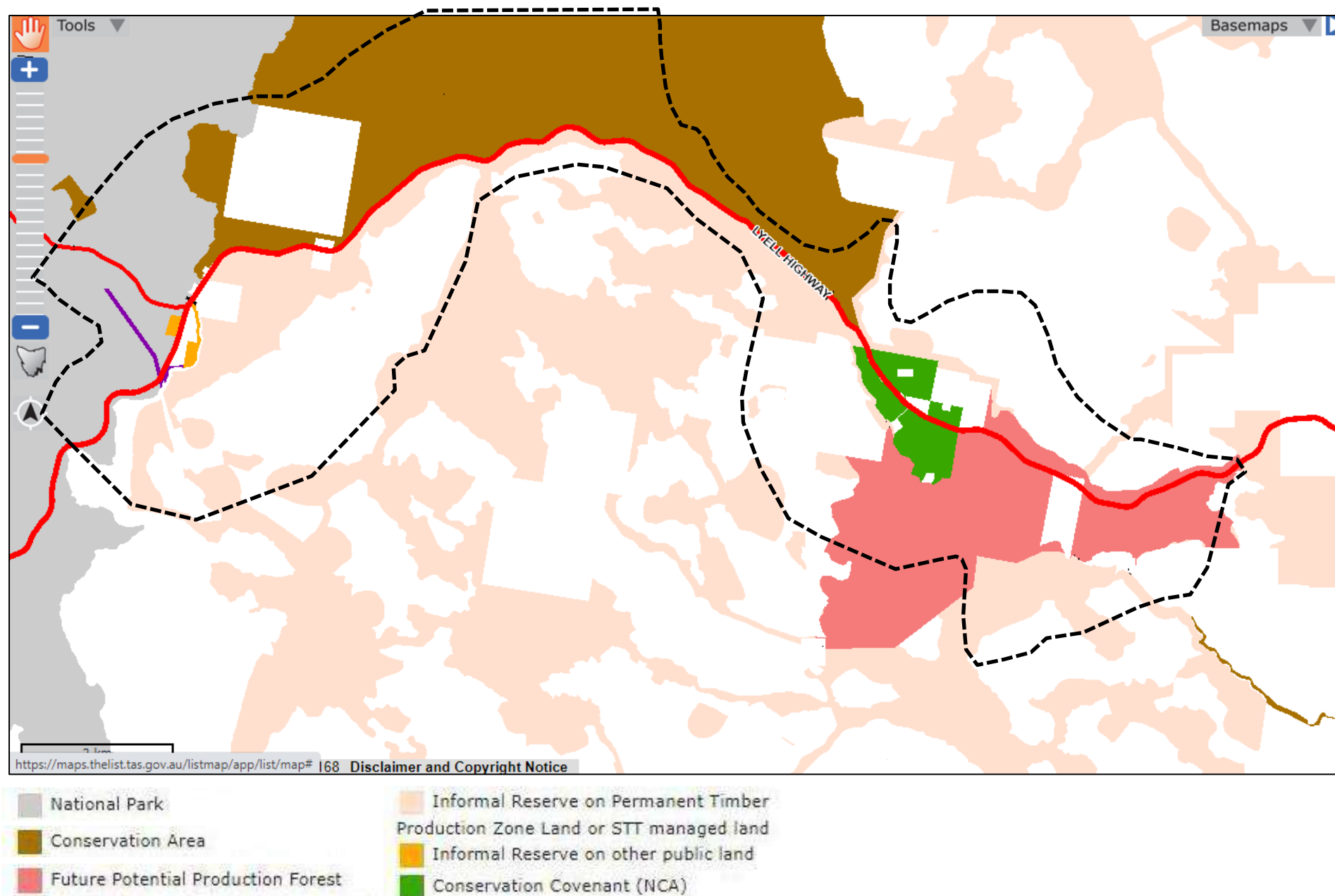
MAP 5 – Cadastral Parcels and Land Tenure within proposed Scenic Road Corridor - eastern end



- |                       |                                       |  |
|-----------------------|---------------------------------------|--|
| Private Freehold      | Conservation Area                     | Future Potential Production Forest (Crown) |
| Conservation Covenant | Permanent Timber Production Zone Land | Hydro-Electric Corporation                 |
| National Park         | Public Reserve                        |  |

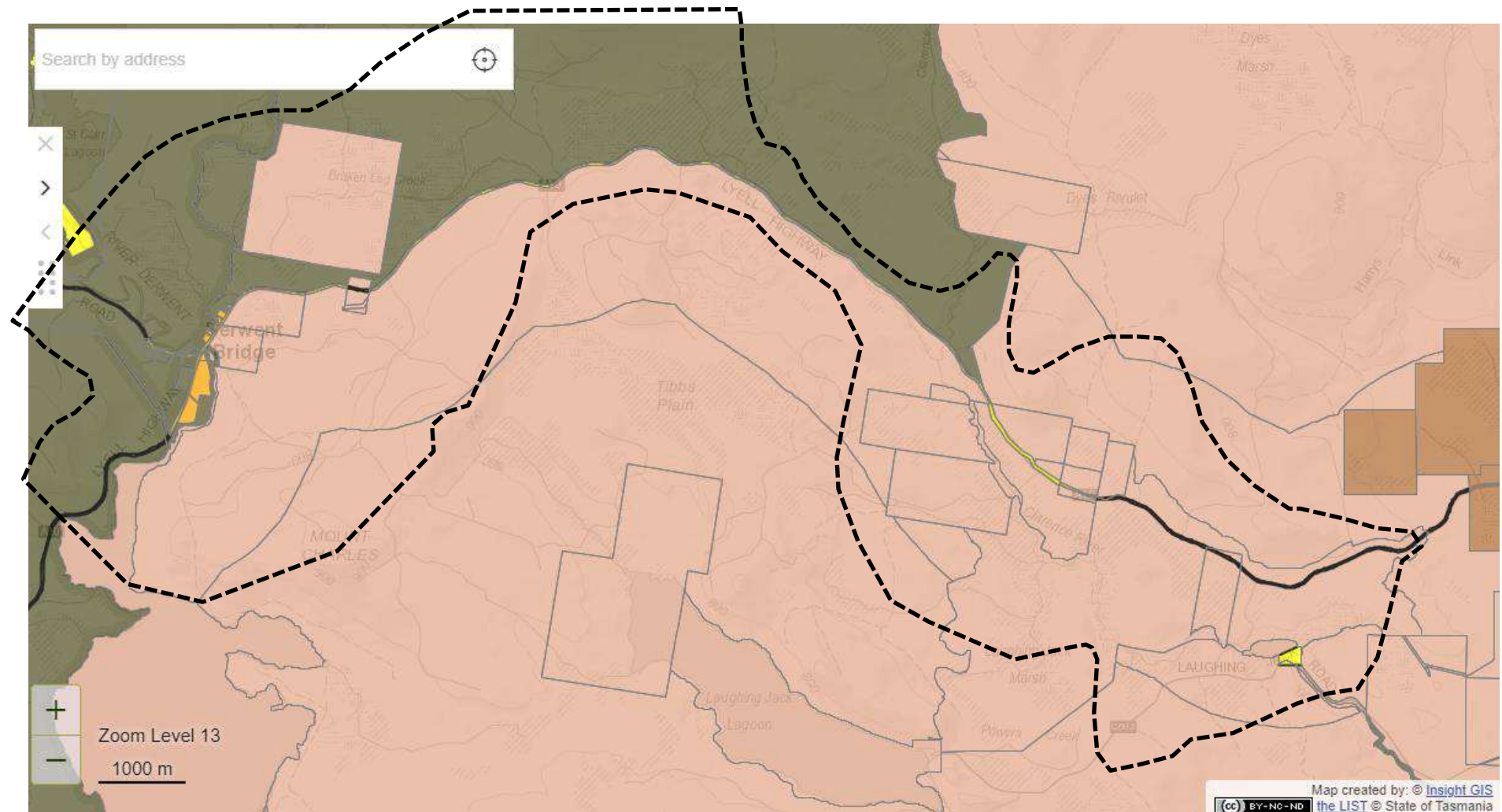









MAP 6 – ListMap with no base map showing the Tasmanian Reserve Estate within proposed Scenic Road Corridor





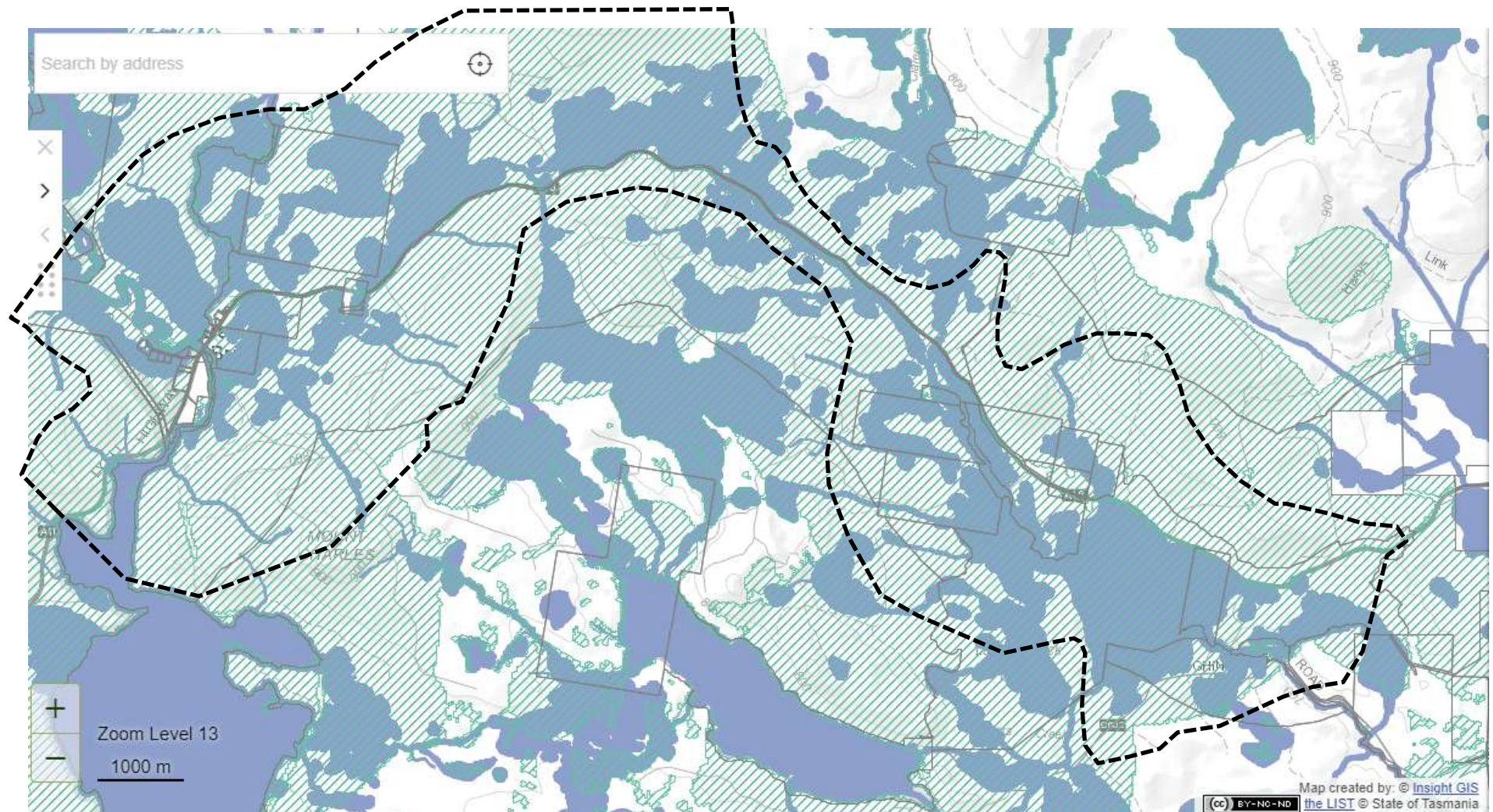
MAP 7 – Central Highlands Interactive Plan showing Zoning within proposed Scenic Road Corridor




- |  |  |
|--|--|
|  Agriculture              |  Rural        |
|  Community Purpose        |  Rural Living |
|  Environmental Management |  Utilities    |
|  |  Village      |



**MAP 8 – Central Highlands Interactive Plan showing Priority Vegetation Area and Waterway and Coast Protection Layers under the Natural Assets Code**

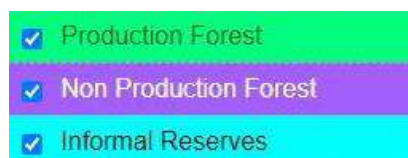
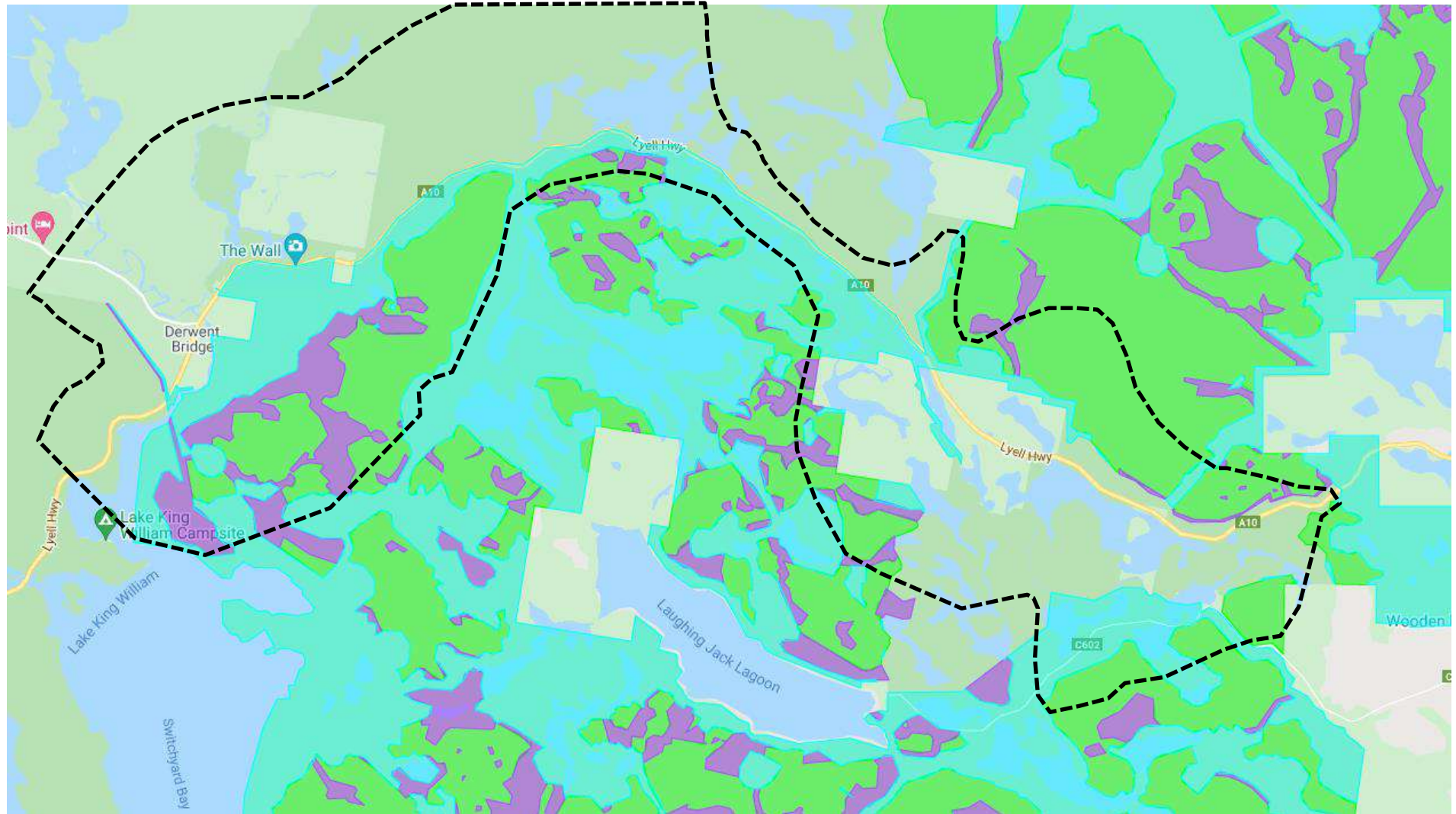


 Priority Vegetation Area

 Waterway And Coastal Protection

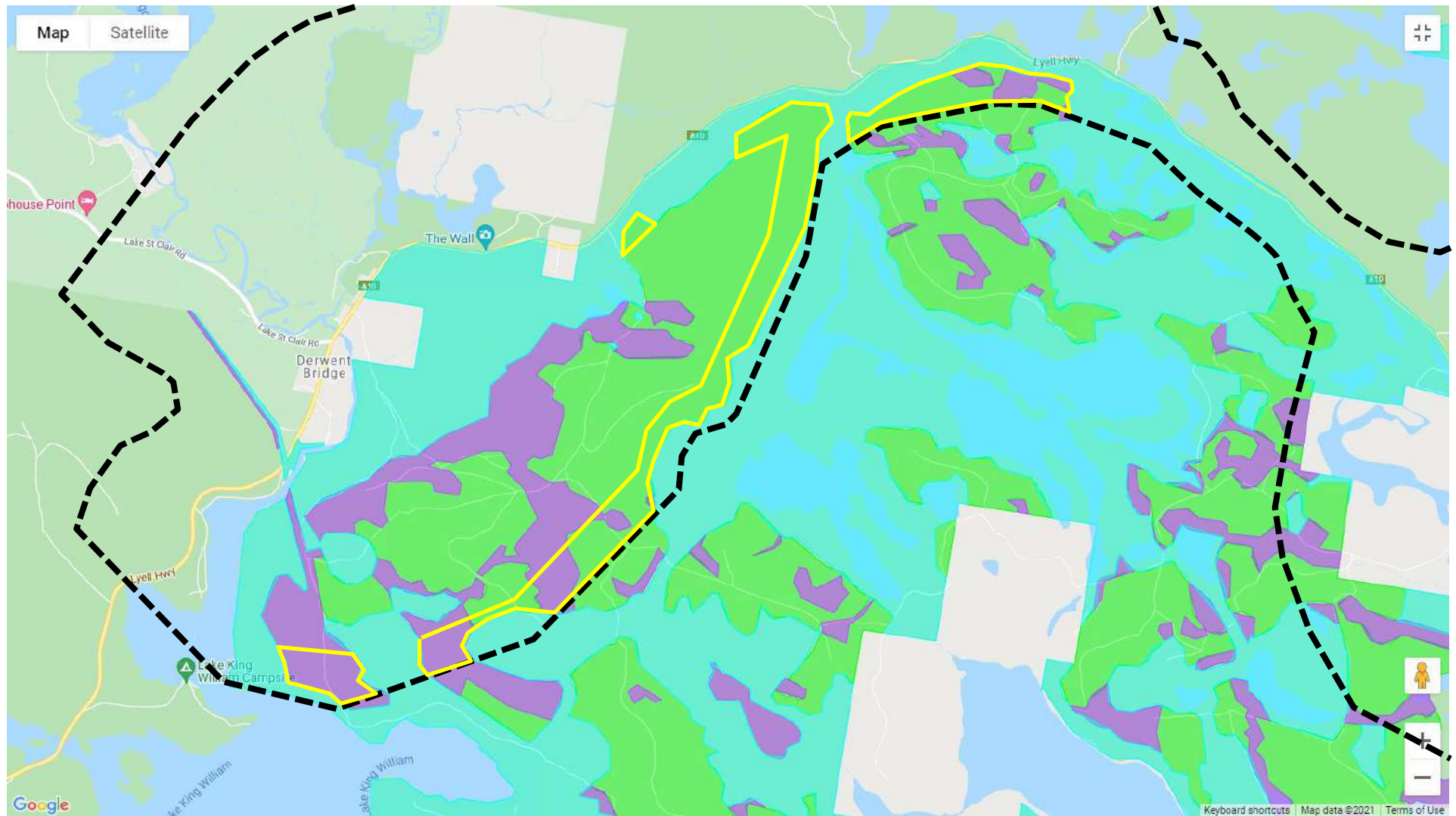


MAP 9 – Sustainable Timbers Tasmania Interactive Map overlain by the proposed Scenic Road Corridor





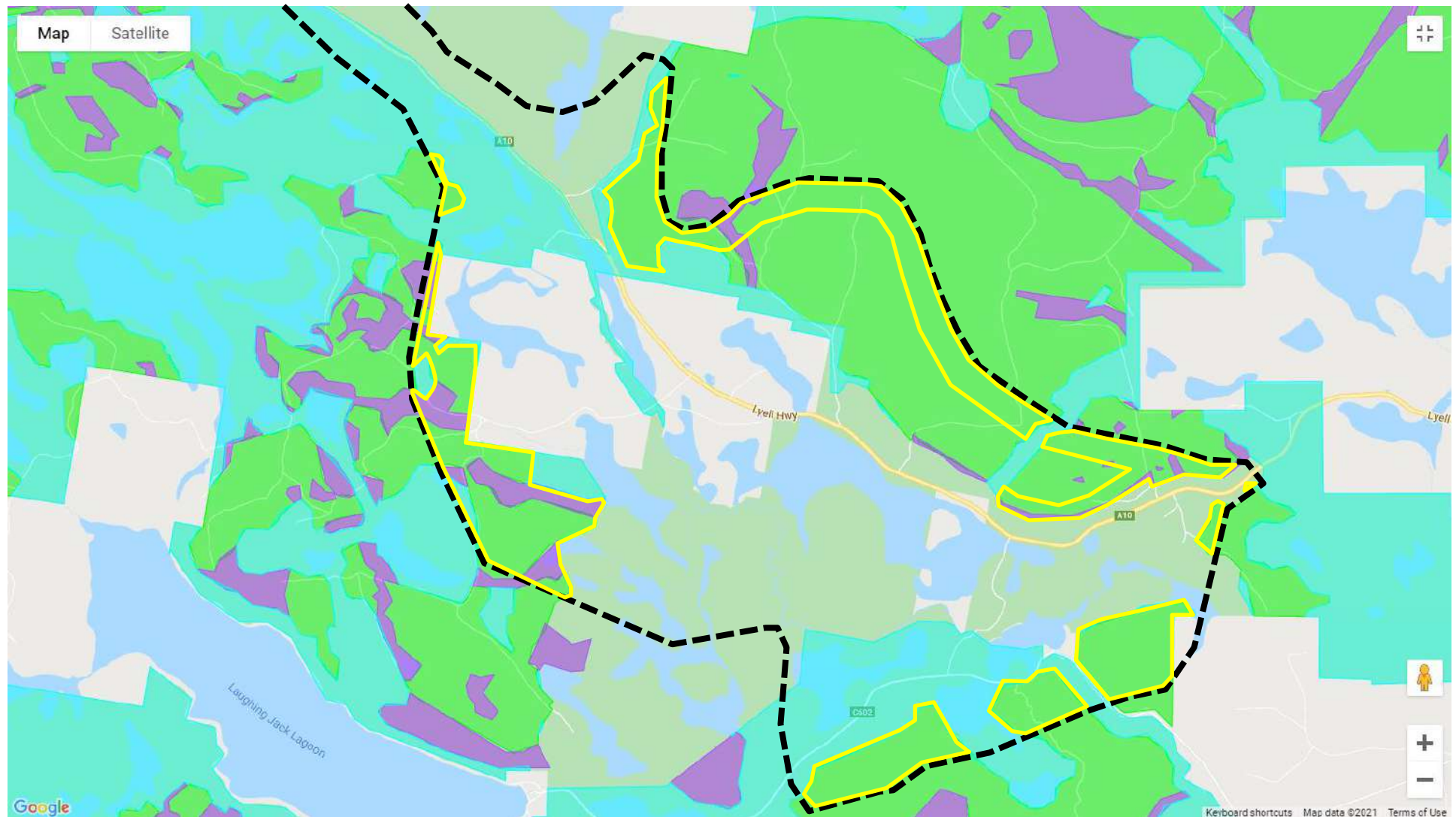
**MAP 10 – Sustainable Timbers Tasmania Interactive Map – western end of proposed Scenic Road Corridor – proposed extension of STT Informal Reserve (bounded by yellow lines) to increase setback from the Lyell Highway and protect the skyline visible from the Highway**



- ☒ Production Forest
- ☒ Non Production Forest
- ☒ Informal Reserves



**MAP 11 – Sustainable Timbers Tasmania Interactive Map – eastern end of proposed Scenic Road Corridor – proposed extension of STT Informal Reserve (bounded by yellow lines) to increase setback from the Lyell Highway and protect the skyline visible from the Highway**

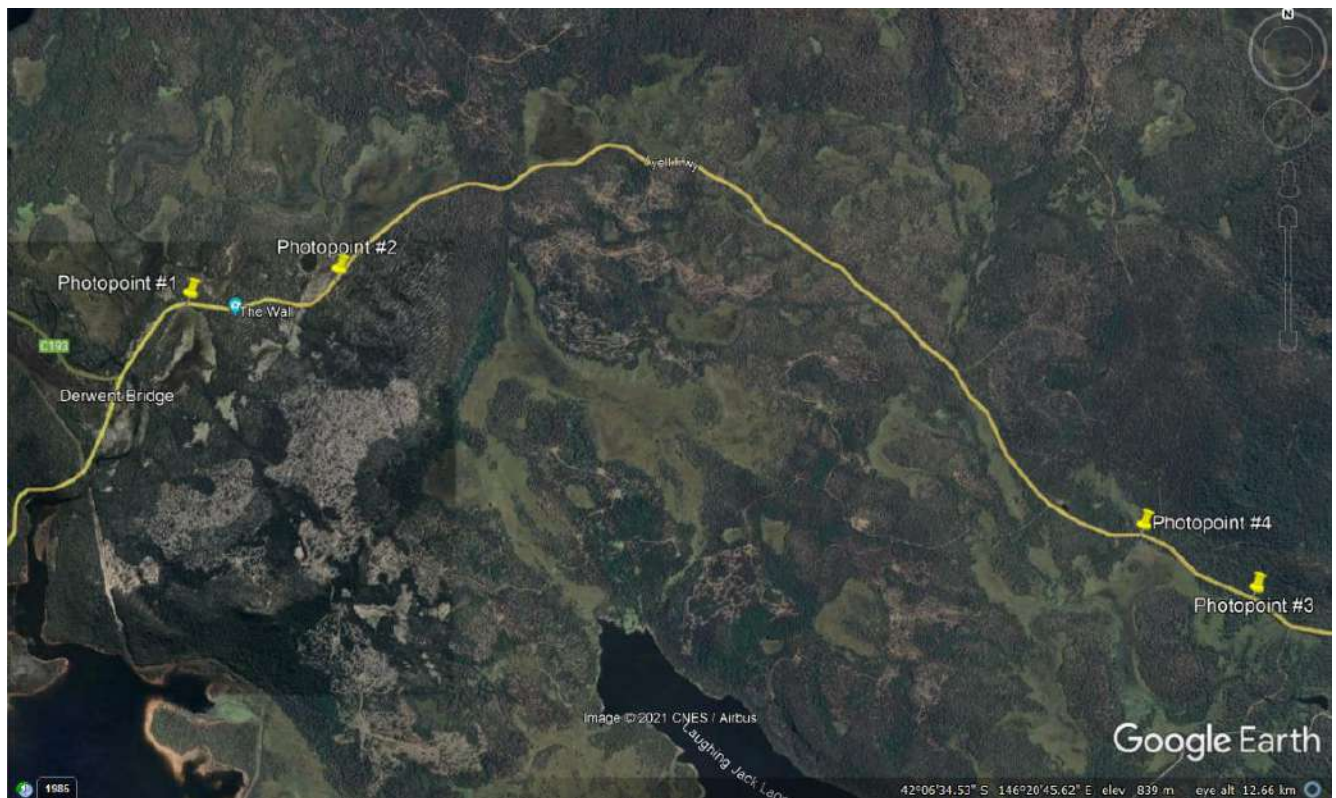


- ☒ Production Forest
- ☒ Non Production Forest
- ☒ Informal Reserves



## Appendix B – Photos of skyline and foreground at four locations along the Proposed Scenic Road Corridor

Photopoint	Latitude	Longitude
1	-42.128376	146.238615
2	-42.125854	146.257137
3	-42.155544	146.372668
4	-42.149572	146.358531





**Photopoint #1**



**Photopoint #2**





**Photopoint #3**



**Photopoint #4**





## HOBART

C.M. Terry, B. SURV. (Tas.), M.SSI. (Director)  
 H. Clement, B. SURV. (Tas.), M.SSI. (Director)  
 M.S.G. Denholm, B. GEOM. (Tas.), M.SSI. (Director)  
 T.W. Walter, Dip. Surv & Map; (Director)  
 D. Panton, B.E. F.I.E. AUST., C.P.ENG. (Consultant)  
 A. Collins, Ad. Dip. Surv & Map, (Senior Associate)  
 L.H. Kiely, Ad. Dip. Civil Eng, Cert IV I.T., (Associate)  
 M. Westerberg, M.E.M., M.I.E. AUST., C.P.ENG. (Associate)

## KINGSTON

A.P. (Lex) McIndoe, B. SURV. (Tas.), M.SSI. (Director)  
 LAUNCESTON

J.W. Dent, OAM, B. SURV. (Tas.), M.SSI. (Director)  
 M.B. Reid, B. GEOM.(HONS) (Tas.), M.SSI. (Director)  
 BURNIE/DEVONPORT

A.W. Eberhardt, B. GEOM. (Tas.), M.SSI. (Director)  
 A.J. Hudson, B. SURV. (Tas.), M.SSI. (Consultant)



**PDA Surveyors** Incorporating WALTER SURVEYS  
 Surveying, Engineering & Planning  
 ABN 71 217 806 325

127 Bathurst Street  
 Hobart Tasmania, 7000  
 Phone (03) 6234 3217

ABN 71 217 806 325  
 Email: pda.hbt@pda.com.au  
 www.pda.com.au

20<sup>th</sup> October 2021

General Manager  
 Central Highlands Council  
 19 Alexander Street  
 Bothwell TAS 7030

Emailed: [development@centralhighlands.tas.gov.au](mailto:development@centralhighlands.tas.gov.au)

Dear Madam

**SUBMISSION TO CENTRAL HIGHLANDS COUNCIL DRAFT LOCAL PROVISIONS SCHEDULE  
 Property: 1 Elizabeth Street, Bothwell (Title 164767/1 - PID 3240245)**

Thank you for the opportunity to provide this submission in response to the advertised Central Highlands Local Provision Schedule (LPS). This submission has been prepared for our client, Clyde River Holdings Pty Ltd, and relates to land located at 1 Elizabeth Street, Bothwell.

