

**From:**  
**To:** [Sorell Council](#)  
**Cc:** [John Dennett](#); [Gail Dennett](#)  
**Subject:** Representation on Draft Sorell LPS by Conservation Landholders Tasmania  
**Date:** Sunday, 4 July 2021 5:46:58 PM  
**Attachments:** [Representation to Sorell Council re Draft LPS - CLT - 04Jul21.pdf](#)

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Attention: Sorell Planning Authority

A 19 page representation by Conservation Landholders Tasmania on the Draft Sorell Local Provisions Schedule currently being exhibited is attached.

Please confirm receipt of our representation by reply email.

Regards

John Thompson

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John Thompson

Gunns Plains TAS 7315

Phone



4<sup>th</sup> July 2021

Robert Higgins  
General Manager  
Sorell Council  
PO Box 126  
SORELL TAS 7172

Via email to [sorell.council@sorell.tas.gov.au](mailto:sorell.council@sorell.tas.gov.au)

**Representation about the Sorell Draft LPS – request to change zoning of twenty four (24) properties containing private reserves from Rural/Agriculture to Landscape Conservation**

Dear Robert

***Summary of Representation***

Conservation Landholders Tasmania (CLT) has reviewed the Sorell Draft LPS Zone Maps and the Supporting Report and believes that the following twenty four properties that contain land reserved for the protection of biodiversity should be rezoned to Landscape Conservation based on Guidelines LCZ1, when read together with Guidelines RZ1 and AZ6, 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 References</i></b>
Marchwiel #4	670 MARCHWIEL RD BREAM CREEK TAS 7175	2784523	150885/1
Bream Creek	476 BREAM CREEK RD BREAM CREEK TAS 7175	1965357	133344/2
Bream Creek	478 BREAM CREEK RD BREAM CREEK TAS 7175	1531356	112447/2
Meerkat	PAWLEENA RD PAWLEENA TAS 7172	5938604	209713/1
Linger Longer Hill	HACKS RD NUGENT TAS 7172	5937687	228177/1

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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 References</i></b>
Gordon's Sugarloaf	Lot 1 STOKES RD KELLEVE TAS 7176	9390326	48879/1 158763/1
Kellevie	WOODS RD KELLEVE TAS 7176	5937978	237841/1 209265/1
Kellevie	Lot 2 STOKES RD KELLEVE TAS 7176	2966589	247159/2
Ringwood	Lot 2 HEATHERBELL RD FORCETT TAS 7173	2998994	157410/2
Sugarloaf Road Forcett	SUGARLOAF RD FORCETT TAS 7173	2176384	54271/1
Carlton River	127 DROVERS RISE CARLTON RIVER TAS 7173	3399950	169762/7
Carlton River	129 DROVERS RISE CARLTON RIVER TAS 7173	3399969	169762/8
Carlton River	131 DROVERS RISE CARLTON RIVER TAS 7173	3399977	169762/9
Carlton River	130 DROVERS RISE CARLTON RIVER TAS 7173	3400018	169762/12
Carlton River	132 DROVERS RISE CARLTON RIVER TAS 7173	3399993	169762/11
Carlton River	134 DROVERS RISE CARLTON RIVER TAS 7173	3399985	169762/10
Carlton River	48 DROVERS RISE CARLTON RIVER TAS 7173	3400026	169762/13
Carlton River	12 DROVERS RISE CARLTON RIVER TAS 7173	3400034	169762/14
Carlton River	Lot 15 DROVERS RISE CARLTON RIVER TAS 7173	3400042	169762/15
Carlton River	96 DROVERS RISE CARLTON RIVER TAS 7173	3400069	169762/17
Carlton River	94 SUGARLOAF RD CARLTON RIVER TAS 7173	3400050	169762/16
Carlton River	473 SUGARLOAF RD CARLTON RIVER TAS 7173	9565440	180723/19
Blue Hills	ARTHUR HWY DUNALLEY TAS 7177	5961732	209918/1 118713/2
Blue Hills #2	ARTHUR HWY DUNALLEY TAS 7177	5961732	206815/1 118713/2
Township Hill	Lot 1 EDWARD ST DUNALLEY TAS 7177	3194138	163462/1

## ***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 900 reserves under conservation covenant totaling 111,000 ha, or 1.62% of 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 8 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 LPSs.

## ***How Sorell Planning Authority has applied Landscape Conservation Zone***

The Sorell Draft LPS supporting document indicates that the Sorell Planning Authority understood that the intent of the new Landscape Conservation Zone is 'to protect landscapes for scenic and natural values' (p 24).

It further states at the bottom of p 26 that 'The Landscape Conservation Zone is applied to land that ... is judged to contain landscape values that are significant to the extent that they ought to be expressly recognised and protected' yet later concedes that 'The assessment of landscape values is largely focussed on the degree to which the landscape is visible from public locations such as towns and major roads.' This focus on the scenic values over natural values is not supported by the State Planning Provisions (SPPs) or the Section 8A Guideline No 1.

The Supporting Document also claims that the Draft LPS is compliant with the Southern Tasmanian Regional Land Use Strategy 2010 – 2035 and goes on to state that the Draft LPS complies with regional strategy BNV 1.2 to 'Recognise and protect biodiversity values deemed significant ...' by applying the Natural Assets Code and applying the Environmental Management and Landscape Conservation Zones (p 30).

Yet the only properties that have been rezoned to Landscape Conservation in the Sorell Draft LPS are six properties converted from Environmental Living zone (pp 91-98). No other properties with scenic or natural values in the Sorell municipality have been zoned as Landscape Conservation.

## ***Private land in Sorell planning area reserved for the protection and conservation of biodiversity***

In the Sorell planning area there are 36 properties containing 2,083 ha of reserved land protected by conservation covenant distributed across 76 titles.

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. 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*. The reserves are listed in the latest version of the Collaborative Australian Protected Area Database (CAPAD 2020).

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

Of the 36 properties mentioned above CLT considers that 24 of them should have Landscape Conservation zone applied to all or part of their titles, subject to landowner agreement.

