

From: John Thompson <thompsonjohng@gmail.com>
Sent: Monday, 12 July 2021 8:23 PM
To: Development Services
Subject: PLANNING EXHIBITION REPRESENTATION re Flinders Draft LPS -
Conservation Landholders Tasmania
Attachments: Representation to Flinders Council re Draft LPS - CLT - 12Jul21.pdf
Follow Up Flag: Follow up
Flag Status: Completed

Attention: General Manager

Please find attached our representation on the Flinders Draft LPS. Could you please acknowledge receipt of this email?

Kind regards

John Thompson

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John Thompson
220 Raymond Rd
Gunns Plains TAS 7315

Phone 0424 055 125



12th July 2021

Warren Groves
General Manager
Flinders Council
PO Box 40
WHITEMARK TAS 7255

Via email: development.services@flinders.tas.gov.au

PLANNING EXHIBITION REPRESENTATION – support for rezoning of 8 properties with private reserves to Landscape Conservation

Dear Warren

Summary of Representation

Conservation Landholders Tasmania (CLT) has reviewed the Flinders Draft LPS Zone Maps and the Supporting Report and endorses the Planning Authority's proposal to rezone all or part of the following eight (8) properties that contain land reserved for the protection of biodiversity.

CLT agrees that these titles should be rezoned to Landscape Conservation based on Guideline LCZ1, when read together with Guidelines RZ1 and AZ6, as the natural values within these Reserves have already been identified for protection and conservation by the Minister for Environment.

Flinders Council is commended for being the first Council to correctly follow the Tasmanian Planning Commission's (TPC) Guideline No 1 with respect to the Landscape Conservation Zone.

<i>Reserve Name</i>	<i>Property Address</i>	<i>Property ID</i>	<i>Title References</i>
The Dock	PALANA RD PALANA TAS 7255	7098231	197699/1
Boat Harbour Road	770 KILLIECRANKIE RD KILLIECRANKIE TAS 7255	1506820	240450/1

ABN 47 746 051 320
website www.clt.asn.au
post 675 Cradle Mountain Road Erriba TAS 7310
email gaidennett@gmail.com

Reserve Name	Property Address	Property ID	Title References
Reedy Lagoon Private Nature Reserve	PALANA RD LUGHRATA TAS 7255	7557741	210887/1
Lughrata	PALANA RD LUGHRATA TAS 7255	6424453	201846/13
Memana	336 MELROSE RD MEMANA TAS 7255	2872865	154623/2
Mulligans Hill	232 MELROSE RD EMITA TAS 7255	6425229	210431/1
Logans Lagoon	LOGAN LAGOON RD LACKRANA TAS 7255	6430714	209174/1
Lands End	'WOMBATBURRA' - 351 POT BOIL RD LADY BARRON TAS 7255	2032006	135186/1

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 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 8 years.

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

The application of Landscape Conservation Zone in the Flinders Draft LPS

Of the 15 Councils that have exhibited their Draft Local Provisions Schedule to date, Flinders Council is the first Council to have correctly followed the Tasmanian Planning Commission's (TPC) Guideline No 1 with respect to the Landscape Conservation Zone. Conservation Landholders Tasmania commends the Flinders Planning Authority for this and hopes that the remaining 14 Councils will follow its example.

In its Supporting Report the Flinders Planning Authority states on p 10 in response to Schedule 1 Objective Part 1(a):

To satisfy objective (a), the LPS proposes that land fitting the criteria in Guideline No.1 for the Landscape Conservation Zone, be thus zoned. Such land is characterised by intact vegetation, often with topographical and land capability constraints for agriculture. Noting that not all species and communities are represented in reserved land and that only a small portion of all reserved land on Flinders Island is for conservation, the introduction of a Landscape Conservation Zone is an important contribution to the sustainability of natural and physical resources and to genetic diversity and ecological processes.

In complying with Guideline No 1 for Landscape Conservation Zone and satisfying the objectives of LUPAA and the Northern Tasmania Regional Land Use Strategy, the Planning Authority is proposing Landscape Conservation Zone for 11% of the land on Flinders Island (15,756 ha), including eight of the ten properties containing private reserves (451 ha).

Private land in Tasman planning area reserved for the protection and conservation of biodiversity

On Flinders Island there are 10 properties containing 527 ha of reserved land protected by conservation covenant distributed across 10 titles. The Private Reserves together account for 0.4 % of the Island's 143,475 ha area.

