

Patrick Earle

From: Gina Goodman <Gina.Goodman@tasnetworks.com.au>
Sent: Thursday, 19 December 2019 9:44 AM
To: burnie
Subject: TasNetworks' Burnie LPS submission.pdf
Attachments: Burnie LPS submission.pdf

Attention Patrick Earle

Dear Patrick
Please find attached TasNetworks' submission regarding the Draft Burnie Local Provision Schedule.
Thank you for the opportunity to comment.

Kind Regards
Gina Goodman



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PLEASE NOTE: I WILL BE ON LEAVE FROM 5PM FRIDAY 20th DECEMBER 2019, RETURNING TO THE OFFICE ON TUESDAY 28th JANUARY 2020.

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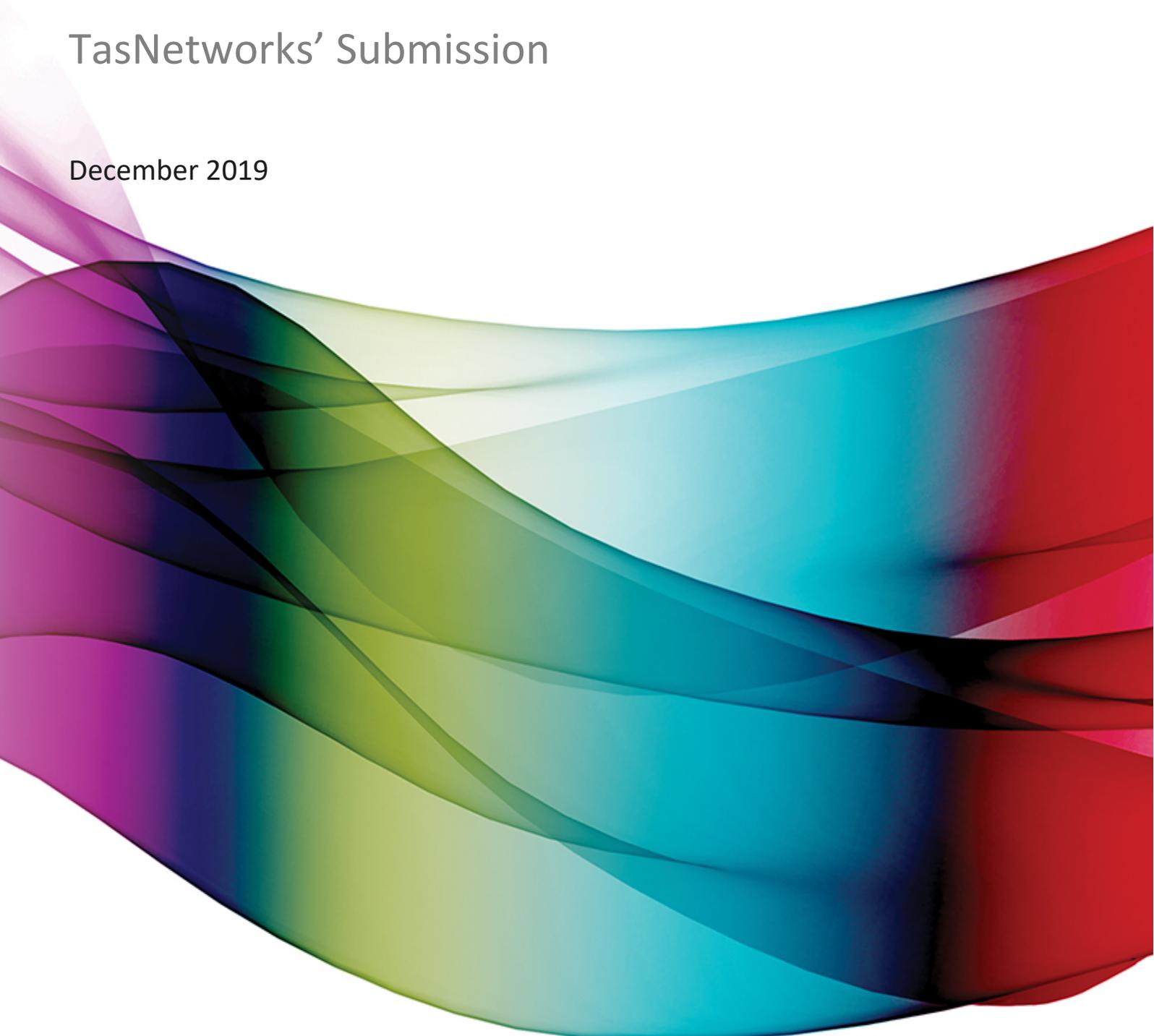
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Burnie City Council

Draft Local Provisions Schedule

TasNetworks' Submission

December 2019

A decorative abstract graphic at the bottom of the page consists of several overlapping, wavy, semi-transparent bands of color. The colors transition from purple and blue on the left, through green and yellow in the center, to cyan and red on the right. The bands are layered and curved, creating a sense of movement and depth.

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1. Who is TasNetworks?

TasNetworks was formed on 1 July 2014, through a merger between Aurora Energy's distribution network (the poles and wires) and Transend Networks (the big towers and lines). We're a Tasmanian state-owned corporation that supplies power from the generation source to homes and businesses through a network of transmission towers, substations and powerlines.

Transmission

TasNetworks own, operate and maintain 3564 circuit kilometres of transmission lines and underground cables, 49 transmission substations and six switching stations across the state.

Distribution

TasNetworks own, operate and maintain 22,400km of distribution overhead lines and underground cables, 227,000 power poles, 18 large distribution substations and 33,000 small distribution substations. There's also 20,000 embedded generation and photovoltaic (PV) grid-connected installations connected to the distribution network.

Communications

TasNetworks own, operate and maintain communication network infrastructure to enable safe and efficient operation of the electricity system.

