

354/20 REPORT – WEST COAST COUNCIL DRAFT LOCAL PROVISIONS SCHEDULE – 35F REPORT

Title:	Tasmanian Planning Scheme: West Coast Council Draft Local Provisions Schedule – 35F Report
Reporting Officer:	Manager of Planning and Compliance
Approving Manager:	General Manager
Appendices:	1. Attachment 1 Part A: Summary of Representations and Attachment 1 Part B: Recommended Modifications to the West Coast Draft Local Provisions Schedule 2. Attachment 2: Copies of all Representations

Purpose

The draft West Coast Local Provisions Schedule (draft LPS) as required by the *Land Use Planning and Approvals Act 1993* (the Act) is for inclusion into the Tasmanian Planning Scheme. The draft LPS was on public exhibition for 60 days from 17 August 2020 to 17 October.

The report considers the representations made under section 35E(1) of the Act and the merit of the representations. The report, prepared in accordance with the requirements of section 35F of the Act, recommends that the draft LPS ought to be modified to take account of the representations received.

The Council must provide the report to the Tasmanian Planning Commission (the Commission) within 60 days after the conclusion of the public exhibition period. The 60 day period expires on 16 December 2020. The Commission has granted an extension of time until 15 January to allow Council to fulfill its legislative requirements.

A recommendation with respect to section 35G, notifying that an amendment to the SPPs is required, is not recommended.

Background

The Tasmanian Parliament legislated in December 2015 the Tasmanian Planning Scheme (TPS), replacing the current planning schemes covering each municipal area. The TPS comprises two parts; the State Planning Provisions (SPPs) and the Local Provisions Schedule for each municipal area.

The SPPs were exhibited in March 2016. After a review of the representations (approximately 294) received during the public exhibition period, the Commission reported to the former Minister for Planning and Local Government. The former Minister considered the report and endorsed the amended SPPs. The SPPs came into effect on 2 March 2017. Minor amendments have since been made to the SPPs, and this came into effect on 19 February 2020.

The draft LPS establishes how the SPPs will apply to the municipal area of the Council. The TPS and the draft LPS, when approved, will replace the West Coast Interim Planning Scheme 2013 (WCIPS).

At its ordinary meeting on 25 August 2020, the Council endorsed the draft LPS including:

- Written Instrument;
- Zone Maps;
- Overlay Maps; and
- Supporting Report.

The draft LPS was submitted to the Commission after it was endorsed by the Council. Consequently, a post lodgement conference was held on 18 December 2019 with the Commission in Hobart. In

response to the latter, modifications to the draft LPS were made. Council considered these modifications at its ordinary meeting on 23 March. An electronic copy of the endorsed amended draft LPS was sent by the Council to the Commission.

On 24 July 2020, the Commission directed Council to exhibit the draft LPS for the statutory 60-day exhibition period required under the Act.

Statutory Requirements

Following the statutory public exhibition of the draft LPS (as per sections 35C and 35D of the Act), the Council must prepare a report to the Commission. The report is to consider all representations received within the public exhibition period and assess the merit of each of the representations received by the Council.

The legislative requirements are set out under section 35F of the Act. Section 35F is reproduced below.

35F report by planning authority to the Commission about exhibition

- (1) A planning authority, within 60 days after the end of the exhibition period in relation to a draft LPS in relation to the municipal area of the planning authority or a longer period allowed by the Commission, must provide to the Commission a report in relation to the draft LPS.*
- (2) The report by the planning authority in relation to the draft LPS is to contain –*
 - (a) a copy of each representation made under [section 35E\(1\)](#) in relation to the relevant exhibition documents in relation to the draft LPS before the end of the exhibition period in relation to the draft LPS, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and*
 - (b) a copy of each representation, made under [section 35E\(1\)](#) in relation to the relevant exhibition documents in relation to the draft LPS after the end of the exhibition period in relation to the draft LPS, that the planning authority, in its discretion, includes in the report; and*
 - (ba) a statement containing the planning authority's response to the matters referred to in an LPS criteria outstanding issues notice, if any, in relation to the draft LPS; and*
 - (c) a statement of the planning authority's opinion as to the merit of each representation included under [paragraph \(a\)](#) or [\(b\)](#) in the report, including, in particular, as to–*
 - (i) whether the planning authority is of the opinion that the draft LPS ought to be modified to take into account the representation; and*
 - (ii) the effect on the draft LPS as a whole of implementing the recommendation; and*
 - (d) a statement as to whether it is satisfied that the draft LPS meets the LPS criteria; and*
 - (e) the recommendations of the planning authority in relation to the draft LPS.*
- (3) Without limiting the generality of [subsection \(2\)\(e\)](#), the recommendations in relation to a draft LPS may include recommendations as to whether–*
 - (a) a provision of the draft LPS is inconsistent with a provision of the SPPs; or*

- (b) *the draft LPS should, or should not, apply a provision of the SPPs to an area of land; or*
- (c) *the draft LPS should, or should not, contain a provision that an LPS is permitted under [section 32](#) to contain.*

Public Exhibition

In accordance with the requirements of the Act, the draft LPS was made available for public exhibition for a period of 60 days. The public or interested persons could inspect all documentation, written instrument, zone and overlay maps and priority vegetation data. Any interested person could make a representation concerning the content of the draft LPS. Representations were invited from 17 August 2020 until the close of business on 16 October 2020.

Under sections 35C and 35D of the Act, the Council informed the public of the exhibition of the draft LPS. The notifications included:

- (a) Newspaper notifications published in the Advocate Newspaper on Saturday 15 August 2020 and Saturday 22 August 2020;
- (b) the relevant documents were available for inspection at:
- (i) the Council offices, 11 Sticht Street, Queenstown;
 - (ii) Council's agencies, Strahan Post Office, Zeehan Post Office, Tullah Post Office and the Rosebery District High School;
 - (iii) Via the Council's website.

In addition to the statutory requirements, an interactive map tool prepared by Insight GIS was made available for viewing via the Council's website. The interactive map tool enabled a user to identify the applicable zones and codes applying to a property of interest.

During the public exhibition period, the Council planning staff were made available to respond to queries and provide further advice to any interested person. Assistance was available via email, phone, or appointments.

Outstanding issues notice

There are no outstanding issues notice issued by the delegates of the Commission pursuant to section 35(F)(ba).

Representations

The Council received eleven (11) representations during the statutory public exhibition period. The representations received are listed below.

1	TasWater	Request the zoning containing two water reservoirs at Zeehan to be modified, applying the Utilities Zone instead of the Rural Zone.
2	Department of Police, Fire and Emergency Management	Specifically, comment on the Flood Prone Areas Hazard Code and advises of studies undertaken.
3	Tullah Progress Association	Requests inclusion of: <ul style="list-style-type: none"> • additional properties in the Local Business Zone at Tullah; and • the application of the General Residential Zone to land south of Selina Street and west of Murchison Highway.

4	West Coast Wilderness Railway	Request that the General Residential Zone applying to the workshop in Queenstown be amended to Light Industrial Zone or Local Business Zone.
5	TasRail	Request to apply the Utilities Zone to the Melba Flats Siding.
6	Bob Brown Foundation	Request applying the Environmental Management Zone to the land encompassed by the Permanent Timber Production Zone and the Future Potential Production Forest due to the values and attributes set out in Guideline 1 demonstrating that the Landscape Conservation Zone should be applied.
7	Department of State Growth	State Growth advises that: <ul style="list-style-type: none"> the Council has applied the State Road Casement correctly to all State roads within the municipality; supports the classification of Anthony Main Road, a Category 5 road, as 'other major road' under the Code; supports the spatial application to the Utilities zoning of the majority of the West Coast Wilderness Railway but notes omissions and considers the General Residential Zone is not consistent with the existing use or likely future use and development and requests a revision.
8	Hydro Tasmania	Requests that the properties containing Hydro Tasmania Infrastructure be zoned Utilities where the Rural Zone or Environmental Management Zone is applied in the draft LPS.
9	Mr Kim Lai, Ms Jane Bennett, Mr Aaron Chen, Mr Greg Clark, Skyridge Pty Ltd	Representation is concerned with six large properties in Tullah Village and the original Town Grant, formerly servicing 68 residences and Hydro Tasmania offices. The representation raises concern with the application of the Rural Zone, General Residential Zone, and Local Business Zone. Requests alternative zones are applied in Tullah.
10	TasNetworks	Requests: <ul style="list-style-type: none"> application of the Utilities Zone to recognise TasNetworks infrastructure; corrections to the Electricity Transmission Infrastructure Protection Code; and modifications to the C7.0 Natural Assets Code – Priority Vegetation Overlay.
11	Steve de Villiers	Requests that the properties at 56 and 37 Farrell Street, Tullah apply do not apply the General Residential Zone.

The assessment of each representation and associated recommendations in response to the matters raised is provided in Attachment 1 – Part A.

A copy of each representation is enclosed in Attachment 2.

LPS Process

The process of the LPS provided by the Act is set out in Figure 1. The diagram highlights the current active stage of the process.

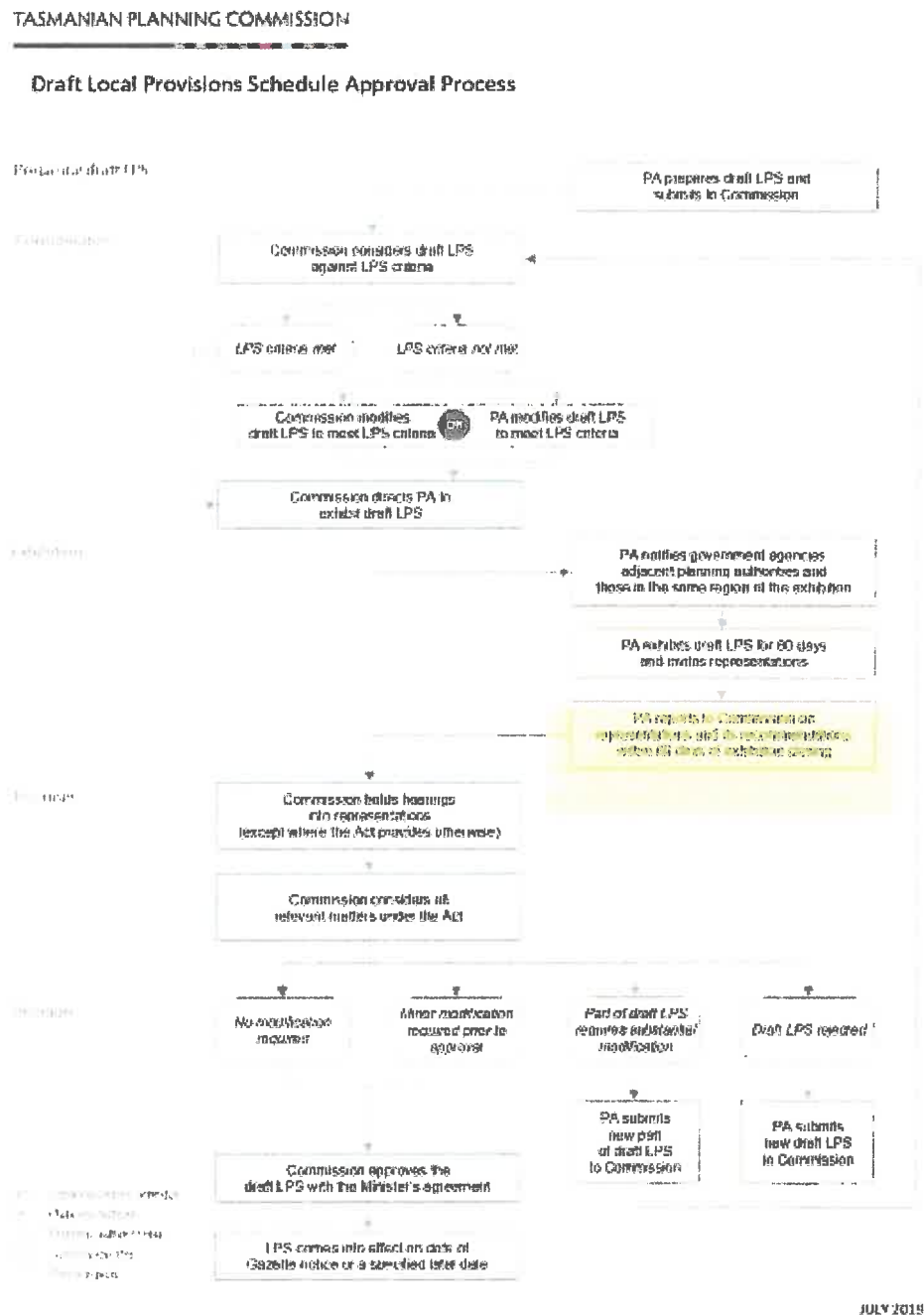


Figure 1: Draft Local Provisions Schedule Approval Process (source: Tasmanian Planning Commission)
https://www.planning.tas.gov.au/_data/assets/pdf_file/0009/374958/Draft-local-provisions-schedule-approval-process-flowchart.pdf

Discussion

The draft LPS has been prepared in accordance with the requirements of the Act. The draft LPS, including the written document, the application of zones and overlays must satisfy the criteria set out in section 34 (2) of the Act. The LPS criteria in section 34(2) are reproduced below.

34(2) LPS criteria

- (2) *The LPS criteria to be met by a relevant planning instrument are that the instrument –*
- (a) contains all the provisions that the SPPs specify must be contained in an LPS; and*
 - (b) is in accordance with [section 32](#); and*
 - (c) furthers the objectives set out in [Schedule 1](#); and*
 - (d) is consistent with each State policy; and*
 - (da) Satisfies the relevant criteria in relation to the TPP's (Tasmanian Planning Policies); and*
 - (e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*
 - (f) has regard to the strategic plan, prepared under [section 66 of the Local Government Act 1993](#), that applies in relation to the land to which the relevant planning instrument relates; and*
 - (g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*
 - (h) has regard to the safety requirements set out in the standards prescribed under the [Gas Pipelines Act 2000](#).*

Prior to the draft LPS being released for public exhibition, the Commission had to be satisfied that the above criteria of the Act were met. After the post lodgement meeting with the Commission in December 2019, modifications were made to the draft LPS. The Council endorsed these modifications at its ordinary meeting of 23 March 2020. After that, the Commission instructed the Council to place the draft LPS on public exhibition as the draft LPS satisfied the criteria.

If changes to the draft LPS are endorsed by Council as a result of the representations received, these will need to be appropriately justified and reassessed by the Commission against the LPS criteria.

The Commission will also have regard to Guideline No. 1 Local Provisions Schedules: zone and code application (Guideline 1) concerning any changes made to the draft LPS. Guideline 1 was issued by the Commission in accordance with s.8A of the Act.

Strategic considerations and Modifications to the draft LPS following public exhibition

A small number of the representations received are strategic and require careful consideration before any recommendations to the spatial application of zones or overlays are modified. The critical challenge in preparing the draft LPS has been striking the balance of addressing the strategic land use planning considerations versus a translation of the zones in accordance with Guideline 1.

The Council, in its previous determinations of the draft LPS, made a deliberate choice not to review the zoning to address the broader strategic land use planning matters identified. However, it is recognized that whilst important, were not suited for integration as part of the draft LPS process in this instance. The decision by the Council to leave the broader strategic matters was based on the consistent advice given by the current and former Minister for Planning and Local Government. The Minister's Advisory Statement, made in June 2017, illustrates this point:

"The current process of preparing draft LPS's is to give effect to the TPS is a priority of the Government and efficient conversion of current interim planning schemes to the LPSs and should not be unnecessarily complicated by the introduction of strategic changes that are not related to the facilitation of that process."

The representations made provided important feedback. Modifications sought by the representations are recommended where there is an apparent and compelling justification for changes to the draft LPS. These changes must also be directly supported by Guideline 1 and demonstrate that the LPS criteria are satisfied.

A summary of the recommended modifications to the draft LPS is included as Attachment 1 - Part B.

The integration of strategic land use planning matters in this late part of the process will further delay the draft LPS. If the Council chooses to implement any significant changes, the Commission will likely reject the draft LPS. The Council risks resetting the process and will be most likely instructed by the Commission to place the draft LPS on public exhibition for a second time.

Council, of course, on completion of the draft LPS, can consider future amendments to the LPS after it is made to address the broader strategic land use planning issues, and this is encouraged. Additionally, while Council may not choose to amend the draft LPS in line with all the matters raised in each representation, the representor will have the further opportunity to present the merits of their representation at a public hearing held by the Commission. The recommendations made by the Council in the report are, therefore, not the final outcome of the draft LPS.

Following the endorsement of Council's report, the Commission will assess the representations and facilitate public hearings (refer to Figure 1 for the draft LPS process) at a later date.

Representations concerning the SPPs

The Council pursuant to section 35G, may notify the Minister as to whether an amendment of SPPs is required. The representations touch on matters concerning the SPPs. Matter raised regarding the required amendment of SPPs are addressed for the relevant representation in Attachment 1 – Part A.

The nature of issues raised does not warrant Council to submit a section 35G report. A specific recommendation is, therefore, not included for Council's determination.

Policy Implications

A planning instrument is a regulatory instrument for translating strategic and policy considerations relevant to the use, development, and protection of land into enforceable rules. The policy considerations that inform the preparation of a draft LPS are set out in section 34(2) of the Act and Guideline 1.

Financial Implications

Council, as the planning authority, has a statutory obligation to prepare and maintain a planning scheme for its municipal area. This includes costs associated with advertising as required by the Act. A portion of the costs associated is drawn from the operating budget of the Council.

Risk Implications

As reported previously, the risks associated with the preparation and submission of the draft LPS are low. The main risk is associated with potential delay if strategic changes are made to the draft LPS.

Consultation Process

Nil

Conclusion

The report, including Attachments 1 (Parts A and B) and Attachment 2, is in response to the representations made during the public exhibition of the draft West Coast LPS. The report has assessed each representation and accordingly has recommended modifications to the draft LPS. The report is prepared in response to the requirements of section 35(F) and is suitable for submission to the Tasmanian Planning Commission.

Moved Cr Gerrity /Seconded Cr Shea



That Council in its role as planning authority –

- a) determines in accordance with section 35(F) of the Land Use Planning and Approvals Act 1993 that it endorse and submit to the Tasmanian Planning Commission the report about public exhibition of the draft West Coast Local Provisions Schedule, which includes:
 - (i) as set out in Attachment 1 – Part A, the Planning Authority's consideration of the received representations including opinions as to the merit of each representation and any subsequent recommendation for modification of the draft LPS;
 - (ii) as set out in Attachment 1 – Part B, the Planning Authority's recommended modifications to the draft LPS following the exhibition period made in accordance with section 35F(2)(c) and 35F(2)(e) of the *Land Use Planning and Approvals Act 1993*;
 - (iii) a copy of each representation received during the public exhibition period (as enclosed as Attachment 2); and
 - (iv) determination that the draft LPS (including those recommendations described in Attachment 1 – Part A and B) satisfies the local provisions schedule criteria set out under section 34(2) of the Land Use Planning and Approvals Act 1993.

The Mayor advised that he agreed there was a need for some rezoning in Tullah, saying to try and do that within these local provisions we would not be successful. Council will revisit in the near future and put forward an argument for rezoning.

The Motion was PUT and Carried Unanimously

Attachment 1 - Part A, Summary of Representations

Representation 1	
Summary of matters raised	<p style="text-align: right;">TasWater</p> <p>TasWater infrastructure (water storages that fit the definition of Utilities) identified as Zeehan Steel Service Reservoir & Concrete Reservoir (PID 3279158). The Rural Zone applies to PID 3279158 in the draft LPS</p>
Planning Authority's response	 <p>Figure 1: Aerial photograph of Zeehan showing PID 3279158 (blue outline)</p>  <p>Figure 2: PID 3279158, showing the three cadastral parcels containing TasWater the Zeehan Steel Service Reservoir & Concrete Reservoir.</p>

Attachment 1 - Part A, Summary of Representations

	<ol style="list-style-type: none"> 1. The representation requests the spatial application of the Utilities Zone to two reservoirs located to the north of the Zeehan. The exhibited draft LPS has applied the Rural Zone. 2. The site (three cadastral parcels) identified in PID 3279158, is zoned Rural Resource in the West Coast Interim Planning Scheme 2013. 3. <i>Guideline No.1, Local Provisions Schedule (LPS): zone and code application (Guideline 1)</i> is dated June 18 was approved by the Minister for Planning and Local Government, guiding the preparation of the draft LPS. 4. The Utilities Zone, as per UZ 4 of Guideline 1, may be applied to land water storage facilities for water supply directly associated with major utility infrastructures, such as dams or reservoirs. 5. The reservoirs are considered water storage facilities as referred to in UZ 4 of Guideline 1. 6. in accordance with Guideline 1, a modification to the draft LPS is recommended to revise the TasWater Infrastructure zoning. 7. The application of the Utilities Zone is consistent with other properties containing TasWater infrastructure.
Recommended Action	<p>The draft LPS be modified to apply the Utilities Zone to:</p> <ol style="list-style-type: none"> 1. 'Zeehan Steel Service Reservoir & Concrete Reservoir' (PID 3279158)
Effect of recommendation on the draft LPS	<p>The draft LPS as a whole is not affected as a result of implementing the recommendation. The requested change is in accordance with Guideline 1. The draft LPS satisfies the criteria as per section 34(2).</p>

Attachment 1 - Part A, Summary of Representations

Representation 2	Department of Police, Fire and Emergency Management - State Emergency Services															
Summary of matters raised	<p>Flood-prone areas hazard</p> <p>The State Emergency Services notes that the draft LPS incorporates Flood-Prone Areas Hazard Overlay is based on dataset obtained from the Tasmanian Government's Hydarea Type I – Flood plain data subset.</p> <p>The representation notes that there are three reports that have collected data with respect to flood-prone areas:</p> <ul style="list-style-type: none">• West Coast Council - Pieman River Flood Evacuation Plan 2013 (prepared by Entura);• Strahan Flood Mitigation Report for the West Coast Council/2007 (prepared by WE. Enkelaar Pty Ltd); and• A report prepared for Copper Mines of Tasmania by GHD in 2015. <p>The data held in these reports could be incorporated into the draft LPS to inform the preparation of a Flood-Prone Areas Hazard Code overlay map.</p> <p>Coastal inundation hazards</p> <p>SES notes that the draft LPS has incorporated the Coastal Inundation Hazard Code and Overlay. The Code overlay mapping, and Code list in WCO - Table C1.1.1 - Coastal Inundation Hazard Bands AHO Levels, have been informed by appropriate the data source, (Coastal Hazards Technical Report, prepared by the Department of Premier and Cabinet (DPAC) in 2016), and prepared in accordance with the TPC Guideline No. 1 - Local Provisions Schedule (LPS); zone and code application.</p> <p>SES recommends that an additional row be included in the draft LPS Written Document, WCO- Table C11.1 - Coastal Inundation Hazard Bands AHO Levels, to account for land affected by the Coastal Inundation Areas Hazard but not included as part of a named locality in the list. This-additional information is consistent with the DPAC Coastal Hazards Technical Report as follows:</p> <table><tr><th>Locality</th><th>High Hazard Band (m AHD)</th><th>Medium Hazard Band (m AHD)</th><th>Low Hazard Band (m AHD)</th><th>Defined Flood Level (m AHD)</th></tr><tr><td>Sea Level Rise 2050</td><td></td><td>1% annual exceedance probability 2050 with freeboard</td><td>1% annual exceedance probability 2100 (design flood level) with freeboard</td><td>1% annual exceedance probability 2100</td></tr><tr><td>All other localities</td><td>0.8</td><td>1.9</td><td>2.5</td><td>2.2</td></tr></table>	Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined Flood Level (m AHD)	Sea Level Rise 2050		1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100	All other localities	0.8	1.9	2.5	2.2
Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined Flood Level (m AHD)												
Sea Level Rise 2050		1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100												
All other localities	0.8	1.9	2.5	2.2												


Attachment 1 - Part A, Summary of Representations

	<p>Zones</p> <p>SES notes that there are view changes in zoning from the West Coast Interim Planning Scheme to the draft LPS and supports the use of zones that provide for the management of density in flood-prone and coastal inundation hazardous areas.</p>
Planning Authority's response	<p>Flood-prone area hazards</p> <ol style="list-style-type: none"> 1. Flood-Prone Areas Hazard Overlay is based on dataset obtained from the Tasmanian Government's Hydarea Type 1 – Flood plain data subset. 2. The representation provides advice that the State Government is undertaking the Tasmanian Flood Mapping Project. This project will deliver a state-wide comprehensive and consistent flood hazard map by 2020. The map will be made available to planning authorities for land use planning purposes, including updating LPS Flood-Prone Areas Hazard Overlays. The SES has invited West Coast Council to participate in this project. 3. The flood-prone hazard areas applies to C12.0 Flood-Prone Areas Hazard Code. 4. The reports referred to in the representation are noted. It is recommended that the Flood-Prone Areas Hazard Overlay is amended once the State Government project is completed and rationalised. 5. While the overlay map does not currently identify an extensive area within the flood-prone hazard area, clause C12.2.4 of the SPPs means that a planning authority has the power to request information subject to risk from flood or that has the potential to cause increased risk from flood. 6. If the data within these reports were considered for integration with the Flood-Prone Areas Hazard Code, time would be required to translate these into a revised overlay. There are also potential financial implications in obtaining the data in a useable format to be applied in the overlay. 7. The representation advises that SES is working with the Department of Justice to prepare draft guidance on what information a planning authority should use to determine if it reasonably believes that land is subject to risk from flood or has the potential to cause increased risk from a flood. The representation further advises that a request will be made to the Tasmanian Planning Commission to consider issuing the guidance under section 8A. of the Land Use Planning and Approvals Act 1993. The initiative is noted and supported. 8. The outcomes of the State Government project as referred to above should be finalised before further changes are made to the Flood-Prone Areas Hazard Overlay.

Attachment 1 - Part A, Summary of Representations

	<p>9. The representation does not raise matters which necessitate a modification to the draft LPS and the Flood-Prone Areas Hazard Overlay.</p> <p>Coastal inundation hazards</p> <p>10. As noted in the representation, WCO-Table C11.1 – Coastal Inundation Hazard Bands AHO Levels is included in the written document of the draft LPS.</p> <p>11. The representation requests an additional row be added to WCO-Table C11.1 for other localities. The request is in accordance with DPAC Coastal Hazards Technical Report.</p> <p>12. The request is consistent with Guideline 1 (page 45) and the LPS requirements at clause LP1.7.9.</p> <p>13. The representation raises a matter which necessitates a modification of the draft LPS.</p> <p>Zones</p> <p>14. Comments made in the representation are noted. This matter raised does not necessitate a modification to the draft LPS.</p>															
Recommended Action	<p>The draft LPS be modified to:</p> <p>1. Insert a row at the end of WCO-Table C11.1 for other localities as shown below as per the Coastal Hazards Technical Report data, prepared by the Department of Premier and Cabinet (DPAC) in 2016</p> <table><tr><th>Locality</th><th>High Hazard Band (m AHD)</th><th>Medium Hazard Band (m AHD)</th><th>Low Hazard Band (m AHD)</th><th>Defined flood Level (m AHD)</th></tr><tr><td></td><td>Sea Level Rise 2050</td><td>1% annual exceedance probability 2050 with freeboard</td><td>1% annual exceedance probability 2100 (design flood level) with freeboard</td><td>1% annual exceedance probability 2100</td></tr><tr><td>All other localities</td><td>0.8</td><td>1.0</td><td>2.5</td><td>2.2</td></tr></table> <p>No other modifications recommended.</p>	Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined flood Level (m AHD)		Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100	All other localities	0.8	1.0	2.5	2.2
Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined flood Level (m AHD)												
	Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100												
All other localities	0.8	1.0	2.5	2.2												
Effect of recommendation on the draft LPS	<p>The draft LPS as a whole is not affected as a result of implementing the recommendation. The requested change is in accordance with Guideline 1.</p> <p>The draft LPS satisfies the criteria as per section 34(2).</p>															

Attachment 1 - Part A, Summary of Representations

Representation 3	Tullah Progress Association Inc.
Summary of matters raised	<p>General Residential Zone</p> <ul style="list-style-type: none"> There is no business zone on the northern side of the town. The Tullah Hotel (CTs: 201116/12, 201920/1, 242934/10, 42500/1) has been operating since 1938. The closed Petrol Station (CT:2381771/1) is planning to be refurbished and reopened. The Coffee Shop (CT:159976/1) has plans for development in the future. On the southern side of Tullah (Farrell Street), the Local Business Zone is supported. However, the Lakeside Lodge (CT:100219/213) & Flowers Family Works Office (CT:100219/217). There is no allowance for future business development on vacant land (CT:100219/215). The same can be said for adjoining properties to these businesses (CTs: 155739/3 and 100219/220) as the zoning restricts use and development. <p>Rural Zone</p> <ul style="list-style-type: none"> Land south of Selina Street and west of Murchison Highway has been proposed as suitable for rural zoning, rather than residential. This does not align with the SPPs. There area is fully serviced by sewage, water and power. The area includes bituminised roads, kerb and channel and is connected to stormwater. Request that this the General Residential Zone be applied instead of the Rural Zone proposed in the draft LPS. The Rural Zone is not considered appropriate and will give rise to inappropriate development in Tullah. The representors understand that landowners may apply to rezone land. However, common-sense says that the appropriate zoning, in the beginning, will alleviate delays.
Planning Authority's response	 <p>Figure 3: Aerial view of Peters Street, showing properties subject to the representation.</p>

Attachment 1 - Part A, Summary of Representations



Figure 4: Aerial view of Tullah showing properties identified in the representation.

