



28 February 2024

Our Ref: 17/82  
Enquiries to: Rong Zheng

Mr J Ramsay  
Delegate (Chair)  
Tasmanian Planning Commission  
GPO Box 1691  
HOBART TAS 7001

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

Dear Mr Ramsay

**RE: DRAFT HUON VALLEY LOCAL PROVISION SCHEDULE (LPS) – LPS-HUO-TPS –  
DIRECTION 3**

I write in response to the Commission's directions issued on 21 February 2024.

Direction 3 requested the following information:

Provide any recommended drafting revisions to the proposed Blackswan Lagoon Scenic Protection Area overlay in Table C8.1 requested by the Leprena Trust (representation 20).

**Additional Submission**

During discussion with Leprena Trust an additional matter was identified related to the operation of the Code in respect to the proposed mapped overlay (which in parts extends below the HWM at some points to the 5m bathymetric contour.

Clause 8.2 of the *Tasmanian Planning Scheme* state provisions provides as follows:

**C8.2 Application of this Code**

*C8.2.1 This code applies to development on land within a scenic protection area or scenic road corridor and only if within the following zones:*

- (a) Rural Living Zone;*
- (b) Rural Zone;*
- (c) Agriculture Zone;*
- (d) Landscape Conservation Zone;*
- (e) Environmental Management Zone; or*
- (f) Open Space Zone.*

The current extent of the mapped zones follows the beaches and headland but do not go beyond the coastline/low water mark in this area, the result of the current zone mapping with the Environmental Management Zone not covering the full extent of the proposed Code overlay, would result in the Code provisions not applying beyond the zone, notwithstanding the proposed overlay boundaries.

On the basis that the intention as drafted, was for the Code to apply to all areas within the overlay it is Planning Authority's submission that the Environmental Management Zone should be extended to match the proposed overlay boundaries.

This change would appear to be otherwise relatively minor in nature and one that would not be inconsistent with other areas of the LPS where the Environmental Management Zone extends over parts of various waterways.

## Response

The draft version of Table C8.1 has been reviewed in discussion with Leprena Trust's representatives. The draft Table included below is provided to reflect drafting to Planning Authority's satisfaction:

Reference Number	Scenic Protection Area Name	Description	Scenic Value	Management Objectives
To be determined	Blackswan Lagoon	Low lying coastal peninsular, covered in native forest, moorland and button grass plains and includes coastal dunes, wetlands, scrubland, sandy beaches, rocky shorelines, tidal flats, rivers, streams, and coastal lagoons. Evidence of development on the peninsular is now limited to a few revegetated ruins only visible when standing at these locations and most have heritage	(a) The natural undeveloped visual aesthetic are values of importance within the National and State Heritage Listed area and larger scenic protection area that are associated with the 1792 and 1793 D'Entrecasteaux expeditions, including the French garden site, Bennetts Point observatory site, other activity sites and historic recording of ethnographic and scientific discovery and friendly interactions with First	(a) Development, excepting works related to currently existing access tracks, must occur so that no visual evidence of development is evident on the peninsular, to respect and enhance the scenic integrity and cultural historic landscape associated with the scenic values, including all the following: i) No vegetation removal or any disturbance to forest canopy cover, including

		<p>significance. There are a few disused vehicle tracks present within the landscape that are evident from the air but are less visible from coastal and water locations. Description of the scenic protection area includes:</p> <p>(a) the forested hills north and east of Eliza Point and Bowdens Mistake (up to approximately 63m elevation), the connecting saddles and adjacent spurs that descend to sea-level to the south and east, and to open plains to the north and west;</p> <p>(b) An open ridge east of Blackswan Lagoon to approximately 47m elevation, continues northward via a forested saddle and approximately 48m elevation and then descends north as an open vegetated spur;</p> <p>(c) Forested hills north of and west of Blackswan lagoon that continue to Sullivans Point;</p> <p>(d) A forested rise ascending from</p>	<p>Nation's people in 1793. A public campaign to prevent logging in the area, and obtain national and state heritage listing, saw iconic aerial imagery of the area used that raised the international awareness of the undeveloped scenic value associated with the area's cultural heritage, vegetation, water forms and landform features.</p> <p>(b) Ethnographic records were made between the 1790s to 1840s from European contact with First Nations people, and contemporary oral histories indicating the location of burials and sites of cultural importance in an area with high scenic aesthetic due to lack of development currently in use:</p> <p>i) The forested areas and foreshore around Blackswan Lagoon, Little Lagoon Beach, Quiet Cove, Pigsties Bay, Bennetts Point and Southport Lagoon are where important French and First Nations interactions occurred in 1793;</p> <p>ii) Bennetts Point where French Astronomical observations occurred in 1792</p>	<p>bushfire protection measures related to use or development, that results in visual impact when viewed from a site identified within the Description or Scenic Value of this Scenic Protection Area.</p> <p>ii) Development must not include roofed buildings and if non-roofed buildings or structures are proposed they are only to be located where existing use rights for camping exists under Nature Conservation Covenant at the effective date, excepting traditional Aboriginal huts for the purpose of cultural use and knowledge sharing that does not involve the construction of a permanent structure.</p> <p>iii) No development is to be located between high water mark and the 5m bathymetric contour, except for mooring ropes and buoys, to prevent visual impact from marine facilities or the like.</p> <p>iv) New vehicle or bicycle tracks must not be</p>
--	--	--	---	--