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*. 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 eight of these properties to Landscape Conservation

Of the 10 properties mentioned above CLT considers that the 8 properties listed in the Summary should have Landscape Conservation Zone applied to all or part of their titles as proposed by the Planning Authority in the Draft Zone Maps.

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).

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.

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

1. there are multiple adjoining Reserves;
2. a significantly sized Reserve spans multiple titles; or
3. a Reserve adjoins a title or titles zoned Environmental Management or Landscape Conservation (applies to Memana Reserve on Title Ref. 154623/2).

CLT agrees with the Planning Authority's proposed zoning as Agriculture of the two titles containing the Little Silver and Big Silver Reserves at 168 Dutchman Road, Lackrana, (PID 3469322, Title Refs. 243450/1 and 178897/1). The two Reserves cover 30% and 12%, respectively, of the titles with the balance used for agriculture.

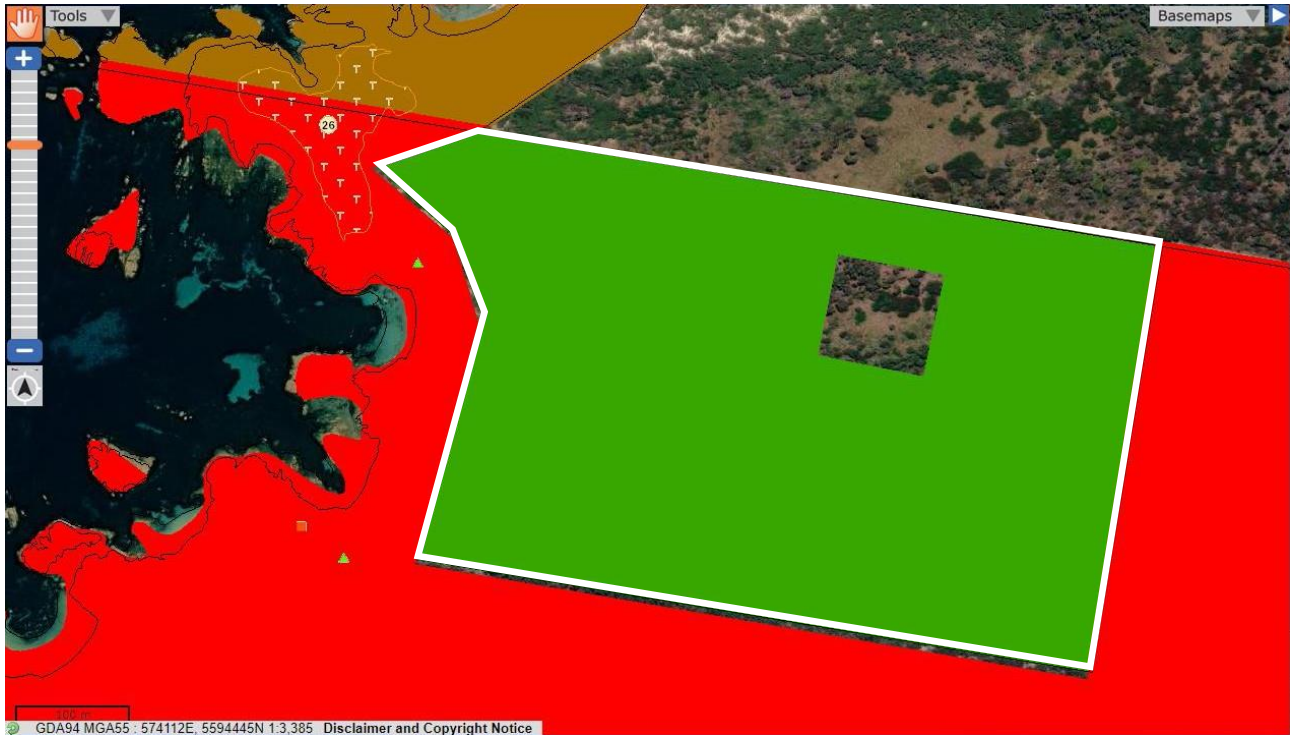
Details of the other 8 reserves are provided below including ListMap screenshots of the Tasmanian Reserve Estate (green area), Threatened Flora Points (green triangles), Threatened Fauna Points (red squares) and Threatened Native Vegetation Communities (numbered areas with 'T' pattern) layers.