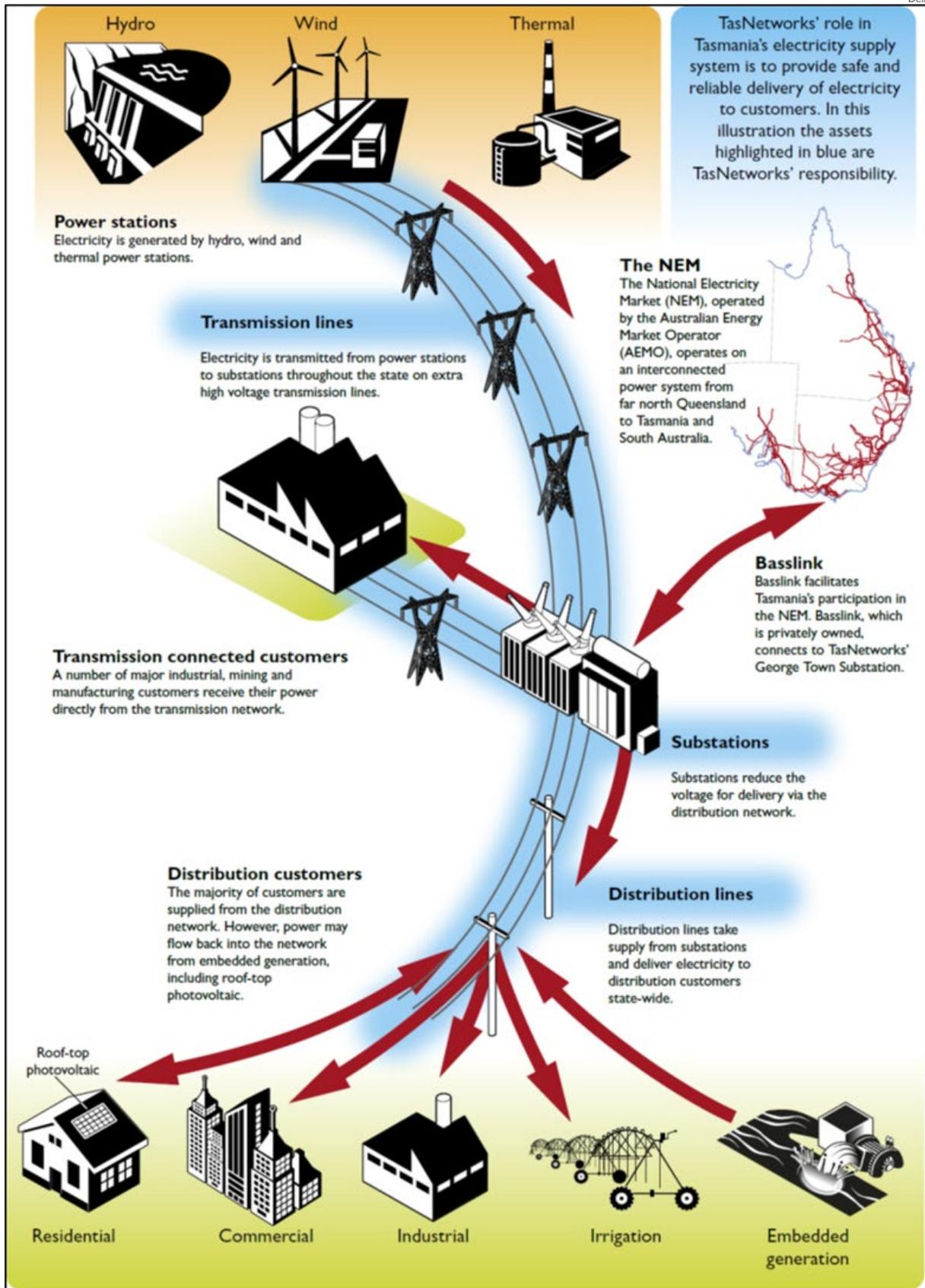


Figure 1 TasNetworks' role in Tasmania's Electricity Supply System

2. Executive Summary

TasNetworks, as a referral agency, has been notified of the public exhibition of Burnie City Council's Draft Local Provisions Schedule (LPS) under section 35B of the *Land Use Planning and Approvals Act 1993* (LUPAA). Council has been given direction by the Tasmanian Planning Commission to publicly exhibit the LPS and invite representations. TasNetworks has undertaken a review of the LPS and makes the following representation with a view of seeking a state-wide consistent approach to major electricity infrastructure.

TasNetworks assets within the Burnie Local Government Area includes three substations, six communication sites and five electricity transmission corridors.

Electricity transmission infrastructure is protected by the Electricity Transmission Infrastructure Protection Code (ETIPC) under the State Planning Provisions. The Code applies to transmission lines, terminal (or transmission) substations and switching stations and transmission communication assets. The Code purpose is:

- *To protect use and development against hazards associated with proximity to electricity transmission infrastructure;*
- *To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure;*
- *To maintain future opportunities for electricity transmission infrastructure.*

The LPS includes the ETIPC Overlay maps which is based on data provided by TasNetworks. As part of its review, TasNetworks has examined the ETIPC Overlay maps to ensure that it applies to all relevant assets and that the locations of these assets is correct.

The LPS also includes the spatial application of zoning and overlays via the mapping. In preparing this representation, TasNetworks has reviewed the LPS maps for each of its assets. This representation seeks to ensure:

- Utilities zoning is applied to existing substations and communication facilities;
- Impacts on the strategic benefits and development potential of existing corridors through the application of the Landscape Conservation Zone are mitigated;
- The Natural Asset Code – Priority Vegetation Overlay is not applied to part of a substation or communication site that is cleared of native vegetation; and
- The Scenic Protection Code – Scenic Protection Area has not been applied to substations, communication site or corridors.

These submissions are consistent with those previously made by TasNetworks (and formerly Transend) on the Meander Valley, Brighton and Central Coast draft LPS's as well as the State Planning Provisions and Interim Planning Schemes.

The LPS and the potential impact on future development has also been reviewed. These considerations include whether there is a permissible approval pathway for Utilities under the Particular Purpose Zones or Specific Area Plans; and any Local Area Objectives or Site

Specific Qualifications. TasNetworks representation is made having regard to the LPS requirements under LUPAA.

3. Overview

3.1. Glossary

The following table provides the definitions of the terms used throughout this submission.

Table 1 Definitions

Term	Definition
Commission	Tasmanian Planning Commission
Council	Burnie City Council
D	Discretionary
ESI exemption	Activities classified as ‘work of minor environmental impact’ for the purposes of Regulation 8 of the <i>Electricity Supply Industry Regulations 2008</i> .
ETC	Electricity Transmission Corridor
ETIPC	Electricity Transmission Infrastructure Protection Code
Guideline	<i>Guideline No. 1 – Local Provisions Schedule Zone and Code Application</i> (Tasmanian Planning Commission, 2018)
IPA	Inner Protection Area
Interim Scheme	Burnie Interim Planning Scheme 2013
LGA	Local Government Area
LPS	Burnie Draft Local Provisions Schedule
NPR	No Permit Required
P	Permitted
SPP	State Planning Provisions
TPS	Tasmanian Planning Scheme
UWA	Unregistered Wayleave Agreement

3.2. Existing Assets

Burnie LGA is located in TasNetworks northern planning geographic area. An operationally significant part of the Tasmanian transmission electricity network is contained within the boundaries of the Burnie LGA. This includes:

- A number of transmission lines which:
 - o Connect wind farms in the far north west to the greater part of the Tasmanian transmission network at Burnie Substation;
 - o Provide critical power transfer from wind farms in the far north west and backup connection to the west coast via 110 kV and 220 kV transmission lines from Burnie Substation; and
 - o Transfer power to Hampshire and Emu Bay substations via 110kV lines.
- A number of substations including:
 - o Burnie Substation which is a major ‘hub’ in the Tasmanian transmission network and is the main 22kV supply point for local customers;
 - o Emu Bay and Hampshire substations which are 22kV supply points for customers in these respective areas.
- A number of communications sites used in operation of the transmission electricity network.

Notification and negotiation of work or changes in land use around these assets is critical for the safety and operation of the electricity network, the safety of people working on these assets and the general public whether living near or traversing the transmission network areas.

The following table and figure details TasNetworks’ assets within Burnie LGA.

Table 2 TasNetworks Assets in Burnie

Asset	Location
Substation sites (terminal)	<ul style="list-style-type: none"> - Emu Bay Substation - Burnie Substation - Hampshire Substation
Communication sites	<ul style="list-style-type: none"> - Round Hill - Burnie Substation - Hampshire Substation - Companion Hill - Emu Bay Substation (fibre) - Burnie 3 Mile Line (fibre)
Electricity Transmission Corridors	<ul style="list-style-type: none"> - Sheffield – Burnie 220kV (blue) - Sheffield – Burnie 110kV (pink) - Emu Bay Spur 110kV (purple) - Burnie – Smithton 110kV (red) - Burnie – Waratah 110kV (light blue)