This submission is relatively straightforward. It focuses on the impact of zoning changes that occurred when the Interim Scheme was implemented, which ideally should have been rectified at the time, and the current changes proposed as part of the transition to the State scheme will further impact the landowners' ability to develop the land in line with an active planning permit to subdivide.

The majority of the subject land, made up of multiple large titles, is used for farming purposes. The landowner accepts the proposed Agriculture zoning under the State Scheme as being appropriate. Our client seeks not to challenge the proposed zoning but only to restore the Village zone that was in place when our client obtained a permit to subdivide a portion of the land located along the front of Elizabeth Street. For Council's reference, the subdivision permit is DA2009-18. That permit has been substantially commenced and is, therefore, a current and active permit.

It was not until our client was ready to prepare the second stage of the permit that it became apparent that the zoning across the site had changed from Village Zone to Rural Resource. This zone change occurred with the transition to the Interim Scheme. Since that time, discussions with Council staff have resulted in advice that suggested the correct way to rectify that anomaly through the submission process associated with adopting the new scheme.

Whilst our client has an active permit, confirmed recently by Council staff when they approved a minor amendment to that permit, progressing the following stages would result in titles that would be difficult to develop for residential purposes.

## OFFICES ALSO AT:

- |  |                |                                    |                |
|--|----------------|------------------------------------|----------------|
| • 6 Freeman Street, Kingston, 7050       | (03) 6229 2131 | • 16 Emu Bay Road, Deloraine, 7304 | (03) 6362 2993 |
| • 10/16 Main Street, Huonville, 7109     | (03) 6264 1277 | • 6 Queen Street, Burnie, 7320     | (03) 6431 4400 |
| • 3 Franklin Street, Swansea, 7190       | (03) 6130 9099 | • 77 Gunn Street, Devonport, 7310  | (03) 6423 6875 |
| • 3/23 Brisbane Street, Launceston, 7250 | (03) 6331 4099 |                                    |                |



Some examples are provided below of the restriction or, in some cases, loss of development options due to the zone changing from Village Zone to Agriculture Zone are as follows:

### **1. Intensified restrictions to Residential Use**

Under the Village Zone, residential use is No Permit Required, but under the Agriculture Zone, any residential use that is not associated with an existing dwelling is Discretionary. Construction of a residential dwelling is further complicated in the Agricultural zone because of the need to address the Discretionary Uses clause, which limits /links residential dwelling development to be required as part of agricultural use on the subject land. While there is an opportunity for the landowner to argue that the site cannot sustain and agricultural use, they would likely need to obtain an agricultural report. Additionally, clause 21.3.1 P4 (b) (ii) requires demonstration that the site cannot be used as part of an adjoining agricultural use. Further, 21.3.1 P4 (b) (iii) requires the use not to confine or restrain agricultural use occurring on adjoining properties.

Our client is concerned that these clauses will in effect, make the site extremely difficult to develop.

### **2. Intensified restrictions to Development Standards**

Under the Village Zone, the lots contained within the approved subdivision had the following setbacks:

#### **12.4.3 A1**

- 4.5m to the front of the lot or not less than the minimum setbacks of adjoining properties;
- 3m to the side and rear of the lot or half the wall height of the building, whichever is greater.

Under the Agriculture Zone, the setbacks are as follows:

#### **21.4.2 A2 (a)**

- Buildings for a sensitive use must have a setback from all boundaries of not less than 200m

Our client requests to have the Village zone reinstated to the boundary of the subdivision in accordance with the zoning at the time the permit was issued. This will facilitate the completion of the subdivision and ensure the lots created are developable.

A copy of the Plan of Subdivision is provided as an attachment to this submission. We have assumed that the Council has access to a copy of the original permit and associated zone mapping.

Do not hesitate to contact me should you require additional information or clarification about any of the statements made in the attached Representation.

Yours sincerely



Justine Brooks

Senior Planning Consultant

PDA Surveyors, Engineers & Planners



STAGING

STAGE 1 COMPLETED

STAGE 2 Lots 1 & 13

STAGE 3 Lots 3-12 & 15-16

FR 151816/2  
Owner: Clyde River  
Holdings Pty Ltd

FR 164109/2  
Owner:  
Clyde River  
Holdings Pty Ltd

FR 164109/1  
Owner: Gregory  
J. F. Ramsay

FR 164109/3  
Owner: Clyde River  
Holdings Pty Ltd

FR 164111/1  
Owner: Clyde River Holdings Pty Ltd

FR 164110/1  
Owner: Clyde River Holdings Pty Ltd

Balance of FR 164767/1 - 165.15ha±  
Owner: Clyde River Holdings Pty Ltd

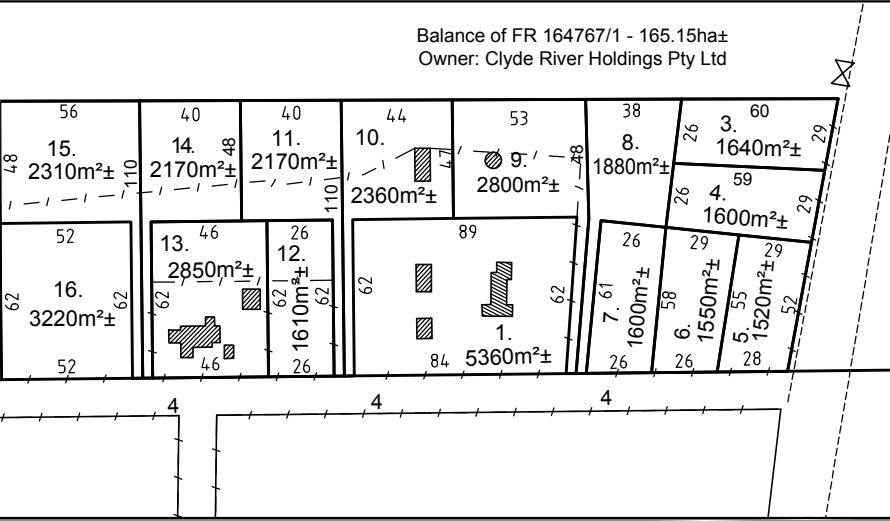
STAGING NOTES


This staging may alter in both the order and stage size depending on such issues (but not restricted to) future sales and the market need for the different lot types etc, the servicing of lots, possible future frontage / access availability and TasWater Engineering approvals at that time.

NOTES

This plan has been prepared only for the purpose of progressing the approved subdivision under planning permit No. 2009/18. The information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.

ENLARGEMENT OF LOTS 1-16  
Scale 1:3000



E					NOTES:	SURVEYOR	GEOCIVIL	STAGING PLAN PLAN OF SUBDIVISION ELIZABETH STREET, BOTHWELL for RICHARD RAMSAY	 <b>PDA Surveyors</b> Incorporating <b>WALTER SURVEYS</b> Surveying, Engineering & Planning ABN 71 217 806 325	127 Bathurst Street Hobart, Tasmania, 7000 www.pda.com.au Also at: Kingston, Launceston & Burnie. PHONE: +61 03 6234 3217 FAX: +61 03 6234 5085 EMAIL: pda.hbt@pda.com.au	SCALE	PAPER
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A												
REV	AMENDMENTS				DRAWN	DATE	APPR.	6 NOVEMBER 2020				







**Kathy Bradburn**

---

**From:** Alexandra Bock <bocky212@hotmail.com>  
**Sent:** Thursday, 21 October 2021 5:46 PM  
**To:** development  
**Subject:** Submission for the Draft Local Provisions Schedule

Dear Central Highlands Council Members,

We, Garry and Alex, are writing this submission regarding the 'Draft Local Provisions Schedule', as per the 'Tasmanian Planning Scheme – State Planning Provisions' for the Central Highlands as land owners in rural Thousand Acre Lane, Hamilton. Our concern is over the proposed zoning of the land on the boundaries of our property in the Schedule.

Our property contains priority vegetation which is protected under the Natural Assets Code, as referenced on the overlay map 'Tasmanian Planning Scheme Consultation', which we see as both relevant and necessary to ensure the preservation of the remnant bush on our property, and this remains as it is vital and significant habitat for the native fauna which is in our area, of which many are on the Endangered list. As such, the proposed zoning of our property as 'Rural' is relevant and one which we are happy for it to remain as. With the land all around our property, our boundary neighbours property (the Smiths on the Marked Tree Road side) and the property of the neighbour over the road being proposed to be zoned 'Agricultural' is of a huge concern, as the Natural Assets Code does not apply to that land zoned Agricultural, as referenced in Section C7.0 Natural Assets Code, subsection C7.2 Applications of this Provision in the 'Tasmanian Planning Scheme – State Planning Provisions'. This land contains a huge amount of remnant vegetation, and our neighbouring property on the Lyell Highway end, for example, contains the extension of the priority vegetation from our property. It is plain to see that this land contains a mixture of both grazing land as well as bush. This is also evident in much of what is proposed to be zoned as Agricultural around the whole of the Central Highlands region.

There are a number of threatened wildlife species who use the habitat on our property and all of our surrounding neighbours, including that which is proposed to be zoned agricultural, such as the boundary neighbour's property on the Lyell Highway side. The threatened species (listed on DPIPW's Threatened Species list on their website) we have sighted on our property and our neighbouring properties include: Spotted-tailed quoll (rare), Eastern quoll, Tasmanian devil (endangered) and Wedge-Tailed Eagle (endangered). Plus there are a range of animals and birds we have seen and heard but can't identify (i.e. Owls, Frogs, Native birds), and those we would not have seen yet. Plus there is a wide range of wildlife not listed on Tasmania's threatened species list, who we see use ours and all of our neighbouring properties. These include the bare-nosed wombat, which not only has the threat of habitat reduction through this proposed zoning, but also is being affected by mange in our area, which we witness first-hand. Mange is a death sentence for a wombat. Other animals we have on our property and in our area include the blue wren, rosellas, currawongs, pademelons, Bennett's wallabies and possums. All of these animals listed above all use not only the bushland on our property, but also that on all the near-by and neighbouring land proposed to be zoned agricultural. A lot of these animals use the whole vegetation corridor that is located on our and our neighbouring properties as habitat and travel corridors, for example, the spotted-tailed quoll travels up to 6kms in a night.

In summary, our recommendation is for all of the neighbouring properties around us being proposed to be zoned 'Agricultural', are actually to be zoned as 'Rural' to protect and preserve all remnant vegetation which should be deemed priority vegetation and protected by the Natural Assets Code overlay. We are happy for the proposed zoning of our property to be Rural because of this factor, and because the provision conditions suit our lifestyle.

We appreciate your serious consideration of our submission and know you will put forward our case to serve the best interest of the remnant vegetation and the wildlife that uses it in your region.

Kind regards,

Alex (Alexandra) Bock and Garry Daud



Address: 571 Thousand Acre Lane, Hamilton, 7140



**Kathy Bradburn**

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**From:** Peter Cassar-smith <pcassarsmith@gmail.com>  
**Sent:** Thursday, 21 October 2021 9:21 PM  
**To:** development  
**Subject:** Re planning scheme amendments in relation to conservation covenanted properties  
**Attachments:** Conservation Landholder Letter.pdf

Hi, we have received the notification of proposed changes to the zoning of the conservation land which we currently own. (please see notification attached).

We would like to indicate our agreement with the proposed change in zoning of the conservation land, as outlined in the attached advice.

Please also note, we are in process of selling the property, however, the settlement has not yet been finalized. We passed the notification on to the purchaser and they have requested that we make this response as they also agree with the proposed zone changes.

Regards,  
Peter and Michelle Cassar Smith





20 September 2021

Peter and Michelle Cassar-Smith  
19 Fisher Street  
PORT ARLINGTON VIC 3223

**Advice about the rezoning of your covenanted property at Lot 3 Marked Tree Road, Hamilton, by Central Highlands Council and the current public Exhibition Period until 22 October 2021**

Dear Conservation Landholders

If you are recipients of *The Running Postman* you will know who we are and that as fellow covenant landholders we have been organising forums and field days for conservation landholders for over 9 years.

With the change to the state-wide Tasmanian Planning Scheme (TPS) many properties in the Central Highlands municipality are being rezoned due to the retirement of several zones in the Central Highlands Interim Planning Scheme 2015.

Most of the conservation properties with Private Reserves protected by conservation covenant in the Central Highlands municipality will be rezoned as Rural or Agriculture by your Council unless the owners request that their property be zoned otherwise. The Exhibition Period was notified by two public notices in Tasmanian newspapers and on the Council web site, the only legal requirement for public notification.

Your 138.9 ha property at Lot 3 Marked Tree Road, Hamilton, (PID 3264626, Title Ref. 166564/3) is currently zoned as Rural Resource. In the recently exhibited Draft Zone Maps your property is being rezoned to the new TPS zone Rural.

Rural or Agriculture may be appropriate for titles where part of the land is used for agriculture but the new zone Landscape Conservation is more appropriate for titles fully covered by a Private Reserve or partly covered by a Private Reserve where the non-reserved part is not used for agriculture.

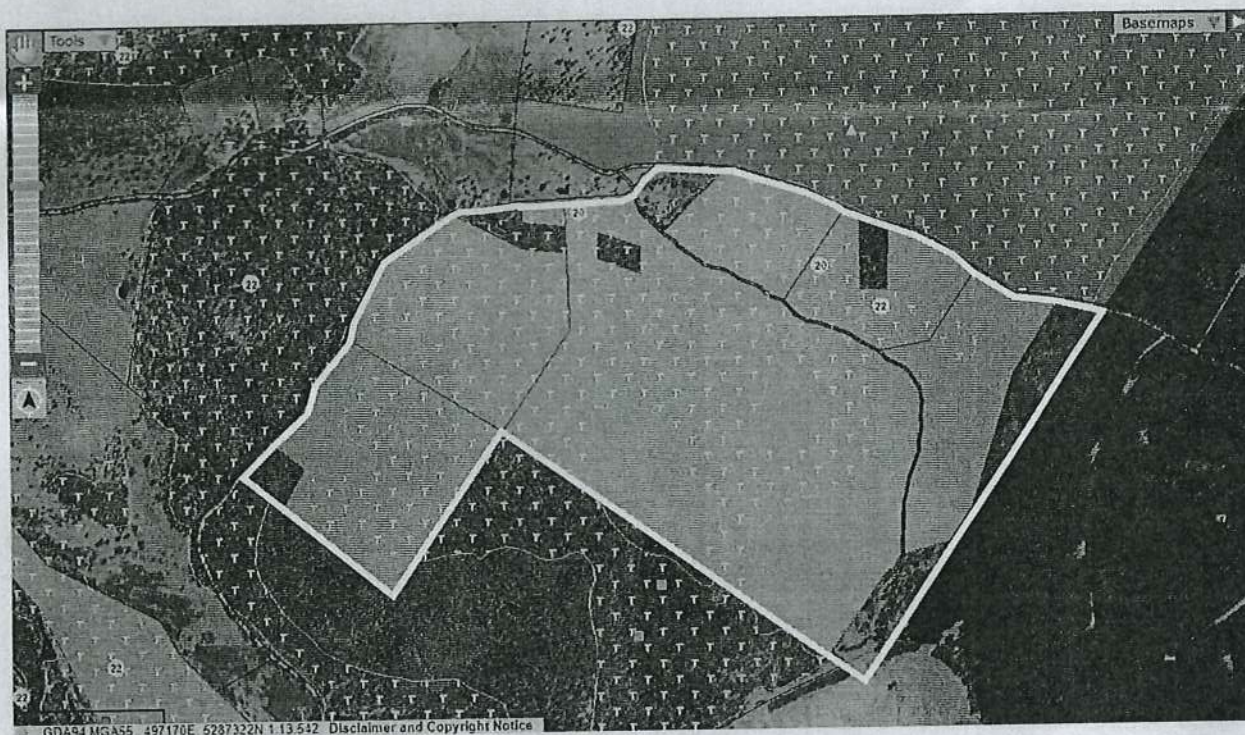
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ABN 47 746 051 320  
website [www.clt.asn.au](http://www.clt.asn.au)  
post 675 Cradle Mountain Road Erriba TAS 7310  
email [gaildennett@gmail.com](mailto:gaildennett@gmail.com)



Conservation Landholders Tasmania (CLT) is of the view that the new Landscape Conservation Zone should be applied to all of your property. Given that the Bullock Hills Reserve, the name of your covenanted area, covers 132.2 ha (95%) of the 138.9 ha Title Ref. 166564/3, Landscape Conservation Zone should apply to the whole title as the non-reserved area appears unsuitable and not used for agriculture.

CLT is proposing that all six adjoining properties that contain the 271.7 ha Bullock Hills Reserve are rezoned to Landscape Conservation and have also written to the other five landowners. A ListMap screenshot below shows the combined area (solid white border).



If you were considering building on the non-reserved land in the future, Residential Use for a new dwelling is a Discretionary Use under both the Rural and Landscape Conservation zones. The Performance Criteria that you would need to meet under Landscape Conservation only require you to demonstrate that a new dwelling will be compatible with the landscape values, i.e. the natural and scenic values.

In the Central Highland Draft Zone Maps the new Landscape Conservation Zone has not been used anywhere and there is no evidence in the Supporting Report prepared by the Planning Authority that they considered using Landscape Conservation Zone for your property.

However, the Tasmanian Planning Commission Guidelines make it clear that Landscape Conservation Zone should be applied to titles containing Private Reserves where the non-reserved part is not used for agriculture.

In Tasmania all land under conservation covenant is classed as Private Reserve, has a Reserve Name and is part of the Tasmanian Reserve Estate. It has been identified for protection and conservation by both the State and Federal Governments.



You are entitled to request rezoning of your property to Landscape Conservation during the current 60 day Public Exhibition period provided by your Council which closes on **22 October 2021**.

The benefits of rezoning to Landscape Conservation Zone for titles containing conservation covenants are:

1. The planning protection provided by Landscape Conservation Zone under the Tasmanian Planning Scheme complements the restrictions on use and development by the landowner within the covenanted area under the *Nature Conservation Act 2002*.
2. Landscape Conservation Zone prohibits Extractive Industries (i.e. mining, quarrying), as well as plantation forestry and intensive animal husbandry (e.g. feed lots, piggeries, poultry farms) - all of these and many other uses incompatible with a conservation property are permitted under Rural and Agriculture Zones. A conservation covenant will not prevent mining but the inability of the mining company to obtain a planning permit will.
3. On the non-covenanted part of the title Landscape Conservation Zone will still permit uses compatible with the covenanted part such as residential, visitor accommodation and home based business. Any existing uses on the non-covenanted part are necessarily permitted under the General Provisions of the TPS.
4. Having a title containing a conservation covenant zoned as Landscape Conservation provides planning protection under the *Land Use Planning and Approvals Act 1993* across the whole title, not just the covenanted area.
5. Landscape Conservation zoning will have greater influence on a neighbour's planning application for discretionary use or development on their property than the conservation covenant. Conservation covenants are not recognised *per se* under the *Land Use Planning and Approvals Act 1993*.

If you wish to have your conservation property zoned as Landscape Conservation during the current Planning Scheme process it is critical that you make a representation by post or email to your Council by the **22 October 2021** deadline. Information on how to make a representation and the Draft Zone Maps are available on the Central Highlands Council web site at <https://centralhighlands.tas.gov.au/central-highlands-draft-local-provisions-schedule-lps/>

During the Tasmanian Planning Commission hearings that follow the Exhibition process you will have the opportunity to present your case in person or online via Microsoft Teams to the commissioners whether Central Highlands Council supports your representation or not.

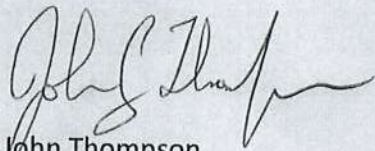
CLT has submitted a representation to Central Highlands Council on 19 September requesting that 13 of the 61 properties containing Private Reserves in the Central Highlands municipality, currently rezoned to Rural, should be rezoned to Landscape Conservation subject to landowner agreement. Your property is included in the 13 properties. Given the tight timeframe it has been necessary to make our representation before contacting you but you can be reassured that the Tasmanian Planning Commission will not agree to rezoning your property unless you request it in writing.

Please contact me by phone or email if you would like more information about the implications of Landscape Conservation Zone, or if you would like assistance with making a representation. CLT



has been successful in arguing the case for rezoning to Landscape Conservation in other municipalities. We are happy to share what we have learnt as well as draft a representation for you.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'John Thompson', with a stylized flourish at the end.

John Thompson

On behalf of the Board of Trustees, CLT Trust

Phone 0424 055 125

Email [thompsonjohnng@gmail.com](mailto:thompsonjohnng@gmail.com)



## Department of State Growth

4 Salamanca Place, Hobart TAS 7000  
GPO Box 536, Hobart TAS 7001 Australia  
Ph 1800 030 688 Fax (03) 6233 5800  
Email [info@stategrowth.tas.gov.au](mailto:info@stategrowth.tas.gov.au) Web [www.stategrowth.tas.gov.au](http://www.stategrowth.tas.gov.au)  
Our Ref: D21/257301



Ms Lyn Eyles  
General Manager  
Central Highlands Council  
19 Alexander Street  
BOTHWELL TAS 7030

By email: [development@centralhighlands.tas.gov.au](mailto:development@centralhighlands.tas.gov.au)

**Tasmanian Planning Scheme – Draft Central Highlands Local Provisions Schedule**

Dear Ms Eyles,

Thank you for your invitation to comment on the Draft Central Highlands Local Provisions Schedule (LPS).

The Department of State Growth (State Growth) has reviewed the Draft LPS, supporting mapping and overlay information and believes it largely reflects a sound translation from the *Central Highlands Interim Planning Scheme 2015* in accordance with the Tasmanian Planning Commission's *Guideline No. 1 Local Provisions Schedule (LPS): zone and code application*.

A detailed review has however highlighted a small number of issues that will require rectification or further discussion with Council officers and the Tasmanian Planning Commission. I have outlined each of the issues in the attached document for your consideration.

Please do not hesitate to contact Patrick Carroll, Principal Land Use Planning Analyst at [Patrick.Carroll@stategrowth.tas.gov.au](mailto:Patrick.Carroll@stategrowth.tas.gov.au) or on 03 6166 4472 who can arrange for relevant officers to respond to the matters raised in this submission.

Yours sincerely

James Verrier  
**Director, Transport Systems and Planning Policy**

22 October 2021

Attachment I – State Growth Comments – Draft Central Highlands Local Provisions Schedule



## Attachment I. State Growth comments - Draft Central Highlands Local Provisions Schedule

### State Road Network

#### Zoning of the State Road Network

Consistent with UZ1 of *Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application* (the ‘Guidelines’)<sup>[1]</sup>, the vast majority of State Roads have been zoned Utilities, based on the State Road Casement layer published on the LIST. This layer was developed in 2018 to assist Councils in drafting their LPSs, with the intent to clearly identify land forming part of the State road network for inclusion within the Utilities Zone.

State Growth have reviewed the Utilities Zone in the draft LPS and have identified one deviation from the State Road Casement layer along the Highland Lakes Road near Ripple Creek (refer Figure 1).

State Growth requests that the Utilities Zone is updated in the LPS to reflect the State Road Casement layer and acquired road parcel (CT 46/6704) (refer Figure 2).

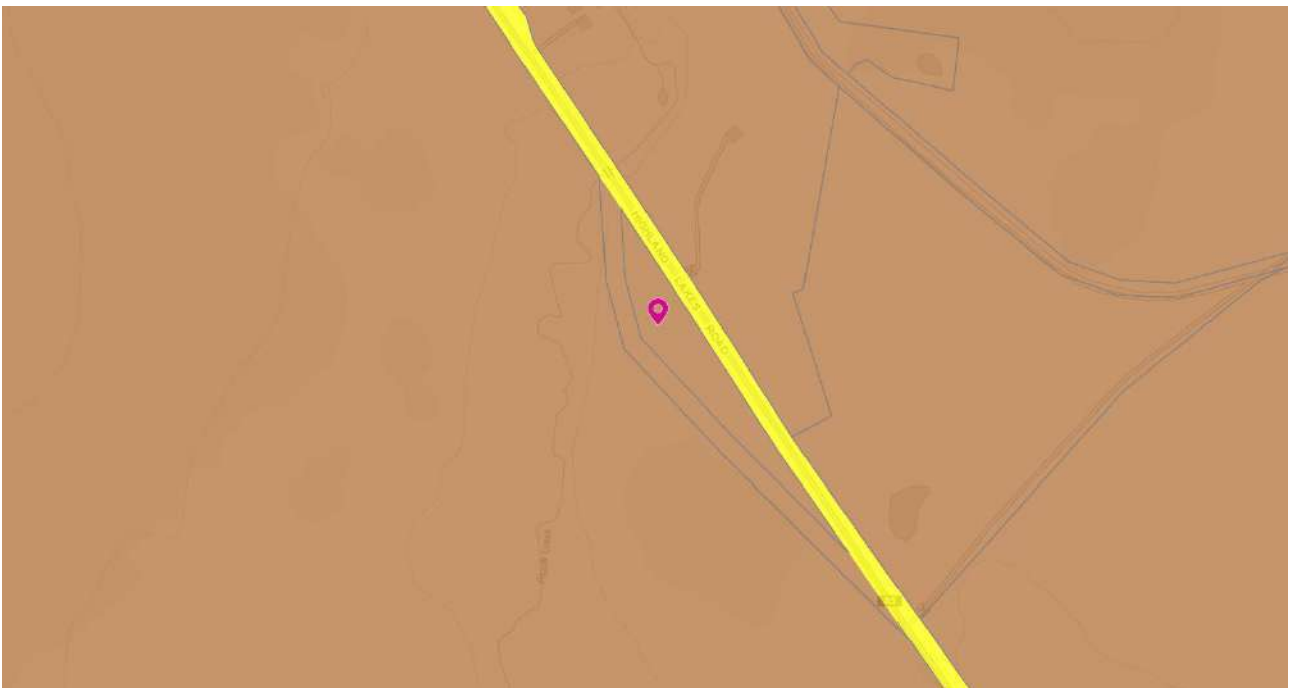


Figure 1: Draft LPS Zoning. Brown denotes the Agriculture Zone; yellow denotes the Utilities Zone.