The Dock (CAPAD 2020 Row No 2496)

Address PALANA RD PALANA TAS 7255

PID 7098231

Title Ref 197699/1



The Dock Reserve covers 100% of the 24.3 ha Title Ref 197699/1 (white border). While the 0.9 ha domestic zone in the north is not displaying in the Tasmanian Reserve Estate ListMap layer it is included in the CAPAD 2020 listing. The Dock Reserve is surrounded on three sides by the Killiecrankie Nature Recreation Area and is adjacent to the Blyth Point Conservation Area to its north west.

CLT supports the Planning Authority's proposal to zone the complete title as Landscape Conservation Zone.

Details of the natural values protected by this Reserve are in the Nature Conservation Plan held by DPIPWE.

Boat Harbour Road Reserve (CAPAD 2020 Row No 1236)

Address 770 KILLIECRANKIE RD KILLIECRANKIE TAS 7255

PID 1506820

Title Ref 240450/1



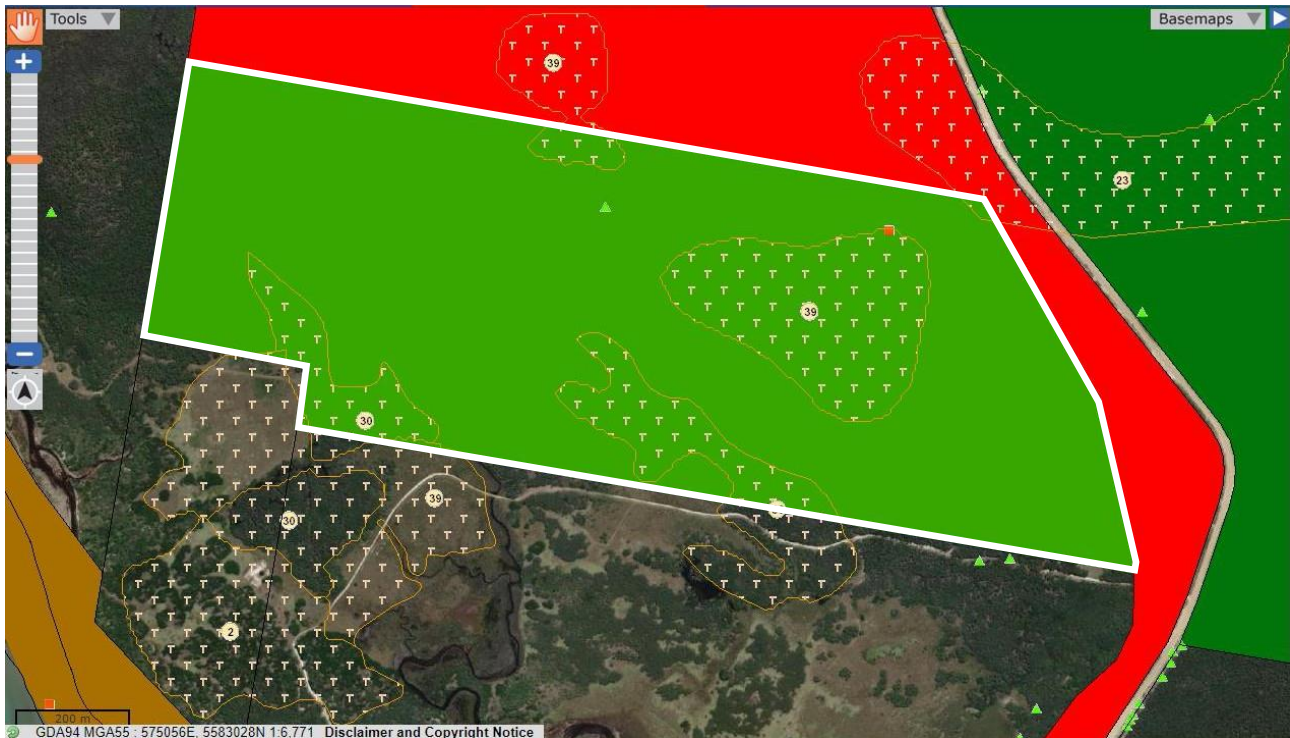
Boat Harbour Road Reserve covers 46.9 ha (95%) of the 49.2 ha Title Ref 240450/1 (white border). It adjoins the Mount Tanner Nature Recreation Area to its south west.