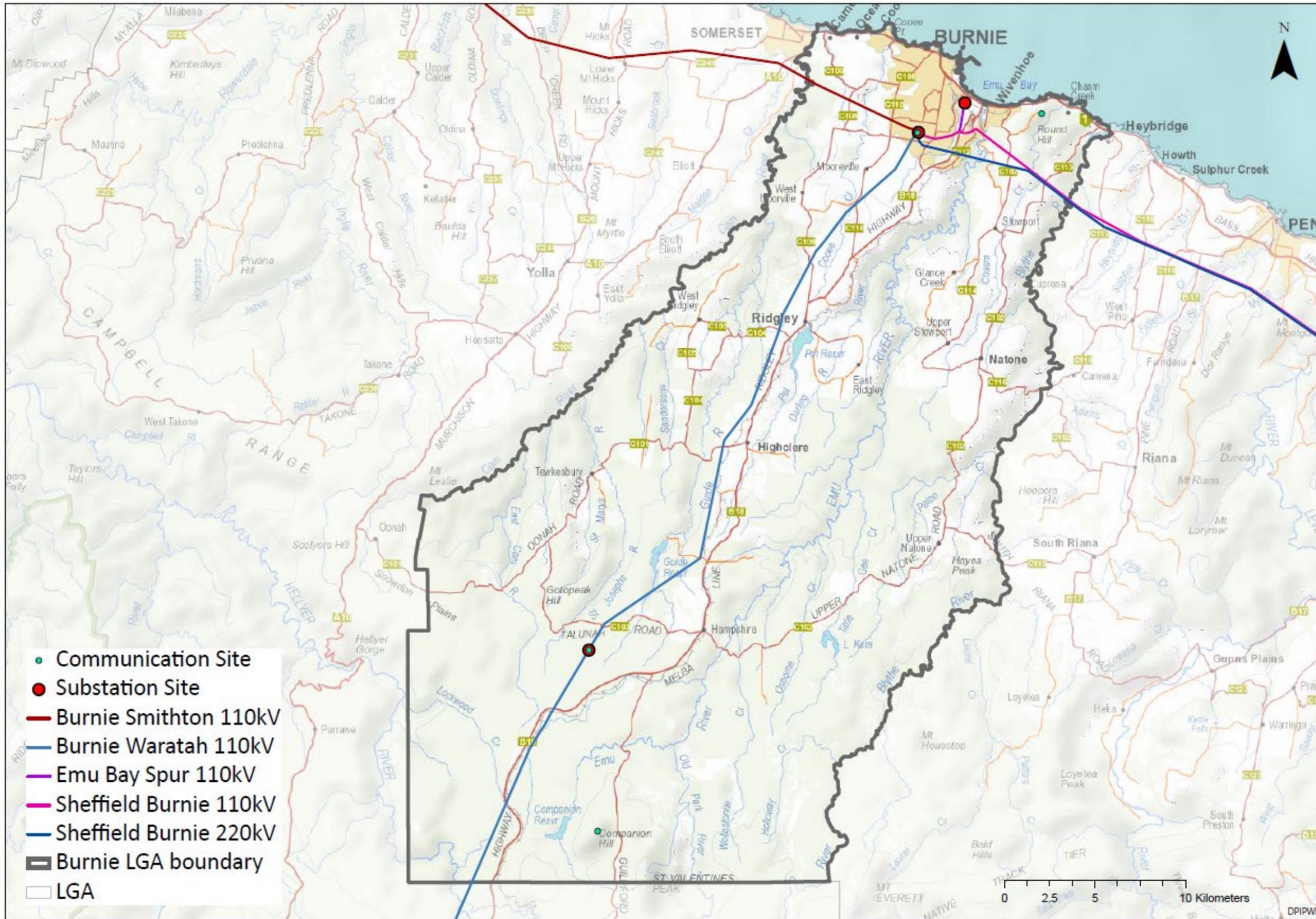


Figure 2 TasNetworks Assets within Burnie LGA

3.3. North West Tasmania Strategic Transmission Plan, Marinus Link and North West Tasmania Transmission Upgrade Project

As Tasmania's transmission and distribution network service provider, and Tasmania's jurisdictional planner in the National Electricity Market (NEM), we have a responsibility to ensure the infrastructure to supply Tasmanians with electricity evolves to meet customer and network requirements in an optimal and sustainable way. We achieve this through our network planning process to ensure the most economic and technically acceptable solution is pursued.

The need for network changes can arise from a number of factors. Annually TasNetworks undertakes a planning review that analyses the existing distribution and transmission networks and considers their future requirements to accommodate changes to load and generations, and whether there are any limitations in meeting the required performance standards¹.

Integrated into our planning process is our [network transformation road map 2025](#). This ensures that what we do in the next 10 to 15 years facilitates an efficient and orderly transition of the network to its new roles in a changing energy sector. This includes consideration of impact of large scale wind farms, solar generation, pumped hydro (battery of the nation), batteries, electric vehicles, and a potential second inter connector.

More specifically, TasNetworks has been appointed by the Commonwealth and Tasmanian Governments to undertake an assessment of further Bass Strait interconnection (Marinus Link) including the need for new or upgraded electricity transmission infrastructure to support this.

The Australian mainland electricity generation fleet is transforming from being predominately made up of baseload generation to one dominated by intermittent renewable generation.² Tasmania has enormous potential to support this transformation with its access to some of Australia's most cost-competitive renewable energy and storage resources. A number of studies have highlighted Tasmania's wealth in renewable energy resources.³ These resources include existing hydroelectric generators that have capacity

¹ [Link to TasNetworks' Annual Planning Report 2019](#)

² See, for example, Dr Alan Finkel's review of the electricity market, *Independent Review into the Future Security of the National Electricity Market*, June 2017, <https://www.energy.gov.au/sites/default/files/independent-review-future-nem-blueprint-for-the-future-2017.pdf>

³ See, for instance, AEMO, *2018 ISP Appendices*, July 2018, Appendix A, pp. 35-8, and Hydro Tasmania, *Battery of the Nation: Analysis of the future National Electricity Market*, April 2018, p. 2.

available at times of peak demand in the NEM, cost-competitive long duration (**deep**) pumped hydro energy storage potential, and an abundance of world-class wind resources.⁴

North West Tasmania, in particular, has excellent potential for developing renewable energy generation and storage projects, including:

- New large-scale wind generation in the order of 2,000 megawatts (**MW**); and
- New pumped hydro energy storage developments of at least 750 MW.

This is in addition to approximately 400 MW of existing hydro generation capacity and approximately 250 MW of further hydro generation capacity with moderate upgrades. As a result of these resources, the region has been identified as a high priority renewable energy zone (**REZ**) in the Australian Energy Market Operator's (**AEMO's**) 2018 Integrated System Plan (**ISP**).⁵

North West Tasmania hosts the expected connection point for Marinus Link (the Burnie area in particular, has been identified as the preferred likely location) , a proposed 1500 MW capacity undersea and underground electricity connection that will link North West Tasmania to Victoria.⁶ This will require the installation of new converter stations required to convert electricity transported between Tasmania and Victoria across Marinus Link from direct current (DC) to alternating current (AC) to enable transmission within the existing and upgraded transmission network in North West Tasmania and the existing transmission network in Victoria.

Further Bass Strait interconnection through Marinus Link will help deliver Tasmania's high value renewable energy zones to the NEM. The potential size of the resources available in North West Tasmania exceeds Tasmanian demand and the capacity of Basslink, the existing electricity connection between Tasmania and Victoria. Furthermore, while there is growth in renewable generation throughout the NEM, this is largely in the form of wind and solar generation. These variable generation resources will need 'firming' capacity from

⁴ In referring to energy storage systems, 'depth' often refers to the energy to capacity ratio, where a 'deep' storage system has a high energy to capacity ratio. This means that it can operate for long periods at high output before exhausting its energy storages. Storage 'depth' is a reference to how long that storage would last. It is independent of the peak capacity of the system.

⁵ AEMO is the power system operator and national planner for the NEM, and jurisdictional planner for Victoria. AEMO's 2018 ISP provides a blueprint for the whole-of-system redevelopment required for the NEM. Writing in its capacity as the national transmission planner, AEMO's ISP has "modelled and outlined targeted investment portfolios that can minimise total resource costs, support consumer value, and provide system access to the least cost supply resources over the next 20 years to facilitate the smooth transition of Australia's evolving power system." (*Integrated System Plan*, July 2018, <https://www.aemo.com.au/Electricity/National-Electricity-Market-NEM/Planning-and-forecasting/Integrated-System-Plan/2018-Integrated-System-Plan>, p. 3). AEMO has also released an Insights Paper and two independent reports that provide further analysis and insights into the ISP, which can be found here: <https://www.aemo.com.au/Electricity/National-Electricity-Market-NEM/Planning-and-forecasting/Integrated-System-Plan>. AEMO will be releasing its draft 2019-20 ISP in December 2019, with the final report due for release in June 2020.

⁶ The potential size of the resource exceeds both the Tasmanian demand and the capacity of Basslink. While there is growth in renewable generation in other regions in the NEM, particularly in wind and solar generation, these variable resources will need 'firming' capacity from dispatchable generation and storage to ensure customer energy needs are met. Marinus Link can help smooth this transition by providing the NEM with access to Tasmania's existing and potential renewable resources, which are a valuable source of new and dispatchable generation and would benefit electricity supply in the NEM. For more information, refer to: TasNetworks, *Project Marinus Business Case Assessment*, December 2019 (<https://www.marinuslink.com.au/business-case-assessment/>), and TasNetworks, *Project Marinus Initial Feasibility Report* February 2019 (<https://www.marinuslink.com.au/initial-feasibility-report/>)

dispatchable generation and storage to ensure customer energy needs are met. Providing access to Tasmania’s existing and potential renewable resources, which are a valuable source of new and dispatchable generation, would benefit electricity supply in the NEM and help ensure that the most cost-effective outcomes are delivered for end-use customers.

TasNetworks has developed a long-term strategic transmission plan for North West Tasmania to support the energy market in the long term. The plan includes proposed upgrades to and potential new routes on the transmission network, which will increase network capacity and to ensure the power system can accommodate developments proposed for the region.⁷ The plan is flexible, accommodating a number of scenarios that can be developed in stages as required. Figure 3 presents the North West Tasmania Strategic Transmission Plan.