General Residential Zone

1. The General Residential Zone is applied in the draft LPS to properties referred to in the representation and shown in Figures 3 and 4. These properties are zoned General Residential in the West Coast Interim Planning Scheme. The draft LPS applies the equivalent zone.
2. 8.2 Use Table in the General Residential Zone of the SPPs provides an opportunity for a mix of use and development. A discretionary permit pathway is made available for a limited range of non-residential uses such as 'Food Services' and 'Visitor Accommodation'
3. The use classes, 'Vehicle Fuel Sales' (Petrol Station) and 'Hotel Industry' are prohibited in the General Residential Zone.
4. The properties mostly adjoin residential uses or vacant land.
5. The West Coast Council Land Use Strategy, September 2017, recommends further investigations concerning use and development at Tullah. It identifies land abutting the Murchison Highway, between Ardyn Street and Elliot Street may be suited to a mixed-use or business zone. However, the Council does not possess the necessary strategic rationale to modify the properties' zoning, as mentioned above in the draft LPS.
6. The implementation of the request would result in ad hoc zoning without a sound strategic rationale. Modification to the proposed zone would be to reflect the established land use noted in the representations.

Attachment 1 - Part A, Summary of Representations

7. Further investigations are necessary to demonstrate that an alternative zone is warranted. Council is encouraged to resolve the long-term zoning for Tullah but not through the draft LPS process.
8. It should be noted that existing use rights under the SPPs will continue for established non-conforming uses, providing a use has not ceased for an extended period.
9. The representation does not necessitate a modification to the draft LPS.

Rural Zone

10. The representation requests that General Residential Zone be applied to land south of Selina Street (refer to Figure 5), to include Sterling Street and Romulus Street (CTs:100219/176 and 100219/177). The land in this location is serviced with reticulated water and sewer and has the capacity to connect to reticulated stormwater.
11. The West Coast Council Land Use Strategy, September 2017, advises sufficient land in Tullah zoned General Residential.
12. The application of zones in the municipal area has adopted a like-for-like translation from the West Coast Interim Planning Scheme to the draft LPS, unless Guideline 1 instructed otherwise.
13. The representor correctly identifies that the land is serviced and therefore in accordance with GZ 2 the General Residential Zone could be applied in this location. However, the General Residential Zone application to this greenfield site cannot be justified in accordance with the relevant regional land use strategy and is not supported by a more detailed local strategic analysis as required by the instructions of GRZ 2 (c) in Guideline 1.
14. The representation does not necessitate a modification to the draft LPS.




Figure 5: Land south of Selina Street

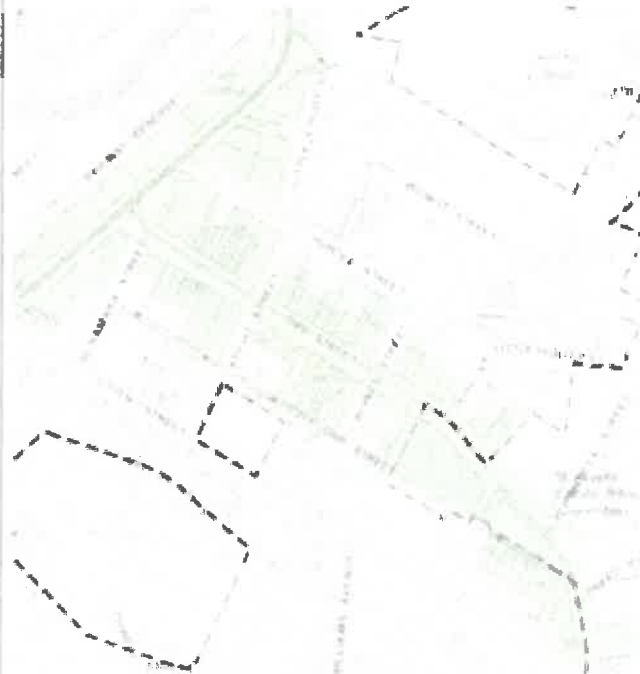
Attachment 1 - Part A, Summary of Representations

Recommended Action	No modification to the draft LPS.
Effect of recommendation on the draft LPS	The draft LPS as a whole is not affected as a result of implementing the recommendation. The requested change is in accordance with Guideline 1. The draft LPS satisfies the criteria as per section 34(2).

Attachment 1 - Part A, Summary of Representations

Representation 4	
	West Coast Wilderness Railway
Summary of matters raised	<p>Carswell Park workshops</p> <p>It is concerned that the Carswell Park workshops in Driffield Street, Queenstown is in the General Residential Zone. The zoning has implications with the existing operations. The zoning impacts on future use and development of the workshops, storage facilities, light up shed, storage of fuel, and work being undertaken may limit hours of operation.</p> <p>The representation requests that the Carswell Park workshops be zoned the same as the Queenstown Station and Regatta Point Station which is Local Business. Alternatively, the representation suggest that the Light Industrial may also be appropriate.</p> <p>Orr Street</p> <p>Request that an overlay is placed over Orr Street in Queenstown that prohibits the construction or modification of any buildings in Orr Street that is outside of maintaining the historical character of the buildings in Orr Street in order to protect and keep the style, feel and character of the street.</p>
Planning Authority's response	 <p>Figure 6: Aerial view of Carswell Park workshop (blue) at Driffield Street</p> <ol style="list-style-type: none"> 1. The Carswell Park workshops are associated with the West Coast Wilderness Railway (PID: 3010693) at Driffield Street and is zoned General Residential in the draft LPS. The application of the zone to the property is the equivalent to that applied in the West Coast Interim Planning Scheme 2. The established workshops associated with the site have existing use rights. The TPS and the draft LPS will not prevent the continuation of the workshops in this location

Attachment 1 - Part A, Summary of Representations


	<ol style="list-style-type: none"> 3. The application of the Utilities Zone was considered; however, the site is not deemed to be a major infrastructure consistent with the instructions at UZ1 to UZ 6. 4. The application of the Light Industrial Zone is not appropriate without further investigations, given the proximity of established residential uses and potential for off-site impacts from the workshop. 5. The application of the Local Business Zone is also not suitable as it is not consistent with the Zone Purpose. 6. The workshop will have existing use rights while the activity operates. 7. The representation does not necessitate a modification to the draft LPS.  <p>Figure 7. The Local Heritage Precinct as it applies to Orr Street</p> <p>Orr Street</p> <ol style="list-style-type: none"> 8. The Local Heritage Precinct applies to Orr Street and considers the heritage values of buildings within this precinct. 9. The representation does not necessitate a modification to the draft LPS.
Recommended Action	No modification to the draft LPS.

Attachment 1 - Part A, Summary of Representations

Effect of recommendation on the draft LPS	The draft LPS as a whole is not affected as a result of implementing the recommendation. The requested change is in accordance with Guideline 1. The draft LPS satisfies the criteria as per section 34(2).
-------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Representation 5	
	TasRail
Summary of matters raised	<p>State Rail Network</p> <ul style="list-style-type: none"> The Rail Infrastructure Act 2007 (Tas) forms part of the legal and regulatory framework that governs rail assets and operations in Tasmania. Under this Act, TasRail is the Rail Infrastructure Owner (RIO) and the Rail Infrastructure Manager (RIM) of the State Rail Network (and all of the attendant rail infrastructure). TasRail holds a Rail Corridor Lease with the Crown for State Rail Network land. This lease is administered by the Department of State Growth. The Rail Network consists of the railways specified in Schedule One of the Act. Of interest to the WCC Draft LPS is the Melba Line (formerly known as 'Emu Bay Railway') being the railway running from the port at the City of Burnie on Emu Bay to Melba Flats; TasRail also operates a number of rail sidings along these sections of the State Rail Network. It is important to read Schedule One in conjunction with the definition of rail infrastructure and subsection (2) of the Act. Subsection (2) states 'In this Act, unless the contrary intention appears, a reference to a railway is taken to be a reference to the track of the railway, the land corridor along which the track of the railway is laid and all of the attendant rail infrastructure. <i>Rail infrastructure</i> is defined as being: <ul style="list-style-type: none"> (a) Rail lines and fastenings; and (b) Crossing loops, sidings, switches and points; and (c) Sleepers and ballast; and (d) Drains and culverts; and (e) Bridges, cuttings, tunnels and embankments; and (f) Poles and pylons; and (g) Structures and supports; and (h) Overhead lines; and (i) Platforms and railway stations; and (j) Rail yards; and (k) Freight sheds, workshops and associated buildings; and (l) Electrical substations; and (m) Signs and signalling equipment; and (n) Train control and communication systems; and (o) Traffic control devices that are capable of being automatically activated by trains; and (p) Plant, machinery and other fixed equipment. TasRail has noted an omission in the zoning as set out in the WCC Draft LPS, the omission being a section of the State Rail Network land known as the Melba Flats Siding – Property ID 3215509 (See below image).

Attachment 1 - Part A, Summary of Representations

	<ul style="list-style-type: none"> TasRail acknowledges that LIST Map shows the authority over the land to be the Department of State Growth but TasRail confirms the Melba Flats Siding is part of the State Rail Network as per the definitions under the <i>Rail Infrastructure Act</i> and the Melba Flats Siding is included in TasRail's Corridor Lease with the Crown. TasRail therefore requests the WCC Draft LPS be amended to recognise this by changing the zoning of the Melba Flats Siding from Rural Resource to Utilities.
Planning Authority's response	 <p>Figure 8: Melba Flats Siding</p> <ol style="list-style-type: none"> The representation requests the Utilities Zone's spatial application to the Melba Flats Siding is part of the State Rail Network. The exhibited draft LPS has applied the Rural Zone. The site (PID 3215509) is zoned Rural Resource in the West Coast Interim Planning Scheme. The Utilities Zone may be applied to major utilities infrastructure including railway corridors (UZ 1 (f)) of Guideline 1. In accordance with Guideline 1, a modification to the draft LPS is recommended to revise the zoning to include the Melba Flats Siding as it forms part of the State Rail Network and is per the <i>Rail Infrastructure Act</i> definition.
Recommended Action	The draft LPS be modified to apply the Utilities Zone: 1. to 'Melba Flats Siding' (PID 3215509)
Effect of recommendation on the draft LPS	The draft LPS as a whole is not affected as a result of implementing the recommendation. The requested change is in accordance with Guideline 1. The draft LPS satisfies the criteria as per section 34(2).

Attachment 1 - Part A, Summary of Representations

Representation 6	
	Bob Brown Foundation
Summary of matters raised	<p>Rural Zone and Future Production Forest</p> <ul style="list-style-type: none"> The representation asserts that the land encompassed by the Permanent Timber Production Zone and the Future Potential Production Forest within the municipal boundary contain attributes that should apply the 22.0 Landscape Conservation Zone or the 23.0 Environmental Management Zone. The representation highlights the significant biogeographic values present in the Tarkine. The recommendations of this report, notwithstanding the absence of formal reservation, should be seen as evidence that: <ul style="list-style-type: none"> 23.0 Environmental Management Zone should apply for the FPPF areas contained in polygons 50, 52, 59, 61, 64, 69, 79, 80, 81, 85, 88, 89, 90, 92, 96, and 105 of the IVG reports consistent with purposes 23.1.1 and 23.1.2, and application guidelines EMZ 1(e). the Natural Assets Code should apply to FPPF areas on polygons 50, 52, 59, 61, 64, 69, 79, 80, 81, 85, 88, 89, 90, 92, 96, and 105 of the IVG reports, consistent with purposes C7.1.1, C7.1.4, C7.1.5, and application guideline NAC 10, and highly likely to be consistent with NAC 11 on field verification, analysis or mapping undertaken on, or on behalf of, the planning authority. without prejudice, any area not zoned as such should default to 22.0 Landscape Conservation Zone consistent purpose 22.1.1 and 22.1.2, and with application guideline LCZ 2(a). The representation is extensive, identifying specific environmental values of the municipal area. <p>Scenic Protection Code</p> <ul style="list-style-type: none"> The Western Wilds touring routes, along with access roads to key tourist sites, warrant the application of the Scenic Protection Code to areas visible skyline of the A10, B24, B27, B28, C248, C249, and C252 roads and the tourist sites.
Planning Authority's response	<p>Rural Zone and Future Potential Production Forest</p> <ol style="list-style-type: none"> The initial draft LPS applied the Environmental Management Zone to Future Potential Production Forest as this was consistent with the West Coast Interim Planning Scheme 2013. The Future Potential Production Forest is an administrative category of land created by the Forestry (Rebuilding the Forest Industry) Act 2014.

Attachment 1 - Part A, Summary of Representations

There are 13 titles, comprising approximately 3298 ha, subject to this legislation (refer to Figure 2) within the municipal area.

3. The instruction RZ 1 of Guideline 1, the 20.0 Rural Zone is spatially applied to these titles. The land area known as Teepookana has been included.

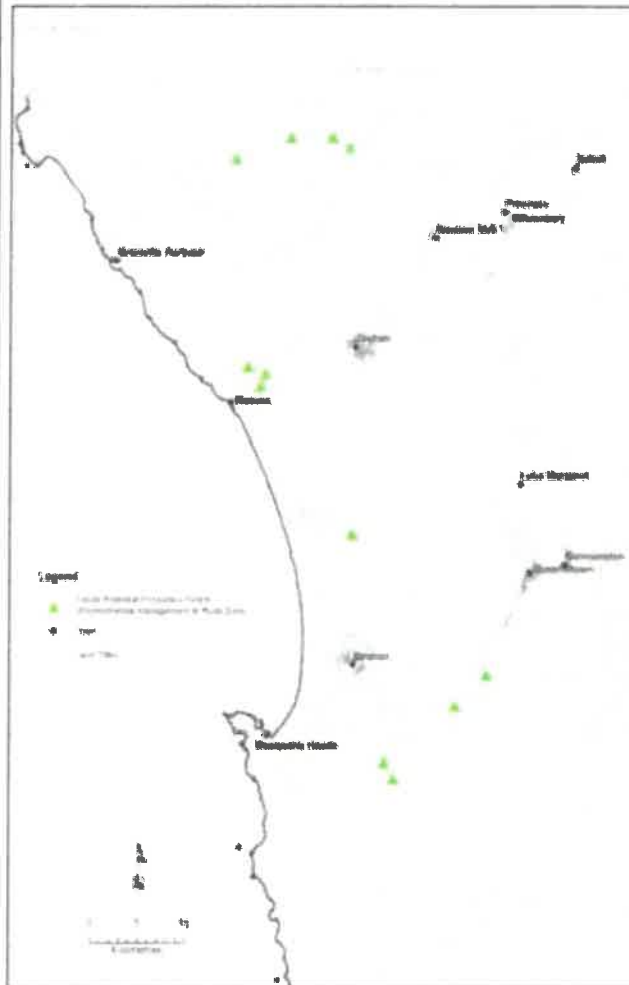


Figure 9: Approximate location (triangles) of Future Production Forest land for inclusion in the 23.0 Rural Zone of the SPPs.

4. EMZ 1 (e) and (f) in Guideline 1 instructs that the Environmental Management Zone should apply to public or private land where it is for the protection conservation of such values.

Attachment 1 - Part A, Summary of Representations

	<p>5. The representation provides extensive information concerning the natural values of a significant number of parcels. The points raised in the representation are valid but require further strategic assessment and review in the context of Council's endorsed change.</p> <p>6. The representation does not necessitate a modification to the draft LPS.</p> <p>Scenic Protection Code</p> <p>7. The scenic values of the municipal area as outlined in the representation are acknowledged.</p> <p>8. The scenic protection area and the scenic corridor overlay requires to be justified as per the instructions at SPC2 in the Guidelines. Due to resource limitations, the Council did not embark on a scenic protection area or scenic road corridor study.</p> <p>9. The West Coast Interim Planning Scheme did not include a scenic protection area or scenic road corridor.</p> <p>10. The Council is encouraged to consider undertaking a further study for protecting the important scenic values of the West Coast municipal area. Once an investigation is completed, the draft LPS be amended to include an overlay identifying the scenic protection area and the scenic road corridor.</p> <p>11. The representation does not necessitate a modification to the draft LPS.</p>
Recommended Action	No modification to the draft LPS
Effect of recommendation on the draft LPS	The draft LPS as a whole is not affected as a result of implementing the recommendation. The requested change is in accordance with Guideline 1. The draft LPS satisfies the criteria as per section 34(2).

Representation 7	
	Department of State Growth
Summary of matters raised	<p>State Road Network</p> <ul style="list-style-type: none"> State Road Network In accordance with Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application, all State roads should be zoned Utilities and based on the State Road Casement layer published on the LIST. State Growth can advise that Council has applied the State Road Casement correctly to all State roads within the municipality. A 50-metre buffer zone automatically applies to development adjacent to the State Road network under the Road and Railway Assets Code. If this buffer is mapped and included within a planning scheme, any future

Attachment 1 - Part A, Summary of Representations

	<p>changes to the alignment or width of individual roads would require a planning scheme amendment to update the mapped buffer zone. As a result, it is administratively simpler to rely on the Code provisions.</p> <ul style="list-style-type: none"> State Growth is therefore supportive of Council's decision not to include mapped overlays under the Road and Railway Assets Code for road attenuation areas. <p>Anthony Main Road</p> <ul style="list-style-type: none"> State Growth also supports the classification of Anthony Main Road, a Category 5 road, as 'other major road' under the Code. <p>West Coast Wilderness Railway</p> <p>In accordance with Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application, railways should be zoned Utilities. State Growth supports the Utilities Zone majority of the West Coast Wilderness Railway rail corridor as proposed, but notes some omissions including, for example, a section of the corridor at Queenstown proposed to be zoned General Residential. General Residential zoning is not consistent with the existing use or likely future use and development of this land and is therefore requested to be revised.</p>
Planning Authority's response	<p>State Road Network</p> <ol style="list-style-type: none"> The support by State Growth is noted. <p>Anthony Road</p> <ol style="list-style-type: none"> The support by State Growth is noted. <p>West Coast Wilderness Railway</p> <ol style="list-style-type: none"> The application of the Utilities Zone to the West Coast Wilderness Railway is supported. The representation queries the spatial application of the General Residential Zone, the Rural Zone or Local Business Zone to sections to the West Coast Wilderness Railway infrastructure in the towns of Strahan and Queenstown. The application of the Utilities Zone was not deemed consistent with the instructions of UZ 1 to UZ 6 in Guideline 1 given that the railway is for use and development associated with tourism. The Zone Purpose of the Utilities Zone was also not aligned with the intent and use of the existing railway infrastructure. Additionally, the Utilities Zone would also limit use and development associated with the West Coast Wilderness Railway. The representation does not necessitate a modification to the draft LPS.

Attachment 1 - Part A, Summary of Representations

Recommended Action	No modification to the draft LPS.
Effect of recommendation on the draft LPS	The draft LPS as a whole is not affected as a result of implementing the recommendation. The requested change is in accordance with Guideline 1. The draft LPS satisfies the criteria as per section 34(2).

Representation 8	
	Hydro Tasmania
Summary of matters raised	<p>Requests modifying the zoning from Environmental Management or Rural to Utilities for the following key hydro-electric infrastructure, including the following:</p> <ul style="list-style-type: none"> • Lake Margaret Power Stations, Lake Margaret Dam, and water conveyances (Part of CID 971147) • Halls Rivulet Canal, White Spur Dam, Henty Dam (Part of CID 968961), Anthony Dam (Part of CID 968930), and Tribute Power Station (CID 968728) • Mackintosh Power Station, Murchison Dam, and Mackintosh Dam (Part of CID 1284990) • Bastyan Power Station and Bastyan Dam (Part of CID 1342602) • Reece Power Station and Reece Dam (CID 1127634 and CID 1349133) • John Butters Power Station (CID 974857), Crotty Dam (Part of 1127175) and Darwin Dam (Part of CID 1127175) • A variety of major above-ground water conveyances connecting water storages and power stations. <p>The properties referred to above are shown individually in Attachment A of the representation.</p>
Planning Authority's response	<ol style="list-style-type: none"> 1. The representation requests the spatial application of the Utilities Zone to the properties as referred to above. 2. The representation provides the necessary information to substantiate that the application of the Utilities Zone is consistent with the instructions of UZ 4 of Guideline 1. 3. In accordance with Guideline 1, a modification to the draft LPS is recommended to the zoning with respect to the listed properties.
Recommended Action	<p>The draft LPS be modified to apply the Utilities Zone to:</p> <ul style="list-style-type: none"> - Stations, Lake Margaret Dam, and water conveyances (Part of CID 971147); - Halls Rivulet Canal, White Spur Dam, Henty Dam (Part of CID 968961), Anthony Dam (Part of CID 968930), and Tribute Power Station (CID 968728); - Mackintosh Power Station, Murchison Dam, and Mackintosh Dam (Part of CID 1284990); - Bastyan Power Station and Bastyan Dam (Part of CID 1342602); and

Attachment 1 - Part A, Summary of Representations

	<ul style="list-style-type: none"> Reece Power Station and Reece Dam (CID 1127634 and CID 1349133) John Butters Power Station (CID 974857), Crotty Dam (Part of 1127175) and Darwin Dam (Part of CID 1127175).
Effect of recommendation on the draft LPS	<p>The draft LPS as a whole is not affected as a result of implementing the recommendation. The requested change is in accordance with Guideline 1. The draft LPS satisfies the criteria as per section 34(2).</p>

Representation 9	
	Mr. Kim Lai, Ms. Jane Bennet, Mr. Aaron Chen, Mr. Greg Clark, and Skyridge Pty Ltd
Summary of matters raised	<ul style="list-style-type: none"> Concern is expressed with the application of the Rural Zone, General Residential Zone and Local Business Zone in the draft LPS to the land area of Tullah. The representor highlights that facts have arisen this year that were not evident when preparing the draft LPS. An example is the recent shortlisting of Tullah as one of three ideal sites for the Battery of the Nation Project. The zoning could limit use and development opportunities at Tullah. <p>Rural Zone</p> <ul style="list-style-type: none"> The request is for the General Residential Zone to apply to land south of Selina Street instead of the Rural Zone proposed in the draft LPS. The Rural Zone in the SPPs will give rise to inappropriate development such as 'Animal Breeding and Boarding.' This location's use and development are not focussed on the use classes 'Resource Development' or 'Resource Processing'. The land is most suited to residential use. The representation does not consider ample land available elsewhere in Tullah and that the application of the General Residential Zone to serviced land is appropriate. <p>Local Business Zone</p> <ul style="list-style-type: none"> The representation supports the application of the Local Business Zone in Tullah. The car park at 12 Farrell Street does not service the Community Hall and Sports Centre. The representation requests that established businesses, as also requested in Representation 3, apply the Local Business Zone.

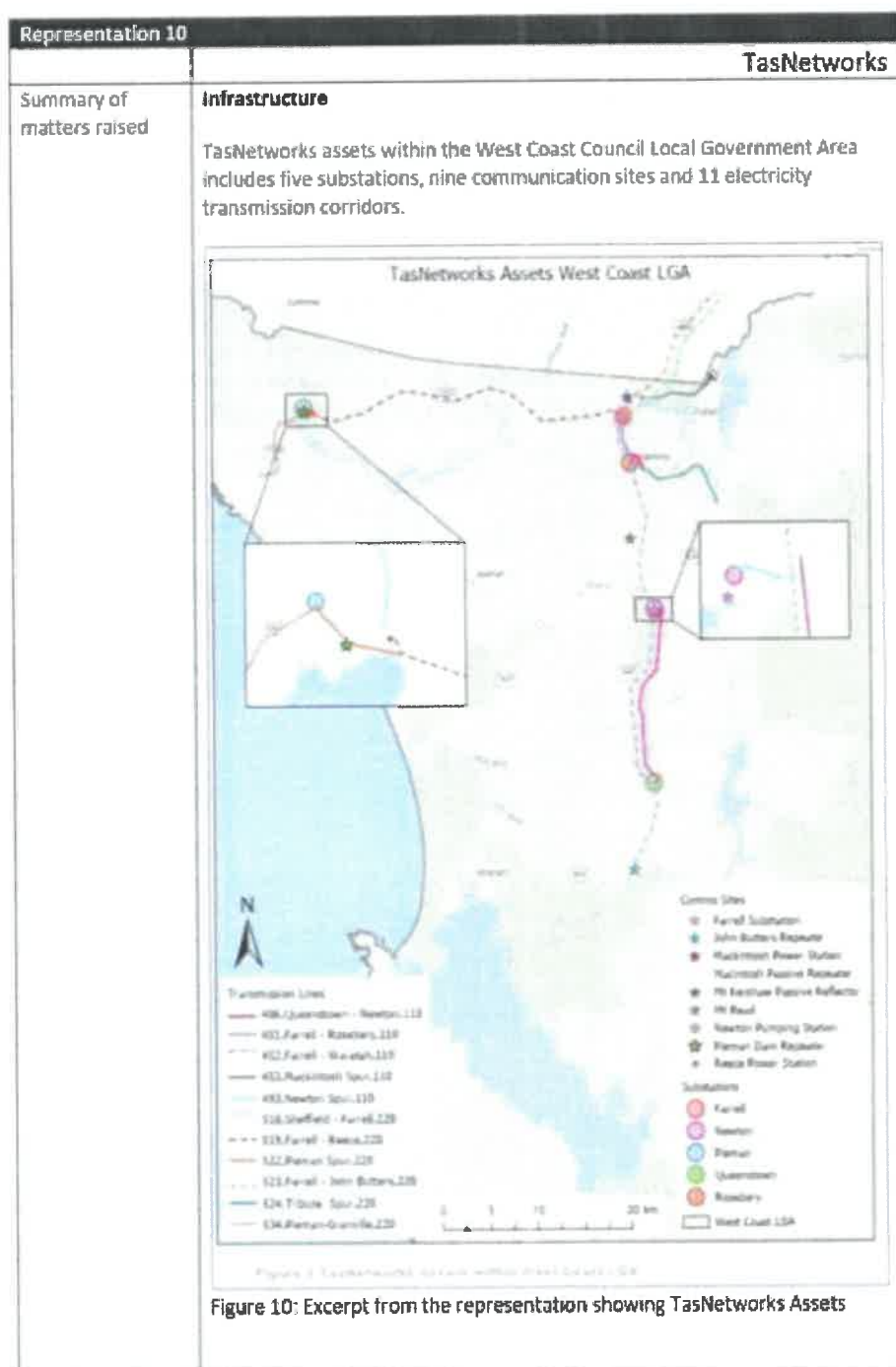
Attachment 1 - Part A, Summary of Representations

	<ul style="list-style-type: none"> Request that the northern portion of 12 Ferall Street is also zoned Local Business. <p>Industrial Zone</p> <ul style="list-style-type: none"> The draft LPS does not include any Industrial Zone in Tullah as suggested in the West Coast Council Land Use Strategy, September 2017.
Planning Authority's response	<p>Rural Zone</p> <ol style="list-style-type: none"> The representation requests that General Residential Zone be applied to land south of Selina Street (refer to Figure 5), to include Sterling Street and Romulus Street (CTs:100219/176 and 100219/177). The land in this location is serviced with reticulated water and sewer and can connect to reticulated stormwater. The West Coast Council Land Use Strategy, September 2017, advises there is sufficient land in Tullah zoned General Residential. The application of zones in the municipal area has adopted a like-for-like translation from the West Coast Interim Planning Scheme to the draft LPS, unless Guideline 1 instructed otherwise. The representor correctly identifies that the land is serviced, and therefore in accordance with GZ 2 the General Residential Zone could be applied in this location. However, the application of the General Residential Zone to this greenfield site cannot be justified in accordance with the relevant regional land use strategy and is not supported by a more detailed local strategic analysis as required by the instructions of GRZ 2 (c) in Guideline 1. The representation does not necessitate a modification to the draft LPS. <p>Local Business Zone</p> <ol style="list-style-type: none"> The application of the Local Business Zone to the current land area is consistent with Guideline 1. The zoning of additional land areas or properties would be ad hoc and without strategic rationale. Further investigations are necessary to demonstrate that a rezoning to support an alternative zone is warranted. Council is encouraged to resolve the long-term zoning for Tullah but not through the draft LPS process. The representation does not necessitate a modification to the draft LPS.

