

13 October 2022

Ms Claire Hynes  
Delegate (Chair)  
Tasmanian Planning Commission

By email: [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

Dear Ms Hynes,

**SUBMISSION TO THE CENTRAL HIGHLANDS LPS  
ZONING APPLICATION FOR ST PATRICKS PLAINS**

Thank you for the opportunity to provide further submissions regarding the most appropriate zone application for the St Patricks Plains property. ERA Planning and Environment (ERA) represent Epuron Pty Ltd who are currently preparing documentation for the lodgement of a wind farm at the broader St Patricks Plains development site. In addition, ERA represents the land owners in the area, including:

- John Rose, for Holm Park Properties Pty Ltd;
- Geoff and Irene Glover, for James Glover and Sons Pty Ltd;
- Paul and Shauna Ellis, for P.E.J.E Pastoral Company Pty Ltd;
- Duncan Colin Campbell;
- Robert McDowall Campbell; and
- Judith Bowden, Richard Bowden, Scott V Bowden and William Bowden, for Cluny Pty Ltd;

Please find in Attachment B, signed consents from each land owner confirming they are happy for ERA Planning and Environment to act on their behalf.

In preparing for the reconvened hearing on 20 September 2022 we reviewed the documentation that had been provided by both Council and other parties. Of particular interest was the documentation from Pinion Advisory, which provided an independent Agricultural assessment of the site. In their qualified opinion, they are of the view that the Rural zoning is the most appropriate zoning for the St Patricks Plains site, and that the Agricultural zone would be inappropriate due to the constraints associated with land capability, with at best, opportunities for development at low intensity dryland seasonal grazing.

However, it was of note that a second submission was made by Ireneinc on behalf of the No Turbine Action Group in response to the Pinion Advisory report, which opines that the St Patricks Plains site should be zoned Landscape Conservation.

It is note worthy that the submission is in relation to land over which the No Turbine Action Group has no legal ownership, or business interest, and has been entirely submitted as a basis to try and stop the development of windfarms at this site. The submission has not been based on broader consideration of the application of the

Landscape Conservation Zone in the municipality as a whole, but rather, as an attempt to try and use the zoning as a tool to limit further development on the site.

Furthermore, no clear evidence has been given as to why this would be considered appropriate or necessary, and it is unclear exactly the extent to which it should be applied. Figure 1 within the Ireneinc submission details the “subject land” but Figure 5 within the same goes on to identify “indicative lots” and these areas of land are not consistent.

For the benefit of the Commission, in attachment A we provide a map showing the relevant lots over which my clients have an interest. Centrally within those lots there is a title in the ownership of Sustainable Timbers Tasmania which is excluded from the broader site. For obvious reasons this should also not be zoned Landscape Conservation. In addition, this map shows the location of the transmission lines.

It is critical to consider the implications of zoning this land Landscape Conservation, as compared to its current zoning as Rural Resource, or the potential amended zoning as Rural.

## 1. Landscape Conservation Zone

The zone purpose statements for the Landscape Conservation Zone are as follows:

*22.1.1 To provide for the protection of conservation and management of land with significant ecological, scientific, cultural or scenic value.*

*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.*

Currently the site is operated as rural land, utilised for summer grazing pastures. While there are pockets of significant vegetation, the site is heavily grazed in places, and not dominated by native bushland. The site does not exhibit significant ecological, scientific, cultural or scenic values. In fact, the site has been identified as having low scenic value at a broad level.

The zone application guidelines state the following:

*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.*

*LCZ 2 The Landscape Conservation Zone may be applied to:*

*(a) large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation;*

*(b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or*

*(c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.*

*LCZ 3 The Landscape Conservation Zone may be applied to a group of titles with landscape values that are less than the allowable minimum lot size for the zone.*

*LCZ 4 The Landscape Conservation Zone should not be applied to:*

*(a) land where the priority is for residential use and development (see Rural Living Zone); or*

*(b) State-reserved land (see Environmental Management Zone).*

As previously commented, this site is currently used for low intensity agricultural operations such as grazing. Other than small pockets, it has not been identified for protection or conservation, and does not have expansive stands of bushland areas. Similarly, while there may be some threatened species identified on the site, it does not represent large areas of bushland which are not otherwise reserved. In fact, some titles are almost wholly cleared of vegetation having been heavily grazed over the years.