Guideline LCZ1, when read together with Guidelines RZ1 and AZ6, 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).

The reserved land on these titles has been identified for protection and conservation by both the State Government and the Australian Government therefore Guideline LCZ1 applies.

Titles that are fully reserved as well as titles that are partly reserved, where the non-reserved part is unsuitable for agriculture (Guidelines RZ1 and AZ6), should therefore be zoned as Landscape Conservation.

There is also a strong case for split zoning on titles containing reserved land that include agricultural use in the non-reserved parts where one the following conditions applies:

1. there are multiple adjoining Reserves
2. a significantly sized Reserve spans multiple titles
3. a Reserve adjoins a title or titles zoned Environmental Management or Landscape Conservation

Details of the 12 reserves are provided below including ListMap screenshots of the Tasmanian Reserve Estate (green area), Threatened Flora Points (green triangles), Threatened Fauna Points (red squares) and Threatened Native Vegetation Communities (numbered areas with 'T' pattern) layers. Where there are adjoining reserves these have been discussed together.

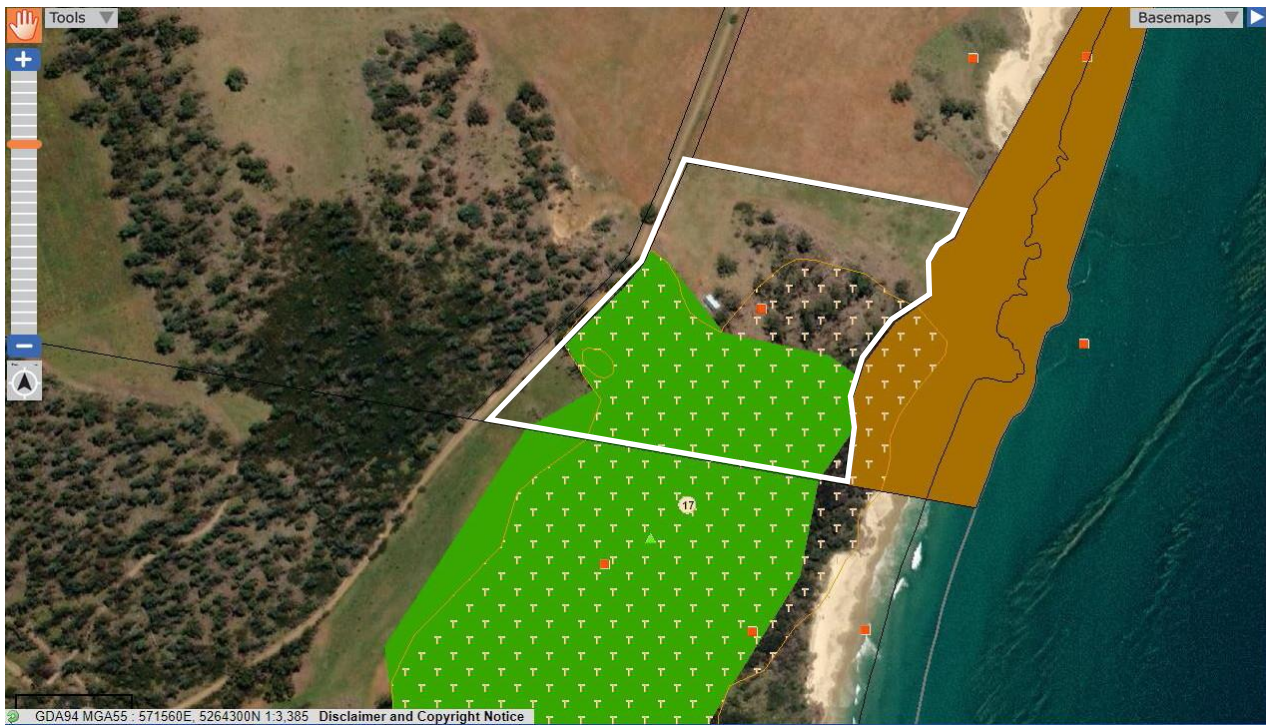
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## Marchwiel #4 Reserve (CAPAD 2020 Row No 1943)

Address 670 MARCHWIEL RD, BREAM CREEK TAS 7175

PID 2784523

Title Ref 150885/1



Marchwiel #4 Reserve covers an area of 3.1 ha representing 47% of the 6.6 ha title (white border). It adjoins the Point du Ressac Conservation Area to the east (brown) and the Marchwiel #6 Reserve to the south (green), both of which are zoned Environmental Management.

The Reserve contains the threatened vegetation community No 17 '*Eucalyptus globulus* dry forest and woodland' listed in Schedule 3A of the *Nature Conservation Act 2002* and is identified as providing habitat for the *EPBC Act 1999* listed critically endangered Swift parrot *Lathamus discolor*.

The non-reserved part of the title contains a shed, 1 ha of the same threatened vegetation community No. 17 and 1.5 ha of pasture.

Landscape Conservation Zone should be applied to all of this title as the General Provisions allow for existing uses to continue.

**Bream Creek Reserve (CAPAD 2020 Row Nos 1258-1260)**

Address 476 BREAM CREEK RD, BREAM CREEK TAS 7175  
PID 1965357  
Title Ref 133344/2

Address 478 BREAM CREEK RD, BREAM CREEK TAS 7175  
PID 1531356  
Title Ref 112447/2



Bream Creek Reserve covers an area of 12.9 ha across the two titles (white borders) representing 75% of the 6.2 ha title to the west and 97% of the 8.6 ha title to the east. It is close to the Marchwiell Falls Festival #2 Reserve. The natural values protected by this Reserve are detailed in the Nature Conservation Plan for this property.

The small non-reserved part of Title Ref 133344/2 contains a dwelling but is unsuitable for agriculture, as is the very small non-reserved part of Title Ref 112447/2.

Landscape Conservation Zone should be applied to all of these titles as the General Provisions allow for existing uses to continue under the TPS.