Attachment 1 - Part A, Summary of Representations

	<p>Industrial Zone</p> <p>10. Further investigations are necessary to demonstrate that a rezoning to support an alternative zone is warranted. Council is encouraged to resolve the long-term zoning for Tullah but not through the draft LPS process.</p> <p>11. The representation does not necessitate a modification to the draft LPS.</p>
Recommended Action	No modification to the draft LPS.
Effect of recommendation on the draft LPS	<p>The draft LPS as a whole is not affected as a result of implementing the recommendation. The requested change is in accordance with Guideline 1.</p> <p>The draft LPS satisfies the criteria as per section 34(2).</p>

Attachment 1 - Part A, Summary of Representations



Attachment 1 - Part A, Summary of Representations

	<p>The draft LPS includes the Electricity Transmission Infrastructure Protection Code Overlay maps which is based on the data provided by TasNetworks.</p> <p>The representation seeks to ensure:</p> <ul style="list-style-type: none"> - 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. <p>Tas Networks are seeking consistency across all LPS in the treatment of its assets.</p> <p>Utilities Zone</p> <p>Requests that the following assets be zoned Utilities.</p> <ul style="list-style-type: none"> - Farrell Substation; - Pieman Switching Station; - Mackintosh Passive Repeater Communication Site; - Mackintosh Power Station Communication site - Farrell Substation Communication Site; - Mt Kershaw Passive Reflector Communication Site; - Reece Power Station Communication Site; - Pleman Dam Repeater Communication Site; - Mt Read Communication Site; - Newton Pumping Station Communication Site; and - John Butters Repeater Communication Site <p>Natural Assets Code – Priority Vegetation overlay</p> <p>Seeks to exclude the application of the Priority Vegetation Area overlay from sites occupied by TasNetworks facilities and infrastructure at:</p> <ul style="list-style-type: none"> • Farrell Substation; • Newton Substation; • Mt Kershaw Passive Reflector Communication Site; • Reece Power Station Communication Site; and • Newton Pumping Station Communication Site.
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------


Attachment 1 - Part A, Summary of Representations

	<p>Electricity Transmission Infrastructure Protection Code</p> <p>TasNetworks requests corrections to Electricity Transmission Infrastructure Overlay to the Queenstown Substation, Pieman Switching Station, and Newton Substation.</p> <p>State Planning Provisions</p> <p>Includes concerns with the SPPs and the exemptions provisions at Clause 4.0 may result in conflict with the requirements of the Electricity Transmission Infrastructure Protection Code.</p>
Planning Authority's response	<p>Utilities Zone</p> <ol style="list-style-type: none"> 1. The representation requests the spatial application of the Utilities Zone to the properties as referred to above 2. The representation provides the necessary information to substantiate that the application of the Utilities Zone is consistent with the instructions of UZ 1 of Guideline 1. 3. In accordance with Guideline 1, a modification to the draft LPS is recommended to the zoning concerning the listed properties. <p>Priority Vegetation Area overlay</p> <ol style="list-style-type: none"> 4. The Priority Vegetation Area overlay map is included in the draft LPS and is based on independent mapping supplied by Natural Resource Management Pty Ltd. 5. The information contained within the representation does not demonstrate a circumstance relevant to clause LP1.7.5(d) of the SPPs which support the modification of the Priority Vegetation Area overlay map. 6. The Electricity Supply Industry Act 1996 establish exemptions to any requirements under the Act. The exemption provided for the maintenance of vegetation in proximity to infrastructure that is necessary for the protection of that asset. 7. The exemptions available under the Electricity Supply Industry Act 1996 in conjunction with the SPPs will allow TasNetworks to manage existing infrastructure assets in regard to this matter. 8. The representation does not necessitate a modification to the draft LPS concerning the matter. <p>Electricity Transmission Infrastructure Protection Code</p> <ol style="list-style-type: none"> 9. TasNetworks requests corrections to Electricity Transmission Infrastructure Overlay to the Queenstown Substation, Pieman Switching

Attachment 1 - Part A, Summary of Representations

	<p>Station, and Newton Substation. The corrections are consistent with the instructions of Guideline 1.</p> <p>10. The representation necessitates a modification to the draft LPS concerning the matter.</p> <p>State Planning Provisions</p> <p>11. The representation raises concerns with the SPPs and the exemptions provisions at Clause 4.0 may result in conflict with the requirements of the Electricity Transmission Infrastructure Protection Code.</p> <p>12. The requirements of section 35E of the Act establish matters that can and cannot be considered by the Planning Authority.</p> <p>13. TasNetworks is encouraged to raise the issue with the Minister for Planning, who may consider if there is a need to modify the SPPs in accordance with the representation. Given the matter pertains specifically to TasNetworks, the Council is not recommended to pursue a section 35G submission with respect to the SPPs.</p> <p>14. The representation does not necessitate a modification to the draft LPS concerning the matter.</p>
Recommended Action	<p>The draft LPS be modified to apply the Utilities Zone to:</p> <ol style="list-style-type: none"> 1. Farrell Substation; 2. Pieman Switching Station; 3. Mackintosh Passive Repeater Communication Site; 4. Mackintosh Power Station Communication site - Farrell Substation Communication Site; 5. Mt Kershaw Passive Reflector Communication Site; 6. Reece Power Station Communication Site; 7. Pieman Dam Repeater Communication Site; 8. Mt Read Communication Site; 9. Newton Pumping Station Communication Site; and 10. John Butters Repeater Communication Site. <p>The draft LPS be modified to correct the errors and omissions of the Electricity Transmission Infrastructure Protection Code Overlay to the Queenstown Substation, Pieman Switching Station, and Newton Substation and any other locations noted.</p>
Effect of recommendation on the draft LPS	<p>The draft LPS as a whole is not affected as a result of implementing the recommendation. The requested change is in accordance with Guideline 1. The draft LPS satisfies the criteria as per section 34(2).</p>

Attachment 1 - Part A, Summary of Representations

Representation 11	
	Steve de Villiers
Summary of matters raised	<p>The representation concerns the properties at 56 Farrell Street & 37 Farrell Street (CTs: 100219/213 and 100219/214).</p> <p>The property at 37 Farrell Street is intended to be developed as a caravan /cabin park. Requests that the Local Business Zone is applied to these properties instead of the General Residential Zone.</p> <p>This issue is also raised by Representations 3 and 9.</p>
Planning Authority's response	 <p>Figure 11: The properties 37 and 56 Farrell Street, Tullah</p> <ol style="list-style-type: none"> 1. The General Residential Zone is applied to properties referred to in the representation and shown on Figure 9. These properties are zoned General Residential in the West Coast Interim Planning Scheme. The draft LPS applies the equivalent zone. 2. 8.2 Use Table in the General Residential Zone of the SPPs provides opportunity for a mix of use and development. A discretionary permit pathway is made available for a limited range of non-residential uses such as 'Food Services' and 'Visitor Accommodation'. 3. The West Coast Council Land Use Strategy, September 2017, recommends further investigations concerning use and development at Tullah. 4. The implementation of the request would result in ad hoc zoning without a sound strategic rationale.

Attachment 1 - Part A, Summary of Representations

	<p>5. Further investigations are necessary to demonstrate that a rezoning to support an alternative zone is warranted. Council is encouraged to resolve the long-term zoning for Tullah but not through the draft LPS process.</p> <p>6. The representation does not necessitate a modification to the draft LPS.</p>
Recommended Action	No modification to the draft LPS.
Effect of recommendation on the draft LPS	The draft LPS as a whole is not affected as a result of implementing the recommendation. The requested change is in accordance with Guideline 1. The draft LPS satisfies the criteria as per section 34(2).

Terms as referred to in the above table -

SPPs – State Planning Provisions

draft LPS – West Coast Local Provisions Schedule

the Act – the Land Use Planning and Approvals Act 1993

TPS – Tasmanian Planning Scheme

Attachment 1 - Part B, Recommended Modifications to the West Draft Local Provisions Schedule

Part B – Draft LPS: Summary of Recommended Modifications

The assessment of the representations received during public exhibition are summarised in Attachment 1 – Part A. The following table summarises the Planning Authority's recommendations for modifications to the draft LPS. The modifications are in accordance with sections 35F (2)(c) and 35F(2)(e) of the *Land Use Planning and Approvals Act 1993* (the Act).

Modification Recommended		Reasons
1	Utilities Zone Modification to apply the Utilities Zone to: <ul style="list-style-type: none"> - 'Zeehan Steel Service Reservoir & Concrete Reservoir' (PID 3279158); - 'Melba Flats Siding' (PID 3215509); - Lake Margaret Power Stations, Lake Margaret Dam, and water conveyances (Part of CID 971147) - Halls Rivulet Canal, White Spur Dam, Henty Dam (Part of CID 968961), Anthony Dam (Part of CID 968930), and Tribute Power Station (CID 968728) - Mackintosh Power Station, Murchison Dam, and Mackintosh Dam (Part of CID 1284990) - Bastyan Power Station and Bastyan Dam (Part of CID 1342602) - Reece Power Station and Reece Dam (CID 1127634 and CID 1349133) John Butters Power Station (CID 974857), Crotty Dam (Part of 1127175) and Darwin Dam (Part of CID 1127175) - Farrell Substation; - Pieman Switching Station; 	<ol style="list-style-type: none"> 1. The representations identify inconsistencies with the application of the Utilities Zone in the draft LPS with respect to a range of infrastructure assets owned by TasNetworks, TasWater, Hydro Tasmania and TasRail. 2. Application of the Utilities Zone is consistent with the instructions articulated by UZ 1 and UZ 4 in Guideline 1. 3. The modifications satisfies the LPS criteria at section 34(2) of the <i>Land Use Planning and Approvals Act 1993</i> (the Act); 4. The modifications can be considered as amendments that are consistent with section 40I of the Act which are exempt from public exhibition. 5. There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

Attachment 1 - Part B, Recommended Modifications to the West
Draft Local Provisions Schedule

		<ul style="list-style-type: none"> - Mackintosh Passive Repeater Communication Site; - Mackintosh Power Station Communication site - Farrell Substation Communication Site; - Mt Kershaw Passive Reflector Communication Site; - Reece Power Station Communication Site; - Pieman Dam Repeater Communication Site; - Mt Read Communication Site; - Newton Pumping Station Communication Site; and - John Butters Repeater Communication Site. 	
3	Electricity Transmission Infrastructure Protection Code overlay map	The draft LPS be modified to correct the errors and omissions of the Electricity Transmission Infrastructure Protection Code Overlay to the Queenstown Substation, Pieman Switching Station, and Newton Substation and any other locations noted in the representation.	<ol style="list-style-type: none"> 1. The representations identify inconsistencies and omissions concerning the Electricity Transmission Infrastructure Protection Code overlay map. 2. Alterations of this overlay map are consistent with Guideline 1. 3. The modifications satisfies the LPS criteria at section 34(2) of the <i>Land Use Planning and Approvals Act 1993 (the Act)</i>; 4. The modifications can be considered as amendments that are consistent with section 401 of the Act which are exempt from public exhibition. 5. There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

Attachment 1 - Part B, Recommended Modifications to the West
Draft Local Provisions Schedule

2	WCO-Table C11.1	Insert an additional row at the end of WCO-Table C11.1 for other localities as per the Coastal Hazards Technical Report data, prepared by the Department of Premier and Cabinet (DPAC) in 2016Insert	<ol style="list-style-type: none"> 1. The representations identify inconsistencies with the application of the data in the WCO-Table C11.1 and is in accordance with the requirements of Guideline 1. 2. The modifications satisfies the LPS criteria at section 34(2) of the <i>Land Use Planning and Approvals Act 1993</i> (the Act); 3. The modifications can be considered as amendments that are consistent with section 401 of the Act which are exempt from public exhibition. 4. There is no effect on the draft LPS as a whole resulting from implementing the recommendation.
---	-----------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

TasWater Representation - Draft West Coast Council Local Provisions Schedule

 Taylor, Jason <Jason.Taylor@taswater.com.au>
To Compliance Admin

You forwarded this message on 26/08/2020 2:51 PM.

To Whom It May Concern,

Please consider this email a representation from TasWater regarding West Coast Council's Local Provisions Schedule (LPS).

The below table is land containing TasWater infrastructure (specifically water storages that fit the definition of Utilities) that we consider should be zoned Utilities:

NAME	TYPE	SERVICE	OWNEDBY	VOLUME	FOLIO	PROPERTY_ID
Zeehan Steel Service Reservoir & Concrete Reservoir	Tank	Water	DPIPWE (Crown Land Services)	0	0	3279158

The above two reservoirs are contained upon three cadastral parcels, undefined by title references, but do have defined boundaries under a single PID. Accordingly, it is recommended that these sites are Zoned as

Regards

Jason Taylor
Development Assessment Manager



D (03) 6237 8258
M 0459 167 683
F 1300 862 066
A GPO Box 1393, Hobart TAS 7001
E 169 Main Road, Moonah, TAS 7009
W Jason.Taylor@taswater.com.au
http://www.taswater.com.au/

Have I been helpful? Please provide feedback by clicking [here](#).





Department of Police, Fire and Emergency Management
STATE EMERGENCY SERVICE
GPO Box 1290 HOBART TAS 7001
Phone (03) 6173 2700
Email ses@ses.tas.gov.au Web www.ses.tas.gov.au



Our ref: A20/21382/

8 September 2020

Mr David Midson
General Manager
West Coast Council
PO Box 63
QUEENSTOWN TAS 7467

Dear Mr Midson,

Representation – West Coast Council Draft Local Provisions Schedule

Thank you for the opportunity to make a representation on the West Coast Draft Local Provisions Schedule (LPS). This representation raises matters related to:

- Flood-prone areas hazards;
- Coastal inundation hazards; and
- Zoning;

Flood-prone areas hazards

The State Emergency Service (SES) notes that the draft West Coast LPS incorporates a Flood-Prone Areas Hazard Overlay based on dataset obtained from the Tasmanian Government's *Hydarea Type 1 - Floodplain* data subset.

SES recommends that relevant flood extents from the following reports are considered for inclusion in the Flood-Prone Areas Hazard Overlay:

- *West Coast Council – Pieman River Flood Evacuation Plan 2013 (prepared by Entura);*
- *Strahan Flood Mitigation Report for the West Coast Council 2007 (prepared by W.E. Enkelaeer Pty Ltd); and*
- A report prepared for Copper Mines of Tasmania by GHD in 2015.

The *Pieman River Flood Evacuation Plan* was prepared for Hydro Tasmania, Tasmania Police, and West Coast Council to provide guidance on the evacuation of communities in Tullah, Rosebery, Corinna, and Pieman Heads, in the event of riverine flooding and dam safety emergencies.

The *Strahan Flood Mitigation Report* was prepared for West Coast Council specifically to inform land use planning and building controls in a known flood prone area of Strahan.

SES is aware that a report prepared for Copper Mines of Tasmania by GHD may contain information that could inform the development of the overlay along the Queen River.

In recognition of the limited flood-prone areas mapping across Tasmania, the State Government is undertaking the Tasmanian Flood Mapping Project. This project will deliver a state-wide comprehensive and consistent flood hazard map by 2020. The map will be made available to planning authorities for land use planning purposes, including updating LPS Flood-Prone Areas Hazard Overlays. The SES invite West Coast Council to participate in this project.

Until the state-wide flood hazard map is delivered, many flood-prone areas will remain unmapped within a LPS Flood-Prone Areas Hazard Overlay.

SES take this opportunity to confirm that the absence of a Flood-Prone Areas Hazard Overlay in a LPS does not prevent the implementation of the Flood-Prone Areas Hazard Code.

The Flood-Prone Hazard Areas Code applies in a number of circumstances, including; to use in a habitable building, or development of land, identified in a report prepared by a suitably qualified person, that is requested by a planning authority, as subject to risk from flood or that has the potential to cause increased risk from flood.

A planning authority may request such a report where it reasonably believes, based on information in its possession, that the land is subject to risk from flood, or has the potential to cause increased risk from flood.

SES is working with the Department of Justice to prepare draft guidance on what information a planning authority should use to determine if it reasonably believes that land is subject to risk from flood or has the potential to cause increased risk from flood. A request will be made to the Tasmanian Planning Commission to consider issuing the guidance under section 8A of the *Land Use Planning and Approvals Act 1993*.

In the interim, SES suggests that, to determine if it reasonably believes that land is subject to risk from flood or has the potential to cause increased risk from flood, planning authorities should have regard to the best, publicly available flood hazard information including:

- any report adopted by a council in accordance with regulation 52(2)(b) of the *Building Regulations 2016*;
- any flood study available on the [Australian Flood Risk Information Portal](#);
- any flood hazard report prepared in accordance with the Flood-Prone Areas Hazard Code;
- any flood marks, photos, or other historical evidence that are publicly discoverable;
- Flood Data books available from the Department of Primary Industries, Parks, Water and Environment; and,
- the modelled 2016 flood high water mark extent map available on [ListMap](#) (layer called *June 2016 Flood HWM Extent*).

Coastal inundation hazards

SES notes that the draft LPS has incorporated the Coastal Inundation Hazard Code and Overlay. The Code overlay mapping, and Code list in *WCO – Table C11.1 – Coastal Inundation Hazard Bands AHD Levels*, have been informed by appropriate the data source, (*Coastal Hazards Technical Report*, prepared by the Department of Premier and Cabinet (DPAC) in 2016), and prepared in accordance with the *TPC Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application*.

SES recommends that an additional row be included in the draft LPS Written Document, *WCO – Table C11.1 – Coastal Inundation Hazard Bands AHD Levels*, to account for land affected by the Coastal Inundation Areas Hazard but not included as part of a named locality in the list. This additional information is consistent with the *DPAC Coastal Hazards Technical Report* as follows:

Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined flood Level (m AHD)
	Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100
All other localities	0.8	1.9	2.5	2.2

SES supports the use of this information in the draft LPS to enable the full application of the Code and the [*Director's Determination – Building Requirements for Coastal Inundation Hazard Areas*](#), which commenced on the 16 March 2020, and will apply when the LPS is made.

Zoning

SES notes that there are few changes in zoning in the transition from the Interim Planning Scheme to the draft LPS. SES supports the use of zones that provide for the management of density in flood-prone and coastal inundation hazardous areas.

Yours faithfully



Andrew Lea ESM
Director



Tullah Progress Association Inc.

This representation to the West Coast Local provisions Schedule is made by the Tullah Progress Association in cooperation with local Business and Landowners.

Whilst others may or may not have had the opportunity or resources to make their own submission they all have concerns about their own property, especially when looked at as whole in the interests of the town and its future prospects.

Business Zone

*There is no business zone in the northern side of the town. There are already businesses operating there on Peters Street.

The Tullah Hotel (Title References 201116/12, 201920/1, 242934/10, 42500/1) has been operating at that site since 1938.

Whilst the Petrol Station (Title Reference 238177/1) has been closed for a few years (since the Operator died) the family are now looking to refit & reopen the business.

The Coffee Shop (Title Reference 159976/1) also has plans for development in the future.

*In the southern side of the town on Farrell Street a new business zone has been proposed which is totally supported.

However it does not include properties with operating businesses i.e. Tullah Lakeside Lodge (Title Reference 100219/213) & Flowers Family Works Office (Title Reference 100219/217).

Nor is there allowance for future business development of the vacant lot (Title Reference 100219/215).

The same can be said for further expansion on the lots that adjoin these existing businesses that are owned by the same people (Title References 100219/218, 100219/214).

Also, there are two properties that are owned by the same persons (Title References 155739/3, 100219/220) again development of these two parcels of land will be restricted, as the lots have different proposed zones and need to be the same.

Rural Zone

Land south of Selina Street and west of Murchison Highway has been proposed as suitable for rural zoning, rather than residential. This does not align with state planning policy that says areas where there is existing

infrastructure should be zoned accordingly. The area is fully serviced by sewage, water and power. This was installed in 1974 when Hydro Tasmania built the village area and was upgraded in 2008 when a proposed caravan park was to be built. It also has bituminised roads, concrete kerbing and is connected to storm water. Photos can be supplied if the documented records are incorrect or unobtainable. This land needs to be classified as residential as it was developed for that.

Zoning this rural removes any type of appropriate development both now and in the future, the community doesn't want a rural type activity taking place there. There is a whole list of things for rural zone from piggeries to dog boarding kennels that are entirely inappropriate so close to a residential area and main entrance to the town. To zone it rural, regardless of who owns it, in our opinion removes a large amount of land from any proper use now and into the future.

We understand that land owners may apply to have land rezoned, however common-sense says that appropriate zoning in the beginning will alleviate delays and unnecessary costs to a potential developer.

The unstated, but underlying attitude from some of these zoning proposals is that, Tullah has no real prospects for future development and growth, and that previous consultation with residents and land owners has not been applied to this document.

Jenny Bowie - President TPA

Dianne Ashwell - Tullah Hotel

Neil & Susan Williamson - Farrell Store

Peter Knapman & Stuart Davis - Tullah Coffee Cottage

Gavin & Steve De Villiers - Lakeside Lodge

Craig Flowers - Flowers Family Trust

Richard Wolfe – Lot 100219/218

Kim Lai – Lots 155739/3, 100219/220, 100219/15.

Executive Assistant

From: gm@wocr.com.au
Sent: Tuesday, 13 October 2020 10:42 PM
To: Compliance Admin
Cc: Kendall, Arun
Subject: West Coast Draft Local Provisions Schedule

Hi Alison,

In reference to the West Coast Draft Local Provisions Schedule I have some concerns and would appreciate the opportunity for consideration / discussions as I could not agree based on the published proposal.

Based on my interpretation from what I see Carswell Park workshops in Driffield Street Queenstown are coloured red which is general residential. This could have implications with operations. It could affect future developments workshops / storage facilities / light up shed / storage of fuel / work being undertaken, it may limit hours of operation.

I would request the area of Carswell Park workshops be zoned the same as Queenstown Station and Regatta Point Station which is local business, or even light industrial.

I noticed that the train line through Queenstown is zoned residential and then local business, yet everywhere else it is zoned utility, is there a reason it is not zoned utility the entire stretch as this would make sense for consistency. I would also like to understand what impact this may have.

I am not sure this is the correct forum to raise this, while it is not related to the railway it is more from a future tourism perspective. I would like to propose that a development overlay is placed over Orr Street in Queenstown that prohibits the construction or modification of any buildings in Orr Street that is outside of maintaining the historical character of the buildings in Orr Street in order to protect and keep the style, feel and character of the street.

Take care,

Anthony Brown

GENERAL MANAGER

West Coast Wilderness Railway

(08) 6471 0100 | 0417 058 551 | gm@wocr.com.au

PO BOX 125, Queenstown, TAS, 7467



Images contain third party material (photos, graphics)

Executive Assistant

From: Jennifer Jarvis <Jennifer.Jarvis@tasrail.com.au>
Sent: Thursday, 24 September 2020 2:46 PM
To: Compliance Admin
Subject: West Coast Council Draft Local Provisions Schedule (LPS)

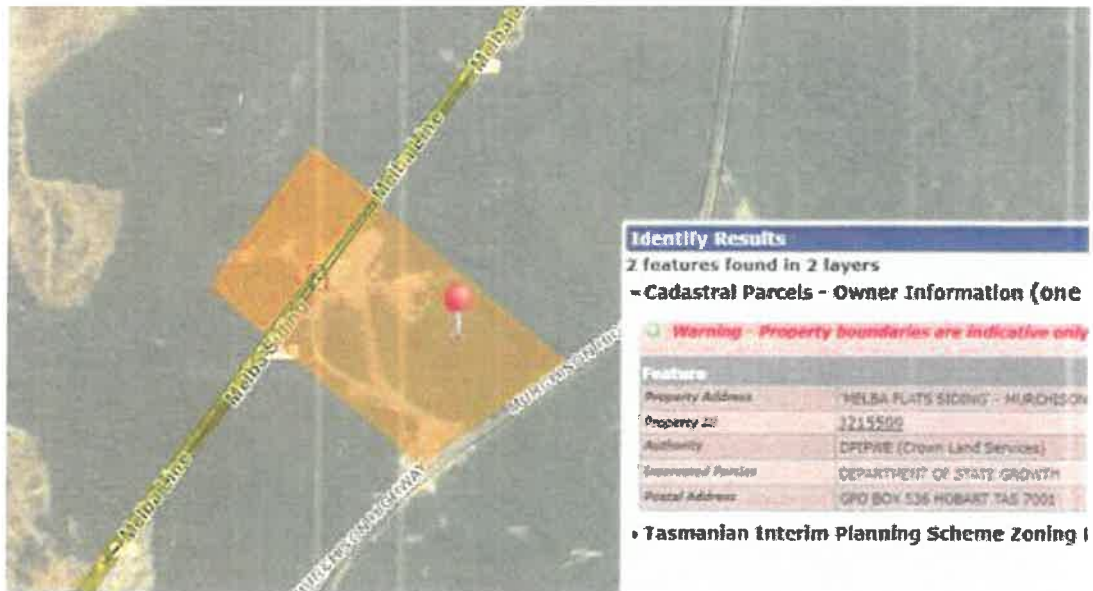
To whom it may concern, thank you for notifying TasRail of the West Coast Council Draft Local Provisions Schedule (LPS).

TasRail has reviewed the available documentation and provided the following comments:

State Rail Network

- The Rail Infrastructure Act 2007 (Tas) forms part of the legal and regulatory framework that governs rail assets and operations in Tasmania. Under this Act, TasRail is the Rail Infrastructure Owner (RIO) and the Rail Infrastructure Manager (RIM) of the State Rail Network (and all of the attendant rail infrastructure). TasRail holds a Rail Corridor Lease with the Crown for State Rail Network land. This lease is administered by the Department of State Growth.
- The Rail Network consists of the railways specified in Schedule One of the Act. Of interest to the WCC Draft LPS is the Melba Line (formerly known as "Emu Bay Railway") being the railway running from the port at the City of Burnie on Emu Bay to Melba Flats; TasRail also operates a number of rail sidings along these sections of the State Rail Network.
- It is important to read Schedule One in conjunction with the definition of rail infrastructure and subsection (2) of the Act. Subsection (2) states "In this Act, unless the contrary intention appears, a reference to a railway is taken to be a reference to the track of the railway, the land corridor along which the track of the railway is laid and all of the attendant rail infrastructure. *Rail infrastructure* is defined as being:
 - (a) Rail lines and fastenings; and
 - (b) Crossing loops, sidings, switches and points; and
 - (c) Sleepers and ballast; and
 - (d) Drains and culverts; and
 - (e) Bridges, cuttings, tunnels and embankments; and
 - (f) Poles and pylons; and
 - (g) Structures and supports; and
 - (h) Overhead lines; and
 - (i) Platforms and railway stations; and
 - (j) Rail yards; and
 - (k) Freight sheds, workshops and associated buildings; and
 - (l) Electrical substations; and
 - (m) Signs and signalling equipment; and
 - (n) Train control and communication systems; and
 - (o) Traffic control devices that are capable of being automatically activated by trains; and
 - (p) Plant, machinery and other fixed equipment;
- TasRail has noted an omission in the zoning as set out in the WCC Draft LPS, the omission being a section of the State Rail Network land known as the Melba Flats Siding – Property ID 3215509 (See below image).
- TasRail acknowledges that LIST Map shows the authority over the land to be the Department of State Growth but TasRail confirms the Melba Flats Siding is part of the State Rail Network as per the definitions under the Rail Infrastructure Act and the Melba Flats Siding is included in TasRail's Corridor Lease with the Crown. TasRail

therefore requests the WCC Draft LPS be amended to recognise this by changing the zoning of the Melba Flats Siding from Rural Resource to Utilities.



Property Address: "Melba Flats Siding" Murchison Highway West Coast – PID 3215509

Area highlighted in orange is currently zoned Rural Resource. Under the proposed LPS, this highlighted area must be identified as State Rail Network and TasRail requests that this be changed to Utilities zoning. Note rail sidings are within the definition of rail infrastructure as per the *Rail Infrastructure Act*

Should you have any questions related to the above please don't hesitate to contact me.

Kind regards

Jennifer Jarvis



Manager Group Property & Compliance |
Phone: 03 6335 2503 | Mobile: 0428 139 238
11 Techno Park Drive, Kings Meadows, Tasmania, 7249
jennifer.jarvis@tasrail.com.au



Tasmania's trusted provider of safe and dependable rail logistics solutions



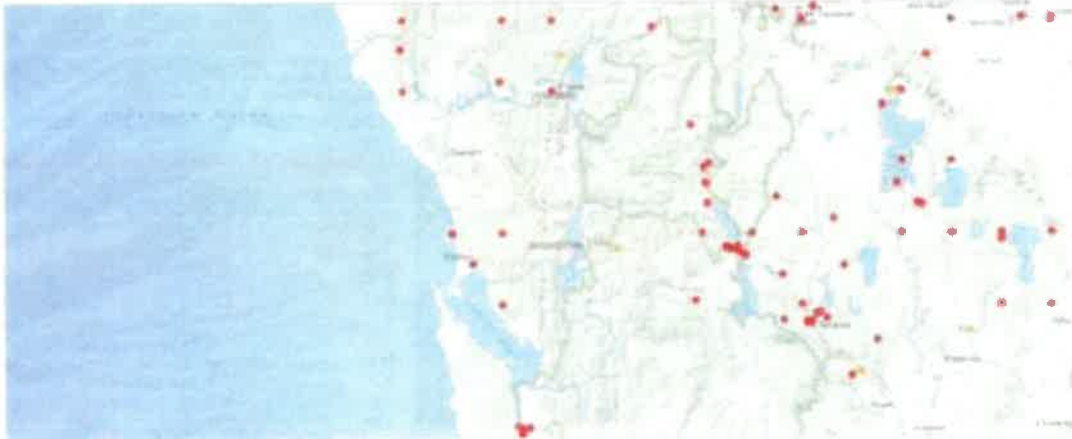
This email and any attachments are strictly confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return email, delete this email, and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorised and may be illegal. Do not

Appendix A.

Natural Values Atlas analysis maps for threatened fauna and flora, and Huon Pine as a threatened forest community.