CLT supports the Planning Authority's proposal to apply Landscape Conservation to the whole title as the non-reserved part of the title has a residential dwelling on it and is unsuitable and not used for agriculture. Under the General Provisions the existing residential use is permitted for this zone.

The Reserve contains the Rare *Pomaderris oraria subsp. Oraria* (Bassian dogwood) listed in Schedule 5 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.

Reedy Lagoon Private Nature Reserve (CAPAD 2020 Row No 3637)

Address PALANA RD LUGHRATA TAS 7255
PID 7557741
Title Ref 210887/1



Reedy Lagoon Private Nature Reserve covers 99.7 ha (100%) of Title Ref 210887/1 (white border). It adjoins the Mount Tanner Nature Recreation Area to its north and east. The Reserve incorporates a 1.96 ha domestic zone for future residential use near the southern boundary.

CLT supports the Planning Authority's proposal to apply Landscape Conservation to the whole title.

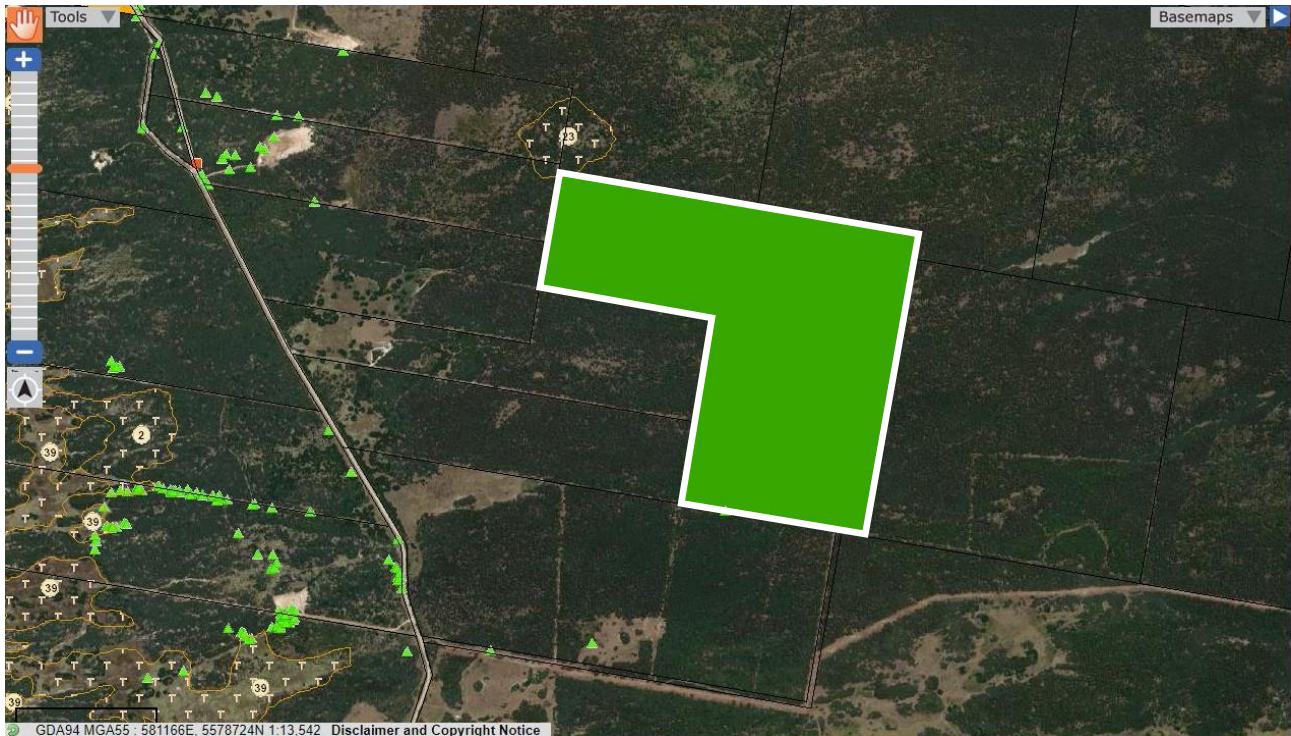
The Reserve contains the threatened vegetation communities No 30 *Melaleuca ericifolia* (swamp forest) and No 39 Wetlands listed in Schedule 3A of the *Nature Conservation Act 2002*. It also contains the vulnerable *Isopogon ceratophyllus* (Horny conebush) listed in Schedule 4 of the *Threatened Species Protection Act 1995*. It also provides habitat for the endangered *Pseudomys novaehollandiae* (New Holland mouse) listed in Schedule 3 of the same Act. Further details of the natural values protected by this Reserve are in the Nature Conservation Plan held by DPIPW.