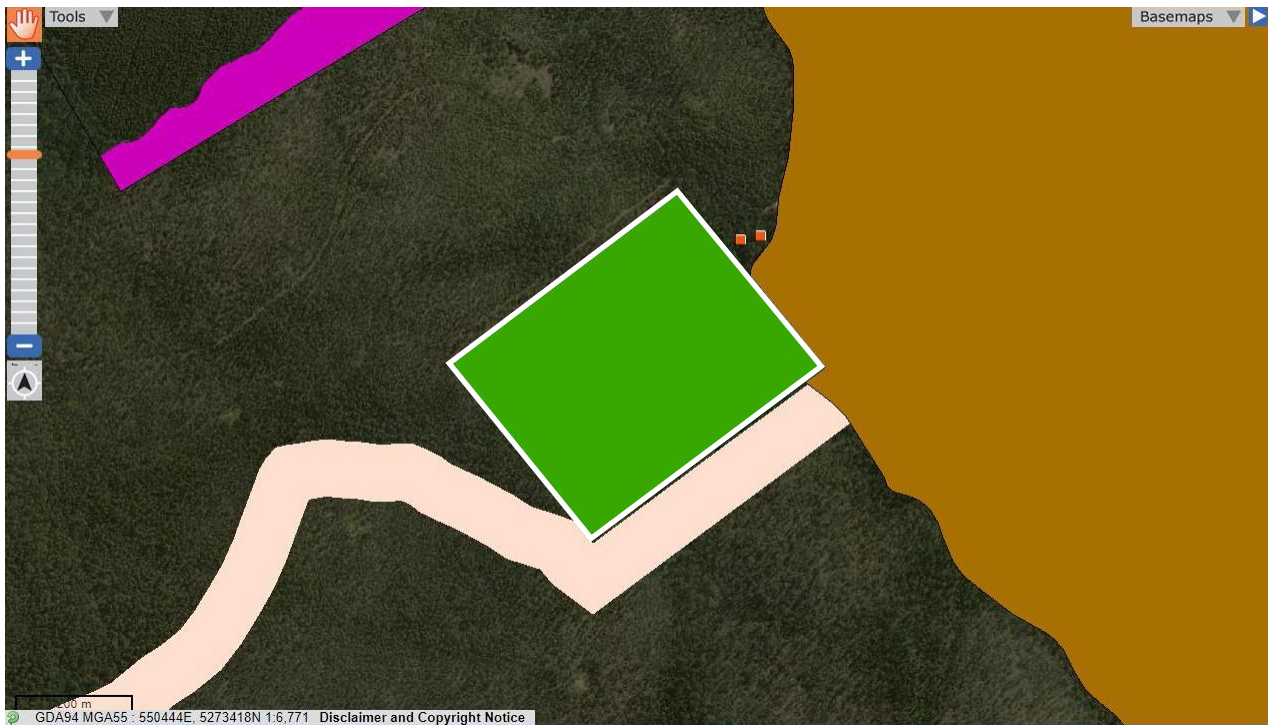


## Meerkat Reserve (CAPAD 2020 Row No 1994)

Address PAWLEENA RD, PAWLEENA TAS 7172

PID 5938604

Title Ref 209713/1



Meerkat Reserve covers an area of 20.2 ha representing 100% of Title Ref. 209713/1 (white border). It adjoins the Mount Morrison Conservation Area to the east (brown), which is zoned Environmental Management, and a Sustainable Timbers Tasmania Informal Reserve along the watercourse to the south (pale pink).

The Meerkat Reserve provides habitat for the Endangered Broad-toothed stag beetle *Lissotes latidens* listed in Schedule 3 of the *Threatened Species Protection Act 1995*. The rest of the natural values protected by this reserve are detailed in the Nature Conservation Plan for this property.

Landscape Conservation Zone should be applied to all of this title.



## Linger Longer Hill Reserve (CAPAD 2020 Row No 1852)

Address HACKS RD, NUGENT TAS 7172

PID 5937687

Title Ref 228177/1



Linger Longer Hill Reserve covers an area of 22.4 ha representing 74% of the 30.0 ha Title Ref. 228177/1 (white border). It adjoins a Sustainable Timbers Tasmania Informal Reserve along the Iron Creek watercourse to the south (pale pink). The natural values protected by this reserve are detailed in the Nature Conservation Plan for this property.

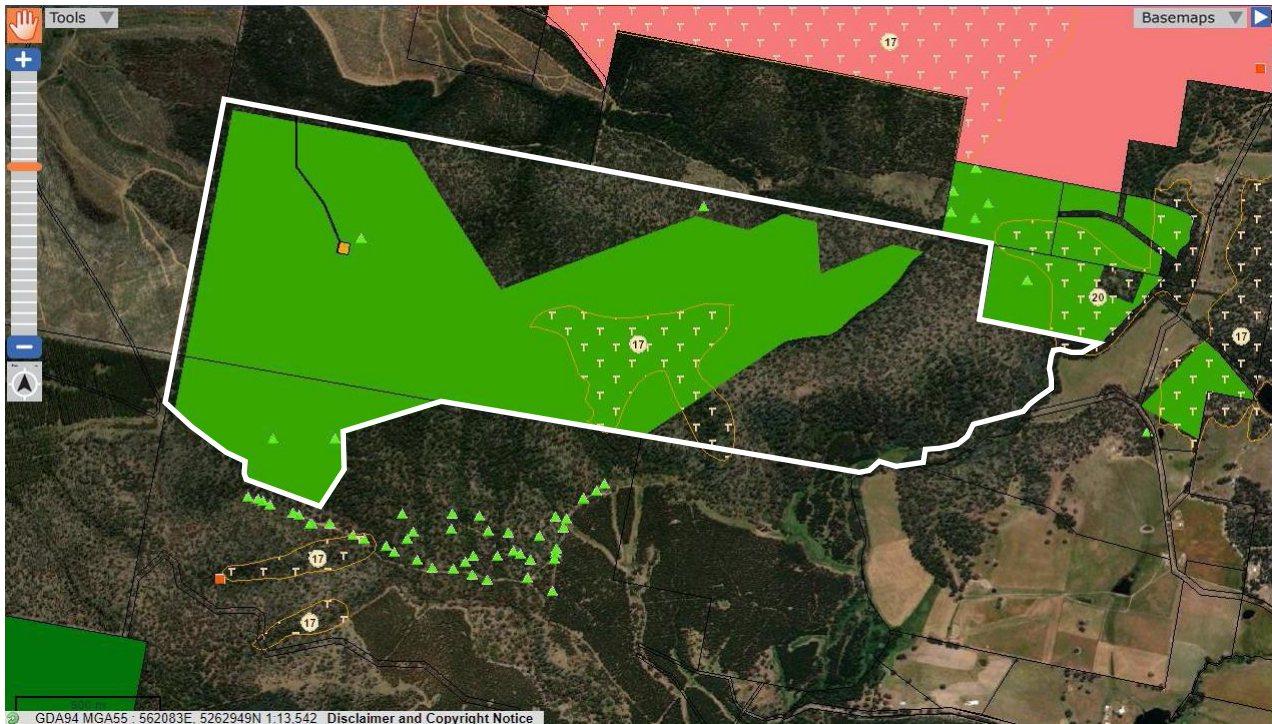
Landscape Conservation Zone should be applied to all of this title as the non-reserved part of the title is unsuitable for agriculture and not used for that purpose.