NVA Analysis Map *Lathamus discolor*

526929, 5401199



229318, 5282926

Please note that some layers may not display at all requested map scales

Map generated using data from www.naturalvaluesatlas.tas.gov.au and www.thelist.tas.gov.au for scottjordan at Wed Sep 30 16:31:25 AEST 2020

NVA Analysis Map *Accipiter novaehollandiae*

701276, 5427278



103647, 5193636

Please note that some layers may not display at all requested map scales

Map generated using data from www.naturalvaluesatlas.tas.gov.au and www.thelist.tas.gov.au for scottjordan at Wed Sep 30 16:22:02 AEST 2020

NVA Analysis Map Ceyx azurus

691709, 5447500



92636, 5212425

Please note that some layers may not display at all requested map scales

Map generated using data from www.naturalvaluesatlas.tas.gov.au and www.thelist.tas.gov.au for scotjordan at Wed Sep 30 16:29:07 AEST 2020

NVA Analysis Map Dasyurus maculatus

670579, 5423708



73298, 5187671

Please note that some layers may not display at all requested map scales

Map generated using data from www.naturalvaluesatlas.tas.gov.au and www.thelist.tas.gov.au for scotjordan at Wed Sep 30 15:59:04 AEST 2020

NVA Analysis Map *Senecio velleiodes*

548607, 5388315



254527, 5271145

Please note that some layers may not display at all requested map scales

Map generated using data from www.naturalvaluesatlas.tas.gov.au and www.thelist.tas.gov.au for scottjordan at Tue Sep 29 16:19:43 AEST 2020

NVA Analysis Map *Stellaria multiflora*

676241, 5448593



76905, 5212195

Please note that some layers may not display at all requested map scales

Map generated using data from www.naturalvaluesatlas.tas.gov.au and www.thelist.tas.gov.au for scottjordan at Tue Sep 29 16:33:35 AEST 2020

NVA Analysis Map *Orthoceras strictum*

539681, 5387003



242656, 5269483

Please note that some layers may not display at all requested map scales

Map generated using data from www.naturalvaluesatlas.tas.gov.au and www.thelist.tas.gov.au for scottjordan at Tue Sep 29 16:26:28 AEST 2020

NVA Analysis Map *Deyeuxia minor*

542323, 5369923



246008, 5252786

Please note that some layers may not display at all requested map scales

Map generated using data from www.naturalvaluesatlas.tas.gov.au and www.thelist.tas.gov.au for scottjordan at Tue Sep 29 16:23:37 AEST 2020

NVA Analysis Map *Persoonia muelleri* s. *Angustifolia*

538556, 5390427



244390, 5272806

Please note that some layers may not display at all requested map scales

Map generated using data from www.naturalvaluesatlas.tas.gov.au and www.thelist.tas.gov.au for scottjordan at Tue Sep 29 16:19:37 AEST 2020

NVA Analysis Map *Epacris curtisiae*

543282, 5455293



213443, 5335611

Please note that some layers may not display at all requested map scales

Map generated using data from www.naturalvaluesatlas.tas.gov.au and www.thelist.tas.gov.au for scottjordan at Tue Sep 29 15:56:11 AEST 2020

NVA Analysis Map *Caladenia pusilla*

457576, 5371057



309055, 5312029

Please note that some layers may not display at all requested map scales

Map generated using data from www.naturalvaluesatlas.tas.gov.au and www.thelists.tas.gov.au for scottjordan at Tue Sep 29 16:16:39 AEST 2020

NVA Analysis Map *micrantheum serpentinum*

457809, 5409099



308525, 5346784

Please note that some layers may not display at all requested map scales

Map generated using data from www.naturalvaluesatlas.tas.gov.au and www.thelists.tas.gov.au for scottjordan at Tue Sep 29 16:02:31 AEST 2020

NVA Analysis Map *Epacris glabella*

550213, 5308908



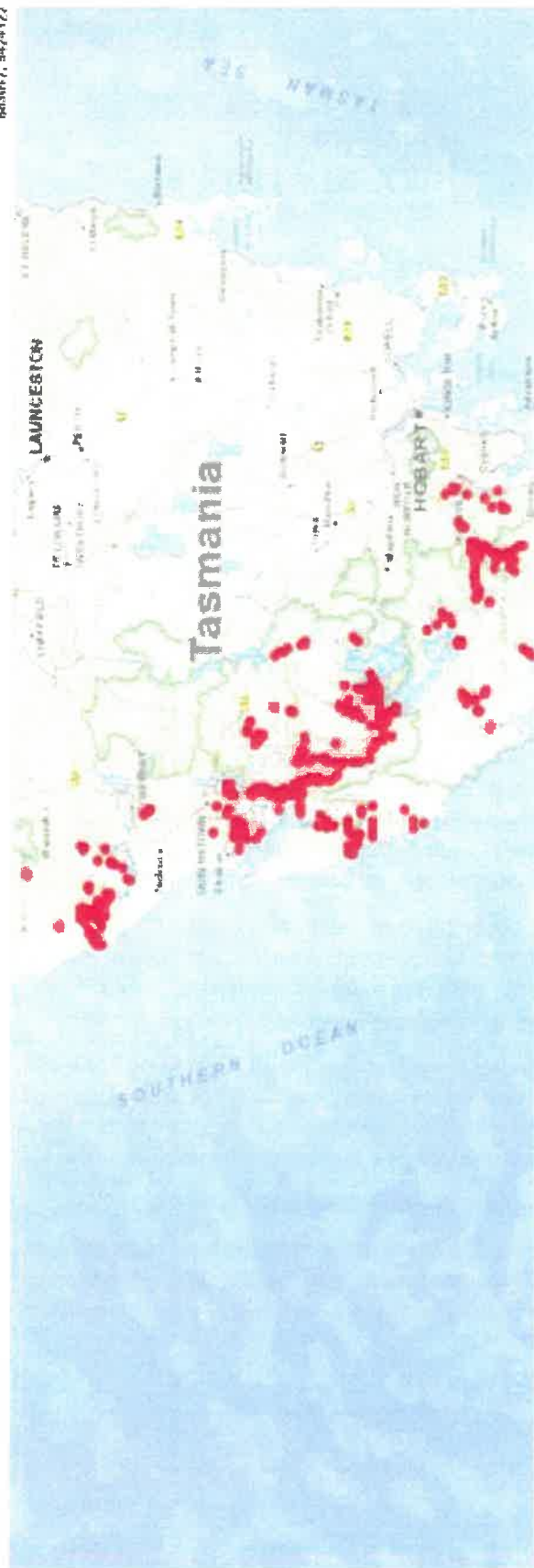
253105, 5274873

Please note that some layers may not display at all requested map scales.

Map generated using data from www.naturalvaluesatlas.tas.gov.au and www.thelist.tas.gov.au for scottpardue at Tue Sep 29 15:59:25 AEST 2020

Natural Values Atlas Analysis Map Huon pine

603067, 547472



03665, 5409284

Please note that some layers may not display at all requested map scales
Map generated using data from www.naturalvalues.tas.gov.au and www.theAtlas.gov.au for 29 Sep 2019 15:46:40 AEST 2020





Submission to West Coast Council LPS

Bob Brown Foundation is a conservation organisation based in Tasmania, with a focus on protection of Tasmania's wild and scenic landscapes and the species which inhabit those landscapes. Over the past six years, we have had a focus on takayna / Tarkine, including the portion of this land that lies within the West Coast Municipality.

The Draft LPS raises concerns for BBF concerning its treatment of public land within takayna / Tarkine and other wilderness and wild areas of the West Coast. While the application of *23.0 Environmental Management Zone* is appropriate to areas that have been identified as such in the draft LPS, we believe the extensive use of the *20.0 Rural Zone* is inappropriate and misapplied to areas more appropriately zoned *22.0 Landscape Conservation Zone* or *23.0 Environmental Management Zone*.

The application guidelines for *20.0 Rural Zone* include:

- RZ 1 The Rural Zone should be applied to land in non-urban areas with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area, **and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.**

We assert that the parcels of land encompassed by the Permanent Timber Production Zone, and the Future Potential Production Forest within the municipal boundary contain values and attributes that meet the application guidelines requirements of either *22.0 Landscape Conservation Zone* or *23.0 Environmental Management Zone*.

- 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;

BOB BROWN FOUNDATION INC.
OFFICE: LEVEL 4, 116 BATHURST ST HOBART - MAIL: PO BOX 4586 HOBART TASMANIA 7000
CONTACT: info@BOBBROWN.ORG.AU / WWW.BOBBROWN.ORG.AU / 03 6294 0620
ABN 51 634 785 002

(b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or

EMZ 1 The Environmental Management Zone should be applied to land with significant ecological, scientific, cultural or scenic values, such as:

- (a) land reserved under the Nature Conservation Act 2002;
- (b) land within the Tasmanian Wilderness World Heritage Area;
- (c) riparian, littoral or coastal reserves;
- (d) Ramsar sites;
- (e) any other public land where the primary purpose is for the protection and conservation of such values; or
- (f) any private land containing significant values identified for protection or conservation and where the intention is to limit use and development.

In presenting our arguments for reconsideration of the draft zones, we will present the evidence of values and qualities that we believe qualify these land parcels for zoning as 22.0 *Landscape Conservation Zone* or 23.0 *Environmental Management Zone*.

We will also make recommendations as to application of the *Scenic Protection Code* and the *Natural Assets Code* overlays.

1 Australian Heritage Council National Heritage recommendation (Tarkine).

In response to a nomination, the Australian Heritage Council assessed the National Heritage values of the Tarkine, with a final recommendation report being prepared for the Minister for the Environment in September 2012¹. The report recommended a 439,000ha area (including land within the West Coast Municipality) be listed as a National Heritage Place within the meaning of the *Environment Protection and Biodiversity Conservation Act 1999*². In its assessment, the AHC found that the heritage values of the Tarkine met:

- *Criterion A: importance in the course, or pattern of Australia's natural or cultural history.*
- *Criterion B: Possession of uncommon, rare or endangered aspects of Australia's natural or cultural history.*
- *Criterion E: Demonstrating the place's importance in exhibiting particular aesthetic characteristics valued by a community or cultural group.*³

In particular, the criteria were met based on findings that:

- *the Tarkine has outstanding heritage value to the nation under criterion (a) as a relict of ancient vegetation and for its demonstration of links with Gondwanan flora,*
- *the Tarkine has outstanding heritage value to the nation under criterion (a) as one of the most important Tertiary fossil flora sites in Australia and for the evidence it provides of the evolution of the Australian flora.*

BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 4 116 BATHURST ST HOBART MAIL: PO BOX 4586 HOBART TASMANIA 7000
CONTACT: @BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU (03) 6294 0620
ABN: 51 634 785 002

- *the Tarkine has outstanding heritage value to the nation under criterion (b) as the single largest tract of cool temperate rainforest in Australia.*
- *it is likely that the Tarkine has outstanding heritage value to the nation under criterion (b) for its high wilderness quality.*
- *it is likely that the Tarkine has outstanding heritage value to the nation under criterion (b) for its lichens.*
- *it is likely that the Tarkine has outstanding heritage value to the nation under criterion (b) for its magnesite karst.*
- *it is likely that the Tarkine has outstanding heritage value to the nation under criterion (e) for its aesthetic characteristics.⁴*

Much of the area within the recommendation falls within formal CAR reserves. These areas are proposed in the draft zonings as *23.0 Environmental Management Zone*. We concur with that zoning recommendation. An area outside the formal reserves has been suggested in the draft for a *20.0 Rural Zone*. We disagree with this zoning. The recommendation of the AHC and the findings that National Heritage values exist over the area of their recommendation should be taken as evidence that:

- *a 23.0 Environmental Management Zone consistent with purposes 23.1.1 and 23.1.2, and application guidelines EMZ 1(e) should apply to the part of the West Coast municipality within the part of the Tarkine nominated for NH listing.*
- *the Natural Assets Code should apply to the whole of the area, consistent with purposes C7.1.1, C7.1.4, C7.1.5 (and in the coastal area consistent with C7.1.2 and C7.1.3), and application guidelines NAC 7, NAC 8, and NAC 10, and highly likely to be consistent with NAC 9, NAC 11 and NAC 12 on field verification, analysis or mapping undertaken on, or on behalf of, the planning authority.*
- *applying the Scenic Protection Code is consistent with purpose 8.1.1 and application guidelines SPC 1, SPC 2 and SPC 3.*
- *without prejudice, any area not zoned as such should default to 22.0 Landscape Conservation Zone consistent purpose 22.1.1 and 22.1.2, and with application guideline LCZ 2(a).*

2 AHC National Estate (Tarkine).

In 2002, the Australian Heritage Commission (forerunner to the Australian Heritage Council) placed 350,000 hectares of the Tarkine on the register of the National Estate⁵. While the National Estate no longer applies, having been superseded in 2007, the Statement of Significance for the registration describes the values that led to its registration. The Statement of Significance records the following criteria as met:

- *biogeographic values present in Tarkine are endemic flora, flora and fauna at the limit of their range, refugia from past processes and primitive and relictual fauna. These are important indicators of past evolutionary and biogeographic processes (Criterion A.1).*
- *the Tarkine is important for contemporary refugia. It contains communities that are strongly associated with climatic and topographic factors that confer a degree of protection from endangering processes such as fire and disease. These refugia have*

BOB BROWN FOUNDATION INC

OFFICE: LEVEL 4, 116 BATHURST ST HOBART MAIL PO BOX 4586 HOBART TASMANIA 7000

CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620

ABN 51 634 785 002

two important roles: they provide locations for the conservation of species and communities and they provide sources for population expansion if limiting conditions prevail (Criterion A.2).

- the Tarkine is important for fauna species richness having a high diversity of fauna species within a restricted area (Criterion A.3).
- the Tarkine is important for flora species richness showing considerable diversity of plant species within a restricted area. It is also important for plant community richness. It has unusually diverse conjunctions or rapid transitions of forest community types (Criterion A.3).
- the Tarkine is important for old-growth forest communities that are rare or uncommon nationally or within Tasmania, or for common forest communities where the levels of disturbance are such that all remaining old-growth areas also have National Estate significance (Criterion B.1).
- the Tarkine is important for its value as a research, teaching or benchmark site. It is important as it provides information contributing to a wider understanding of natural history in the Tasmanian forest region (Criterion C.1).
- the Tarkine is important as it contains type localities for rare and threatened fauna species, encompassing mammals, birds and invertebrates, but excluding primitive and relictual species. This is important for information contributing to a wider understanding of natural history in the Tasmanian forest region (Criterion C.1)
- the Tarkine is significant as a forest place of aesthetic value, important to a community for aesthetic characteristics held in high esteem or otherwise valued by the community (Criterion E.1). The Pieman River is valued for the relationship of flanking rainforest vegetation, including Huon pine, sassafras and myrtle forests, to the river.
- it is also important as a forest place of social value, being highly valued by a community for reasons of religious, spiritual, cultural, educational, or social associations (Criterion G.1).⁶
- geoheritage in numerous sites meeting criteria A.1, A.2, B.1, C.1 and D.1.⁷

As with the AHC's National Heritage recommendation, much of the area within the former National Estate registration falls within formal CAR reserves. These areas are proposed in the draft zonings as 23.0 *Environmental Management Zone*. We concur with that zoning recommendation. An area outside the formal reserves has been suggested in the draft for a 20.0 *Rural Zone*. We disagree with this zoning. The National Estate registration and statement of significance should be taken as evidence that:

- a 23.0 *Environmental Management Zone* should apply across the whole of the area, consistent with purposes 23.1.1 and 23.1.2, and application guidelines EMZ 1(e).
- the Natural Assets Code should apply to the whole of the area, consistent with purposes C7.1.1, C7.1.4, C7.1.5 (and in the coastal area consistent with C7.1.2 and C7.1.3), and application guidelines NAC 7, NAC 8, and NAC 10; and highly likely to be consistent with NAC 9, NAC 11 and NAC 12 on field verification, analysis or mapping undertaken on, or on behalf of, the planning authority.
- applying the *Scenic Protection Code* is consistent with purpose 8.1.1 and application guidelines SPC 1, SPC 2 and SPC 3.

BOB BROWN FOUNDATION INC

OFFICE LEVEL 4 110 BATHURST ST HOBART MAIL PO BOX 4586 HOBART TASMANIA 7000

CONTACT info@bobbrown.org.au www.bobbrown.org.au (03) 6294 0620

ABN 51 634 785 002

- without prejudice, any area not zoned as such should default to 22.0 Landscape Conservation Zone consistent purpose 22.1.1 and 22.1.2, and with application guideline LCZ 2(a).

3 Independent Verification Group Reports

As part of the process leading to the Tasmanian Forests Agreement, the Commonwealth and Tasmanian governments commissioned a series of reports to verify claims by conservationists and the forest industry. Within this group of reports, there are a number that verified various aspects of the conservation significance of the proposed conservation reserves, including those in the Tarkine area. Although these areas did not become reserves, and largely are now designated as future Potential Production Forests, the IVG reports are of use in the process of applying appropriate zonings, particularly in respect to LCZ 2(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.

I will address each relevant IVG report separately.

3.1 IVG Forest Conservation Report 2A, Validation of the ENGO proposed reserves for the conservation of priority flora species on public forest. March 2012

This report identifies the contribution that FPPF (referred to in the report as ENGO proposed reserves) make to the conservation of a number of priority threatened flora species. The map below, taken from the report, shows the improvement in conservation for the selected priority species for the FPPF (referred to in the report as ENGO proposed reserves). The area of now FPPF lands can be seen to hold a very high conservation value on this assessment^a. Table 1 lists priority species particular to this area.

Table 1. Priority Species by TSP & EPBC status and % of contribution of reservation in FPPF relevant to Circular Head Municipality.

Species	TSP	EPBC	% contribution of state reservation	% contribution of bioregional reservation
<i>Epicus Curtisiae</i>	rare (endemic)		22%	16% (west)
<i>Epicris glabella</i>	Endangered (endemic)		20%	20% (west)
<i>Micranthemum serpentinumtans</i>	rare (endemic)		49%	49% (west)
<i>Persoonia muelleri</i> subsp. <i>angustifolia</i>	rare (endemic)		15%	13% (west)

BOB BROWN FOUNDATION INC

OFFICE: LEVEL 4, 116 BATHURST ST HOBART MAIL: PO BOX 4586 HOBART TASMANIA 7000
CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620
ABN 51 634 785 002

Additionally the report asserts the following species would *have a significant benefit from ENGO proposed reserves in Tasmania in a bioregion*⁸ [in this case, the portion of the West bioregion that sits in the West Coast Municipality):

Calanenia caudata
Calanenia congesta
Calanenia pusilla
Deyeuxia minor
Orthoceras strictum
Senecio velleioides
Stellaria multiflora

And *Pteraspheera hookeriana* (vulnerable on TSP Act, endemic to Tasmania) as a *threatened or paleoendemic species that that are likely to benefit from the ENGO proposed reserves that were included in separate reports*²⁰.

This report should be seen as evidence that:

- a 23.0 *Environmental Management Zone* should apply for the FPPF areas contained in polygons 50, 52, 59, 61, 64, 69, 79, 80, 81, 85, 88, 89, 90, 92, 96, and 105 of the IVG reports consistent with purposes 23.1.1 and 23.1.2, and application guidelines EMZ 1(e).
- the Natural Assets Code should apply to FPPF polygons 50, 52, 59, 61, 64, 69, 79, 80, 81, 85, 88, 89, 90, 92, 96, and 105 of the IVG reports, consistent with purposes C7.1.1, C7.1.4, C7.1.5, and application guidelines NAC 7 and NAC 8, and highly likely to be consistent with NAC 9, NAC 11 and NAC 12 on field verification, analysis or mapping undertaken on, or on behalf of, the planning authority.
- without prejudice, any area not zoned as such should default to 22.0 *Landscape Conservation Zone* consistent purpose 22.1.1 and 22.1.2, and with application guideline LCZ 2(a).

BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 4 115 BATHURST ST HOBART MAIL PO BOX 4586 HOBART TASMANIA 7000

CONTACT: BOBBROWN@OZIL.AU WWW.BOBBROWN.ORG.AU 03 6294 0620

ABN 51 634 785 007

Figure 1

Proposed ENGO reserves that improve the formal reservation of priority threatened flora species (excluding threatened eucalypts and paleoendemics)



Map reproduced from <https://www.environment.gov.au/system/files/resources/ee6de0e6-0f83-486d-b0c3-8b1d75abc497/images/ivg-conservation2afig1prioritythreatenedflora.jpg>

BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 4, 116 BATHURST ST HOBART MAIL PO BOX 4586 HOBART TASMANIA 7000

CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620

ABN 51 634 785 002

3.2 IVG Forest Conservation Report 28, Validation of the ENGO proposed reserves for the conservation of priority fauna species on public forest. March 2012

This report identifies the contribution that FPPF (referred to in the report as ENGO proposed reserves) make to the conservation of a number of priority threatened fauna species. Overall, the report found that FPPF land in the takayna /Tarkine represented a medium or high improvement to reservation of area for protection of threatened species (figure 2),¹¹ while areas south of the Tarkine as having 'key', 'core' or 'important' ranges for particular threatened species. Table 2 shows threatened fauna species by reserve importance relating to FPPF (polygons 50, 52, 59, 61, 64, 69, 79, 80, 81, 85, 88, 89, 90, 92, 96, and 105). Figures 2,3,4 & 5 show the relative importance for various priority threatened fauna species.

Large mammal carnivores were dealt with in a separate report (7A) discussed later in this submission.

The recommendations of this report, notwithstanding the absence of formal reservation, should be seen as evidence that:

- a 23.0 *Environmental Management Zone* should apply for the FPPF areas contained in polygons 50, 52, 59, 61, 64, 69, 79, 80, 81, 85, 88, 89, 90, 92, 96, and 105 of the IVG reports consistent with purposes 23.1.1 and 23.1.2, and application guidelines EMZ 1(e).
- the *Natural Assets Code* should apply to FPPF areas on polygons 50, 52, 59, 61, 64, 69, 79, 80, 81, 85, 88, 89, 90, 92, 96, and 105 of the IVG reports, consistent with purposes C7.1.1, C7.1.4, C7.1.5, and application guideline NAC 10, and highly likely to be consistent with NAC 11 on field verification, analysis or mapping undertaken on, or on behalf of, the planning authority.
- without prejudice, any area not zoned as such should default to 22.0 *Landscape Conservation Zone* consistent purpose 22.1.1 and 22.1.2, and with application guideline LCZ 2(a).

Table 2 Fauna species by reserve importance of FPPF.

Species	TSP	EPBC	Polygon	Reserve importance
<i>Perameles gunnii</i> gunnii Eastern barred bandicoot.		Vulnerable	94, 101	Important ¹²
<i>Accipiter novaehollandiae</i> Grey Goshawk	Endangered		59, 61, 64, 85, 90, 96, 102, 105 52, 81, 111	Core range Medium contribution ¹³
<i>Ceyx azureus</i> Azure Kingfisher	Endangered	Endangered	52, 81, 111	Key reserve ¹⁴
<i>Lathamus discolor</i> Swift Parrot	Endangered	Critically Endangered	59, 61, 64, 81	Core range

BOB BROWN FOUNDATION INC

OFFICE LEVEL 1 116 BATHURST ST HOBART MAIL PO BOX 1586 HOBART TASMANIA 7003

CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620

ABN 51 634 285 002

Hydrobiid snails spp.		102	Key ^{LE}
-----------------------	--	-----	-------------------

Figure 2

Map reproduced from <https://www.environment.gov.au/system/files/resources/ee1de0e6-0f83-486d-b0c3-8b1d25abc497/files/ivgconservation2bpriorityfauna.pdf>

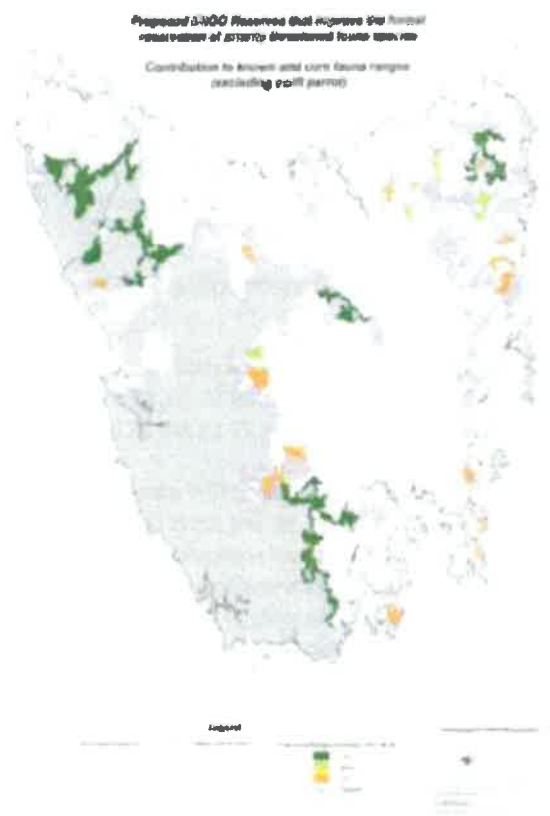


Figure 3

Map reproduced from <https://www.environment.gov.au/system/files/resources/ee1de0e6-0f83-486d-b0c3-8b1d25abc497/files/ivgconservation2bpriorityfauna.pdf>

BOB BROWN FOUNDATION INC.
 OFFICE: LEVEL 1 116 BATHURST ST HOBART MAIL PO BOX 4586 HOBART TASMANIA 7000
 CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620
 ABN 51 634 785 002



Figure 4

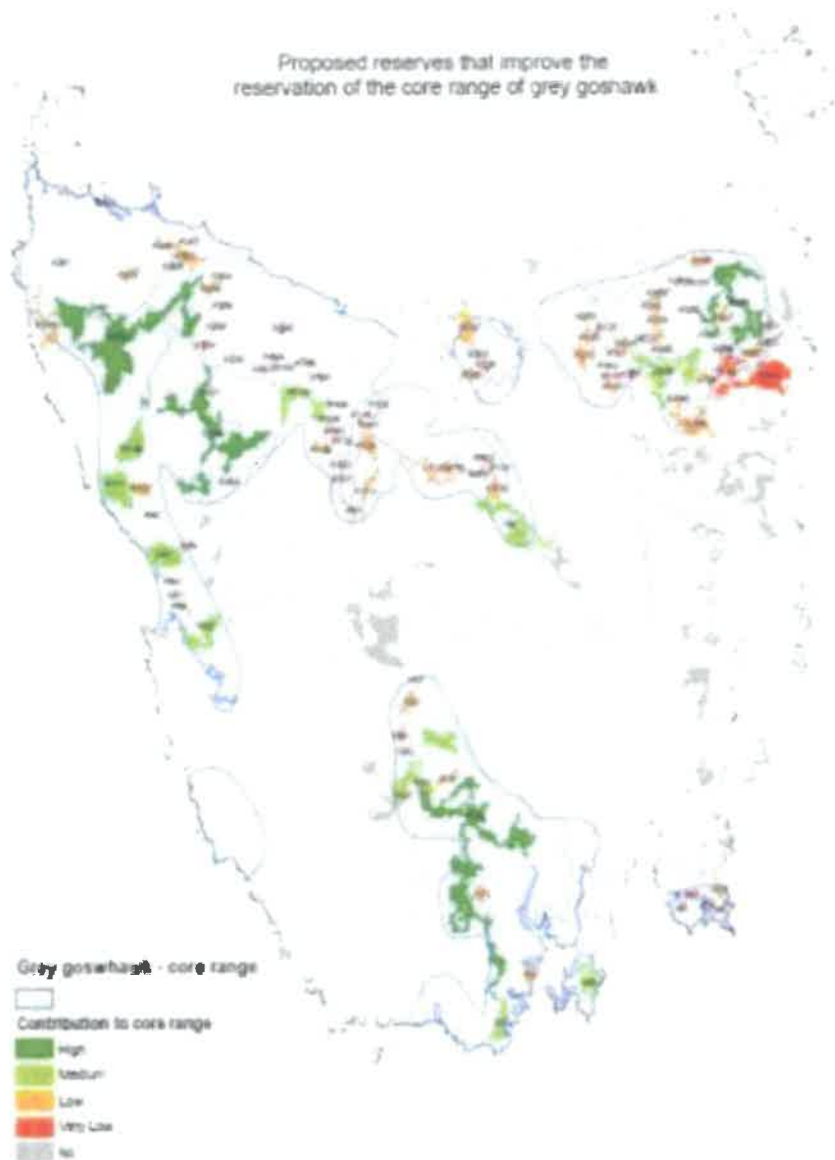
Map reproduced from <https://www.environment.gov.au/system/files/resources/eefde9e6-0f83-486d-b0c3-8b1d25abc497/files/wgconservation2bpriorityfauna.pdf>

BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 1, 116 BATHURST ST, HOBART, TASMANIA 7000 (PO BOX 158) HOBART TASMANIA 7000

CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0520

ABN: 51 634 785 002



BOB BROWN FOUNDATION INC.
 OFFICE: LEVEL 4, 116 BATHURST ST HOBART TASL. PO BOX 4586 HOBART TASMANIA 7000
 CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620
 ABN 51 634 785 002

3.3 IVG Forest Conservation Report 5A, Verification of Heritage Values of ENGO proposed reserves. February 2012

Peter Hitchcock AM was engaged to conduct an assessment of National and World Heritage Values of the ENGO proposed reserves¹⁶. In chapter five of his report, he assesses possible World Heritage values in the Tarkine against the criterion set out by the World Heritage Convention, being:

- (i) to represent a masterpiece of human creative genius;
- (ii) to exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design;
- (iii) to bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared;
- (iv) to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history;
- (v) to be an outstanding example of a traditional human settlement, land-use, or sea-use which is representative of a culture (or cultures), or human interaction with the environment especially when it has become vulnerable under the impact of irreversible change;
- (vi) to be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (The Committee considers that this criterion should preferably be used in conjunction with other criteria);
- (vii) to contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance;
- (viii) to be outstanding examples representing major stages of Earth's history, including the record of life, significant on-going geological processes in the development of landforms, or significant geomorphic or physiographic features;
- (ix) to be outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, freshwater, coastal and marine ecosystems and communities of plants and animals;
- (x) to contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation.¹⁷

To qualify for World Heritage listing, one or more criterion must be met¹⁸.

In his report, he addresses the Tarkine as a whole, and not by the TFA polygons. This is unsurprising given that vastness, connectedness and scale are indicators and descriptors in identifying World Heritage values. For the purposes of this submission we have refer to

BOB BROWN FOUNDATION INC
OFFICE: LEVEL 4, 116 BATHURST ST HOBART, TASMANIA 7000
CONTACT: BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620
ABN 51 634 785 002

Hitchcock's findings and recommendation on the Tarkine as a whole, understanding that the West Coast local planning schedules are only attributable to that area of the Tarkine that sits within the West Coast municipality, Hitchcock also addressed the cultural heritage values (criterion i-vi) and natural heritage values (vii-x) separately.

Concerning the cultural heritage values, Hitchcock found that "the Tarkine can readily meet World Heritage Criterion (v) and very likely (iii) and (vii)"¹⁹, and that in relation to the natural heritage values "The Tarkine is considered to qualify against Criteria (vii), (ix) and (x)"²⁰ and "It does have some valuable contributions to make against Criterion (viii) but these would need to be further evaluated"²¹.