Lughrata Reserve (CAPAD 2020 Row No 1913)

Address PALANA RD LUGHRATA TAS 7255

PID 6424453

Title Ref 201846/13



Lughrata Reserve covers 101.7 ha (100%) of Title Ref 201846/13 (white border). It is one of a number of privately owned titles proposed for Landscape Conservation Zone on the Lughrata/Wingaroo Map 11. The Reserve incorporates a 1.97 ha domestic zone for future residential use to the south west.

CLT supports the Planning Authority's proposal to apply Landscape Conservation to the whole title.

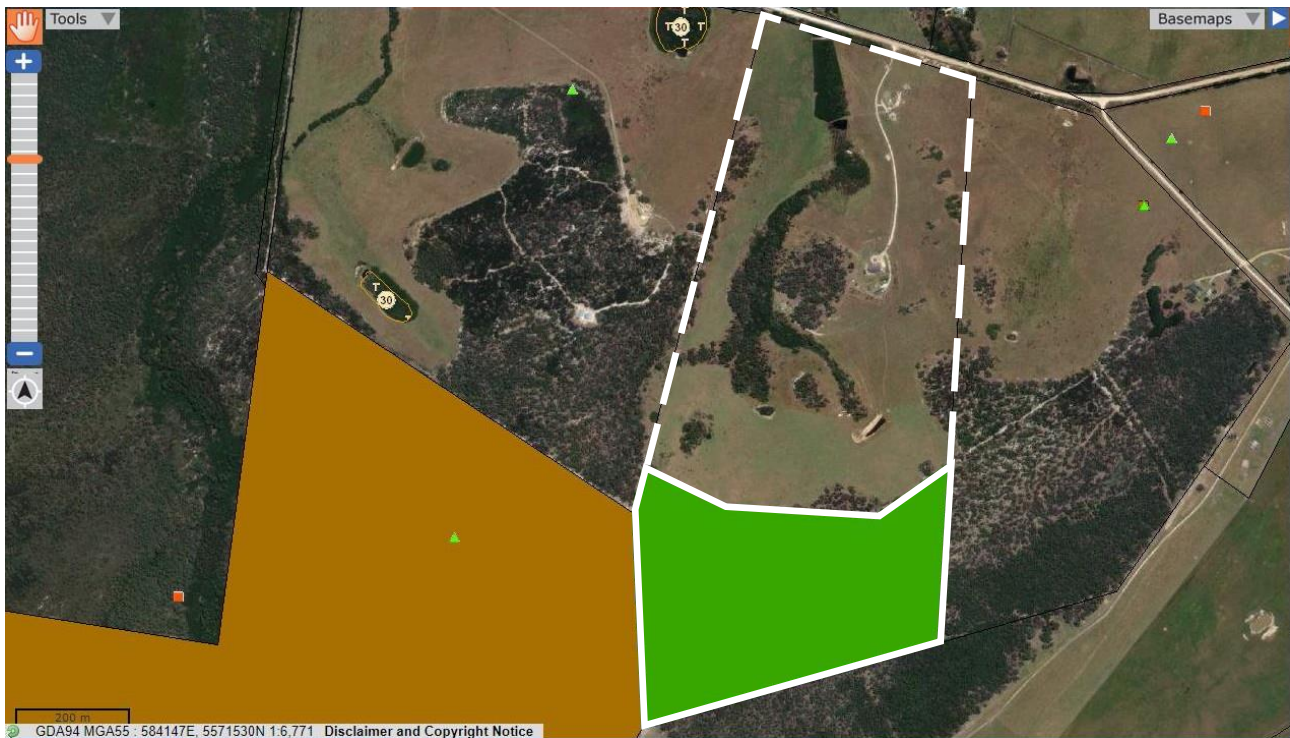
The Reserve adjoins an area of the threatened vegetation community No 23 *Eucalyptus viminalis* - *Eucalyptus globulus* coastal forest and woodland listed in Schedule 3A of the *Nature Conservation Act 2002*. It also contains the rare *Eutaxia microphylla* (Spiny bushpea) listed in Schedule 5 of the *Threatened Species Protection Act 1995*. Further details of the natural values protected by this Reserve are in the Nature Conservation Plan held by DPIPWE.