## Gordon's Sugarloaf Reserve (CAPAD 2020 Row No 1663)

Address Lot 1 STOKES RD KELLEVIE TAS 7176

PID 9390326

Title Refs 48879/1, 178673/1



Gordon's Sugarloaf Reserve covers an area of 173.9 ha over the two titles. 150.3 ha is on Title Ref 48879/1 representing 48% of the 311 ha title. 23.56 ha is on Title Ref 178673/1 representing 4% of the 596 ha title. Title Ref 48879/1 adjoins the Kellevie Reserve to the north east.

The Reserve contains the threatened vegetation community No 17 '*Eucalyptus globulus* dry forest and woodland' listed in Schedule 3A of the *Nature Conservation Act 2002*. It also contains the rare golden everlastingbush *Odixia achlaena* and yellow riceflower *Pimelea flava* subsp. *Flava* both listed in Schedule 5 of the *Threatened Species Protection Act 1995*. The endangered Tasmanian wedge-tailed eagle *Aquila audax* subsp. *Flayi* has been observed to nest just south of the Reserve on Title Ref 178673/1.

As part of the non-reserved land on these titles is used for plantation forestry, split zoning is proposed as shown by the white border in the above image to exclude this use from the Landscape Conservation Zone, with the balance of the land on each title to be zoned Rural. The rest of the non-reserved land on Title Ref 48879/1 proposed for rezoning to Landscape Conservation is unsuitable for agriculture and not used for that purpose.

The case for split zoning is strengthened by the size of area and that it adjoins the Kellevie Reserve to the north east which is also proposed for rezoning to Landscape Conservation.

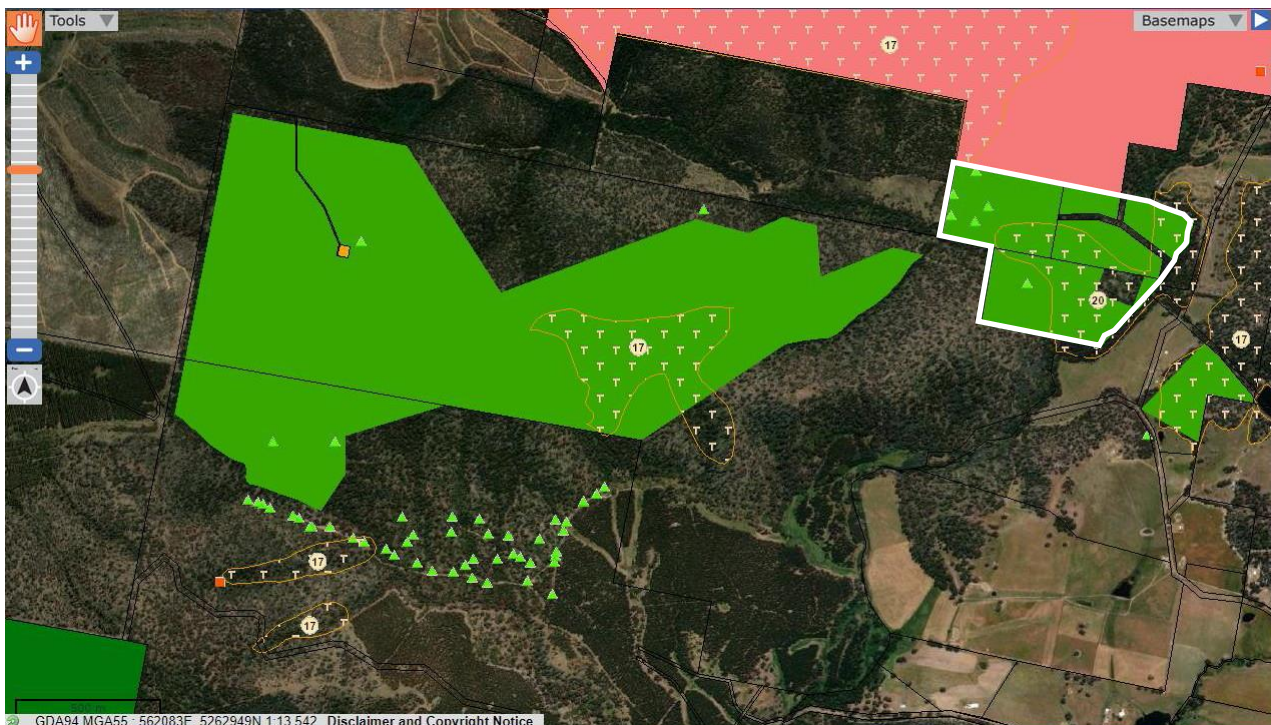


## Kellevie Reserve (CAPAD 2020 Row Nos 1774-1776)

Address WOODS RD KELLEVIE TAS 7176  
PID 5937978  
Title Refs 237841/1, 209265/1

Address Lot 2 STOKES RD KELLEVIE TAS 7176  
PID 2966589  
Title Ref 247159/2

Address 174 WOODS RD KELLEVIE TAS 7176  
PID 2811915  
Title Ref 152498/7



Kellevie Reserve covers an area of 35.5 ha across four titles on three properties. 29.8 ha of the Reserve is adjoining and located on three titles on PIDs 5937978 and 2966589. 100% on the land on PID 5937978 is reserved with 90% of PID 2966589 reserved. Title Ref 209265/1 has Reserved Road running through it.