Of relevance to the zoning question, in assessing the Tarkine against the criterion (vii), (ix) and (x) Hitchcock found that the Tarkine has the following natural attributes:

Criterion (vii):

- vast expanses of largely treeless coastal plains
- long sandy ocean beaches backed by tracts of treeless heath
- very extensive tracts of well-developed temperate rainforest (the most extensive individual stand(s) in Australia) of exceptional natural beauty and aesthetic importance
- visually outstanding stands of tall eucalypt forest, often intimately associated with rainforest
- major tracts of apparently pristine natural landscapes — recognised wilderness qualities
- the extraordinary visual impact of the complex granite landscape of the Meredith Range with its mosaic of moorland and scrub.²²

Criterion (ix):

- the Tarkine is a large tract of relatively undisturbed land where natural ecological and evolutionary processes are ongoing (indicators: wilderness mapping, wild river mapping)
- the products of those ongoing processes are evident in the maintenance of extensive temperate rainforest and associated Gondwanan flora and in the form of more recently evolved local endemic taxa, including species that are confined to the Tarkine
- ecosystems which are relatively free of introduced plant and animal species, the most extensive and least disturbed tract of cool temperate rainforest ecosystem in Australia and second largest in the world
- coastal plant communities free of exotic sand binding grasses which show natural processes of dune formation and erosion
- undisturbed catchments and streams.²³

Criterion(x):

BOB BROWN FOUNDATION INC.
OFFICE: LEVEL 4, 116 BATHURST ST HOBART MAIL PO BOX 4556 HOBART TASMANIA 7000
CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620
ABN 51 634 785 002

- important habitat of rare local endemic crustacean *Astacopsis gouldi*, the world's largest freshwater crayfish.
- the largest example of Gondwanan cool temperate rainforest in outstanding natural condition.
- a significant habitat for in-situ conservation of E, obliqua tall eucalypt forest ecosystem.
- outstanding example of interaction between cool temperate rainforest and moorland/heath—both well represented in complex mosaic.
- extensive intact areas of native forest on Tertiary basalt is now rare and adds an important new dimension to the ecological diversity of the TWWHA. For example *Eucalyptus brookeriana* tall eucalypt forest.
- 'Rare and vulnerable endemic heath, *Epacris curtisiae*, which is concentrated in the Nelson Bay River area and is not known within any secure reserves.' TNC National Park Proposal. A local endemic and listed in Tasmania as 'Rare'.
- 'Representative sample of the '*Poa labillardieri*–*Trachymene humilistus* sock grassland' community, located within the Netherby plains region (Kirkpatrick et al.1988a). This community is poorly reserved (Kirkpatrick et al.1995).' (TNC National Park Proposal).
- Huon pine (*Lagarostrobos franklinii*) The Tarkine includes an outlier occurrence of this iconic long-lived coniferous tree species, here at its northern limit. See also sub-fossils of the species in the Stanley River.
- the Tasmanian whitebait and Tasmanian smelt (*Retropinna tasmanica*) are endemic.
- the Australian grayling is listed as threatened under state and Commonwealth threatened-species legislation. These uncommon species occur in significant numbers in the Pieman River (Slater 1992).' (Pullinger 2004).
- two threatened frog species, the green and golden frog (*Litoria raniformis*) and striped marsh frog (*Limnodynastes peronei*), are rare and have restricted distributions in Tasmania. The green and golden frog has been listed as vulnerable and its populations are declining in Tasmania; its range in Northern Tasmania has contracted (Bryant & Jackson 1999). The striped marsh frog can be found in the coastal North East, the far North West and King Island. Both these species occur in coastal lagoons, marshes and swamps of the Arthur–Pieman plains. (Pullinger 2004).
- eleven of Tasmania's twelve endemic birds live in the Tarkine (national park proposal).
- the nationally vulnerable ground parrot, represented as a Tasmanian endemic sub-species *Pezoporus wallicus leachi*, is concentrated in the buttongrass moorlands of western Tasmania, occupying moorland shared between the TWWHA and the Tarkine. The moorlands of western Tasmania represent some of the most important habitat of the species, being the most extensive relatively secure habitat of the species nationally.
- two migratory bird species that breed only in Tasmania, the swift parrot (*Lathamus discolor*) and the orange-bellied parrot (*Neophema chrysogaster*), forage in the Tarkine. The latter, a critically endangered species, breeds in South West Tasmania but migrates along the West coast and forages on coastal plants, especially

BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 4, 116 BATHURST ST HOBART. MAIL: PO BOX 4580 HOBART TASMANIA 7000

CONTACT: @BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620

ABN 51 634 785 002

samphire. Consequently the Tarkine's coastal vegetation is extremely important habitat.

- the endangered Swift Parrot breeds predominantly in South East Tasmania and feeds on the nectar from the Tasmanian blue gum (*Eucalyptus globulus-globulus*). In the Tarkine, the Swift Parrot forages on these trees during the post-breeding dispersal and migration season.
- Tasmania's largest diurnal raptors are the Tasmanian subspecies of the Wedge-Tailed eagle (*Aquila audax fleayi*) (listed as endangered under EPBC) and the White-bellied Sea-eagle (*Haliaeetus leucogaster*) (listed as migratory under CAMBA). The largest nocturnal predator is the masked owl (*Tyto novaehollandiae castanops*). The Tasmania population is listed under the EPBC as 'vulnerable'. The Tarkine provides significant habitat for some fifteen to twenty pairs of the Wedge-tailed Eagle and six pairs of White-bellied Sea-eagle and the Grey Goshawk as well as habitat for the Masked Owl
- Tasmania's three largest extant mammalian predators, in order of decreasing size, are the Tasmanian devil (*Sarcophilus harrisii*), the spotted-tailed quoll (*Dasyurus maculatus maculatus*), and the eastern quoll (*Dasyurus viverrinus*). The presence of these top predators in the Tarkine is a sign of a healthy ecosystem.
- the Tarkine is one of the highest centres of invertebrate diversity out of the 11 sites sampled for the Tasmanian component of the National Rainforest Conservation Program (AHC, 1989). The Savage River rainforest in the Tarkine is also the only known location of 15 invertebrate species:
 - two species of Pauropoda (*Allopauropus convexus* mss and *Stylopauropoides erectus* mss)
 - three species of Symphyla (*Hanseniella pyrethrata*, *Hanseniella*, *Hanseniella pluvialis*)
 - two species of Diplopoda
 - three species of Opiliones (*Calliuncus vulsus*, *Mestoniasp. N.* and *Numioide ssp. N.*)
 - two species of Collembola (*Phradman tasmaniae*, *Paronellid* ssp. Nov) (AHC, 1989).
- the Tarkine is particularly important for freshwater crustaceans, which are of global significance (PWS, 2001).
- among the crustaceans, there are at least 17 species of Amphipod (landhopper), making the Tarkine one of the richest centres of diversity for this invertebrate group in the world (PWS, 2001). National Park proposal
- one of the largest freshwater invertebrates in the world, *Astacopsis gouldi*, inhabits rivers in the north of Tasmania and the Arthur River catchment.

24

While suggesting assessment against criterion viii requires further assessment, Hitchcock noted the internationally significant sites recorded in the Tasmanian Geoconservation Database included:

- Little Rapid River early Oligocene plant fossil site
- Hellyer River insect fossil locality

BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 4 116 BATHURST ST HOBART MAIL PO BOX 4580 HOBART TASMANIA 7000
 CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620
 ABN 51 634 785 002

- Balfour–String of Beads fossil locality
- Western Tasmania blanket bogs (widespread in TWWHA and Tarkine).²⁵

And that nationally significant sites recorded on the Tasmanian Geoconservation Database included:

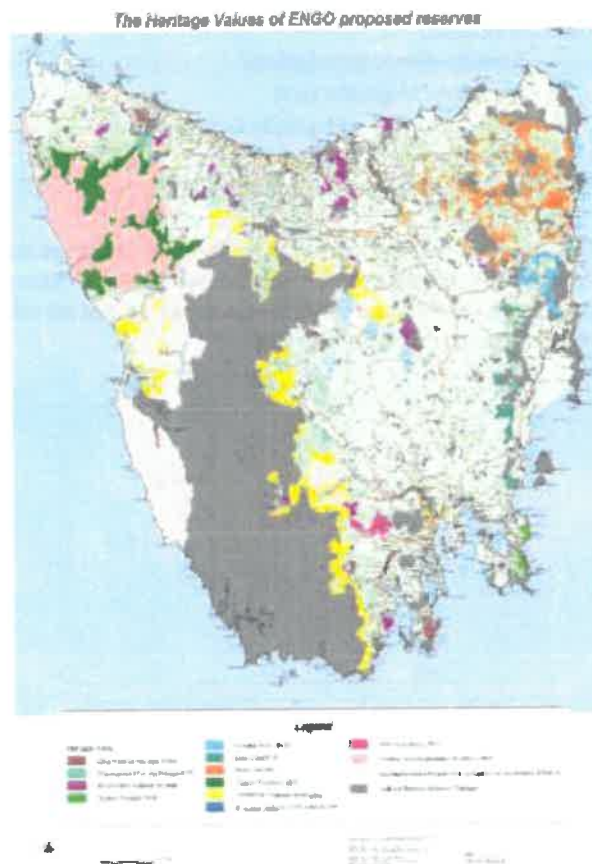
- Trowutta–Sumac Karst Systems
- Lyons River Magnesite Karst
- Keith–Arthur Rivers Magnesite Karst
- Arthur Lineament
- Main Rivulet–Bowry Creek Magnesite Karst.²⁶

The boundary applied to Hitchcock's recommendation can be seen in figure 6 and figure 7. Of note, he also included an area extending beyond the recommended Tarkine WHA boundary in the northeast corner, incorporating the area extending to Dip Range recommended National Heritage area.

BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 4, 116 BATHURST ST HOBART (MAIL) PO BOX 4580 HOBART TASMANIA 7000
 CONTACT: 160600BROWN.ORG.AU WWW.B0BBROWN.ORG 41 03 6294 0626
 ABN 51 634 785 007

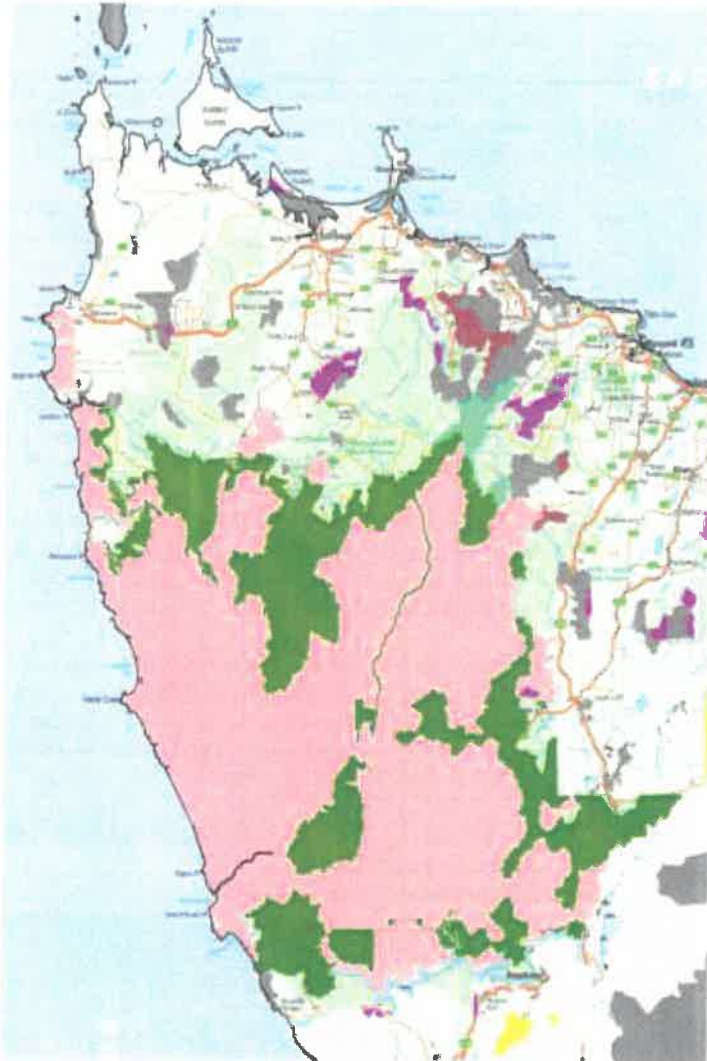
Figure 5



Map reproduced from <https://www.environment.gov.au/system/files/resources/ee/de0e6-0f83-486d-b0c3-8b1d25abc497/images/ivgconservation5aheritagemap.jpg>

BOB BROWN FOUNDATION INC
 OFFICE: LEVEL 4, 116 BATHURST ST HOBART MAIL PO BOX 1590 HOBART TASMANIA 7000
 CONTACT: BOBBROWN@CARLALU WWW.BOBBROWN.ORG.AU 03 6294 0620
 ABN 51 634 785 002

Figure 6



Map reproduced from <https://www.environment.gov.au/system/files/resources/ef7de0e6-0f83-486d-b0c3-8b1d25abc497/images/ivgcconservation5aheritagemap1.jpg>

Hitchcock also assessed the heritage values of areas within the West Coast municipality outside of the Tarkine. This assessment was undertaken based on the polygons used in the Tasmanian Forest Agreement process. His recommendations are reproduced in the table below²⁷:

Polygon/FID	Assessment and findings (reproduced from the Hitchcock report)
-------------	----------------------------------------------------------------

BOB BROWN FOUNDATION INC.
OFFICE: LEVEL 4 410 BATHURST ST HOBART TASMANIA, PT BOX 4580 HOBART TASMANIA 7000
CONTACT: @BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620
ABN 51 634 785 002

FID 90	Mostly forested. Some significant disturbance in western half. Eastern half appears to be intact. No identified geoconservation values, Contributes to connectivity between Mount Heemskirk and Meredith Range Regional Reserves.
FID 88	<p>Some cultural heritage values appear to be within the site in the form of the remains of the historic Dundas Railway built in the 1890s. This deserves closer investigation.</p> <p>Preliminary investigation suggested this to be of some particular significance in the history of mining in the region. A 2ft.gauge railway in such difficult terrain and constructed in the 1890s may be of national heritage significance. The area contains a significant occurrence of King Billy Pine forest community of high heritage conservation value, a forest type officially classified within Tasmania as a threatened plant community.</p>
FID 89	<p>Almost the whole of FID89 is threatened plant communities (King Billy Pine <i>Athrotaxis selaginoides</i> and <i>Banksia marginate</i> wet scrub) and so is of high heritage conservation value. These values are therefore readily verified. FID89 is strategically located between two regional reserves and a nature reserve, each of very high conservation value. As such it potentially provides a critical link for securing ecological connectivity between those three reserves, two of which have significant stands of King Billy Pine <i>Athrotaxis selaginoides</i> and the third globally important Huon pine.</p> <p>FID89 is of definite natural heritage conservation value and if added to the TWWHA, would contribute significantly to the integrity of the TWWHA. FID 89 is of definite high heritage conservation value. It is an integral part of a tract of land with high heritage values and which is worthy of permanent protection and addition to the TWWHA.</p>
FID 80	<p>FID 80 has multiple geoconservation values listed on the Tasmanian Geoconservation Database:</p> <ul style="list-style-type: none"> •Central Plateau Terrain (global significance) •Central Highlands Cainozoic Glacial Area (national significance) •Tyndall Range Glacial Features (national significance) •Hamilton Moraine (lower extension). <p>FID 80 contains a major stand of the threatened plant community, King Billy Pine <i>Athrotaxis selaginoides</i> and as such is of definite natural heritage conservation value. The stand occupies a lower elevation topographic position complementary to the more extensive higher mountain habitat in the region. FID 80 is a part of the Tyndall Range, which is highly regarded as one of the most spectacularly glaciated mountain ranges in Tasmania. The range is listed as a geoconservation site of continental significance (i.e. nationally significant).</p> <p>FID 80 was found to contain natural heritage conservation value of definite national significance. Also FID 80 is strategically located between two major regional reserves, each of very high heritage conservation value and therefore</p>

BOR BROWN FOUNDATION INC.

OFFICE: LEVEL 4, 116 BATHURST ST HOBART MAIL: PO BOX 1586 HOBART TASMANIA 7000

CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620

ABN 51 634 785 002

	critically important for maintaining ecological connectivity between the two major reserves of very high heritage significance. The addition FID 80 and the two adjoining reserves to the adjoining TWWHA would contribute very significantly to the integrity of the adjacent TWWHA.
FID 81	<p>It has considerable geoconservation values, including some fragile landforms. Identified Geoconservation values include:</p> <ul style="list-style-type: none"> • Little Henty Raised Last Interglacial beaches • Henty Dunes (regional) • Macquarie Harbour Graben (national significance) • Deeply Entrenched River Gorges on the Henty Surface (sub-regional) • Zeehan Region Strike Ridges and Valleys (regional) • Professor Plateau Erosion Surface Remnant (sub-region) • Western Tasmania Blanket Bogs (global significance). <p>The main heritage significance comes from the existence of an intact transect from the strike ridges of the inland through to intact sandy estuary and beaches, including 'fossil' beaches from the last interglacial. The combination of these geoconservation attributes, the intact vegetation and the natural buffering of the coastal sand dunes from encroachment by vehicles, greatly complements that of the adjoining Mount Dundas Regional Reserve. If added to that reserve, FID 81 would contribute greatly to the ecological and geoconservation integrity of that reserve and further enhance the significance of the Mount Dundas Regional Reserve as a potential addition to the Tasmanian Wilderness World Heritage Area.</p> <p>Only one Aboriginal site has been recorded within FID 81 (TAS12578).</p> <p>FID 81 is of definite high heritage conservation value and if considered in the context of it adjoining the Mount Dundas Regional Reserve, would be of at least national significance. Mount Dundas Regional Reserve, together with FID 81 and Badger River Forest Reserve, would, if added to the adjacent Tasmanian Wilderness World Heritage Area, contribute significantly to the integrity of the TWWHA. Protecting the natural vegetation of the area would help to maintain the natural landscape associated with the Strahan-Zeehan Road and so contribute to presentation of the natural landscape or, if added to the TWWHA, contribute to the presentation of the TWWHA.</p>

BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 4, 116 BATHURST ST HOBART MAIL PO BOX 4586 HOBART TASMANIA 7000

CONTACT: BOB@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620

ABN 51 64 785 007

FID 59, 61, 62, 64, 67	<p>The Mount Dundas Regional Reserve, together with these three parcels of ENGO-proposed reserves of high heritage conservation value and would rate at least national significance. In addition these three parcels make an important contribution to the boundary of the adjoining Mount Dundas Regional Reserve. FID 59, a larger parcel, is particularly important for consolidating the boundary of Mount Dundas Regional Reserve as it more closely aligns the boundary with the Lyell Highway and so extends the visual protection along that road.</p> <p>Significant opportunity exists to improve the integrity of the boundary by including the Henty Forest Reserve between FID 64 and FID 67. Together the three areas contribute to protecting the Henty River corridor, helping to protect the wilderness and wild river values of the river.</p> <p>The following combination is of global heritage significance worthy of adding to the adjoining World Heritage Area:</p> <ul style="list-style-type: none"> • Mount Dundas Regional Reserve • Nine ENGO-proposed reserves, including FID 81 • Tyndall Regional Reserve and Lake Beatrice Conservation Area.
FID 52	<p>Several geological features extending into the area are listed on the Tasmanian Geoconservation Database (TGD) including:</p> <ul style="list-style-type: none"> • The Macquarie Harbour Graben of Geographical Significance. Significance is 'Continent', 'Statement of Significance: Possibly the clearest example of a late-stage trailing margin rift structure in Australia. Contains neotectonically significant features (including terraces and evidence for reactivation of Devonian structures) listed as separate sites.' (TGD) Assessed: national significance. • West Coast Range, geographical significance continental (national) • Macquarie Graben Fluvial Geomorphic Systems, geographical significance, global significance. <p>FID 52 contains a group of stands of King Billy pine, <i>Athrotaxis selaginoides</i>, a listed threatened plant community. The cluster of forest stands of King Billy pine is very significant given the relative natural protection afforded by the mostly surrounding rainforest.</p> <p>The West Coast Wilderness Railway connects Queenstown to Strahan and is a popular tourist attraction. It is undoubtedly also of important historical value and hence of cultural heritage significance.</p> <p>FID 52 has significant natural and cultural heritage values, including stands of King Billy pine <i>Athrotaxis selaginoides</i> and a number of significant geoconservation values. Considered as an integral part of the landscape in the West Coast Range Regional Reserve, the combination is of at least national heritage significance and, if added to the adjoining TWWHA, would make an important contribution to the integrity of the TWWHA. FID 52 is of high heritage conservation significance.</p>

BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 4, 116 BATHURST ST HOBART MAIL PO BOX 4586 HOBART TASMANIA 7000
 CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620
 ABN 51 634 785 002

FID 50	<p>FID 50 is part of a mountain massif (Mount Jukes) that is rich in geoconservation values including:</p> <ul style="list-style-type: none"> • Proprietary Peak Types Area, geographical significance, regional • Transect through Mt Read Volcanic, Mt Jukes Road, geographical significance at regional level. <p>Statement of Significance: A representative transect through the hydrothermal alteration zone in the Central Volcanic Complex, including faulted boundary with the Eastern Sequence.</p> <ul style="list-style-type: none"> • West Coast Range, geographical significance, continental (national significance). <p>Much of the lower slopes in FID 50 are wet woodlands of <i>Eucalyptus nitida</i> and moorland. The cirque contains a significant area of Huon pine <i>Lagarostrobos franklinii</i> rainforest and scrub. Further upslope the vegetation is mapped as 'Highland low rainforest and scrub' and 'western alpine sedge/land/herbland'. FID 50 includes a significant area of Huon pine <i>Lagarostrobos franklinii</i> 'rainforest and scrub' high up in the Jukes Cirque.</p> <p>FID 50 is of definite high heritage conservation significance and is an integral part of a landform and landscape that can readily qualify as a potential addition to the TWWHA. Further, FID 50 is an integral part of the West Coast Range massif and as such must be assessed accordingly. Together with the West Coast Range Regional Reserve, FID 50 would make a very significant contribution to the integrity of the adjoining Tasmanian Wilderness World Heritage Area.</p>
--------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

On the basis of this report, it is reasonable to apply:

- a 23.0 *Environmental Management Zone* to the Tarkine WHA recommended area and the polygons 50, 52, 59, 61, 62, 64, 65, 80, 81, and 89 WHA recommended areas consistent with purposes 23.1.1 and 23.1.2, and application guidelines EMZ 1(e).
- the *Natural Assets Code* should apply to the whole of the areas above, consistent with purposes C7.1.1, C7.1.4, C7.1.5 (and in the coastal area consistent with (C7.1.2 and C7.1.3), and application guidelines NAC 7, NAC 8, and NAC 10, and highly likely to be consistent with NAC 9, NAC 11 and NAC 12 on field verification, analysis or mapping undertaken on, or on behalf of, the planning authority.
- applying the *Scenic Protection Code* is consistent with purpose 8.1.1 and application guidelines SPC 1, SPC 2 and SPC 3.
- without prejudice, any area not zoned as such should default to 22.0 *Landscape Conservation Zone* consistent purpose 22.1.1 and 22.1.2, and with application guideline LCZ 2(a).

BOB BROWN FOUNDATION INC

OFFICE: LEVEL 11 116 BATHURST ST HOBART (MAIL PO BOX 1386 HOBART TASMANIA 7000)
 CONTACT: info@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU (03 6294 0620)
 ABN 51 614 785 061

3.4 IVG Forest Conservation Report 7A, Report for the Independent Verification Group of the Tasmanian Forests Intergovernmental Agreement (IGA) on the distribution of carnivore refugia within the proposed ENGO forest conservation areas: Distribution of large marsupial carnivores, locations of core habitat and population strongholds for the Tasmanian Devil, Spotted-tailed Quoll and Eastern Quoll in Tasmania.

IVG Report 7a assessed the contributions that would be made to the conservation of three species, Tasmanian Devil *Sarcophilus harrisii*, Spotted-tailed Quoll *Dasyurus maculatus*, and Eastern Quoll *Dasyurus viverrinus*, from the ENGO proposed reserves. The authors found that for the areas within West Coast Municipality, the ENGO proposed reserves would make a medium contribution to conservation of the Spotted-tailed Quoll (figure 8)²⁸.

BOB BROWN FOUNDATION INC

OFFICE: LEVEL 4, 116 BATHURST ST HOBART, TAS. (PO BOX 4586 HOBART TASMANIA 7000)

CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620

ABN 51 634 785 002

Figure 7

Map reproduced from <https://www.environment.gov.au/system/files/resources/eefde0e6-0f83-486d-b0c3-8b1d25abc497/files/ivyconservation7acarnivores.pdf>



BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 4, 111 BATHURST ST HOBART MAIL PO BOX 4586 HOBART TASMANIA 7000

CONTACT @ BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620

ABN 51 634 785 002

On the basis of this report, these areas should be zoned:

- *23.0 Environmental Management Zone* should apply for the areas of FPPF land as marked in figure 8 consistent with purposes 23.1.1 and 23.1.2, and application guidelines EMZ 1(e).
- the *Natural Assets Code* should apply to areas of FPPF land as marked in figure 8, consistent with purposes C7.1.1, C7.1.4, C7.1.5, and application guideline NAC 10, and highly likely to be consistent with NAC 11 on field verification, analysis or mapping undertaken on, or on behalf of, the planning authority.
- without prejudice, any area not zoned as such should default to 22.0 *Landscape Conservation Zone* consistent purpose 22.1.1 and 22.1.2, and with application guideline LCZ 2(a).

4 Threatened species distribution NVA

Searches using the online Natural Values Atlas search tool return a high level of threatened flora and fauna species observations across the PTPZ and FPPF lands in the Tarkine. This is unsurprising given the findings of the IVG and AHC reports that relied upon NVA data in making their recommendations. Due to the volume of material, these search tool results (in map form) are included in Appendix A.

The high number of threatened species observations, particularly given the remote nature of the area in question, supports the case for inclusion of FPPF and PTPZ lands in:

- a *23.0 Environmental Management Zone* should apply for the areas contained in polygons 252 and 244 of the IVG reports consistent with purposes 23.1.1 and 23.1.2, and application guidelines EMZ 1(e).
- the *Natural Assets Code* should apply to polygons 252 and 244 of the IVG reports, consistent with purposes C7.1.1, C7.1.4, C7.1.5, and application guidelines NAC 7, NAC 8 and NAC10, and highly likely to be consistent with NAC 9, NAC 11 and NAC 12 on field verification, analysis or mapping undertaken on, or on behalf of, the planning authority.
- without prejudice, any area not zoned as such should default to 22.0 *Landscape Conservation Zone* consistent purpose 22.1.1 and 22.1.2, and with application guideline LCZ 2(a).

5 FPPF land.

FPPF land is administered through Crown land Services. It is not able to be harvested (except in limited circumstances) and requires Parliamentary approval to reallocate FPPF land to PTPZ land. The Department of State Growth in the *Rebuilding the Forest Industry Fact Sheet*²⁹ notes that:

- *there will be a moratorium on native forest harvesting in the FPPF Land, except for limited special timbers harvesting and a small number of transitional forest coupes.*

BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 4, 116 BATHURST ST HOBART MAIL PO BOX 4586 HOBART TASMANIA 7000
CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620
ABN 51 634 785 002

- *the FPPF Land may not be sold, but it can be leased.*
- *land may be exchanged between FPPF Land and Permanent Timber Production Zone (PTPZ) Land.*
- *after April 2020, FPPF Land may be converted to PTPZ Land, with the approval of the Parliament, to enable native forest harvesting.*

Any Special Species Management Plan (a prerequisite to any application to transfer FPPF land to PTPZ) an assessment of the:

- *the management of conservation values and other environmental values in relation to the harvesting of special species timber on that land; and*
- *the management of cultural and heritage values in relation to the harvesting of special species timber on that land.³⁰*

In the absence of Parliamentary approval and an approved Special Species Management Plan, the FPPF land is managed for its conservation values and excludes harvesting. As such, a *20.0 Rural Zone* is insufficient. Given the similar management objectives to reserved land, the appropriate zoning would be:

- *23.0 Environmental Management Zone* consistent with purposes 23.1.1 and 23.1.2, and application guidelines *EMZ 1(e)* is most
- without prejudice, any are not zoned as such should default to *22.0 Landscape Conservation Zone* consistent purpose 22.1.1 and 22.1.2, and with application guideline *LCZ 2(a)*.
- future decisions of Parliament may require zoning changes, but it is not within the scope of this exercise to pre-empt decisions of the current or future Parliaments.

6 Informal reserves and non-production forests on PTPZ land.

Within the Permanent Timber Production Zone, there are areas of forest designated as informal reserves or as areas outside of designated production forest, and as such consideration of all PTPZ land as production forests is flawed. There is a strong case that any PTPZ land not designated as production forest should be zoned *23.0 Environmental Management Zone* or *22.0 Landscape Conservation Zone* as a matter of course. Figure 9 shows the breakdown of land use within PTPZ land. The areas in turquoise are informal reserves on PTPZ land, and those in maroon are areas within the PTPZ but outside of designated production forests.

Additionally, Sustainable Timbers Tasmania as land manager claim to aspire to manage forests to "protect biodiversity", "maintain the landscape", "preserve cultural heritage", "protect soil and water"³¹. These goals would not seem to be inconsistent with zoning of *23.0 Environmental Management Zone* or *22.0 Landscape Conservation Zone*.

BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 11 116 BATHURST ST HOBART MAIL PO BOX 4586 HOBART TASMANIA 7000

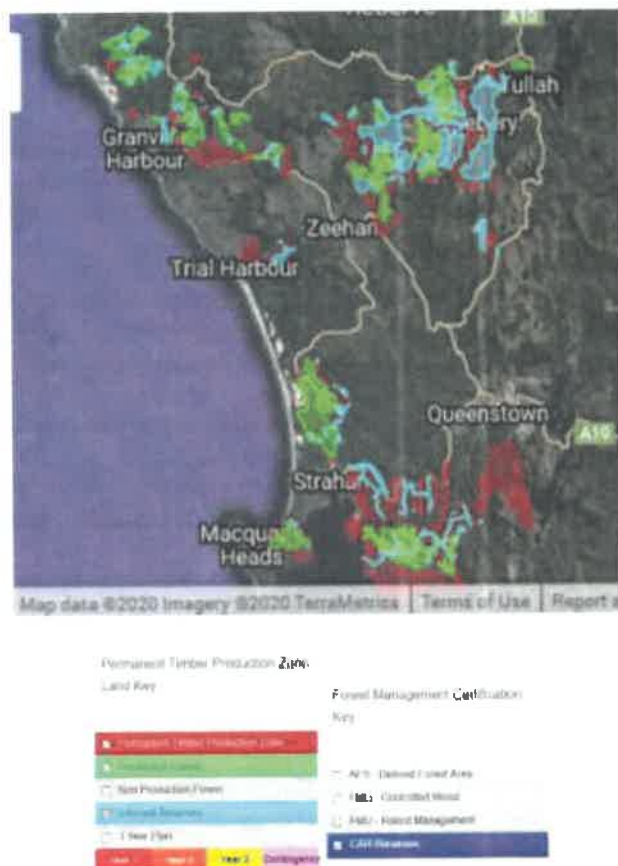
CONTACT: PO@BOBROWN.ORG.AU WWW.BOBROWN.ORG.AU 03 6294 0620

ABN 51 634 785 002

Figure 9

Map reproduced from Sustainable Timbers Tasmania's Interactive Map Viewer

<https://www.sttas.com.au/forest-operations-management/interactive-map-viewer> 29 September 2020.