<sup>[1]</sup> Tasmanian Planning Commission (2018) *Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application*. Version 2.0. [https://www.planning.tas.gov.au/\\_data/assets/pdf\\_file/0006/583854/Section-8A-Guideline-No.-1-Local-Provisions-Schedule-LPS-zone-and-code-application-version-2.pdf](https://www.planning.tas.gov.au/_data/assets/pdf_file/0006/583854/Section-8A-Guideline-No.-1-Local-Provisions-Schedule-LPS-zone-and-code-application-version-2.pdf)



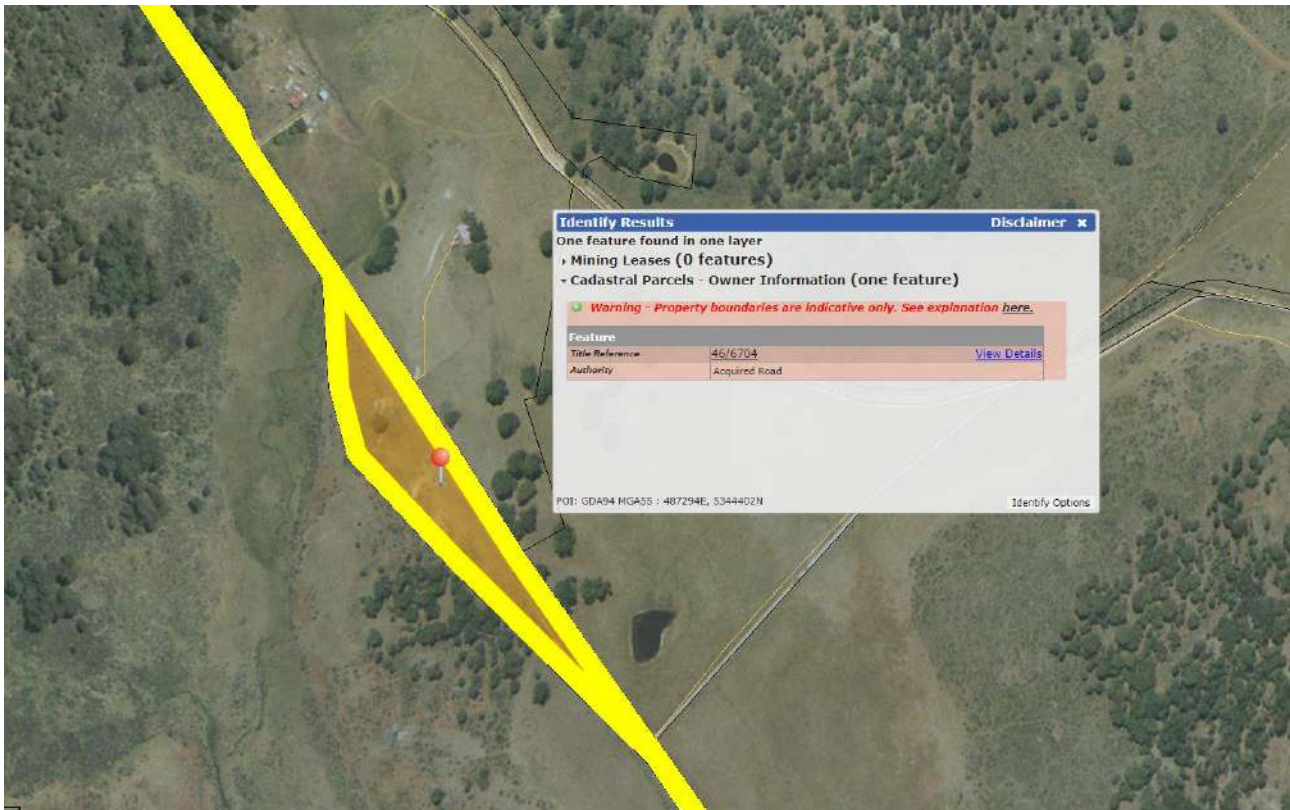


Figure 2: State Road Casement LIST map layer in yellow, and CT 46/6704 Acquired Road (highlighted), which State Growth propose to be zoned Utilities in the LPS

The application of the Utilities Zone to State Roads may require further modification during the Commission's assessment, reflecting the length of time between development of the Casement layer and finalisation of the LPS, ongoing State road projects, acquisition or transfer of Crown land and any additional considerations raised during the hearing process.

#### Application of Road and Railway Attenuation Area

State Growth supports Council's approach to rely on the written application of the Road and Railway Attenuation Area provisions, rather than applying the Attenuation Area via overlay mapping. The latter approach would require the overlay mapping to be updated via a Planning Scheme Amendment each time a parcel of land is acquired or disposed of for road purposes.

The approach taken will also ensure consistency with other approved LPSs, such as Brighton, Glenorchy, Meander Valley, West Coast, Circular Head, Burnie and Devonport.

#### Application of Natural Assets Code Overlay

State Growth supports Council's intent to remove the Natural Assets Code from the Utilities Zone to ensure works by or on behalf of relevant authorities can proceed with minimal or no planning implications.

### **Mineral Resources**

#### Mining Leases

State Growth notes that various Mining Leases, currently located within the Rural Resource Zone under the Interim Scheme, are proposed to be zoned Agriculture under the LPS.

Whilst a discretionary use under the Agriculture Zone, Extractive Industries and mining operations may be more strategically aligned to the provisions of the Rural Zone, rather than the Agriculture Zone.





19 October 2021

Chief Executive Officer  
Central Highlands Council  
19 Alexander Street,  
Bothwell 7030  
E: [development@centralhighlands.tas.gov.au](mailto:development@centralhighlands.tas.gov.au)

To the Chief Executive Officer

## **CENTRAL HIGHLANDS COUNCIL LOCAL PLANNING SCHEDULES**

The Tasmanian Land Conservancy (TLC) is a for-purpose, apolitical, conservation organisation that protects nature on private land ([www.tasland.org.au](http://www.tasland.org.au)). Our vision is for Tasmania to be a global leader in nature conservation. Through various programs and initiatives, we look after Tasmania's unique natural places, rare ecosystems, and the habitat of threatened plants and wildlife on private land. We value nature and the cultural, social and economic benefits it provides us all.

The TLC works across four main areas of strategic intent:

- **NATURE** – Conserve areas of high natural value using the best available science applied with adaptability and cultural awareness amid increasing social and environmental change.
- **PEOPLE** - Provide diverse and practical ways for people to contribute to and be involved in nature conservation.
- **INFLUENCE** - Lead, learn and contribute to global best practice in nature conservation through science, innovation, collaboration and open communication.
- **EXCELLENCE** - Demonstrate the highest standards in everything we do, applying exceptional governance and accountability to our work, while leading with respect, equity and fairness in our workplace and relationships.

Read more about our work in the [TLC's Strategic Plan 2020-2025](#) and in the [TLC's 2019-2020 Annual Report](#).

As one of Tasmania's largest private landholders, we protect and manage areas with significant conservation values for nature and for the public good. We also work with the local landholders and the broader community to conserve nature, connecting habitat to build resilience across the landscape.

It is in the state's interest to look after nature, and planning instruments that protect natural values across Tasmania are critical. The public benefit from healthy and intact natural systems includes water quality and retention, ecosystem function, pollination services, soil health and stability, aesthetic values, landscape resilience in a changing climate and personal wellbeing.



## **Private Reserves in the Central Highlands Council including the TLC's Estate**

Within the Central Highlands Council municipality there are approximately 61 properties comprising ~28,412 ha of private reserved land protected by conservation covenants. This represents 3.6% of total land within the municipality. All of this land is included in the Tasmanian Reserve Estate which is land reserved to be managed for biodiversity conservation under Tasmania's Regional Forest Agreement. These titles are also part of Australia's National Reserve System thereby contributing to the fulfilment of Australia's obligations under the international Convention on Biological Diversity 1993. All of the reserves are listed in the latest version of the Collaborative Australian Protected Area Database (CAPAD 2020) available at <https://www.environment.gov.au/land/nrs/science/capad>

The TLC owns and manages a significant portion of this reserve estate as a private landowner. These permanently protected areas are collectively known as the 'Five Rivers Reserve' and they encompass over 11,000 hectares, including land classified World Heritage. On review of the LPS it appears that one portion of this reserve has been zoned 'Environmental Management' - this comprises the property known as Skullbone Plains and identified as PID 5476083 on the [planning.discovercommunities.com.au](http://planning.discovercommunities.com.au) web link. Our preference is that this be zoned Landscape Conservation.

Similarly, the property known as Silver Plains PID 7612624 appears to be split between Agriculture, Rural and a small section of Environmental Management zoning. Again, we suggest that Landscape Conservation would be a more appropriate zoning across the properties.

The TLC requests that the extensive area comprising ~20,000 ha of land under our ownership and management be consistently zoned Landscape Conservation. Due to the scale of this land area and the significant natural values that it contains we believe the properties are best suited in the Landscape Conservation Zone.

### **Mapping natural assets**

To maintain connectivity in the landscape, natural values must be understood: mapping plays a critical role. The Priority Vegetation layer must be a state-wide resource that is current and maintained. The Priority Vegetation Overlay (PVO) is an unreliable guide to vegetation status. The PVO is based on a Regional Ecosystem Model which means it is based on the predicted likelihood of occurrence of different vegetation types based on physical features of the land, occasionally but not consistently validated using aerial photography, satellite imagery or other forms of observation. All species and vegetation communities listed under the *Threatened Species Protection Act*, *Nature Conservation Act* and the *EPBC Act* should be included in the priority vegetation mapping. Beyond the mapping of threatened species and communities, important cross tenure landscape linkages and corridors should also be recognised. In a changing climate, priorities for nature conservation will also change and it is important for the planning system to be able to respond effectively based on current data. TLC suggests that the Central Highlands Council implement a process whereby mapping of the Natural Assets Overlays is continually revised, updated and re-evaluated.

### **Reducing fragmentation in the landscape**

The connectivity of natural values is critical to achieve conservation outcomes. Connecting habitat from the coastal or riparian zones to ridgelines enables species movement across habitats, while building resilience in the landscape. Fragmentation of natural values impacts ecological function. Permitting development or a land use incongruent with ecological health, will impact the integrity of these systems.



We also strongly believe that the Natural Assets Code, and the application of the Priority Vegetation Layer, should be applied across all zones (including agriculture).

### **Consistent application of the Natural Assets Code**

It is important to have a Natural Assets Code as this is an essential tool in the protection of biodiversity and sustainable use. The [Natural Assets Code information sheet](#) notes that 'The Natural Assets Code provides consistency across the State regarding the protection of important natural values and recognises the significant role that other State and Commonwealth legislation has in biodiversity conservation'.

While claiming to provide consistency, the *Natural Assets Code does not apply to the agricultural zone*. This must be amended as a matter of urgency. The exemption of the application of the Natural Assets Code in the Agricultural Zone diminishes the role of private land in the protection of the state's natural assets and increases the level of threat to Tasmania's listed plant and animal species. To remedy this, the code also needs a full and thorough review to remove the exemptions, omissions, and terminology vagaries. Without a stronger commitment to the protection of our natural assets there will be continued fragmentation and degradation of important habitat. If the priority vegetation layer is not applied across all zones the risk of further extinctions in Tasmania will increase, while also adding more species to the endangered list. There is also a unique opportunity to apply a landscape-scale, cross-tenure approach that identifies habitat linkages, corridors and climate refugia.

Let's not miss the opportunity to ensure that natural assets such as irreplaceable, rare and significant species and vegetation communities are recognised, valued and protected.

### **Conservation covenants**

While the public focus is often on national parks, extensive estate is protected through conservation covenants on private land. The Department of Primary Industries, Parks, Water and Environment (DPIPWE) along with the agricultural sector and regional Natural Resource Management (NRM) committees, acknowledge the significant role of private landowners in conserving Tasmania's natural capital and the public and private benefits that flow from this approach. 'Capable land stewardship conserves the natural environment, providing benefits for future Tasmanians and visitors while enabling landowners to maintain market access and capitalise on new opportunities' ([DPIPWE's Private Land Conservation Program](#)).

Covenants are legally binding under the *Nature Conservation Act (2002)* and are registered on the land title. Usually established in perpetuity, covenants give peace of mind that natural values, such as native flora and fauna, natural wetlands and geo-conservation assets, will persist for generations. Nature conservation on private land makes an enormous contribution to the National Reserve System, Australia's network of protected areas.

Tasmania currently has approximately 900 conservation covenants, protecting 110,000 hectares across a diversity of habitats. Many of these covenants are vegetation communities that are poorly protected on public land. On-title protections identify the conservation values onsite, and the required management to ensure their wellbeing. [Read more here](#).

As an organisation with land and associated partnerships throughout the state we have a strong interest in planning provisions, particularly regarding the recognition and protection of natural assets. The TLC welcomes the opportunity to provide feedback on the Central Highlands Council Local Provisions Schedule. We also wish to provide some additional general comments on the Tasmanian Planning Scheme State-wide Planning Provisions.



### **Zoning conservation covenants**

In Tasmania, privately protected land covers a smaller area than publicly protected land, but it contains a higher percentage of threatened communities. Despite this, many properties with conservation covenants on title are currently zoned rural.

To ensure that the LPS properly reflects the current and future development potential of covenanted land there must be the application of an appropriate zone to the land. The TLC considers that, as a general rule, land subject to a conservation covenant ought to be zoned Landscape Conservation Zone. The purposes of these zones properly reflect the underlying purpose to which covenanted land is put – that is (respectively), to “provide for the protection, conservation and management of landscape values” (clause 22.1.1 of the TPS) and to “provide for the protection, conservation and management of land with significant ecological, scientific, cultural or scenic value” (clause 23.1.1 of the TPS) and use compatible with those purposes (clauses 22.1.2 and 23.1.2 respectively).

Private reserves, including all private Conservation Covenants and TLC reserves, have a reserve management plan prepared by experts to protect, conserve and manage the ecological, scientific, cultural and aesthetic values of the area in the public interest. These plans guide the protection and management of the land.

Zoning for the broader landscape should also be carefully considered to avoid diminishing the surrounding natural values through fragmentation.

### **Future conservation covenants**

The TLC operates the [Revolving Fund program](#), where property with high conservation values is bought, and an on-title conservation protection established before the land is sold. Small-scale building envelopes are often defined within the title, identifying a site where disturbance will have the lowest impact on the conservation values that are being protected. A human presence in these natural settings helps to manage the natural values. While the exact location of future Revolving Fund properties cannot currently be discerned, the planning provisions should enable small-scale, appropriate residential opportunities for these situations.

### **Applying the Precautionary Principle**

Furthering the objectives of the Resource Management and Planning System (RMPS) as outlined in Schedule 1 of the *Land Use Planning and Approvals Act 1993* through sustainable development involves:

- ‘managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while –
  - (a) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and
  - (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and
  - (c) avoiding, remedying or mitigating any adverse effects of activities on the environment.’

With unprecedented seasonal variations, natural systems and vegetation communities are changing. Now more than ever, we need good planning, based on the best information available at the time. Applying current research, monitoring and mapping data is critical to ensure sustainable use. The most up to date information must inform decisions, and when we don’t have adequate information, the precautionary principle should apply.



We welcome this opportunity to provide a submission and look forward to providing further details to the Commission.

Yours sincerely

A handwritten signature in black ink, appearing to be 'JH', with a stylized, flowing script.

**James Hattam**

CEO, Tasmanian Land Conservancy

Tasmanian Land Conservancy  
PO Box 2112  
Lower Sandy Bay TAS 7005  
**Ph** 03 6225 1399  
**E** [info@tasland.org.au](mailto:info@tasland.org.au)  
[www.tasland.org.au](http://www.tasland.org.au)



**Kathy Bradburn**

---

**From:** Greg McCann <gmccann@excentor.com.au>  
**Sent:** Friday, 22 October 2021 10:00 AM  
**To:** development  
**Subject:** Attention Ms Lyn Eyles

Dear Ms Eyles,

We own a home and 70 acres bordering on Arthurs Lake in the Central Highlands. The key reason why we own this property is its tranquillity in a natural bush setting where birds, animals and fauna can exist and be admired. After a major health scare and over 12 months of ongoing treatment, the Highlands offers unique peace, quietness and a healthy lifestyle for us.

We are aware of the proposed changes to the planning scheme and are gravely concerned that there could be unintended negative impacts should the area be transitioned from the Rural Resource Zone to Agriculture in many places throughout the Highlands Lakes. Whilst we do not object to the current rural activities within the Central Highlands, it is not appropriate that non rural activities be permitted as a result of this proposed change.

**As a matter of urgency**, can you please confirm in writing why the Central Highlands Council's Draft Local Provisions Schedule has not applied a Scenic Protection Code. One of the area's strengths is its natural beauty and the Council needs to explain and justify to its ratepayers why the scenic values and unique character of the Highland Lakes area is being ignored in this manner.

We are not anti-development, but any development that is permissible through these proposed changes must respect the broad environment of the Central Highlands area and preserve the Highlands' character and the way of life of its residents.

Every development must be 'fit for purpose' and the Council has a responsibility and will be held liability for making changes to its zoning regulations that do not take into account the balanced wishes of its ratepayers, especially those changes resulting in a significant adverse impact on the local residents.

Finally, and **as a matter of urgency**, can you please provide a full explanation in writing why these changes are being proposed and what has initiated this action.

We look forward to receiving your detailed answers to our two specific questions.

Yours sincerely,

Greg & Jane McCann  
Hatlor Pty Ltd  
389 Arthurs Lake Road  
Arthurs Lake 7030



Kathy Bradburn

---

**From:** dtannock@dstlegal.com.au  
**Sent:** Friday, 22 October 2021 11:20 AM  
**To:** development  
**Subject:** Central Highlands Council's Draft Local Provisions Schedule

Dear Ms Eyles

I write to you as a permanent resident of Melbourne who has recently purchased property and made a substantial investment in the Central Highlands Lakes Area and, in doing so, I have become a rate payer with an interest and commitment to the area and its future.

I have travelled all over regional Australia to represent communities who are fighting inappropriate property development, and while I have supported these communities and am very sympathetic to their causes, I have not purchased properties in these other areas. Tasmanian Highlands Lakes Area struck me as unique in the world. It is unique area in Australia, that I intend to spend more time in (eventually when borders open up) because of the extreme serenity.

The proposed transition from Rural Resource Zone to Agriculture in the Highlands Lakes is inappropriate. There will be unintended and irreversible consequences to the Central Highlands Lakes Area if a **Scenic Protection Code** to the Local Provisions Schedule is not applied. You only have to visit western Victoria to see how the character of once beautiful landscape has been transformed for the worst by inappropriate development.

Thank you for your consideration.

Regards  
Dominica

Dominica Sophia Tannock  
Australian Legal Practitioner

D S T Legal  
Office: 10/663 Victoria St, Abbotsford, Victoria 3067  
Tel: 0437 989 751

Please note that this email is a private and confidential communication from me to the named recipient.





2 Salamanca Square,  
Hobart, Tasmania 7000  
Australia  
[www.ghd.com](http://www.ghd.com)

Your ref:  
Our ref: 12565991

22 October 2021

General Manager  
Emailed to: [development@centralhighlands.tas.gov.au](mailto:development@centralhighlands.tas.gov.au)

Copy to:  
[bothwellgarage3@bigpond.com](mailto:bothwellgarage3@bigpond.com);  
[geoffherbert@outlook.com](mailto:geoffherbert@outlook.com)

### **LPS Submission – Central Highlands Planning Scheme – 3 Adelaide Street, Bothwell**

Dear Lyn,

I write to provide this written submission on behalf of our client Geoffery Herbert on the Central Highlands draft Local Provisions Schedule (draft LPS).

The representation regards land in Mr Herbert's ownership at 3 Adelaide Street, Bothwell (CT 245881/1). Our Client's interest is to subdivide the land and provide further housing lots in Bothwell.

I note the draft LPS zoning and overlays are largely a translation of the existing planning provisions under the *Central Highlands Interim Planning Scheme 2015* – as follows:

#### **Zoning**

- The Low Density Residential Zone (LDRZ)

#### **Overlays**

- The Bushfire Prone Area Overlay – Bushfire-Prone Areas Code
- The Bothwell Heritage Precinct Overlay – Local Historic Heritage Code

#### **Codes (applicable to subdivision)**

- Parking and Sustainable Transport Code
- Road and Railway Assets Code

Our Client has a previously approved subdivision for the land to create an 8 lot plus road (road lot) subdivision for the land under the former Central Highlands Planning Scheme. This would create a range of lot sizes between 1547m<sup>2</sup> and 2446m<sup>2</sup>.

The current *Central Highlands Interim Planning Scheme 2015* allows a minimum lot size of 1500m<sup>2</sup> for the Low Density Residential Zone. However the State Planning Provisions allows for a minimum lot size of 1200m<sup>2</sup> under the Zone Performance Criteria (per Part 10.6.1).

Our Client supports the application of the Low Density Residential Zone to the land. In particular our Client supports the provisions of Part 10.6.1 of the zone subdivision standards which may allow a lot size not less than 1200m<sup>2</sup>.





**Figure 1: Wentworth Street Lots and 3 Adelaide Street at the rear (Source: thelist.tas.gov.au)**

I note further that the *Southern Tasmanian Regional Land Use Strategy* has categorised Bothwell as a 'Township' with a 'moderate' growth strategy that would allow a 10 -20% increase in the number of potential dwellings for the township (Table 3: Growth Management Strategies for Settlements, p89). This brings great potential to undertake further rezoning or structure planning for the town in the near future. This may allow for a higher density zoning for this area such as the General Residential Zone or Village Zone. Thought to a Specific Area Plan could be given to create a density and character that is in keeping with the values of this part of the town.

Our Client therefore ask Council to consider the future zoning for this land and surrounding area, noting that the five (5) lots on Wentworth Street are already at a higher density of 900m<sup>2</sup> (or less). Will Council in the short to medium term (i.e. within the next 5 years) consider structure planning for the township of Bothwell to increase the density of housing in this area?

I am available to discuss this submission further or to provide further commentary if necessary.

Regards

**David Cundall**  
Senior Planner

+61 3 62100679  
david.cundall@ghd.com



8 Johnsons Rd  
Miena TAS 7030  
M 0401 770 003  
E [ianfitz45@gmail.com](mailto:ianfitz45@gmail.com)

Ms Lyn Eyles  
General Manager  
Central Highlands Council

By Email: [development@centralhighlands.tas.gov.au](mailto:development@centralhighlands.tas.gov.au)

#### REPRESENTATION-CENTRAL HIGHLANDS LOCAL PROVISIONS SCHEDULE

My interest is in preserving the wilderness and historical aspects of the Central Highlands in the area of St Patricks Plains, The Steppes, Thousand Islands Wilderness Area and the Great Lake and associated water bodies.

My regular annual visits to the Central Highlands area, as I own property in Miena for some 18 years, and previously for an earlier decade, are due to the beautiful wildness of the area, the weather, sometimes quite brutal, the variety of animals, the fauna, and the people who share those interests.

My fishing interests involve fly fishing for trout in adjacent water bodies, such as the world famous fly fishing venues, Penstock Lagoon, and Little Pine Lagoon. I was a volunteer, with my boat, for the recent World Fly Fishing Championship, and the weather demonstrated the rawness of these latitudes and altitude.

The Steppes Homestead is a wonderful location, and I have volunteered with Ken Wright and Anne Thwaites, and others, to keep The Steppes Homestead looking attractive for visitors, demonstrating the harshness of the local environment.

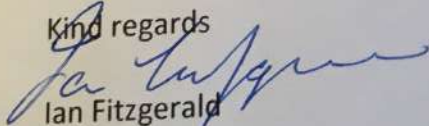
As a member of the Mountain Huts Preservation Society, I have assisted with wooden shingle preparation, and reroofing, and removing undergrowth around the main homestead on many occasions.

To surround these areas with 200M+ towers, highly visible from the main road, would be to destroy that alpine wilderness that people are seeking.

According to Wikipedia, the Tasmanian Alpine Region is larger than the mainland alpine area, based on plants assessment, and this wildness should not be visually intruded upon.

The amenity and wildness of the Central Highlands should be under the control of the local citizens and Council, not the preserve of gone tomorrow promoters.

Kind regards



Ian Fitzgerald

22 October 2021



**From:** Mary Louise Ashton-Jones <mlaj1@me.com>  
**Sent:** Friday, 22 October 2021 1:53 PM  
**To:** development  
**Subject:** Representation re Local Provisions Schedule -Planning Scheme

To the General Manager, The Central Highlands Council, Tasmania.

I wish to make representation in relation to proposed amendments to the Central Highland Planning Scheme - Central Highlands Draft Local Provisions Schedule.

I have lived in the Central Highlands for 28 years and my family has been in the district for 5 generations. I am a regular user and visitor to the unique grandeur of the high country that makes up such a large part of the Central Highlands. The area is a vital part of the enjoyment, culture of and recreational asset for the citizens of the area and, also, the many visitors who enjoy our region and make their economic contribution.

I am very concerned about the lack of a Scenic Protection Code provision within the Schedule. Protection of the scenic and associated values of the region are vital. The serenity and pristine environment of the region must be protected.

The omission of a Scenic Protection Code will obviously pave the way for unlimited and unwanted amounts of inappropriate activities .... which bring with them the associated negatives such as visual pollution, noise pollution and general land degradation. These developments have a negative impact on the social, economic and environmental fabric of the area. They risk destroying the scenic values so important to the whole atmosphere. The Central Highlands is conspicuous for its unique scenery and other values.

Sadly, the unique, natural beauty and serenity of the Highland Lakes is already under threat by inappropriate developments planned for the region. One of the prime tasks of a Planning Scheme must be to maintain the peace and harmony of one of the world's most special places, our Highland Lakes of Tasmania.

I make this representation to ensure the Council includes a Scenic Protection Code in the proposed Local Provisions Schedule.

This is a heartfelt plea to the Central Highlands Council to at least ensure that the Planning Scheme provides adequate protection for the very values for which the Highlands stand.

Mary Louise Ashton- Jones.

"Ashton"  
OUSE, 7140  
Tasmania.



**Kathy Bradburn**

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**From:** Natalie Fowell <znfowell@gmail.com>  
**Sent:** Friday, 22 October 2021 1:56 PM  
**To:** Kathy Bradburn; development  
**Cc:** John Thompson  
**Subject:** Representation on the Central Highlands Draft Local Provisions Schedule - N. Fowell

Attention: Central Highlands Planning Authority

I am the owner of the 41.64 ha property at Lot 2 Marked Tree Road, Hamilton, (PID 3264597, Title Ref. 166564/2). In the currently exhibited Central Highlands Draft Local Provisions Schedule the property has been rezoned as Rural.

The majority of the property is covered by 38.19 ha of the Bullock Hills Reserve protected by conservation covenant and has therefore been identified by both the State and Commonwealth Governments for protection and conservation of the biodiversity it contains. As most of the property is private reserve and the non-reserved part of the property is unsuitable and not used for agriculture, Guidelines LCZ1 and RZ1 together indicate that the property should be rezoned to Landscape Conservation. My property is part of a cluster of six adjoining properties containing the 271.7 ha Bullock Hills Reserve, which in turn adjoin the 294 ha Pelham West Nature Reserve to the north proposed for Environmental Management Zone.

In its representation Conservation Landholders Tasmania has presented a detailed case for rezoning my property. I support their case and agree to my property being rezoned to Landscape Conservation.

Could you please acknowledge receipt of my representation?

Yours sincerely,

Natalie Fowell  
0406 581 096



Bridge House  
OUSE 7140

Central Highlands Council  
19 Alexander St  
BOTHWELL 7140  
Email: [development@centralhighlands.tas.gov.au](mailto:development@centralhighlands.tas.gov.au)

## **CENTRAL HIGHLANDS DRAFT LOCAL PROVISIONS SCHEDULE**

Dear Lyn

Thank you for the opportunity to make a representation to Council and the Planning Authority in relation to the Draft Local Provisions Schedule.

Our family has a long history of living and fishing in the Central Highlands, spanning 5 generations. We are passionate about the area and are concerned that in the transition from the Central Highlands Interim Planning Scheme to the Draft Local Provisions Schedule within the Tasmanian Planning Scheme, there is no effective planning tool to manage and protect the very unique landscape and scenic values that make the area so special.

The Central Highlands Council Website's front page informs viewers,  
([www.centralhighlands.tas.gov.au](http://www.centralhighlands.tas.gov.au))

"Welcome

The Central Highlands covers 8010sq km, or 12 per cent of Tasmania's land mass, and is home to disparate, but thriving communities.

It has a permanent population of 2216 and 3700 ratepayers, many of whom own shacks in the communities around the region's spectacular lakes and mountains.

The Central Highlands boasts glorious scenery and dramatic built heritage dating back to the early 19<sup>th</sup> century. It is the birthplace of Tasmania's Hydro Electric power system and home to the best trout fishing in the southern hemisphere.

Our region is host to a World Heritage Area, two national parks and other Wilderness Conservation Areas, to Tasmania's recreational fly fishing, hunting and bushwalking communities, and has strong agricultural, horticultural and tourism industries."

The Central Plateau area of the Highlands is indeed a spectacular and unique landscape that is not only promoted by Council for its scenic qualities and recreational activities but also by Government and private business for ecotourism development which makes this part of Tasmania a high-value geographical region, predicated on its environmental values. It is therefore surprising that Council's draft Local Provisions Schedule (LPS) has omitted to apply the C8.0 Scenic Protection Code in any applicable Zone to ensure the preservation of the



scenic features that make this area so special and attractive to both the local community, landowners and visitors.

The C8.0 Scenic Protection Code's purpose is, C8.1.1 - To recognise and protect landscapes that are identified as important for their scenic values.

While most developments are discerning in relation to preserving natural scenic values in special areas such as the Highlands Plateau, planning controls must be in place to ensure potential project sites and activities are appropriate and not left to developers' discretion at the cost of landscape and scenic amenity. This representation proposes that a Scenic Protection Code be applied in all LPS Zones.

### **Best Trout Fishing in the Southern Hemisphere**

The Tasmanian Highlands has a world-wide reputation for the quality and scenic beauty of its many lakes and tarns that contain magnificent brown and rainbow trout. The range of opportunities is endless from the huge yingina/Great Lake to the land of the Thousand Lakes in the western part of the plateau to the spectacular fly-fishing lakes such as Little Pine and Penstock Lagoon which hosted the World Fly Fishing Championships in 2019 with 23 countries competing and international teams were blown away by the Highlands Lakes' beauty and challenging conditions (literally!). A huge part of the fishing experience and attraction of the Highlands is in the enjoyment of the landscapes surrounding the waterways, each lake has its own special environmental features.

### **Recreation**

Many fishing, bushwalking and hunting families from all parts of Tasmania and the Mainland own shacks and B&Bs around the lakes with a significant increase in population during the height of summer when Miena has the highest population in the Central Highlands Municipality. The attraction is the landscape and unique environment which is host to the variety of experiences available including passive recreation such as wildlife observation in a natural habitat.