		<p>the coast east of Pigsties Bay and the D'Entrecasteaux River;</p> <p>(e) Numerous hills up to 54m elevation within a mosaic of forested and open vegetation;</p> <p>(f) The Little Lagoon Beach dune ridge;</p> <p>(g) The isthmus between Big Lagoon Beach and Southport Lagoon;</p> <p>(h) Blackswan Lagoon;</p> <p>(i) The islands known as The Images and to a surrounding water depth of 5m;</p> <p>(j) The coastal land and south eastern foreshore of Southport Lagoon down to the mean high water mark;</p> <p>(k) The coastal land and foreshore from Big Lagoon Beach and around the coast to Pigsties Bay and extending to a water depth of 5m but excluding the existing Marine Farming Zone within Pigsties Bay;</p> <p>(l) Land to the mean high water mark of</p>	<p>and important French and First Nations interactions occurred in 1793;</p> <p>iii) Quiet Cove where First Nations houses were drawn in 1792 and important French and First Nations interactions occurred in 1793;</p> <p>iv) The eastern coastline of Pigsties Bay is where the French Garden is located and the d'Entrecasteaux expedition shore-based encampments occurred in 1792;</p> <p>v) Sullivans Point used by the French in 1792 as a coastal surveying location;</p> <p>vi) Type locations for historic plant and animal collections, including the forested area behind Little Lagoon Beach, the type of location for Tasmania's floral emblem (<i>Eucalyptus globulus</i>);</p> <p>vii) First Nation living and heritage sites along the coast, including the coastal area from Big Lagoon Beach to Little Lagoon Beach.</p> <p>(c) Scenic values include the</p>	<p>established.</p> <p>v) New walking tracks must not be established around the coastal foreshore, or the foreshore of Blackswan Lagoon, or inland between Quiet Cove and Blackswan Lagoon or Little Lagoon Beach (including parts of CTs 203691/1, 137404/1, 203443/6 and 203411/1), due to the high visual sensitivity and significance of these areas.</p> <p>vi) Establishment of any new walking tracks and signage must be kept to a minimum and must follow the route of existing access tracks with minor deviations in route as necessary for the protection of natural, heritage or scenic values and must have minimal visual intrusion from the sky and avoid being seen from surrounding coastal and waterway locations.</p> <p>vii) Prevent development on sand dunes that would impact on the scenic values of the coastal dune, including</p>
--	--	---	--	---

		<p>the eastern bank of D'Encastreaux River to the former Leprena Track Bridge location.</p>	<p>undeveloped forest and open vegetation mosaic forming visually distinctive variations in vegetation patterns created through influence of past cultural fire management.</p> <p>(d) Blackswan Lagoon where there is year-round high abundance of black swans and is a water form and wildlife feature of high scenic value.</p> <p>(e) The natural undeveloped visual aesthetic is appreciated by locals and visitors for cultural and passive recreational uses when located at the following viewpoints:</p> <ul style="list-style-type: none"> <li>i) walking on former vehicle tracks, beaches and rocky foreshores within the scenic protection area,</li> <li>ii) flying over the area typically by people going to or from Melaleuca,</li> <li>iii) boating or kayaking around the coastal shoreline (including Southport Lagoon),</li> <li>iv) anchorages and moorings in Pigsties Bay and Quiet Cove,</li> <li>v) public roadside viewing from Moss Glen,</li> <li>vi) from private properties within the scenic</li> </ul>	<p>through loss of coastal vegetation and or dune stability.</p> <p>(b) Development related to currently existing access tracks, must occur in a way which limits visual evidence of development on the peninsular to respect and enhance the scenic values of the area, including all the following:</p> <ul style="list-style-type: none"> <li>i) The upgrading of existing access tracks must have minimal visual intrusion from the sky and avoid being seen from surrounding coastal and waterway locations.</li> <li>ii) All works related to converting sections of former vehicle tracks into walking tracks must prevent erosion or other damage and must reduce visual impact from vegetation disturbance and prevent the exposure of rock and soil.</li> <li>iii) Former vehicle tracks other than areas being retained as walking tracks must either be left to continue natural recovery or actively rehabilitated through management actions where required.</li> </ul>
--	--	---	---	---

			<p>protection area,</p> <p>vii) from private properties in Moss Glen, Finns Beach, Jones Beach and Catamaran,</p> <p>viii) from Finns Beach, Jones Beach and Gillams Beach near public camping grounds,</p> <p>ix) public viewpoints at Cockle Creek, Adams Point, Fishers Point and the walking track joining these locations, and</p> <p>x) the Bruny Island Lighthouse viewpoint.</p>	
--	--	--	--	--

If you would like to discuss this matter further, please do not hesitate to contact Rong Zheng direct on 6264 9467.

Kind Regards



**RONG ZHENG**  
**PROJECT MANAGER – STRATEGIC LAND USE**