7 Western Wilds touring routes

The Western Wilds touring routes, along with access roads to key tourist sites, warrant application of the Scenic Protection Code to areas within the visible skyline of the A10, B24, B27, B28, C248, C249 and C252 roads and the tourist sites accessed by these roads.

These designated tourism routes clearly meet the intent of a scenic road corridor under the purposes and application guidelines. Applying the *Scenic Protection Code* along these scenic

BOB BROWN FOUNDATION INC.
OFFICE: LEVEL 4 110 BATHURST ST HOBART MAIL PO BOX 4556 HOBART TASMANIA 7000
CONTACT: @BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620
ABN 51 634 785 002

road corridors is consistent with purpose 8.1.1 and application guidelines SPC 1, SPC 2 and SPC 3.

Scott Jordan
Takayna/Tarkine Campaigner
Bob Brown Foundation

scott@bobbrown.org.au

² Australian Heritage Council (2012), AHC Final Assessment Report: The Tarkine, <https://www.environment.gov.au/system/files/pages/c4bc7b64-3da4-4f7f-bcf0-4fd0c1bb9c5d/files/final-assessment.pdf>

³ *ibid*

⁴ *ibid*

⁵ *ibid*

⁶ Australian Heritage Commission (2002), Register of the National Estate, http://www.environment.gov.au/cgi-bin/ahdb/search.pl?mode=place_detail;search=state%3DTAS%3Blist_code%3DRNE%3Bbig_name%3DCircular%2520Head%3Bkeyword_PD%3Don%3Bkeyword_SS%3Don%3Bkeyword_PH%3Don%3Blatitude_1dir%3DSE%3Blongitude_1dir%3DE%3Blongitude_2dir%3DE%3Blatitude_2dir%3DS%3Bin_region%3Dpart;place_id=17747

⁷ *ibid*

⁸ *ibid*

⁹ IVG Forest Conservation Report 2A, Validation of the ENGO proposed reserves for the conservation of priority flora species on public forest, 2012.

<https://www.environment.gov.au/system/files/resources/ee1de0e6-0f83-486d-b0c3-8b1d25abc497/files/ivgconservation2aflora.pdf>

¹⁰ *ibid*

¹¹ *ibid*

¹² IVG Forest Conservation Report 2B, Validation of the ENGO proposed reserves for the conservation of priority fauna species on public forest, 2012.

<https://www.environment.gov.au/system/files/resources/ee1de0e6-0f83-486d-b0c3-8b1d25abc497/files/ivgconservation2bpriorityfauna.pdf>

¹³ *ibid*

¹⁴ *ibid*

¹⁵ *ibid*

¹⁶ *ibid*

¹⁷ <https://www.environment.gov.au/system/files/resources/ee1de0e6-0f83-486d-b0c3-8b1d25abc497/files/ivgconservation5aheritage.pdf>

¹⁸ <https://whc.unesco.org/en/criteria/>

¹⁹ *ibid*

²⁰ <https://www.environment.gov.au/system/files/resources/ee1de0e6-0f83-486d-b0c3-8b1d25abc497/files/ivgconservation5aheritage.pdf>

²¹ *ibid*

²² *ibid*

BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 116 BATHURST ST HOBART MAIL PO BOX 4580 HOBART TASMANIA 7000

CONTACT: BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620

ABN 51 634 785 002

²² *ibid*

²³ *ibid*

²⁴ *ibid*

²⁵ *ibid*

²⁶ *ibid*

²⁷ *ibid*

²⁸ <https://www.environment.gov.au/system/files/resources/eefdc0e6-0f83-486d-b0c3-8b1d25abc497/files/ivgconservation7acarnivores.pdf>

²⁹ https://www.parliament.tas.gov.au/bills/Bills2014/pdf/notes/6_of_2014-Fact%20Sheet.pdf

³⁰

https://www.statelibrary.tas.gov.au/_data/assets/pdf_file/0014/152402/Conservation_Assessment_on_FPP_F_Land_Report_Final_July_2017.PDF

³¹ https://www.sttas.com.au/sites/default/files/media/documents/annual-reports/190339%20STT%20Annual%20Report%202019_WEB_1%20OCT%202019.pdf

BOB BROWN FOUNDATION INC.

OFFICE: LEVEL 4 110 BATHURST ST HOBART MAIL PO BOX 4536 HOBART TASMANIA 7000
CONTACT@BOBBROWN.ORG.AU WWW.BOBBROWN.ORG.AU 03 6294 0620
ABN 51 634 785 002

Department of State Growth

4 Salamanca Place, Hobart TAS 7000
GPO Box 536, Hobart TAS 7001 Australia
Ph 1800 030 688 Fax (03) 6233 5800
Email info@stategrowth.tas.gov.au Web www.stategrowth.tas.gov.au



Mr David Midson
General Manager
West Coast Council
11 Sticht Street
QUEENSTOWN TAS 7467

By email: complianceadmin@westcoast.tas.gov.au

Tasmanian Planning Scheme – draft West Coast Council Local Provisions Schedule

Dear Mr Midson

Thank you for your invitation to comment on the draft West Coast Council Local Provisions Schedule (LPS). The Department of State Growth (State Growth) has reviewed the draft LPS, supporting mapping and overlay information and believes it largely reflects a sound translation from the *West Coast Interim Planning Scheme 2013* in accordance with the Tasmanian Planning Commission's Guideline No. 1 Local Provisions Schedule (LPS): zone and code application.

A detailed review has however highlighted a small number of issues that will require rectification or further discussion with Council officers and the Tasmanian Planning Commission. I have outlined each of the issues in the attached document for your consideration.

Please do not hesitate to contact Lucy Thorne, A/G Manager Planning Policy on 0429 698 118 or at Lucy.Thorne@stategrowth.tas.gov.au who can arrange for relevant officers to respond to any of the matters raised in this submission.

Yours sincerely

Kim Evans
Secretary

16 October 2020

Attachment I. State Growth comments - draft West Coast Local Provisions Schedule

State Road Network

In accordance with Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application, all State roads should be zoned Utilities and based on the State Road Casement layer published on the LIST. This layer was developed to assist Councils in drafting their LPSs, with the intent to clearly identify land forming part of the State road network for inclusion within the Utilities Zone.

State Growth can advise that Council has applied the State Road Casement correctly to all State roads within the municipality.

A 50 metre buffer zone automatically applies to development adjacent to the State Road network under the Road and Railway Assets Code. If this buffer is mapped and included within a planning scheme, any future changes to the alignment or width of individual roads would require a planning scheme amendment to update the mapped buffer zone. As a result, it is administratively simpler to rely on the Code provisions. State Growth is therefore supportive of Council's decision not to include mapped overlays under the Road and Railway Assets Code for road attenuation areas.

State Growth also supports the classification of Anthony Main Road, a Category 5 road, as 'other major road' under the Code.

West Coast Wilderness Railway

In accordance with Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application, railways should be zoned Utilities.

State Growth supports the Utilities zoning of the majority of the West Coast Wilderness Railway rail corridor as proposed, but notes some omissions including, for example, a section of the corridor at Queenstown proposed to be zoned General Residential. General Residential zoning is not consistent with the existing use or likely future use and development of this land and is therefore requested to be revised.

16 October 2020

General Manager
West Coast Council
PO Box 63
QUEENSTOWN TAS 7467

Dear Mr Midson

**INVITATION FOR COMMENT WEST COAST COUNCIL DRAFT LOCAL PROVISIONS SCHEDULE –
TASMANIAN PLANNING SCHEME**

Reference is made to your letter of 17 August 2020 providing Hydro Tasmania with the opportunity to comment on the West Coast Council Draft Local Provisions Schedule (LPS).

While Hydro Tasmania has no specific comment to make on the content of the LPS, amending the zoning of our key assets (dams, major water conveyances, and power stations) to Utilities, as opposed to the current Rural Resource or Environmental Management zones, is recommended.

Hydro Tasmania's generating infrastructure is essential to the delivery of reliable and secure electricity to the Tasmanian community and forms an integral component of the Government's Renewable Energy Action Plan. As such, we believe it is important that zone and development standards that provide long-term certainty for protection, modification and redevelopment of these assets are essential.

Hydro Tasmania's key hydro-electric infrastructure within the West Coast local government area includes –

- Lake Margaret Power Stations, Lake Margaret Dam, and water conveyances (Part of CID 971147)
- Halls Rivulet Canal, White Spur Dam, Henty Dam (Part of CID 968961), Anthony Dam (Part of CID 968930), and Tribute Power Station (CID 968728)
- Mackintosh Power Station, Murchison Dam, and Mackintosh Dam (Part of CID 1284990)
- Bastyan Power Station and Bastyan Dam (Part of CID 1342602)
- Reece Power Station and Reece Dam (CID 1127634 and CID 1349133)
- John Butters Power Station (CID 974857), Crotty Dam (Part of 1127175) and Darwin Dam (Part of CID 1127175)
- A variety of major above-ground water conveyances connecting water storages and power stations.

Attachment A provides plans showing the extent of the required zoning. The area of land shown in these plans is indicative of the footprint of development that is likely to be necessary to facilitate the major refurbishment or redevelopment of these assets.

The implementation of zones under the LPS requires consideration of the State Planning Provisions (SPPs), Regional Land Use Strategies and supporting guidance documentation.

State Planning Provisions

The SPPs recognise the purpose of a Utilities Zone as providing land for major utilities installations and corridors, as well as other compatible uses where they do not adversely impact on the utility. This position is further clarified and supported through the application of *Section 8A Guideline No.1 Local Provisions Schedule – LPS Zone and Code Application* (the guidelines) for the implementation of Local Provision Schedule.

In particular, the guidelines identify:

U21 The Utilities Zone should be applied to land that is used, or intended to be used, for major utilities infrastructure, including:

...(d) energy production facilities, such as power stations.

U24 The Utilities Zone may be applied to land for water storage facilities for the purposes of water supply directly associated with major utilities infrastructure, such as dams or reservoirs.

Cradle Coast Regional Land Use Planning Framework

The Cradle Coast Regional Land Use Planning Framework (the land use strategy) identifies existing renewable energy assets and resources as a natural advantage that have the ability to improve social and economic wellbeing significantly. In response, the land use strategy includes specific policies and goals supporting the protection, promotion and enhancement of renewable energy developments throughout the region.

Land Use Policies

5.5 Land use recognises reliable, secure and sustainable energy is an essential ingredient for economic activity and the wellbeing of communities. Land use planning processes –

- a. Recognise strategic importance of inter-State connections via BassLink and the Natural Gas Pipeline for the import and export of energy*
- b. Facilitate commercial-scale renewable energy generation*
- c. Facilitate small-scale renewable energy generation and energy efficiency technology and practices in domestic, commercial and industrial use or development*

Strategic Direction Goal

3.2(d) – Support renewable/alternative energy by:

- *Promoting and protecting future renewable energy opportunities including wind, tidal, geothermal and hydro generation; and*
- *Strengthening strategic support for the development of renewable energy infrastructure*

Having regard for the provisions of the SPPs, the guidelines, and the land use strategy, Hydro Tasmania believes that the application of the Utilities Zone will:

- better reflect the primary use of the existing assets,
- allow for the protection, modification and redevelopment of these assets,
- appropriately reflect the nature of the asset and allow for the future operation, maintenance and development requirements of the asset, and
- communicate a clear message to the community about the existing and long term use of the assets.

It is worth noting that Hydro Tasmania will be seeking a State-wide approach to the application of zones across all LPS for our assets.

If you wish to discuss any aspect of this submission, please contact Ian Jones, Environmental Planning and Policy Specialist on 0402 822 265 or ian.jones@hydro.com.au.

Yours sincerely,



Ian Dunbabin
Head of Production and Environment

Attachment A – Proposed Zoning



Image 1. Proposed Utilities Zoning - John Butters Power Station



Image 2. Proposed Utilities Zoning – Crotty Dam

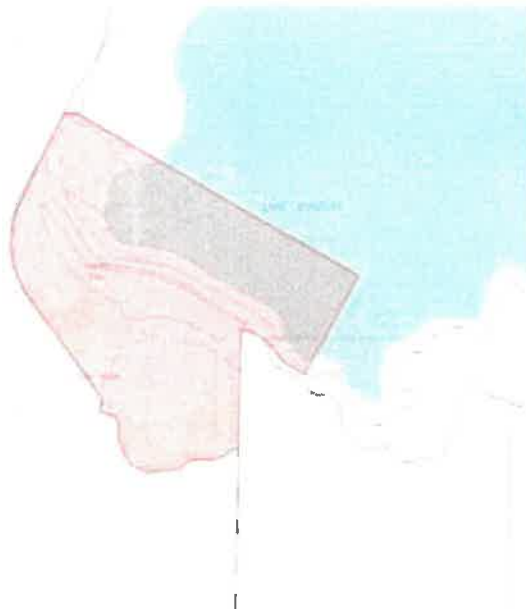


Image 3. Proposed Utilities Zoning – Darwin Dam

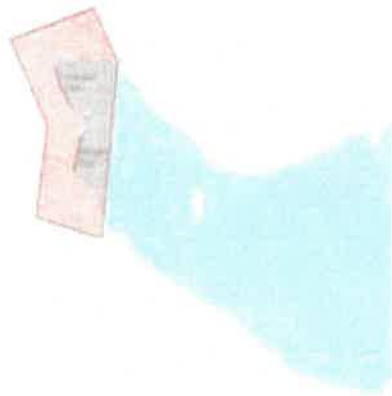


Image 4. Proposed Utilities Zoning – Lake Margaret Dam

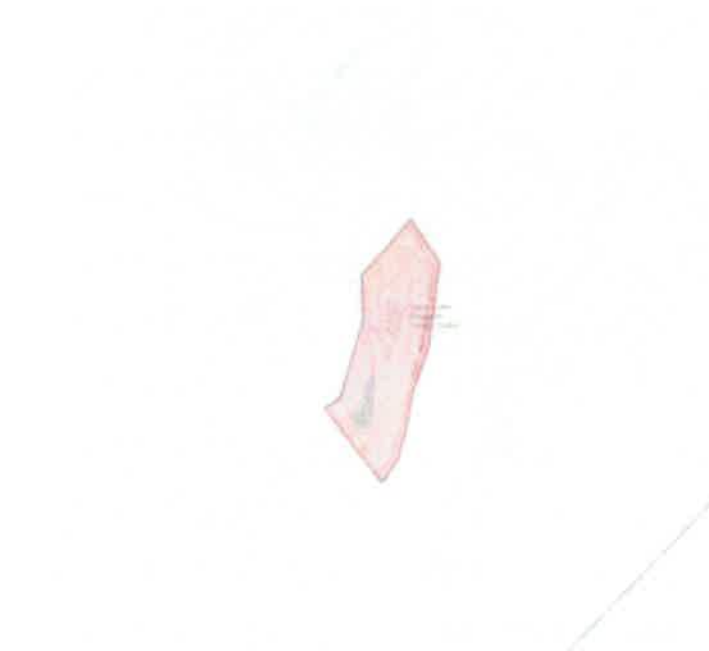


Image 5. Proposed Utilities Zoning – Upper Lake Margaret Power Station



Image 6. Proposed Utilities Zoning – Lower Lake Margaret Power Station



Image 7. Proposed Utilities Zoning – Reece Dam and Power Station



Image 8. Proposed Utilities Zoning – Bastyan Dam and Power Station



Image 9. Proposed Utilities Zoning – Mackintosh Dam, Power Station and Tullibardine Dam



Image 10. Proposed Utilities Zoning – Murchison Dam

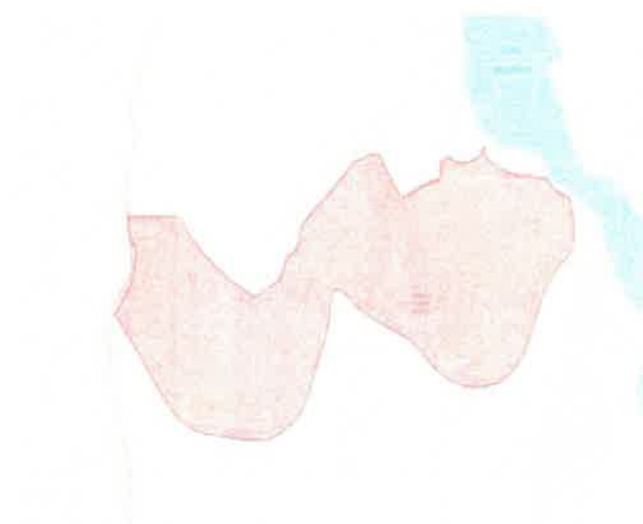


Image 11. Proposed Utilities Zoning – Tribute Power Station



Image 12. Proposed Utilities Zoning – Anthony Dam and Levee



Image 13. Proposed Utilities Zoning - Newton Dam and Pumps



Image 14. Proposed Utilities Zoning – Henty Dam



Image 15. Proposed Utilities Zoning – White Spur Dam

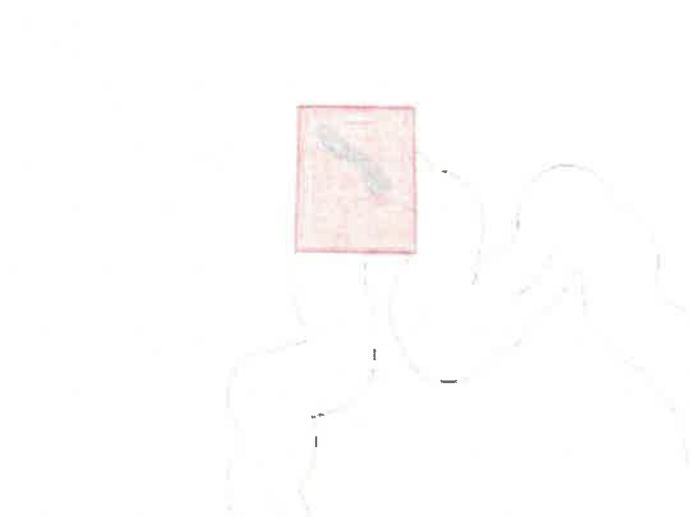


Image 16. Proposed Utilities Zoning – Halls Dam

Representation/Submission

Re: West Coast Council Draft Local Provisions Schedule 2020

15th October 2020

To: West Coast Council
CC: Tasmanian Planning Commission

From: the writers of this representation:

Mr. Kim Lai
Ms. Jane Bennett
Mr. Aaron Chen
Mr. Greg Clark
Skyridge Pty Ltd

Whose lands include around 90,000 m2 of vacant land [6 large individually rated properties] in the Tullah Village and the original Town Grant, formerly servicing 68 residences and Hydro Tasmania offices. I.e. approx. 20 to 25% of the land in the Tullah Village affected by these draft Provisions.

And whose businesses listed below also have a very strong active interest in developments in line with the stated vision of the town, and who, if proper and appropriate Provisions can be established are seeking to make significant investment in the town.

Lai-Bennett Partners
Greenbuild Tasmania Pty Ltd

And in 'general agreement' following discussions with Tullah landowners

Mr. Peter Hazelhurst
Mr. Steve de Villiers
Mr. Gavin de Villiers
Tullah Lakeside Lodge

Whose lands include over 50,000 m2 of the town's developed and vacant land under consideration for further development in three of the largest established properties and vacant land in the Tullah Village and original town grant.

All together these above properties comprise around 140,000m2 or around 30 to 35% of land and property in the Tullah Village area of the town.

And in 'general agreement' and following discussions with

The Tullah Progress Association
Mr. Jason Zammitt [previous Tullah businessman and entrepreneur]

Whose contribution to the previous, current and future property development in Tullah is well known and ongoing in the present.

The entire above list agree that the draft provisions were produced without adequate consultation or explanation with them, are thus are now requiring a close and serious review before the Tasmanian Planning Commission approves the WCC Local Provisions Schedule as a properly suitable and conforming to state and regional policies, strategies and formalised vision statements.

See appendix 1. For a full list of properties owners PID and title folio info.

OVERVIEW:

Tullah is a unique town that has both historic importance as the base for the development of the Pieman Hydroelectric development, as well as unique natural features that provide great potential for development in a variety of ways and has led to it being noted in the council's own previous studies resulting in its promotion and branding as the 'Gateway to the West Coast' and as the 'People of the Lakes' with its wide range of historical values and abundant natural significance which if properly aligned with will provide Tullah many economic and developmental positives for the future.

Despite this tremendous potential to actualize its position in the West Coast Shire as the 'Gateway to the West Coast' and become a thriving community with a sound economic basis supporting it, it will most certainly not be able to actualize this potential unless the West Coast Provisions align with both the stated policies of the shire and the regional strategies it has subscribed up to, as well as full compliance with state policies and objectives as we move towards a much needed statewide planning scheme.

Every town is not only its physical assets, but at least equally important are the creativity and dynamics of its residential and business community. Equally important as the preservation of its history intact, is its specific local vision based upon strong community interest and involvement in activating its future potentials, along with sound business modelling and planning working in alignment with such. These are factors that any shire should not ignore, misjudge or downplay due to lack of information. In fact, Tullah has suffered greatly in the past by what is locally viewed as inappropriate planning and actions, that resulted in the sale by council of many of its public lands and amenities to a private developer, that subsequently failed to achieve its objectives. This resulted in many years in which development of Tullah's potentials was in effect 'placed into the deep freeze' and for a period of around 15 years when all development came to a grinding halt when a very large area of the village, including much of the local business centre were tied up and not available for use or development due to bankruptcy proceedings, loss of titles and so forth. This situation has been remedied over the past decade largely by the slow return of these lands and properties into private ownership, reconstruction and upgrade of the businesses in the local business area with many owners having intent for significant future developments. If the current provisions are approved as currently proposed in these draft provisions, it is very strongly feared that it will overly and unnecessarily restrict and actually thwart the future development of the town. A town's important asset is its people.

This representation will cover

1. Specific issues related to proposed zoning of property owned by the authors of this representation, including
 - a. Rural zone concerns
 - b. Residential zones
 - c. Local Business zone
2. Comments and suggestions regarding the overall effect of zones in other areas of the town that may be improved by a reassessment as to suitability.
 - a. Rural zone
 - b. Residential zones
 - c. Local Business zone
 - d. Light Industrial zone
3. The importance of consultation with the community regarding the desire for local community to have greater involvement in the process in general, and its vision of Tullah and the actualization of its positive future direction. Within this also asking to be considered is the importance of giving adequate and due consideration (based upon accurate facts), to the current development planning of local businesses, that will if properly understood, enable Tullah to achieve its potential of being the 'Gateway to the West Coast'
4. Facts that have arisen this year that were not so clearly evident at the time this draft local provisions was produced. An example of these recent unfoldments has been the shortlisting of Tullah as one of three ideal sites for the Battery of the Nation project, the prioritizing of this by state and federal

governments and its inclusion in projects of national importance by Federal government, and the need for recovery from the impacts of Coronavirus on the economy. In short now is not the time to impose inappropriate restrictive zonings, contrary to the plans of businesses attempting to further develop Tullah in positive ways that do align with the broader regional strategies and policies. We believe that the draft LPS as presented in regard to Tullah neither properly nor fully aligns with several state and local policies and land use planning strategies, and request due consideration to the matters and facts raised in this representation.

It needs also to be stated here at the outset, that whilst some of this representation's content may misunderstood as 'pointing a finger of blame' at the council, this is in fact not so. We believe that the West Coast Shire, as perhaps other 'small in population but vast in area' shires, may have been limited by sheer volume of work overload on its staff, so that it has not been able to fully consider the many facts and points made in this representation.

SPECIFIC ISSUES AFFECTING ZONING OF PROPERTY OWNED BY THE AUTHORS OF THIS REPRESENTATION, please refer to Appendix 1.

1. Land inappropriately drafted to become the new Rural Zone land. The FACTS that appear to have NOT been given due consideration and accurate checking in proposing in this draft LPS that this land to be most suited to the new Rural zone criteria are:-
 - a. This area of land can be defined as all land within the town south of Selina St. and Bluff St. proposed to be rezoned to Rural. A significant part of the township required for the actualization of its vision and local strategies as the 'Gateway to the West Coast' and development as a tourism centre.
 - b. This area has existing infrastructure that previously serviced 90 residences.
 - i. NB historically the removal of these residences sparked the intense protests against the destruction of this town at the end of the Pieman Scheme hydro era, and resulted in the formal adoption of Tullih as a permanent town.
 - ii. Is included in the original Town Grant, and is not out lying on the perimeter of serviced township land, it is township residential land, not just by future projection but by actual historical fact.
 - c. The area to be rezoned here comprises over 120,000 m² of the town, of which approx. 80,000m² is owned the authors of this representation, and 10,000m² by owners in strong agreement that a Rural zone is inappropriate. The last remaining owner has not been contactable in the time frame for preparation of this representation.
 - d. This area has EXTENSIVE EXISTING INFRASTRUCTURE comprising
 - i. A network of 1100 metres of sealed roads with kerb, channel and stormwater drainage.
 - ii. The property ID 7788451 [2 Rotulus St] has itself 600 metres of a road network kerb channel and stormwater drainage within its boundaries.
 - iii. Has existing vehicular crossovers to these previous residences
 - iv. Has a Taswater connected reticulated sewerage system recently upgraded with a new Sewerage Transfer Pump Station that serves no other purpose than the service of this land, and not installed to support of any type of Rural zone activity.
 - v. Has a network of pressurized town water mains water directly from the adjacent town water treatment plant. This includes a notable network of fire hydrants.
 - vi. Has a recently upgraded 100 kva 3 phase electrical supply, currently suitable for 15 residences and easily upgradable to 200 to 300 kva.
 - vii. Significant unmatched views to the main mountain ranges in this locale including Mt. Farrell and Mt. Murchison, as well as access to the lakefront.
2. This land is COMPLETELY UNSUITABLE FOR RURAL ZONE USES due to
 - a. This land was actually created for residential use by the removal of all topsoil and the packing of 1 to 2 metres of rock to create a suitable and stable base for buildings that were constructed there. It was considered a prime residential location in the town historically the choice place for managerial and senior hydro staff. As such no rural activity related to the use of land to produce anything can be undertaken here.
 - b. Many if not most of the permitted uses in the new Rural zone will not be possible here. For example:-

- i. Animal breeding and boarding kennels is a permitted use, but only IF it is conducted 200 metres distant to a residential zone. In this case much of this land cannot carry on those types of activities as it actually exists within a township right up to existing residences and cannot be distanced by a buffer area.
- ii. Specialised produce from the land being utilized to develop on farm "paddock to gate and paddock to plate type" developments. The land simply cannot produce anything, and such approvals carry criteria of being linked to a resource or produce from the land.
- iii. Resource Development is permitted but is not possible as there are no resources in or under this land to be developed or extracted. Even if so it would be inappropriate for such activities to take place right next to existing residences in a residential zone.
- iv. Veterinary centre or agribusiness consultancy. Tullah does not have animal husbandry and agri business around it requiring such developments to service it. Simply no-one seeking these services will travel so far away from their farms to Tullah to seek such services.
- v. Other permitted use in the new Rural zone include food services, general retail and hire, manufacturing and processing, resource processing BUT only if associated with resource extraction from the land itself.
- vi. Use for a single residential use or visitor accommodation is similarly restricted to constraints largely related to products of the land, and use of existing buildings.
- vii. Every other possible use of the land, given the here presented accurate facts of the land as noted above, is a very limited Discretionary Use. As such any and all possible practical uses of this land will involve otherwise unnecessary lengthy, complicated and costly processes of application. In effect any use of the land will require trying to show that something OTHER than a use intended for Rural zoned land is correct. Given that these facts re the actual character of the land and existing infrastructure have been not given due consideration in proposing this zoning by council, such a zoning portends great difficulty and complexity for both council and developers in seeking due consideration for any proposed development at the discretion of a council that is likely to respond that the zone itself does not permit the development. Simply put, why complicate every single future planning development application by attempting to show in each instance that the zone uses are not possible and are thus inappropriate - leading to having to find a way to seek council's discretion as to uses not straight up and clearly suited to the zone.
- viii. If the land was modified structurally for example to be made use of for a more intensive animal husbandry development relying on produce/feed from outside for breeding rather than what can be produced on the land in this case, then it would pose a severe environmental threat to the lake, to which all the existing stormwater drainage system discharges runoff. The discharge of dissolved manure nutrients and perhaps agricultural chemicals to the lake would be absolutely disastrous. Consequently, these types of permitted use under the Rural zone would require the removal of such road and stormwater infrastructure at the very least and how any such design could prevent runoff to the lake would simply be unviable and no business would consider such a costly undertaking. This just goes to the point that this land would need to be completely remade REMADE to enable such uses. This is plainly ridiculous in any reasonable person's eyes.
- ix. The council planners have been asked to explain why they now believe this land should be rezoned to Rural as perhaps they had some facts not evident to the writers, but no explanation has been forthcoming. This stands in strong contrast to the 2017

WCC Land Use Study where it was suggested this land be considered as one of the new Residential Zones.