### **Tourism**

Tasmania's reputation as a tourist state is based on its beautiful and varying landscapes. The Central Plateau's alpine and sub-alpine environments are inspirational with dramatic glacial features, topography and sensitive ecological elements. The harsh high-altitude climate is responsible for the presence of unique and fragile endemic vegetation species that give the area a sense of being on another planet. The Discover Tasmania promotional website ([www.discovertasmania.com](http://www.discovertasmania.com)) says, "The island's landscapes were shaped by previous ice ages and many of Tasmania's plants and wildlife are living evidence of the breakup of Gondwana, millions of years ago."

And ... "For the nature lover, there's plenty to discover in Tasmania".

There is an abundance of native wildlife in the Highlands including a high number of threatened species that complement the region's rugged landscape and add to the visitor experience.



### **Scenic Drives**

The State Government has actively promoted scenic drive tours through the Highlands with its Western Wilds and Heartlands promotional initiatives which include the Highland Power Trail. The A5 Highland Lakes Road (formerly known as the Lake Highway) and now completely sealed, traverses Tasmanian's Central Plateau between Deloraine in the North and Melton Mowbray in the South, a distance of 146km.

Tourists arriving on the Spirit of Tasmania, intending to travel south are directed, as a default setting in their car's GPS, to the Highland Lakes Road A5 route being a shorter distance to Hobart than Highway 1. It is also a preferred access drive for Tasmanians and visitors because of its variety of spectacular roadside scenic qualities, and is one of Australia's most picturesque journeys.

### **Scenic Heritage Values**

The Steppes State Reserve of 48 ha consists of a number of historic buildings including the heritage listed Steppes Hall, the homestead, in a bush setting with a 900m track to a series of bronze sculptures depicting images of Highlands wildlife and original inhabitants. The area is in the Environmental Management Zone and is a valuable example of early European settlement in what was a remote outpost with extensive records of its early history and development. The application of the Scenic Protection Code should be applied to the Steppes area to ensure its scenic qualities are preserved.

This representation calls for the C8.0 Scenic Protection Code to be applied to the applicable Zones within the Central Highlands LPS in line with the objectives of the Resource Management and Planning System and in line with the Council's and Tasmanian Government's promotions of the scenic and landscape values of the region.

Yours faithfully



Victoria Onslow  
22 October 2021

William Phipps Onslow





## **SUBMISSION ON CENTRAL HIGHLAND DRAFT LOCAL PROVISIONS SCHEDULE TASMANIAN PLANNING SCHEME**

A Scenic Protection Area (SPA) is proposed for the Central Plateau along the Highland Lakes Road from the municipality boundary in the north to Bakers Tier in the south, and along the Waddamana Road to Hilltop, to protect the widely recognised scenic values of the Central Plateau along these tourist routes.

The scenic values are an integral part of Tourism Tasmania's Heartlands and Western Wilds tourism initiatives. Highlands Power Trail Road Trip, and Council's Highlands Tasmania brand. The Highland Lakes Road itself is a high-volume scenic tourist and a primary access route linking the south and north of the State. Protecting the scenic values of the Central Plateau for the tourism and recreation industries and residents from inappropriate development is essential for the economic and social wellbeing of the municipality.

The proposed Great Central Plateau SPA satisfies the Tasmanian Planning Commission Guideline SPC1 as having identified scenic values of local and regional importance; and presents a strong case response to Guideline SPC2 on why inappropriate development would diminish those values. It would only apply to land within the six applicable zones as per Guideline SPC3. The proposed SPA is also consistent with tourism policies of the current Southern Tasmania Regional Land Use Strategy.

The Great Central Plateau SPA should be created during the current Draft LPS assessment process as allowed by the State Planning Provisions and Guideline No 1. Similar landscape wide SPAs have been included in the Glenorchy, Burnie and Meander Valley LPSs during the current process. As affected landowners have not had the opportunity to comment on the proposed SPA during the exhibition period it would be appropriate for this proposal to be treated as a substantial modification under Section 35KB of the Act.

The proposed Great Highlands Scenic Protection Area is attached for your information.

### **Application of landscape wide TPS Scenic Protection Areas in other municipalities during the current process**

Of the municipalities that have now transitioned to the Tasmanian Planning Scheme, many of them have applied Scenic Protection Areas and Scenic Road Corridors to protect important scenic values via the Scenic Protection Code. Other municipalities have also included Scenic Protection Areas and Scenic Road Corridors in their draft LPSs.

The three examples of LPSs now in effect are presented below. The Glenorchy Hinterland Scenic Protection Area covers more than 75% of the municipality and applies to both public and private land tenure. The other two Scenic Protection Areas are smaller but also apply to both public and private land tenure. There is clear precedent in these and other municipalities for the application of the Scenic Protection Areas during the current process.



## Burnie Urban Settlement Scenic Protection Area



## Glenorchy Hinterland Scenic Protection Area



## Travellers rest Scenic Protection Area (Meander Valley)



Thank you for considering this representation. Please contact me if I can assist you in any way.

Yours sincerely

*David Ridley*

**David Ridley**

**3 Monk St Shannon, Tas 7030**

**22<sup>nd</sup> October 2021**

Contact: [david.ridley1955@gmail.com](mailto:david.ridley1955@gmail.com);

ph 0467968488



## CENTRAL PLATEAU SCENIC PROTECTION AREA (SPA), TASMANIA.



Barren Plains and Cider Gum, Central Plateau Tasmania. Photo Helen Ridley

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#### Appendix 2 Great Central Plateau Scenic Protection Area and supporting photos

David Ridley  
3 Monks St  
Shannon, Tas 7030  
24<sup>th</sup> October 2021



## SUMMARY AND CONCLUSIONS

Procedures that recognise the scenic values of the Central Plateau are largely missing in the draft LPS now on display by Central Highlands Council. CHI-Table C8.1 Scenic Protection Areas has not been used.

Community input has been sought on draft Local Provisions Schedule (LPS) for the Central Highland area under the new state-wide Tasmanian Planning Scheme. This Assessment considers scenic values of the Central Plateau, identifies a Scenic Protection Area under the LPS, and provides information for inclusion in LPS Table CHI C8.1 so Development Approvals and scenic landscape protection can both occur.

Better recognition of the scenic landscape features the Central Plateau is required because:

- The high scenic values of the Central Plateau are well recognised by international, Mainland visitors, and Tasmanians; and are a key element of any Central Plateau land-use proposal.
- The scenic values of the Central Plateau are central to the Highlands tourist and recreational initiatives as well as the economic health and well-being of the area.
- High scenic values exist at lookouts and key viewpoints along the Highlands Lake Road (A5) and Highlands Power Trail (C178).
- Recognition of scenic values is a core component of the Central Highland Council initiatives, was an integral component of the Interim Planning Scheme for the area and is essential for the Highland Brand, the Highland lifestyle, and Highland developments.
- The 'old' Planning Scheme recognised the scenic values. Translation from the old (Interim) Planning Scheme to the new (Tasmanian) Planning Scheme under the draft LPS has not adopted scenic values to the extent present in the old Scheme. There are no provisions within the Agriculture and Rural Zone to avoid impacting scenic values by building/works or vegetation destruction.
- The proposed Great Central Plateau SPA satisfies the Tasmanian Planning Commission Guideline SPC1 as having identified scenic values of local and regional importance; and is a strong case in response to Guideline SPC2 on why inappropriate development would diminish those values. The proposed SPA is also consistent with the tourism policies of the current Southern Tasmania Regional Land Use Strategy.

An analysis of areas surrounding key arterial and tourist roads that bisect the Central Plateau was undertaken to assess scenic values. It shows high scenic values exist. As a result, the Great Highland Plateau Scenic Protection Area (SPA) has been identified, mapped and the LPS Table populated (including Management Objects) so it can be included in the Central Highland LPS.

Specifically, the Assessment found a subsection of the Central Plateau character type had High Scenic Quality Class because of unique landforms, vegetation and wildlife forms, water forms and cultural heritage features. The Lakes Highway and associated Waddamana Road were assessed using the Guidelines from Supporting Documents to the LPS. As a result, the Great Highland Plateau SPA was identified which almost exclusively contains High Scenic Value Areas. This Great



Highland Plateau SPA only applies to Zones and Codes which are allowed under the Tasmanian Planning Scheme.

Recognition and maintenance of these unique scenic values of the Central Plateau that has been identified in this Assessment is needed as part of planning and Development Approval processes.

Hence the Tasmanian Planning Commission can include the Great Highland Plateau SPA in the LPS because of the known scenic values that are recognised by the community and confirmed by this Assessment so as to ensure scenic landscape values are considered up-front and developments proceed in a manner consistent with the Highland brand.



## 1. Background

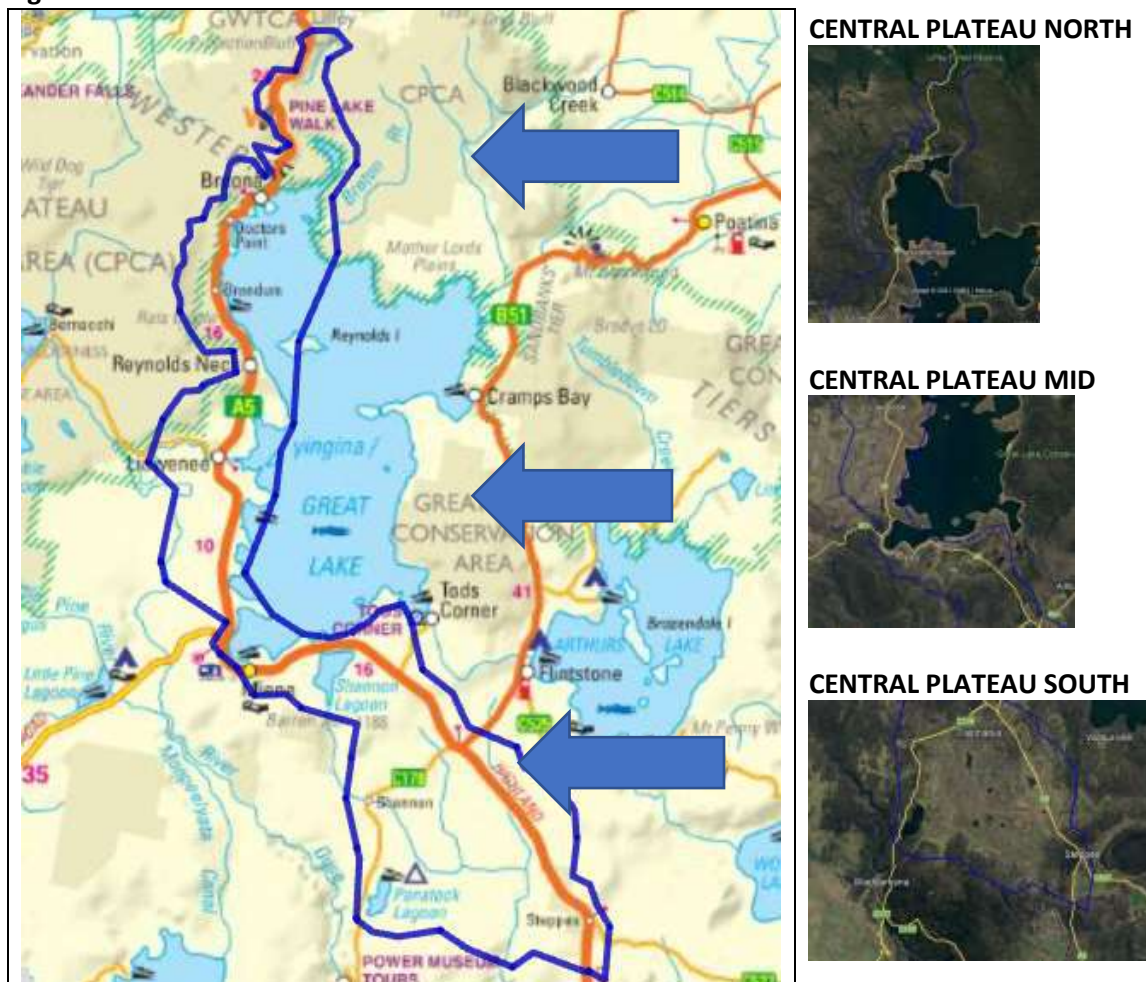
### 1.1. Context: Central Plateau and scenic values

This Assessment considers a section of the Central Plateau in the Heart of Tasmania.

Scenic landscape values seem to be the forgotten value in the draft Central Highlands Local Provision Schedule. This report provides an assessment of the scenic values for part of the Central Plateau area of the Central Highlands of Tasmania. It includes areas planned to be zoned as Rural Resource Zone, Agriculture Zone and Environmental Management Zone under the new Tasmanian Planning Scheme. It is based on two of the six primary access roads of the Central Plateau – Lakes Highway (A5) and Waddamana Road (C178) which are not only primary access roads but are also well used tourist and shack owner roads.

The Assessment Area is shown in Figure 1. For convenience, the Assessment Area has been recognised as Central Plateau North, Central Plateau Mid and Central Plateau South. The Assessment area covers roughly 60km in length and about 25000ha in size.

**Figure 1: Overview of the Assessment Area**



As indicated above, this assessment focusses on a subsection of the Central Plateau. It considers the scenic values associated of the A5 and B178 roads and their hinterlands rather than the whole of the Central Plateau area. This occurred because the A5 is the primary feeder road covering the full-length of the Plateau, and because these routes are the highest







for three years in the leadup to the event. Following completion of sealing of the Lakes Highway, the Central Plateau now provides the preferred travel route from Spirit of Tasmania (Devonport) to Hobart. It is the 'Great Highland Drive' of Australia and is part of the Western Wilds and Heartland drive adventures. The Central Plateau area is at the pinnacle of Tasmania's "generally high level of scenic quality (that) differentiates it from other Australian and global destinations".<sup>2</sup> The Central Plateau scenic landscape abounds in outstanding landform, vegetation, frequent native wildlife, water and cultural heritage elements. This scenic landscape is central to the Highlands Brand.

Central Highlands Council itself states "The Central Highlands boasts glorious scenery and dramatic built heritage dating back to the early 19<sup>th</sup> century. It is the birthplace of Tasmania's Hydro Electric power system and home to the best trout fishing in the southern hemisphere. Our region is host to a World Heritage Area, two national parks and other Wilderness Conservation Areas, to Tasmania's recreational fly fishing, hunting and bushwalking communities, and has strong agricultural, horticultural and tourism industries" ..... and .... "tourism in the Central Highlands now has its own regional brand in a significant, and bold, initiative telling the World it is the place to be."<sup>3</sup> Highlands Tasmania branding aims to "steady and grow tourism with an inter-state and international focus." Visitation to the nearby Bothwell in 2016 (day and night) totalled 38,172.<sup>4</sup>

Tasmania's scenery is key to tourism marketing and promotion programs. Central Plateau is part of the Western Wilds promotion by Tourism Tasmania which promotes "Inspiring Landscape, Unique Wildlife & Nature (Flora & Fauna), Rich Aboriginal Heritage & Culture, Early Explorers & Pioneering, Industry (Hydro, Mining and Railway), and Conservation & the Environment."<sup>5</sup> A nine-day tour as part of the Western Wilds initiative visits the land of a thousand lakes "with its impressive glacial and alpine landscape" via the A5 Highway and then goes to the Thousand Lakes Lodge and to Devonport along the northern section of the Assessment Area.<sup>6</sup> A seven-day Heartlands Tour on Day 2 goes from Deloraine to Bothwell and includes the self-guided Highlands Power Trail along Waddamana Road in the southern section of the Assessment Area. A tour the Highlands Power Trail for "a unique experience in the rugged Central Highlands of Tasmania."<sup>7</sup>

Southern Tasmania Regional Land Use Strategy says Regional Policies are needed to provide innovative and sustainable tourism by: (1) protecting and enhancing authentic and distinctive local features and landscapes throughout the region; and by (2) identifying and protecting regional landscapes, which contribute to the region's sense of place, through planning schemes.<sup>8</sup> Furthermore, the Strategy highlights the attractiveness of the Central Plateau to Tasmanian residents and visitors by indicating "there is also evidence of settlements experiencing significant growth pressures for holiday homes for the region's residents as well

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<sup>2</sup> Inspiring Places Pty Ltd, 2018 "Guidelines for Scenic Values Assessment Methodology and Local Provisions schedules to Assist Southern Tasmanian Councils with the Scenic protection Code".

<sup>3</sup> See [centralhighlands.tas.gov.au](http://centralhighlands.tas.gov.au) (accessed 181021)

<sup>4</sup> See Central Highlands Destination Action Plan 2016-2019 p4

<sup>5</sup> See Western Wilds - Destination Southern Tasmania. <http://southerntasmania.com.au>

<sup>6</sup> See <https://www.spiritoftasmania.com.au/the-best-road-trips-start-at-sea/western-wilds>

<sup>7</sup> See <https://www.hydro.com.au/things-to-do/highlands-power-trail>

<sup>8</sup> See p70 Southern Tasmania Regional Land Use Strategy 2010-2035. <https://planningreform.tas.gov.au/>



as visitor accommodation. These growth pressures are **particularly evident in the Central Highlands**, Glamorgan Spring Bay and Tasman municipal areas **where natural, cultural and recreational assets strongly underpin their attractiveness.**" <sup>9</sup> The LPS needs to be consistent with these objectives.

### **1.2. Context: Scenic Protection Code and the Central Highlands Local Provisions Schedule**

The 'old' Interim Planning Scheme for Central Highlands recognised scenic landscape values as an integral component of Rural Resource Zone so adverse impacts on the rural landscape were minimised - through controls on building height, location of structures on skylines and clearing of native vegetation.

Consideration of scenic values of the Central Plateau does not occur overtly under the 'new' Tasmanian Planning Scheme planned for the Central Highlands. The draft Local Provisions Schedule has not adopted a Scenic Protection Code. What was previously called Rural Resource Zone (with scenic landscape considerations) is now called Rural or Agriculture Zones and does not have the same planning controls. The translation of Rural Resource Zoning from the 'old' to the 'new' has not maintained these the planning controls and therefore unintended impacts on the scenic rural landscape will occur.

Advice to the Southern Tasmania Councils has been "the transition of the previous Rural Resource Zone from within the interim planning schemes to the TPS is considered to be either a Rural Zone or Agriculture Zone. There are no provisions within these two Zones to help reduce impacts of building/works or vegetation destruction on scenic values. Agricultural buildings and works are exempt from these two zones but there remains potential for large scale or poorly located buildings to adversely impact on scenic values." <sup>10</sup>

However, this shortcoming can be addressed. The TPS allows scenic landscape areas to be defined as Scenic Protection Areas. The LPS process gives Councils the opportunity to prepare descriptions of these areas and to outline of the scenic values and management objectives for such areas.

This Assessment uses this opportunity to develop a Central Plateau Scenic Protection Area as an overlay for the Scenic Protection Code to allow proper consideration of landscape values is part of the development approval process.

## **2. Scenic Protection Assessment and the Central Plateau**

### **2.1. Overview and limitations**

As indicated above, entry onto the Central Plateau is only possible by four (4) roads all linked to the Lakes Highway (A5) - Marlborough Road (B11), Poatina Road (B51), Waddamana Road (C178) and Interlaken Road (C527). Another road (Lake Augusta Road) is the gateway to the Western Wilderness, Central Plateau's World Heritage Area and Thousand Lakes Wilderness

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<sup>9</sup> See p95 Southern Tasmania Regional Land Use Strategy 2010-2035. <https://planningreform.tas.gov.au/>

<sup>10</sup> Inspiring Places Pty Ltd, 2018 p 18 of "Guidelines for Scenic Values Assessment Methodology and Local Provisions schedules to Assist Southern Tasmanian Councils with the Scenic protection Code".



Lodge and comes from the Lakes Highway. It is used by a myriad of tourists, bushwalkers and fishers.

This assessment only considers the Lakes Highway and the associated Waddamana Road which form part of the Western Wilds Trail and Hydro's Highland Power Trail respectively.

The methodology outlined to Southern Councils on Scenic Values Assessment Methodology has been followed for this Assessment.<sup>11</sup>

## 2.2. Baseline assessments for Central Plateau area

### 2.2.1. Landscape character type.

The Assessment Area is part of the Central Plateau landscape character type. It is a plateau in the heart of Tasmania, sculptured by glaciers, and bounded by steep tiers that quickly drop away to lowlands. This Assessment considers a subsection of this landscape character type.

### 2.2.2. System Quality Frame of Reference

Landscape features that need to be considered as part of any scenic assessment include landform, vegetation, water features, visual cultural/heritage, and visual wildlife features. The Scenic Quality Classes for the Assessment Areas (Central Plateau North, Mid and South) are outlined below. In places with widespread high value elements, the area is mapped as an overall High Scenic Quality Classification. Few Moderate or Low Scenic Quality Classes occur in the Assessment area as the goal was to identify a SPA that predominantly contain High Quality Class values.

**Table 1: Scenic Quality Classes and Landscape features**

<b>Landscape Features</b>	<b>Elements that may be present in High Scenic Quality Class</b>	<b>Elements that may be present in Moderate Scenic Quality Class Moderate</b>	<b>Elements that maybe present in Low Scenic Quality Class</b>
Landform	<p>Well defined and visually distinctive mountain and hill ridges or glacial elements elevated above adjacent landforms.</p> <p>Isolated peaks or peaks with distinctive form that become focal points.</p> <p>Steep, complex hill systems.</p> <p>Large cliffs, rock faces, rock outcrops, boulder fields or scree slopes that are visually prominent or dominate the surrounding landscape.</p> <p>Isolated peaks or peaks with distinctive form and colour contrast that become focal points.</p>	<p>Undulating and/or rounded and rolling terrain and gently sloping sugarloaves that are not visually distinctive in the surrounding landscape.</p> <p>Visually evident, but not distinctive or dominant rock outcrops, rock slabs and cliffs of moderate size.</p> <p>Small areas of glacial features.</p>	<p>Significant expanses of rolling hills or flat plains with indistinct dissection by rivers and streams and not dramatically defined by adjacent landforms.</p> <p>Common and indistinct landforms.</p> <p>High and Moderate landform elements not present.</p>
Vegetation	<p>Strongly defined native vegetation communities such as stands of or combinations of open grasslands, sedge, alpine heath, wet sclerophyll and dry sclerophyll plant communities, or native pine – seen as distinctive vegetation patterns, colours or textures across the landscape.</p>	<p>Moderate sized open and/or scattered eucalypt forest combined with natural openings and species mix - in patterns that offer some visual diversity and irregular, natural-appearing or blended edges (not sharp or straight).</p>	<p>Extensive areas of monoculture or similar vegetation with infrequent patterns or forest openings.</p> <p>Large forest clearings with straight or unnatural appearing shapes and edges.</p>

<sup>11</sup> p18, Inspiring Places Pty Ltd, 2018 of "Guidelines for Scenic Values Assessment Methodology and Local Provisions schedules to Assist Southern Tasmanian Councils with the Scenic protection Code".



			High and Moderate vegetation elements not present.
Waterform	<p>Large 1st and 2nd Order streams, rivers and estuaries with permanent flow.</p> <p>Large to medium waterfalls.</p> <p>Large or moderate sized natural lakes, ponds and wetlands and large to medium reservoirs.</p>	<p>Small or intermittent streams without year-round flow.</p> <p>Small natural lakes, ponds, waterfalls and wetlands.</p> <p>Small sized reservoirs</p>	<p>No natural waterforms.</p> <p>Small farm dams and reservoirs.</p> <p>High and Moderate waterform elements not present.</p>
Visual Cultural/ Heritage	Prominent, unique or extensive visual influence of cultural heritage features reflecting local history (including built forms and structures such as farm buildings, kilns, stone walls, fences with traditional/historic architecture styles that visually enhance the landscape) and visual heritage practices.	Moderate visual presence and influence of cultural heritage features reflecting local history including built forms and structures such as farm buildings of architectural styles not particularly unique or notably positive within the surrounding landscape.	<p>Little to no visual presence and influence of cultural heritage features.</p> <p>Areas with low density residential, urban, industrial, mining, or utilities land use with visually dominant structures.</p> <p>High and Moderate Visual Cultural/Heritage elements not present.</p>
Visual Native Wildlife	Areas with a high and consistent (year around or seasonally) visual presence of native fauna (e.g., kangaroos, quolls, wombats, quolls, wallabies, eagles, hawks, and other raptor, reptiles and amphibians, waterfowl and native birds).	Areas with a moderate or occasional visual presence of native fauna.	Areas with a low or infrequent and irregular visual presence of native fauna.
Comments: <b>Central Plateau North</b>	<p>Contains formal Reserve and its elements. Dramatic cliff faces (Projection Bluff)</p> <p>Fagus forest, Pencil Pine</p> <p>Dramatic wet/dry sclerophyll forests. Extensive bolder fields.</p> <p>Large artificial and smaller natural water forms e.g. Pine Lake.</p> <p>Great Lake dominant from many viewpoints.</p> <p>Frequent native fauna presence including eagles; Devils at dusk</p> <p>Main arterial road in Plateau (Deloraine to Bothwell)</p> <p>Projection Bluff trail and lookout.</p> <p>Split Rock trail and lookout.</p> <p>Part of Heartland Drive</p>	<p>Small pockets of moderate scenic quality exist but are surrounded by (and incorporated into high Quality Scenic class)</p> <p>Areas of visual but indistinct landform (hidden saddles)</p>	<p>Residential areas (Breona, Doctors Point, Brandum, Reynolds Neck)</p> <p>Indistinct 'flat' landform</p>
Comments: <b>Central Plateau Mid</b>	<p>Contains Great Lake &amp; Shannon Lagoon. Waterforms dominate.</p> <p>Extensive endangered Highland Poa and Sedge grasslands present. Historic summer grazing landscape.</p> <p>Treeless Liawenee Moorland sculptured by glacial actions.</p> <p>'Treeless' Ellis Plains and Barren Pains with visual remnant endangered Cider Gum elements. Extensive alpine plain with dramatic presence of endangered Cider Gum (dead &amp; living)</p> <p>Backdrop of Word Heritage Areas</p> <p>Backdrop of Barren Tier skyline.</p> <p>Contains Barren Tier lookout</p> <p>High presence of fauna including wallabies, wombat, eagles, Devils, water avifauna.</p> <p>Part of Western Wilds tourist adventure and Heartlands Drive.</p>	<p>Small pockets of moderate scenic quality exist but are surrounded by (and incorporated into high Quality Scenic class)</p> <p>Areas of visual but indistinct landform</p>	Contains residential areas (Miena/Todds Corner) and Hydro utilities.
Comments: <b>Central Plateau South</b>	<p>Plateau area dominated by treeless area of St Patricks Plains.</p> <p>Extensive Highland Poa and Sedge grasslands (with Cider Gum)</p> <p>Summer and year-round low intensity grazing areas.</p>	<p>Small pockets of moderate scenic quality exist but are surrounded by (and incorporated into high Quality Scenic class)</p> <p>Areas of visual but indistinct landforms</p>	<p>Shannon village area present.</p> <p>Hydro utilities/powerlines present.</p> <p>Extensive monoculture (plantations) with even patterns and distinct edges/clearings</p>



	<p>Extensive heritage dating from 1830's - Steppes Historic site, old Wiharaja homestead. Strong historic Hydro footprints and infrastructure</p> <p>Iconic waterforms including wetlands and Penstock Lagoon.</p> <p>High presence of fauna especially Wedge-tailed eagles, wombats, echidnas, water avifauna</p> <p>Steppes Sculptures of local fauna.</p> <p>Part of Heartlands Drive.</p> <p>Part of Highlands Power Trail including viewing/information sites.</p> <p>Main access route Bothwell - Plateau (Lakes Highway or Waddamana Rd).</p>		
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It should be noted that the Assessment Areas include high quality threatened vegetation communities. Bell (2021) considered the vegetation values present on the proposed 'new' Agriculture Zones of Liawenee, Todds Corner and St Patricks Plains and found a high proportion of the areas mapped as montane grassy communities – Highland *Poa* Grassland and Highland grassy sedgeland, both of which are Threatened Native Vegetation Communities.<sup>12</sup> They are an integral part of the unique Central Plateau scenic and unique vegetation landscape. It should also be noted the Assessment Area includes key viewpoints which are accessible as part of the tourism and bushwalking experience – Projection Bluff Trail and Lookout, Leafy Bluff viewing area, Great Lake Lookout and Split Rock Trail and Lookout (Central Plateau North), and Barren Tier Trig Site (Central Plateau Mid / Central Plateau South). As well as giving intimate views of the Assessment Area, they provide spectacular views of the Plateau landscape and World Heritage Areas. The Assessment Area also includes three viewing / information sites that are part of the self-guided Highlands Power Trail, and walking trails such as Pine Lake Walk and Liffey River Track (see Appendix 2).

The assessment of the area for Scenic Quality classes High, Moderate and Low was supplemented by ground-based photo points. Appendix 2 provides some examples. Mapping of Scenic Quality Classes using the frames of reference above and sample photo interpretations is shown in Figure 4 below.

