

***Supporting evidence for C8.0 Scenic Protection Area application  
over the proposed***

***Blackswan Lagoon Scenic Protection Area***

*Prepared by Dr Jason Whitehead for the Leprena Trust*

*(version 28 APRIL 2022)*



photo courtesy of B.Brown

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### **Statement from suitably qualified person**

*Dr Jason Whitehead (PhD geologist/botanist) has over 25 years-experience in environmental research, assessment and management. This includes training and experience in spatial analysis (GIS) and map creation. Dr Whitehead’s prior scenic assessments have included application of the ‘Manual for Forest Landscape Management 2006’ for the creation of Central Coast Council Leven Canyon – Loyetea Peak Scenic Protection Area (4000 Ha). Other scenic assessments have contributed to the creation of a 22Ha informal reserve (Sustainable Timbers Tasmania) at Coupe LG005A , as well as the relocating of proposed high voltage power easements and telecommunication infrastructure.*

## **A) Blackswan Lagoon Scenic Protection Area proposal**

The following report provides supporting evidence for the Huon Valley Council and Tasmanian Planning Commission to recognize the proposed *Blackswan Lagoon Scenic Protection Area's* scenic values. The areas scenic values have been broadly recognised at both a State and National level through heritage listing (see **Section B**, below); however, planning protection remains inadequate at these levels for the protection of the areas scenic values.

I note the Huon Valley Council Section 35F the, Planning Authority Response, to the Leprena Trusts *Blackswan Lagoon Scenic Protection Area* proposal has been: *“The land is not subject to a scenic protection overlay under the interim planning scheme. Whilst the planning authority does not disagree that this area has significant landscape values, the application of the overlay requires a detailed scenic values analysis prepared by a suitably qualified person. Accordingly, the overlay cannot be applied without this analysis and therefore its application is not supported by the planning authority at this time”*

The following *Blackswan Lagoon Scenic Protection Area* analysis of the scenic values has been undertaken by Dr Whitehead (a suitably qualified and experienced person) using some aspects of the ‘*Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code*’ (**Section C**) and the ‘*A Manual for Forest Landscape Management 2006*’ (**Section D**). Information from theLIST (aerial photos, natural values, tracks, cadastral information, and topography has been integrated with field observations from the areas of highest viewing sensitivity with photos taken from: A) main flight path, B) walking tracks, C) main boat transit paths and D) drive by, camping site and residential viewpoints to enable assessment of scenic values (**Appendix 1**).

This analysis has been combined with 30 years of first hand local knowledge Dr Jason Whitehead), augmented through additional information obtained through research and consultation (**Section E**). It is of critical importance to note that all

directly affected private land holders (Tasmanian Land Conservancy , Michael Vaughan, and the Leprena Trust) have made supportive submission to council for the *Blackswan Lagoon Scenic Protection Area's* adoption (representors 29, 35 and 20, respectively) . Consultation has also seen the proposal supported by Jean-Pierre Thebault, the French Ambassador to Australia (representor 30), and first nation organisations: Ochre Rain (representor 28) and Pakana Services (representor 28).

Please see attached subsequent additional letters of support from the South East Tasmania Aboriginal Corporation, Weetapoonna Aboriginal Corporation, Dr Gregory Lehman (The Pro Vice-Chancellor for Aboriginal Leadership from the University of Tasmania) and Mr David Shelley (Honorary Consul for France in Tasmania).

The analysis and consultation within this report has resulted in the creation of the *Blackswan Lagoon Scenic Protection Area* (**Section F**), Table C8.1 and necessary accompanying documentation (**Section G**).

The propose *Blackswan Lagoon Scenic Protection Area* occurs within the Environmental Management Zone within the draft Huon Valley Council Local Planning Schedule, and does not conflict with this.

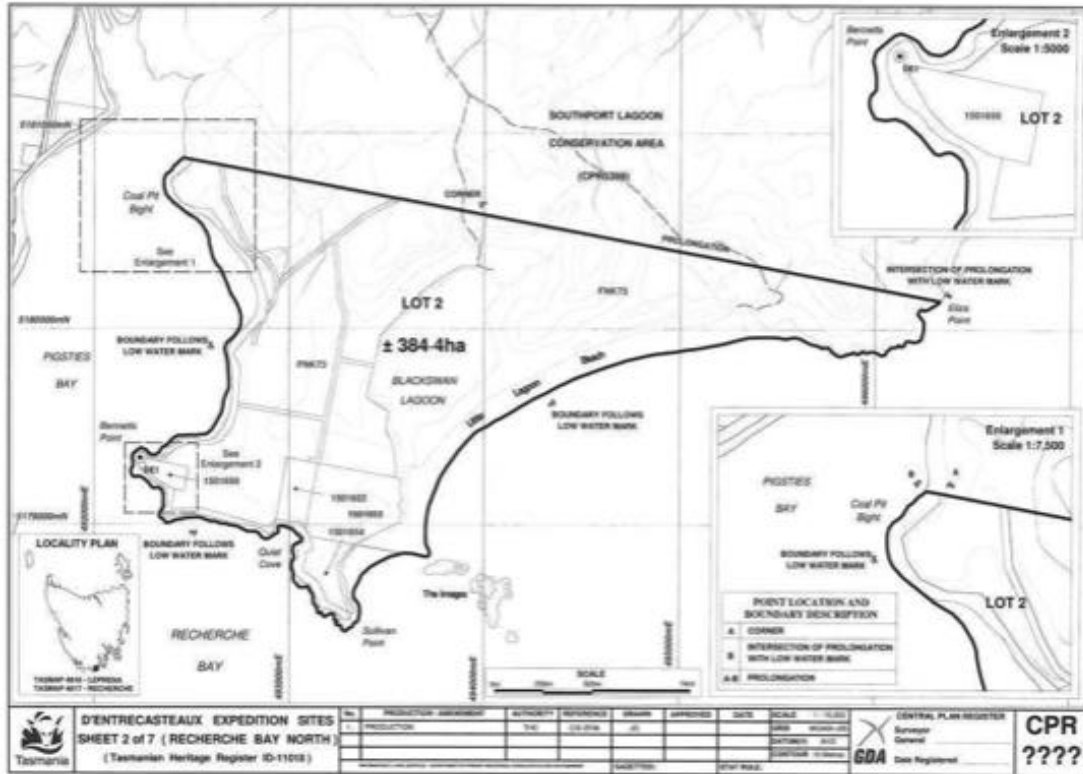
The Scenic Protection area application may only be a minor amendment and not require re-advertising of the draft LPS. If additional stakeholder Service consent is required, I request the Planning Commission directs the local planning authority, under section 35K(1)(a) of *Land Use Planning and Approvals Act 1993* (the Act), to modify the Huon Valley Council draft LPS in accordance with Scenic Protection Area request and enable readvertising and exhibition.

## **B) Prior recognition of Scenic Value.**

The requested C8.0 Scenic Protection Area over the Southport Conservation Area heritage site, includes part of the area on the Tasmania Heritage Register 'd'Entrecasteaux Expedition Sites Recherche Bay' (THR Identification Number 11018) and recognizes the **'Integrity of the site' as very high, based upon the 'natural landscape setting** of the French 1792 and 1793 expedition sites' (Figure 1). The 'Management Guidelines for the d'Entrecasteaux Expedition sites and the Ramsgate Whaling Site and Settlement site' have as their conservation objective to conserve the landscape character and visual links between key features' here and that the management objectives are:

- (i) 'retain a sense of the natural setting... “

However, the Ramsgate and Settlement Site include the in the THR Listed areas occur within Cockle Creek, where shacks and other infrastructure currently co-occur, and as such the Management Objectives for visual impact from development are not as strong enough in the 'Management Guidelines for the d'Entrecasteaux Expedition sites and the Ramsgate Whaling Site and Settlement site' to protect the natural undeveloped visual amenity of the area of the proposed *Blackswan Lagoon Scenic Protection Area*.



**Figure 1.** Tasmanian Heritage Register Site number 11018 ‘Recherche Bay (north east peninsula) includes PID 5268145, other private land (PID 5268153 & 7842219) and part of the Southport Conservation Area.

The requested C8.0 Scenic Protection Area over the Southport Conservation Area heritage site, includes part of the area on the *National Heritage Register Site number 105665 ‘Recherche Bay (north east peninsula)’* (**Figure 2**). The National Heritage Listing for the site includes in the Summary Statement of Significance that the area “constitutes a significant, ‘associative’ cultural landscape” where there were friendly interactions between first Tasmanians Palawa/Pakana, of the Lyluquonny Nation, and the French during 1792 & 1793, and that the **“the predominantly undeveloped character of the landscape contributes to the appreciation of the [National Heritage] values” of the site**. Whilst the National Heritage Listing acknowledges the importance of the undeveloped character of the landscape, and the National Heritage management principles are set out in the regulations (schedule 5B) of the *Environment*

*Protection and Biodiversity Conservation Act 1999* (EPBc Act). There is no National Management Plan for the area, and as such no clear guidance on protection of the areas scenic values that have been recognised, which demonstrates the need for the proposed Blackswan Lagoon Scenic Protection Area.



**Figure 2.** National Heritage Register Site number 105665 ‘Recherche Bay (north east peninsula)’ includes PID 5268145, other private land (PID 5268153 & 7842219) and part of the Southport Conservation Area.

Part of the Southport Conservation Area also occurs within the State and National Heritage Listed site. The current Tasmanian Parks & Wildlife Service (TPWS) '*Southport Lagoon Conservation Area George III Monument Historic Site & Ida Bay State Reserve Management Plan 2006*' <http://www.parks.tas.gov.au/?base=6290>

This management plan includes creates zones for 'guidance' with principles relating to use and development in the conservation area. The area within the proposed Scenic Protection area is a 'Conservation Zone'. The plans Section 4.3 "other development in the reserve" (page 37 onwards) provides a framework for development assessment and refers to using zones for guidance on the location of development. Section 4.4 "zones" (page 41 - describes the Conservation Zones values & the general aim of the zone). The "Prescriptions for the Conservation Zones" in Section 4.4.17 (page 42) states:

***4.4.17 New structures or any other type of development***

***(including new tracks) will not be allowed, apart from the following:- within the historic site, maintenance work on the monument, the fence, or required to support further recovery of the *E stuartii* population (see Section 2.5);***

- *signs necessary to promote public safety;*
- *works required for the maintenance of existing management infrastructure, including tracks; and*
- *works required in circumstances of safety, environmental or heritage*

The Tasmanian Parks & Wildlife Service (TPWS) '*Southport Lagoon Conservation Area George III Monument Historic Site & Ida Bay State Reserve Management Plan 2006*' prescription for this area prevents new development including track and is consistent with the proposed Scenic Protection Zone.



**C) Assessment of Scenic Value – applying some of the approaches from: *Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code***

The '*Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code*' was prepared for the Southern Technical Reference Group, Southern Tasmanian Councils Authority by the consultancies Inspiring Place Pty Ltd and Geoscene International, and was completed 9-9-2018. The Guideline document prepared by these consultants with input from the Southern Technical Reference Group had a focus on scenic assessment for scenic road corridors and skylines, and appears depauperate in the assessment of landscape scale scenic assessment notably those scenic values in coastal areas, and historically and culturally significant landscape areas. The GIS based method used for the objective view field analysis within the "*Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code*" remains the intellectual property of Geoscene International.

Aspects of the assessment approach used within the '*Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code*', have been applied here to identify the HIGH SCENIC VALUE of the proposed *Blackswan Lagoon Scenic Protection Area*. Spatial maps have been created using topographic data available from theLIST with coarse assessment possible when considering line of sight from the known viewing points and paths of HIGH SENSIVITY associated with: A) main flight path, B) walking tracks, C) main boat transit paths and D) drive by, camping site and residential viewpoints, can overlap with area of HIGH SCENIC QUALITY in **Table 1 and 2**, from the *Guidelines* as they apply to the Landscape Features: 1) Landform, 2) Vegetation , 3) Waterform , 4) Cultural Heritage and, 5) Native Wildlife, so as to identify areas with HIGH SCENIC VALUE.

Scenic Quality Class			
	High	Moderate	
<b>Landform Features</b>	<ul style="list-style-type: none"> <li>Isolated small peaks or hills peaks with distinctive form and colour contrast that become focal points.</li> <li>Steep hill and ridge systems with deep lateral gullies or ravines.</li> <li>Well-defined V-shaped valleys with dramatic spatial definition.</li> <li>Visually distinctive river terraces.</li> <li>Large to moderate-sized cliffs, rock faces or rock outcrops that are visually prominent or dominate the surrounding landscape.</li> </ul>	<ul style="list-style-type: none"> <li>Undulating and/or rounded and rolling hills that are not visually distinctive in the surrounding landscape.</li> <li>Undulating plains.</li> <li>Moderate to gently dissected V-shaped or U-shaped open valleys lacking in distinctive configuration, colour, and elevation changes.</li> <li>Visually evident, but not distinctive or dominant rock outcrops and cliffs.</li> </ul>	<ul style="list-style-type: none"> <li>Significant expanses of rolling hills or flat plains with indistinct dissection by rivers and streams and not dramatically defined by adjacent landforms (generally 0% to 10% slope).</li> </ul>
<b>Vegetation Features</b>	<ul style="list-style-type: none"> <li>Strongly defined stands of or combinations of eucalypt forest (including unusually tall eucalypt stands), naturally appearing open grasslands, marshlands, wetlands and scattered exotic trees (coniferous or deciduous) seen as distinctive vegetative patterns, colours and textures across the landscape.</li> <li>Rainforest and vigorous stands of wet sclerophyll forest that introduce distinctive patterns and textures.</li> <li>Areas with dramatic displays of seasonal colour.</li> </ul>	<ul style="list-style-type: none"> <li>Open and/or scattered eucalypt forest combined with natural openings and species mix in patterns that offer some visual diversity and irregular, natural-appearing or blended (not sharp or straight) edges.</li> <li>Visually evident vegetative patterns and patchwork effects of colour, texture and form created by adjacent land uses commonly occurring within the LCT.</li> <li>Expanses of roadside or riparian vegetation similar in structure and colour to that commonly found within the LCT, but seldom distinctive.</li> </ul>	<ul style="list-style-type: none"> <li>Extensive areas of similar vegetation with infrequent patterns or forest openings.</li> <li>Large forest clearings with straight or unnatural appearing shapes and edges.</li> </ul>
<b>Waterform Features</b>	<ul style="list-style-type: none"> <li>Large 1<sup>st</sup> and 2<sup>nd</sup> Order streams, rivers and estuaries with permanent flow.</li> <li>Large to medium waterfalls.</li> <li>Large and moderate sized natural lakes, ponds and wetlands.</li> <li>Large reservoirs.</li> </ul>	<ul style="list-style-type: none"> <li>Medium to small streams (2<sup>nd</sup> to 4<sup>th</sup> Order) with permanent flow and slightly incised drainages.</li> <li>Small natural lakes, tarns ponds, waterfalls and wetlands.</li> <li>Medium to small reservoirs.</li> </ul>	<ul style="list-style-type: none"> <li>Small streams (3<sup>rd</sup> Order or greater) with slight or intermittent waterflows.</li> <li>Areas with no natural waterforms.</li> </ul>
<b>Cultural/ Heritage Features (Visual Only)</b>	<ul style="list-style-type: none"> <li>Very prominent, unique or extensive visual influence of cultural heritage features reflecting local history through built forms and structures such as farm buildings, kilns, stone walls, fences etc. with traditional/historic architecture styles that visually enhance the landscape.</li> <li>Very prominent and extensive visual influence of contemporary cultural features and built forms of positive or high scenic value to the community.</li> <li>Visually distinctive variations in vegetative pattern created by contrasting land uses such as woodlands, tree rows, hedgerows, feature trees, paddocks, croplands, orchards, vineyards, and plantations creating patchwork effects of colour, texture and form that are visually prominent over moderate to small areas of the landscape.</li> </ul>	<ul style="list-style-type: none"> <li>Moderate visual presence and influence of cultural heritage features reflecting local history through built forms and structures such as farm buildings of architectural styles not particularly unique or notably positive within the surrounding landscape.</li> <li>Moderate visual presence and influence of contemporary cultural features and built forms of high scenic value to the community.</li> </ul>	<ul style="list-style-type: none"> <li>Little to no visual presence and influence of cultural heritage features reflecting local history or contemporary cultural features of high scenic value to the community as reflected through built forms and structures.</li> <li>Areas with extensive high density urban, industrial, high voltage powerlines or other utilities, mining, timber harvests or tourism facilities and other land uses with visually dominant structures and extensive absence of native trees and other positive landscape features.</li> </ul>
<b>Native Wildlife Features (Visual Only)</b>	<ul style="list-style-type: none"> <li>Areas with a high and consistent (year around or seasonally) visual presence of native fauna (e.g., kangaroos, quolls, wallabies wombats, quolls, wallabies, eagles, hawks, and other raptor, reptiles and amphibians, waterfowl and native birds).</li> </ul>	<ul style="list-style-type: none"> <li>Areas with a moderate or occasional visual presence of native fauna (e.g., kangaroos, quolls, wallabies wombats, quolls, wallabies, eagles, hawks, and other raptor, reptiles and amphibians, waterfowl and native birds).</li> </ul>	<ul style="list-style-type: none"> <li>Areas with a low or infrequent and irregular visual presence of native fauna.</li> </ul>

**Table 1.** Scenic Quality Class for the south east of Tasmania, (page 103 from the *Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code*)

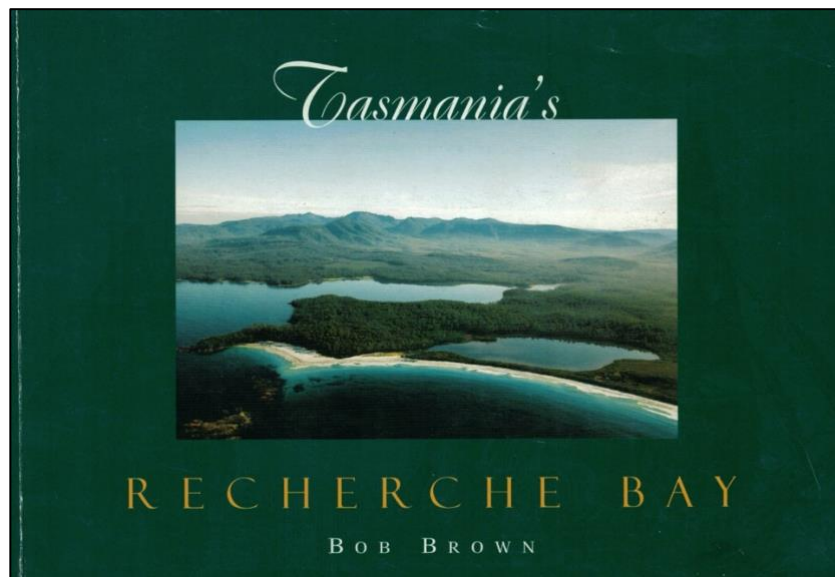
Landscape Component	Scenic Quality Classification		
	High	Moderate	Low
<b>Landform</b>	<ul style="list-style-type: none"> <li>Coastlines with combinations of irregular edges, islands, embayments and estuaries.</li> <li>Rocky headlands and shores, highly dissected or steep slopes with cliffs.</li> <li>Ridges and peaks of distinctive form, which become focal points when viewed from the sea.</li> <li>Unusual or distinctive formations such as caves, blow-holes, stacks, sand spits, peninsulas, isthmuses etc.</li> <li>Extensive to moderate scale sandy beaches.</li> </ul>	<ul style="list-style-type: none"> <li>Regular coast edges with little contrast in form and colour, including long sandy beaches.</li> <li>Rounded hills, ridges and peaks that are not visually dominant and are surrounded by more landforms of similar type.</li> <li>Broad coastal slopes that are steep, but stable.</li> <li>Smaller sandy or rocky beaches.</li> </ul>	<ul style="list-style-type: none"> <li>Expanses of indistinctly dissected landforms not dramatically defined by adjacent terrain.</li> </ul>
<b>Vegetation</b>	<ul style="list-style-type: none"> <li>Strongly defined and visually distinctive areas of mangrove and coastal wetlands.</li> <li>Strongly defined patterns due to combinations of eucalypt forest, dune vegetation, ti-tree scrub and barren rock.</li> <li>Distinctive displays of seasonal colour.</li> <li>Wind-shaped, gnarled or dwarfed specimen stands of vegetation that are unusual in form, colour or texture.</li> </ul>	<ul style="list-style-type: none"> <li>Forest, woodland or scrub cover, combined with natural openings and/or streamside vegetation in patterns that offer some visual relief.</li> <li>Some contrast created by seasonal colour.</li> </ul>	<ul style="list-style-type: none"> <li>Extensive areas of similar vegetation such as ti-tree or dune grasses, and very slight variation in texture and colour.</li> </ul>
<b>Waterform</b>	<ul style="list-style-type: none"> <li>Unusual wave characteristics due to blowholes, sea caves and rock channels.</li> <li>Large 1<sup>st</sup> and 2<sup>nd</sup> Order streams, rivers and estuaries with permanent flow.</li> <li>Freshwater features such as coastal waterfalls, small coastal lagoons and distinctive tidal entrances.</li> </ul>	<ul style="list-style-type: none"> <li>Common ocean shoreline character and wave characteristics.</li> <li>Freshwater streams with continuous flow; broad, shallow coastal lagoons.</li> </ul>	<ul style="list-style-type: none"> <li>Freshwater streams with only intermittent flow.</li> </ul>
<b>Cultural Heritage Features (Visual Only)</b>	<ul style="list-style-type: none"> <li>Very prominent and extensive visual influence of cultural heritage features reflecting local history through built forms and structures (e.g., buildings, bridges, boats in marinas, piers, wharves and boat sheds, stone walls, fences, gates, etc.).</li> <li>Very prominent and extensive visual influence of contemporary cultural features and built forms of high scenic value to the community.</li> </ul>	<ul style="list-style-type: none"> <li>Moderate visual presence and influence of cultural heritage features reflecting local history through built forms and structures.</li> <li>Moderate visual presence and influence of contemporary cultural features and built forms of high scenic value to the community.</li> </ul>	<ul style="list-style-type: none"> <li>Little to no visual presence and influence of cultural heritage features reflecting local history or contemporary cultural features of high scenic value to the community as reflected through built forms and structures.</li> </ul>
<b>Native Wildlife Features (Visual Only)</b>	<ul style="list-style-type: none"> <li>Areas with a high and consistent (year around or seasonally) visual presence of native fauna (e.g., kangaroos, quolls, sea-eagles, hawks, and other raptor and waterfowl, reptiles and amphibians, whales, dolphins, seals, sea turtles, shark, etc.).</li> </ul>	<ul style="list-style-type: none"> <li>Areas with a moderate or occasional visual presence of native fauna (e.g., kangaroos, quolls, sea-eagles, hawks, and other raptor and waterfowl, reptiles and amphibians, whales, dolphins, seals, sea turtles, shark, etc.).</li> </ul>	<ul style="list-style-type: none"> <li>Areas with a low or infrequent and irregular visual presence of native fauna.</li> </ul>