Memana Reserve (CAPAD 2020 Row No 1998)

Address 336 MELROSE RD MEMANA TAS 7255

PID 2872865

Title Ref 154623/2



Memana Reserve (solid white border) covers 18.3 ha (32%) of 57.3 ha Title Ref 154623/2. A residential dwelling is located on the non-reserved land and the balance of the non-reserved land (dashed white border) is used for agriculture. Memana Reserve adjoins the Mulligans Hill Conservation Area to its west.

CLT supports the Planning Authority's proposal to apply Landscape Conservation Zone to the reserved land and Rural zone to the balance of the title (refer p 86 of the Supporting Report).

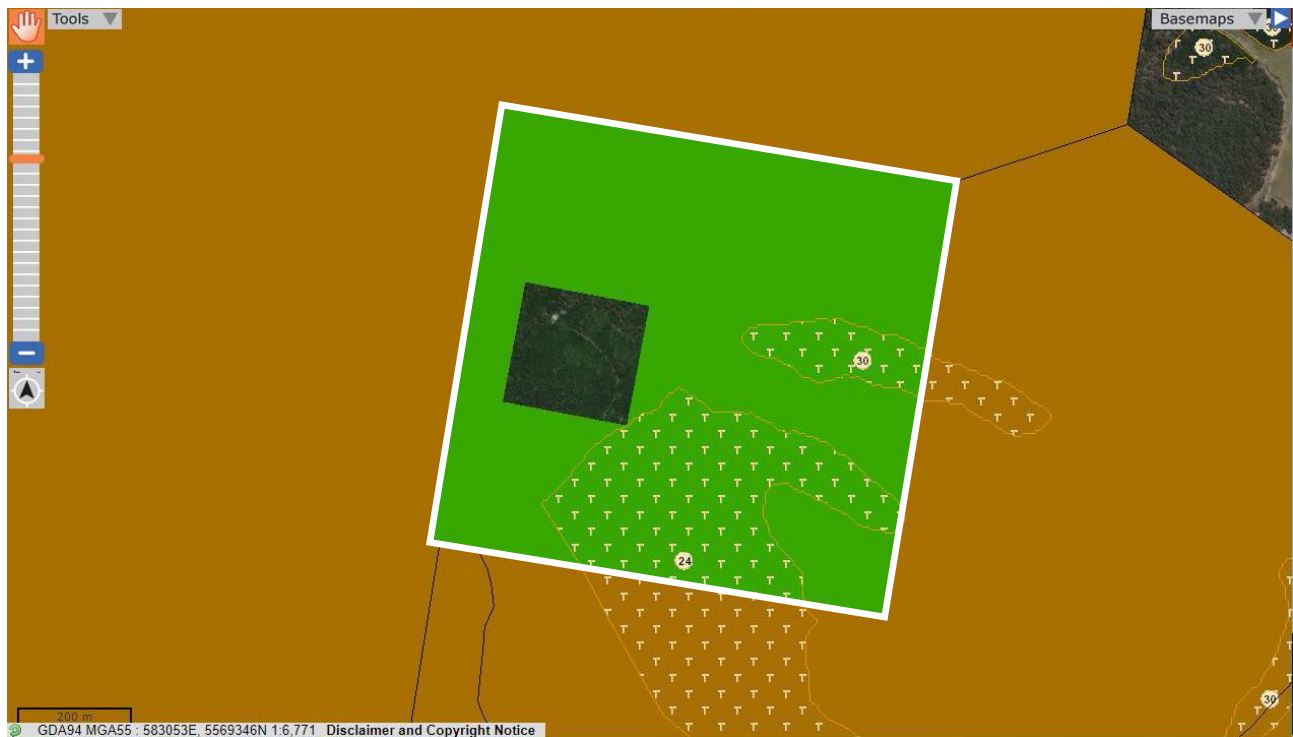
Details of the natural values protected by this Reserve are in the Nature Conservation Plan held by DPIPW.