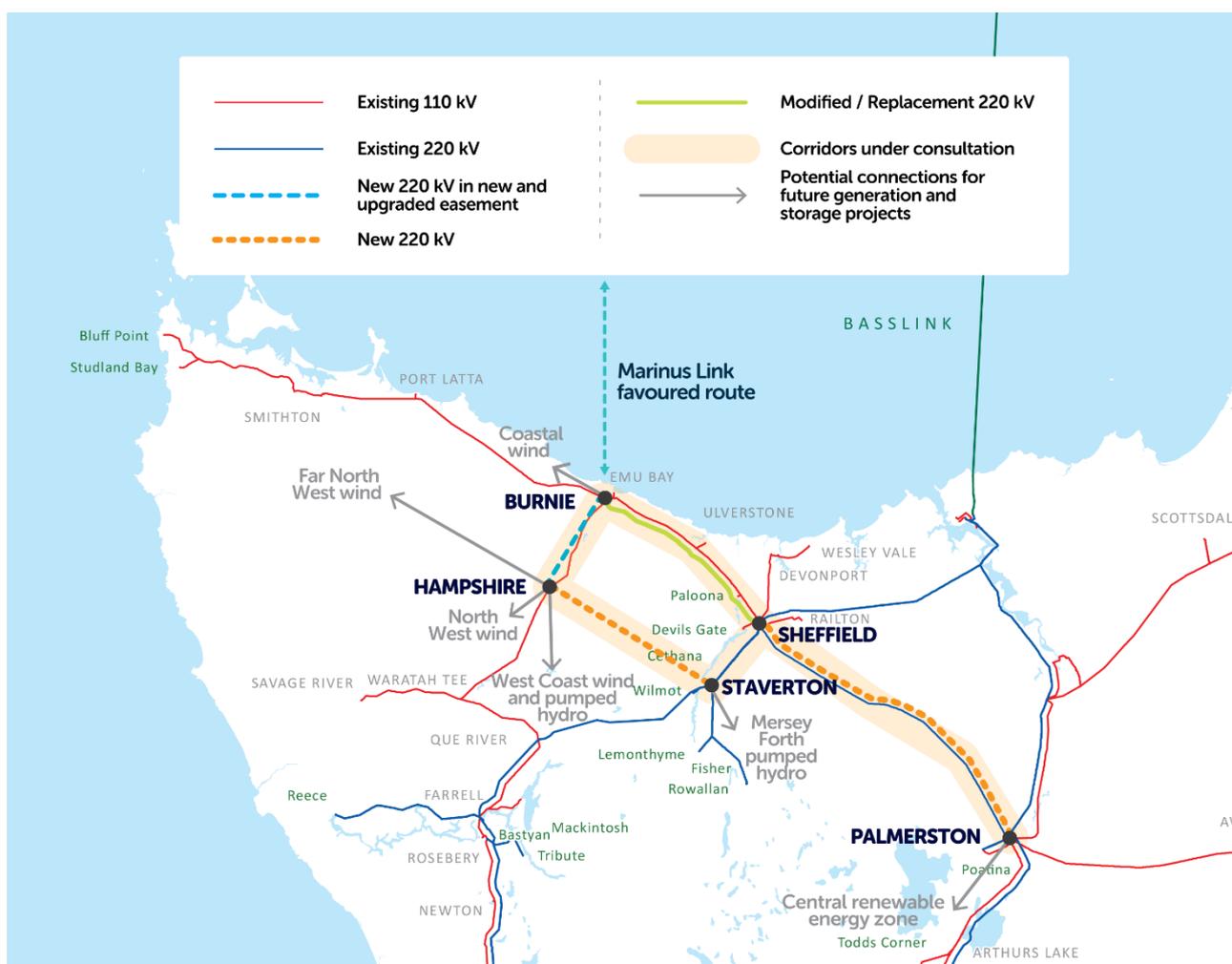


Figure 3 North West Tasmania Strategic Transmission Plan

The existing transmission network in North West Tasmania is sufficient to service existing needs. However, as indicated above, upgrades to the existing transmission network, along

⁷ TasNetworks owns, operates and maintains the existing electricity transmission and distribution networks in Tasmania and has jurisdictional responsibility for transmission system planning in Tasmania under the National Electricity Law.

with potential new routes, will be required to support development of the potential new renewable energy generation and storage projects in the region as well as Marinus Link. This Project is called the North West Transmission Upgrades Project and will play a critical role in unlocking the region's renewable energy generation and storage resources.

TasNetworks is in the development phase for the North West Transmission Upgrades Project and has identified new and upgraded electricity transmission infrastructure required to support implementation of TasNetworks' North West Tasmania Strategic Transmission Plan. Together with Marinus Link, the North West Transmission Upgrades Project will help unlock Tasmania's clean, cost-competitive generation and storage resources as part of the lowest cost solution to provide dispatchable energy to the NEM. This work will also deliver significant ongoing employment and add economic value to the region and Tasmania.

Given this context, it is important that the LPS provides appropriate approval pathways for potential future electricity transmission use and development.

4. Submission

4.1. Overview

TasNetworks is seeking state-wide consistency across all LPSs in the treatment of its assets. TasNetworks policy position is summarised in Table 3 and is further detailed below.

Table 3 Policy Position – Submission Summary

LPS Mapping / Controls	Submission	Rationale
Zoning	<ul style="list-style-type: none"> - Substations (terminal and zone) to be zoned Utilities - Communication sites to be zoned Utilities where the communications facility is the primary use of the site 	<ul style="list-style-type: none"> - Reflects the primary use of the site and the nature of the asset - Reflects the long asset lifespan - Utilities zone allows for the future operation, maintenance modification and development requirements of the asset (this is particularly important for communications sites as these do not enjoy any ESI Act exemptions once established) - Clear message to the community about the existing and long term use of the site.
	No specific zoning is to be applied to ETC	<ul style="list-style-type: none"> - Allows for other compatible uses to occur in corridor - Corridors are protected by ETIPC
	Landscape Conservation Zone (through LPS rezoning) is not applied to ETC	<ul style="list-style-type: none"> - Conflicts with the existing use of the land for electricity transmission - Diminishes strategic benefit of existing corridors making consideration of new corridors more likely - More onerous approvals pathway for augmentation of assets - Sends conflicting message to public regarding the ongoing use of the land
Natural Asset Code – Priority Vegetation Overlay	Not to be applied to <ul style="list-style-type: none"> - Substations or communication sites 	<ul style="list-style-type: none"> - Assets are required to be cleared for safety and maintenance

LPS Mapping / Controls	Submission	Rationale
	<p>where the site is cleared of native vegetation</p>	<ul style="list-style-type: none"> - Clearing of vegetation is exempt under ESI Act - Where asset already exists impact on the natural assets have already been assessed/ approved and will continue to be impacted for the lifespan of the asset - Supports strategic value of the site - Clear messaging to community regarding the use of the site.
Scenic Protection Code Overlay	<p>Not to be applied to</p> <ul style="list-style-type: none"> - substations, - communication sites, or - electricity transmission corridors 	<ul style="list-style-type: none"> - Assets are required to be cleared for safety and maintenance - Where asset already exists impact on scenic quality / natural assets have already been assessed/ approved and will continue to be impacted for the lifespan of the asset.
Utilities Use Approval Status	<p>In all zones, PPZ and SAPs the Use Class for Utilities and Minor Utilities must be either</p> <ul style="list-style-type: none"> - No Permit Required, - Permitted or - Discretionary <p>Utilities must not be Prohibited</p>	<p>The ability to consider Utilities Use Class in all zones is a requirement for the effective planning and development of linear utility infrastructure, which is required to be located in a range of areas and will be subject to multiple zonings.</p>
SAPs	<p>Not to apply to substations</p>	<p>To ensure that future development on these sites is not unreasonably affected by SAP.</p>
PPZs or SAPs use and development standards	<p>Are drafted with at least a discretionary approval pathway. For example:</p> <ul style="list-style-type: none"> - No absolute height limit 	<ul style="list-style-type: none"> - Consistent with policy in SPPs that enables consideration of Utilities in all zones and no finite quantitative development standards.

LPS Mapping / Controls	Submission	Rationale
	- Allow subdivision for utilities	
ETIPC	Is mapped and applied to relevant transmission infrastructure	Consistent with policy in SPPs

4.2. Zoning

This review has identified that the Utilities Zone has not been applied to the Emu Bay Substation or the Hampshire Substation sites. Similarly, the Round Hill, Hampshire Substation and Companion Hill communication sites require rezoning to the Utilities Zone. The Utilities Zone should be applied to TasNetworks substation and communication sites as it appropriately reflects the primary purpose of the sites, is consistent with TasNetworks policy position and is in line with the State’s drafting Guidelines.

The introduction of the Landscape Conservation Zone has not been applied to any of TasNetworks assets which is supported.