In the first iteration of the CHC LPS the Scenic Protection Code has not been utilised, so aside from some application of the Natural Assets Code, the Scenic Protection Code does not apply. Similarly, this site does not include land zoned Environmental Living, so there is no rationale behind zoning it as Landscape Conservation as some sort of translation.

## **2. Zoning Differences**

Setting aside any future developments that may or may not occur on the site, one of the most critical issues from the landowners perspective, is the impact that the different zone will have upon their current agricultural operations.

While landowners could continue to operate their farms under existing use rights, there are now limitations to the types of resource development uses they could do. All resource development uses become discretionary, which would include the construction of an agricultural shed for example, to support their current farming operations. To be approved through a discretionary pathway, consideration must be given to the landscape values of the site, which have not been identified, nor has any evidence been provided regarding their apparent “unique-ness”. Building heights would be limited to 6m, which for some large agricultural sheds would require a further performance criteria to be considered. Buildings must be located within a building area, which are not currently provided for on the plans.

Intensive animal husbandry and plantation forestry are no longer permissible uses. It is of note that private timber reserves currently exist on the site more broadly, including timber reserve numbers 398, 771, 3997, 1517 and 2893. This alone suggests that the Landscape Conservation Zone is wholly inappropriate for the site.

Resource Processing uses are prohibited entirely, where they are currently are permitted in the Rural zone. While some resource processing uses may not be appropriate at the site, an animal saleyard, milk processing, or sawmill may be wholly suitable.

Other use differences include being able to operate a service industry, or research and development from the site, which would no longer be feasible under Landscape Conservation Zone. Conversely, visitor accommodation under the Landscape Conservation Zone is discretionary; within the Rural Resource zone there are limitations around the type of visitor accommodation uses that are allowable. Similarly within the Food services zone for Rural Resource, there are limitations to food services that are serving agricultural produce from the region, under Landscape Conservation the limitation is only around floor area.

In effect, zoning small areas Landscape Conservation, with no basis, in a region that is otherwise dominated by rural activities, could result in conflicts between uses that are entirely avoidable. Certain uses could be approved on the site without consideration of surrounding agricultural operations, while the existing agricultural operations could be fettered.

### 3. Conclusion

It is our firm opinion that the application of the Landscape Conservation Zone is without merit, and certainly has not been supported by any evidence on why this zone should be applied. In fact, this broader area is identified as part of the Highlands Power Trail (see Figure 1 below), a self-guided driving trail providing insights into hydro power in Tasmania. The trail itself travels through the middle of the site with interpretation in various key locations. In addition there is substantial transmission lines that traverse the site (see Attachment A). It could be argued that part of the broader character of this area, is in fact the hydro-electricity infrastructure, representing the history of this critical phase of development in Tasmania. The landscape values of this site could be read as a utilities landscape.