### 2.2.3. Viewer Sensitivity Levels and key viewpoints for travel routes and lookouts.

Viewer concerns and visitor numbers were assessed according to Table 3.2 of "Guidelines for Scenic Values Assessment – Southern Tasmania Councils." <sup>13</sup> Lakes Highway and Waddamana Road are Viewer Sensitivity Level 1 as a result of having either/or: a State Highway with <500 vehicles per day, Tourist Roads (Western Wilds/Heartlands/Highlands Power Trail), have viewpoints to national reserve system (World Heritage Area), involve Historic Rural Homestead Residences (Steppes), and lead to Rural 'residences' with associated Tourist Businesses (such as Thousand Lakes Lodge and Herne Lodge "on St

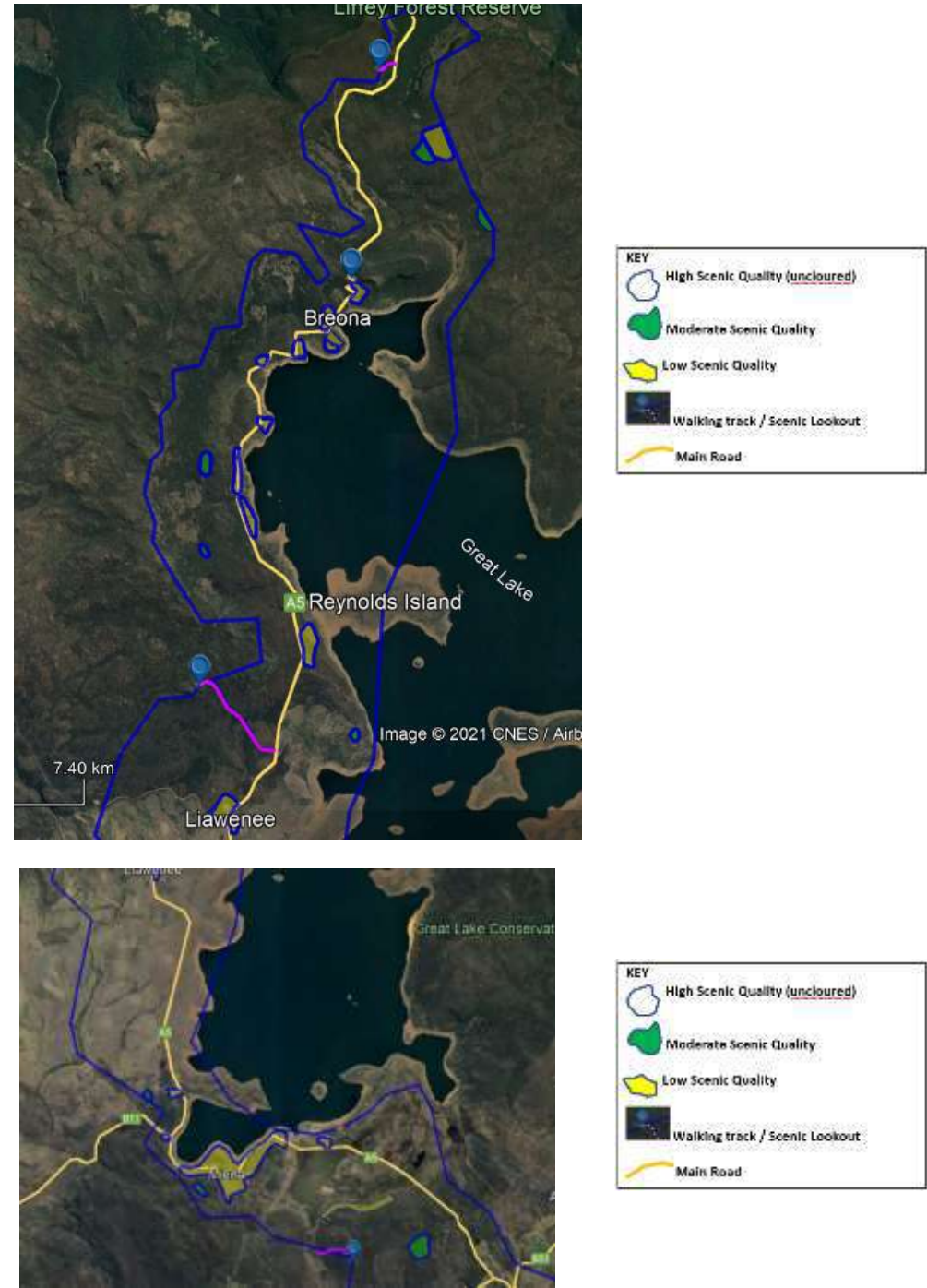
<sup>12</sup> Bell P, 2021 "Desktop assessment of the biodiversity values of areas in vicinity of Liawenee, Todds Corner and St Patricks Plains proposed for 'Agriculture Zone' on the Central Highlands draft Local Provisions Schedule."

<sup>13</sup> Guidelines etc



Patricks Plains at the Steppes in the heart of the wilderness of the Central Highlands of Tasmania” and in easy distance of renowned fly fishing waters & World Heritage Areas<sup>14</sup>).

Figure 4: Scenic Quality Classes of the Assessment Area



<sup>14</sup> See <http://fishhuntplaces.com/?fh=5&lng=1&id=23>





#### 2.2.4. Visibility Distance Ranges

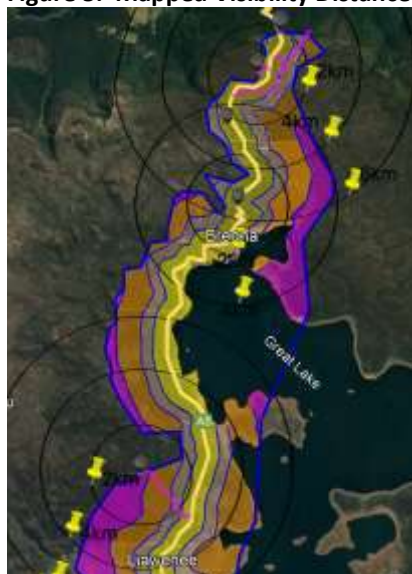
Central Plateau North, Mid and South were assessed for the range of viewing distance as indicated in Table 2.

**Table2: Viewing Distance Ranges for Central Plateau North, Mid and South**

View distance	Distance range	Relative visual influence +++++ great +++ less + least	Central Plateau North	Central Plateau Mid	Central Plateau South
0-500m	Near foreground NF	+++++	Present	Present	Present
500m-1km	Mid Foreground MF	++++	Present	Present	Present
1-2km	Far Foreground FF	++++	Present	Present	Present
2-4km	Near Middleground NM	+++	Present	Present	Present
4-8km	Far Middleground FM	++			Present
8-12km	Near background NB	+			

The viewsheds for each Assessment Area are shown in Figure 5 and are based on the travel route for A5 and C178 and key viewpoints (see Appendix 2). Viewing distances from roads and/or lookouts of up to 8km achieve areas of high or moderate Scenic Value being identified as discussed in 2.3 below.

**Figure 5: Mapped Visibility Distance Range**



#### KEY

Yellow	Near Foreground 0-500m (NF)
Orange	Mid Foreground 500m – 1km (MF)
Red	Far Foreground 1 – 2km (FF)
Pink	Near Middleground 2 – 4km (NM)



Lookout site & distance

**Viewshed  
Central Plateau North**





#### KEY

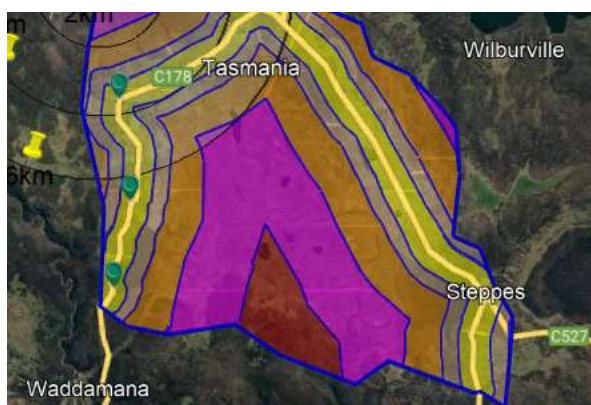
	Near Foreground 0-500m (NF)
	Mid Foreground 500m – 1km (MF)
	Far Foreground 1 – 2km (FF)
	Near Middleground 2 – 4km (NM)



Lookout site and distance

#### Viewshed

##### Central Plateau Mid



#### KEY

	Near Foreground 0-500m (NF)
	Mid Foreground 500m – 1km (MF)
	Far Foreground 1 – 2km (FF)
	Near Middleground 2 – 4km (NM)
	Far Middleground 4 – 8km (FM)



Lookout site and distance

#### Viewshed

##### Central Plateau South

### 2.3. Identification of Scenic Value Areas

A Scenic Value Area is a summary of a combination of features - Viewer Sensitivity Levels, Viewer Distance Ranges and Scenic Quality Classes which have been identified above. The Scenic Values Area rating can be identified as SVA1 (High), SVA2 (Moderate) or SVA3 (Low) according to the workings of Table 3 below. Viewer Sensitivity Levels (1, 2, 3) along with Visibility Distance Ranges (Near Foreground NF, Mid Foreground MF etc) and Scenic Quality Classes (High, Moderate, Low) are used to classify Scenic Value Areas.

For example, areas mapped with Viewer Sensitivity 1 (with high visitor numbers and high viewer concerns) and an 8-12km viewing distance (FB) and a Scenic Quality Class of High would, according to Table 3, be SVA2 i.e. Scenic Value Area 2.

Since Central Plateau North, Central Plateau Mid and Central Plateau South are mostly High Scenic Quality Class and have a Viewer Sensitivity Level of 1, the visibility distance (Visibility Distance Ranges) becomes important. Put simply, because Lakes Highway and Waddamana Roads are important traffic and tourist routes and because the landscape has high scenic values, the distance to a proposed development is important when considering scenic values and appropriate controls. The methodology used is an empirical assessment rather than a subjective assessment.



**Table 3: Scenic Value Area Matrix**

Viewer Sensitivity Level - Visibility Distance Ranges (refer to Table 3.3 for codes)	Scenic Quality Class		
	High	Moderate	Low
1NF	SVA1	SVA1	SVA2
1MF	SVA1	SVA1	SVA2
1FF	SVA1	SVA2	SVA2
1NM	SVA1	SVA2	SVA2
1FM	SVA1	SVA2	SVA2
2NF	SVA1	SVA2	SVA2
2MF	SVA1	SVA2	SVA2
2FF	SVA1	SVA2	SVA2
3NF	SVA2	SVA2	SVA2
1NB	SVA2	SVA2	SVA3
1MB	SVA2	SVA2	
1FB	SVA2	SVA2	SVA3
2NM	SVA2	SVA2	SVA3
2FM	SVA2	SVA2/SVA3	SVA3
3MF	SVA2	SVA3	SVA3
2NB	SVA2	SVA3	SVA3
2MB	SVA2	SVA3	SVA3
2FB	SVA2	SVA3	SVA3
3FF	SVA2	SVA3	SVA3
3NM	SVA2	SVA3	SVA3
3FM	SVA2	SVA3	SVA3
3NB, 3MB, & 3FB & Not Visible	SVA2	SVA3	SVA3

Source: p39, Inspiring Places Pty Ltd, 2018 of "Guidelines for Scenic Values Assessment Methodology and Local Provisions schedules to Assist Southern Tasmanian Councils with the Scenic protection Code".

The outcome of the Central Plateau assessment was SVA1 (High) with a few pockets of SVA 2. It is not surprising that the Assessment Area is mainly High Scenic Value as the first cut for the boundary of the Assessment Area deliberately included primary scenic features such as skyline and other landform and vegetation features.

#### 2.4. Scenic Protection Area Assessment and documentation

A Scenic Protection Area considers areas wider than a Scenic Road Corridor. Scenic Protection Areas are used with the Scenic Protection Code as overlays within the Local Provisions Schedule. Management objectives and other information from LPS Tables are used with the Scenic Protection Area overlays. Therefore Scenic Protection Area maps and populating of LPS Tables are required so scenic values are appropriately considered.

Scenic Protection Area (SPA) maps for the Great Central Plateau SPA were derived by:

- (1) identifying new Planning Zones that are allowed to be used under the Scenic Protection Code. Guideline 1<sup>15</sup> only allows Scenic Protection Areas to be shown on Rural Living, Rural, Agriculture, Landscape Conservation, Environmental Management, and Open Space Zones. A map of the new Planning Zones intended for the assessment area is outlined below (Figure 6).
- (2) Scenic Value Areas that within the allowable Zones for use under the SPC are relabelled – High Scenic Value (SVA1) as Scenic Protection Area 1 (SPA1 with High

<sup>15</sup> Draft LPS Supporting Report Appendix G. Guideline Number 1 Local Provisions Schedule (LPS) Zones and Code Application, TPC (2018)



Scenic Value and Protection); Moderate Scenic Value (SV2) as Scenic Protection Area 2 (SPA2 with Moderate Scenic Value and Protection). A direct geographic transfer from the Scenic Value Area map occurs.

**Figure 6: LPS Zoning for the Assessment Area**



Source: <https://planning.discovercommunities.com.au/connect/analyst/mobile/#/main?mapcfg=centralhighlands>

- (3) The Local Provisions Schedule Table then need to be populated with the Reference Number, Scenic Protection Area name, Description, Scenic Values, and Management Objectives. This is described in Appendix 1.

## 2.5. Conclusion

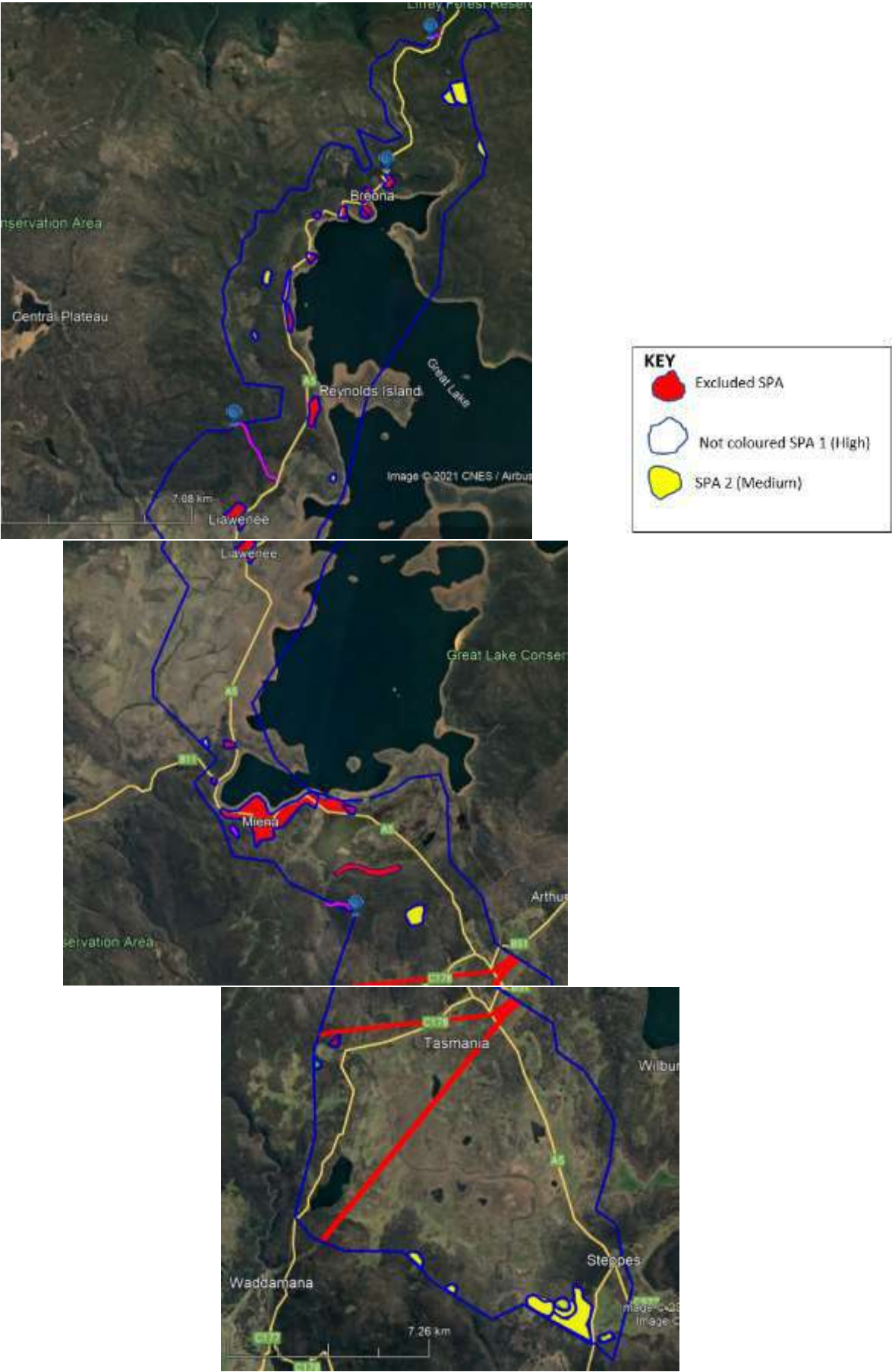
Appendix 1 provides a map of the Great Central Plateau Scenic Protection Area for the applicable Zones as well as the associated LPS Table for use with the Code overlay. The area has mainly high scenic values (SPA1) which is not surprising because of the scenic values present on the Plateau; and because the first cut for location of the boundary of the Assessment Area deliberately included primary scenic features such as skyline and other landform and vegetation features and excluded low value scenic features.

Appendix 2 provides sample photos from key viewpoints that support the assessment.

There is no reason to defer adoption of the Scenic Protection Area – the work has been done, values and areas identified, and management objectives described.



**APPENDIX 1.**  
**Great Central Plateau Scenic Protection Area.**





## Proposed CHI-Table C8.1 Scenic Protection Area

Reference Number	Scenic Protection Area Name	Description	Scenic Value	Management Objectives
To be determined	Great Central Plateau Scenic Protection Area	Central Plateau scenic landscape observed from main access roads, tourist drives and key viewpoints - including skylines, rock faces and boulder fields; alpine and subalpine vegetation; stark grasslands and plains; natural lakes, mountain streams, wetlands, and large reservoirs; early settler cultural heritage; and frequently seen Plateau native wildlife.	<p>Skyline and hill ridges elevated above adjacent landforms.</p> <p>Large cliffs, rock outcrops.</p> <p>Boulder fields that are prominent in the landscape.</p> <p>Distinctive grassland plains that include combinations of Sedges, Poa, and Alpine heath communities (either treeless or containing pockets of wet or dry sclerophyll forest or native pines), historically used for summer or low intensity grazing.</p> <p>Scenic waterform features such as permanent Highland streams and rivers, natural lakes, lagoons, wetlands, and 'aged' Hydro reservoirs.</p> <p>Unique visual cultural heritage features reflecting local history and pioneering way of life.</p> <p>Frequent visual presence of Plateau native fauna such as eagles, wombats, quolls, reptiles and native birds in a remote environment.</p> <p>Provide a unique experience for nature-based tourism (including bushwalking, fishing, shooting, and tourist drives) in a remote setting that plays a vital role to in the Central Highlands tourist-based economy.</p>	<p>Protect the scenic values of Great Central Plateau SPA by:</p> <p>(a) maintaining undisturbed native vegetation as a dominant landscape element when viewed from public roads and places.</p> <p>(b) maintaining skylines and escarpments and forested slopes free of visible development and fragmentation.</p> <p>(c) avoid locating visually dominant landscape alterations on or near the key natural or cultural landscape features or scenic values.</p> <p>(d) ensuring buildings, infrastructure and works are located and designed to blend with the landscape and not be obtrusive; and</p> <p>(e) maintain the scenic values as an attraction for the Central Highlands tourist and recreation economy.</p>



Appendix 2. Great Central Plateau SPA and supporting photos







Liawenee Moor with Alpine and *Poa* Grassland and glacial landforms (SPV1)

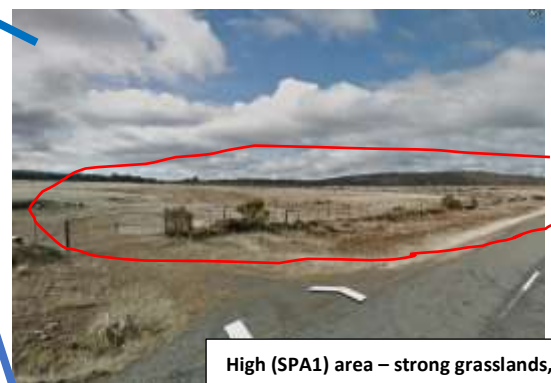


Barren Plains, Shannon Lagoon and Cider Gum (SPA1 – landscape, vegetation and waterform values)



Highlands Power Trail Information/viewing sites

Lakes Highway A5 Bothwell view of Tiers and Southern boundary of SPA – landform values.



High (SPA1) area – strong grasslands, landscape and ridgeline values

Steppes Historic Site cc 1860's



SPA1 area -landscape

SPA2 area- landscape & vegetation



Frequent scenic wildlife – a feature of Central Plateau – the nationally endangered Tasmanian wedge-tailed eagle - Australia's largest raptor.



Photo: Helen Ridley





22 October 2021

General Manager  
Central Highlands Council  
By email: [development@centralhighlands.tas.gov.au](mailto:development@centralhighlands.tas.gov.au)

Dear Sir

### SUBMISSION - CENTRAL HIGHLANDS DRAFT LOCAL PROVISIONS SCHEDULE LIAWENEE, TODS CORNER, ST PATRICKS PLAINS

I write on behalf of the No Turbine Action Group Inc (Central Highlands) in relation to the draft Central Highlands Local Provisions Schedule regarding the Zone and Code controls proposed for area around the Highland Lakes.

There are 2 documents provided as attachments to this submission which provide details of the significant natural values associated with these areas:

- A desktop assessment of the biodiversity values by Phil Bell of Biodiversity Maintenance Australia; and
- A statement on the importance of the Central Highlands to Tasmanian Wedge-tailed Eagles by Nick Mooney.

The subject land is generally that described in the figure below encompassing areas around Liawenee, Tods Corner and St Patricks Plains:

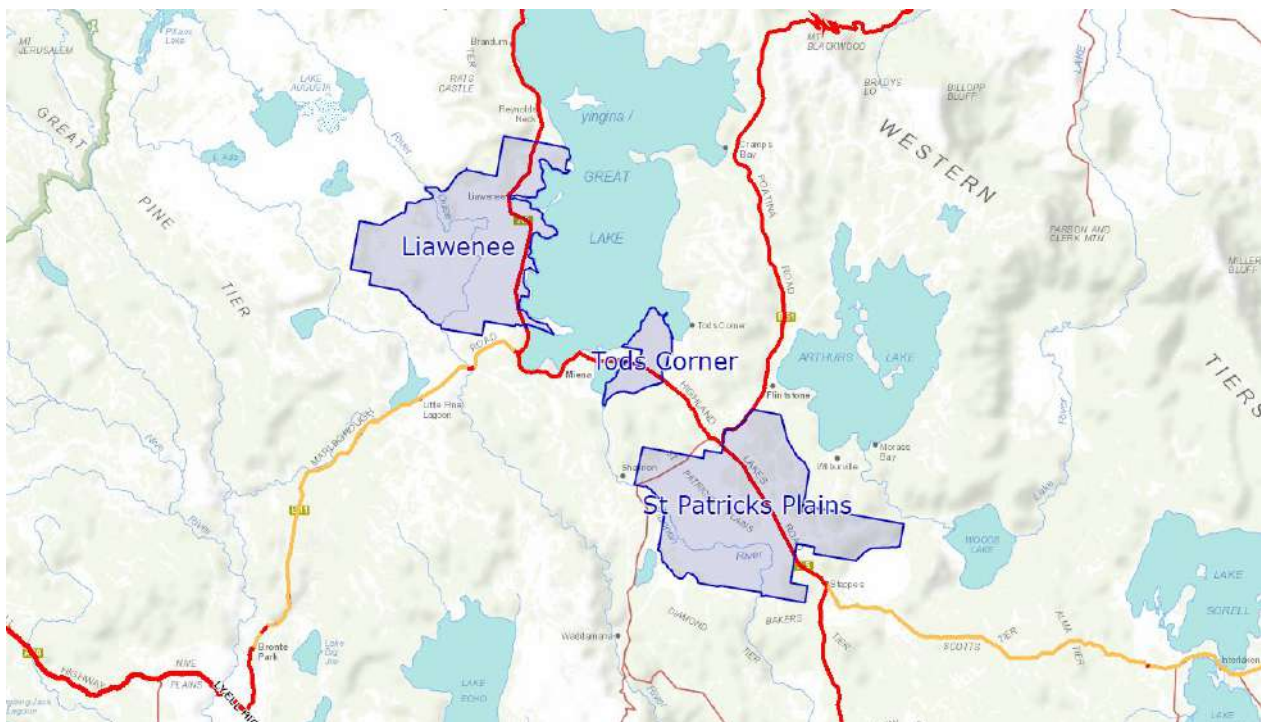


Figure 1: Subject land location with topographic plan and road centrelines from [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © The State of Tasmania

smithstreetstudio

**ireneinc**

49 Tasma St, North Hobart, TAS 7000

Tel (03) 6234 9281

Fax (03) 6231 4727

Mob 0418 346 283

Email [planning@ireneinc.com.au](mailto:planning@ireneinc.com.au)



This land through these areas is currently zoned Rural Resource under the *Central Highlands Interim Planning Scheme 2015*.

Under the Draft LPS these areas have been mapped as being in the Agriculture Zone, unlike other areas in the surrounding landscape. When comparing to aerial photos the zone maps seem to be reflective of the areas which have been zoned Agriculture being non-forested grassland areas. This is opposed to forested land areas which have been zoned within either the Rural Zone or Environmental Management Zone.

These Agriculture Zoned lands provide significant areas of grassy threatened native vegetation communities, mainly 'Highland Poa grassland' and 'Highland grassy sedgeland'. As detailed in Appendix 1, both these montane grassy communities are listed as Threatened Native Vegetation Communities by the Tasmanian, *Nature Conservation Act 2002*. They also provide key habitat for Threatened Species listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*, including the Tasmanian wedge-tailed eagle. The important relationship between these areas and the Tasmanian Wedge-tailed Eagles is detailed Appendix 2.

None of these areas and the significant natural values which they contain have been mapped as Priority vegetation areas within the Natural Assets Code, presumably to be consistent with LPS drafting Guideline No. 1<sup>1</sup>. However, given the significance that these natural values present, it would be more appropriate for the Code overlay to provide a precedence and therefore the Zone to be amended to better reflect a wholistic planning setting of the area.

Based on Guideline No. 1 the Landscape Conservation Zone would be a more appropriate zone, in combination with application of the Priority vegetation area. This Zoning would also reflect the unique landscape setting that the Highland Lakes provide.

Please feel free to contact us to discuss these matters should you wish further clarification.

Yours faithfully



Jacqui Blowfield  
Senior Planner  
**IRENEINC PLANNING & URBAN DESIGN**

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<sup>1</sup> *Guidelines No. 1 Local Provisions Schedule (LPS) zone and code application*, TPC June 2018



## APPENDIX 1 - DESKTOP ASSESSMENT OF BIODIVERSITY VALUES



**Desktop assessment of the biodiversity values of areas in the vicinity of Liawenee, Todds Corner and St Patricks Plains proposed for 'Agriculture Zone' on the Central Highlands draft Local Provisions Schedule.**



October 2021

Report prepared by Phil Bell for No Turbine Action Group Inc (Central Highlands)



This report was prepared by:  
Phil Bell  
Biodiversity Maintenance Australia  
Old Bank Building, 7 Maria St, Swansea, TAS 7190  
phil.bell@biodiversitymaintenance.com.au

Biodiversity Maintenance Australia was engaged by No Turbine Action Group Inc (Central Highlands) [Contact: Mr David Ridley, Chair] to undertake a desktop assessment of biodiversity values of three areas (Liawenee, Todds Corner and St Patricks Plains) proposed for 'Agriculture Zone' on the Central Highlands draft Local Provisions Schedule.

The following report is based on a preliminary interrogation of key Tasmanian Government biological databases i.e. TASVEG (DPIPWE 2021) and the NVA (DPIPWE 2021) for records of threatened vegetation communities and threatened species within each of the areas, Liawenee, Todds Corner and St Patricks Plains. Particular note has been made of vegetation communities listed as threatened under the Tasmanian, *Nature Conservation Act 2002* and threatened fauna and flora listed as vulnerable or endangered under the Tasmanian *Threatened Species Protection Act 1995* and/or the Commonwealth, *Environment Protection and Biodiversity Conservation Act 1999*. The data are summarised in a tabular form and supplemented with distribution maps of key threatened vegetation communities and threatened species. Generalisations are made from the readily available data on the importance of identified areas to the long-term conservation of each of the threatened entities, and recommended management for each of the threatened entities on private land within the identified areas.

The key biodiversity values shared by Liawenee, Todds Corner and St Patricks Plains include a high proportion of their area mapped as grassy threatened native vegetation communities, mainly 'Highland *Poa* grassland' and 'Highland grassy sedgeland'. Both these montane grassy communities are listed as Threatened Native Vegetation Communities on the Tasmanian, *Nature Conservation Act 2002*. Montane grassy communities in this area support Ptunarra brown butterfly, which is a nationally endangered butterfly listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*. The distribution of Ptunarra brown butterfly likely reflects the distribution of grassy communities within these areas. Further, Liawenee Moor likely supports the largest population of the butterfly in Tasmania. Populations of Ptunarra brown butterfly on the Central Plateau have a significant role to play in the conservation of the butterfly as they are currently the least impacted by threats such as pasture improvement and predation by European wasps that operate elsewhere within the butterfly's range. A number of significant threatened flora species (listed as vulnerable or endangered under the Tasmanian *Threatened Species Protection Act 1995* and/or the Commonwealth, *Environment Protection and Biodiversity Conservation Act 1999*) are recorded from Liawenee, Todds Corner and St Patricks Plains, and most are associated with native grassy vegetation. These areas are important, variously, for the conservation of Liawenee greenhood, Grassland paperdaisy, Crowded leek-orchid, Grassland cupflower, Lanky buttons, Longhair fireweed and Miena cider gum. Sympathetic land management practices on private land at Liawenee, Todds Corner and St Patricks Plains is recommended for conservation of these threatened flora species, most of which are also nationally threatened.