**Table 2.** Scenic Quality Class for Coastline Areas, (page 97) from the *Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code*

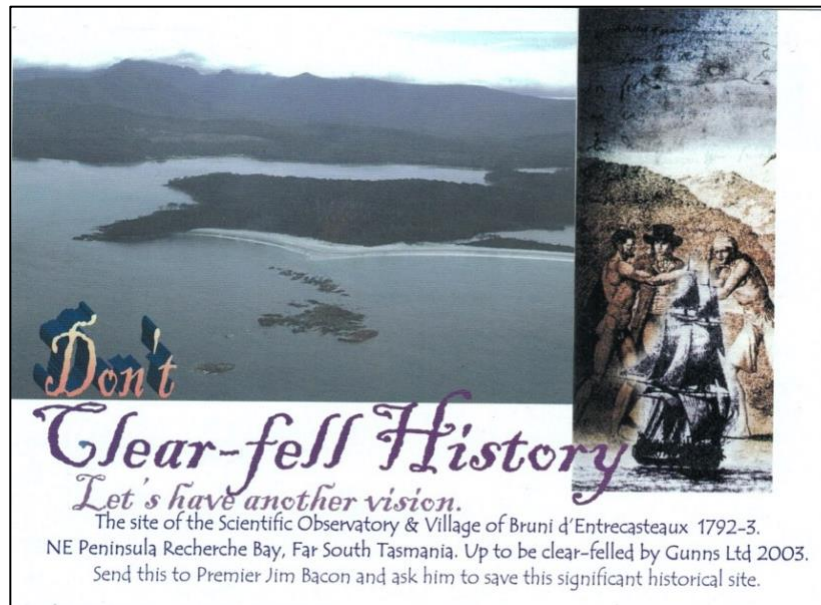
## 1) LANDFORM FEATURES

The undeveloped rocky foreshores, headlands, entrance of Blackswan Lagoon has Landform Features with HIGH SCENIC QUALITY (consistent with **Table 2**). This is demonstrated through the iconic use of this scenic value for the preservation and promotion of the area (see **Figures 3 to 9**).

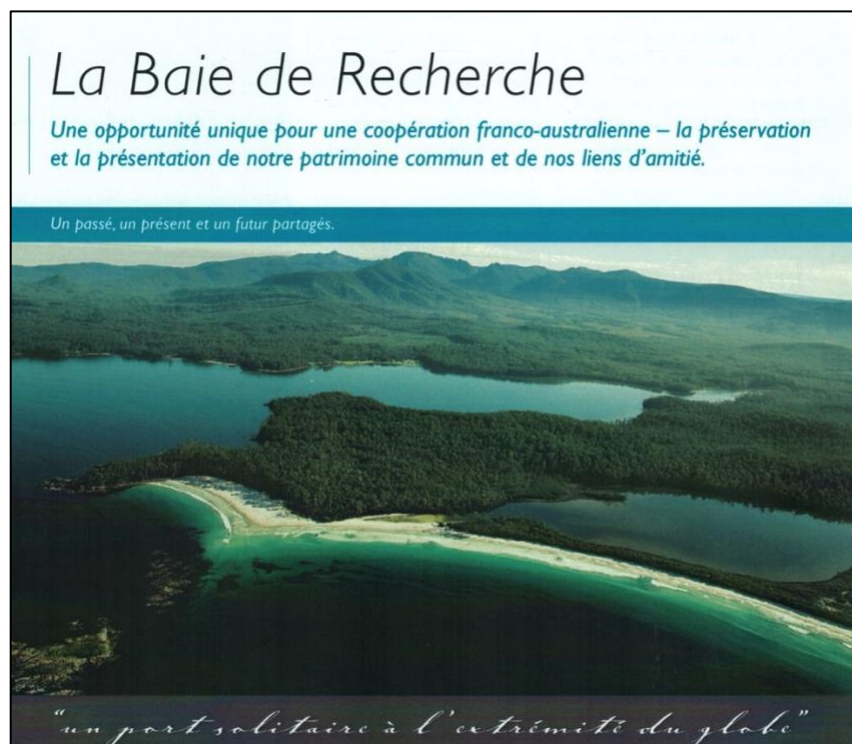
The iconic image taken by Dr B.Brown, used on the cover of this report was also largely reproduced during the campaign to prevent the logging of the private land now owned by the Tasmanian Land Conservancy. This campaign and image raised the visual significance of the very high scenic values of the coastal landforms of the area to an International level of significance. This image, or similar, has been readily reproduced and has become an iconic representation of the Recherche Bay and Blackswan Lagoon Area (**Figure 3**).



**Figure 3.** Blackswan Lagoon Area image taken by Dr Bob Brown was used to cover a book he produced in 2005 to raise awareness of this areas historic and scenic values



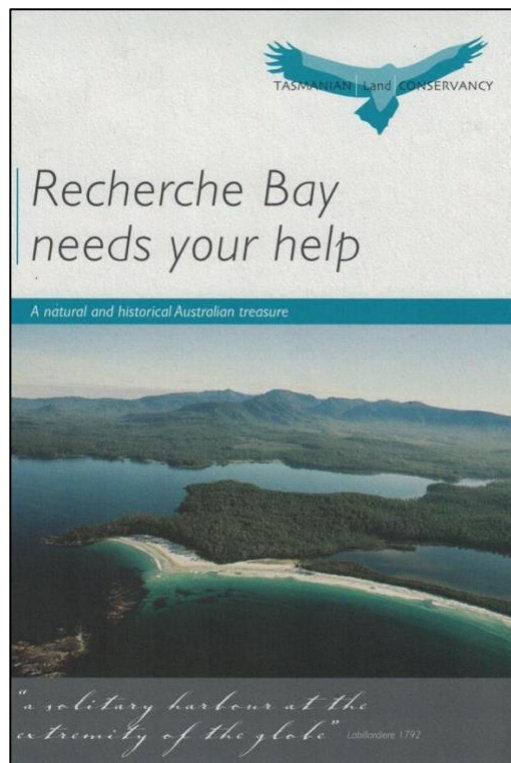
**Figure 4.** Blackswan Lagoon Area image was used to request the Tasmanian Government in 2003 not to permit logging of this area (created by the 'Recherche Bay Protection Group').



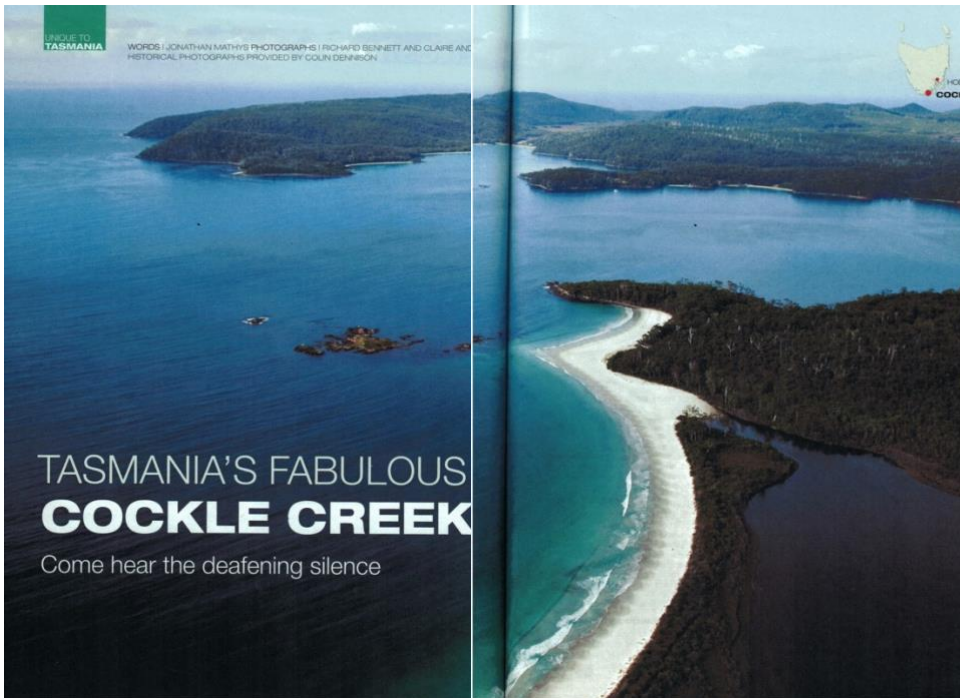
**Figure 5.** Blackswan Lagoon Area image was used by the Tasmanian Land Conservancy in promotional material (English and French) to Nationally and internationally raise funds for the protection of the areas historic and scenic values through purchase of private land.



**Figure 6.** Blackswan Lagoon Area image was used by the Tasmanian Land Conservancy in promote subsequent open days to the area.



**Figure 7.** Blackswan Lagoon Area image was used by the Tasmanian Land Conservancy in promotional material (English) to raise funds for the protection of the areas historic and scenic values through purchase of private land.



**Figure 8.** The Tasmanian Life Magazine used the imagery the Blackswan Lagoon Area is open an several page article on the area. As the iconic image of the area enters popular culture.



**Figure 9.** Popular use of the image of Blackswan Lagoon Area is often reproduced, including here in the Mercury News paper 'vote as Tasmania's best (**most scenic**) beach in 2013'.

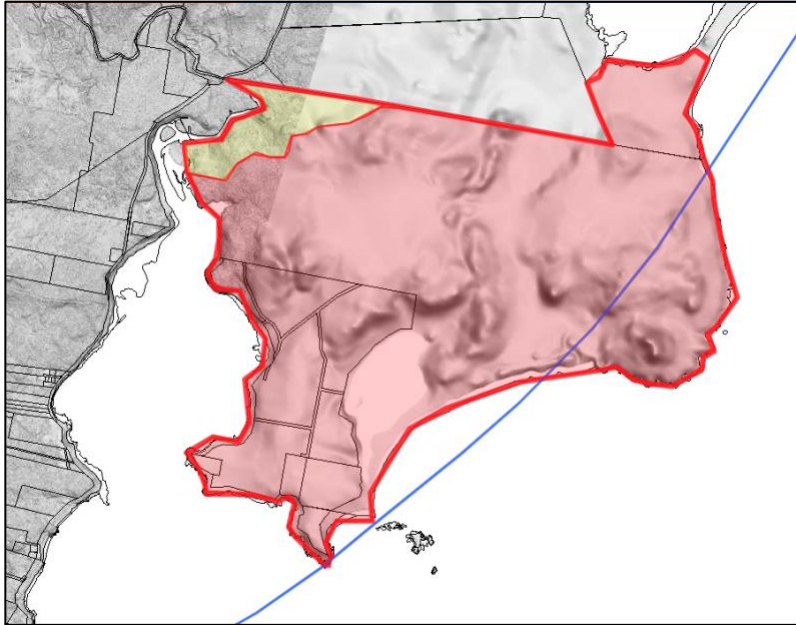
## Analysis of HIGH SCENIC VALUE of Landform Features

The iconic scenic view of the coastal landforms encompassed, is within the proposed *Blackswan Lagoon Scenic Protection Area*, and is typically envisaged during overflights of the area. The coastal flight path, used regular by commercial airline, ParAvion, when flying from Hobart to Melaleuca when cloud cover occurs inland is illustrated in **Figure 10**. There are often multiple daily flights, which take in the iconic landscape views However, other vistas are also afforded as captured within **Appendix 1 (A Main flight Path Scenic Assessment)** are also of HIGH SCENIC to MODERATE SCENIC SENSITIVITY. In this instance the HIGHEST SENSITIVITY areas = HIGH SCENIC VALUE areas, Moderate value has been applied to those areas of lower sensitivity with greatest distance from the main flight path (**Figures 11 and 12**).

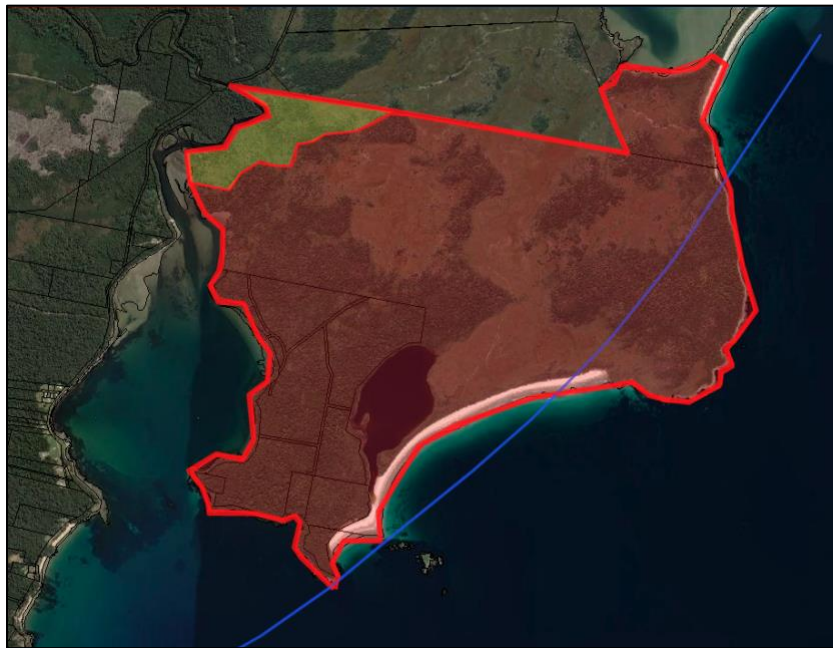


**Figure 10.** The Blue line is the main coastal flight pathway taken by multiple daily ParAvion aircraft en-route from Hobart to Melaleuca, enabling a scenic flight path assessment of the landforms.





**Figure 11.** Assessment of High (RED) and Moderate (Yellow) SCENIC VALUE of Landform Features within the *proposed Blackswan Lagoon Scenic Area* (based on the predominate Flight path used by ParAvion) – based on frequently used flight path and topography (theLIST)



**Figure 12.** Assessment of High (RED) and Moderate (Yellow) ) SCENIC VALUE of Landform Features within the *proposed Blackswan Lagoon Scenic Area* (based on the predominate Flight path used by ParAvion) – based on frequently used flight path, topography and vegetation types (theLIST).

## 2) VEGETATION FEATURES

The relevant Vegetation Features with HIGH SCENIC QUALITY in Southeastern Tasmania are described in **Table 1** as being:

- Strongly defined stands of or combinations of eucalypt forest (including unusually tall eucalypt stands), naturally appearing open grasslands, marshlands, wetlands and scattered exotic trees (coniferous or deciduous) seen as distinctive vegetative patterns, colours and textures across the landscape.
- Rainforest and vigorous stands of wet sclerophyll forest that introduce distinctive patterns and textures.

The relevant Vegetation Features with HIGH SCENIC QUALITY in Coastal Tasmania are described in **Table 2** as being:

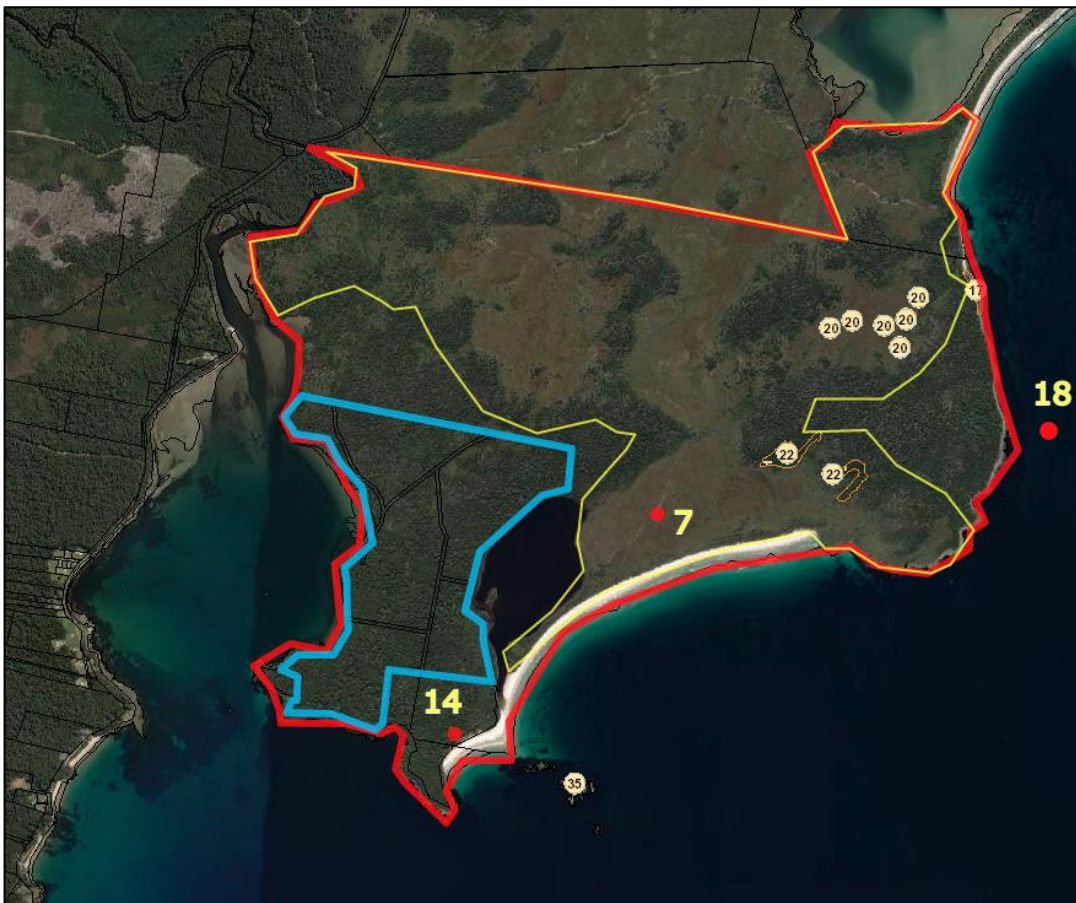
- Strongly defined and visually distinctive areas of coastal wetlands.
- Strongly defined patterns due to combinations of eucalypt forest, dune vegetation, ti-tree scrub and barren rock.

The vegetation features with HIGH SCENIC QUALITY fitting the definition in **Table 1** within the proposed *Blackswan Lagoon Scenic Protection Area* include: i) naturally appearing open grasslands (button grass), marshlands and wetlands – these vegetation communities in a mosaic that reflect the Pre-European Aboriginal cultural fire management of the landscape ii) strongly defined stands of eucalyptus forest (including tall forests) – such as the intact native forest canopy that was at the centre of a major campaign to protect part of the area from logging (this is land now owned by the Tasmanian Land Conservancy), iii) there a number of significant large old-growth trees including many individual trees along the coast. which add to the scenic value.

The vegetation features with HIGH SCENIC QUALITY fitting the definition in **Table 2** within the proposed *Blackswan Lagoon Scenic Protection Area* include: v) Blackswan Lagoon and Big Lagoon fringing wetlands and vi) the transition from dune, to other vegetation, or from coastal rock to other vegetation.

Although not included in the **Table 1 or 2**, other vegetation features with HIGH SCENIC QUALITY should also include: iv) the type specimen stand of

*Eucalyptus globulus*, vii) the unusual occurrence of large forest trees near sea-level on many part of the coast, viii) much of the area was well surveyed and botanical samples collected by French naturalists in 1792-93 (this has contributed to the areas National and State heritage listing), ix) a location of a garden planted by French explorers in 1792 (no extant plants remain but the rock outline of the garden has been located), x) culturally important trees and trees stands to Aboriginal Tasmanians that are associated with cultural activities and burials.