4.3. Overlays: Natural Asset Code – Priority Vegetation Overlay

This review has identified that the Natural Asset Code – Priority Vegetation Overlay has been applied to the Burnie Substation site. Its application is not over developed areas of the site and therefore TasNetworks has no objection to this application.

The Priority Vegetation Overlay has been applied to the Round Hill Communications Site. This site is surrounded by three other communication assets that are all also cleared of vegetation. TasNetworks requests that the overlay be removed from the areas where infrastructure exists and that are cleared of native vegetation.

This is sought to recognise that vegetation management and clearance is required as a critical function of maintaining the safety of TasNetworks assets, and to recognise that vegetation removal is already approved in accordance with other Acts.

The Priority Vegetation Overlay applies to threatened vegetation communities as identified by Council. It is understood that the values determined by Council are based off the Regional Ecosystem Model and the data source is considered variable. Aerial imagery and confirms that the Overlay has been applied to portions of the site that are developed and cleared of vegetation.

Under the *Electricity Supply Industry Act 1996* and associated *Electricity Supply Industry Regulations 2008* vegetation clearance for the safe and reliable operation of electricity infrastructure is classified as ‘work of minor environmental impact’ and as such, is not

considered development for the purposes of LUPAA and is not subject to that Act in any way.

The SPP provides for vegetation clearance exemptions under Table 4.4. Relevant to TasNetworks this includes: Clause 4.4.1(b) *harvesting of timber or the clearing of trees, or the clearance and conversion of a threatened native vegetation community, on any land to enable the construction and maintenance of electricity infrastructure in accordance with the Forest Practices Regulations 2007.*

This exemption recognises that vegetation removal by TasNetworks is undertaken in accordance with an Environmental Management Systems (EMS) endorsed by the Forest Practices Authority. This endorsement recognises that TasNetworks EMS is sufficient to minimise the need for clearance and conversion of threatened native vegetation communities with respect to the construction and maintenance of its infrastructure.

TasNetworks also has agreement with Parks and Wildlife Services in relation to Reserve Activity Assessments – Electricity Entities Operation Plan. This Plan identifies works that do not require formal assessment and includes those that relate to existing infrastructure within the existing transmission infrastructure footprint.

TasNetworks submits that it is inconsistent with the *Electricity Supply Industry Act 1996* and SPP vegetation exemptions and more broadly Schedule 1 of LUPAA to apply the Priority Vegetation Overlay over the ETIPC Overlay Communication Site. The objectives of the planning process established under Schedule 1, Part 2 of LUPAA relevantly provides under subsection e) *to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals.*

4.4. Scenic Protection Overlay

This review has identified that the Scenic Protection Code Overlay – Tree Preservation Overlay has been applied to both lines in the east (TL 441 & TL445) and the western line (TL415). It is understood that this overlay has transitioned from the Interim Scheme as part of Schedule 6. TasNetworks would like to highlight the conflict between the purpose ETIPC and the Scenic Protection Code.

The purpose of the Scenic Protection Code is to recognise and protect landscapes that are identified as important for their scenic values. In accordance with the Commission's Guidelines the Code is applied where: *SPC2 The scenic protection area overlay and the scenic road corridor overlay should be justified as having significant scenic values requiring protection from inappropriate development that would or may diminish those values.*

The ETIPC Code Purpose is to:

- *To protect use and development against hazards associated with proximity to electricity transmission infrastructure.*

- *To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure.*
- *To maintain future opportunities for electricity transmission infrastructure.*

TasNetworks submits the Scenic Protection Overlay mapping is inconsistent with the ETIPIC purpose to retain electricity transmission infrastructure in these locations and to maintain future development opportunities. It also believes that applying this Code to the ETC is inconsistent with the application guidelines for these locations given the presence of TasNetworks transmission infrastructure and associated State based and SPP vegetation clearance exemptions for existing and future electricity infrastructure.

The removal of the Scenic Protection Code Overlay would also remove the perception of controls affecting this land. For example, under the ESI exemption TasNetworks can clear vegetation to the extent necessary for the protection of electricity infrastructure or public safety. It also has exemptions under the SPPs for vegetation clearance. Accordingly it can undertake vegetation clearance, notwithstanding the Code.

For works that do not have the benefit of these exemptions, it would be difficult to comply with the Scenic Protection Code standards. Further, these assets form part of a wider network that is essential to the safe and reliable provision of electricity to Tasmania which is recognised in the Northern Regional Land Use Strategy.

TasNetworks requests the Council support changes to the Scenic Protection Code in the SPPs to ensure that, where this Code intersects with an ETC, it does not apply to electricity transmission use and development in that ETC.

It is noted that this would require changes to the SPPs and if Council chooses to prepare a report in accordance with Section 35G of LUPAA, it would be greatly appreciated if these matters could be considered.

4.5. SAP and PPZ

The LPS may include provisions that modify the application of the SPPs to a particular area via the PPZ, SAP or site specific provisions. This review identifies that no such provisions apply to existing substation or communication sites.

The LPS provisions have also been reviewed to assess the potential impact on future Utilities use and development. This review has identified a number of amendments are required to the Heybridge Residential Nature Reserve SAP to allow for subdivision exemptions for utilities. The request is consistent with the SPP drafting conventions.

4.6. ETIPC

Transmission infrastructure assets are often protected within easements. These are not however always easily apparent to developers and land owners. The application of the ETIPC Overlay provides for the spatial protection of these assets and then the opportunity

for TasNetworks and developers to negotiate outcomes at the planning phase of a development. It also provides an opportunity to highlight the ongoing responsibilities associated with the easement.

TasNetworks has reviewed and has identified some discrepancies associated with how the substations are mapped within the ETIPC. TasNetworks can provide the correct data to council.

4.7. SPP Issues

Please note, this aspect of TasNetworks' representation should not be taken as a request to change or amend the SPPs. However, this information is provided to highlight fundamental land use conflict issues that could occur as each LPS implements the SPPs across the State.

4.7.1. Exemptions

In this representation, TasNetworks would like to highlight a failing in the SPPs that causes a fundamental conflict between existing electricity transmission easement rights and SPP Exemptions and will prevent implementation of the purpose of the ETIPC. This failing is resulting from not applying the Code, in particular, the Electricity Transmission Corridor (ETC) and Inner Protection Area (IPA) to certain exemptions that would:

- On almost every occasion, conflict with easement rights (and have the potential to impact human safety) and compromise the Purpose of the Code; and
- Unless managed appropriately, have the potential to conflict with easement rights (and have the potential to impact human safety) and the Purpose of the Code.

Where the Code does not apply, easement rights still exist but can only be enforced once a breach has occurred or (at best) is imminent. This can result in a costly process of removal or relocation and in the interim, could pose a safety risk. When the Code applies, it provides developers, Council and TasNetworks an opportunity to avoid or manage this issue early in the application process. See Appendix 1 for benefits that can be realised by considering electricity transmission assets in the planning process and conflict examples.

4.7.2. Scenic Protection Code

The Scenic Protection Code – Tree Preservation Overlay has been utilised within the draft Burnie LPS and applied to both transmission lines to the east of Burnie (TL 441 & TL445) and the line west of Burnie (TL415) as set out in Figure 2. The following corridors are impacted:

- Sheffield – Burnie 110kV (Line reference TL 441) which similarly extends east from the Burnie Substation linking within with (TL444). Identified in pink in Figure 2.
- Burnie – Smithton 110kV (Line reference TL 415) runs west from the Burnie Substation towards the municipal boundary. Identified in red in Figure 2.

- Burnie – Waratah 110kV (Line reference TL 445) extends from the south of the LGA boundary linking Hampshire Substation with Burnie Substation. Identified in light blue in Figure 2.

The Scenic Protection Code does not apply to sites in the Utilities Zone. As a result, assuming a Utilities zoning, TasNetworks' substations and communication sites are not subject to the application of this Code, thus supporting the continued and consolidated use and development of these sites for electricity infrastructure.

TasNetworks' recognises that a Council may wish to regulate other activities in the Electricity Transmission Corridor that could impact on scenic values. However, application of the Scenic Protection Code to new electricity transmission use and development within an existing electricity transmission corridor has a number of impacts in conflict with the continued use of these corridors:

- Does not recognise the already established vegetation clearance and scenic quality as a result.
- Does not recognise existing and continued use of these corridors, including vegetation clearance, for significant linear infrastructure on a state wide basis.
- Unreasonably diminishes the strategic benefit of the ETC.
- Devalues the substantial investment already made in the establishment of these corridors.
- Unreasonably fetters augmentation of existing corridors by imposing development standards relating to scenic protection to electricity transmission use and development in an existing electricity transmission corridor.
- Conflicts with the purpose of the ETIPC;
- Supports a misconception in the community that where the Scenic Protection Code (tree preservation) is applied, vegetation clearance will be limited, when in fact vegetation clearance for transmission lines is required and authorised by separate regulatory regimes in these locations.