The remaining 5.73 ha of Kellevie Reserve on PID 2811915 at 174 Woods Road is separate from the rest.

The 29.8 ha of Kellevie Reserve adjoins the Gordon's Sugarloaf Reserve, described above, to the west.

The Reserve contains the threatened vegetation communities No 17 '*Eucalyptus globulus* dry forest and woodland' and 'No 20 *Eucalyptus ovata* forest and woodland' listed in Schedule 3A of

the *Nature Conservation Act 2002*. It also contains the rare golden everlastingbush *Odixia achlaena* and yellow riceflower *Pimelea flava subsp. Flava* both listed in Schedule 5 of the *Threatened Species Protection Act 1995*.

The non-reserved 1.4 ha of Title Ref 247159/2 is unsuitable for agriculture and not used for that purpose.

Landscape Conservation Zone should be applied to the three titles containing the 29.8 ha of contiguous reserved land, i.e. Title Refs 237841/1, 209265/1 and 247159/2 shown by the white border in the above image, but not Title Ref 152498/7 due to it being used mostly for agriculture.

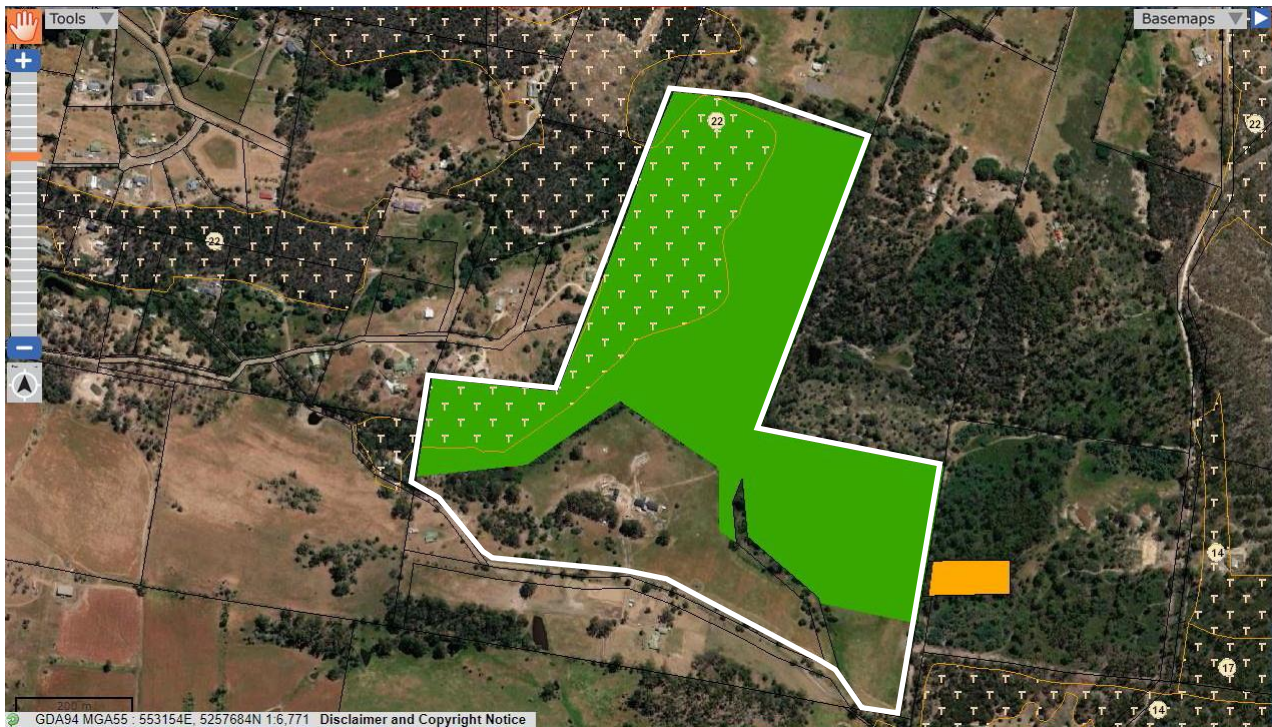
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## Ringwood Reserve (CAPAD 2020 Row No 2221)

Address Lot 2 HEATHERBELL RD FORCETT TAS 7173

PID 2998994

Title Ref 157410/2



Ringwood Reserve covers an area of 33.5 ha of Title Ref 157410/2 representing 68% of the 48.2 ha title and includes a Domestic Zone within the reserved land in the south-east part.

The Reserve contains the threatened vegetation community No 22 '*Eucalyptus tenuiramis* forest and woodland on sediments' 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.

The non-reserved area includes a residence and other structures and the surrounding pasture is used for grazing.

Landscape Conservation Zone should be applied to all of this title as the General Provisions allow for the existing uses to continue under the TPS.