**Figure 13.** The Red dots are the known areas of historic importance that relates to vegetation these include (Point 7 and yellow outline: cultural fire management mosaic of the woodlands, forest and moorlands; Point 1: type specimen *Eucalyptus globulus* forest stand behind little lagoon beach, from where the type specimen for this species was collected by the French in 1792-93; Point 18: Culturally significant trees stands marking the location of Aboriginal burials (location not disclosed)). The Blue area is the Tasmanian Land Conservancy property, preserve in part to the scenic value of contiguous forest cover. The orange polygons, with numbers in

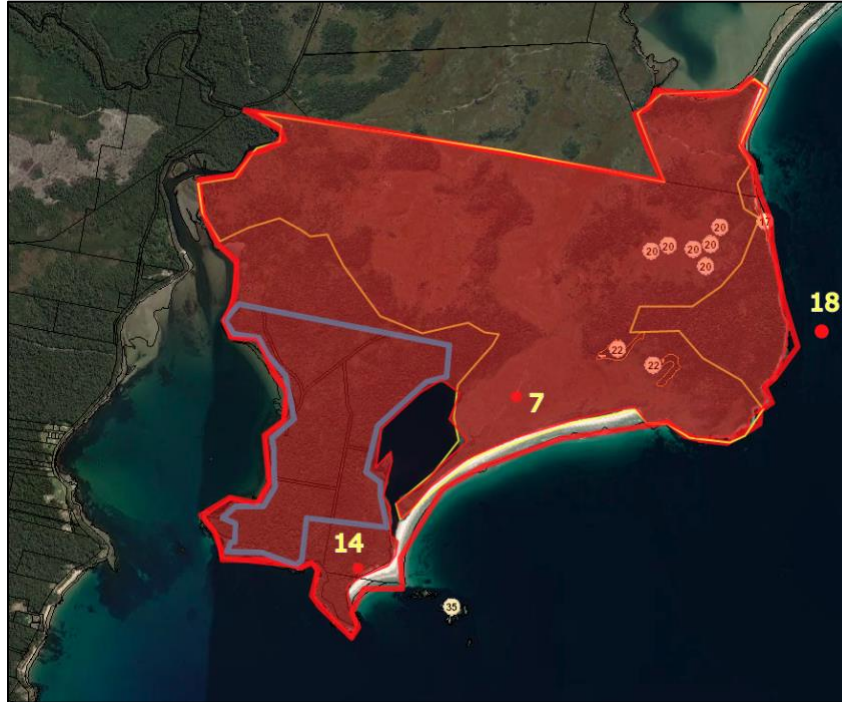
circles, are mapped areas of threatened vegetation (Nature Conservation Act) from theLIST.



**Figure 14.** Looking northeast view point Blackswan Lagoon Hill over look as an example of the vegetation mosaic of buttongrass/heathland and trees/shrubs, which reflects a cultural landscape that has resulted from Aboriginal fire management and where many botanical type specimens have been collected by the French naturalists between 1972-73 (photo point 7).



**Figure 15.** Looking northeast, from Little Lagoon Beach, and stand of visually high significant *Eucalyptus globulus*, from where the type specimen (inset copy of Historic image) was collected in 1792 by French naturalists. This is Tasmania's floral emblem. (photo point 14).



**Figure 16.** Assessment of Very High (RED shaded polygon) for the areas of high scenic quality enhanced by i) social values placed on the contiguous forest cover as evident in the campaign to prevent logging of the (property outlined I blue); ii) the cultural landscape create through Aboriginal fire management that is highly susceptible to scaring and reduction of scenic value from the creation of new walking tracks (area outlined I yellow); iii) threatened vegetation communities (obtained from theLIST); iv) areas of tangible high cultural significance on the scenic value of the vegetation (Aboriginal burial sites and *Eucalyptus globulus* type specimen location); and v) it is noteworthy that an extensive collection of plant type specimens gathered by the French in 1792-93 throughout this area that are now held in herbariums in Europe, which further adds to the scenic value of the vegetation in the proposed Blackswan Lagoon Scenic Protection Area.

### **Analysis of HIGH SCENIC VALUE of VEGETATION Features**

HIGH VISUAL SENSITIVITY occurs across the entire proposed *Blackswan Lagoon Scenic Protection Area* when all view points and paths are taken into consideration (See **Appendix 1**). Therefore, HIGH SCENIC VALUE, as it relates to Vegetation Features , equal areas of HIGH SCENIC QUALITY for vegetation Features in **Figure 16**.

### 3) WATERFORM FEATURES

The relevant Waterform Features with HIGH SCENIC QUALITY in Southeastern Tasmania and Coastal Areas are described in **Table 1 and 2** as being:

- Large 1<sup>st</sup> and 2<sup>nd</sup> Order streams
- Moderate sized natural lakes, ponds and wetlands.

The Waterform Features in the area have been mapped and accessible on theLIST 'Waterway and Coastal Protection Area Guidance Map' layer. All streams also include their vegetation buffer widths, consistent with the Forest Practices Code and areas where disturbance is to be avoided (**Figure 17**). In the propose *Blackswan Lagoon Scenic Protection Area*, the HIGH SCENIC QUALITY applies to Blackswan Lagoon, wetlands, first and second order streams. LOW SCENIC QUALITY is afforded to third and fourth order streams (**Figure 18**). This contrasts to 'A Manual for Forest Landscape Management', where all Rivers and streams are afforded HIGH SCENIC VALUE.



**Figure 17.** Waterform features, as indicated by blue and green polygons, from theLIST 'Waterway and Coastal Protection Area Guidance Map' in addition to Blackswan Lagoon.



**Figure 18.** All Waterform features, from theLIST 'Waterway and Coastal Protection Area Guidance Map' in addition to Blackswan Lagoon. Those with RED polygon overlay are given HIGH SCENIC QUALITY, others are assigned a LOW SCENIC QUALITY (consistent with **Tables 1 & 2**). However, this contrasts with HIGH SCENIC VALUE afforded to all water way features through application of *A Manual for Forest Landscape Management*.

### **Analysis of HIGH SCENIC VALUE of WATERFORM Features**

HIGH VISUAL SENSITIVITY occurs across the entire proposed *Blackswan Lagoon Scenic Protection Area* when all view points and paths are taken into consideration (See **Appendix 1**). Therefore, HIGH SCENIC VALUE, as it relates to Waterform Features, equal areas of HIGH SCENIC QUALITY for Waterform Features in **Figure 18**.

## 4) CULTURAL HERITAGE FEATURES

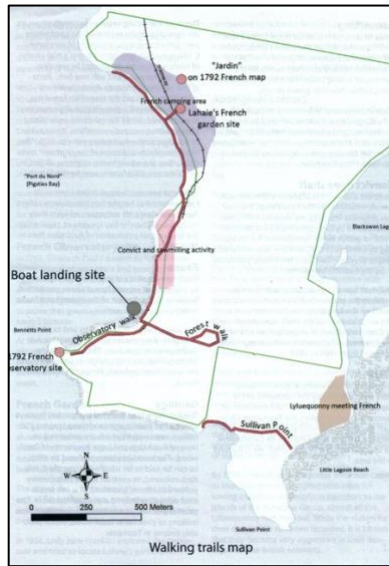
Cultural Heritage Features with HIGH SCENIC QUALITY in Southeastern Tasmania are described in **Table 1** as being:

- ·Very prominent, unique or extensive visual influence of cultural heritage features reflecting local history through built forms and structures such as farm buildings, kilns, stone walls, fences etc. with traditional/historic architecture styles that visually enhance the landscape.
- ·Very prominent and extensive visual influence of contemporary cultural features and built forms of positive or high scenic value to the community.
- ·Visually distinctive variations in vegetative pattern created by contrasting land uses such as woodlands, tree rows, hedgerows, feature trees, paddocks, croplands, orchards, vineyards, and plantations creating patchwork effects of colour, texture and form that are visually prominent over moderate to small areas of the landscape.

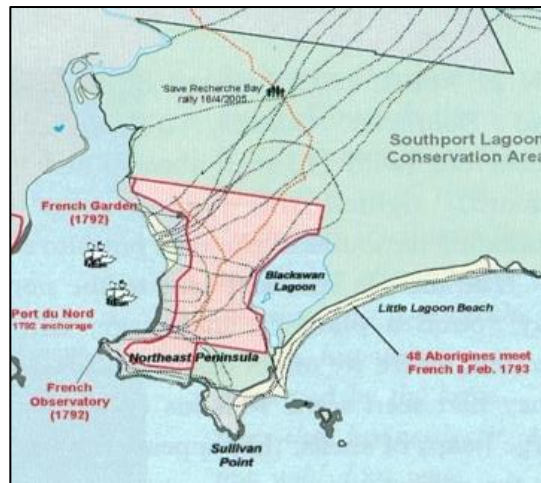
The '*Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code*', may appear as being written with a strong focus on built forms (pot points 1 and 2 from **Table 1**, above). However, the cultural significance of natural landscape locations associated with past historic events and activities has been highlighted through both National and State Heritage listings (see **Figures 1 and 2**) over most of the proposed scenic protection area, and as such retaining the natural high scenic quality of these locations has informed the focus of the current assessment. The dot point 3 (from **Table 1**, above), describes areas as "Visually distinctive variations in vegetative pattern created by contrasting land use' as having HIGH SCENIC QUALITY. These types of landforms are often created where traditional Aboriginal fire management vegetation mosaics are apparent in the landscape, represented in the proposed *Blackswan Lagoon Scenic Protection Areas* as buttongrass and moorlands (on peat soils) inter-dispersed with copses of *Eucalyptus* species and shrublands (on loamy soils). In this part of Tasmania these vegetation patterns are importance cultural landscape of HIGH SCENIC QUALITY.



A number of reports provide information on the specific sites of historic importance (examples in **Figure 19 and 20**).

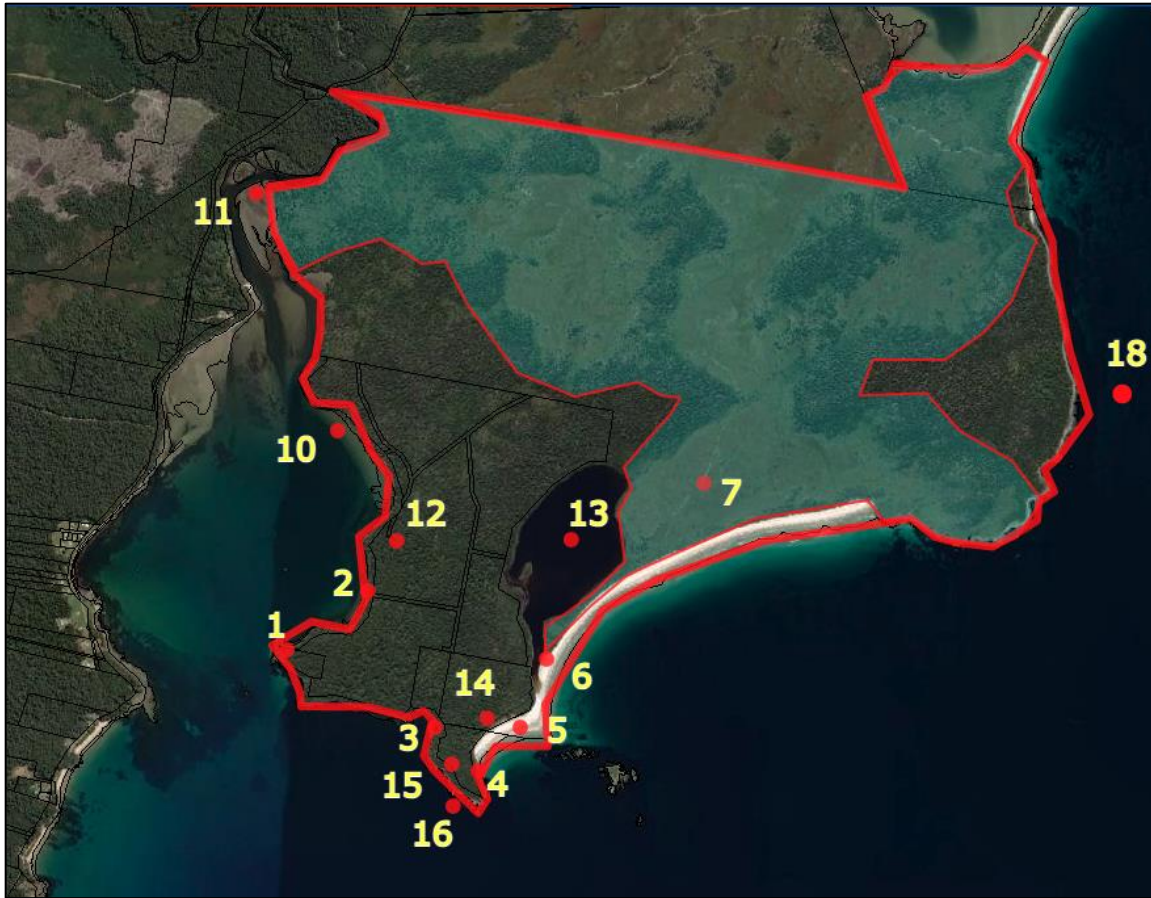


**Figure 19** . Map 2012 Tasmanian Land Conservancy indicating the location of some historic sites.



**Figure 20** . Map within Dr B.Brown (2006) lines indicate approximate position of multiple French naturalist field explorations in 1792-93,

A number of historic locations that are visible from walking tracks, boat, and overflights have been provided in **Figure 21 to 36**.



**Figure 21.** The Red dots are the known areas of historic importance that have contributed to the regions state and national heritage listing. The point 18 relates to sensitive Aboriginal sites and as such has been located offshore so as to not disclose the locations of such sites. The polygon in blue (point 7) relates to cultural landscape with a vegetation mosaic that has arisen from Aboriginal land management (notably cultural burning).

Several locations of friendly interactions between the Lyluquonny (local Aboriginal peoples) and French in 1793. Sites of European scientific endeavor (astronomical observatories, the establishment of a garden, and scientific collections of animals and plants in 1792-93), and later European enterprises such as bay whaling and convict coal mining (during the early to late 1800's),



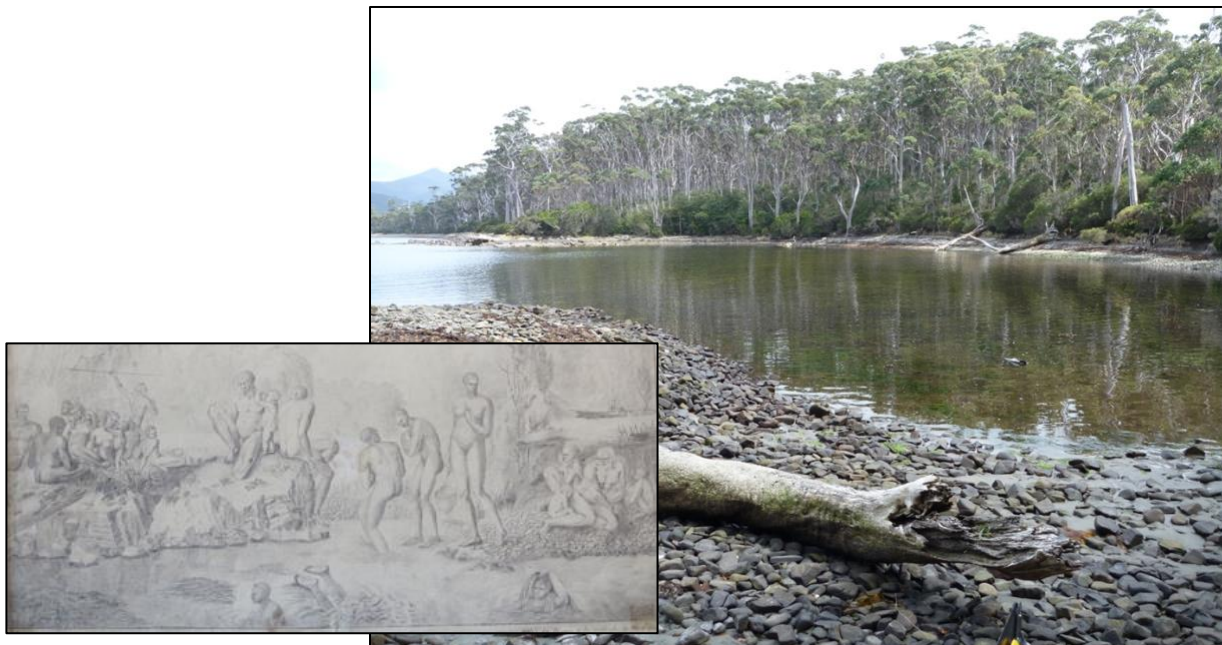
**Figure 22.** Looking south, foreshore at Observatory Point -used by the French as small boat landing area and astronomical observations (Heritage photo point 1).



**Figure 23.** Looking south, the area contains the heritage of the French shore based 1972 encampment and where many botanical type specimens have been collected by the French naturalists between 1972-73. This was the site of later Lady Jane Franklin site visit and convict coal mining activity (Heritage photo point 2 and 12).



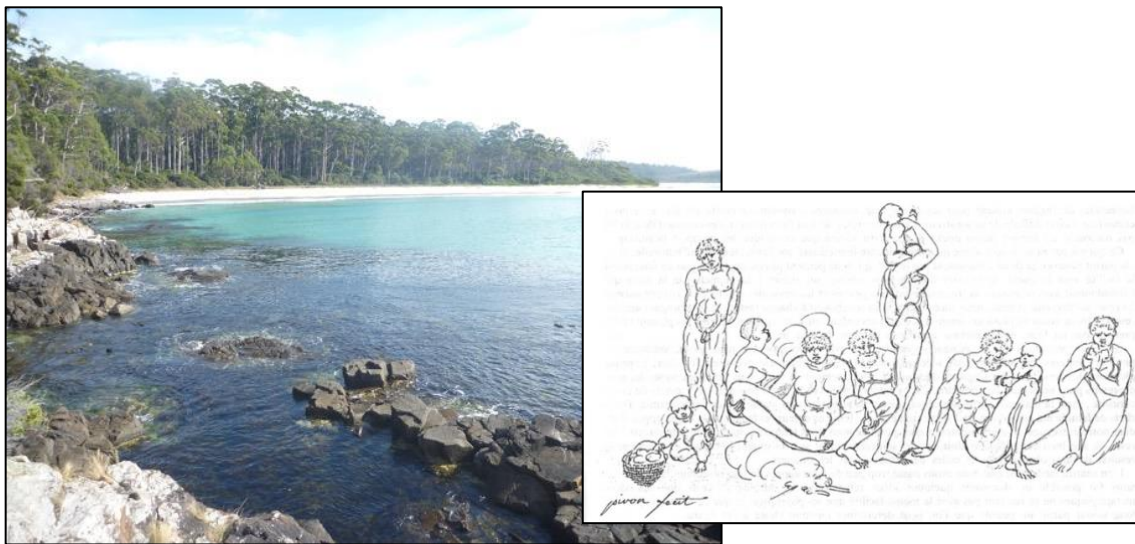
**Figure 24.** Looking west, at quiet cove with a copy of historic French field drawing from 1792, showing Aboriginal houses at Quiet Cove. Photo taken from the foreshore near where the original drawing was created in 1792 (Heritage point 3).



**Figure 25.** Looking northwest, in Quiet Cove (inset Copy of Historic image from this location in 1973). This was the location of French and Lyluquonny shared meal, gift exchange and where French drawings and observations of Lyluquonny culture were made (Heritage point 3).



**Figure 26.** Looking east Sullivans Point viewing point that was used by French navigators over a 2 day period in 1792 to chart the location of reefs in the region for safe passage of their ships (Heritage photo point 4).



**Figure 27.** Looking northeast, foreshore at Little Lagoon Beach location of a sports competition (running races and spear throwing competition) (inset is the Field drawing undertaken by Naturalist Pirion in 1793 to a scene documented at the right of edge of the photo from the day of this event). The French naturalists and explorers created detail accounts of these interactions in 1793 (Heritage photo point 5).



**Figure 28.** Looking north, entrance of Blackswan Lagoon (inset copy of Historic image from this location in 1973). This was the location of French and Lyluquonny shared meal, gift exchange and where French drawings and observations of Lyluquonny culture were made (Heritage photo point 6).



**Figure 29.** Looking northeast, view point Blackswan Lagoon Hill over look as an example of the vegetation mosaic of buttongrass/heathland and trees/shrubs, which reflects a cultural landscape that has resulted from Aboriginal fire management and where many botanical type specimens have been collected by the French naturalists between 1972-73 (Heritage photo point 7).



**Figure 30.** Looking west foreshore at the French Garden Location. This highly significant site was a major contributing factor to the State and National Heritage Listing of the area. (Inset left is historic map showing garden location)(Heritage photo point 10).

The foreshore at the entrance of the D'Encastreaux River, chartered by the French and a site where French explorers made to source drinking water (Heritage point 11).;



**Figure 31.** Looking northeast, Blackswan lagoon, from where the first French encounter and collection of Blacks swans occurred. Historic drawings have arisen from these collections (Heritage photo point 13).



**Figure 32.** Looking northeast, from Little Lagoon Beach, and stand of visually high significant *Eucalyptus globulus*, from where the type specimen (inset copy of Historic image) was collected in 1792 by French naturalists. This is Tasmania's floral emblem. An Aboriginal cremation site and associated structure was also identified in this area in 1972 (Heritage photo point 14).





**Figure 33.** Looking southeast, Sullivans Point was the location of early Bay whaling activities and subsequent first police station (Heritage photo point 15).