- c. We strongly suggest that the Council and the Tasmanian Planning Commission enquire into these and other matters raised further on so that it ensures that a correct zone properly suited to this area of land and its existing infrastructure is established now in the process of arriving at an effective Statewide Planning Scheme. This takes some time to consider however it saves a great deal more effort and hours of attention to save everyone from future complications, delays and complexities due to an inappropriate zoning being approved now. In particular, regarding the plans of the authors of this representation for developments on their land, an inappropriate ill-considered zoning may even be the last straw and incline us to seek to invest elsewhere rather than in Tullah merely due to the unnecessarily high level of complication and unsuitability of the zone to this land. In regard to this we did seek to invest in Tullah in a tourism and housing project in 2019, but due to complexities in the shires interim scheme we moved those significant amount of funds and our attention to a project in Wynyard shire.
- d. In short, this land is wholly unsuited to Rural Zone uses and the actual effect of such zoning will merely mean that this land is completely removed from the township and future of Tullah. The town of Tullah is small enough as it is and to it is also far more costly to develop land with service infrastructure in the west coast towns therefore it is simply extremely wasteful to disregard these extensive existing services and to not make use of them, at the same time proposing this exact same infrastructure be installed elsewhere in the town so that land can become residential.

3. This land is MOST SUITED TO A RESIDENTIAL ZONE due to these facts:-

- a. The land has already existing infrastructure as described above suitable to service up to 90 residences. At today's prices to service an equal amount of land at even the lower North Coast rate of around \$45,000 per lot would be an abject and negligent waste of millions of dollars of existing infrastructure. This representation seeks to know why such a waste of resources is the correct way forward by zoning this area residential.
- b. Despite the fact that in general overall population in the West Coast Shire is in decline and fluctuates greatly due to the viability of mining industry activities affected by global markets for example, it is a great mistake to consider Tullah as having to experience such population decline. This fact was properly noted in the 2017 Land Use Study where it correctly states that of all the West Coast towns Tullah has the highest potential for population growth due to its closer proximity to the North Coast cities. However, this also needs to have added an awareness of business interest in the promotion of Tullah as an ideal place to live and as a place to have a healthy retirement home or for those of the younger generation as a place for an affordable vacation home. In regard to this we would like these facts to also be considered:-
 - i. We have undertaken our own industry research into the factors affecting residential land uptake in Tullah via the normal means of maintaining updated contacts with real estate agents' and their direct experiences, market testing and such. From this it has become clear that there is a real demand for uptake of residential land in Tullah. If two factors acting as dampeners were to be properly addressed. These factors are:-
 - 1. 'Demand for country allotments increases with lot size.' Tullah's existing residences are on lots of around 500 to 550m² and most persons seeking a small town lifestyle change seek larger allotments as one of the main drivers of 'tree change' and retirement. Larger vacant lots when occasionally available for sale sell quite quickly. Thus the land in question here can be easily made into residential lots of 1000 to 1500m². At the time of writing

there is not one single available residential lot for sale at Tullah, only an increasing demand. In such a situation to continue to accept as accurate data from several years ago that there are ample lots available for demand for the entire next decade is completely mistaken and factually incorrect if we look at Tullah in particular and not treat it as an average of the whole shire. We are planning and trying to make available exactly these larger residential lots on some of our land in Tullah. For example the 10,000 m² of vacant serviced land between Sterling and Romulus Street could very viably provide 9 lots of over 1000m² each. This is due to existing infrastructure.

2. "The high cost of construction in West Coast towns." This is a factor arising from distance from larger regional centres, the housing shortage crisis throughout the state, and severe lack of registered builders in the shire. To address this factor we have contracted to purchase a large industrial site and to construct a 'state of the art' affordable constructions facility at Wynyard for relocation of our machinery from Melbourne along with new machinery as well. Our computer controlled automated steel fabrication machinery will significantly reduce the cost of prefabricated housing, and provide a wide range of innovative affordable housing solutions. [Our investment in this project is several million so far.] Such an approach will enable towns like Tullah to develop far more than expected by just looking at past vacant land take up and construction activity in the shire in general.
- c. We have spent two years bringing investors from Australia and overseas to Tullah for a significant tourism project which will require the construction of a suitable visitor accommodation facility, most desirable on 10,000 m² of the 55,000m² of our land south of Romulus Street that has lake frontage. Hydro Tasmania has expressed strong willingness to consider an application for a pontoon allowing direct access to the lake for minor watercraft and at this stage it is very promising as they unfortunately had to reject our application for houseboats to operate from this site, but stated a willingness to favorably consider the smaller pontoon. So far this has attracted a lot of investor interest, and at the date of the border closure due to Covid-19 restrictions we had strong interest from an Australian Tourism company for a major investment of funds, as well as another from overseas. The residential zone is the most appropriate of zones that could be considered from a selection of zones being adopted in the West Coast Shire for such developments. The residential zone is more appropriate and correct for this type of development also in that the remaining 45,000m² of land with existing residential infrastructure will not be wasted but rather can be subdivided into appropriately sized allotments to meet the market demand.
- d. Factors arising from recent events, i.e. before the 2017 Land Use Study was conducted, and even most recently in the time since the drafting of this LPS affect housing and accommodation demand in Tullah in significant ways. These events all strongly increase demand for residential developments of various types and should be catered for now based upon expectations now and the next decade. To say these residential zonings can be revisited in 2030 ignores the facts of the present. In fact, in recent times demand for housing has far outstripped Tullah's capacity to supply with workers having to find accommodation in distant towns to Tullah.
 - i. Mining approvals and commencements. Venture minerals has two approved mines close to Tullah which will require accommodation for what news reports say the first mine now under construction will require up to 100 workers. We have seen over the past year a stronger demand on housing in nearby Zeehan due to the construction of the Granville harbor windfarm.
 - ii. Hydro Tasmania dam upgrades- now taking place has increased pressure for housing and accommodation at Tullah.

- iii. Covid 19 has forced both and federal governments to fast track projects as a part of our economic post Covid recovery. Of these the Battery of the Nation energy storage project has become listed as a project of national importance and Tullah is one of three sites shortlisted as where this major infrastructure development will take place. This is getting closer and closer as the months pass by and now is the time for it to be considered as a factor in making appropriate zones for Tullah, especially in regard to housing and accommodation. Without the clarity on appropriate zoning it became next to impossible for industry to plan and prepare for the influx of workers.
 - iv. A greater awareness among Tasmanians of Tullah and its relative closeness to the northern city of Burnie has identified Tullah as one choice for healthy retirement and vacation properties.
 - v. The evidence of this higher demand at Tullah now than at the time of the initial study informing the draft LPS is the near doubling of property prices at Tullah.
 - vi. As Tullah really is correctly recognized by council as the 'Gateway to the West Coast' and as having potential for unique tourism opportunities more and more people are becoming aware of Tullah and it is not at all the correct time to make around 25-30% of the town effectively unfit for any use by making it a rural zone in the middle of a small town. We have read the representation made by the Tullah Progress association and note therein that this association is strongly representative of the town's permanent residents, and they too agree that a residential zoning is appropriate for this land. Their reasons may be read within their own submission.
4. The idea presented that there is 'ample residential land available elsewhere in Tullah to meet demand' and the direction of residential growth should be in land zoned residential to the north of Farrell street does not take into account that to develop that land into residential allotments will require an excessive cost for the construction of a new road network with kerb and channel, stormwater drainage systems, new sewerage and water supply service layouts, and the cost of which would make such a project completely unviable by any residential developer. Anyone in that industry understands that it just won't happen. This fact is proven with the previous owner, Venture Minerals, who after having it assessed for suitability for development for workers accommodation decided it was unsuitable and on sold the land. The current owners of the land are most definitely not intending to do residential lot development in that area, and in fact are in the planning stages of expansion of their adjoining business activities at the Tullah Lakeside Lodge. Therefore, apart from this undeveloped land which has not and will not be developed as residential land there may be only a handful of vacant residential lots in Tullah, which at the time of writing none of which are for sale. As such there remains a need to ensure residential land supply, especially when suitable land is available except for zoning, with the owners willing and trying to make that land available. Similarly, another area of land on the corner of Farrell street and the Murchison highway is zoned residential. The writers here are the owner of that land and do not wish to develop it as residential, but rather in conjunction with their Business Zoned land adjoining it. See later section.
5. In summary of this section The largish area of land that is listed for rezoning to the new Rural zone south of Selina and Bluff streets is an entirely incorrect category as it does not take properly and duly into account the huge value of the already existing infrastructure to be disregarded, nor the actual potential of the town to grow and develop, nor the negative social and development thwarting effects of land being placed into a zone that in effect make it completely useless, the steady movement of forces that point to Tullah as having a future even brighter than the general outlook for the shire as a whole, land proposed for residential use that cannot economically be developed as such and basically presents a complete disconnect between the shire's planning for the future and how zones can affect that most powerfully when a small town system is being considered.

6. LOCAL BUSINESS ZONE

- a. The proposal to create a Local Business Zone on Farrell Street is to be highly commended. Previously there was no business zoning in Tullah at all, and all local business and developers had to contend with a Planning Scheme that had land zoned residential that was obviously more suited and in actual uses more suited to a Local Business Zone, therefore in the view of the writers this is a step in the right direction.
- b. However, as private owners of land to be brought into the Local Business zone at 12 Farrell Street it is suggested that this go further given practicalities of the situation. 12 Farrell is a large developed car park and incorrectly is stated in the LPS to service the Community Hall and Sports Centre. As the private owners we have differing intentions regarding the development of that land, though are not averse to coming to arrangements for use of that car park and have given permission for its use for community events operated by and out of the Tullah Progress Association. However, it does need to be noted that this is privately owned land along with the adjoining corner which is part of a large residentially zoned allotment running along the Murchison highway. This land should be zoned Local Business so that this privately owned established car park can service commercial buildings on land joining it but in a separate zone. Therefore, we request that the northern part of the lot at 12 Farrell Street be also zoned Local Business.
- c. Further along Farrell street there are properties that are in fact used as part of existing local business activities and these should be considered as appropriate to the Local Business zone. In particular the land known as 40 Farrell Street and 37 Farrell Street and the previous Hydro Tasmania offices at 23 Farrell street, as well as the Fire Station. Also, in the northern section of the old town of Tullah there are established local businesses including a hotel, a coffee shop and a previous petrol station that would seem more appropriate to be included in the Business zone or another type of commercial zone. We support these land owners in regards to their representations desiring consideration so that their respective development plans which will not only provide local jobs but also add significantly to the town as a whole and bring other benefits to the community.

7. LIGHT INDUSTRIAL ZONE

- a. The 2017 Land use Study entertained allocating a small area near Hean street into Light Industrial. This would be a commendable action, however in the draft LPS no area has been included in the light industrial zone. Such a zoning would be very supportive of smaller industries such as construction and fabrication for the town.

8. SUMMARY

- a. Tullah is a unique town, presented with challenges but also with tremendous potentials to continue to actualize a very positive long term future for the town in the following areas.
 - i. Potential to both develop and integrate as an outstanding tourist destination
 - ii. Continuing support of the mining industry and its workers
 - iii. Continuing support to the Hydro community of workers
 - iv. Residencees – a great place to live or holiday amongst the beauty of lakes forests and mountains becoming increasingly more attractive to those just discovering Tullah
 - v. Skilled, highly motivated and creative local business people who work well in generally co-operative values that work for the benefit of the town as well as their own businesses
 - vi. A community with a very passionate interest in its future development, as for example the Tullah Progress Association which has undertaken projects to support a locally formed vision for the town, many volunteer hours and gifted people contributing to their community in a manner that never ceases to inspire.

- vii. The town has suffered greatly in the past by council decisions to its detriment and has largely by its own efforts begun a re-building and re-invigoration of a new vision for a positive future.

It is of the utmost importance that these factors are taken into account in regard to how the new local provisions re zoning may become either supporting or thwarting factors in the town of Tullah in its efforts to continue to actualize its vision and tremendous potential.

We would also like to note that we have read the representation submitted by the Tullah Progress Association and support their views expressed to the fullest extent.

- b. The proposed new zonings in this draft LPS are well conceived in many parts, but in other areas they differ greatly from the 2017 Land Use Study. This has led to some confusion and distress in the community who expected that many of the 'in the right direction' proposals presented in the 2017 re zoning were in process of being incorporated into the draft LPS but now find it quite different to expectations in the publicly exhibited draft. In particular concern is inappropriate zonings regarding
 - i. A large part of the township being classified to the new Rural zone on land that has existing services and significant ready to use for residential infrastructure. This is in effect reducing the size of the town at a time when it needs to expand and develop and has business persons working towards those types of developments.
 - ii. The new Rural zone in an area where any of its permitted uses as rural land are significantly constrained by location next to existing residences and is land due to its man-made character is totally unsuited to any type of permitted rural activity in that zone.
 - iii. A local business zone that does not include properties that are actually being used for commercial purposes, or are ideally situated adjacent to land to be rezoned to Local Business.
 - iv. That zones should be introduced based upon as many actual facts as are available as to the nature of the land and the built property, as well as to the intentions of owners who have been trying to develop the land previously in zones not suited to the situation.
 - v. That the town community, its residents and business people often have a far more place and site sensitive appreciation of the correct and suitable land use. Especially so when this knowledge is in fact aligned with stated policies and land use strategy documents.
 - vi. A properly due and careful consideration of the views of property owners in Tullah will assist greatly in the future and development of this town's tremendous potentials. Getting the zonings correct will be a great boost for Tullah but equally so getting the zonings incorrect could well spell its demise.

Thank you for your time and attention.

Submitted 16th October 2020 via email.

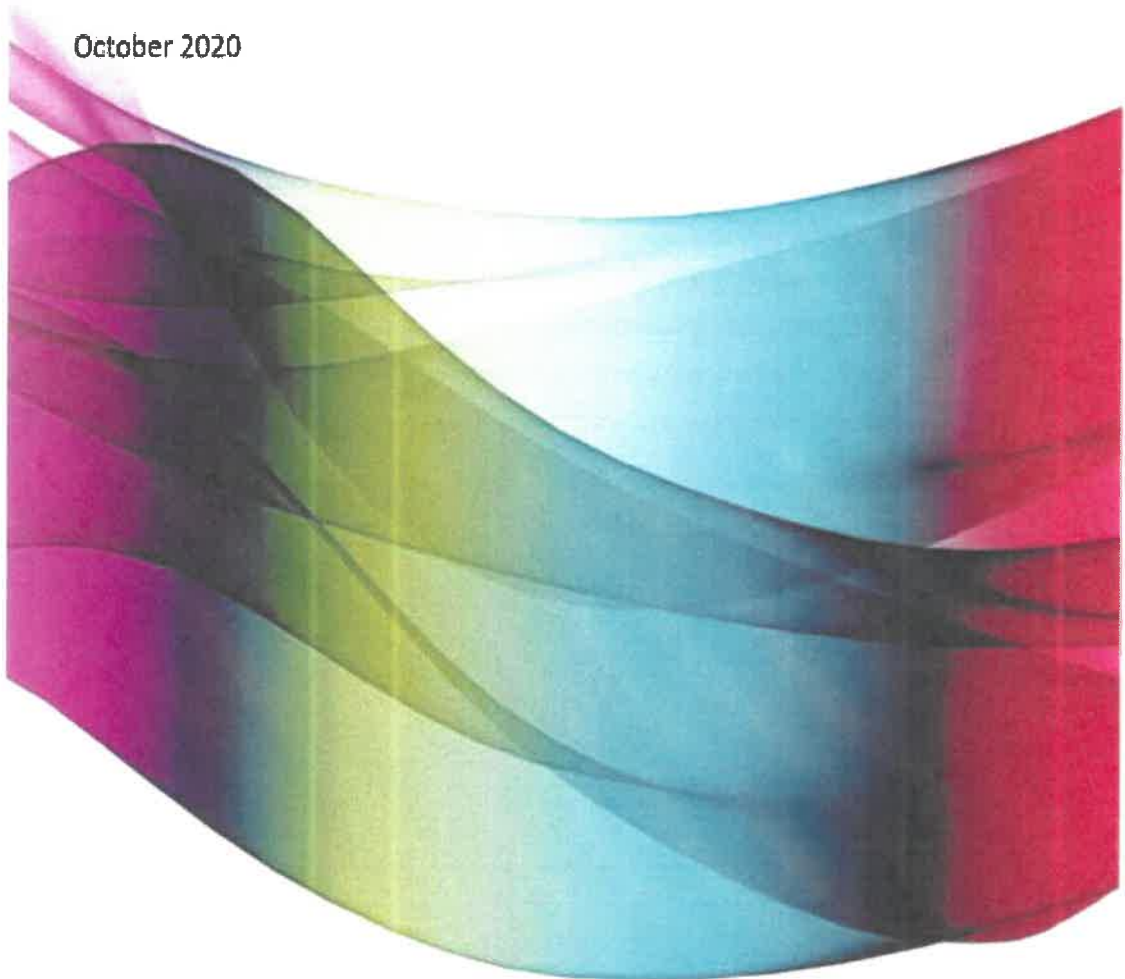
Appendices and Attachments:

1. List of owners' properties PID Title Folio numbers
2. Maps from The List showing infrastructure and location of properties discussed
3. Photographs of existing infrastructure
4. Historical aerial photography showing actual historical use of the land
5. List of policy and strategic planning documents reviewed for this representation.
6. Estate agents reports on land demand for Tullah

West Coast Council draft Local Provisions Schedule

TasNetworks' Submission

October 2020



Contents

1. Who is TasNetworks?	4
2. Executive Summary	6
3. Overview	7
3.1. Glossary	7
3.2. Existing Assets	8
3.3. Planned Future Development	11
4. Submission	13
4.1. Overview	13
4.2. SPP Issues	19
4.2.1. Exemptions	19
4.2.2. Scenic Protection Code	19
4.2.3. Landscape Conservation Zone	21
5. Appendix 1 – Detailed Assessment	22
5.1. Substations	22
5.2. Communication Sites	27
5.3. Electricity Transmission Corridors	30
5.4. Particular Purpose Zones (PPZ) and Specific Area Plans (SAP)	31
6. Appendix 2 – SPP Issues	32

Index of Figures

Figure 1 TasNetworks' role in Tasmania's Electricity Supply System	5
Figure 2 TasNetworks Assets within West Coast LGA	10
Figure 3 North West Tasmania Strategic Transmission Plan	12
Figure 3 Farrell Substation – Priority Vegetation Overlay	23
Figure 4 Farrell Substation – ETIPC	23
Figure 5 Rosebery Substation – ETIPC	24
Figure 6 Newton Substation – Priority Vegetation	25
Figure 7 Newton Substation – ETIPC	25
Figure 8 Newton Substation – ETIPC	26
Figure 9 Pieman Switching Station to be included in ETIPC	27

Index of Tables

Table 1	Definitions	7
Table 2	TasNetworks Assets in West Coast LGA	9
Table 3	Policy Position – Submission Summary and West Coast LPS evaluation	14
Table 4	Substations Policy Position Summary	22
Table 5	Communication Sites Policy Position Summary	27
Table 6	ETC Policy Position Summary	30
Table 7	PPZ and SAP Policy Position Summary	31
Table 8	Exemptions and land use conflict with electricity transmission assets	33

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.

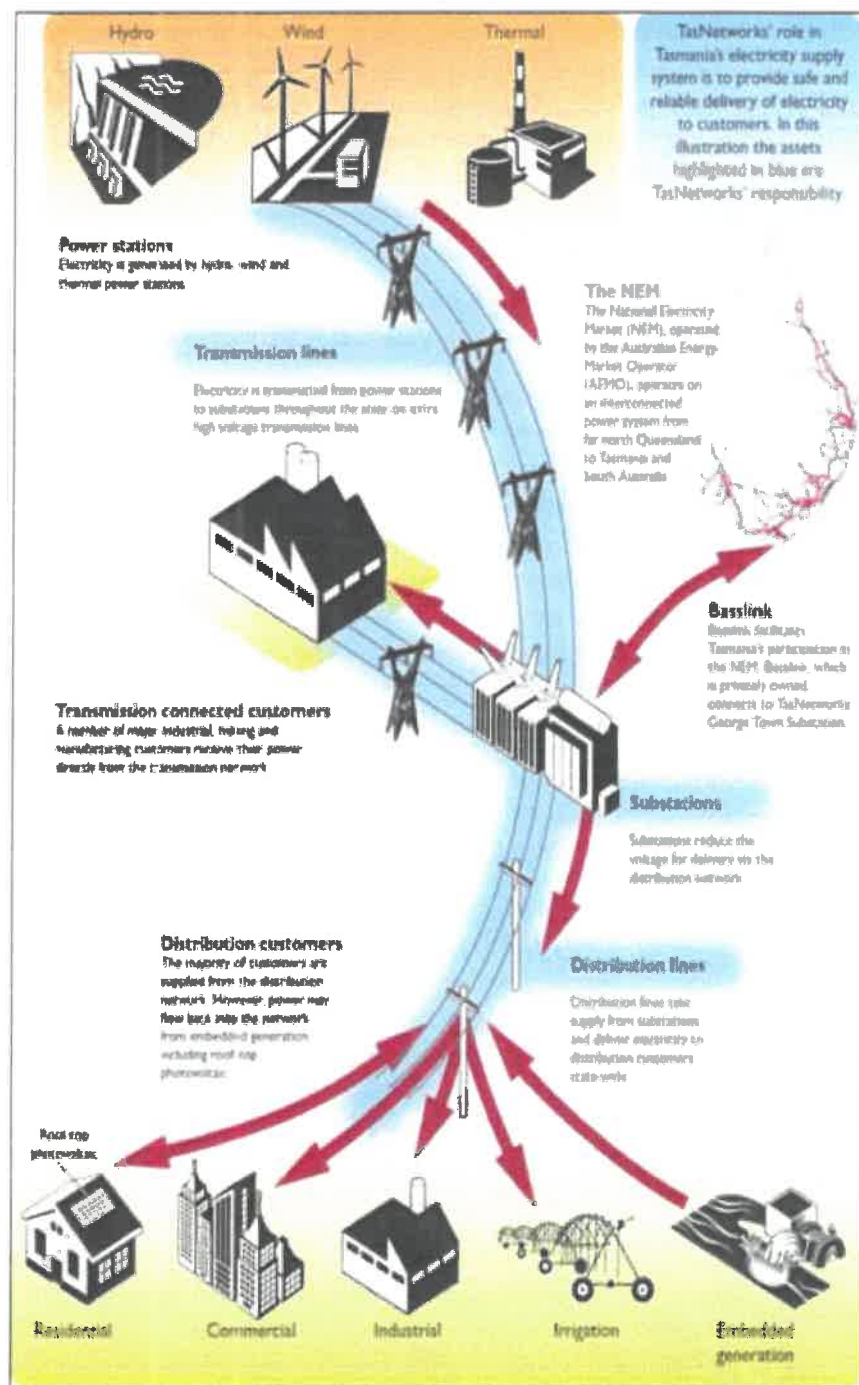


Figure 1 TasNetworks' role in Tasmania's Electricity Supply System

2. Executive Summary

TasNetworks, as a referral agency, has been notified of the public exhibition of West Coast 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 (Commission) to publicly exhibit the draft LPS and invite representations. TasNetworks has undertaken a review of the draft LPS and makes the following representation with a view of seeking a state-wide consistent approach to major electricity infrastructure.

TasNetworks assets within the West Coast Council Local Government Area includes five substations, nine communication sites and 11 electricity transmission corridors.

Electricity transmission infrastructure is protected by the Electricity Transmission Infrastructure Protection Code (ETIPC) under the State Planning Provisions (SPP). The ETIPC applies to transmission lines, terminal substations and switching stations and transmission communication assets. The purpose of the ETIPC 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 draft 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 draft LPS also includes the spatial application of zoning and overlays via the mapping. In preparing this representation, TasNetworks has reviewed the draft 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.

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 (PPZ) or Specific Area Plans (SAP); and any Local Area Objectives or Site Specific Qualifications. TasNetworks representation is made having regard to the draft LPS requirements under LUPAA.

These submissions are consistent with those previously made by TasNetworks (and formerly Transend) on the Meander Valley, Brighton, Central Coast, Burnie, Glamorgan Spring Bay, Clarence, Circular Head, Devonport and Glenorchy draft LPS's as well as the draft State Planning Provisions and Interim Planning Schemes.

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	West Coast 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)
interim scheme	West Coast Interim Planning Scheme 2013
IPA	Inner Protection Area
LGA	Local Government Area
LPS	West Coast draft Local Provisions Schedule
LUPAA	<i>Land Use Planning and Approvals Act 1993</i>
NPR	No Permit Required
P	Permitted
PPZ	Particular Purpose Zone
SAP	Specific Area Plan
SPP	State Planning Provisions
SSQ	Site Specific Qualification
UWA	Unregistered Wayleave Agreement

3.2. Existing Assets

West Coast Council LGA is located in TasNetworks North Western planning geographic area. An operationally significant part of the Tasmanian transmission electricity network is contained within the boundaries of the West Coast Council LGA. This includes:

- Transmission lines which:
 - o Connect Mackintosh, Bastyan, Reece, Tribute and John Butters hydro electric power stations, and Grandville Harbour Wind Farm to Farrell substation via a number of radial 110kV and 220kV transmission lines,
 - o Transfer power from west coast hydropower and wind farms to the greater part of the Tasmanian transmission network via 220kV transmission between Farrell substation and Sheffield substation,
 - o Provide a backup transmission network connection via 110kV lines between Farrell substation and the NW coast, and
 - o Transfer power between Farrell, Roseberry, Newton and Queenstown substations via a radial 110kV transmission line to supply major industrial and residential customer loads.
- Substations including:
 - o Farrell Substation: Farrell Substation is the 220 kV electricity connection point for generating stations and customer loads on the west coast of Tasmania. This site is critical for the security, stability and reliability of supply to the west coast region, and the broader Tasmanian electricity network.
 - o Rosebery Substation: Rosebery Substation is located on the west coast of Tasmania and provides a critical role in providing power to Trail Harbour locality and nearby mining site.
 - o Queenstown Substation: Queenstown Substation provides a critical role in supply of the Queenstown and Strahan localities.
 - o Newton Substation: Newton Substation is located on the west coast of Tasmania and provides a critical role the supply of a nearby mining site and a Hydro Tasmania pumping station.
 - o Pieman Switching Station: Pieman Switching Station is located on the west coast of Tasmania and provides a critical role in facilitating the supply of power from Granville Harbour power station to the National Electricity Market.
- A number of communication sites used in operation of the transmission electricity network. Each of the sites have a degree of importance in either regional or state operational capability to provide metering and control of the electricity network.

The following table and figure provide more detail regarding these assets. 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.

Table 2 TasNetworks Assets in West Coast LGA

Asset type	Location
Substation sites	<ul style="list-style-type: none"> - Farrell Substation - Rosebery Substation - Newton Substation - Queenstown Substation - Pieman Switching Station
Communication sites	<ul style="list-style-type: none"> - Mackintosh Passive Repeater Communication Site - Mackintosh Power Station Communication Site - Farrell Substation Communication Site - Mt Kershaw Passive Reflector Communication Site - Reece Power Station Communication Site - Pieman Dam Repeater Communication Site - Mt Read Communication Site - Newton Pumping Station Communication Site - John Butters Repeater Communication Site
Electricity Transmission Corridor	<ul style="list-style-type: none"> - Line 453 Mackintosh Spur 110kV - Line 518 Sheffield – Farrell 220kV - Line 452 Farrell – Waratah 110kV - Line 451 Farrell – Rosebery 110kV - Line 519 Farrell – Reece 220kv - Line 523 Farrell – John Butters 220kv - Line 406 Queenstown – Newton 110kV - Line 524 Tribute Spur 220kV - Line 493 Newton Spur 110kV - Line 522 Pieman Spur 220kV - Line 534 Pieman – Granville 220kv

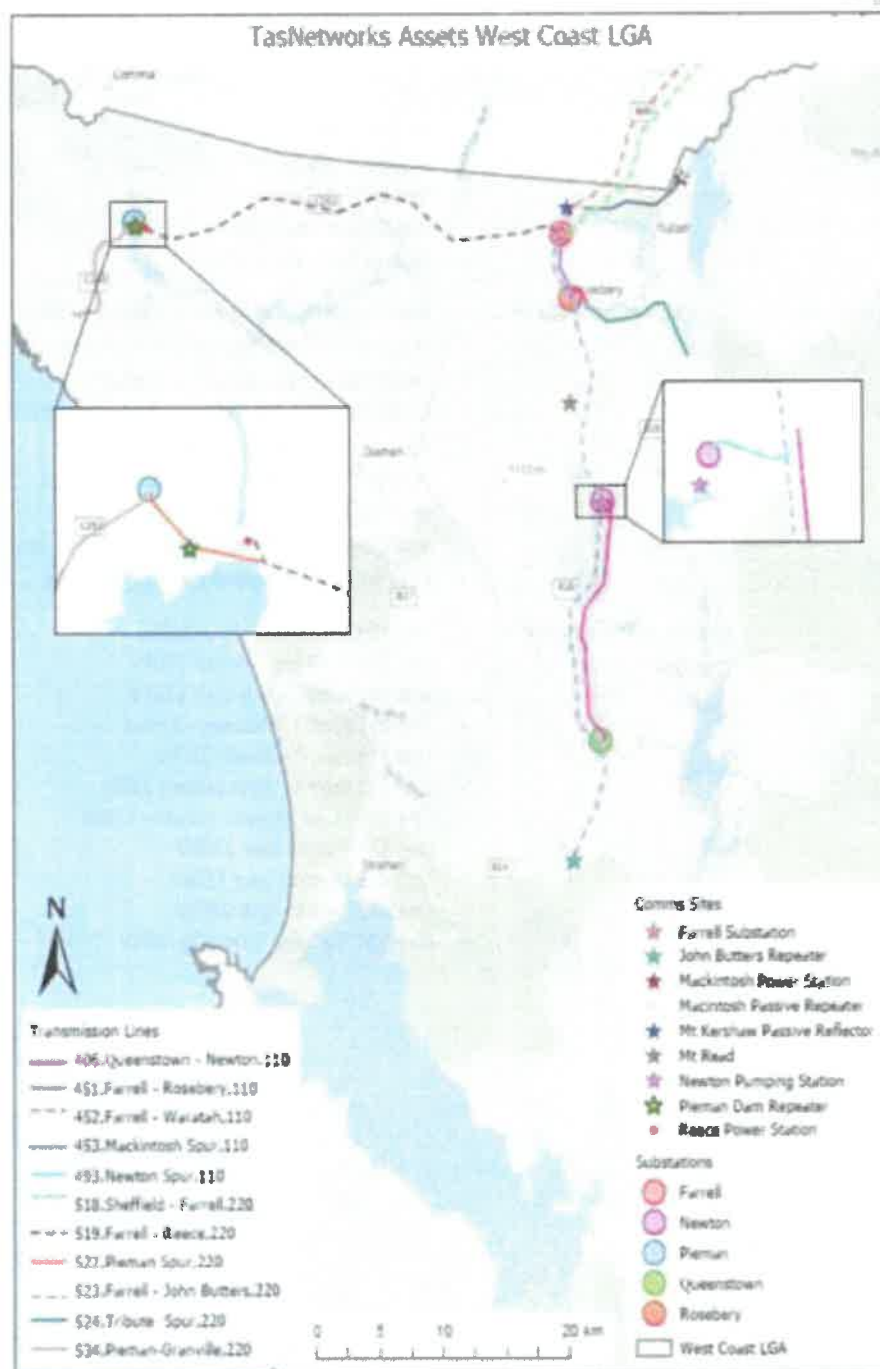


Figure 2 TasNetworks Assets within West Coast LGA

3.3. Planned Future Development

As Tasmania's transmission and distribution network service provider, 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 for 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 standards.