## Biodiversity values of the proposed Agriculture Zone at Liawenee

[The 'proposed Agriculture Zone at Liawenee' refers to the area bounded in red in Figure 1 and 2 (Page 5) and reflects the approximate boundary of the area proposed for zoning as 'Agriculture Zone' on the Central Highlands draft Local Provisions Schedule.]

### Threatened species

Threatened fauna	Status (State)	Status (Comm.)	Distribution and abundance at location	General comments
Miena jewel beetle <i>Castiarina insculpta</i>	e		Though a large proportion of potential habitat is within the CPCA it is also on private land.	Localised occurrence in the Great Lake/Lake Augusta/Arthurs Lake area in heathland and sedgeland where its food plant <i>Ozothamnus hookeri</i> occurs.
Ptunarra brown butterfly <i>Oreixenica ptunarra</i>	v	EN	Liawenee Moor supports the largest population of the species known in Tasmania spreading over an extensive area. Long-term population monitoring site at Liawenee Moor.	Ptunarra brown butterfly occurs in highland grassland and grassy habitats from the Eastern Tiers in the east to the North West Plains near Waratah. Most populations have been decimated by clearance and conversion, wasp predation and/or intensive grazing practices. Populations in the Central Plateau have a significant role to play in the conservation of the species as they are currently the least impacted by the threats that operate elsewhere. Sympathetic management of habitat on private land is important for conservation of the species.
Threatened flora	Status (State)	Status (Comm.)	Distribution and abundance at location	General comments
Miena cider gum <i>Eucalyptus gunnii</i> subsp. <i>divaricata</i>	e	EN	Mostly occurs between Miena and Liawenee. Although it occurs within reserves there are important areas that are unreserved on private land.	A range of threats that may interact including drought, browsing (particularly by sheep, deer and rabbits), inappropriate fire regimes, clearance and conversion and climate change. Sympathetic management of habitat on private land important for conservation of the species.
Liawenee greenhood <i>Pterostylis pratensis</i>	v	VU	The largest population is at Liawenee Moor, which is subject to grazing.	Occurs in montane grasslands in the Liawenee/St Patricks Plains area. Significant threats include cultivation and addition of fertilisers. Sympathetic land management practices are recommended that maintain an open grassland habitat (grazing and burning).
Grassland cupflower <i>Colobanthus curtisiae</i>	v	VU	Distribution from Central Plateau to Ben Lomond in the north, to Fingal Tier in the east, to Kempton in the south. A small population in Block Marsh.	Associated with open grassy habitats. Declined through loss of grassland and grassy woodlands, particularly on arable soils due to pasture improvement and cropping. Sympathetic management of grassy habitats on the Central Plateau important for conservation of the species.
Grassland paperdaisy <i>Leucochrysum albicans tricolor</i>	e	EN	A few records around Liawenee.	Species has suffered a substantial decline in range because of loss and degradation of habitat – primarily to agriculture. Occurs in shrubby grasslands in montane areas. Will rely on sympathetic land management practices on private property to ensure its conservation.



Threatened flora	Status (State)	Status (Comm.)	Distribution and abundance at location	General comments
Lanky buttons <i>Leptorhynchus elongatus</i>	e		Occurrences in more protected sites with less grazing pressure. Recent records from adjacent to the Lake Highway near Duck Point Road	Main threats include loss of habitat from clearing for agriculture and grazing pressure. Species known only from a few sites in the Southern and Northern Midlands and at a higher altitude site at Liawenee Moor. Not known from reserves. Will rely on sympathetic land management practices on private property at Liawenee Moor to ensure conservation.

### Threatened Native Vegetation Communities

The proposed Agriculture Zone at Liawenee covers approximately 7,711 ha of which 4,658 ha (60%) is mapped by TASVEG as supporting the TNVCs, Highland *Poa* grassland (GPH) and Highland grassy sedgeland (MGH).

### Summary of biodiversity values and management recommendations

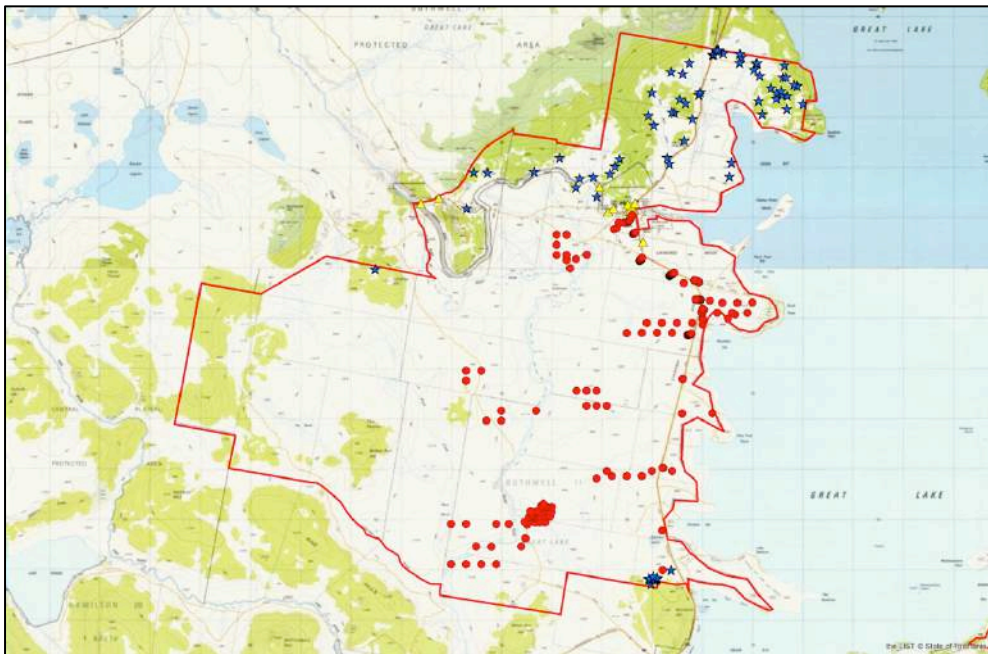
Just over 60% of the area of the proposed Agriculture Zone at Liawenee is mapped as grassy threatened native vegetation communities, most of which is Highland *Poa* grassland and Highland grassy sedgeland. Both vegetation communities support Ptunarra brown butterfly and their distribution at Liawenee likely reflects the distribution of this butterfly. Liawenee Moor may support the largest population of Ptunarra brown butterfly in Tasmania.

Populations of Ptunarra brown butterfly on the Central Plateau have a significant role to play in the conservation of the species as they are currently the least impacted by threats such as pasture improvement and predation by European wasps that operate elsewhere within the species range. Most significant threatened species at Liawenee are associated with native grassy vegetation communities, particularly Highland *Poa* grassland and Highland grassy sedgeland. This includes Ptunarra brown butterfly, Liawenee greenhood, Grassland paperdaisy, Miena jewel beetle, Grassland cupflower, Lanky buttons and Miena cider gum. Liawenee Moor represents the largest population of Liawenee greenhood in Tasmania. Sympathetic management of grassy habitats at Liawenee is important for conservation of all of these threatened species.





**Figure 1.** The distribution of threatened native vegetation communities and location records of significant threatened species in the proposed Agriculture Zone at Liawenee (Yellow hatching = Highland *Poa* grassland (GPH) and Highland grassy sedgeland (MGH); Blue cross-hatching = Wetlands; Green hatching = Cushion moorland (HCM); Red circles = Liawenee greenhood *Pterostylis pratensis*; Blue stars = Miena cider gum *Eucalyptus gunnii* subsp. *divaricata*; Yellow triangles = Miena jewel beetle *Castiarina insculpta*)



**Figure 2.** The location records of significant threatened species in the proposed Agriculture Zone at Liawenee (Red circles = Liawenee greenhood *Pterostylis pratensis*; Blue stars = Miena cider gum *Eucalyptus gunnii* subsp. *divaricata*; Yellow triangles = Miena jewel beetle *Castiarina insculpta*)



### Biodiversity values of the proposed Agriculture Zone at Todds Corner

[The 'proposed Agriculture Zone at Todds Corner' refers to the area bounded in red in Figure 3 and 4 (Page 8) and reflects the approximate boundary of the area proposed for zoning as 'Agriculture Zone' on the Central Highlands draft Local Provisions Schedule.

### Threatened species

Threatened fauna	Status (State)	Status (Comm.)	Distribution and abundance at location	General comments
Ptunarra brown butterfly <i>Oreixenica ptunarra</i>	v	EN	Recorded at Todds Corner	Ptunarra brown butterfly occurs in highland grassland and grassy habitats from the Eastern Tiers in the east to the North West Plains near Waratah. Most populations have been decimated by clearance and conversion, wasp predation and/or intensive grazing practices. Populations in the Central Plateau have a significant role to play in the conservation of the species as they are currently the least impacted by the threats that operate elsewhere. Sympathetic management of habitat on private land is important for conservation of the species.
Threatened flora	Status (State)	Status (Comm.)	Distribution and abundance at location	General comments
Miena cider gum <i>Eucalyptus gunnii</i> subsp. <i>divaricata</i>	e	EN	Mostly occurs between Miena and Liawenee. Although it occurs within reserves there are important areas that are unreserved on private land.	A range of threats that may interact including drought, browsing (particularly by sheep, deer and rabbits), inappropriate fire regimes, clearance and conversion and climate change. Sympathetic management of habitat on private land important for conservation of the species.
Liawenee greenhood <i>Pterostylis pratensis</i>	v	VU	The largest population is at Liawenee Moor which is subject to grazing.	Occurs in montane grasslands in the Liawenee/St Patricks Plains area. Significant threats include cultivation and addition of fertilisers. Sympathetic land management practices are recommended that maintain an open grassland habitat (grazing and burning).
Crowded leek-orchid <i>Prasophyllum crebriflorum</i>	e	EN	Known from only two locations in Tasmania: montane grasslands at Surrey Hills in the northwest plains and grasslands and grassy woodlands in the southern part of the Central Plateau.	Major threats to the species include clearing of montane grasslands and grassy woodlands, inappropriate grazing regimes, 'pasture improvement' activities and fire regimes. Sympathetic land management practices are recommended that maintain the structure and floristics of the grassy habitats.

### Threatened Native Vegetation Communities

The proposed Agriculture Zone at Todds Corner covers approximately 1,010 ha of which 887 ha (88%) is mapped by TASVEG as supporting the TNVCs, Highland *Poa* grassland (GPH) and Highland grassy sedgeland (MGH).

### Summary of biodiversity values and management recommendations

88% of the area of the proposed Agriculture Zone at Todds Corner is mapped as grassy threatened native vegetation communities, most of which is Highland *Poa* grassland and Highland grassy sedgeland. Both vegetation communities support Ptunarra brown butterfly and their distribution likely reflects the distribution of this butterfly at Todds Corner. Populations of Ptunarra brown butterfly on the Central Plateau have a significant role to play



in the conservation of the species as they are currently the least impacted by threats such as pasture improvement and predation by European wasps that operate elsewhere within the species range. Most significant threatened species at Liawenee are associated with native grassy vegetation communities, particularly Highland *Poa* grassland and Highland grassy sedgeland. This includes Ptunarra brown butterfly, Liawenee greenhood, Crowded Leek-orchid and Miena cider gum. Sympathetic management of grassy habitats at Todds Corner is important for conservation of all of these threatened species.





**Figure 3.** The distribution of threatened native vegetation communities and location records of significant threatened species in the proposed Agriculture Zone at Todds Corner (Yellow hatching = Highland *Poa* grassland (GPH) and Highland grassy sedgeland (MGH); Blue hatching = Wetlands; Red circles = Liawenee greenhood *Pterostylis pratensis*; Blue stars = Miena cider gum *Eucalyptus gunnii* subsp. *divaricata*; Green squares = Crowded leek-orchid *Prasophyllum crebriflorum*)



**Figure 4.** The location records of significant threatened species in the proposed Agriculture Zone at Todds Corner (Red circles = Liawenee greenhood *Pterostylis pratensis*; Blue stars = Miena cider gum *Eucalyptus gunnii* subsp. *divaricata*; Green squares = Crowded leek-orchid *Prasophyllum crebriflorum*).



### Biodiversity values of the proposed Agriculture Zone at St Patricks Plains (excluding eagles)

The 'proposed Agriculture Zone at St Patricks Plains' refers to the area bounded in red in Figure 5 and 6 (Page 11) and reflects the approximate boundary of the area proposed for zoning as 'Agriculture Zone' on the Central Highlands draft Local Provisions Schedule.

### Threatened species

Threatened fauna	Status (State)	Status (Comm.)	Distribution and abundance at location	General comments
Miena jewel beetle <i>Castiarina insculpta</i>	e		Though a large proportion of potential habitat is within the CPCA it is also on private land. Records in northern section of St Patricks Plains	Localised occurrence in the Great Lake/Lake Augusta/Arthurs Lake area in heathland and sedgeland where its food plant <i>Ozothamnus hookeri</i> occurs.
Ptunarra brown butterfly <i>Oreixenica ptunarra</i>	v	EN	Ptunarra brown butterfly was abundant in suitable habitat in the late 1990s but no recent assessments. Long-term monitoring site established at St Patricks Plains in 1998.	Ptunarra brown butterfly occurs in highland grassland and grassy habitats from the Eastern Tiers in the east to the North West Plains near Waratah. Most populations have been decimated by clearance and conversion, wasp predation and/or by intensive grazing practices. Populations in the Central Plateau have a significant role to play in the conservation of the species as they are currently the least impacted by the threats that operate elsewhere. In late 1990s invasion of grasslands by <i>Hakea microcarpa</i> was noted as a possible threat. Sympathetic management of habitat on private land is important for conservation of the species.
Threatened flora	Status (State)	Status (Comm.)	Distribution and abundance at location	General comments
Miena cider gum <i>Eucalyptus gunnii</i> subsp. <i>divaricata</i>	e	EN	Mostly occurs between Miena and Liawenee. Although it occurs within reserves there are important areas that are unreserved on private land.	A range of threats that may interact including drought, browsing (particularly by sheep, deer and rabbits), inappropriate fire regimes, clearance and conversion and climate change. Sympathetic management of habitat on private land important for conservation of the species.
Liawenee greenhood <i>Pterostylis pratensis</i>	v	VU	The largest population is at Liawenee Moor which is subject to grazing. Species is widespread in native grassy habitats at St Patricks Plains.	Occurs in montane grasslands in the Liawenee/St Patricks Plains area. Significant threats include cultivation and addition of fertilisers. Sympathetic land management practices are recommended that maintain an open grassland habitat (grazing and burning).
Crowded leek-orchid <i>Prasophyllum crebriflorum</i>	e	EN	Known from only two locations in Tasmania: montane grasslands at Surrey Hills in the northwest plains and grasslands and grassy woodlands in the southern part of the Central Plateau. Significant population at St Patricks Plains.	Major threats to the species include clearing of montane grasslands and grassy woodlands, inappropriate grazing regimes, 'pasture improvement' activities and fire regimes. Sympathetic land management practices are recommended that maintain the structure and floristics of the grassy habitats.



Threatened flora	Status (State)	Status (Comm.)	Distribution and abundance at location	General comments
Grassland cupflower <i>Colobanthus curtisiae</i>	v	VU	Distribution from Central Plateau to Ben Lomond in the north, to Fingal Tier in the east, to Kempton in the south.	Associated with open grassy habitats. Declined through loss of grassland and grassy woodlands, particularly on arable soils due to pasture improvement and cropping. Sympathetic management of grassy habitats on the Central Plateau important for conservation of the species.
Grassland paperdaisy <i>Leucochrysum albicans tricolor</i>	e	EN	Population at Ripple Creek (approximately 25 records).	Species has suffered a substantial decline in range because of loss and degradation of habitat – primarily to agriculture. Occurs in shrubby grasslands in montane areas. The occurrence at St Patricks Plains will rely on sympathetic land management practices to ensure its conservation.
Longhair fireweed <i>Senecio longipilus</i>	v pending		Current known occurrence of this species is on private land at St Patricks Plains.	Historic occurrences at Perth, South Esk River and Kingston. Sympathetic management of habitat at St Patricks Plains will be essential for conservation and viability of this species.

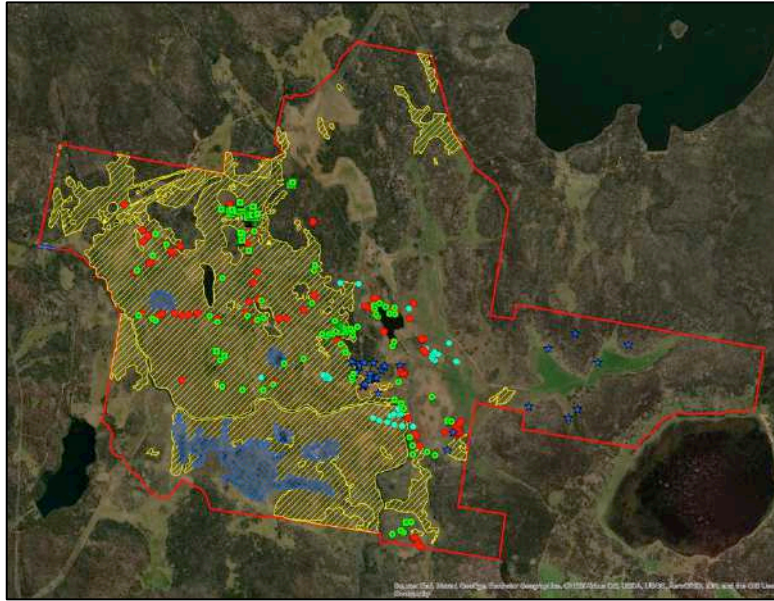
### Threatened Native Vegetation Communities

The proposed Agriculture Zone at St Patricks Plains covers approximately 8,589 ha of which 3,013 ha (35%) is mapped by TASVEG as supporting the TNVCs, Highland *Poa* grassland (GPH) and Highland grassy sedgeland (MGH).

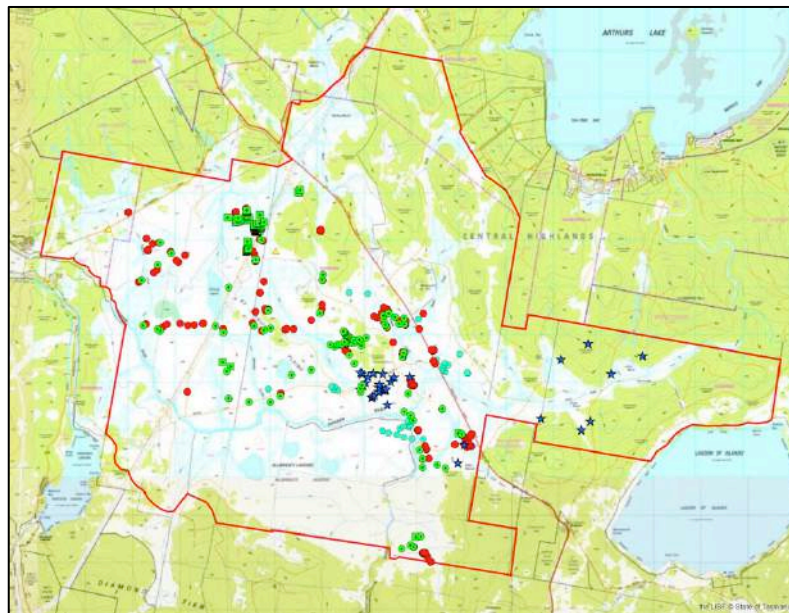
### Summary of biodiversity values and management recommendations

35% of the area of the proposed Agriculture Zone at St Patricks Plains is mapped as grassy threatened native vegetation communities, most of which is Highland *Poa* grassland and Highland grassy sedgeland. Both vegetation communities support Ptunarra brown butterfly and their distribution likely reflects the distribution of this butterfly at St Patricks Plains. Populations of Ptunarra brown butterfly on the Central Plateau have a significant role to play in the conservation of the species as they are currently the least impacted by threats such as pasture improvement and predation by European wasps that operate elsewhere within the species range. Most significant threatened species at St Patricks Plains are associated with native grassy vegetation communities, particularly Highland *Poa* grassland and Highland grassy sedgeland. This includes Ptunarra brown butterfly, Liawenee greenhood, Miena jewel beetle, Crowded Leek-orchid, Grassland cupflower, Grassland paperdaisy, Longhairs fireweed and Miena cider gum. Sympathetic management of grassy habitats at St Patricks Plains is important for conservation of all of these threatened species.





**Figure 5.** The distribution of threatened native vegetation communities and location records of significant threatened species in the proposed Agriculture Zone at St Patricks Plains (Yellow hatching = Highland *Poa* grassland (GPH) and Highland grassy sedgeland (MGH); Blue cross-hatching = Wetlands; Red circles = Liawenee greenhood *Pterostylis pratensis*; Blue stars = Miena cider gum *Eucalyptus gunnii* subsp. *divaricata*; Yellow triangles = Miena jewel beetle *Castiarina insculpta*; Green circles = *Colobanthus curtisiae* Grassland cupflower; Green squares = Crowded leek-orchid *Prasophyllum crebriflorum*; Green hexagons = Longhair fireweed *Senecio longipilus*)



**Figure 6.** The location records of significant threatened species in the proposed Agriculture Zone at St Patricks Plains (Red circles = Liawenee greenhood *Pterostylis pratensis*; Blue stars = Miena cider gum *Eucalyptus gunnii* subsp. *divaricata*; Yellow triangles = Miena jewel beetle *Castiarina insculpta*; Green squares = Crowded leek-orchid *Prasophyllum crebriflorum*; Green circles = *Colobanthus curtisiae* Grassland cupflower; Green hexagons = Longhair fireweed *Senecio longipilus*)



'Rare' species that have not been assessed as to the contribution each of the areas (Liawenee, Todds Corner, St Patricks Plains) makes to their conservation. Many 'Rare' species in Tasmania remain poorly known, including their threats, conservation ecology and distribution. This table assesses the number of records for 'Rare' species in each of the areas assessed.

Threatened Flora	Status (Tas)	Status (Comm.)	Liawenee	Todds Corner	St Patricks Plains
<i>Acacia siculiformis</i>	r	-			1
<i>Agrostis diemenica</i>	r	-			1
<i>Asperula minima</i>	r	-			<5
<i>Asperula scoparia scoparia</i>	r	-		2	<5
<i>Asperula subsimplex</i>	r	-			<5
<i>Calocephalus lacteus</i>	r	-			<100
<i>Carex capillacea</i>	r	-			1
<i>Epilobium willsii</i>	r	-			1
<i>Hovea montana</i>	r	-	6	10	
<i>Hovea tasmanica</i>	r	-			
<i>Glycine latrobeana</i>	v	VU			
<i>Isoetes drummondii drummondii</i>	r	-	1	1	3
<i>Isoetes humilior</i>	r	-			2
<i>Muehlenbeckia axillaris</i>	r	-	<1000		<50
<i>Myriophyllum integrifolium</i>	r	-			1
<i>Pilularia nove-hollandiae</i>	r	-			
<i>Ranunculus pumilio pumilio</i>	r	-			<50
<i>Rhodanthe anthemoides</i>	r	-	7		<50
<i>Taraxacum aristum</i>	r	-	2		
<i>Trithuria submersa</i>	r	-			1
<i>Uncinia elegans</i>	r	-	3		
<i>Viola cunninghamii</i>	r	-	2		1
<i>Xerochrysum bicolor</i>	r	-	1		



## APPENDIX 2 -TASMANIAN WEDGE-TAILED EAGLES



## The importance of the Central Highlands to Tasmanian Wedge-tailed Eagles and vice versa.

Tasmanian wedge-tailed eagles (*Aquila audax fleayii*) are one of several animals, notably including the Tasmanian devil (*Sarcophilus harrisii*) and thylacine (*Thylacinus cynocephalus*), that were very much a part of both the ecosystem and culture of the Central Highlands. The Central Highlands describes both a political area and an Interim Biogeographic Regionalisation for Australia (IBRA) region and this dis scission focuses on the latter area (see below).

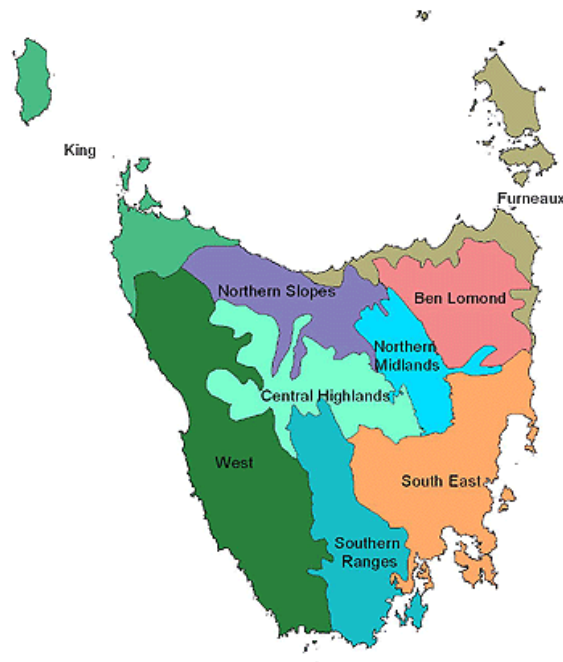


Figure 1. Tasmania's nine IBRA regions.

The Central Highlands has not been as extensively developed as some other IBRA regions and much development has been at the lower end of intensity. Some of its near natural areas are reserved but those areas need buffers, especially for animals such as WTEs with very large home ranges, individuals of which may cross many land use areas encountering a variety of anthropogenic hazards.

The value of wedge-tailed eagles (WTE) is enhanced by the loss of thylacines, for many decades now WTEs being Tasmania's only natural apex predator. WTEs are also scavengers and in that role compete directly with devils. With the demise and continued suppression of devils from Devil Facial Tumour Disease, WTEs have even further enhanced value in providing ecosystem services. Both devils and WTE are endangered under both State and Commonwealth threatened species legislation.

In the absence of devils, many smaller species rely on eagles to open large carcasses to allow further scavenging. Eagles are also one of the few predators of feral cats and kookaburras and serve to somewhat limit their numbers and restrict their behaviour. Much the same applies to wallabies as prey in that without the risk from (diurnal) WTEs, in many places wallabies would be able to feed 24 hrs a day and put further pressure on vegetative communities and crops.



Numbers of known WTE nests/area are relatively low for the Central Highlands (overall, the second lowest density at 78.3km<sup>2</sup>/recorded nest, Natural Values Atlas) although counts of eagles by road survey (N. Mooney in prep.) are moderately high compared to other IBRA regions. How this reconciles is that most other IBRAS have been more intensely and extensively developed and with that goes searching for or otherwise finding nests; a lower proportion of the Central Highlands nests are recorded. In addition the development pressure in most other IBRAS means abandonment of eagle nests is more common, those breeding birds moving elsewhere in their home ranges to nest. Thus, the Central Highlands has less nests per eagle pair than most IBRAS.

Finally, eagle nests are protected by law so even if abandoned they stay until they naturally degrade. So in most other IBRAS we have both more nests/area and a greater proportion of those are recorded even though there are generally less eagles in those places. This means the Central Highlands is in a more natural condition, closer to an optimum over large areas for wedge-tailed eagles.

Much of the Central Highlands is a mosaic of undulating open forest, grassy woodland, wetlands and pasture with many forest edges, the habitat structure optimal for WTE (Threatened Species Section 2006). Their principal population limiter to date in the Central Highlands would appear to be highly variable soil fertility from place to place, productivity that is reflected in food availability.

Nick Mooney

Wildlife Biologist..

BirdLife Australia Raptor Group (Tas rep)

19/10/22





**RED SEAL**  
Urban & Regional Planning

**Central Highlands Local Planning Schedule (LPS)**  
**Submission Section 35E – Land Use Planning and**  
**Approvals Act 1993:**

204 Meadowbank Road, Meadowbank, (PID 7516181)  
CT 35385/2

**For: Mr. Jonathon Dorkings**

BY: TRENT J. HENDERSON

BA(Hons) GCurbDgn MEP RPIA

Principal Planner



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## **Appendix A – Land Capability Assessment**

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### **Red Seal Urban & Regional Planning**

ABN: 40 176 568 800

Hobart, Tasmania | **M** +61 411 631 258 | **E** [redsealplanning@gmail.com](mailto:redsealplanning@gmail.com)



## Summary

Project: Central Highlands Local Provision Schedule Planning  
Submission relating to the properties:  
204 Meadowbank Road, Meadowbank, (PID  
7516181), formed by CT 35385/2

Planning Authority: Central Highlands Council

Planning Policy: Section 35E - *Land Use Planning and Approvals Act 1993*

Date of Assessment: October 2021

### At Issue:

What appears to be a core error in the decision tree determining the allocation of an Agriculture Zone, plus the failure to factor in poor soil quality means the small lots proposed to be zoned agriculture will not sustain agricultural use or be able to be incorporated into a larger sustainable farm.