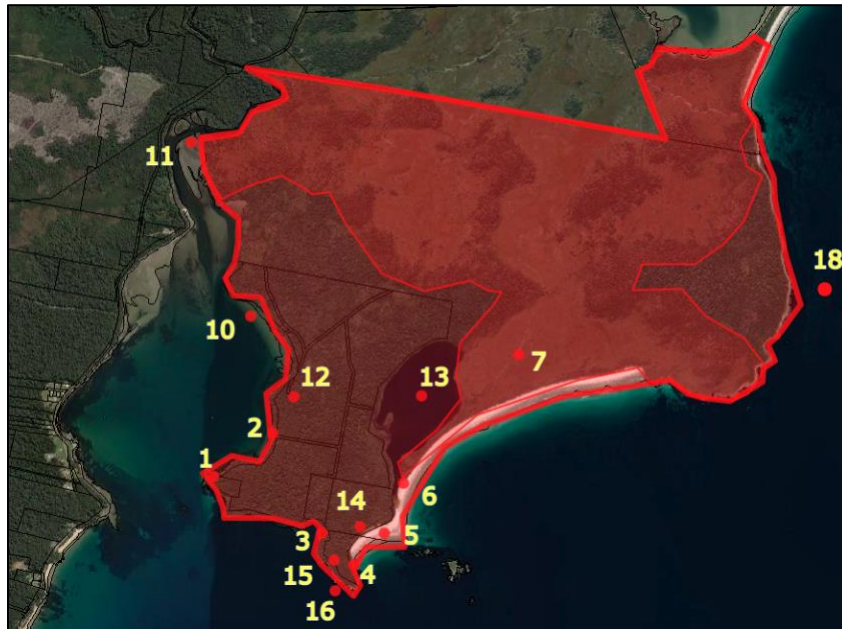


**Figure 34.** Looking northeast, Sullivans Point foreshore has a freshwater spring that may be where drink water was sourced by the Lyluquonny whilst at quiet cove in 1792. The French made observation and drawings of kelp water carriers (rikawa), and may have collected from here the specimen currently on display in TMAG Hobart (Heritage photo point 16).



**Figure 35.** There are numerous sites of significance to Pakana/Palawa that include burial sites, living sites, creation story locations (whale song line) and nearby significant stone alignments. The exact locations of these sites have not been disclosed in this report, but the undeveloped and natural visual amenity is of high cultural importance.

The Cultural Heritage Features with HIGH SCENIC QAULITY apply to the entire proposed *Blackswan Lagoon Scenic Protection Areas* (**Figure 36**).



**Figure 36.** Assessment of HIGH SCENIC QUALITY (RED) Blackswan Lagoon Scenic Protection Area (based on visual sensitivity from heritage sites and cultural fire managed landscapes (darker red shaded area) as viewed from the air, wading tracks, boats, and nearby drive to viewpoints – based on historic sites, and line of site using topography and vegetation types (theLIST)

**Analysis of HIGH SCENIC VALUE of CULTURAL HERITAGE Features**

HIGH VISUAL SENSITIVITY occurs across the entire proposed *Blackswan Lagoon Scenic Protection Area* when all view points and paths are taken into consideration (See **Appendix 1**). Therefore, HIGH SCENIC VALUE, as it relates to Cultural Heritage Features, equal areas of HIGH SCENIC QUALITY for Cultural Heritage Features in **Figure 36**.

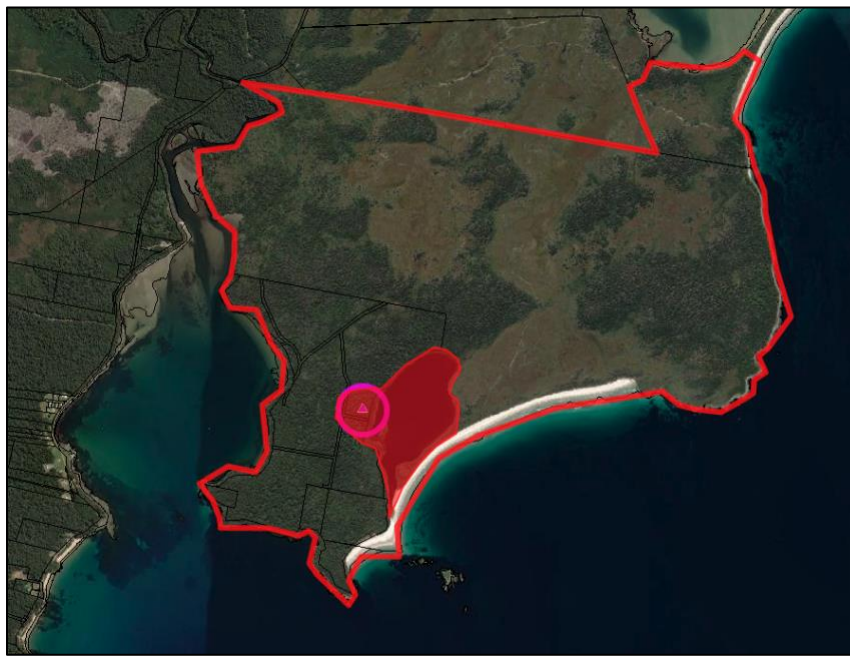
## 5) NATIVE WILDLIFE FEATURES

The Native Wildlife Features with HIGH SCENIC QUALITY in Southeastern Tasmania and Coastal Areas are described in **Table 1 and 2** as being:

Areas with a high and consistent (year around or seasonally) visual presence of native fauna (e.g., kangaroos, quolls, wallabies wombats, quolls, wallabies, eagles, hawks, and other raptor, reptiles and amphibians, waterfowl and native birds.

The native wildlife in the Blackswan Lagoon area contains these HIGH SCENIC QUALITY (**Figure 37**), and include:

- i) Sea-eagle nest upon the edge of Blackswan Lagoon, and there is an associated buffer also needed from visual disturbance.
- ii) Blackswan Lagoon, which is a major local breeding area for Blackswans, which can be seen here year round in high abundance. This was also the site of first European observation of this species in Tasmania.



**Figure 37.** Assessment of High (RED) SCENIC QUALITY areas within the Blackswan Lagoon are based known sea eagle nest (information from theLIST), and Blackswan habitat. It is acknowledged that this map doesn't not include setback distances needed to prevent swan disturbance nor does it take into account other native wildlife features.

### **Analysis of HIGH SCENIC VALUE of WILDLIFE Features**

HIGH VISUAL SENSITIVITY occurs across the entire proposed *Blackswan Lagoon Scenic Protection Area* when all view points and paths are taken into consideration (See **Appendix 1**). Therefore, HIGH SCENIC VALUE, as it relates to Wildlife Features, equal areas of HIGH SCENIC QUALITY for Wildlife Features in **Figure 37**.

## **D) Assessment of Scenic Value – applying approaches from 'A Manual for Forest Landscape Management 2006'**

Since the creation of the *Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code* the Tasmanian Planning Commission (TPC) in 2019 recommended that another local planning authority (e.g. Central Coast Council) and representors look at the Forest Practice Authority, Tasmania, in 2006 republished guidelines for a 'visual management system' as a source of supporting evidence for determining landscape areas of high scenic importance. I applied this approach on behalf of the representor 'Highland Conservation Pty Ltd' to the Central Coast Council LPS, for the creation of the *Leven Canyon – Loyetea Peak Scenic Protection Area*, which was accepted by the TPC and is now in effect within the Central Coast Council LPS.

It was noted during the creation of the *Leven Canyon – Loyetea Peak Scenic Protection Area* that the Forest Practice Authority (Tasmania), 2006 republished guidelines for a 'visual management system' are related to forestry impacted areas and is largely based upon principles in with in *The Forest Landscape Visual Management System*, Bulletin No. 9, Nov. 1983, published by the Forestry Commission of Tasmania.

The following queries were made regarding the applicability of the Visual management system' categories when assessing the *Leven Canyon – Loyetea Peak Scenic Protection Area* and these queries can equally be applied to the proposed *Blackswan Lagoon Scenic Protection Area*. Scenic value assessment also requires local knowledge gathering in relation site specific values and viewpoints (as undertaken in **Appendix 1**) and stakeholder consultation (See **Section D**).

I question the applicability of the 'visual management system' sensitivity categories as they relate to protected lands, or non-forestry areas, as the visual

system has been designed to still enable forestry activities within the areas still viewed as having the highest levels of visual sensitivity (i.e., Inevitable Alteration, high visual concern, Zone A – as described on page 42, still enabled the creation of clear-felled forestry coupes). I question the applicability of the 'visual management system' categories, which enables clear felled forestry coupe creation within zones of highest visual concern. This is in clear conflict with the applicability of the 'visual management system' criteria, which enables clear felled forestry coupe creation within zones of highest visual concern, as much of the proposed area is within Southport Lagoon Conservation Area and the tenure here would prevent clear felling of vegetation for forestry.

The most applicable aspects of the 'visual management system' includes the use of 'auxiliary categories of visual objectives' and this contains applicable categories that may be applied to the proposed *Blackswan Lagoon Scenic Protection Area*, which include 'Reserves (RES)' and 'Special or Sensitive (SP)' and both categories that appear to align with the *C8.0 Scenic Protection Code* objectives. Reserves (RES) category areas are specifically 'set aside specifically for the protection of flora and fauna (page 8)', and could be applied in general to all of the Conservation Area. The area within the proposed Scenic Protection area is a 'Conservation Zone'. The plans Section 4.3 "other development in the reserve" provides a framework for development assessment and refers to using zones for guidance on the location of development. Section 4.4 "zones" describes the Conservation Zones values & the general aim of the zone).

The "Prescriptions for the Conservation Zones" in Section 4.4.17 states:

***New structures or any other type of development (including new tracks) will not be allowed.*** This is consistent with the prescriptions within the proposed *Blackswan Lagoon Scenic Protection Area* over the relevant areas of Southport Lagoon Conservation Area and foreshore Crown Land and seafloor. The RES category also includes 10Ha area around eagle nests, threatened vegetation communities and stream side/coastal waterway reserves.

The 'Special or Sensitive (SP)' category areas are notably those 'determined as

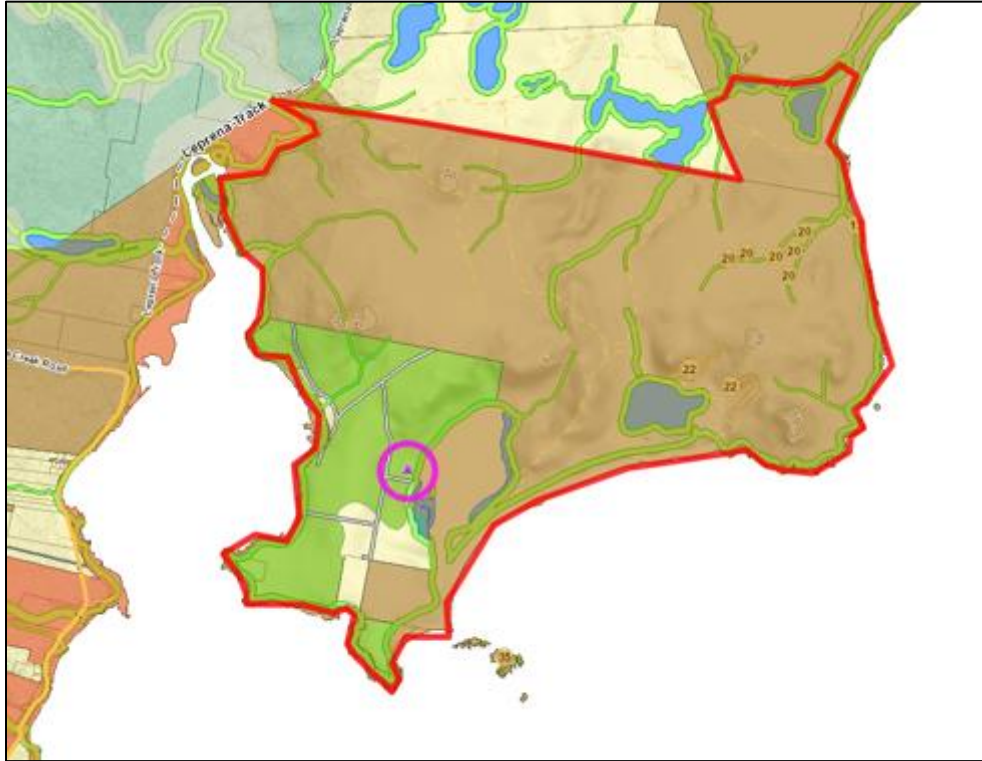
having critical visual concern (page 8)' and 'it encompasses key tourism features and from principles towns...' and '... it is suited for landscape seen within 25 km of prime wilderness destinations' (such Cockle Creek Road and surrounding water ways) and 'Management activities within view fields from these locations are not to be visually evident to the discerning observer.'

## **Landscape Priority Zone Mapping**

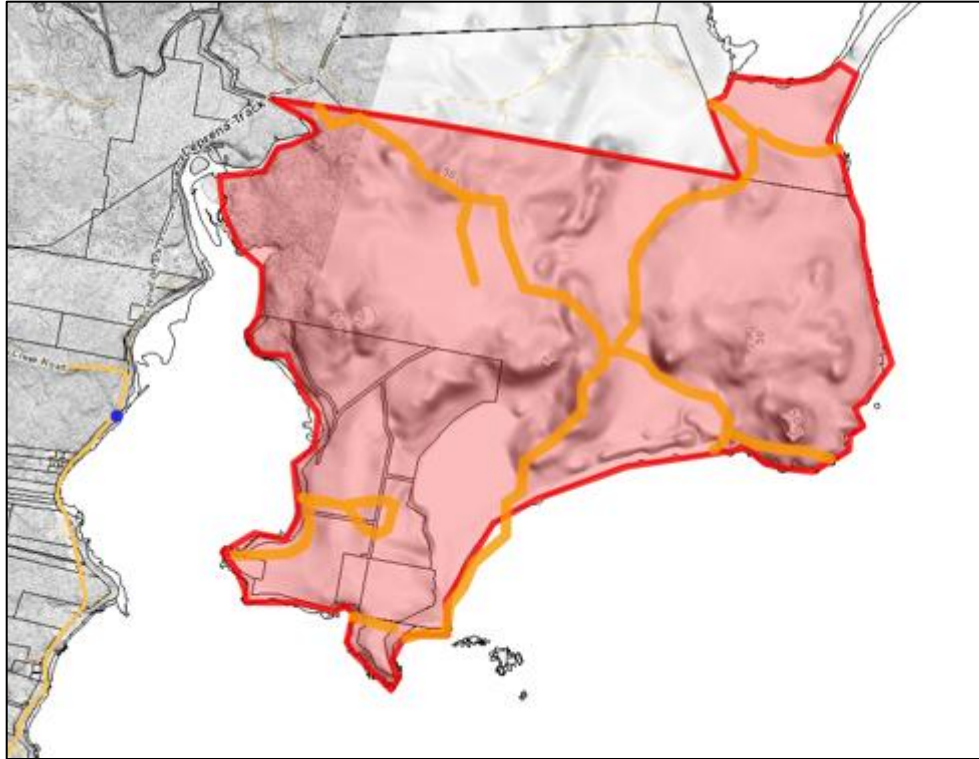
The landscaping priority mapping principles for the categories 'Reserves (RES)' and 'Special or Sensitive (SP)' has been applied to the requested Scenic protection are (see **Figures 38 and 39**). The visual important areas in the category of Reserves (RES) are areas are described in the **Figure 38** caption. The visual important areas in the category of 'Special or Sensitive (SP)' was undertaken using theLIST Tasmapp (illustrating location of roads, tracks, important tourist features and towns (some listed in the Figure 38 caption) and the visual line of site from these features as evident from 10m contour mapping and hill shade mapping on theLIST website.

**The combination of the areas in the Reserves (RES) (Figure 38) & Special or Sensitive (SP) (Figure 39) assessment has identified an alignment with those areas of critical visual landscape value requested for scenic protection in Figure 40.**





**Figure 38. The RED OUTLINE encompasses all of the** Critically important visual areas with highest visual sensitivity **(are ALL AREAS within then Red outlined Polygon)** based on 'Reserve (RES)' area assessment when apply this category from 'A Manual for Forest Landscape Management (Chapter 2) 2006'. These areas include i) Conservation Covenants (GREEN POLYGONS) Southport Lagoon Conservation Area (BROWN POLYGONS) as well as National and State heritage listed landscapes where several first contact events occurred between the Lyluquonny and French in 1793; includes type locations for many Tasmanian Plants, and sites of visual importance for pre and post European arrival heritage (Aboriginal living sites and significant trees planted in associated with Aboriginal burial sites (location not included here due culturally sensitivity)), ii) streamside reserves apply forest practice code logging buffers (AREA WITHIN GREEN POLYGON STRIPS & BLUE POLYGONS), iii) 10Ha undisturbed zone around a known eagle nest on the NVA website (AREA WITHIN PURPLE CIRLE), iv) protection of threatened vegetation areas (protected under the Nature Conservation Act), v) State and National Heritage Listing covers much of the area, include those areas not covered by Conservation Covenants. **This mapping indicates HIGH SCENIC VALUE across all of the area.**



**Figure 39. The RED OUTLINE encompasses all of the** Critically important visual areas with **highest SCENIC VALUE** , based on ‘Special or Sensitive (SP)’ area assessment when apply this category from ‘*A Manual for Forest Landscape Management (Chapter 2) 2006*’. These areas include the view field from Cockle Creek Road (ORANGE LINE), TLC and TPWS view points, and existing walking tracks within the conservation, TLC property and across Sullivans Point (ORANGE LINE), Blue viewing point that celebrates the TLC reserve and reserve purchase funding donors (BLUE DOT) and view field from the water from boats (from EAST, SOUTH & WESTERN Sides and NORTH within the Southport Lagoon) (see **APPENDIX 1** assessment of visual sensitivity). The Leprena Trust host artists in residence at Sullivans Point and on-county camps for Palawa/Pakana (Tasmanian Aboriginal) people, this area and the adjoining conservation is of critical importance for its intact undeveloped scenic beauty from this site. The Scenic Protection Area should extend into the marine environment. **This mapping indicates HIGH SCENIC VALUE across all of the area.**

## **D) Consultation supports the need for scenic protection**

Considerable consultation has occurred through the creation of the many plans mentioned above, which identified the significant scenic value of the Blackswan Lagoon Scenic Protection Area. These consultations processes have brought together council, consultants, community, natural resource management agencies (notably Tasmanian Parks and Wildlife Service). Risk to the scenic value of this area from inappropriate use (logging proposed on PID 7842219) had recently seen a large National community rally supporting the area's protection – including scenic protection, later leading to the State and National Heritage listings.

The Leprena Trust hosted hosts Arts residencies here, as an example of the output from one of these see: <https://vimeo.com/345161322>

The Leprena Trust has also hosted an Aboriginal Heritage Tasmania supported site visit and camp on the north-east peninsula where Healthy Country Planning discussions were had, attendees included Aboriginal Community members from Weetapoonna, Karadi, South East Tasmania Aboriginal Community, Aboriginal people working on country, amongst others.

<https://www.aboriginalheritage.tas.gov.au/tasmanian-wilderness-world-heritage-area/healthy-country-plans>

It is of critical importance to note that all directly affected private land holders (Tasmanian Land Conservancy , Michael Vaughan, and the Leprena Trust) have made supportive submission to council for the *Blackswan Lagoon Scenic Protection Area's* adoption (representors 29, 35 and 20, respectively) .

Consultation has also seen the proposal supported by Jean-Pierre Thebault, the French Ambassador to Australia (representor 30), and first nation organisations: Ochre Rain (representor 28) and Pakana Services (representor 28), and others.

Please see attached subsequent letters of support from South East Tasmania Aboriginal Corporation, Weetapoonna Aboriginal Corporation, Dr Gregory Lehman

(The Pro Vice-Chancellor for Aboriginal Leadership from the University of Tasmania) and Mr David Shelley (Honorary Consul for France in Tasmania), on behalf of the French Embassy of Australia).

The South East Tasmania Aboriginal Corporation (SETAC) aspirations for a walking trail, *Palawa lugganah* (footmark of a Palawa people), [https://setac.org.au/services/palawa-lugganah/#wp-video-lightbox\[flash\]/8/](https://setac.org.au/services/palawa-lugganah/#wp-video-lightbox[flash]/8/),

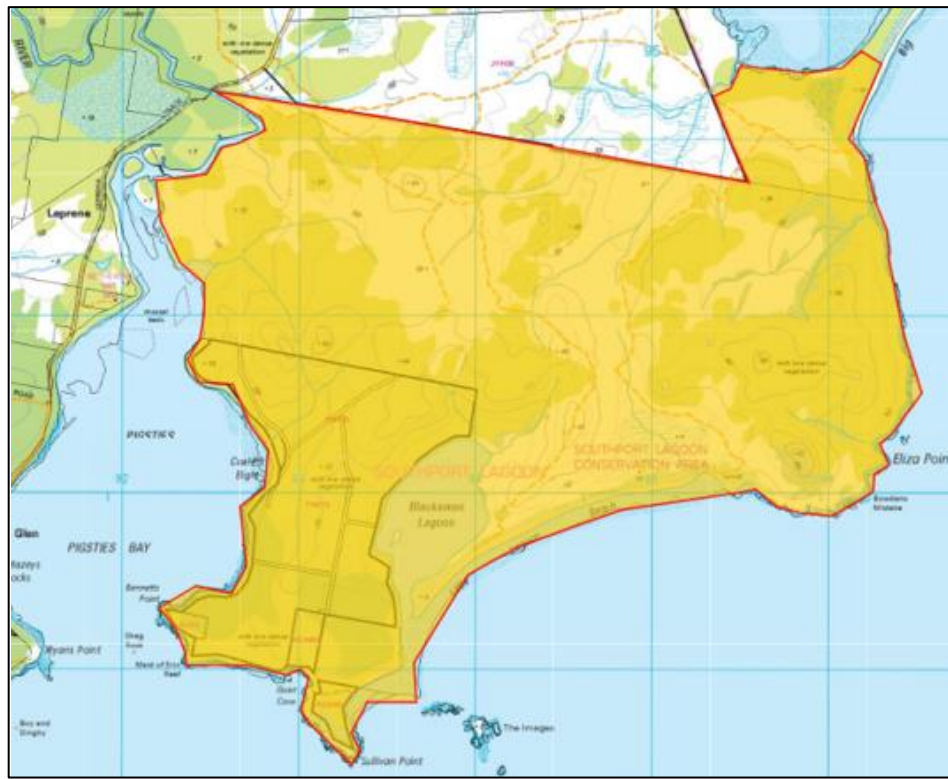
The SETAC is consistent with the proposed *Blackswan Lagoon Scenic Protection Area*, as *palawa lugganah* only proposed to utilize and repair existing walking track.