If the Scenic Protection Code in the SPPs were amended to ensure that, where this Code intersects with an ETC, it does not apply to electricity transmission use and development in that ETC, these impacts could be largely mitigated. This approach recognises the presence of this substantial electricity infrastructure and:

- its place in a broader state-wide network that is essential to the safe and reliable provision of electricity to Tasmania (as recognised in the Regional Land Use Strategy);
- implements the purpose of the ETIPC;
- facilitates continued use or augmentation of existing corridors and ensures that future development (that is not otherwise exempt) can be efficiently provided.

The purpose of the Scenic Protection Code is to recognise and protect landscapes that are identified as important for their scenic values. In accordance with the Commission's

Guidelines the Code is applied where: SPC2 The scenic protection area overlay and the scenic road corridor overlay should be justified as having significant scenic values requiring protection from inappropriate development that would or may diminish those values.

The ETIPC Code Purpose is to:

- To protect use and development against hazards associated with proximity to electricity transmission infrastructure.
- To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure.
- To maintain future opportunities for electricity transmission infrastructure.

The application of the Scenic Protection Code to electricity transmission use and development in an ETC is inconsistent with the ETIPC purpose to retain electricity transmission infrastructure in these locations and to maintain future development opportunities.

For works that do not have the benefit of ESI exemptions, it would be difficult to comply with the Scenic Protection Code standards. Further, these assets form part of a wider network that is essential to the safe and reliable provision of electricity to Tasmania which is recognised in the Regional Land Use Strategy.

Please note that these issues have been previously raised and discussed with Meander Valley Council, Brighton Council and Central Coast Council and the Commissioners throughout the draft LPS assessment process and will continue to be raised as part of this process.

5. Amendments by Asset

It is noted that Burnie area is the likely favoured location to host the landing points and converter stations for Marinus Link.

5.1. Emu Bay Substation

The Emu Bay Substation is located at 15 - 17 Devon Street, South Burnie (CT109072/1 and CT251613/1 respectively). Within the Interim Scheme and the LPS the site is within the General Industrial Zone.

Subsequent to the provision of draft ETIPC mapping for inclusion on the LISTMap, Number 15 Devon Street (CT109072/1) has been strategically acquired to accommodate intended modifications to the existing substation to install a new switch gear building and associated infrastructure. The strategic acquisition of this land and future consolidation of titles aids the cost efficient implementation of necessary infrastructure replacement program thereby ensuring the delivery of safe and reliable electricity services.

As such, TasNetworks requests that the LPS be amended to apply the Utilities Zone to the Emu Bay Substation site. The Utilities zoning reflects the primary and future use of the site and is consistent with the zone application guidelines issued by the State.

The ETIPC has been applied to part of the site as shown in the following figure. TasNetworks requests that the Substation Facility and Substation Facility Buffer Area be amended to relate to the entire site (including both 15 and 17 Devon Street) as described above.

Further to this, TasNetworks notes that there is a slight discrepancy between the ETIPC layer in the LPS and the ETIPC Overlay on LISTMap, in particular how the borders of each layer are identified. TasNetworks requests that the LPS mapping be amended to reflect the ETIPC Overlay on LISTMap. TasNetworks can provide this data if required.



Figure 4 LPS Mapping – ETIPC Emu Bay Substation

5.2. Burnie Substation

The Burnie Substation is located at 38-40 Three Mile Line Road, Acton (CT132778/1). Within the Interim Scheme and the LPS the site is within the Utilities Zone which is supported by TasNetworks.

The ETIPC has been applied to the site as shown in the following figure. Similar to the Emu Bay Substation, TasNetworks notes that there is a slight discrepancy between this layer and the ETIPC Overlay on LISTMap, in particular how the borders of each layer are identified. TasNetworks requests that the LPS mapping be amended to reflect the ETIPC Overlay on LISTMap.

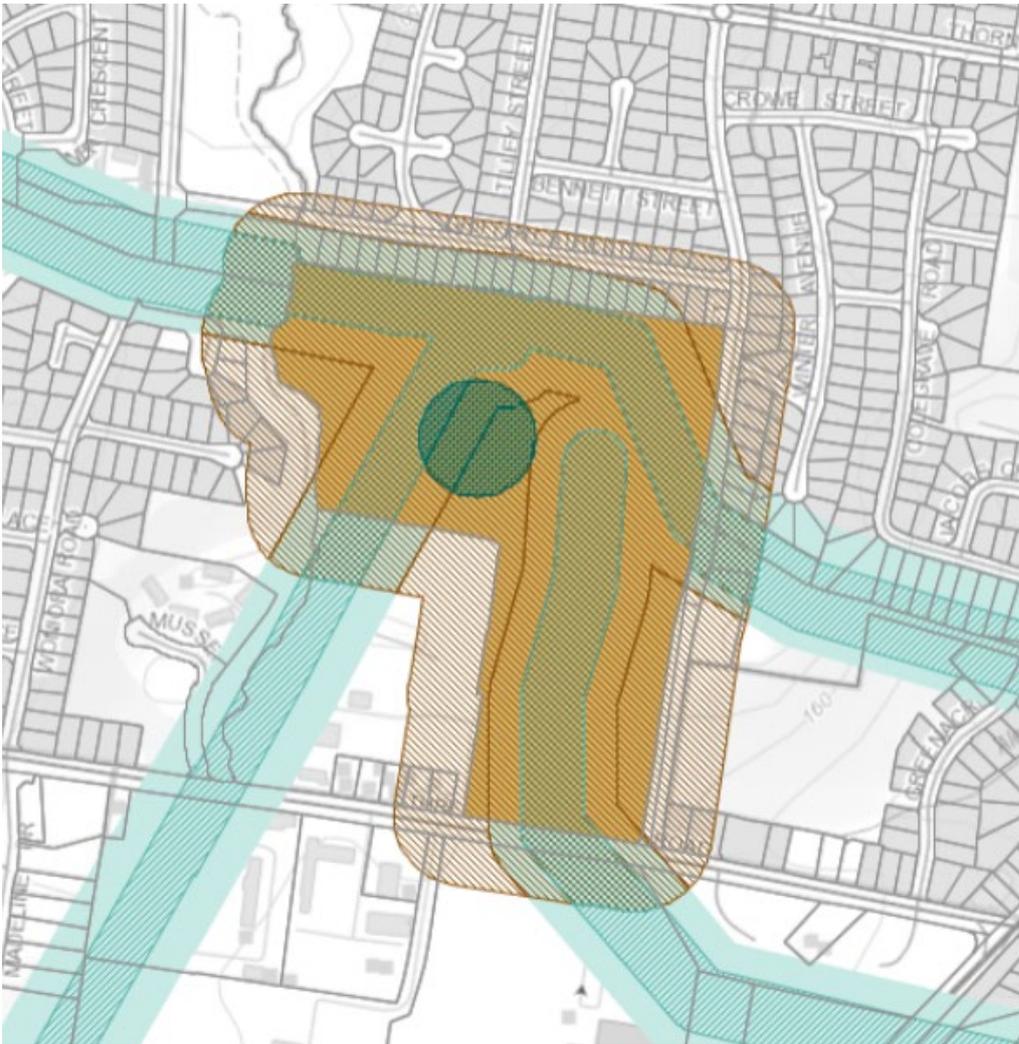


Figure 5 LPS Mapping – ETIPC Burnie Substation.

5.3. Hampshire Substation

The Hampshire Substation is located at 2753 Ridgley Highway, Hampshire (CT164460/1). The substation is not located on its own individual title, however, it is fenced and exclusively occupied for this purpose. The substation is zoned Rural within the LPS. TasNetworks requests that the Utilities Zone be applied to the site to reflect the primary and future use of the site. It is requested that the rezoning be applied to the Substation Facility area as defined in the ETIPC.

Similar to the requests for Emu Bay and Burnie Substation's TasNetworks requests that the ETIPC be amended to reflect the ETIPC Overlay on LISTMap.



Figure 6 LPS Mapping – ETIPC Hampshire Substation

Table 4 and Table 5 provide an overview assessment of the proposed LPS planning controls applied to the site against the TasNetworks planning policy position with respect to substations.