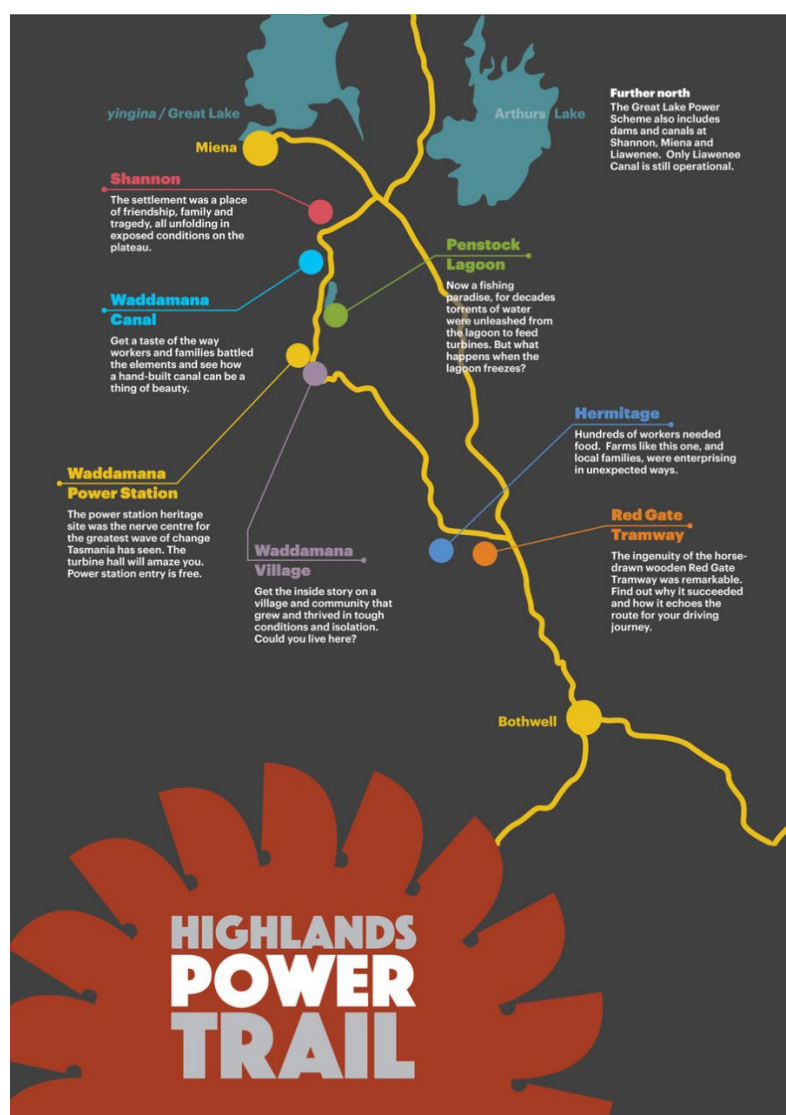


Figure 1: Highlands Power Trail Map (source: [www.hydro.com.au/things-to-do/highlands-power-trail/driving-tips](http://www.hydro.com.au/things-to-do/highlands-power-trail/driving-tips))

Conversely, no details are provided on the apparent landscape values of the site as untouched bushland and why they are so unique as to warrant the application of the zoning. Many of the sites are not heavily vegetated and are not currently zoned Environmental Living, so the zone application guidelines also do not warrant the zoning.

Furthermore, it appears that the Landscape Conservation Zone is only being proposed, by a third party without a valid interest in the site, for the purpose of trying to stop potential future renewable energy operations on the site.

While any application for a wind farm is likely to be submitted prior to the LPS being in operation, any zoning change to Landscape Conservation would significantly impact established and valid rural activities at the site, quite irrespective of renewable energy operations. These properties are currently in agricultural use, and will continue to be used for agricultural purposes into the future and should be able to do so, without unnecessary and unjustified restrictions.

If you have any further questions, do not hesitate to contact me on 0417 246 474.