The undeveloped scenic values were recognized as highly important throughout these discussions as well as culturally significant locations.

Consultation with affected private land owners, and other stakeholders, are supportive of the proposed Management Objectives in the proposed **Table C8.1** (below).

## E) Requested Scenic Protection Area mapped extent

The proposed *Blackswan Lagoon Scenic Protection Area* is supported from the assessment findings using both the *Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code* (HIGH SCENIC VALUE = Overlap between HIGH SCENIC QUALITY (using Guideline **Table 1 and 2**) and HIGH VISUAL SENSITIVITY (Analysis in Appendix 1, based off Viewer Sensitivity Levels (Guideline **Table 3**)). Assessment was also undertaken using 'A Manual for Forest Landscape Management 2006' that applied the 'Forest Landscape Visual Management System 'Reserves (RES)' and 'Special or Sensitive (SP)' categories. Both approaches aligned in their findings that HIGH SCENIC VALUE occurs throughout the proposed *Scenic Protection Area*



**Figure 40.** Proposed Blackswan Lagoon Scenic Protection Area extent. The figure illustrates current land tenure of requested area (Crown land/Southport Conservation Area and Private Land) extended to 10m below low tide line

## F) Proposed Table C8.1 Scenic Protection Area

### C8.1 Scenic Protection Area

Reference Number	Scenic Protection Area Name	Description	Scenic Value	Management Objectives
To be determined	Blackswan Lagoon	Recherche Bay (north east peninsula) area within State Heritage Listing number 105665 and National Heritage Listing number 11018, and adjoining areas of the Southport Conservation Area, and freehold PID 5268145, PID 5268153 & PID 7842219, and the adjoining crown land seafloor (10m from the low water mark)	<p>(a) Is an intact native vegetation with very high cultural and scenic values that provide an undeveloped natural appearance noted of importance of the scenic value in state and national heritage listings. These scenic and cultural values extend into the adjoining Southport Conservation Area.</p> <p>(b) This is a natural undeveloped area, with former vehicle track damage under ongoing natural recovery, and with no formal walking tracks or infrastructure and should remain largely undeveloped to retain the natural character to protect the aesthetic, intangible and tangible heritage and scenic values of the location.</p>	<p>(a) No new tracks or infrastructure on crown land including the scenic area that occurs within the Southport Conservation Area and foreshore, given the very high significance of the scenic and cultural values of the area.</p> <p>(b) buildings and works within freehold PID 5268145, PID 5268153 &amp; PID 7842219 are located and designed to blend with the landscape and not be obtrusive.</p>

### Justification for Table C8.1 wording

**Scenic Protection Area Name.** The proposed name ‘Blackswan Lagoon” Scenic Protection Area describes one of the iconic features within the requested scenic area.

**Description.** The area description is clearly defined by National and State Heritage Listing Map, and includes adjoining areas of the Southport Conservation area and three private freehold properties **PID 5268145, PID 5268153 & PID 7842219** (Figure 4). The Leprena Trust is one of these freehold landholders, the other is the Tasmanian Land Conservancy and the third is Mr Michael Vaughan.

**All private landholders are supportive of the proposed scenic protection area, as TPWS staff and stakeholders within an interest in the Southport Lagoon Conservation Area.**

The northern edge of the proposed scenic protection areas is demarcated by a cadastral boundary that adjoins Private Lot 2455735/1 (currently excluded) and an further area of the South Port Conservation where a creek intersects the boundary of Lot 2455735/1 at GDA94 MGA55 coordinates: 495334E, 5182284N; and extends along the low water mark to the coastal position 496177E, 5182499N; and extends across the isthmus to position 496333E, 5182399N; and extends along the low water mark to position 496250E, 5181639N. The scenic protection area requested extends 10m from the low water mark, given the strong historic maritime link to the scenic beauty of the site and in importance of preventing built foreshore structures such as jetties or boat sheds. The cultural importance of sites such as Quiet Cove (**Figure 24 and 25**) highlight the importance of retaining the undeveloped natural character of these locations.

## Scenic Value.

The scenic values have been captured in two parts and have been based upon values identified from numerous reports and consultation processes in:

- 1) Tasmania Heritage Register Listing 'D'Entrecasteaux Expedition Sites Recherche Bay' (THR Identification Number 11018)
- 2) *National Heritage Register Site number 105665 'Recherche Bay (northeast peninsula)'*
- 3) The expanded areas share values identified in the above two assessments, includes areas of French exploration and scientific endeavor, is the type location for many plants collected in Tasmania, and includes numerous Aboriginal heritage sites and values and the numerous locations of interaction between French and First Nations people ( 1792-1793)

## Management Objectives.

Two Management Objectives areas (a and b) have been proposed in **Table C8.1** (above).

The Management Objective area (a) has a Visual Quality Objective of PRESERVATION, and the visual dominance of modification consistent with the area being UNMODIFIED (*'Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code'* page 80).

The Management Objective of area (a) clearly articulates PRESERVATION through UNMODIFICATION, with the need to prevent native vegetation clearance and loss of scenic values caused by the creation of new tracks or infrastructure on Crown land including the Southport Conservation Area, and an area of the coast extending to 10m beyond the low water mark. This objective is consistent with the Tasmanian Parks & Wildlife Service (TPWS) '*Southport*



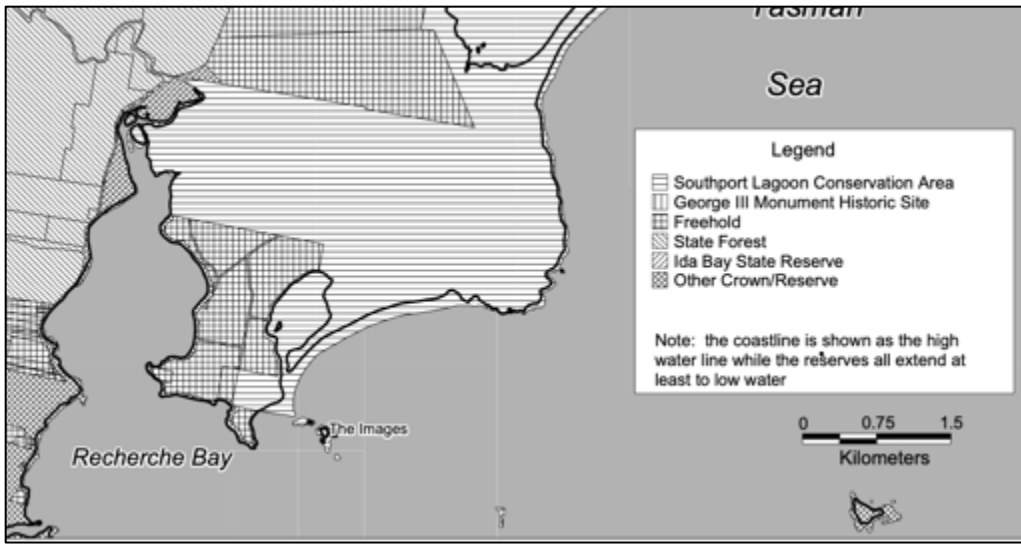
*Lagoon Conservation Area George III Monument Historic Site & Ida Bay State Reserve Management Plan 2006'.*

The area within the proposed Scenic Protection area is a 'Conservation Zone'. The plans Section 4.3 "other development in the reserve" (page 37 onwards) provides a framework for development assessment and refers to using zones for guidance on the location of development. Section 4.4 "zones" (page 41 - describes the Conservation Zones values & the general aim of the zone). The "Prescriptions for the Conservation Zones" in Section 4.4.17 (page 42) states: **4.4.17 New structures or any other type of development (including new tracks) will not be allowed** (Figure 41 and 42).

The creation of new tracks has the potential to create very visually prominent impacts in the landscape due to removal of peat exposure of underlying quartz sandstone and gravels and rock outcrops.

The Management Objective area (b) has a Visual Quality Objective of RETENTION, and the visual dominance of modification consistent with the areas having INEVIDENT ALTERATION (APPEARS UNALTERED) ('*Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code*' page 80).

The Management Objective of area (b) clearly articulates RETENTION through INEVIDENT ALTERATION, which allows for sensitive development on private land and has been drafted from wording used in the draft Meander LPS Scenic Protection Area table C8.1 (page 74 of 78), with the exception that 'development' has been exchanged here for 'building and works'.



**Figure 41.** Image of Land Tenure (taken from MAP 2 within the TPWS '*Southport Lagoon Conservation Area George III Monument Historic Site & Ida Bay State Reserve Management Plan 2006*'). Note since creation of this map the tenure of the foreshore area around Sullivans Point to the northern edge of the Tasmanian Land Conservancy freehold land, has changed from crownland to inclusion in the Southport Lagoon Conservation Area. This area is also included to 10m below low water within the current scenic protection area proposal



**Figure 42.** Image of Management Zones within the Southport Conservation Area (taken from MAP 5 within the TPWS '*Southport Lagoon Conservation Area George III Monument Historic Site & Ida Bay State Reserve Management Plan 2006*'). The Conservation Zone has a prohibition on development and includes no new tracks.

## **APPENDIX 1: VISUAL SENSITIVITY**

Viewer Sensitivity Level, is defined in the '*Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code*' as the relative sensitivity or degree of concern which the public or a particular set of viewers may have for maintaining or viewing landscapes of higher scenic quality. Viewer Sensitivity Levels are based on a combination of the level of scenic concern by the viewers and viewer numbers (e.g. flying over Blackswan Lagoon versus viewing from Moss Glen Tasmanian Land Conservancy viewing point).

<p><b>SENSITIVITY LEVEL 1 (High)</b></p>	<p><b>High Viewer Numbers Moderate Scenic Concerns</b></p>	<ul style="list-style-type: none"> <li>▪ Freeways and State Highways with &lt;500 vehicles/day.</li> <li>▪ Main Sealed Roads with &lt;75 vehicles/day.</li> <li>▪ Interstate Passenger Rail Lines with Daily Daylight Service</li> <li>▪ Urban Residential Areas</li> <li>▪ Recreation, Cultural or Scenic Sites and Viewpoints of National or State Significance.</li> <li>▪ Classified Tourist Roads</li> <li>▪ Walking Tracks of National Significance</li> <li>▪ Rail Lines of Cultural, Historic or Scenic Significance</li> <li>▪ Navigable Waterways of National or State Recreation Significance</li> <li>▪ Viewpoints to or from All Statutory Protected Areas under the National Reserve System (refer to Table 8)</li> <li>▪ Viewpoints to or from National Heritage List Sites and Commonwealth Heritage List Sites</li> <li>▪ Viewpoints to or from the following Non-Statutory Sensitive Land Use Designations: <ul style="list-style-type: none"> <li>– Australian National Landscapes</li> <li>– National Trust Classified Landscapes</li> <li>– Previous Register of the National Estate (RNE)</li> <li>– Historic Rural Homesteads/Residences on the State or Local Government Heritage List</li> <li>– Rural Residences with Associated Tourism Businesses</li> </ul> </li> </ul>
<p><b>SENSITIVITY LEVEL 2 (Moderate)</b></p>	<p><b>Moderate Viewer Numbers – Moderate Scenic Concerns</b></p>	<ul style="list-style-type: none"> <li>▪ Main Sealed Roads with more than 50 vehicles /day</li> <li>▪ State Passenger Rail Lines with Daily Rural Town Service</li> <li>▪ Roads with &gt;35 vehicles/day, but Planned for Recreation/Tourism Promotion within 5 years</li> <li>▪ Rural Residences (without Historic/Cultural or Associated Tourism Businesses)</li> <li>▪ Recreation, Cultural or Scenic Sites and Viewpoints of Regional or Local Significance</li> <li>▪ Navigable Waterways of National or State Recreation Significance</li> <li>▪ Walking Tracks of Regional or High Local Significance</li> <li>▪ Viewpoints to or within other Non-Statutory Scenic or Natural Reserves of Local or Regional Significance</li> <li>▪ Land Management Roads with Occasional Recreation Traffic up to 10 vehicles/day</li> <li>▪ Walking Tracks of Moderate Local Significance</li> <li>▪ State Passenger Rail Lines with Less than Daily Rural Town Service</li> </ul>
<p><b>SENSITIVITY LEVEL 3 (Low)</b></p>	<p><b>Low Viewer Numbers Moderate Scenic Concerns</b></p>	<ul style="list-style-type: none"> <li>▪ Land Management Roads with Infrequent Recreation Traffic</li> <li>▪ Walking Tracks with Infrequent Recreation Usage</li> <li>▪ Other Low use and Low Concern Viewpoints and Travel Routes</li> </ul>

**Table 3.** Viewer Sensitivity Levels for Travel Routes and Use Areas (page 40 from the *Guidelines for scenic values assessment methodology and local provisions schedules for the scenic protection code*)

## A) MAIN FLIGHT PATH VISUAL SENSITIVITY

Sensitivity Level 1 = moderate numbers and very high scenic concern (*viewpoints to National Heritage Listed site*)



**Figure A1.** The Blue line is the main coastal flight pathway taken by multiple daily ParAvion aircraft en-route from Hobart to Melaleuca, enabling a scenic flight path assessment of the landforms.



**Figure A2.** Looking south over the Blackswan Lagoon Scenic Area (Flight path photo point 1) – photo courtesy of B.Brown.



**Figure A3.** Looking west over the Blackswan Lagoon Scenic Area in fore ground (Flight path photo point 2).



**Figure A4.** Looking north over the Blackswan Lagoon Scenic Area (Flight path photo point 3) – photo courtesy of B.Brown.



**Figure A5.** Looking east over the Blackswan Lagoon Scenic Area in fore ground (Flight path photo point 4).

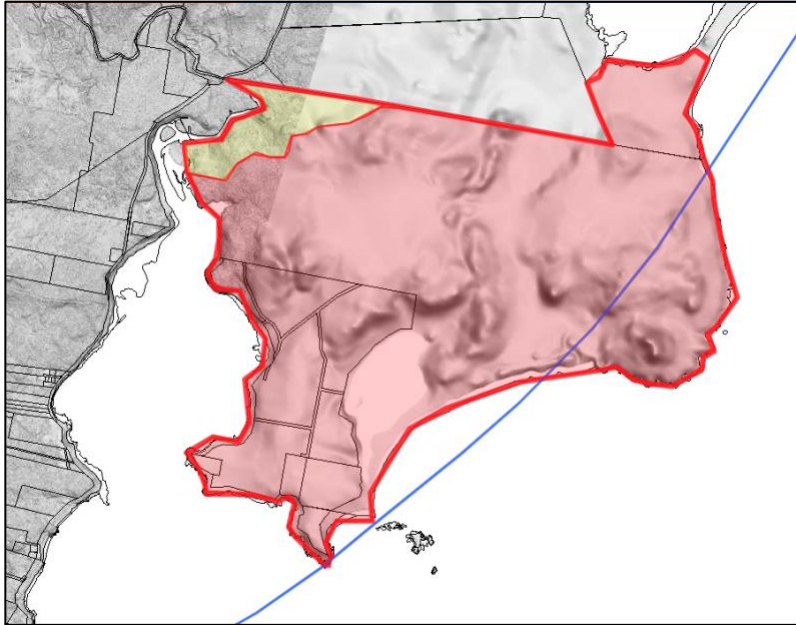


**Figure A6.** Looking east over the Blackswan Lagoon Scenic Area in fore ground (Flight path photo point 5) – photo courtesy of B.Brown.

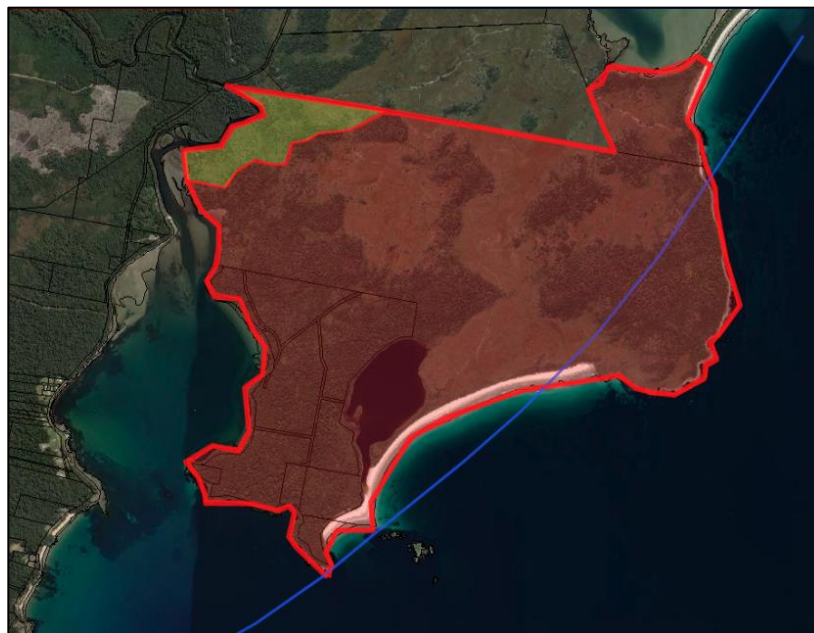


**Figure A7.** Looking south over the Blackswan Lagoon Scenic Area in fore ground (Flight path photo point 6) – photo courtesy of B.Brown.





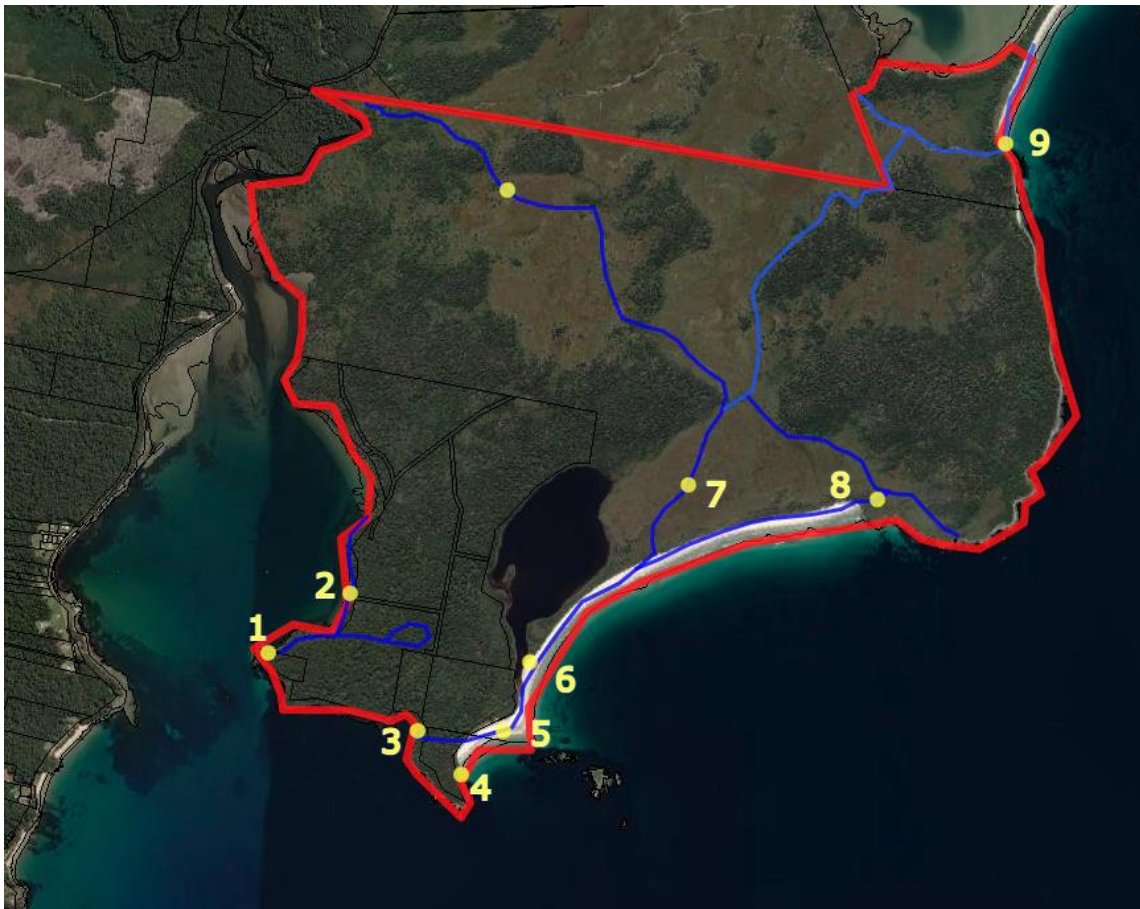
**Figure A8.** VISUAL SENSITIVITY assessment of High=1 (RED) and Moderate=2 (Yellow) areas within the Blackswan Lagoon Scenic Area (based on the predominate Flight path used by ParAvion) – based on frequently used flight path and topography (theLIST)



**Figure A9.** VISUAL SENSITIVITY assessment of High=1 (RED) and Moderate=2 (Yellow) within the Blackswan Lagoon Scenic Area (based on the predominate Flight path used by ParAvion) – based on frequently used flight path, topography and vegetation types (theLIST).

## B) WALKING TRACK VISUAL SENSITIVITY

Sensitivity Level 1 = low numbers and very high scenic concern  
(viewpoints from or to National Heritage Listed site)



**Figure B1.** The Blue line are the known walking routes, they include former 4wD tracks on TPWS land, foreshores accessed for walling, and known tracks on private land (where public access is allowed). Yellow dots are photos points



**Figure B2.** Looking east foreshore at Observatory Point (Walking path photo point 1).



**Figure B3.** Looking south, foreshore at French encampment beach and entrance to forest loop track waling on Tasmanian Land Conservancy Land (Walking path photo point 2).



