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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). 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 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

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