Yours sincerely,

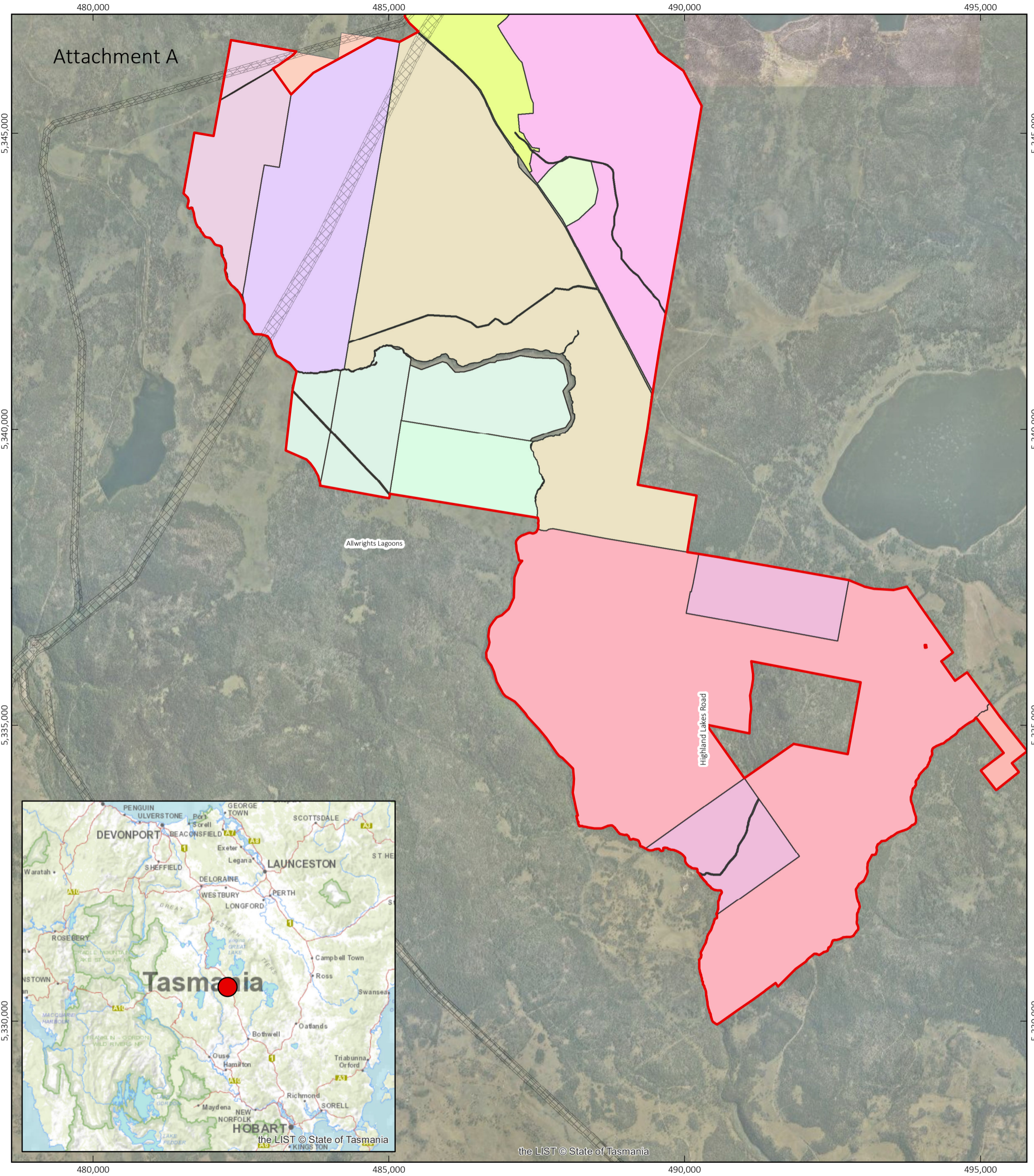


Caroline Lindus






***Technical Planning Lead***

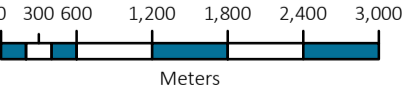
***Attachment A: Map of relevant Property Titles***

***Attachment B: Consent letters from landowners***



Land details

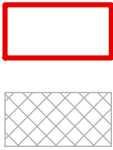
 4244a Waddamana Road Steppes TAS 7030	 Ripple Lodge - 6212 Highland Lakes Road	 The Ripple (South) - 6300 Highland Lakes Road
 Allwrights Lagoons - Penstock Road Shannon	 St. Patricks Plains - 6011 Highland Lakes Road	
 Christian Marsh - 5057 Highland Lakes Road	 The Ripple (North) - 6300 Highland Lakes Road	



Map Projection: Transverse Mercator  
Horizontal Datum: GDA 1994  
Grid: GDA 1994 MGA Zone 55


Job Number 2021\_132  
Revision C  
Date 13 Oct 2022


Paper Size A3



Project Site (The Land)