It appears that existing lot layout and established use have not been fully considered and it has been assumed that the 'Land Potentially Suitable for Agriculture Zone' layer in the LIST is correct, resulting in zoning implications that will inhibit the capacity for the lots to maintain their full development rights and not be reliant on agricultural activity within lots that are of insufficient size for such activity.

Therefore, pursuant to Section 35E (3)(b) of the *Land Use Planning and Approvals Act 1993*, the draft LPS should not apply the zone Agriculture in accordance with the provisions of the SPP Part 21, to the land known as:

- 204 Meadowbank Road, Meadowbank, (PID 7516181), formed by CT 35385/2, and
- The surrounding seven other lots of a consistent size,

should be considered for Rural Living Zone (D) as this reflects the land use character.



# 1 Introduction

Red Seal Urban & Regional Planning along with Geo-Environmental Solutions have been engaged on behalf of Mr Jonathon Dorkings to review the exhibition documents of the Central Highlands draft Local Provisions Schedule (LPS) in relation to the property at:

- 204 Meadowbank Road, Meadowbank, identified by PID 7516181, and by CT 35385/2.

As part of the review of this specific property, context with other surrounding properties is to be undertaken.

## 1.1 Background

We would like to commend the Central Highlands Council and its planning staff on the substantial body of work and effort evident in getting the LPS to this stage. Given the extent of work required for such a project, it is conceivable that some aspects of the zone mapping have erred due to the base data not being specific to each site.

Therefore, pursuant to Section 35E of the *Land Use Planning and Approvals Act 1993* (the Act), the following representation is made to assist Central Highlands Council and the Tasmanian Planning Commission (TPC) in implementing zoning by providing onsite clarification for the properties of concern.

Under the draft documentation the site is proposed to have the zone 'Agriculture' apply to the land. However, it is our position that pursuant to Section 35E (3)(b) of the Act, the draft LPS should not apply the Part 21 Agricultural Zone of the SPPs to the area of land specified by the above listed land titles since the properties are constrained and unsuited for the purpose of "significant agriculture activities". The combination of poor soil, topographical character, potential occurrence of significant vegetation communities, inability to provide practical or suitable irrigation options, coupled with the lot sizes, means that the specified land is not suitable to be zoned Agriculture.

To assist Council, this representation will provide in-depth site analysis for each property and associated parcels, drawing on information available on the LIST Maps and supplemented by an assessment for a Geotechnical Specialist.



## **2 204 Meadowbank Road, Meadowbank, and Surrounding Property**

Mr Jonathon Dorking's property 204 Meadowbank Road, Meadowbank, is situated 4.5km by road to the north of Glenora District School. The lot is one of a group of eight similarly sized lots positioned together just north of the Municipal boundary and situated at the base of Mount Fenton.

The subject lot covers an area of 3079m<sup>2</sup> and is positioned between the road and the river, with a small strip of crown land along the riverbank. Topography sees half the lot adjacent to the road almost level then sloping steeply away east to the river. There is an existing weatherboard dwelling of mid-1940s construction with a floor area of 97m<sup>2</sup> located on the flat part of the lot, which is largely clear of significant vegetation. There is no formally recognised heritage significance for the building.

Opposite the lot, on the other side of the road, is the steep slope of Mount Fenton traversing from the 60m contour at road level to a height of 295m in a distance of 825m, or 28.5% average gradient. Some sections are steeper. This land across the road is used only for grazing some cattle and sheep.

Opposite the property on the other side of the River Derwent is land known as Settlers Flat, used for pivot irrigation.

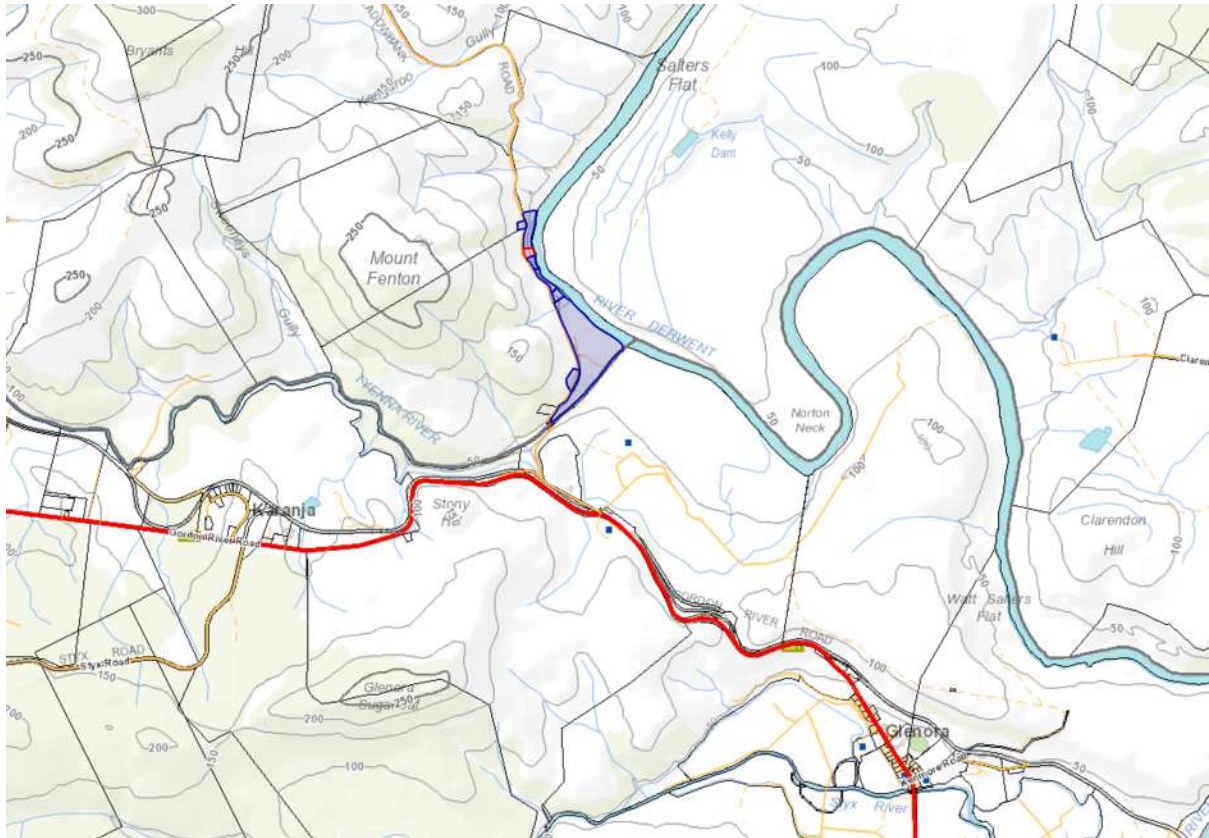
Adjacent lots: on one side, south towards Gordon River Road, is 200 Meadowbank Road, on 2367m<sup>2</sup>, with a house on a narrow and steep lot, sloping down toward the river, with no agricultural value. On the northern side at 208 Meadowbank Road on 9484m<sup>2</sup> lot, is a dwelling on a long, gently sloping block down to the river. This occasionally has a few sheep grazing to manage vegetation but is not of a commercial scale.

Other residences in proximity are located:

- 150m to the north there is a dwelling on the opposite side of the road at 219 Meadowbank Rd,
- 250m south there is a dwelling on the riverbank at 174 Meadowbank Rd,
- 600m to the south at 130 Meadowbank Rd, there is a house on a 13-hectare flat lot bordered by the road and two rivers, that has a small number of cattle,
- one smaller lot and dwelling at 109 Meadowbank Rd.
- Another small lot further south of 109 Meadowbank Rd contains a gravel pit and is owned by the Department of State Growth, so is not in the same category as the other properties.

See figure 1 and figure 1a for specific detail.





**Figure 1 –The location of the eight subject lots is highlighted blue in the centre. The property 204 Meadowbank Road, Meadowbank (PID 7516181) is highlighted in red centre of the image all except for one which has a residential dwelling established. The Tyenna River forms the southern municipal boundary between Central Highlands and Derwent Valley Councils. (Source LIST Maps)**



**Figure 1a – Subject lots with Satellite Aerial base image. (Source LIST Maps)**



## 2.1 Current Planning Provisions

The current Central Highlands Interim Planning Scheme 2015 provisions for the Properties are as follows:

- Zoned: Rural Resource
- Code Overlays:
  - Landslip Hazard Area E.3,
  - Waterway and Coastal Protection Code E.11.

Whilst the lots are bushfire prone the Bushfire Prone Areas Code (E1) overlay is not in use.

Landslide hazard overlay has sections of the two lots mapped as “Low” level risk.

Currently the land to the west of Meadowbank Road that includes Mount Fenton is zoned Rural Resource and is used only for livestock grazing due to soil quality and gradient.

The land to the east of the River Derwent is zoned Significant Agriculture and is subject to the Historic Heritage Provisions of the property Norton Mandeville and is of a gentler gradient and of a better soil capability at Class 4.

## 2.2 Agricultural Land Capability

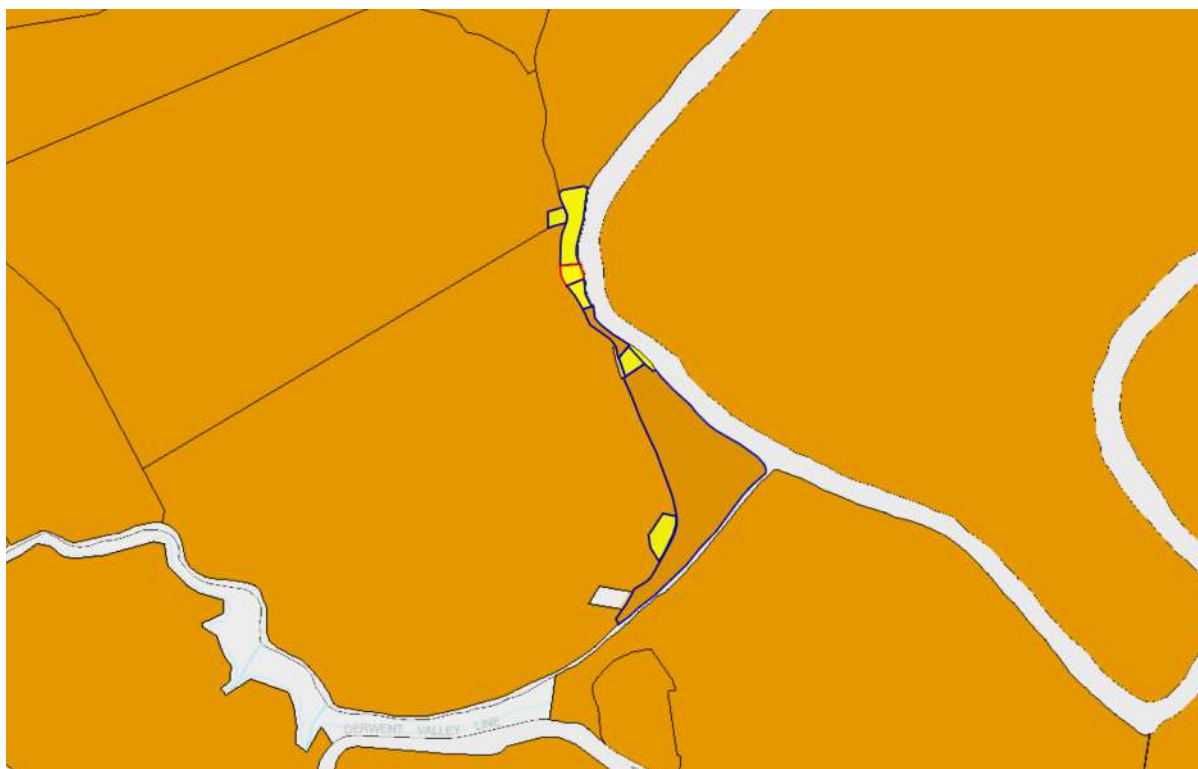
Dr John Paul Cummings of Geo-Environmental Solutions (GES) has provided an Agricultural Land Capability assessment for the property and has noted within his assessment that the soil quality is considered extremely poor.

*Land Capability Survey of Tasmania* mapping cites this land as split between Class 5 and Class 6, which is essentially only marginal cropping ground and suitable for grazing. However, GES review clarifies that the site is realistically Class 6 due to the size and topography of the lots and the fact that each has an established dwelling, confirms that the site has essentially no capacity for cropping and that it is generally considered unsuitable for such agricultural activities. Please see Appendix A for greater detail.

## 2.3 Draft Local Provisions Schedule (LPS)

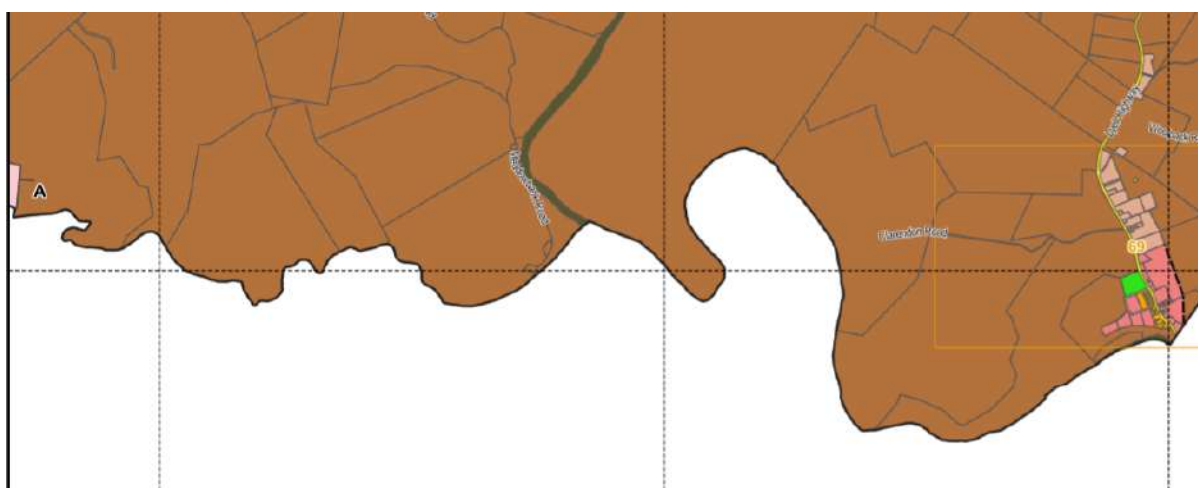
It is recognised that Central Highlands Council has implemented the Agriculture Zone in accordance with the Ministerial “*Guidelines No.1 Local Provisions Schedule (LPS): zone and code application*”, which require the zoning to be applied to all unconstrained land within the ‘Land Potentially Suitable for Agriculture Zone’ unless ruled out, see Figure 2.





**Figure 2 – LIST Map layer “Land Potentially Suitable for Agriculture Zone” showing the lots as Potentially Constrained (Criteria 2A) as each has residential dwelling established, except for the small thin lot with no dwelling present, or the large 13-hectare lot, which are mapped as unconstrained. (Source LIST Map)**

It is understood that there is the potential for smaller lots to be amalgamated into larger farms which is the assumption in the “Agriculture Land Mapping Project: Background Report”<sup>1</sup>. The flaw with this rational is the assumption that a larger 40 hectare plus lot, would benefit from being incorporated into a lot of less than one hectare that comprises poor soil, challenging topography and which is constrained by both road and river locations. Additionally, the fact that these lots already have a dwelling means they do not have a capacity to be useful for an adjoining larger farm to warrant amalgamation.



<sup>1</sup> Planning Policy Unit (2017) “Agricultural Land Mapping Report: Identifying land suitable for inclusion within the Tasmanian Planning Scheme’s Agriculture Zone – Background Report”, Dept. Justice, p. 16.



**Figure 3 – extract from Map 45 of 69 for the Tasmanian Planning Scheme: Zones: Central Highlands Council Local Provisions Schedule. The property in question is in the centre and is zoned Agriculture.**

Whilst it is acknowledged that the properties have existing user rights for the residential dwelling and even have the capability of replacing a dwelling in a like for like manner, pursuant to Section 12 of the *Land Use Planning and Approvals Act 1993*, concern is raised whether it would be desirable to construct in a like for like situation given the period designs of the current dwellings. A modern design and or variation of location on the property might take advantage of more modern sustainable building practices but would trigger a new development application that is required under the zone provisions to demonstrate it is consistent with the agricultural values of the site.

## 2.4 Proposed Alternative Zoning

The subject lots 204 Meadowbank Road, Meadowbank, are also of insufficient size to be classified Rural as the underlying soil type is too poor. The property could be zoned Rural under the LPS if the larger property encapsulating Mount Fenton was also zoned Rural but is instead proposed to be zoned Agriculture. Such a zoning of 204 Meadowbank Rd, along with the other smaller adjoining lots, would result in a zoning that is inconsistent with the actual use of the land and the purpose of the Rural Zone.

The lots in themselves are more characteristic of rural residential in type than primary industries use. Therefore, it is proposed that this group of eight lots should be in a Rural Living Zone, as this is more reflective of their character.

In accordance with the guidelines set out for zone application within the *Guideline No. 1 Local Provisions Schedule (LPS): zone and code application* as issued by the Tasmanian Planning Commission under Section 8A of the *Land Use Planning and Approvals Act 1993*, the sites meet the requirements for Rural Living Zone in the following manner:

***Guideline RLZ 1 The Rural Living Zone should be applied to:***

- (a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity; or*
- (b) land that is currently a Rural Living Zone within an interim planning scheme or a Section 29 planning scheme, unless RLZ 4 below applies.*

The lots are not currently zoned Rural living thus (b) is not applicable; however, they are residential lots of a size that make (a) applicable.

***Guideline RLZ 2 The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:***

- (a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; or*
- (b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater.*



Location of the properties is within 4.5km of the town of Glenora and Bushy Park, in turn closer to the main highway (Lyell Hwy) and regional centre of New Norfolk. This is seen in context with the area surrounding Westerway and Ellendale that is to be zoned Rural Living A, which will facilitate subdivision down to one hectare lots (Clause 11.5.1 - Table 11.1 Rural Living Zone minimum lot sizes of the TPS). Zoning the land surrounding 204 Meadowbank Rd Rural Living A would not facilitate subdivision within seven of the eight lots as they are all under two hectares.

Therefore, the inclusion of land that is already consistent with the zone purpose and activity of Rural Living and already containing a dwelling does not have any impact on the growth scenario for the area and does not allow for further growth.

**Guideline RLZ 3** *The differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on:*

- (a) a reflection of the existing pattern and density of development within the rural living area; or*
- (b) further strategic justification to support the chosen minimum lot sizes consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.*

Although the land is not currently zoned rural living, to zone it Rural Living under the LPS is reflective of the current land use, pattern and density that already occurs on the land at present. Therefore, to reflect a transition from the current zoning and land use patterns allocation of Rural Living Zone D is appropriate to avoid the introduction of any ability at this stage to subdivide for the larger lot.

**Guideline RLZ 4** *The Rural Living Zone should not be applied to land that:*

- (a) is suitable and targeted for future greenfield urban development;*
- (b) contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see Landscape Conservation Zone), unless the values can be appropriately managed through the application and operation of the relevant codes; or*
- (c) is identified in the 'Land Potentially Suitable for Agriculture Zone' available on the LIST (see Agriculture Zone), unless the Rural Living Zone can be justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.*

In relation to RLZ4(a) the area is not within the vicinity of land suitable for future greenfield urban development and is not adjacent to the Urban Growth Boundary for Greater Hobart; therefore, there is no risk of creating a zoned area that will impede future urban growth.

Whilst it is acknowledged that the subject land overlooks land identified for its heritage values, the property 204 Meadowbank and surrounds are not identified as having any native vegetation or scenic landscape values. Additionally, it is noted that the lots are already used for a residential dwelling and zoning to Rural Living will not encourage development that would impact on such landscape values. Additionally, there is no increase in traffic or reliance on infrastructure as there is no increase in development capabilities.



Most of the lots are identified within the *Land Potentially Suitable for Agriculture Zone* as *land Potentially Constrained (Criteria 2A)* highlighting the fact that the lots are small in size consisting of a residential dwelling. Therefore, the use of Rural Living Zone is reflective of the current land use pattern and will not increase the potential for land use conflict with other uses.

Such a strategic pattern is not inconsistent with that previously used by Councils that have already implemented the Tasmanian Planning Scheme, such as Meander Valley LPS, Circular Head LPS, and to an extent Burnie LPS. Additionally, similar apparently isolated pockets of Rural Living Settlements are also used throughout the Central Highlands LPS.

### **3 Conclusion**

This representation provides site specific clarification for the following parcels of land: 204 Meadowbank Road, Meadowbank, (PID 7516181), formed by CT 35385/2.

It is our submission that the decision tree that has been used to determine the delineation of Agriculture Zone and Rural Zone has not examined the detail of the existing land use, lot size or the underlying soil quality and topography of the land in determining the zoning. Given the topography, existing development, and small lot sizes based on the quality of the soil, zoning the land Agriculture would inhibit the diversity of allowable use permissible on the land.

Principle concern is evident when cross referencing the zoning with the State Planning Provisions. With the intent of the Agriculture Zone for development including residential that is reliant on agricultural activity on the property (Clause 21.3.1 Use Standards: Agriculture Zone), concern is that with the properties not being of a sufficient size and with unsustainable soil type to support agricultural use, the properties will have nonconforming use types.

Therefore, pursuant to Section 35E (3)(b) of the *Land Use Planning and Approvals Act 1993*, the draft LPS should not apply the zone Agriculture in accordance with the provisions of the SPP Part 21, to the land known as:

- 204 Meadowbank Road, Meadowbank, (PID 7516181), formed by CT 35385/2,  
and
- The surrounding seven other lots of a consistent size,

should be considered for Rural Living Zone (D) as this reflects the land use character.



21/10/21

**RE: Agricultural land Capability – 204 Meadowbank Road, Meadowbank**

I am a Certified Professional Soil Scientist (CPSS) and I have completed the assessment of numerous agricultural properties in Tasmania over the past 20 years including a number in the Derwent Valley area. I have completed a review of my files for the local area and the subject property and can provide the following information.

- The property is located on Meadowbank Road and extends from the road frontage down a steep bank to the Derwent River
- The property currently supports rural residential use with a single dwelling on a title area of approximately 3079m<sup>2</sup>
- The property is bordered by rural residential properties to the north and south, and larger agricultural properties can be found to west of Meadowbank Road, and to the East on the other side of the Derwent River (see figure 1 site location).
- The property is underlain by Jurassic dolerite with shallow duplex soils on the steep slopes of the property (see figure 2 soil mapping).
- The property is mapped as predominantly class 5 & 6 agricultural land however due to the steep slopes I would classify the property as Class 6 (see figure 3 land capability mapping).
- The steep slopes on the site and shallow stony soils make the property unsuitable for tillage for pasture renovation or cropping,
- The land suitability mapping for the area shows that the property would not even be suitable for ryegrass pastures indicating the property has severe limitations for even good pasture production for grazing (see figure 4 ryegrass pasture suitability).
- The soil types on the property have a number of identified soil limitations to agricultural use, and in particular due to the sandy textured topsoils on much of the property wind erosion poses a significant risk if surface cover is removed and tillage is undertaken to attempt pasture renovation (see figure 5 erosion hazard mapping).
- Previous assessment of soils in the local area identified a number of limitations to agricultural use of the main soil type on the property



- The area of soils on dolerite mapped as Brown soils on dolerite (Bd1) the following limitations have been identified
  - Soils on hill slopes, especially north to east facing slopes like the subject property are shallow with a high stone content and poor rooting depth
  - Soils generally have a strong texture contrast with potential for shallow perched seasonal water tables
  - Subsoils are imperfectly drained with limited irrigation potential
  - Sandy topsoils have an acidic pH trend, weak structure and can be prone to surface erosion
  - On steep slopes native pastures and sparse native vegetation is normally retained for limited grazing at low stocking rates
- From my review of the information relating to soil and land quality on the property it is my conclusion that the land has very limited agricultural capability
- The property is small in area and is located on two sides by several small titles with current rural residential use, therefore any future agricultural use of the property is significantly fettered
- Given the agricultural capability of the property is highly constrained, future zoning as part of the state-wide planning scheme must be carefully considered to ensure the optimal future use of the land resource
- A zoning of rural residential (in line with the historical land use) of the small titles including this property and immediate surrounds would be more appropriate than agriculture.