Table 4 Substation Policy Position Summary

Zoning	Overlay	SAP / PPZ	ETIPC
Zoned Utilities	Not applied <ul style="list-style-type: none"> - Scenic Protection (SP) - Priority Vegetation (PV) - where the site is cleared of native vegetation 	Not applied or <ul style="list-style-type: none"> - Utilities use is NPR, P or D. - No finite discretionary development standards 	Applied

Table 5 Substation Assessment Overview

Asset	Consistent with zone policy (Y/N)	Consistent with code (Overlay) policy (Y/N)	Amendment Required (Y/N)	Amendment Request
1. Emu Bay Substation	N	N	Y	<ul style="list-style-type: none"> - Rezone to Utilities (including adjoining title) - Amend substation buffers over both titles - Reflect ETIPC appropriately
2. Burnie Substation	Y	N	Y	<ul style="list-style-type: none"> - Reflect ETIPC appropriately
3. Hampshire Substation	N	N	Y	<ul style="list-style-type: none"> - Rezone site to Utilities - Reflect ETIPC appropriately

5.4. Communication sites

There are six communication sites operated by TasNetworks within Burnie LGA. Of these, Round Hill, Burnie Substation, Hampshire Substation and Companion Hill all form part of the electricity transmission communications backbone. TasNetworks has a regulatory obligation to provide this service. The electricity transmission communications backbone is required to enable communication between power generators and TasNetworks control room to ensure safe and reliable operation of the electricity transmission network in Tasmania. The other two communication sites, Emu Bay Substation and Burnie Three Mile utilise a fibre connection and therefore do not require the ETIPC to be applied and as such do not form part of this submission.

Table 6 provides an overview assessment of the proposed LPS planning controls applied to communication sites against TasNetworks communications policy.

The Round Hill Communication Site (CT132976/1) is zoned Environmental Management within the LPS. The site not located on an individual title and despite being cleared of native vegetation is subject to the Priority Vegetation Overlay and the Scenic Protection Area – Tree Preservation Overlay. Further the site is surrounded by three other communication towers. As such, it is requested that the site be rezoned to Utilities with the Priority Vegetation and Scenic Management overlays removed from the site where infrastructure exists and the site is cleared of native vegetation. As the site is not located on its own individual title it is requested that a 20m (radius) buffer area is used to accurately identify and apply the Utilities Zone. TasNetworks can provide this GIS data if required.

No amendment is proposed regarding how the Burnie Substation Communication Site is represented in the LPS.

The LPS includes an ETIPC Communication Buffer approximately three 3 km east of the Hampshire Substation at CT129871/6. This is incorrect and should be removed and a Communication Buffer should be applied to the Hampshire Substation site at 2753 Ridgley Highway, Hampshire (CT164460/1). TasNetworks can provide the correct GIS data. Zoning the Hampshire Substation to Utilities, as requested in the abovementioned section, will also zone the communications site Utilities.

Companion Hill Communication Site (CT164459/1) is zoned Rural within the LPS. The site is located on its own title owned by TasNetworks. It is requested that the LPS be amended to apply the Utilities Zone to this site.

The Utilities zoning is required for communication sites to ensure the future operation, maintenance modification and development requirements of the asset. This is particularly important for communications sites as these do not enjoy any ESI Act exemptions once established. The application of the Utilities Zone to these sites is consistent with Guideline No 1 Zone and Code Application issued by the State.

The following tables provide TasNetworks policy position regarding communication sites and the communication site assessment overview.

Table 6 Communication Site Policy Position Summary

Zoning	Overlay	SAP / PPZ	ETIPC
All communication sites to be zoned Utilities.	Not applied - Scenic Protection (SP) - Priority Vegetation (PV) - where the site is cleared of native vegetation	Not applied or - Utilities use is NPR, P or D. - No finite discretionary development standards	Applied to transmission communication backbone sites

Table 7 Communication Site Assessment Overview

Asset	Consistent with zone policy (Y/N)	Consistent with code (Overlay) policy (Y/N)	Amendment Required (Y/N)	Amendment Request
1. Round Hill	N	N	Y	- Rezone site to Utilities (20m radius) - Remove PV overlay

Asset	Consistent with zone policy (Y/N)	Consistent with code (Overlay) policy (Y/N)	Amendment Required (Y/N)	Amendment Request
				- Remove SP overlay
2. Burnie Substation	Y	Y	N	- No amendment required
3. Hampshire Substation	N	N	Y	- Rezone site to Utilities as per substation request - Remove current Communication Buffer and replace at Substation site.
4. Companion Hill	N	Y	Y	- Rezone site to Utilities

5.5. Electricity Transmission Corridors

There are five electricity transmission corridors that extend through the Burnie LGA. These include:

- Sheffield – Burnie 220kV (Line reference TL 504) which extends east towards the municipal boundary from Burnie Substation. Identified in blue in Figure 2.
- Sheffield – Burnie 110kV (Line reference TL 441) which similarly extends east from the Burnie Substation linking within with (TL444). Identified in pink in Figure 2.
- Emu Bay Spur 110kV (Line reference TL 444) extends north-south from Emu Bay Substation to TL 441 identified in purple in Figure 2.
- Burnie – Smithton 110kV (Line reference TL 415) runs west from the Burnie Substation towards the municipal boundary. Identified in red in Figure 2.
- Burnie – Waratah 110kV (Line reference TL 445) extends from the south of the LGA boundary linking Hampshire Substation with Burnie Substation. Identified in light blue in Figure 2.

These corridors are identified in Figure 2 and are located within the LPS ETIPC Overlay Electricity Transmission Corridor and Inner Protection Area mapping which is supported by TasNetworks.

Some corridors are identified for augmentation as part of the North West Transmission Upgrades Project refer to Section 3.3 of this submission for more information and Figure 3.

The Burnie area is also the likely favoured location to host the landing points and converter stations for Marinus Link.

There are a range of zones applied to the land underneath these corridors and as the SPP allows for consideration of Utilities in all zones this is acceptable to TasNetworks.

However, the Scenic Protection Code – Tree Preservation Overlay has been applied to both lines in the east (TL 441 & TL445) and the western line (TL415). It is understood that this overlay has transitioned from the Interim Scheme in accordance with Schedule 6 of LUPAA. TasNetworks has highlighted a number of issues created by the application of this Code where the ETPIC has also been applied in Section 4.7.2 of this submission. It is noted that if the suggested approach is supported, this would require changes to the SPPs and if Council chooses to prepare a report in accordance with Section 35G of LUPAA, it would be greatly appreciated if these matters could be considered, particularly with respect to changes to the Scenic Protection Code in the SPPs to ensure that, where this Code intersects with an ETC, it does not apply to electricity transmission use and development in that ETC.

5.6. Particular Purpose Zones and Specific Area Plans

The following table provides an overview of TasNetworks policy position regarding Particular Purpose Zones (PPZ) and Specific Area Plans (SAP).

Table 8 PPZ and SAP Policy Position Summary

Application	Policy
Use Standards in PPZ or SAP	<ul style="list-style-type: none"> - Use Class for Utilities or Minor Utilities must be either NPR, P or D. Must not be Prohibited - Use standards must include Utilities as an excluded use (e.g hours of operation)
Development Standards in PPZ or SAP	<ul style="list-style-type: none"> - Are not drafted without a discretionary approval pathway (e.g not include an absolute height limit) - Allow subdivision for Utilities use in all zones

The LPS includes two SAPs

- BUR-S1.0 Heybridge Residential Nature Reserve Specific Area Plan; and
- BUR-S2.0 Burnie Town Centre Parking Specific Area Plan.

Neither of these SAP’s have been applied over a substation or communication site. However, the Heybridge Residential Nature Reserve SAP intersects with both 110kV (TL441) and 220kV (TL504) Sheffield – Burnie Lines near Maydena Road, Stowport.

It is understood that both of the SAPs have been introduced through the LPS as the Interim Scheme did not include any SAPs.

The following provides an assessment of the SAPs within the LPS. No amendment is required to BUR-S2.0 Burnie Town Centre Parking SAP however, clarification is required regarding the definition of terms within the BUR-S1.0 Heybridge Residential Nature Reserve SAP as well as amendments to the subdivision standards. These amendments are in line with the SPP drafting conventions.