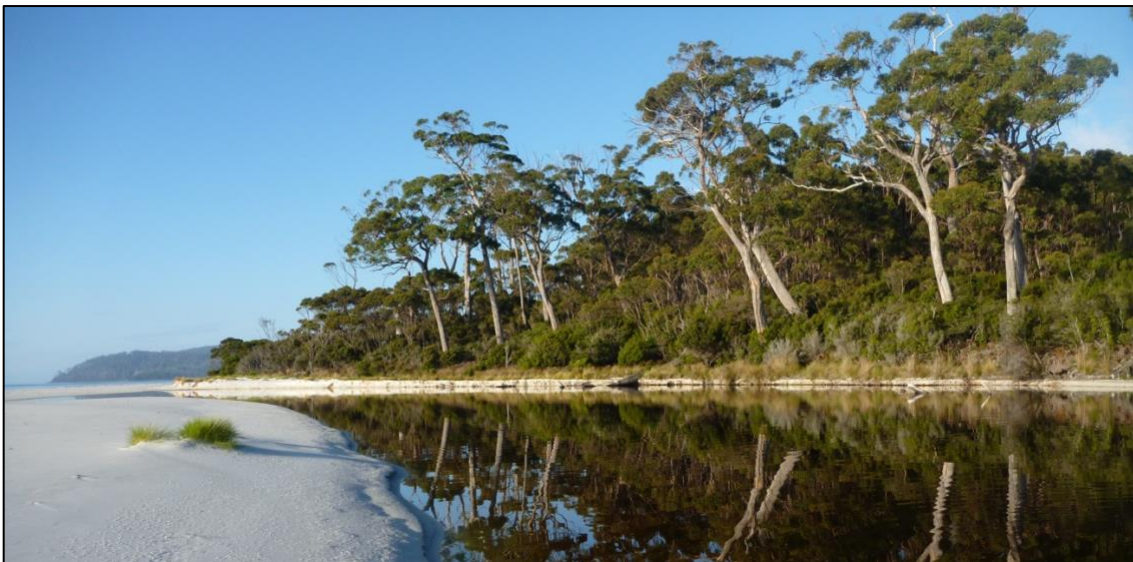
**Figure B4.** Looking west, foreshore at Quiet Cove and entrance to track over Sullivan Point land that the Leprena Trust allows public use (Walking path photo point 3).



**Figure B5.** Looking northeast, foreshore at Little Lagoon Beach from entrance to track over Sullivan Point land that the Leprena Trust allows public use (Walking path photo point 4).



**Figure B6.** Looking southeast, foreshore at Little Lagoon Beach (Walking path photo point 5).



**Figure B7.** Looking southeast, foreshore at entrance of Blackswan Lagoon (Walking path photo point 6).



**Figure B8.** Looking west, from Blackswan Lagoon Hill over look (Walking path photo point 7).



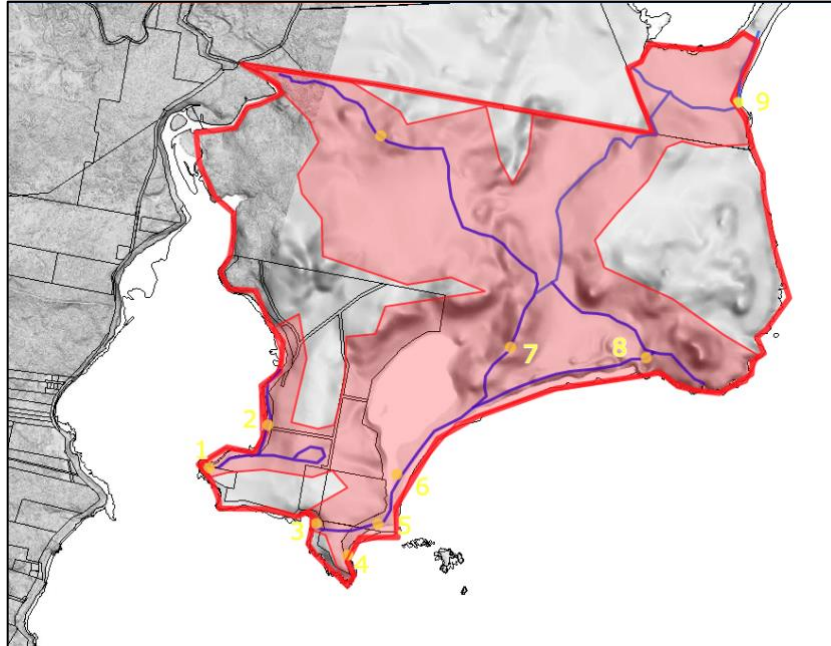
**Figure B9.** Looking southeast, from Blackswan Lagoon Hill over look (Walking path photo point 7).



**Figure B10.** Looking southwest, from Lagoon Beach over look (Walking path photo point 8).



**Figure B11.** Looking north, from Big Lagoon Beach (Walking path photo point 9)



**Figure B12.** VISUAL SENSITIVITY assessment of High=1 (RED) within the Blackswan Lagoon Scenic Area (based view fields from walking tracks) – based on walking tracks and topography (theLIST)



**Figure B13.** VISUAL SENSITIVITY assessment of High =1(RED) within the Blackswan Lagoon Scenic Area (based view fields from walking tracks) – based on walking tracks, topography and vegetation types (theLIST).

### C) RECREATIONAL BOAT TRAVEL VISUAL SENSITIVITY

Sensitivity Level 1 = low moderate numbers and high scenic concern (*navigable waterways of state recreational significance*)



**Figure C1.** The Blue line are the known major recreational boat routes. Blue dots are known recreational boat anchorages. Orange dots are photos points.



**Figure C2.** Looking east, foreshore at Observatory Point (Boating view point 1).



**Figure C3.** Looking east, foreshore at French encampment beach and entrance to forest loop track waling on Tasmanian Land Conservancy Land (Boating view point 2).



**Figure C4.** Looking west, foreshore at Quiet Cove and entrance to track over Sullivan Point land that the Leprena Trust allows public use (Boating view point 3).

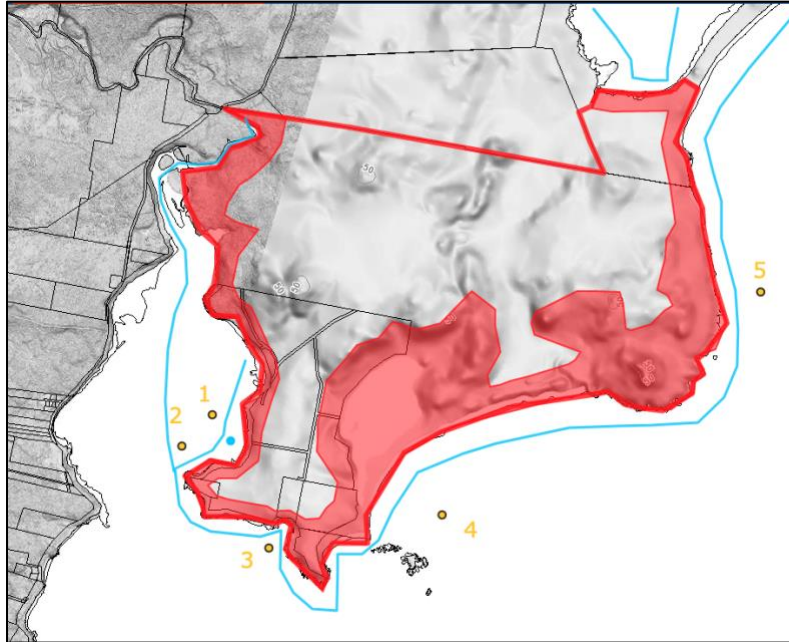




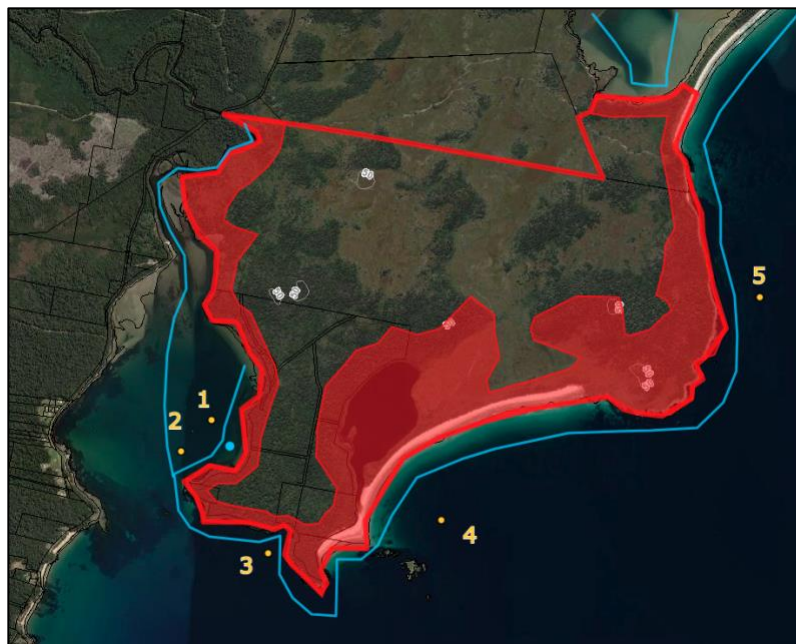
**Figure C5.** Looking east, foreshore at French encampment beach and entrance to forest loop track waling on Tasmanian Land Conservancy Land (Boating view point 4).



**Figure C6.** Looking west, foreshore at Quiet Cove and entrance to track over Sullivan Point land that the Leprena Trust allows public use (Boating view point 5).



**Figure C7.** VISUAL SENSITIVITY assessment of High=1 (RED) within the Blackswan Lagoon Scenic Area (based view fields from main recreational boat tracks) – based on walking tracks and topography (theLIST)



**Figure C8.** VISUAL SENSITIVITY assessment of High =1(RED) within the Blackswan Lagoon Scenic Area (based view fields from main recreational boat tracks) – based on walking tracks, topography and vegetation types (theLIST).

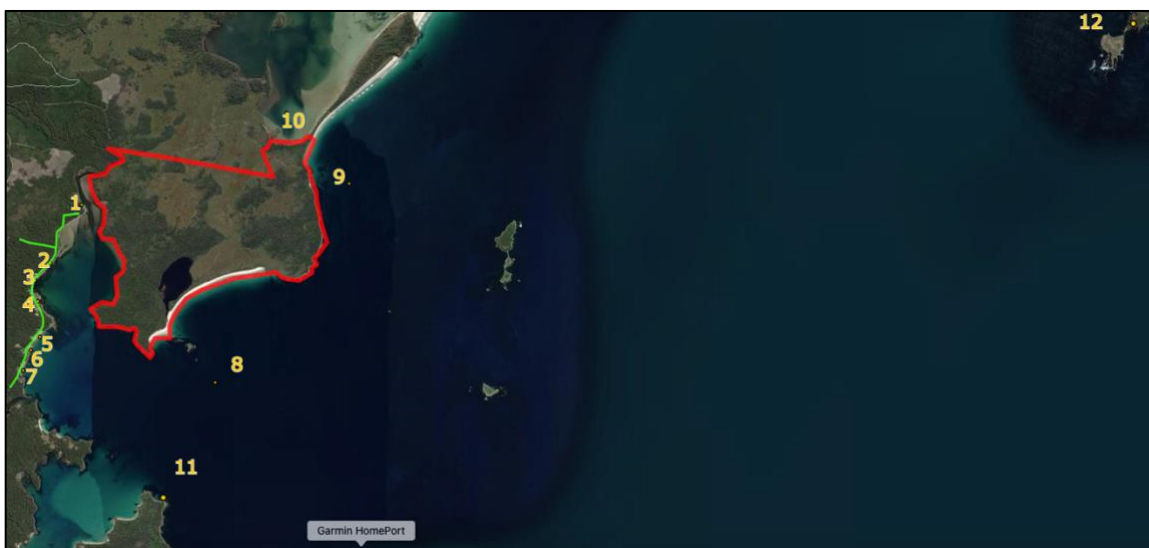
## D) DRIVE BY, CAMPING SITE AND RESIDENTIAL VIEW POINTS

Sensitivity Level 1= high numbers and high scenic concern

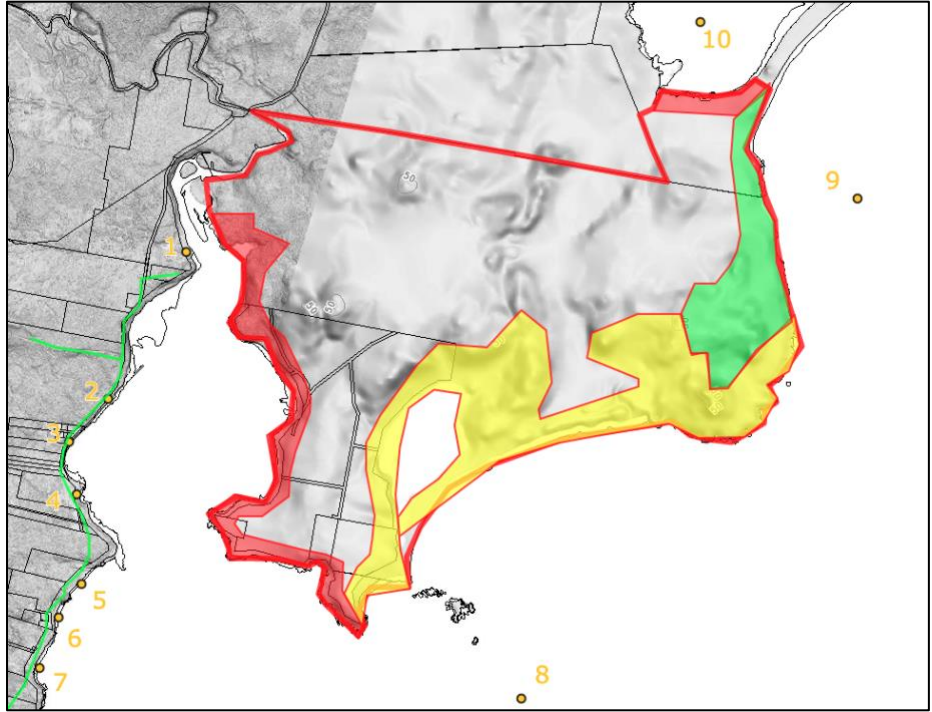
(Viewpoints to or from National Heritage List Sites)



**Figure D1.** The Orange dots (1-7) are the known view points and camp grounds that are largely drive to locations. The Green lines are roads. The Red outline is the proposed *Blackswan Lagoon Scenic Protection Area*. Points 8 & 9 are for notation only to consider far field site views 11&12



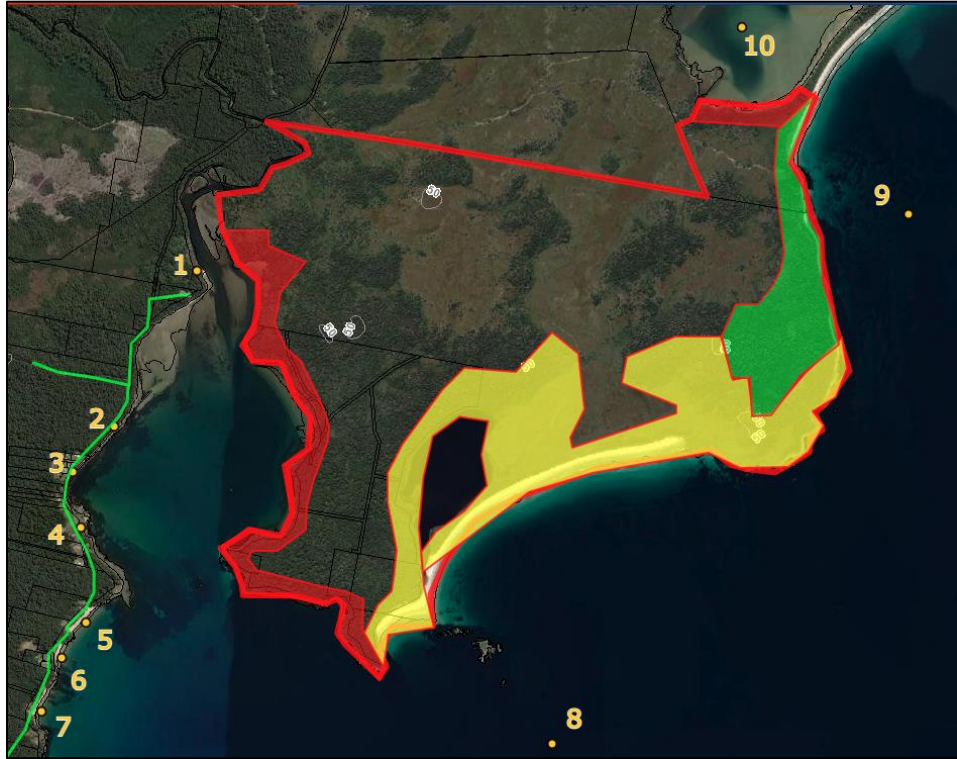
**Figure D2.** This Figure includes POINT 11 = from Cocker Creek (Whale Sculpture Lookout/ Fisher Point view point & Cocker Creek Camp Ground & POINT 12 = the Bruny Island Lighthouse viewpoints.



**Figure D3.** VISUAL SENSITIVITY assessment of HIGH= RED, based view fields from closest main road, residences and camp grounds (POINTS 1 to 7) –roads & topography (theLIST)



**Figure D4.** VISUAL SENSITIVITY MODERATE = YELLOW based on view fields from POINT 11 Cockle Creek (~3km away) & LOW = GREEN from POINT 12 Bruny Island (15km away) based view fields from main roads residences and camp grounds) –roads & topography (theLIST).



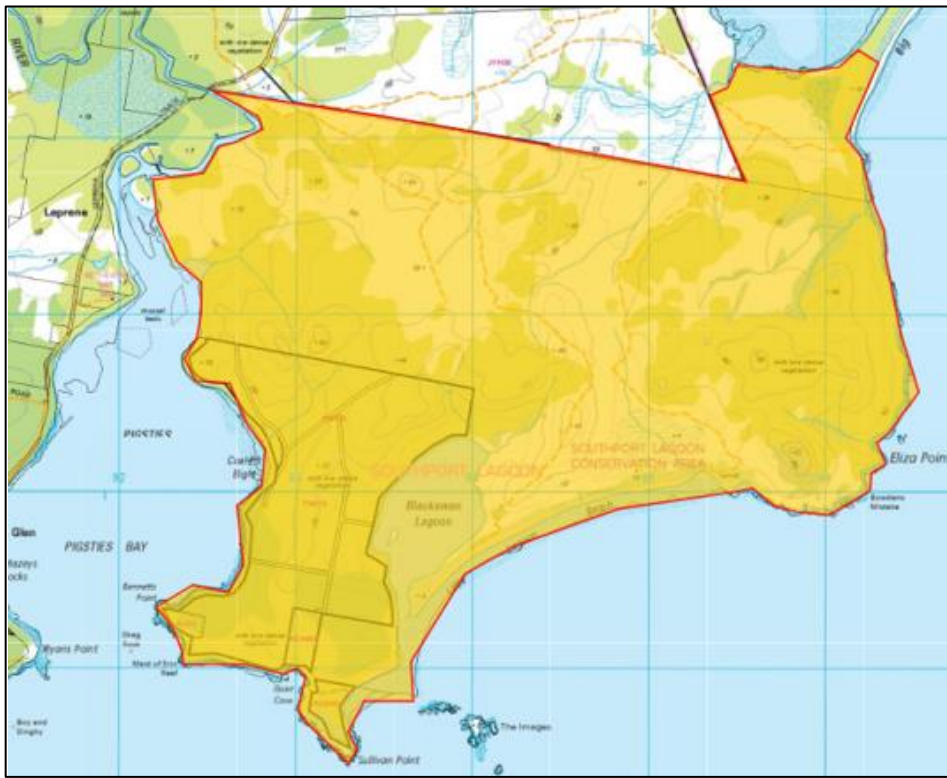
**Figure D4.** VISUAL SENSITIVITY assessment of HIGH= RED, based view fields from closest main road, residences and camp grounds (POINTS 1 to 7) –roads & topography (theLIST)



**Figure D5.** VISUAL SENSITIVITY MODERATE = YELLOW based on view fields from POINT 11 Cockle Creek (~3km away) & LOW = GREEN from POINT 12 Bruny Island (15km away) based view fields from main roads residences and camp grounds) –roads & topography (theLIST).

## E) OVERALL VISUAL SENSITIVITY MAP

The collation of HIGH VISUAL SENSITIVITY from A) Main Flight Path, B) Walking Tracks, C) Recreational Boat Travel, D) Drive to View Points and Camp Grounds, is in **Figures A8-A9, B12-B13, C7-C8, and D3-D5**. The combined mapping findings place a HIGH VISUAL SENSITIVITY over the entire proposal *Blackswan Lagoon Scenic Protection Area*.



**Figure E1.** Collated map of all HIGH VISUAL SENSITIVITY areas.

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***Supporting evidence for C8.0 Scenic Protection Area application over the  
Loyetea Peak – Leven Canyon Area***

*Prepared by Highland Conservation Pty Ltd, D R Chalmers and R Greiner for the  
Tasmanian Planning Commissions (Central Coast Council LPS hearing 22  
January 2020)*

The following document provides supporting evidence for the Tasmanian Planning Commission to recognise the Leven Canyon—Loyetea Peak Area’s scenic values and the need for protection through the application of the C8.0 Scenic Protection Code over the area identified in Appendix 1. The necessary accompanying Table C8.1 has been provided in Appendix 2, and photographic support in Appendix 3.