The West Coast municipal area is identified as being within West Coast area within TasNetworks [Annual Planning Report 2019](#). The Report details that north-west Tasmania and the broader areas is likely to see significant activity as part of Tasmania's role in the National Energy Market (NEM) transforming to a clean energy future. The activity comes from potential renewable energy generation, additional interconnections, and pumped hydro storage. The following figure shows the North West Tasmania Strategic Transmission Plan. Specifically the Report provides the following:

Farrell-Hampshire transmission corridors

If developed, West Coast pumped hydro storage will connect to Farrell Substation. Due to congestion in the existing Sheffield-Farrell transmission line, it is likely a new Farrell-Burnie transmission connection will be required. A new transmission line may only be required to Hampshire if Hampshire-Burnie and/or Hampshire-Sheffield has been developed, as per the previous point. A new Hampshire Switching Station also has the benefit of providing a connection point for new generation in the area.

The project is estimated to cost \$105 million and will be subject to the RIT-T. This development is not included in our 2019-24 regulatory period, having been identified subsequently to our revenue proposal. The new transmission line would be established alongside the existing 110 kV transmission line for the majority of the route.

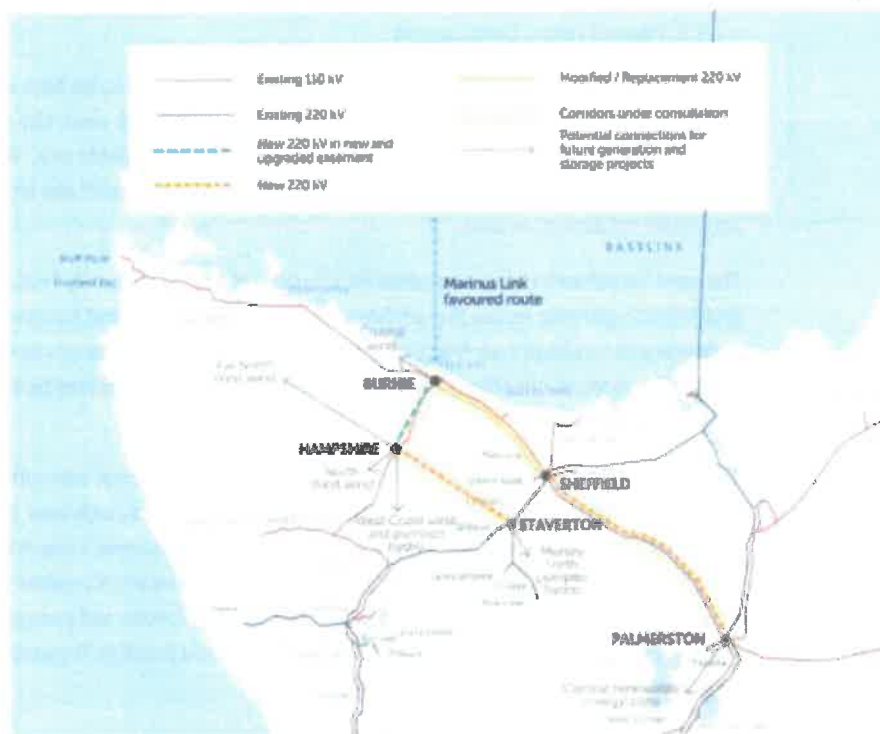


Figure 3. North West Tasmania Strategic Transmission Plan

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. Appendix 1 provides more detailed analysis on an asset by asset basis.

Legend for Table 3:

Consistent with policy position, supported	
Inconsistent with policy position, amendments are possible to achieve consistency	
Inconsistent with policy position, Schedule 6 transition prevents amendments required for consistency	

Table 3 Policy Position – Submission Summary and West Coast LPS evaluation

LPS Mapping	Policy Position	Rationale	West Coast LPS evaluation summary / submission
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. 	<p>LPS is consistent with this policy position for:</p> <ul style="list-style-type: none"> Rosebery Substation Newton Substation Queenstown Substation <p>Amendment sought, inconsistent with policy position.</p> <p>The following assets should be rezoned Utilities:</p> <ul style="list-style-type: none"> Farrell Substation Pieman Switching Station Macintosh Passive Repeater Communication Site Macintosh Power Station Communication site Farrell Substation Communication Site Mt Kershaw Passive Reflector Communication Site Reece Power Station Communication Site Pieman Dam Repeater Communication Site Mt Read Communication Site Newton Pumping Station Communication Site John Butters Repeater Communication 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 ETIP 	LPS is consistent with this policy position, supported.

LPS Mapping	Policy Position	Rationale	West Coast LPS evaluation summary / submission
	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 	LPS is consistent with this policy position, supported.
Natural Asset Code - Priority Vegetation Overlay	Not to be applied to - Substations or communication sites where the site is cleared of native vegetation	<ul style="list-style-type: none"> - Assets are required to be cleared for safety and maintenance - 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 	<p>LPS is consistent with this policy position for:</p> <ul style="list-style-type: none"> - Rosebery Substation - Queenstown Substation - Pieman Switching Station - Meckintosh Passive Repeater Communication Site - Meckintosh Power Station Communication site - Farrell Substation Communication Site - Pieman Dam Repeater Communication Site - Mt Road Communication Site - John Butlers Repeater Communication Site

LPS Mapping	Policy Position	Rationale	West Coast LPS evaluation summary / submission
		<ul style="list-style-type: none"> - Supports strategic value of the site - Clear messaging to community regarding the use of the site. 	<p>Amendment sought, inconsistent with policy position.</p> <p>Remove priority vegetation overlay from:</p> <ul style="list-style-type: none"> - Ferrell Substation - Newton Substation - Mt Kershaw Passive Reflector Communication Site - Reece Power Station Communication Site - Newton Pumping Station Communication Site <p>Code has been applied to developed / cleared parts of the site.</p> <p>Note: vegetation clearance exemptions from the application of a planning scheme for electricity infrastructure.</p>
Scenic Protection Code Overlay	<p>Not to be applied to</p> <ul style="list-style-type: none"> - Substations, - Communication sites, or - ETC 	<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. 	LPS is consistent with this policy position, supported.

LPS Mapping	Policy Position	Rationale	West Coast LPS evaluation summary / submission
SAPs / PPZs	Not to apply to substations	To ensure that future development on these sites is not unreasonably affected by SAP.	LPS is consistent with policy position, supported.
Utilities Use Approval Status	In all zones, PPZs and SAPs the Use Class for Utilities and Minor Utilities must be either <ul style="list-style-type: none"> - No Permit Required, - Permitted or - Discretionary Utilities must not be Prohibited	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.	LPS is consistent with policy position, supported.
PPZs or SAPs use, development and subdivision standards	Are drafted with at least a discretionary approval pathway. For example: <ul style="list-style-type: none"> - No absolute height limit - Allow subdivision for utilities 	Consistent with policy in SPPs that enables consideration of Utilities in all zones and no finite quantitative development or subdivision standards.	LPS is consistent with policy position, supported.
ETIPC	Is correctly mapped and applied to relevant	Consistent with policy in SPPs	Amendment sought, inconsistent with policy position. <ul style="list-style-type: none"> - The Substation Buffer Facility Layer of the ETIPC has not been applied to any of the substations.

LPS Mapping	Policy Position	Rationale	West Coast LPS evaluation summary / submission
	transmission infrastructure		<ul style="list-style-type: none"> The Substation Facility layer doesn't extend to the title boundary for Rosebery Substation Amendment is sought to include Line 534 Pieman – Granville and Line 522 Pieman Spur and the Pieman Switching Station within the ETIPC.
Local Area Objectives	Are drafted in a manner that does not conflict with the ETIPC if they apply over an area within the Code	<ul style="list-style-type: none"> Potential impact on future development 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 	LPS is consistent with policy position, supported.

4.2. 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.

4.2.1. 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 2 for benefits that can be realised by considering electricity transmission assets in the planning process and conflict examples.

4.2.2. Scenic Protection Code

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 ETC that could impact on scenic values. However, application of the Scenic Protection Code to new electricity transmission use and development within an existing ETC 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;
- 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 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, Central Coast Council, Glamorgan Spring Bay Council, Clarence Council, Circular Head Council, Devonport Council and Glenorchy City Council as well as the Commissioners throughout the draft LPS assessment process and will continue to be raised as part of this process.

4.2.3. Landscape Conservation Zone

The introduction and subsequent rezoning of land within the ETC to the Landscape Conservation Zone has created a number of unforeseen issues for TasNetworks. Primarily the Landscape Conservation Zone – Zone Purpose is to *provide for the protection, conservation and management of landscape values*. This is considered to potentially conflict with the Purpose of the ETIPC which is to *maintain future opportunities for electricity transmission infrastructure*.

Additionally, development approval for augmentation of an existing corridor under the Landscape Conservation Zone is more onerous than if under the Environmental Living or Rural Resource Zones in the interim scheme or the Rural Zone under the SPP. For example the Acceptable Solution building height requirement in the Landscape Conservation Zone is 6m as opposed to 12m under the Rural Zone.

Further, TasNetworks has concern regarding the rezoning of land within an ETC to the Landscape Conservation Zone and the inconsistent messaging it provides to the public. That being that the land is for 'conservation', where in fact clearing of vegetation within the ETC is exempt and augmentation of corridors can occur.

TasNetworks acknowledges that the introduction of the Landscape Conservation Zone is per SPP drafting guidelines however would like to open discussions with Council and relevant stakeholders regarding the impacts that this change in zoning has on the continued operation of electricity transmission infrastructure across the State.

5. Appendix 1 – Detailed Assessment

5.1. Substations

There are five substation located within the West Coast LGA. These are:

- Farrell Substation
- Rosebery Substation
- Newton Substation
- Queenstown Substation
- Pieman Switching Station

The following table details TasNetworks planning policy position with respect to substations.

Table 4 Substations Policy Position Summary

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

The Scenic Protection Code has not been used in the draft LPS and no SAP or PPZ has been applied to any of the substation sites. This is supported by TasNetworks.

Farrell Substation

Farrell Substation is located on large unidentified title owned by the Hydro Electric Corporation (Hydro). The site is within the Rural Zone of the draft LPS. TasNetworks is not supportive of this zoning and requests that the draft LPS be amended to apply the Utilities Zone to the Farrell Substation. The Utilities Zone reflects the primary and future use of the site and is consistent with the zone application guidelines issued by the State. TasNetworks is supportive of Hydro's submission to rezone the area including this site to Utilities.

The Natural Assets Code – Priority Vegetation Overlay has been applied to a relatively small section of the site that is cleared of vegetation. TasNetworks requests that this overlay be removed from the site where it is cleared of vegetation and developed. This is shown in the following figure.



Figure 4 Farrell Substation - Priority Vegetation Overlay

The ETIPC has been applied to the site as shown in the following figure. TasNetworks is supportive of this application however notes that the Substation Facility Buffer Area layer is missing from the mapping. As such, TasNetworks requests that the draft LPS be amended to include all layers of the ETIPC. TasNetworks can provide the correct mapping if required.

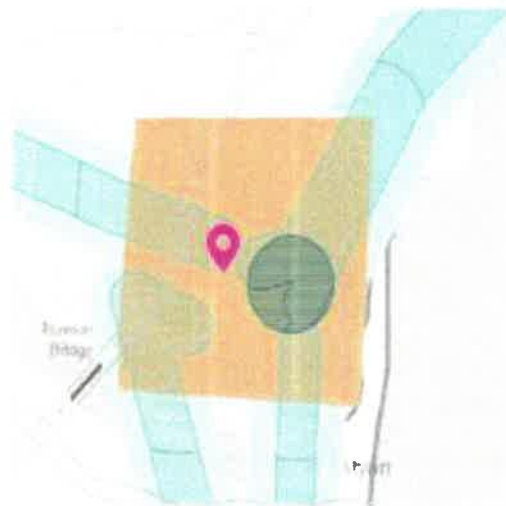


Figure 4 Farrell Substation - ETIPC

Rosebery Substation

Rosebery Substation is located at Arthur Street, Rosebery CT 169884/1. The site, owned by TasNetworks is zoned Utilities in the draft LPS which is supported by TasNetworks.

The Priority Vegetation Overlay has not been applied to the site which is supported by TasNetworks.

The ETIPC has been applied to the site as shown in the following figure. TasNetworks is supportive of this application however notes that the Substation Facility layer does not extend to the title boundary and the Substation Facility Buffer Area layer is missing from the mapping. As such, TasNetworks requests that the draft LPS be amended to include all layers of the ETIPC appropriately. TasNetworks can provide the correct mapping if required.



Figure 5 Rosebery Substation ETIPC

Newton Substation

Newton Substation is located at CT 163458/1. The site, owned by TasNetworks is zoned Utilities in the draft LPS which is supported by TasNetworks.

The Natural Assets Code – Priority Vegetation Overlay has been applied to across the whole site, despite the site being developed and cleared of native vegetation. TasNetworks requests that this overlay be removed from the site where it is cleared of vegetation and developed.



Figure 7 Newton Substation - In-situ Vegetation

The ETIPC has been applied to the site as shown in the following figure. TasNetworks is supportive of this application however notes that the Substation Facility Buffer Area layer is missing from the mapping and that the Substation Facility extends beyond the title boundary. As such, TasNetworks requests that the draft LPS be amended to include all layers of the ETIPC appropriately. TasNetworks can provide the correct mapping if required.

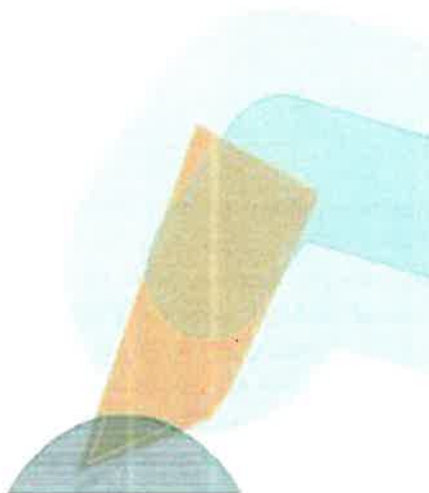


Figure 8 Newton Substation - ETIPC

Queenstown Substation

Queenstown Substation is located at Penghana Road, Queenstown CT 197371/1. The site, owned by TasNetworks is zoned Utilities in the draft LPS which is supported by TasNetworks.

The Priority Vegetation Overlay has not been applied to the site which is supported by TasNetworks.

The ETIPC has been applied to the site as shown in the following figure. TasNetworks is supportive of this application however notes that the Substation Facility Buffer Area layer is missing from the mapping. As such, TasNetworks requests that the draft LPS be amended to include all layers of the ETIPC appropriately. TasNetworks can provide the correct mapping if required.

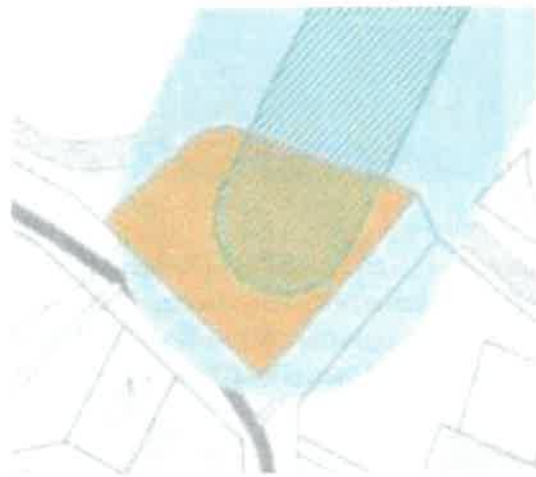


Figure 3 Newton Substation - ETIPC

Pieman Switching Station

Pieman Switching Station is not reflected in the ETIPC of the draft LPS. This relatively new substation provides a critical role in facilitating the supply of power from Granville Harbour power station to the National Electricity Market. As such, TasNetworks requests that the site be included in the ETIPC with the Substation Facility and Substation Facility Buffer Area applied. The site is located on land owned by Hydro without an address, CT or PID. The site is shown in the following figure in yellow. The purple identifies the transmission lines connecting Granville Harbour in the west with the existing network to the east. Refer to Figure 2 for more information regarding the sites location. TasNetworks can provide the appropriate mapping to support this substations inclusion in the ETIPC.

The site is located on land within Rural Zone in the draft LPS. TasNetworks requests that the site be rezoned to Utilities Zone to reflect the current and future use of the site. TasNetworks can provide GPS coordinates for the zone boundary together with the application of the ETC and IPA to the transmission line.



Figure 10 Pieman Switching Station to be included in ETIPC

5.2. Communication Sites

There are nine communication sites within West Coast LGA that are operated by TasNetworks. These are:

- Mackintosh Passive Repeater Communication Site
- Mackintosh Power Station Communication Site
- Farrell Substation Communication Site
- Mt Karshaw Passive Reflector Communication Site
- Reece Power Station Communication Site
- Pieman Dam Repeater Communication Site
- Mt Read Communication Site
- Newton Pumping Station Communication Site
- John Butters Repeater Communication Site

The following table details TasNetworks planning policy position with respect to communication sites.

Table 5 – Communication Sites Policy Position Summary

Zoning	Overlay	SAP / PPZ	ETIPC
Zoned Utilities	Not applied - Scenic Protection (SP)	Not applied or - Utilities use is NPR, P or D.	Applied

- Priority Vegetation (PV) - where the site is cleared of native vegetation
- No finite discretionary development standards

It is noted that the draft LPS does not apply the Scenic Protection Code or SAP or PPZ to any of TasNetworks Communication Sites. This is supported by TasNetworks.

Mackintosh Passive Repeater & Mackintosh Power Station communication sites

Mackintosh Passive Repeater Communication Site and Mackintosh Power Station Communication Site are both located on Hydro land that doesn't have an address, CT or PID. Please refer to Figure 2 for their location and reference.

Both sites are zoned Environmental Management under the draft LPS. This zoning is not supported by TasNetworks. TasNetworks requests that the sites be rezoned to Utilities. The Utilities Zone is considered appropriate for TasNetworks communication infrastructure as it forms a key part of the broader electricity network and is considered as major utilities. It is understood that Hydro is proposing to rezone the site to Utilities. TasNetworks is supportive of this rezoning.

The Priority Vegetation overlay has not been applied to either of the Communication Sites and the ETIPC has been applied correctly.

Farrell Substation Communication Site

Farrell Substation Communication Site is located at the Farrell Substation site. As discussed in the Farrell Substation section of this submission TasNetworks requests that the site be rezoned to Utilities to reflect the current and future use of the site.

The Priority Vegetation overlay has not been applied to the Communication Site and the ETIPC has been applied correctly.

Mt Kershaw Passive Reflector Communication Site

Mt Kershaw Passive Reflector Communication Site located to the east of Mount Kershaw on a large title owned by Parks and Wildlife Services. The site is zoned Environmental Management under the draft LPS. TasNetworks requests that the site, 20m radius from the centre of the communication site within the communication station buffer area be rezoned to Utilities. The Utilities Zone is in accordance with the State guidelines and identifies that TasNetworks communication infrastructure forms a key part of the broader electricity network and is considered as a major utility.

Further, the site is covered entirely by the Priority Vegetation Overlay. TasNetworks requests that this overlay be removed from cleared and developed parts of the site.

The ETIPC has been applied correctly to the site.

Reece Power Station Communication Site

Reece Power Station Communication Site is located on unidentified Hydro land. The site is zoned Environmental Management under the draft LPS. It is understood that Hydro is making a submission to rezone the power station to Utilities. This area includes the Communication Site and this rezoning is supported by TasNetworks.

A relatively small section of the site that is cleared of vegetation is subject to the Priority Vegetation Code. TasNetworks requests that overlay be removed from cleared / developed parts of the site.

The ETIPC has been applied correctly to the site.

Pieman Dam Repeater Communication Site

Pieman Dam Repeater Communication Site is located to the west of Reece Power Station Communication Site. The site is also located on unidentified land owned by Hydro. The site is current zoned Environmental Management. As per previous submission, TasNetworks requests 20m radius associated the communication site be zoned Utilities.

The site is not subject to the Priority Vegetation Overlay and the ETIPC has been applied correctly.

Mt Read Communication Site

Mt Read Communication Site is located at a site known as PID2531630. The site is without a CT reference or address and is owned by the Department of Primary Industries, Parks, Wildlife and Environment (DPIPWE). As the site is located on its own title TasNetworks requests that the site be rezoned to Utilities.

The ETIPC has been applied correctly to the site and the site is not subject to the Priority Vegetation Code.

Newton Pumping Station Communication Site

Newton Pumping Station Communication Site is located to the south of the Newton Pumping Station on unidentified land owned by Hydro. The site is zoned Rural Zone. TasNetworks requests that the site be rezoned to Utilities. It is understood that Hydro is making a submission for this land to be rezoned Utilities also.

The Priority Vegetation Code is applied to the entire site. TasNetworks requests the overlay be removed from cleared / developed parts of the site. The ETIPC has been applied correctly.

John Butters Repeater Communication Site

John Butters Repeater Communication Site is TasNetworks most southern assets within the municipality. The Communication Site is located on unidentified land owned by DPIPWE. The draft LPS has applied the Rural Zone to the site. TasNetworks is not supportive of this zoning for its communication infrastructure and requests the Utilities Zone be applied to a 20m radius for the site.

The ETIPC has been applied correctly to the site and the site is not subject to the Priority Vegetation Code.

5.3. Electricity Transmission Corridors

There are 11 TasNetworks Electricity Transmission Corridors that extend across the West Coast LGA. These are:

- Line 453 Mackintosh Spur 110kV
- Line 518 Sheffield – Farrell 220kV
- Line 452 Farrell – Waratah 110kV
- Line 451 Farrell – Rosebery 110kV
- Line 519 Farrell – Reece 220kv
- Line 523 Farrell – John Butters 220kv
- Line 406 Queenstown – Newton 110kV
- Line 524 Tribute Spur 220kV
- Line 493 Newton Spur 110kV
- Line 522 Pieman Spur 220kV
- Line 534 Pieman – Granville 220kV

These corridors are shown in Figure 2. The following table details TasNetworks policy position regard ETC.

Table 6: ETC Policy Position Summary

Zoning	Overlay	ETIPC	SAP / PPZ
<ul style="list-style-type: none"> - No specific zoning applied to ETC; - Landscape Conservation Zone not applied to ETC 	<ul style="list-style-type: none"> - Scenic Protection Code not applied to ETC 	Applied	<ul style="list-style-type: none"> - Not applied or - Utilities use is NPR, P or D. - No finite discretionary development standards

A range of zones have been applied to the land underneath these corridors and as the SPP allows for consideration of Utilities in all zones this is acceptable to TasNetworks. The Landscape Conservation Zone has not been utilised in the draft LPS and therefore hasn't been applied to any of the corridors which is supported by TasNetworks.

Neither a SAP nor PPZ has been applied to an ETC which is supported by TasNetworks.

The ETIPC has been mapped correctly within the draft LPS except it does not include Line 534 Pieman – Granville Harbour and Line 522 Pieman Spur. These lines, shown in Figure 2 are relatively new lines associated with the new Pieman Switching Station. TasNetworks requests that the ETIPC be updated to include these two transmission lines and can provide the correct mapping required for the ETC and IPAs.

5.4. Particular Purpose Zones (PPZ) and Specific Area Plans (SAP)

The following table provides an overview of TasNetworks policy position regarding PPZs and SAPs.

Table T PPZ and SAP Policy Position Summary

Application	Policy
Use Standards in PPZ or SAP	- Use Class for Utilities or Minor Utilities must be either NPR, P or D. Must not be Prohibited
Development Standards in PPZ or SAP	- Are not drafted without a discretionary approval pathway (e.g not include a finite development standard - an absolute height limit) - Allow subdivision for Utilities use in all zones

The draft LPS includes two new SAPs

- WCO – S1.0 Queenstown Specific Area Plan
- WCO – S2.0 Strahan Harbour Specific Area Plan

Both SAPs are drafted consistent with TasNetworks policy position as such TasNetworks make no representation regarding these SAPs. It is noted that the draft LPS does not include any PPZ or Local Area Objectives.

6. Appendix 2 – 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 3 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 10m², roof open 3m, height 2.4m, fill of up to 0.5m up to roof sheet (10m), sides 1.2m, height 2.4m.</p> <p>Shed up to 10m².</p> <p>This type of building poses always poses a safety and operational hazard for the overhead 110kV, cables and towers 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 Zone, Rural Zone or Agriculture Zone	<p>4.3.8</p> <p>Provides for an increased number of outbuilding per lot as follows:</p>

SPP exemption	Comment
2.3.9 agricultural buildings and works in the Rural Zone or Agriculture Zone	<p>floor area 100m², height 6m, wall height 4m</p> <p>Already subject to the Local Historic Heritage Code</p> <p>Significantly broader than PPT</p> <p>4.1.9</p> <p>New and broader than PPT exemptions</p> <p>Provides for unlimited number of outbuilding per lot as follows:</p> <p>Must be for agricultural use, floor area 300m², height 12m</p> <p>Already subject to the Local Historic Heritage Code and the Scenic Protection Code</p> <p>IN 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 a utility worker's ability to safely access, operate and maintain electricity transmission lines. If built, these buildings could also present a direct to human safety.</p> <p>As a result, in almost all cases, if built, buildings covered by these exemptions would detrimentally the enforcement of easement rights, either during or after construction and after the planning and building (exemption), process has occurred. This will likely result in 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 cables mentioned in this exemption are almost certain to cross (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	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.
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.

Executive Assistant

From: Compliance Admin
Sent: Friday, 16 October 2020 3:24 PM
To: Compliance Admin
Subject: Fwd: Submission for Zoning

[Get Outlook for iOS](#)

From: Tullah Lakeside Lodge <info@tullahlakesidelodge.com.au>
Sent: Friday, October 16, 2020 1:09:56 PM
To: Compliance Admin <complianceadmin@westcoast.tas.gov.au>
Subject: Submission for Zoning

Hi Allison,

I am writing in relation to the Draft Local Planning Provisions 2020.

In the proposed draft both 56 Farrell Street & 37 Farrell Street in Tullah are being left as residential lands.

The Tullah Lakeside Lodge currently operates on 56 Farrell Street, and is an existing business. I would have thought that based on the fact that this is a local business already that it would have been rezoned as local business.

In relation to 37 Farrell Street. I know that you are aware as well as David Midson about our plans for this area. To develop it into a caravan/cabin park. Once again this area is being left as a residential zone when one would have thought that being on the main street of town directly opposite the current local business area that it would have been the next spot to have a local business zone?

Please can you put my thoughts through to the local Council in relation to this.

I have spoken with other businesses and landowners in Tullah and they have agreed with my points.

Warmest Regards

Steve de Villiers

--
Tullah Lakeside Lodge
P: 03 6473 4121 | F: 03 6473 4130 | W: tullahlakesidelodge.com.au
'A Home To Explore From'

1

355/20 COUNCIL TO MOVE OUT OF PLANNING AUTHORITY ROLE

Moved Cr Gerrity / Seconded Cr Stringer

That Council moves from its role as a Planning Authority back into Council

The Motion was PUT and Carried Unanimously

Meeting proceeding were suspended for a break, time being 5.54pm.

Meeting procedures resumed, time being 5.59pm.

356/20 MATTERS PROPOSED FOR CLOSED MEETING

Local Government (Meeting Procedures) Regulations 2015; Regulation 15

A Council may (by absolute majority resolution) close a meeting or part of a meeting when certain matters are being or are to be discussed. The grounds for the closure are to be recorded in the minutes of the meeting.

Section (2) A part of a meeting may be closed to the public when any one or more of the following matters are being, or are to be, discussed at the meeting:

- (a) personnel matters, including complaints against an employee of the council and industrial relations matters;*
- (b) information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business;*
- (c) commercial information of a confidential nature that, if disclosed, is likely to –
 - (i) prejudice the commercial position of the person who supplied it; or*
 - (ii) confer a commercial advantage on a competitor of the council; or*
 - (iii) reveal a trade secret;**
- (d) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;*
- (e) the security of –
 - (i) the council, councillors and council staff; or*
 - (ii) the property of the council;**
- (f) proposals for the council to acquire land or an interest in land or for the disposal of land;*
- (g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;*
- (h) applications by councillors for a leave of absence;*
- (i) matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.*

Moved Cr Styles /Seconded Cr Shea

That items 358/20 – 365/ be discussed in Closed Session.

Item	Matter	Local Government (Meeting procedures)
358/20	Leave of Absence Request	15(2)(h)
259/20	Council Decision Statues Report/Action Item	15(2)(f)
360/20	Planning & Building Report	15(2)(i)
361/20	Correspondence	15(2)(i)
362/20	Cradle Coast Authority Minutes	15(2)(g)
363/20	West Coast Spirit Awards	15(2)(g)
364/20	Appointment to LCAC	15(2)(g)
365/20	General Manager Performance Review	15(2)(g)

The Motion was PUT and Carried Unanimously