Table 9 SAP Assessment Overview

Instrument	Clause	Amendment requested or Clarification required
BUR-S1.0 Heybridge Residential Nature Reserve SAP	1.7.3 Landscape protection A2	Clarification required: Neither the SAP, LPS nor the SPPs provide a definition for “electricity supply” or “telecommunication cable”. As such TasNetworks is unable to determine if this clause applies to our services. For shared network assets and/or development undertaken by TasNetworks this provision should not apply.
	1.8.1 Subdivision A1	Amendment requested (in <i>italics</i>): <i>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must contain an areas shown as “Zone A” on sealed plan to: ...</i>
	A3	Amendment requested (in <i>italics</i>): <i>Excluding for public open space, a riparian or littoral reserve or Utilities, the timing of subdivision for hamlet 5 on the approved subdivision plan...</i>
	1.8.2 A1	Amendment requested (in <i>italics</i>): <i>Excluding for public open space, a riparian or littoral reserve or Utilities, work associated with subdivision in a priority vegetation area must ...</i>

6. Appendix

6.1. Appendix 1 SPP Issues

In addition to TasNetworks' request regarding the Scenic Protection Code application, this appendix outlines the benefits of considering electricity transmission assets in the planning process for new development

The following benefits can be realised if impact on electricity transmission assets are considered in the planning process. (See Table 1 for the list of relevant exemptions):

- Removes the incorrect perception that buildings and other works exempt under the SPPs can safely occur in a transmission line or underground cable easements without the need to consider asset easement rights or operational requirements.
- Empowers the Planning Authority to request further information, condition or refuse a development that conflict with the Code requirements and Purposes.
- Saves developers, Councils, TasNetworks and the community time, cost and distress associated with easement right enforcement after a building, structure or other works have either commenced construction or have been built.
- Reflects the reality with respect to what can and cannot safely occur in an electricity easement.
- Saves developers project delay and cost required as a result of reworking proposals to ensure easement rights are not compromised later in the process.
- Increases the chances of considering the impact of new development on electricity assets early in the planning assessment process, before significant expenditure on project preparation has occurred.
- Prevents land use conflict between existing critical electricity transmission assets and new development.
- Protects human safety.
- Aligns the planning considerations and electricity easement rights.
- Avoids increased acquisition or construction cost for future assets as a result of encroachment (eg: dwelling encroachments within strategically beneficial easements may not cause operational issues for existing assets. However, dwelling acquisition and increased community and social impact of processes required to remove dwellings in the easement if it is required later can be avoided if encroachment is prevented in the first place.

- Supports compliance with AS 7000.
- The strategic benefit of existing electricity easements and the strategic purpose of the Code is preserved.

Conflict Examples

Table 1 presents examples of exempt development where TasNetworks believes conflict with easement rights can occur.

Colour coding indicates the following:

Conflicts with easement rights and may be capable of management to ensure appropriate alignment with easement rights.
Conflicts with easement rights. In almost all cases, this exemption will pose a safety and operational hazard for overhead and underground transmission lines and cables.

Table 1 Exemptions and land use conflict with electricity transmission assets

SPP exemption	Comment
4.3.6 unroofed decks	<p>If not attached to a house and floor level is less than 1m above ground level.</p> <p>A deck of this nature can pose an impediment to safe access and due to other exemptions can be roofed without further assessment which is in conflict with easement rights and could compromise safety.</p> <p>A deck over the operational area required for an underground cable would always be unacceptable.</p>
4.3.7 outbuildings	<p>One shed: up to 18m², roof span 3m, height 2.4m, fill of up to 0.5m.</p> <p>Up to two shed: 10m², sides 3.2m, height 2.4m.</p> <p>Similar to PD1.</p> <p>This type of building almost always poses a safety and operational hazard for transmission lines, cables and human safety.</p> <p>This type of building over the operational area required for an underground cable always poses an unacceptable safety risk.</p>
4.3.8 outbuildings in Rural Living	4.3.8

SPP exemption	Comment
Zone, Rural Zone or Agriculture Zone	<p>Provides for an unlimited number of outbuilding per lot as follows: Floor area 108m², height 6m, wall height 4m.</p>
4.3.9 agricultural buildings and works in the Rural Zone or Agriculture Zone	<p>Already subject to the Local Historic Heritage Code.</p> <p>Slightly broader than PD1.</p> <p>4.3.9</p> <p>New and broader than PD1 exemptions.</p> <p>Provides for unlimited number of outbuilding per lot as follows: Must be for agricultural use, floor area 200m², height 12m.</p> <p>Already subject to the Local Historic Heritage Code and the Scenic Protection Code.</p> <p>TN COMMENT:</p> <p>These exemptions create a new and potentially more dangerous conflict with electricity transmission lines and cables where a larger and higher building can be constructed in an electricity transmission easement without the need for planning approval.</p> <p>Buildings of this nature can severely impede TasNetworks' ability to safely access, operate and maintain electricity transmission lines. If built, these buildings could also present a threat to human safety.</p> <p>As a result, in almost all cases, if built, buildings covered by these exemptions would necessitate the enforcement of easement rights, either during or after construction and after the planning and building (exemption), process has occurred. This will likely mean relocating the proposal, a further planning assessment and added cost and time to a development.</p> <p>The nature of electricity transmission line assets (ie: running from isolated generation locations into populated areas) means the zones mentioned in this exemption are almost certain to contain (and appropriately so) electricity transmission assets. The cost of removing substantial agricultural buildings from easements required for new assets also adds to future asset construction costs.</p>

SPP exemption	Comment
4.3.11 garden structures	<p>Unlimited number, 20m², 3m height max. Already subject to the Local Historic Heritage Code.</p> <p>If not managed appropriately, this type of structure has the potential to compromise clearances and the safe and reliable operation of transmission lines and underground cables. Depending on location within an easement, could also present a threat to human safety.</p> <p>Cost of removal is limited, however still requires post breach enforcement of easement rights.</p>
4.5.1 ground mounted solar energy installations	<p>Each installation can be 18m² area. Already subject to the Local Historic Heritage Code.</p> <p>This type of activity has the potential to compromise clearances or adversely impact easement access (especially during emergency repair conditions).</p>
4.5.2 roof mounted solar energy installations	<p>Already subject to the Local Historic Heritage Code. This would likely only apply to existing buildings within easements.</p> <p>Encroachment is likely existing, however, this exemption has the potential to compromise clearances in what may be a compliant situation.</p>
4.6.8 retaining walls	<p>4.6.8 Allows for retaining 1m difference in ground level. This exemption is already subject to the Local Historic Heritage Code and the Landslip Hazard Code. Reflects what was in PD1.</p>
4.6.9 land filling	<p>4.6.9 Allows for filling of up to 1m above ground level. This exemption is already subject to the Natural Assets Code, Coastal Erosion Hazard Code, Coastal Inundation Hazard Code, Flood-Prone Areas Hazard Code and Landslip Hazard Code. Reflects what was in PD1.</p> <p>TN COMMENT:</p> <p>This type of activity has the potential to compromise ground clearances for existing transmission lines and safe operational separation for underground transmission cables. Subject to appropriate management, this type of activity can usually occur within transmission line easements, however, may pose a more challenging risk for underground cables.</p>

SPP exemption	Comment
4.6.13 rain-water tanks	Rainwater, hot water & air conditioner exemptions with the 1.2m stand were already included in PD1 and were carried through to the draft and finalised SPPs.
4.6.14 rain-water tanks in Rural Living Zone, Rural Zone, Agriculture Zone or Landscape Conservation Zone	This was one exemption in the draft SPPs and was modified by the Commission into four exemptions. TasNetworks requested the original exemption be subject to the Code. 4.6.13: attached or located to the side or rear of a building and can be on a stand height 1.2m high. Subject to the Local Historic Heritage Code.
4.6.15 fuel tanks in the Light Industrial Zone, General Industrial Zone, Rural Zone, Agriculture Zone or Port and Marine Zone	4.6.14 attached or located to the side or rear of a building with no height limit. Subject to the Local Historic Heritage Code. 4.6.15 no height limit, no requirement is be located near a building. Limited when storage of hazardous chemicals is of a manifest quantity and Coastal Erosion Hazard Code, Coastal Inundation Hazard Code, Flood-Prone Areas Hazard Code, Bushfire-Prone Areas Code or Landslip Hazard Code, applies and requires a permit for the use or development.
4.6.16 fuel tanks in other zones	4.6.16 must be attached or located to the side or rear of a building, max 1kL capacity, on a stand up to 1.2m high and subject to the Local Historic Heritage Code. TN COMMENT: These exemptions allow for water tanks on stands and some have no height limit. These developments have the potential to compromise access to the easement, compromise ground clearances for existing transmission lines and safe operational separation for underground transmission cables. Depending on location in the easement, these developments could pose a threat to human safety. Subject to appropriate management, this type of activity may occur within transmission line easements, however, may pose a more challenging risk for underground cables.