Recognition of the Scenic Value of the Leven Canyon—Loyetea Peak Area

The *Leven Canyon Interpretation Plan 2007-2010* articulates the economic significance of the area’s scenic value by “Communicating the Call of the Canyon” as a way of describing the attractiveness of the area for tourists. The plan recognizes the Leven Canyon—Loyetea Peak Area is:

*“a wild, dramatic and natural oasis among local farmland and settlement and that this is the point of difference, or unique selling point, and what sets it apart from other attractions in the minds of potential visitors”*

The Council’s *Central Coasts Interpretation Plan 2017* developed a Coast to Canyon Tourism Place Marketing Brand – ‘Coast to Canyon, Great Natured Place’, which leverages off the scenic value of the Leven Canyon—Loyetea Peak Area.

The unspoiled scenic beauty of the wider Leven Canyon area--includingLoyetea Peak--is listed as a strength for the visitor economy in the *Central Coast Council*



*Destination Action Plan 2018*, which aligns with the *Tasmanian Visitor Economy Strategy 2015-2020*. A Central Coast Visitor survey, referred to in the *Destination Action Plan*, identified that the most common purpose tourists visit the municipality is to...

...“*see wilderness and natural scenery*”.

The Action Plan provides specific mention of the Leven Canyon and the Gunns Plains caves, the entrance of which has commanding views towards Loyetea Peak, and are areas where tourists are drawn to by scenic beauty.

The *Central Coast Council Destination Action Plan 2018* also takes findings from the *Leven Canyon/Leven Valley Master Plan 2018*, which highlights that the:

*“Leven Valley currently plays a vital role in the ‘Caves to Canyon’ tourism precinct/cluster and a significant role in contributing to Central Coast’s visitor economy. The Leven Canyon is important for tourism operators in the Gunns Plains, Nietta and Preston localities. The destination is integral in attracting tourists to the Central Coast that has flow-on effects for other businesses in the broader area and region.”*

The *Leven Canyon/Leven Valley Master Plan 2018* scope applies a ‘whole of place thinking’ and, as such, recognises the scenic importance of the ‘Leven Canyon—Loyetea Peak Area’.

In summary, the tremendous scenic value of this area has been identified (as mentioned above) in the:

- 1) *Leven Canyon/Leven Valley Master Plan 2018*,
- 2) *Central Coast Council Destination Action Plan 2018*,
- 3) *Central Coasts Interpretation Plan 2017*, and the
- 4) *Leven Canyon Interpretation Plan 2007-2010*.

Appendix 3 includes photos from a number of locations that provides supporting

evidence of the areas scenic value. The Coast-to-Canyon tourist association collects visitor statistics which demonstrate that the majority of the cruise-ship tourists who disembark at Burnie take a scenic coach tour of Gunns Plains and/or Leven Canyon. This would surely imply that the scenic attributes of the Leven Canyon—Loyetea Peak Area form a key attribute of ‘Brand Tasmania’.

### LPS planning need for C8.0 Scenic Protection Code application to the Leven Canyon—Loyetea Peak Area

The *Leven Canyon/Leven Valley Master Plan 2018* notes that the Central Coast Council needs a proactive planning framework to guide strategic decision making, sustainable development and use of the Leven Canyon/Leven Valley (includes Loyetea Peak) area. Strategies and initiatives were mapped by a Working Group as part of the Leven Canyon/Leven Valley Review (the Review). The Review findings align with the councils support in Section 35F of the Local Planning Provision report, calling for the Scenic Protection Code overlay to be applied across the ‘Loyetea Peak – Leven Canyon Leven Canyon—Loyetea Peak. This also aligns with *the Cradle Coast Regional Landuse Strategy 2010-2030*.

### *3.Support for Economic Activity*

#### *3.3.5 Sustainable Tourism*

- (b) protect attributes which attract and enhance tourism experience in the vicinity of designated tourist trails, identified points of interest and high value environmental, cultural and **scenic sites**

The land tenure of the requested Loyetea Peak – Leven Canyon Scenic Protection Area is Regional Reserve “Leven Canyon Regional Reserve” (under the *Nature Conservation Act 2002*) and adjoining areas of Crownland ‘Future Production Forest (under the Forest (RFI) Act)’. The proposed zoning of these tenure areas are 23.0 Environmental Management Zone and 20.0 Rural Zone, respective. The current tenure and zoning provides little protection of scenic values, which became apparent when earlier in 2019 a private developer

proposed to build a high-voltage overhead power transmission line right across this area, a plan which has since been abandoned. Scenic value planning protection in the future can only be assured through application of the Scenic Protection Area Code to this area. Appropriate planning mechanisms for the scenic protection of this area, strongly aligns with the Council’s Master Plan. The *Leven Canyon/Leven Valley Master Plan 2018* states that:

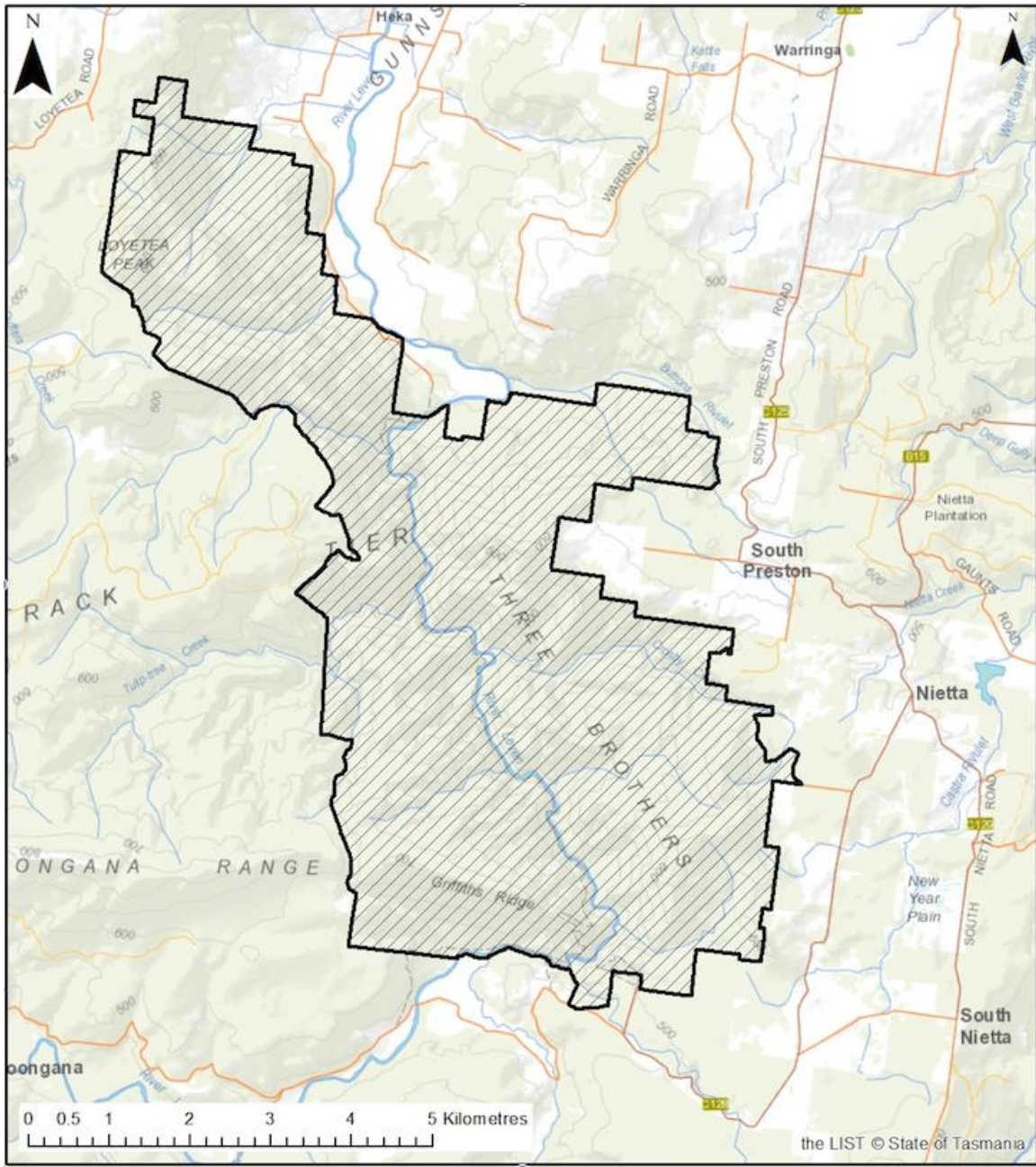
*“The Central Coast Council needs a proactive <sup>SEP</sup>planning framework to guide strategic decision making, sustainable development and use of the Leven Canyon/Leven Valley area”.*

In relation to Scenic value protection, the appropriate planning framework requires application of the C8.0 Scenic Protection Code to the Leven Canyon—Loyetea Peak Area.

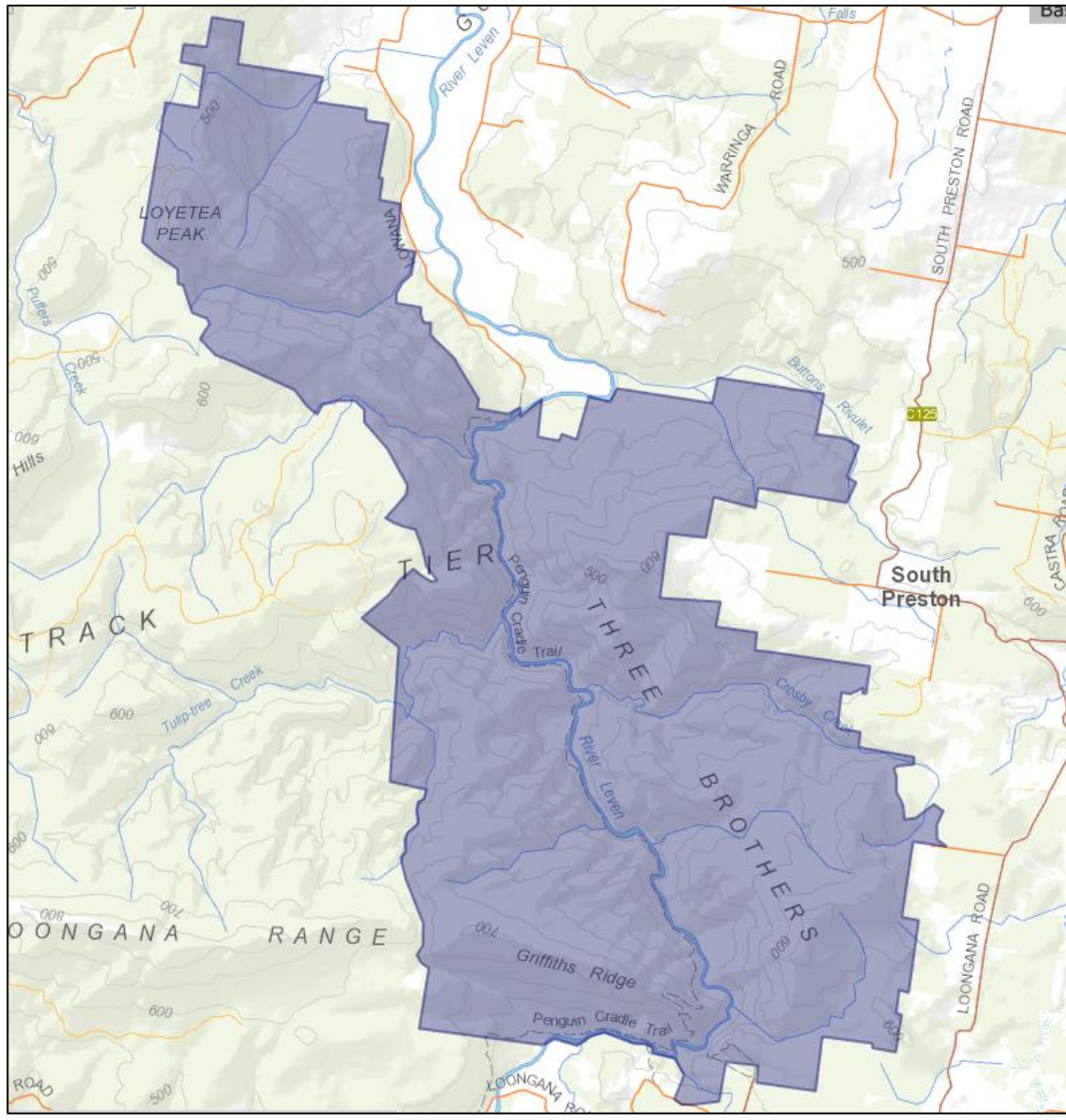
#### Consultation supports the need for scenic protection of the Loyetea Peak – Leven Canyon Area

Considerable consultation has occurred through the creation of the many plans mentioned above, which identified the significant scenic value of the Leven Canyon—Loyetea Peak area. These consultations processes have brought together council, consultants, community, natural resource management agencies (notably Tasmanian Parks and Wildlife Service), and local businesses. Risk to the scenic value of this area from inappropriate development had recently seen > 130 community members at a workshop expressing concern for the area scenic protection. Further support is evident in the numerous representations to the Central Coast Council LPS calling for the application of the C8.0 Scenic Protection Code to the Leven Canyon—Loyetea Peak Area. As mentioned above, the Central Coast Visitor survey referred to in *Central Coast Council Destination Action Plan 2018*, identified that the most common purpose tourists visit the municipality is to “see wilderness and natural scenery”, with specific mention of the Leven Canyon and the Gunns Plains Caves, the entrance of which has a commanding views towards Loyetea Peak.

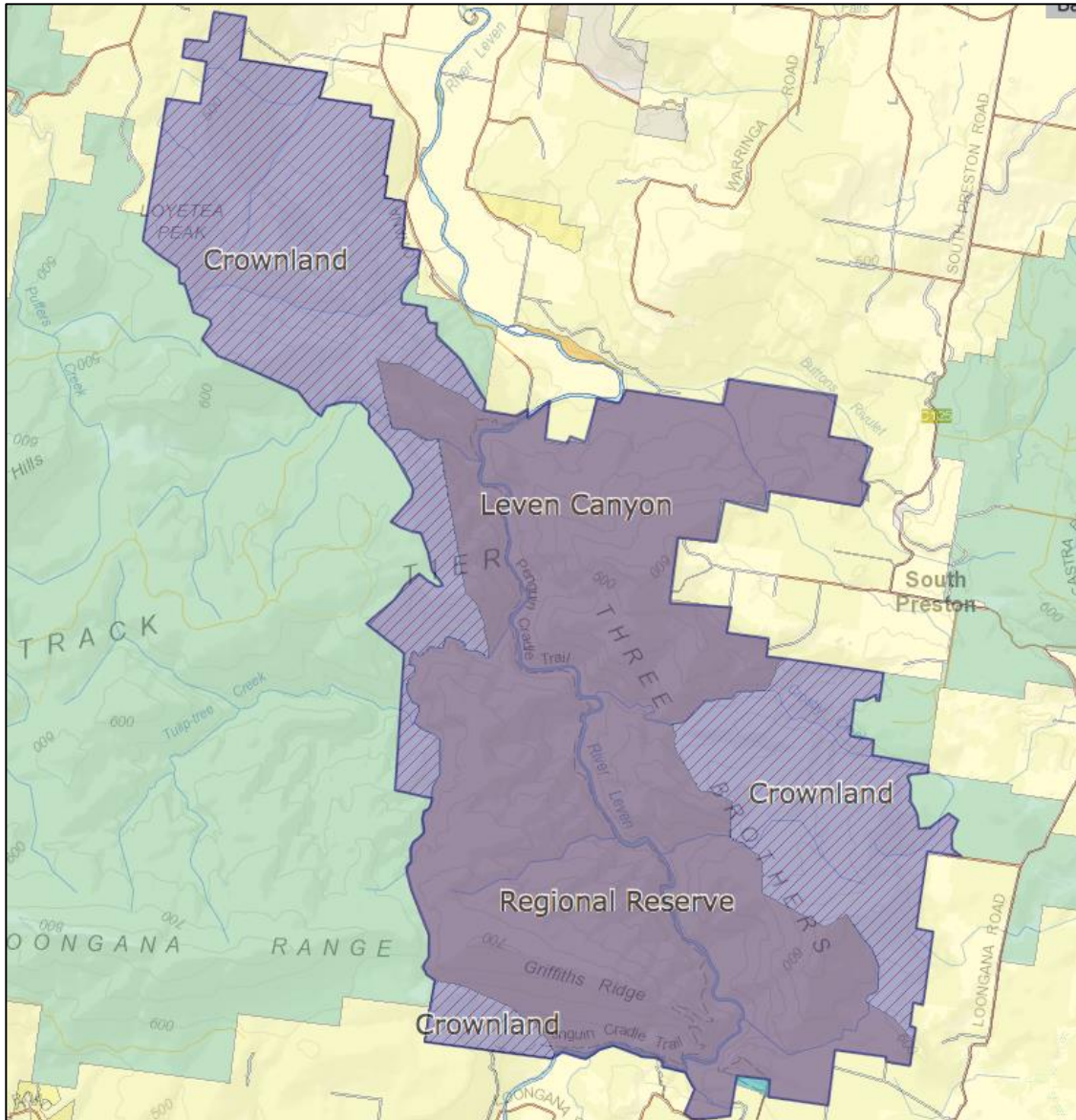
**APPENDIX 1 Requested Scenic Protection Area extent**



**Figure 1.** Initial requested Scenic Protection Area extent



**Figure 2.** Amended requested Scenic Protection Area extent (excludes Permanent Timber Production Zone Land near the Leven River)



**Figure 3.** Amended requested Scenic Protection Area extent (excludes Permanent Timber Production Zone Land near the Leven River) and illustrates current land tenure of requested area (Crownland and Regional Reserve)

**APPENDIX 2 Proposed Table C8.1 Scenic Protection Area**

**C8.1 Scenic Protection Area**

<b>Reference Number</b>	<b>Scenic Protection Area Name</b>	<b>Description</b>	<b>Scenic Value</b>	<b>Management Objectives</b>
To be determined	Loyetea Peak – Leven Canyon	Leven Canyon Regional Reserve and adjoining crown land listed as 'Future Potential Production Forest'	<p>(a) Is an intact native vegetation area that is not timber plantation, containing a river canyon, and adjoin peaks, and forested slopes that provides a natural outlook from Gunns Plains, Nietta, South Preston, Loongana, Black Bluff, the Penguin to Cradle walking track, and various scenic lookouts including Loyetea Peak and the Cruickshanks Leven Canyon viewing platform, and various road scenic pullouts, and</p> <p>(b) is a wild, dramatic and natural oasis among local farmland, production forests and settlement, which is the point of difference, or unique selling point that sets it apart from other areas in the minds of locals and visitors, and is an attraction that plays a vital role to the Central Coast's visitor economy.</p>	<p>(a) Ensure that any vegetation clearance is not visible from areas from Gunns Plains, Nietta, South Preston, Loongana, Black Bluff and views that provide current and future visitor experiences, and</p> <p>(b) buildings and works are located and designed to blend with the landscape and not be obtrusive.</p>

Justification for Table C8.1 wording

**Scenic Protection Area Name.** The proposed name ‘Leven Canyon—Loyetea Peak’ best describes iconic features within the requested scenic area.

**Description.** The area description is clearly defined by tenure as the Leven Canyon Regional Reserve and all adjoining crown land listed as ‘Future Potential Production Forest’.

**Scenic Value.**

The scenic values have been capture in two parts and are been based upon values identified from numerous reports and consultation processes in:

- 1) *Leven Canyon/Leven Valley Master Plan 2018,*
- 2) *Central Coast Council Destination Action Plan 2018,*
- 3) *Central Coasts Interpretation Plan 2017,* and the
- 4) *Leven Canyon Interpretation Plan 2007-2010.*

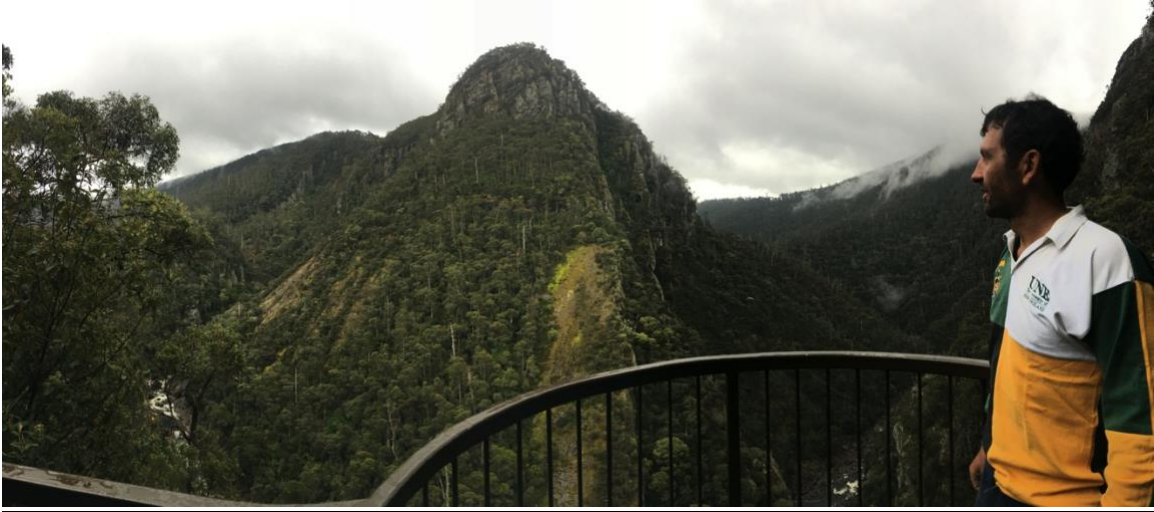
Point (a) clearly identifies the value of the intact native vegetation in the area and a number of vantage points important for the visitor based economy. Point (b) clarifies the scenic value importance to the visitor economy and is wording largely obtained from the *Leven Canyon/Leven Valley Master Plan 2018*

**Management Objectives.**

Two management objectives have been provided. Point (a) clearly articulates the need to prevent native vegetation clearance and loss of scenic values from a number of vantage points important for the visitor based economy. Point (b) allows for sensitive development and has been drafted from wording used in the draft Meander LPS Scenic Protection Area table C8.1 (page 74 of 78), with the exception that ‘development’ has been exchanged here for ‘building and works’



**APPENDIX 3 Images Supporting Scenic Value of the area**



**Figure 4.** Leven Canyon Regional Reserve and Crown Land, on high ground to the right (view north of Lower Leven Canon Lookout at Loongana) – the canyon and large area of intact native vegetation are of high scenic value from the visitors' lookout.