Mulligans Hill Reserve (CAPAD 2020 Row No 2083)

Address 232 MELROSE RD EMITA TAS 7255

PID 6425229

Title Ref 210431/1



Mulligans Hill Reserve covers 61.2ha (92%) of the 66.3ha Title Ref 210431/1 (white border). It adjoins the Mulligans Hill Conservation Area to its north and west and the Brougham Sugarloaf Conservation Area to its south and east.

CLT supports the Planning Authority's proposal to apply Landscape Conservation to the whole title as the non-reserved part of the title has a residential dwelling on it and is unsuitable and not used for agriculture. Under the General Provisions the existing residential use is permitted for this zone.

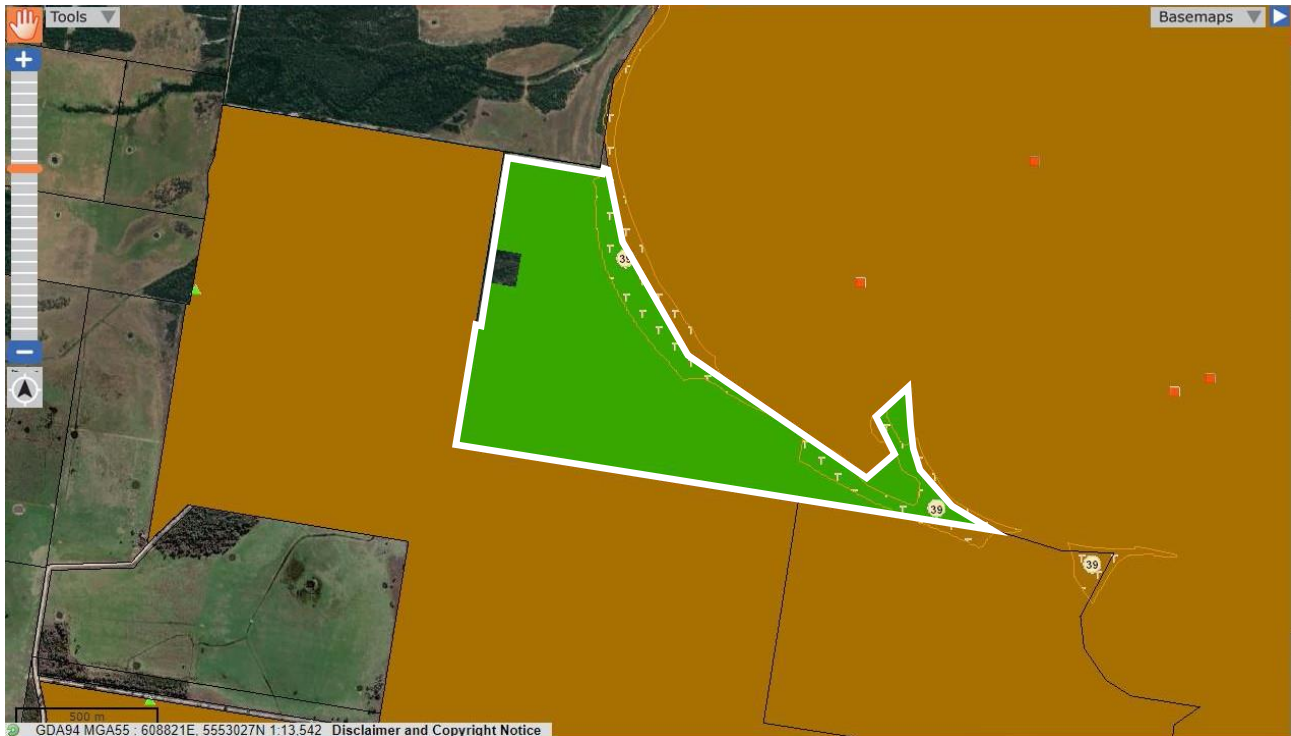
The Reserve contains the threatened vegetation communities No 24 *Eucalyptus viminalis* Furneaux forest and No 30 *Melaleuca ericifolia* swamp forest listed in Schedule 3A of the *Nature Conservation Act 2002*. Further details of the natural values protected by this Reserve are in the Nature Conservation Plan held by DPIPWE.