Existing electricity transmission infrastructure

 Roads

 Rivers and streams

EPURON

Saint Patricks Plains Wind Farm  
Site locations

Figure 1-1



**Attachment B**

30 September 2022

Ms Claire Hynes

Delegate (Chair)

Tasmanian Planning Commission

[tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

**SUBMISSION TO THE CENTRAL HIGHLANDS LPS**

**ZONING APPLICATION FOR ST PATRICKS PLAINS**

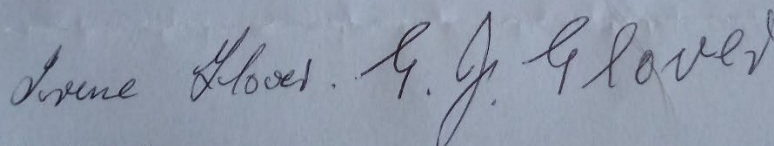
Dear Ms Hynes,

Thank you for the opportunity for ERA Planning and Environment to provide a written submission in response to a submission by Ireneinc stating that our land should be zoned Landscape Conservation.

This letter is to confirm that we give permission for Caroline Lindus of ERA Planning and Environment to act on our behalf in arguing that our property at 100672/1, 156999/1, 100672/3, 100672/4, 159592/2, and 233158/1, should not be zoned Landscape Conservation, and should in fact be zoned Rural.

Please contact us directly if you have any further queries.

Regards,

A handwritten signature in dark ink, appearing to read 'Irene Glover. G. J. Glover'.

Geoff and Irene Glover

4244a Waddamana Road

Steppes TAS 7030

**From:** Donna Bolton <Donna.Bolton@arkenergy.com.au>  
**Sent:** Monday, 10 October 2022 5:51 PM  
**To:** cheam7120@bigpond.com  
**Subject:** RE: Representation on Council Zoning by Caroline Lindus  
**Attachments:** winmail.dat

**Importance:** High

Hi Rob,

I hope you're well.

I know others are having difficulties getting the attachments I have been sending so below I have cut and pasted the words of the letter I am looking for to enable Caroline to represent you at the Tasmanian Planning Commission on the 13th.

if you are able to print that, sign it and take a photo on your phone then send that to me that would be ideal and then she has evidence she is representing you in saying yes to rural zoning and no to landscape conservation zoning.

Thanks Rob

10 October 2022

Ms Claire Hynes  
Delegate (Chair)  
Tasmanian Planning Commission

[tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)<<mailto:tpc@planning.tas.gov.au>>

SUBMISSION TO THE CENTRAL HIGHLANDS LPS  
ZONING APPLICATION FOR ST PATRICKS PLAINS

Dear Ms Hynes,

Thank you for the opportunity for ERA Planning and Environment to provide a written submission in response to a submission by Ireneinc stating that our land should be zoned Landscape Conservation.

This letter is to confirm that we give permission for Caroline Lindus of ERA Planning and Environment to act on our behalf in arguing that our property at 126982/1 should not be zoned Landscape Conservation, and should in fact be zoned Rural.

Please contact us directly if you have any further queries.

Regards,



Robert McDowall Campbell  
Cheam  
60 Melrose Road  
Tunbridge TAS 7120

Donna Bolton  
General Manager - Development TAS

John Albert Rose  
17 Stoney Creek Road  
Beaconsfield Upper VIC 3808

Dated. 10<sup>th</sup> October 2022  
Signed *J Rose*

Thanks  
Donna

Donna Bolton  
General Manager - Development TAS

M: [0405 535325](tel:0405535325)

E:

[donna.bolton@arkenergy.com.au](mailto:donna.bolton@arkenergy.com.au) <mailto:[donna.bolton@arkenergy.com.au](mailto:donna.bolton@arkenergy.com.au)>

A: Level 2, 275 George Street, Sydney NSW 2000

W: [arkenergy.com.au](https://arkenergy.com.au/) <<https://arkenergy.com.au/>>

[cid:image001.png@01D8D6F3.56F82690]

[cid:image002.png@01D8D6F3.56F82690]

Ark Energy acknowledges the Traditional Custodians of the land upon which we live and work, and their continuing connection to lands, waters, and communities. We pay our respects to Elders past, present, and emerging.