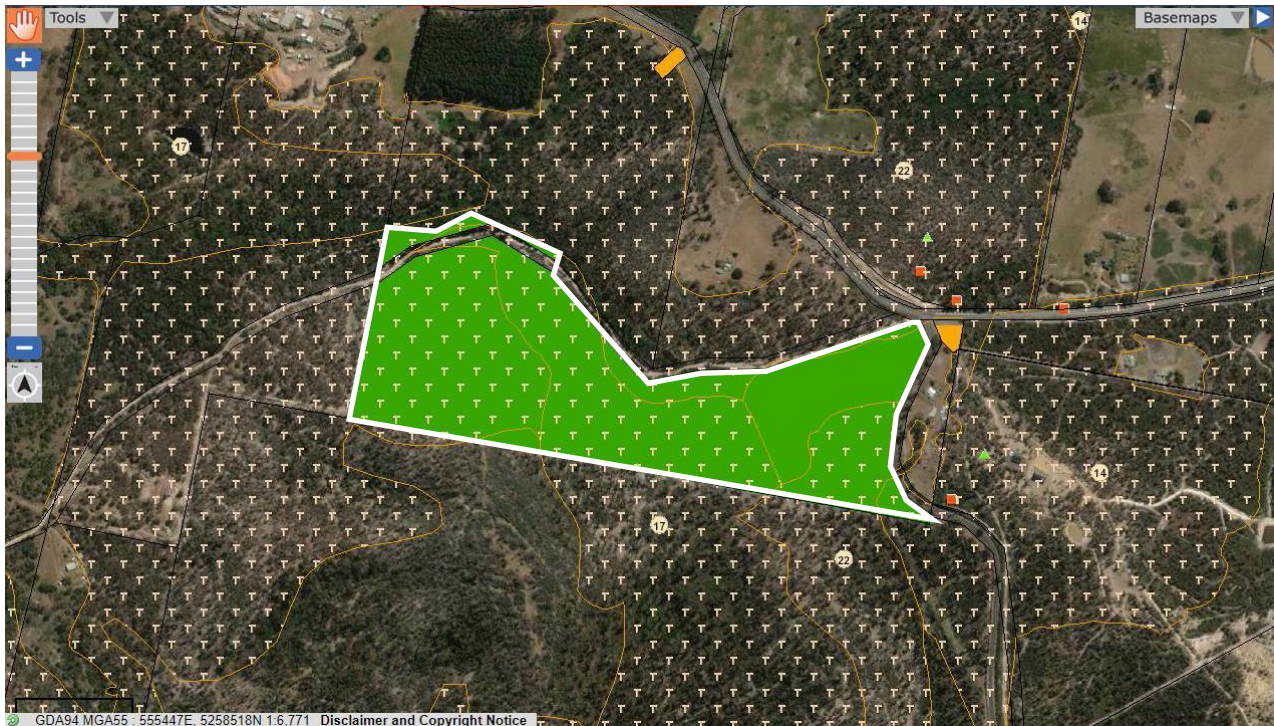


## Sugarloaf Road Forcett Reserve (CAPAD 2020 Row Nos 2428-2429)

Address SUGARLOAF RD, FORCETT TAS 7173

PID 2176384

Title Ref 54271/1



Sugarloaf Road Forcett Reserve covers an area of 25.4 ha of Title Ref 54271/1 representing 100% of the title. A Reserve Road crosses the north-west corner of the title. A 5.4 Domestic Zone is located in the eastern part of the Reserve.

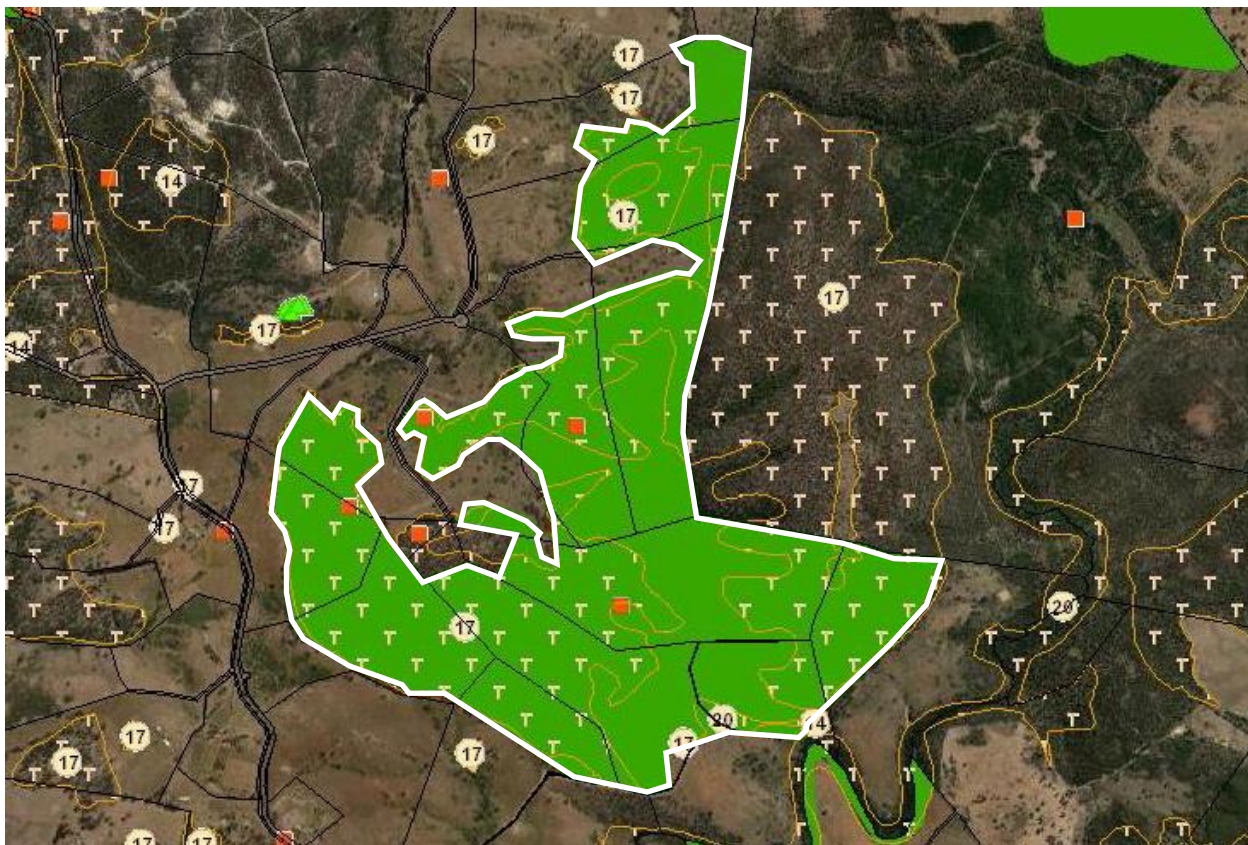
The Reserve contains the threatened vegetation communities No 14 '*Eucalyptus amygdalina* forest and woodland on sandstone', No 17 '*Eucalyptus globulus* dry forest and woodland' and No 22 '*Eucalyptus tenuiramis* forest and woodland on sediments' listed in Schedule 3A of the *Nature Conservation Act 2002*. It also contains habitat for the *EPBC Act 1999* listed critically endangered Swift parrot *Lathamus discolor*. Further details of the natural values protected by this Reserve are in the Nature Conservation Plan held by DPIPW.