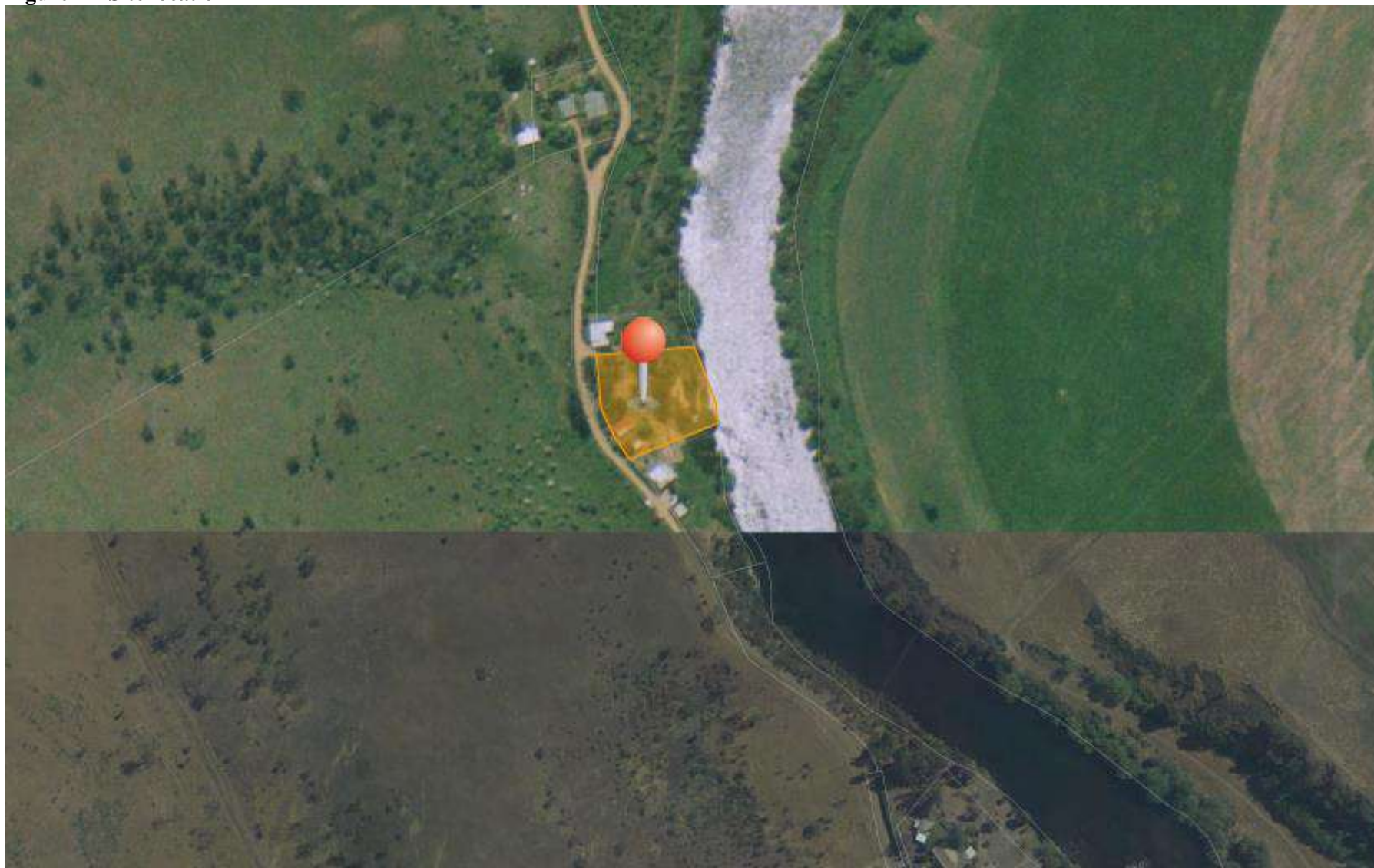
Kind regards,



Dr John Paul Cumming B.Agr.Sc (hons) PhD CPSS GAICD  
*Director*

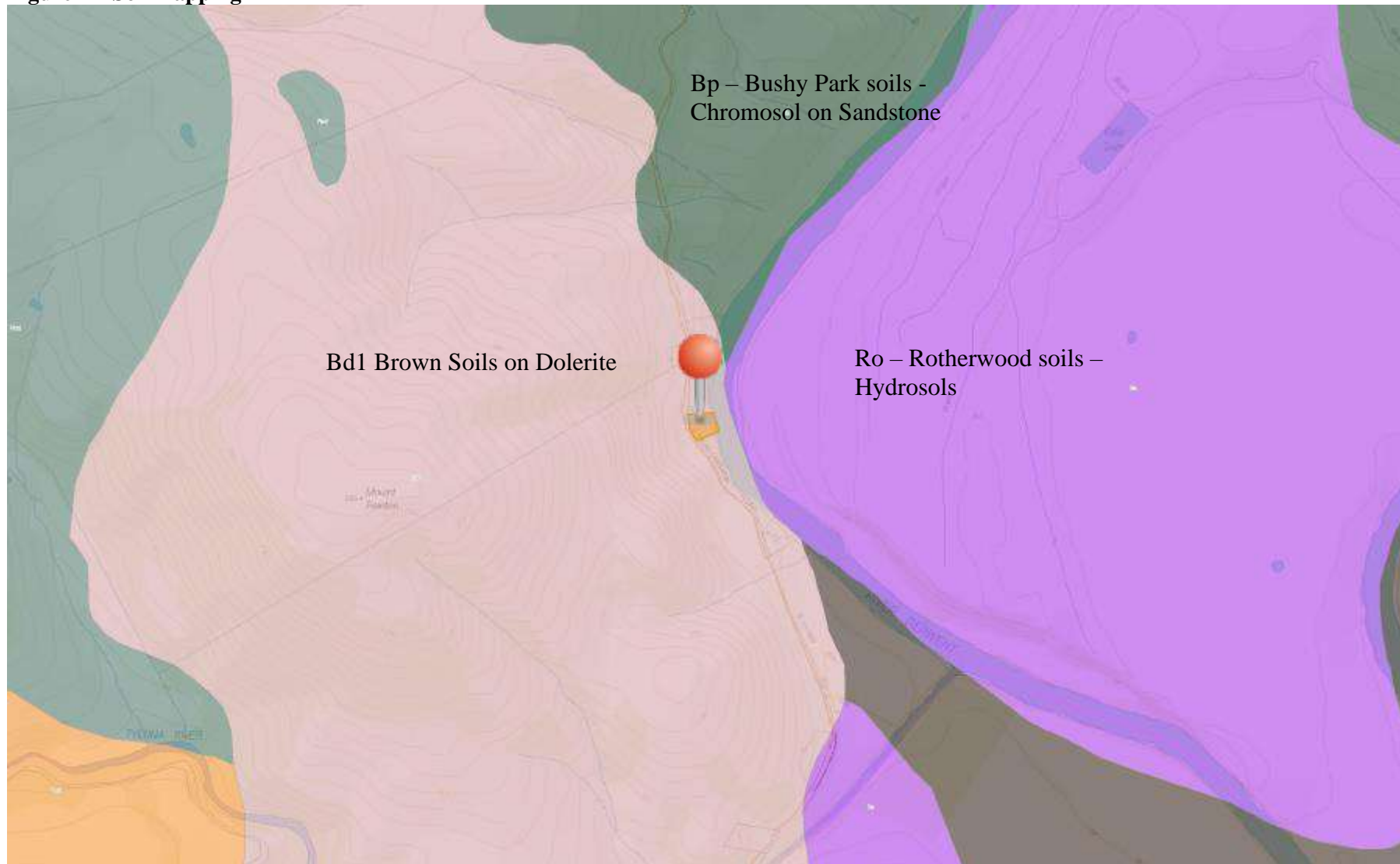


**Figure 1 – Site location**



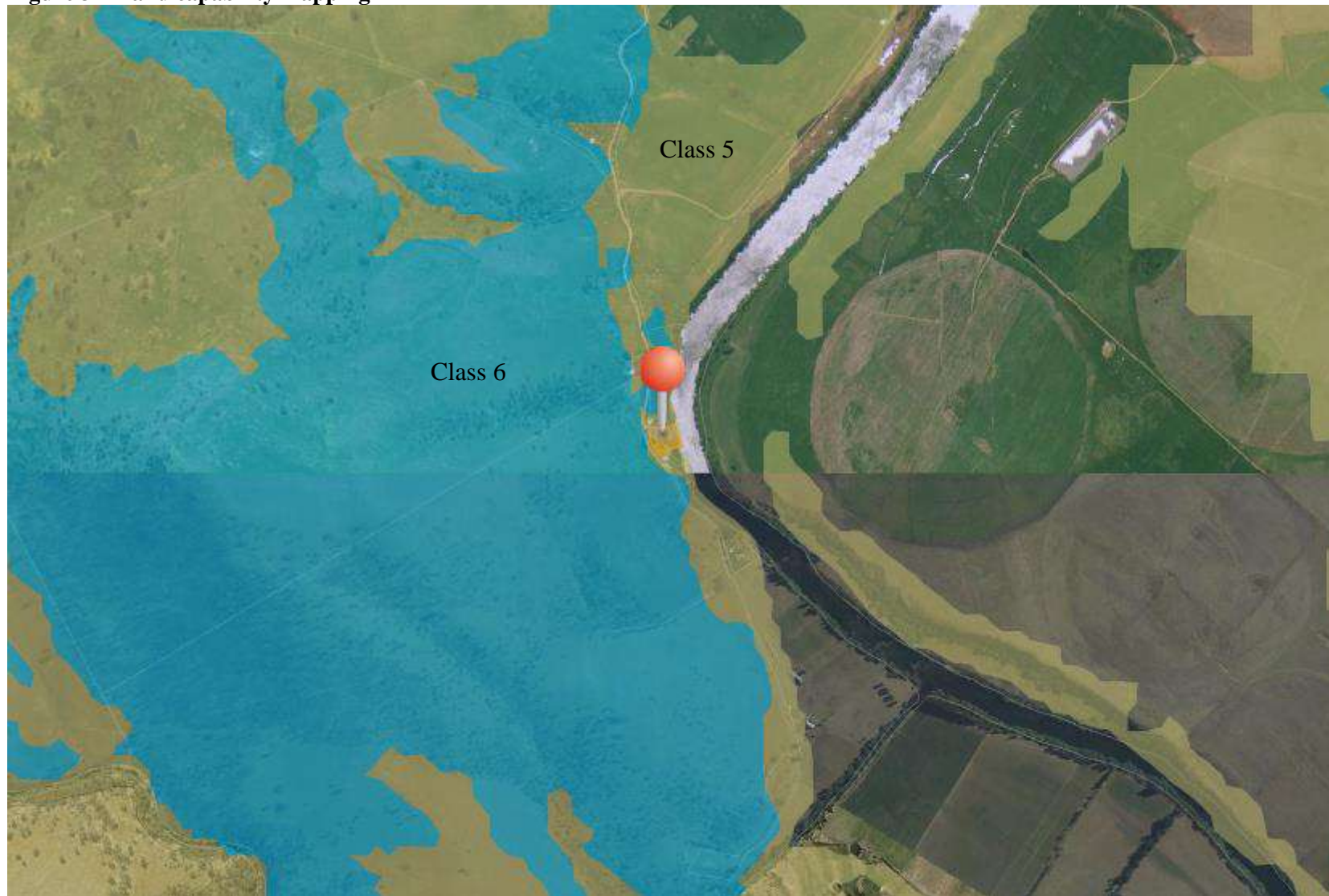


**Figure 2 – Soil mapping**



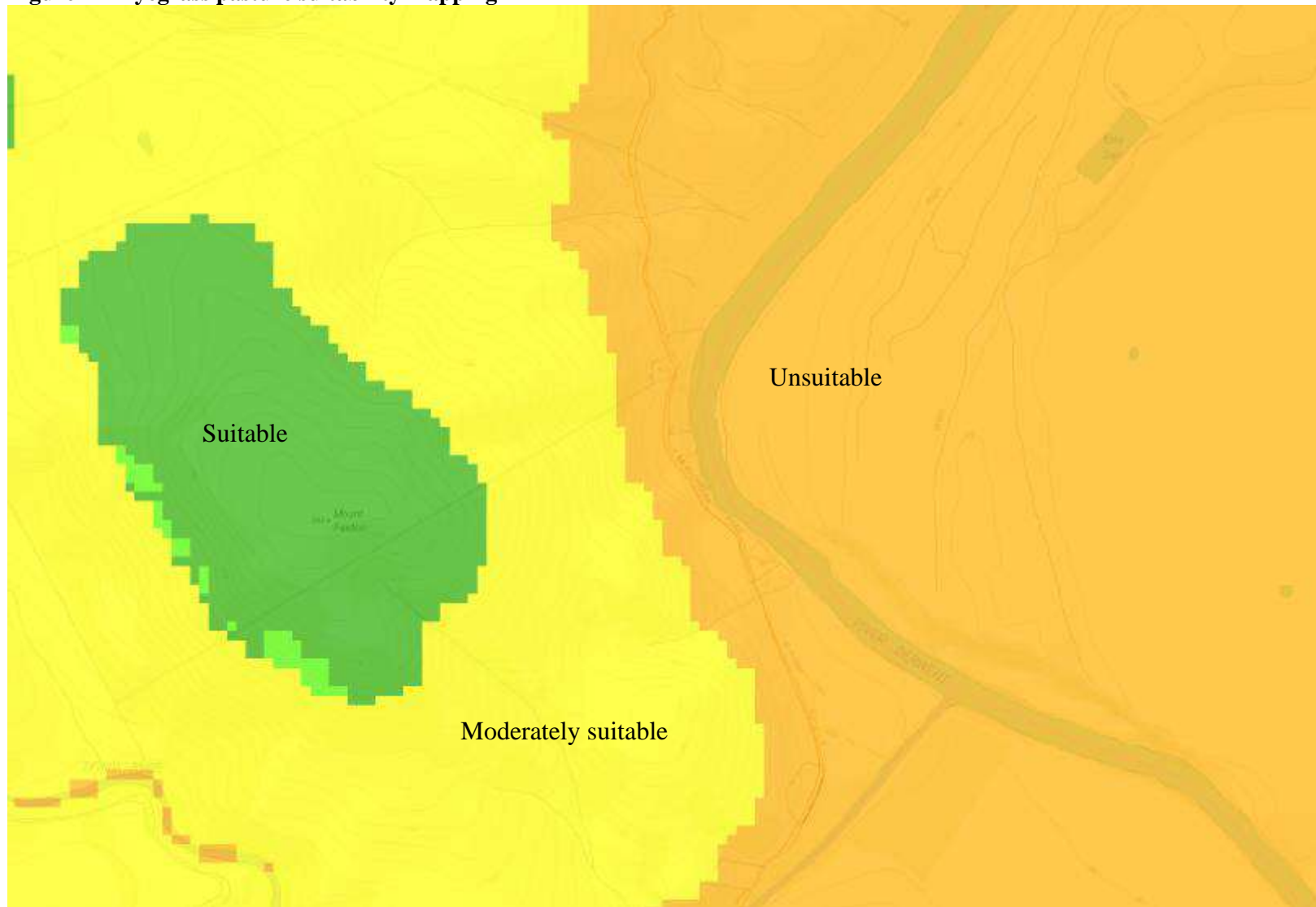


**Figure 3 – Land capability mapping**



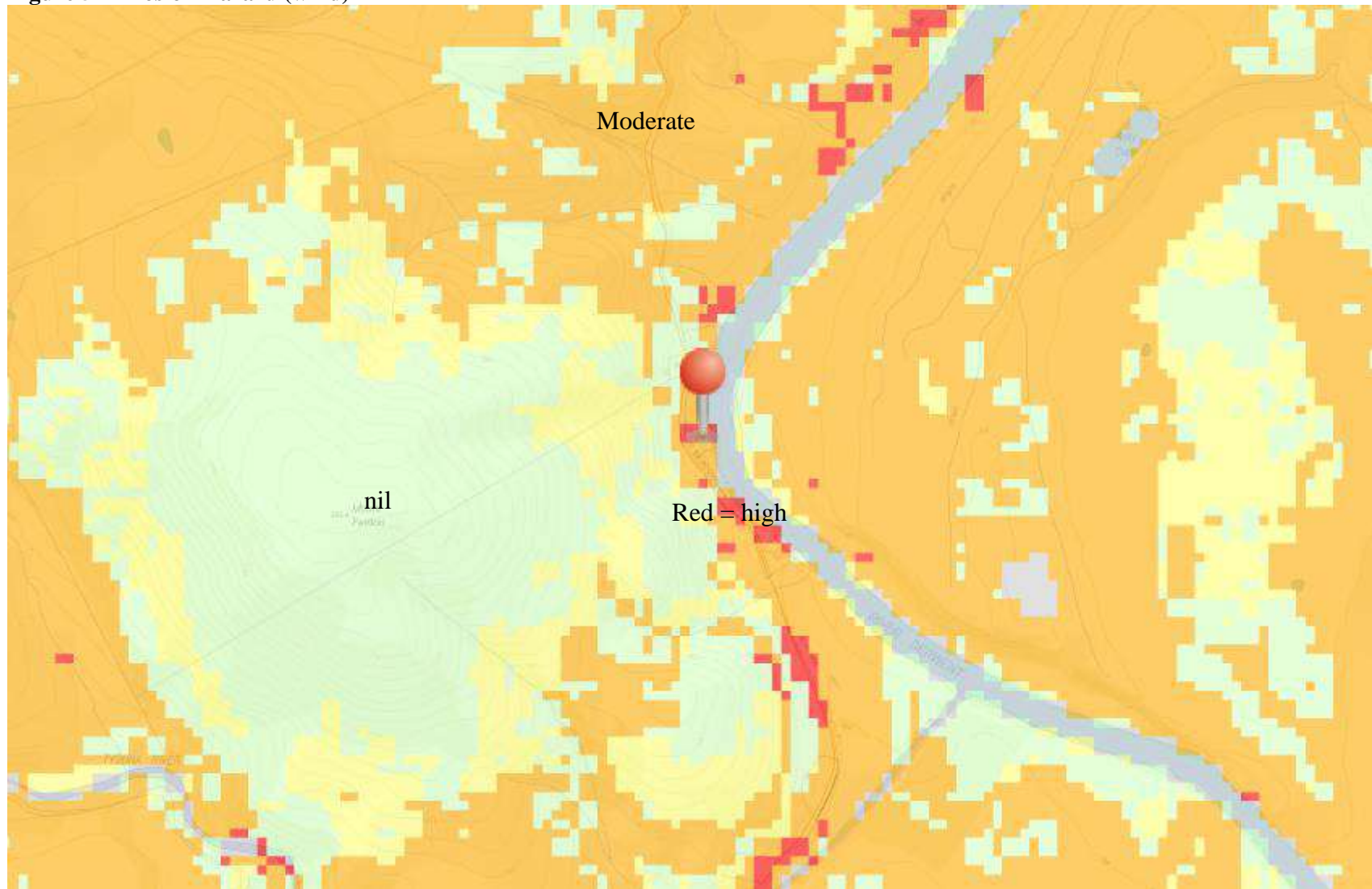


**Figure 4 – Ryegrass pasture suitability mapping**





**Figure 5 – Erosion Hazard (wind)**





**Kathy Bradburn**

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**From:** John Toohey <johng2e@hotmail.com>  
**Sent:** Friday, 22 October 2021 4:49 PM  
**To:** development  
**Subject:** Central Highlands Draft Local Provisions Schedule

General Manager  
Central Highlands Council

I wish to make comment on the draft Local Provisions Schedule.

I have been a visitor to the Central Highlands since a child in the 1960s; camping, bushwalking, fishing and hunting. My parents and grandparents before me. I feel a very close and strong bond with the Highlands environment and value it greatly.

Over time I have witnessed changes in the Highlands from being somewhat "remote" to bitumen access roads, influx of newer visitors, timber harvesting, the loss of Poa species grasslands to the plough and so on.

The Highlands contain many endangered species ranging from galaxiids, grasses, mammals and butterflies to birds such as the wedge-tailed eagle.

While the natural timbered skyline is still largely intact many of the open grasslands have been ploughed and are evidentiary examples of erosion arising from historic poor burning practices by landowners, over-grazing and rabbits.

While, as a non-Aboriginal I am not qualified to state that the environment is an Aboriginal landscape, I suggest that it does contain considerable evidence of creation and maintenance by the indigenous Tasmanians over many thousands of years. There is written evidence dating from about 1817 to 1831 by early colonials of Aboriginal occupation and maintenance and reinforced by contemporary historians.

These intrinsic values, scenic and unique character attributes must be maintained and protected . The timbered skylines, uninterrupted and undeveloped grasslands and moorlands are precious as is the intact existing landscape and inherent tranquillity.

Unless I am misunderstanding, I am stunned that the tables are blank in C6.1, C6.3, C6.4, C6.5, C8.1 and C8.2.

For example, it seems to me that consideration has been given to colonial heritage but not Aboriginal heritage, no consideration to the Highlands Lakes Secondary Road having scenic qualities, Historic Landscapes, and Significant Trees such as the endangered E. gunnii.

Thank you for the opportunity to comment.

Yours sincerely

John G Toohey  
1 Mowbray Court  
Lenah Valley 7008

Ph. 0448 458 518



Jacob Smith  
PO Box 136  
Ouse TAS 7140  
22<sup>nd</sup> October 2021

Lyn Eyles  
General Manager  
Central Highlands Council  
Tarleton Street  
HAMILTON TAS 7140

Dear Ms Eyles

**CENTRAL HIGHLANDS COUNCIL LPS - 7011 LYELL HIGHWAY OUSE**

I purchased the former Principal's Cottage of Ouse School at 7011 Lyell Highway in early 2018 and at that time I wrote to Council requesting that, whilst the property is in the village of Ouse, it is not in the Village Zone under the Central Highlands Interim Planning Scheme 2015. At the time I attached documents to provide further information in relation to this matter.

I note that under the draft LPS of the Scheme, which is currently up for public consultation, unfortunately my request has not been taken up, with the draft LPS showing my property as being zoned Agriculture.

The Report that accompanied the draft LPS stated that the land would not be appropriate to be zoned Village, as the Southern Tasmanian Regional Land Use Strategy determined that there is insufficient need for land such as mine in the Village of Ouse. I would argue that this strategy was developed more than eleven years ago, and it does not necessarily stand 'the test of time', especially when you see the growth of land acquisition by people escaping to the country, as well as the number of purchasers from the Australian mainland that are escaping the ravages of climate change, along with the desire for a safer and less traumatic place to reside. Based on REIA data, and anecdotal evidence, rural properties are being taken up in Tasmania in abundance. Rural Villages such as Ouse need to have the opportunity to grow to be able to attract meaningful service providers that are able to engage with the people that live in the rural landscape. The land in question would be able to be serviced by TasWater, sewer as well as water, with a very easy extension to their existing services.

If the property is to retain, as detailed in the draft, the Agricultural Zone, then where does the rural water supply come from required to service an agricultural enterprise? If this zone was to go through as proposed, this unviable parcel of land would be useless as an agricultural endeavour. If a crop of some description was attempted to be grown and sprays were to be used, they would potentially drift into the adjacent Ouse Primary School and be a considerable risk for our young children and people



in the Community who attend / work at that school. If the Primary School numbers get so low, due to the environmental impact, that the school must close, it would have a devastating impact on the Community, which would also impact on employment in the district, where farming families rely on schooling for their families to be in the district. The impact goes on and on in a downward spiral if a strong economic vision is not held for our rural communities. I would not like to see this situation occur but I am extremely concerned that it could under the current set of arrangements and I consider the risk for myself, my community and the Council are far too high when something could be done now to mitigate the risk factors. This parcel of land would be far safer and viable as an extension of the existing Village Zone.

In my opinion there needs to be the opportunity for Ouse to grow and develop as a meaningful place to live and work and this particular parcel of land would provide a buffer of potentially larger parcels of land (1000m<sup>2</sup>) on the perimeter of the Village where the landscape transitions into viable agricultural uses.

If dwellings were built on land subdivided from this parcel, there would be a greater revenue for the Council and make the Village of Ouse more economically sustainable, hence building the resilience of the Central Highlands communities.

A Planning Scheme is a strategy document that has impacts that spread far and wide shaping the influences/effects of the economic viability of our rural lifestyle and landscape. I urge Council to revisit the draft as it currently stands and to include the parcel of land known as the former Principal's Cottage of Ouse School at 7011 Lyell Highway, along with similar parcels, into the Village Zone.

Based on my comments / observations listed above I look forward to your advice re consideration of my request to amend the current draft position.

Yours sincerely

*Jacob Smith*



# Department of Primary Industries, Parks, Water & Environment

OFFICE OF THE SECRETARY

**Hobart** GPO Box 44, Hobart, Tasmania, 7001

**Launceston** PO Box 46, Kings Meadows, Tasmania, 7249

**Devonport** PO Box 303, Devonport, Tasmania, 7310

Ph 1300 368 550

Web [www.dpipwe.tas.gov.au](http://www.dpipwe.tas.gov.au)



Our ref: 21/3611.029

Mr Graham Rogers  
Manager, Development & Environmental Services  
Central Highlands Council

via email: [development@centralhighlands.tas.gov.au](mailto:development@centralhighlands.tas.gov.au)

## EXHIBITION – CENTRAL HIGHLANDS DRAFT LOCAL PROVISIONS SCHEDULE

Thank you for your letter of 20 August 2021 seeking comment on the Central Highlands Draft Local Provisions Schedule (LPS).

I can advise that the Department of Primary Industries, Parks, Water and Environment (DPIPWE) has reviewed the draft LPS and offers the following advice.

All references in the LPS to the *National Parks and Reserves Land Regulations 2009* should be updated to the *National Parks and Reserves Management Regulations 2019*.

DPIPWE supports the inclusion of the Environmental Management Zone (EMZ) as a straight conversion of the existing EMZ as per Guideline No.1 and its application to the reserve estate and additional riparian reserves and other public reserves.

DPIPWE does not support Council's proposal, outlined in s5.4.5 Utilities Zone – Various Sites (p.71), to rezone the western half of the canal connecting Lakes Crescent and Sorell from EMZ to Utilities Zone, for the following reasons:

1. The Interlaken Ramsar Site boundary extends to the Full Supply Level of Lake Crescent (CPR 5656). This is an internationally important wetland and protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
2. The EMZ is consistent with management obligations for Ramsar wetlands under the EPBC Act.
3. The EMZ is necessary to protect the Ramsar site, particularly the area south of Lot 1 Interlaken Road (PID 2892217) from further encroachment and/or hydrological impact by the canal and associated works, now and into the future.



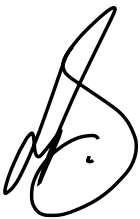
Instead, DPIPWE supports the S.35 Notice issued by the Tasmanian Planning Commission that requires that this area be zoned Environmental Management in line with the reasons outlined above.

In addition, DPIPWE brings to Council's attention the following zoning inconsistencies:

- The Public Reserve (PID 5475283) located on the Lyell Highway is included in the Rural Zone which is inconsistent with other public reserves and potentially its management objectives. State Growth is noted as the management authority for the site.
- Unallocated Crown Land at Brady's Lagoon (PID 2541169) is proposed Agricultural Zone. The site appears to be covered in native vegetation (with encroachments), with no known existing lease/licence currently issued for its use. This site should be recommended for EMZ as it contains the Threatened Native Vegetation Community - Highland Poa grassland.

If you have any further questions on this matter please contact Sonia Mellor, Policy Analyst, Policy and Project Management Branch, Strategic Services Division on mobile: 0436 636 279 or via email at [sonia.mellor@dpipwe.tas.gov.au](mailto:sonia.mellor@dpipwe.tas.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to be 'Tim Baker', written over a horizontal line.

Tim Baker

**SECRETARY**

26 October 2021



**Kathy Bradburn**

---

**From:** suzanne@metalscience.com.au  
**Sent:** Friday, 22 October 2021 8:58 PM  
**To:** development  
**Cc:** dean@metalscience.com.au  
**Subject:** Member representation into Central Highlands Local Provisions Schedule

Dear Lyn Eyles,

My name is Suzanne Klower and I write on behalf of my husband ,Dean Klower and myself to protest about the inappropriate transition of the Highlands Lake area form Rural resource zone to Agriculture.  
We are privileged to own land at 735 Arthurs Lake Rd, Arthurs Lake and my husband resides there mainly, and I am a frequent visitor from Launceston due to schooling commitments.

We fell in love with the Highlands because it is a unique place in the world.  
It is so special because of its natural beauty and untouched wilderness.  
There are few places left in the world that offer silence and peace like the Central Highlands.

Dean and I cherish our hikes delighted constantly at the amazing abundance of wildlife that is healthy and the fantastic flora again endemic and endangered to the Highlands areas.  
We are avid fly fishers too and love to spend time throughout the Highlands enjoying the amazing scenery, trout, and stillness.

Any developments in the Highlands must proceed with caution so as this is preserved forever.  
Wind turbines towering 240m will destroy the peace and silence we enjoy and scar the landscape especially visually.  
Tourism will be affected negatively as visually the landscape will be disturbed and dominated.  
Mainly though any industrial production will destroy the character and nature of the Central Highlands and it will not be able to be restored.

Please reconsider this zoning and keep control of what happens to the Highlands in the hands of the Council ,elected representatives of the people that live and love this precious area of the world.

Thankyou.  
Kind Regards  
Suzanne and Dean Klower



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## T.L. Wood

57 Fitzroy Crs. Dynnyrne, TAS 7005.  
Mbl: 0409 871206 . email: [tam.wood.l@gmail.com](mailto:tam.wood.l@gmail.com)

---

The General Manager  
Central Highlands Council,

Re: New Planning Scheme:

The transition from Rural Resource Zoner to Agriculture in many places in the Highlands is not appropriate.

In this unique highland area there has been insufficient attention paid to the protection of the values of the scenic and wildlife resources. Any future developments within this unique location must include a requirement to assess the character of the highlands. It is important to preserve the Highlands Brand for future generations.

I am a ratepayer within the Central Highlands Council area and am deeply disturbed by this change without addressing this issue.

Yours faithfully



T. L. Wood.



**Kathy Bradburn**

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**From:** Odile Foster <egleston1726@gmail.com>  
**Sent:** Saturday, 23 October 2021 4:03 PM  
**To:** development  
**Subject:** New Planing Scheme

## Dear Ms Eyles

How disappointing to see that the Zoning for the Highland Lake area may be re-zoned from Rural to Agriculture.

I have owned a shack now for several years at Miena.....and love the tranquility of the entire area. Fishing is my main reason for being in this unique part of the world and there is no doubt that to have a wind farm built in this area would undoubtedly be totally out of character with the sub-alpine landscape, and I fear be detrimental in time to come to the tourism that this area is very reliant on.

I do hope you consider my concerns and appreciate that this Highland Lake area is an area of outstanding beauty and really Council should be allowed to decide on the character of the landscape NOT a developer.

Kind Regards,  
Odile Foster  
33 Thiessen Crescent  
MIENA



**Kathy Bradburn**

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**From:** Lyn Eyles  
**Sent:** Monday, 25 October 2021 7:46 AM  
**To:** Kathy Bradburn; Joanne Housego; Graham Rogers  
**Subject:** FW: Central Highlands Draft Local Planning Scheme

-----Original Message-----

From: John Gunn <lakesidemiena@icloud.com>  
Sent: Saturday, 23 October 2021 5:40 PM  
To: Lyn Eyles <leyles@centralhighlands.tas.gov.au>  
Cc: victoria.onslow@gmail.com.and.egleston1726@gmail.com  
Subject: Central Highlands Draft Local Planning Scheme

Attention Council.

I feel it is my responsibility to strongly object to changes to the current planning scheme, especially if as it appears to be mainly to allow the development of many more wind towers.

My objection is not in relation to wind turbine electricity as such, but in the positioning of those proposed locally where they impact hugely on the visual landscape and on the sensitivity of a large proportion of the whole community.

Environmentally I believe that history will judge harshly those responsible, especially when one considers the total resource input, the probable lack of financial benefit to Australia, and the more probable benefit to a country more intent on placing tariffs on our exports than trading fairly.

A very recent article appeared in the Mercury newspaper, which appeared to have been well researched, and which research showed that Tasmania could be on track to build around 2800 wind turbines to compliment our future needs, more so in connection with hydrogen power perhaps, but when is enough enough?

I am a long term permanent resident of Miena, well since 2002, but with family connections to the area, as history shows, from around 1830.

My belief is that this is a unique and sensitive environment best left to current uses.

With the reported life span of these turbines to not exceed 20 years, after which we have just a slab of concrete in their place, what provisions have been made for dismantling and returning to point of manufacture the non recyclable component?

As stated, I am not against the production of electricity, but would prefer to see it established with minimum impact on the aesthetics of a unique area, and with minimum aggravation to the general population.

I have also made public my support for nuclear power generation, which I feel would be of huge benefit to our wonderful country.

Kindly consider my application ,

Yours faithfully,

William John Gunn, 7 Robertson rd. Miena. 04183502121



**Kathy Bradburn**

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**From:** Sue Chandler <sue.chandler.369@gmail.com>  
**Sent:** Friday, 22 October 2021 8:28 AM  
**To:** development  
**Subject:** Development means Destruction

The Highlands are only ""The Highlands "" because they HAVE NOT BEEN RUINED by Private Enterprize . Under the disguise of "Good For All", Privateers can sway Government to help them go against Public Interest and Environmental Wellbeing. If you Destroy the Wilderness Value of the Highlands by Taming it , there will be no Wilderness. People are much more aware now of the value of untouched wild bush, and would not enjoy going there if you altered it to make their visit possible. "Altered" means "sacrificed," by the way.

Please act conscionably by denying this latest onslaught into the untouched Beauty of the Highlands and say NO to the proposed Aerial Lifts Plan.

Sincerely yours, Sue Chandler,  
14 Linton street, Burnie.  
0458545161.