**Figure 5.** Leven Canyon Regional Reserve and Crown Land, in background on right (view west of Cruikshanks lookout at Loongana) – the canyon feature is of high scenic value from the visitors' lookout.



**Figure 6.** Northern Leven Canyon Regional Reserve and Crown Land in foreground (view east of Loyetea Peak lookout toward Nietta) – the large area of intact native vegetation and forested slopes are of high scenic value from this visitors lookout.



**Figure 7.** Northern Leven Canyon Regional Reserve and Loyetea Peak (Crown Land) forested areas to right (view from George Woodhouse Lookout on South Riana Road where all tourist coaches stop) – the large area of intact native vegetation and forested slopes are of high scenic value from this visitors' lookout and elsewhere in Gunns Plains.



**Figure 8.** Loyetea Peak (Crown Land) intact forested hills (view from Gunns Plains) – the large area of intact native vegetation and forested slopes are of high scenic value from Gunns Plains Caves and other visitor attractions in this area, from this visitors' lookout and elsewhere in Gunns Plains.



**Figure 9.** Leven Canyon Regional Reserve (view from South Preston) – the large area of intact native vegetation in the mid-ground forested slopes of Loongana Range are of high scenic value from this private land with ecotourism potential.

**APPENDIX 4 Assessment of Scenic Value – applying approaches from ‘A  
Manual for Forest Landscape Management (Chapter 2) 2006’**

The Forest Practice Authority, Tasmania, in 2006 republished guidelines for a ‘visual management system’ as they related to forestry impacted areas. The guidelines are largely based upon principles in with in *The Forest Landscape Visual Management System*, Bulletin No. 9, Nov. 1983, published by the Forestry Commission of Tasmania.

The Tasmanian Planning Commission recommended Mary-Anne Edwards (Central Coast Council) look at this ‘visual management system’ as a source of supporting evidence for determining areas of high scenic importance. Mary-Anne shared this recommendation with us.

**Query on applicability of the Visual management system’ categories**

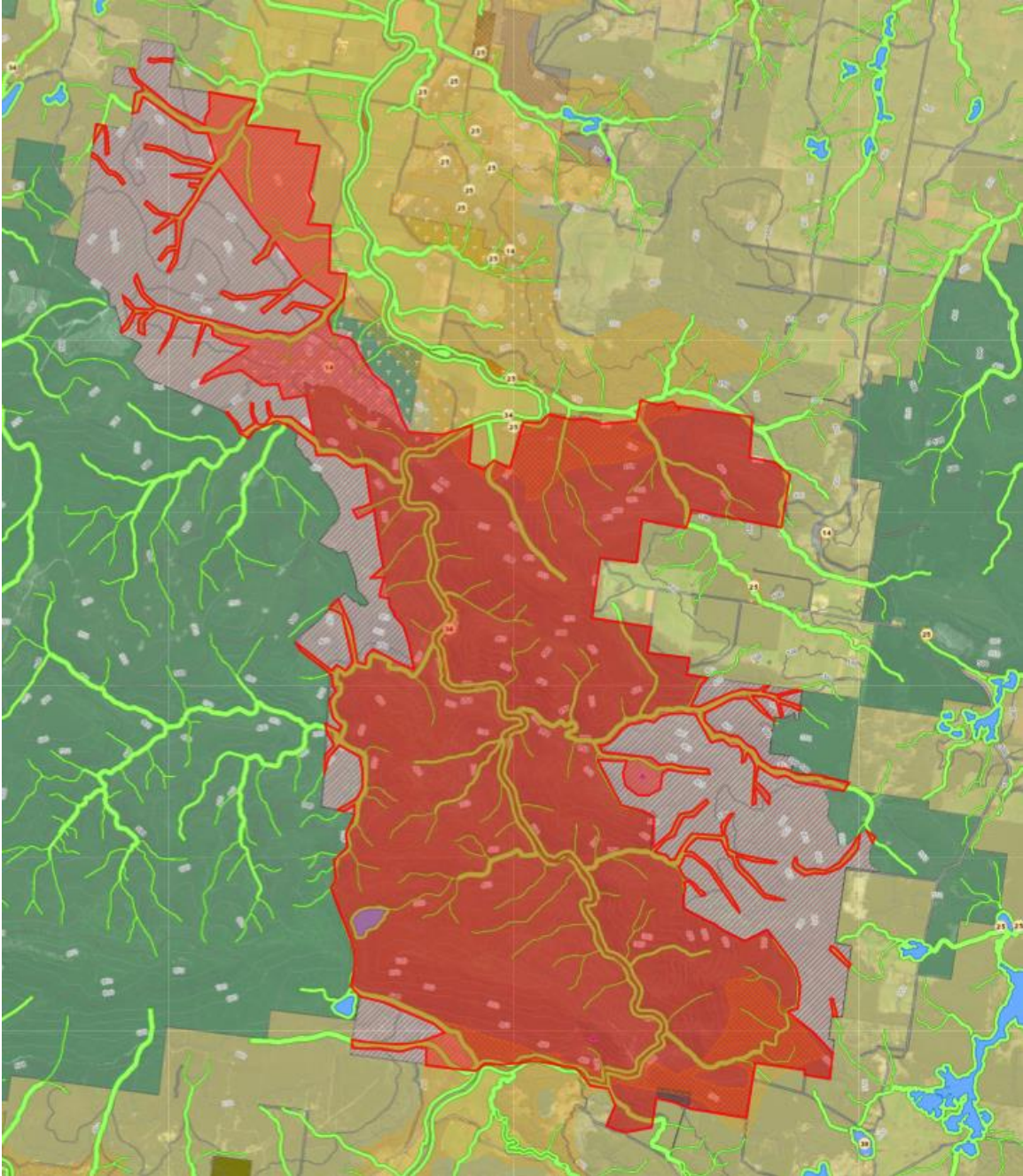
We question the applicability of the ‘visual management system’ sensitivity categories as they relate to protected lands, or non-forestry areas, as the visual system has been designed to still enable forestry activities within the areas still viewed as having the highest levels of visual sensitivity (i.e., Inevident Alteration, high visual concern, Zone A – as described on page 42, still enabled the creation of clearfelled forestry coupes). We question the applicability of the ‘visual management system’ categories, which enables clear felled forestry coupe creation within zones of highest visual concern. This is in clear conflict with the *C8.0 Scenic Protection Code*, which has ‘C8.6 Development Standards for Building and Works’ and an A1 Acceptable Solution that only enables <500m<sup>2</sup> destruction of vegetation (that is clearly not intended to be a clear felled forestry coupe). A further conflict between the applicability of the ‘visual management system’ criteria, which enables clear felled forestry coupe creation within zones of highest visual concern, is the Regional Reserve tenure over much of the Scenic Protection Area that would prevent clear felling of vegetation for forestry. We recognize that the ‘visual management system’ does include ‘auxillary categories of visual objectives’ and applicable categories in the case of the

Loyteea Peak –Leven Canyon include ‘Reserves (RES)’ and ‘Special or Sensitive (SP)’ and both categories appear to align with the *C8.0 Scenic Protection Code* objectives. Reserves (RES) category areas are specifically ‘set aside specifically for the protection of flora and fauna and the provision of recreation opportunities (page 8)’, and could be applied in general to all of the Leven Canyon Regional Reserve and stream side reserves with in the adjoin crown land. The ‘Special or Sensitive (SP)’ category areas are notably those ‘determined as having critical visual concern (page 8)’ and ‘it encompasses key tourism features and from principles towns...’ and ‘... it is suited for landscape seen within 25 km of prime wilderness destinations’ (such as the Loyteea Peak \_ Leven Canyon) and ‘Management activities within view fields from these locations are not to be visually evident to the discerning observer.’

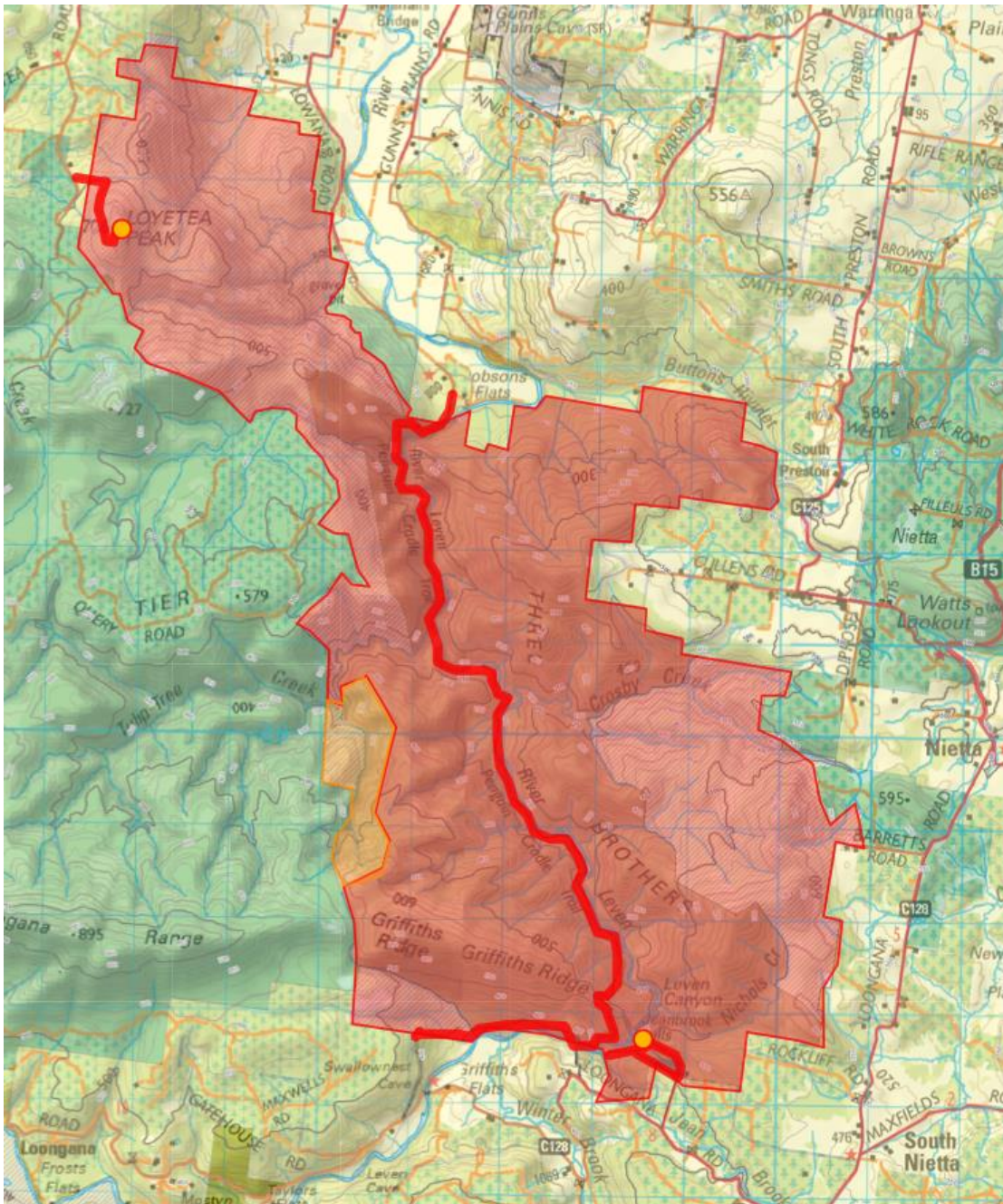
#### Landscape Priority Zone Mapping

The landscaping priority mapping principles for the categories ‘Reserves (RES)’ and ‘Special or Sensitive (SP)’ has been applied to the requested Scenic protection area in Figures 10 and 11 respectively. The visual important areas in the category of Reserves (RES) are areas are described in the Figure 10 caption. The visual important areas in the category of ‘Special or Sensitive (SP)’ was undertaken using theLIST Tasmmap (illustrating location of roads, tracks, lookouts, important tourist features and towns (some listed in the Figure 11 caption) and the visual line of site from these features as evident from 10m contour mapping and hill shade mapping on theLIST website.

**The combination of the areas in the Reserves (RES) & Special or Sensitive (SP) assessment has identified an alignment with those areas of critical visual landscape value requested for scenic protection in Figure 2 and 3.**



**Figure 10.** Critically important visual areas (in Red) based on 'Reserve (RES)' area assessment when apply this category from '*A Manual for Forest Landscape Management (Chapter 2) 2006*'. These areas include i) Leven Canyon Regional Reserve, ii) streamside reserves apply forest practice code logging buffers, iii) 10Ha undisturbed zone around known eagle nests, iv) protection of karst and v) protection of threatened vegetation areas (protected under the Nature Conservation Act).



**Figure 11.** Critically important visual areas (in Red Polygon) based on 'Special or Sensitive (SP)' area assessment when apply this category from 'A Manual for Forest Landscape Management (Chapter 2) 2006'. These areas include view from tracks (thick Red Line) to i) Loyteya Peak lookout (Fig. 6), ii) Leven Canyon lookout (Fig.4&5), iii) Penguin to Cradle track, & iv) to Swallow nest cave. The critically important visual area includes views from scenic drives and destinations including Gunns Plains Caves (Fig. 8), George Woodhouse lookout (Fig.7). and townships of Gunns Plains, Nietta & Preston. Orange polygon = area of high importance for visual amenity, potentially not as critical as other areas.

# Department of Primary Industries, Parks, Water and Environment



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Mr John Ramsay  
Delegate (Chair)  
TASMANIAN PLANNING COMMISSION

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

Dear Mr Ramsay *John*.

## **Central Coast Draft Local Provisions Schedule – Zoning of Future Potential Production Forest Lands (FPPFL)**

Thank you for your letter of 9 January 2020 on the above matter.

Future Potential Production Forest Land (FPPFL) is land associated with the *Forestry (Rebuilding the Forest Industry) Act 2014*. The management of FPPFL must be undertaken in accordance with the management objectives stated in the Act.

The Parks and Wildlife Service, in particular Property Services, administer the FPPFL that is Crown land, while land owned by or vested in State-owned companies or Government Business Enterprises will continue to be managed by those entities.

I note that the Tasmanian Planning Commission has received a number of submissions in relation to the Central Coast Draft Local Provisions Schedule. You have requested my views on the application of a Scenic Protection Area Overlay to the Levan Canyon Reserve and three surrounding properties owned by the Crown and identified as FPPFL, namely folio references 135614/1, 140790/1 and 137421/1, as well as to FPPFL more generally.


In the context of the Levan Canyon Reserve and the three surrounding properties, I am supportive of applying a Scenic Protection Area Overlay. These areas have considerable natural and scenic value.

More generally on FPPFL I am supportive of applying a Scenic Protection Area Overlay, where there are important scenic values to recognise. This might not be necessary in all cases and we would welcome the opportunity to comment further on such proposals.



Thank you for the opportunity to comment.

Yours sincerely

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end.

Jason Jacobi  
**ACTING SECRETARY**

20 January 2020

Dear Jason

Thank you for your email.

I have received the message below back from the French Embassy in Canberra regarding your request:

*The French embassy recognises the outstanding cultural and scientific importance of the Leprena trust proposed Blackswan Lagoon Scenic Protection Area as the first landing place of French explorers and friendly encounters with the local population, an area of central European endeavour, and a site holding nature wildlife features of acute scenic integrity.*

*As such, the French embassy has requested the Huon Valley Council's support of the proposed scenic protection area and its inclusion under the local provisions schedule C8.0 scenic protection area and encouraged the Tasmanian state government to support the proposal. Furthermore, the embassy has also requested that the local planning authority modify the Huon Valley Council draft local provisions schedule and enable advertising and exhibitions.*

*However, the embassy cannot intervene on a further level than the moral support provided, nor participate directly in the discussions between the local authorities on this matter. The embassy wishes the Leprena Trust all the best in their endeavours.*

Kind regards

David Shelley

Honorary Consul for France in Tasmania / Consul honoraire de France en Tasmanie

+61 427 183 217

[france@consulhobart.com](mailto:france@consulhobart.com)

Office Address: Level 2, 179 Murray Street, Hobart, TAS, 7000

Email DATED 17 April 2023



# Letter of Support

*Blackswan Lagoon Scenic Protection Area*

21st March 2022

To Whom it May Concern,

Re: Blackswan Lagoon Scenic Protection Area

We write on behalf of the Board of the South East Tasmanian Aboriginal Corporation (SETAC) and weetapoona Aboriginal Corporation (wAC) to request Council's support for the Leprena Trust proposed Blackswan Lagoon Scenic Protection Area, and inclusion under Local Planning Schedule C8.0 Scenic Protection Area.

Members of our Organisation and Community have been connecting with this area for many years, but more recently through the Healthy Country Plan facilitated by the Aboriginal Heritage Tasmania and the Department of Parks and Wildlife and focuses on the Tasmanian World Wilderness Area and annexed land.

This area, Leillateah / Recherche Bay is the traditional Country of the Lyluequonny people of the South East Nation and has cultural and spiritual significance to Palawa/Pakana peoples, evidenced by the enthusiastic participation of Aboriginal Community Members from SETAC and other Aboriginal people from weetapoona Aboriginal Corporation and Karadi.

The proposed Blackswan Lagoon Scenic Protection Area is part of a larger cultural landscape, however, this specific area contains important tangible and intangible scenic values for our people, as well as the broader community given early contact history, here in the 1790's with non-Aboriginal people.

SETAC and wAC, as Aboriginal Community Controlled Organisations represent the perspectives of many Aboriginal Community members within this area of Tasmania and is supportive of the scenic protection proposal that will prevent new track and infrastructure development within the relevant part of the Conservation Area, and place additional conditions on private landholders here. If all the directly impacted private landholders within the scenic protection area are supportive of this proposal it may only require the Huon Valley Council to undertake a minor LPS amendment and not require re-advertising of the draft LPS, for council to support this proposal within the Section 35F report (yet to be prepared by council); however, if necessary, we request the Planning Commission directs the local planning authority, Under section 35K(1)(a) of Land Use Planning and Approvals Act 1993 (the Act), to modify the Huon Valley Council draft LPS, in accordance with the Leprena Trust's Blackswan Lagoon Scenic Protection Area request, and enable readvertising and exhibition for broader stakeholder comment given the importance of the scenic values of this area for SETAC.

Sincerely

Rodney Dillon  
Board of Directors  
SETAC

Laura O'Neill  
Board of Directors  
wAC

10 March 2022

### **Huonville LPS representation**

Request support for the Blackswan Lagoon Scenic Protection Area as proposed by the Leprena Trust

To the Huon Valley Council

I write to request Council's support for the Leprena Trust proposed Blackswan Lagoon Scenic Protection Area, and inclusion under Local Planning Schedule C8.0 Scenic Protection Area.

I am aware that the Leprena Trust (letter dated 10 March 2022) has provided to the council supporting evidence, which included:

- i) statement of recognition of the scenic values of the area with provision of independent evidence: including state and national heritage listing documentation. Places of cultural heritage scenic values, extending beyond the state and national listing, to other areas within the Southport Conservation area, and have been included in the Leprena Trust proposal.
- ii) a map and description of the area.
- iii) evidence of consultation

The area has very high scenic value for the features: Landform, Water form, Vegetation, and Native Wildlife features (visual values), consistent when applying the '2018 *Guidelines for Scenic Values Assessment Methodology and Local Provision Schedules to assist Southern Tasmanian Councils with the scenic protection code*'.

Importantly, Cultural (visual values), are also of high value and include one of the world's most significant Indigenous cultural landscapes, recognised as a site of earliest contact between Aboriginal and European cultures. As such, it is a uniquely valuable resource for the Reconciliation process, and for better understanding Tasmania's 40,000 year history of human occupation.

I support the proposed Table 8.1, Management Objectives for no new tracks and infrastructure within public lands and development on private land is located and designed to blend with the landscape and not be obtrusive. This is consistent with current statutory management plan for the Southport Conservation Area and foreshore areas within the proposed Scenic Protection Area 'Tasmanian Parks & Wildlife Service (TPWS) *Southport Lagoon Conservation Area George III Monument Historic Site & Ida Bay State Reserve Management Plan 2006*, in Section 4.4.17 (page 42) "**New structures or any other type of development (including new tracks) will not be allowed**". The current government is willing to alter reserve management plans to facilitate private commercial development, and as such there is no guarantee that the protection of the area's scenic values will be afforded into the future through TPWS statutory management plans. It is imperative that local planning measures afford the appropriate protection to this area's scenic values through application of the proposed Scenic Protection Area.

The Scenic Protection Area management objective reiterates this intent and provides mechanism within the local planning framework for the highest level of scenic protection that this locally and nationally important area warrants.

Kind regards

A handwritten signature in black ink, consisting of a stylized initial 'G' followed by a long horizontal line that tapers to the right.

Professor Greg Lehman  
Author, curator and academic  
11 Lochner St  
West Hobart Tas