Landscape Conservation Zone should be applied to all of this title as indicated by the white border.



**Carlton River Reserve (CAPAD 2018 Row No 1312)**

Addresses	PIDs	Title Refs	Percent reserved
127 DROVERS RISE CARLTON RIVER TAS 7173	3399950	169762/7	1%
129 DROVERS RISE CARLTON RIVER TAS 7173	3399969	169762/8	25%
131 DROVERS RISE CARLTON RIVER TAS 7173	3399977	169762/9	60%
130 DROVERS RISE CARLTON RIVER TAS 7173	3400018	169762/12	30%
132 DROVERS RISE CARLTON RIVER TAS 7173	3399993	169762/11	75%
134 DROVERS RISE CARLTON RIVER TAS 7173	3399985	169762/10	85%
48 DROVERS RISE CARLTON RIVER TAS 7173	3400026	169762/13	25%
12 DROVERS RISE CARLTON RIVER TAS 7173	3400034	169762/14	40%
Lot 15 DROVERS RISE CARLTON RIVER TAS 7173	3400042	169762/15	70%
96 DROVERS RISE CARLTON RIVER TAS 7173	3400069	169762/17	90%
94 SUGARLOAF RD CARLTON RIVER TAS 7173	3400050	169762/16	90%
473 SUGARLOAF RD CARLTON RIVER TAS 7173	9565440	180723/19	15%



Carlton River Reserve has an area of 323 ha to the west of the Carlton River and Pickety Hill and spans 12 titles on the 12 properties listed above, each with different owners. The reserve boundary mostly follows the outer edge of the threatened vegetation communities that are protected by the Reserve.

The Reserve contains the threatened vegetation community No 17 '*Eucalyptus globulus* dry forest and woodland' listed in Schedule 3A of the *Nature Conservation Act 2002*. It also contains habitat for the *EPBC Act 1999* listed critically endangered Swift parrot *Lathamus discolor* and the endangered Tasmanian wedge-tailed eagle *Aquila audax subsp. Fleayi* 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 Plan held by DPIPWE.

As part of the non-reserved land on most of these titles is used for grazing, split zoning is proposed as shown by the white border in the above image defining the Reserve boundary. The non-reserved land on each title would be Rural.

The case for the rather complicated split zoning is based on the significant size of the Reserve. It is likely that on many titles the zone boundary will be simplified to match title boundaries when the landowners become aware that the General Provisions allow for the existing uses to continue under the TPS.

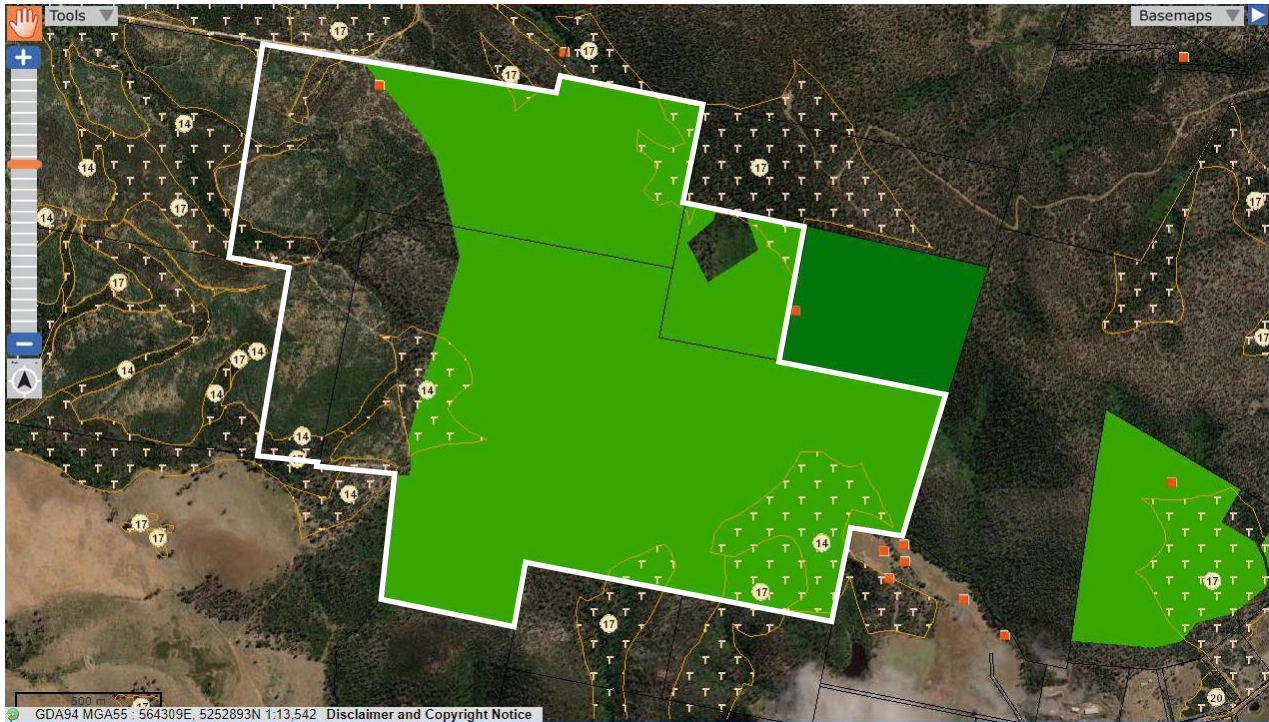
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## Blue Hills & Blue Hills #2 Reserves (CAPAD 2020 Row Nos 1213 & 1214, respectively)

Address ARTHUR HWY, DUNALLEY TAS 7177

PID 5961732

Title Refs 209918/1, 206815/1, 118713/2



The Blue Hills and Blue Hills #2 Reserves have a combined area of 246.3 ha. 86% of the 205.5 ha Title Ref 118713/2, 49% of the 108.7 ha Title Ref 209918/1 and 82% of the 21.1 ha Title Ref 206815/1 are reserved.