The contents of this email (including attachments) are confidential and may contain copyright material of Ark Energy. If you are not the intended recipient, please immediately notify Ark Energy by return email and destroy the original transmission and its contents. It is the recipient's duty to virus scan or otherwise test this email before loading it onto any computer. No warranty is given that this email is free from computer viruses or any other defect or error.

10 October 2022

Ms Claire Hynes  
Delegate (Chair)  
Tasmanian Planning Commission

[tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)<mailto:[tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)>

SUBMISSION TO THE CENTRAL HIGHLANDS LPS  
ZONING APPLICATION FOR ST PATRICKS PLAINS

Dear Ms Hynes,

Thank you for the opportunity for ERA Planning and Environment to provide a written submission in response to a submission by Irenei stating that our land should be zoned Landscape Conservation.

This letter is to confirm that we give permission for Caroline Lindus of ERA Planning and Environment to act on our behalf in arguing that our property at 100081/65, 205991/1, 100080/2, and 100080/3, should not be zoned Landscape Conservation, and should in fact be zoned Rural.

Please contact us directly if you have any further queries.

Regards,

30 September 2022

Ms Claire Hynes

Delegate (Chair)

Tasmanian Planning Commission

[tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

**SUBMISSION TO THE CENTRAL HIGHLANDS LPS  
ZONING APPLICATION FOR ST PATRICKS PLAINS**

Dear Ms Hynes,

Thank you for the opportunity for ERA Planning and Environment to provide a written submission in response to a submission by Ireneinc stating that our land should be zoned Landscape Conservation.

This letter is to confirm that we give permission for Caroline Lindus of ERA Planning and Environment to act on our behalf in arguing that our property at 182190/1 and 182189/1 should not be zoned Landscape Conservation, and should in fact be zoned Rural.

Please contact us directly if you have any further queries.

Regards,



Paul and Shauna Ellis

St Patricks Plains

6011 Highland Lakes Road

Steppes TAS 7030

30 September 2022

Ms Claire Hynes  
Delegate (Chair)  
Tasmanian Planning Commission

[tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

SUBMISSION TO THE CENTRAL HIGHLANDS LPS  
ZONING APPLICATION FOR ST PATRICKS PLAINS

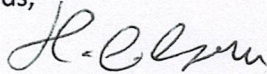
Dear Ms Hynes,

Thank you for the opportunity for ERA Planning and Environment to provide a written submission in response to a submission by Ireneinc stating that our land should be zoned Landscape Conservation.

This letter is to confirm that we give permission for Caroline Lindus of ERA Planning and Environment to act on our behalf in arguing that our property at 126983/1, 124603/1, 33301/1, and 247812/2 should not be zoned Landscape Conservation, and should in fact be zoned Rural.

Please contact us directly if you have any further queries.

Regards,



Duncan Colin Campbell  
Rothamay  
Bothwell TAS 7030  
Phone 0428595649

30 September 2022

Ms Claire Hynes  
Delegate (Chair)  
Tasmanian Planning Commission

[ipc.tas.gov.au](http://ipc.tas.gov.au)

**SUBMISSION TO THE CENTRAL HIGHLANDS LPS  
ZONING APPLICATION FOR ST PATRICKS PLAINS**

Dear Ms Hynes,

Thank you for the opportunity for ERA Planning and Environment to provide a written submission in response to a submission by Ireneine stating that our land should be zoned Landscape Conservation.

This letter is to confirm that we give permission for Caroline Lindus of ERA Planning and Environment to act on our behalf in arguing that our property at 241119/1, 148905/2, and 148905/1 should not be zoned Landscape Conservation, and should in fact be zoned Rural.

Please contact us directly if you have any further queries.

Regards,

Scott Bowden  
on behalf of Cluny Pty Ltd  
Cluny  
2925 Highlands Lakes Road  
Bothwell TAS 7030