Logans Lagoon Reserve (CAPAD 2020 Row No 1881)

Address LOGAN LAGOON RD LACKRANA TAS 7255

PID 6430714

Title Ref 209174/1



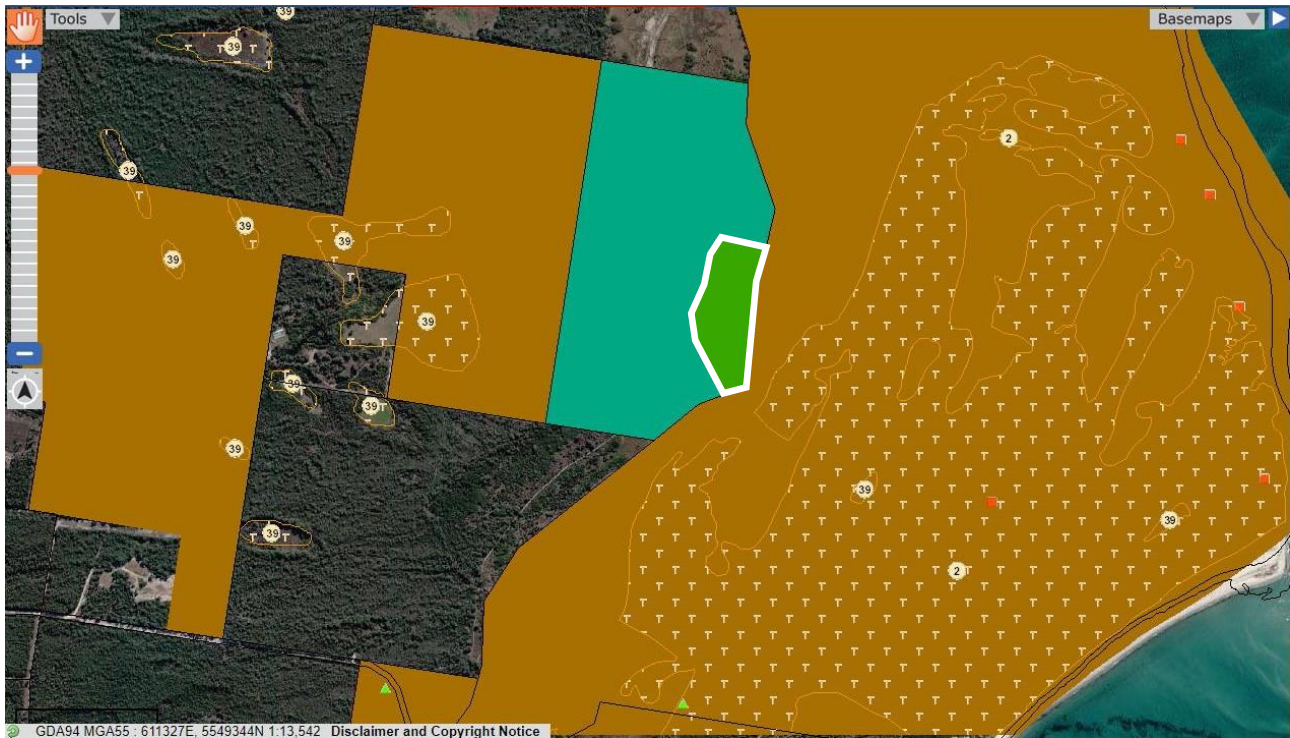
Logans Lagoon Reserve covers 92.1 ha (98.7%) of the 93.3 ha Title Ref 209174/1 (white border). A 1.2 ha non-reserved area has been set aside for future residential use. The Reserve is almost completely surrounded by the Logan Lagoon Conservation Area.

CLT supports the Planning Authority's proposal to apply Landscape Conservation to the whole title as the small non-reserved part of the title is unsuitable and not used for agriculture.

The Reserve contains the threatened vegetation community No 39 Wetlands 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 DPIPW.

Lands End Reserve (CAPAD 2020 Row No 1834)

Address 'WOMBATBURRA' - 351 POT BOIL RD LADY BARRON TAS 7255
PID 2032006
Title Ref 135186/1



Lands End Reserve covers 9.7 ha (100%) of Title Ref 135186/1 (white border). To the west and north it adjoins the Logan Lagoon State Reserve and to the south and east it adjoins the Logan Lagoon Conservation Area.

CLT supports the Planning Authority's proposal to apply Landscape Conservation to the whole title.

Details of the natural values protected by this Reserve are in the Nature Conservation Plan 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 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.