Blue Hills Reserve adjoins the 29.5 ha Africa Gully Nature Reserve to the north-west. This public Reserve is zoned Environmental Management.

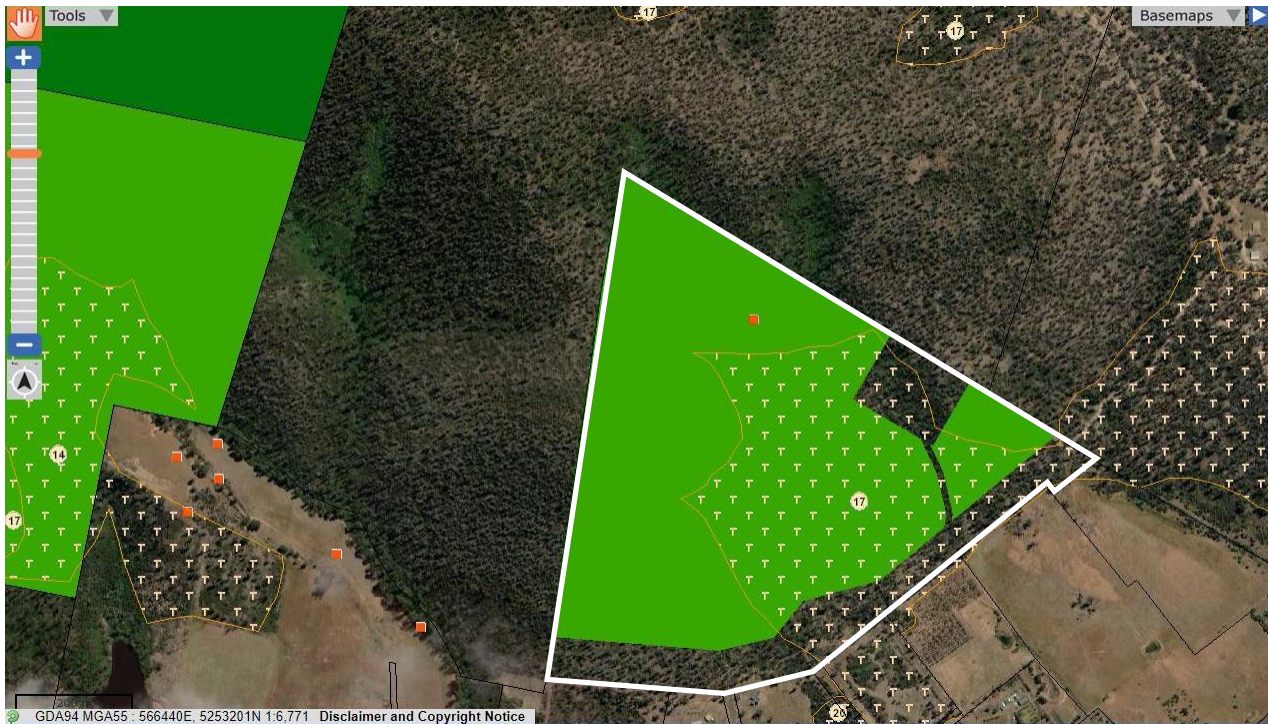
The Reserve contains the threatened vegetation communities No 14 '*Eucalyptus amygdalina* forest and woodland on sandstone' and No 17 '*Eucalyptus globulus* dry forest and woodland' listed in Schedule 3A of the *Nature Conservation Act 2002*. It also contains habitat for the endangered Tasmanian wedge-tailed eagle *Aquila audax subsp. fleayi* and Tasmanian devil 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 Plan held by DPIPW.

Landscape Conservation Zone should be applied to all of these titles as the non-reserved parts of the titles also contain areas of the two threatened vegetation communities Nos 14 and 17, are unsuitable for agriculture and are not used for that purpose.



## Township Hill Reserve (CAPAD 2020 Row Nos 2527-2528)

Address Lot 1 EDWARD ST DUNALLEY TAS 7177  
PID 3194138  
Title Ref 163462/1



Township Hill Reserve has an area of 39.6 ha covering 82 % of the 48.5 ha Title Ref 163462/1. It is situated to the east of the Blue Hills Reserve and the Africa Gully Nature Reserve and to the north-west of Dunalley.

The Reserve contains the threatened vegetation community No 17 '*Eucalyptus globulus* dry forest and woodland' listed in Schedule 3A of the *Nature Conservation Act 2002*. It also contains habitat for the endangered Tasmanian wedge-tailed eagle *Aquila audax subsp. Fleayi* and the vulnerable Eastern barred bandicoot *Perameles gunnii* listed in Schedules 3 and 4, respectively, of the *Threatened Species Protection Act 1995*. Further details of the natural values protected by this Reserve are in the Nature Conservation Plan held by DPIPWE.

Landscape Conservation Zone should be applied to all of this title as the non-reserved part of the titles also contain an area of the threatened vegetation communities No 17, is unsuitable for agriculture and is not used for that purpose.

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 [thompsonjohnng@gmail.com](mailto:thompsonjohnng@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, 20.0 Rural Zone, and 21.0 Agriculture 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.*
- 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; ...*
- 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.*
- AZ 6 *Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if:*  
*(c) for the identification and protection of significant natural values, such as priority vegetation areas as defined in the Natural Assets Code, which require an alternate zoning, such as the Landscape Conservation Zone or Environmental Management Zone;*  
*(e) it can be demonstrated that:*  
*(i) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;*  
*(ii) there are significant constraints to agricultural use occurring on the land; or*  
*(iii) the Agriculture Zone is otherwise not appropriate for the land.*