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Sent: Thursday, 8 February 2024 3:04 PM
To: Fyfe, Karen
Cc: Blyth, Louise
Subject: draft TPPs
Attachments: Revised Cultural Heritage TPP.docx

Hi Karen

Further to this mornings TPP hearing, and as directed by the Panel, the SPO has come up with some revised wording for strategies 3 and 4 of clause 1.1.3, as follows:

3. Identify regional settlement hierarchies and allocate growth scenarios to settlements based on:
 - a) population projections and forecast demographic change;
 - b) the functional characteristics of the settlement and any specific role it plays in the State or region;
 - c) the social, environmental and economic characteristics of the settlement;
 - d) the availability of goods and services, including social infrastructure, to support the needs of the community;
 - e) access to employment and training opportunities;
 - f) efficient and accessible transport systems; and
 - g) capacity and cost-efficient upgrading of physical infrastructure.

4. Support the growth of settlements that is in accordance with their allocated growth scenario..

We also discussed modifications to the Cultural Heritage TPP to provide for the strategic consideration of State listed sites. Having reviewed the Cultural Heritage TPP, the SPO is of the view that the proposed modifications to the application clause at 6.2.1 does not work in the context of other statements made in the Policy Context, objective and strategies.

The SPO has reviewed the Cultural Heritage TPP and provides a revised draft, that delivers the intent of what was discussed at the hearing, for the Panel's consideration. The modifications are shown in yellow highlighted text.

Happy to address any issues arising from what has been proposed.

Regards
Nell

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6.0 Cultural Heritage

6.0.1 Policy Context

Tasmania's cultural heritage is diverse and unique. It provides valuable insight into the lives of past generations and contributes to our identity and connection with place and helps give our communities their character and distinctiveness. It is a unique asset that needs to be recognised, protected and well managed so it maintains its appeal to locals and visitors.

The Cultural Heritage TPP addresses Aboriginal Cultural Heritage values and non-Indigenous cultural heritage values (referred to as historic cultural heritage). The land use planning response to Aboriginal Cultural Heritage and historic cultural heritage differs to reflect the different ways these values are found in the landscape, recorded and managed. It also acknowledges the distinctive relationship and understanding Aboriginal people have of their heritage and aspirations for its protection and promotion.

A core practical difference is that historic cultural heritage tends to be visible, known, accepted and valued, and easily identifiable for protection, whereas much Aboriginal Cultural Heritage is often not formally identified until rediscovered, commonly in the course of development preparation. While the significance of tangible assets tend to be recognised and valued, lesser known archaeological values, research potential and intangible values associated with cultural heritage should also be recognised, protected and managed.

Land use planning should acknowledge and respect the Tasmanian Aboriginal people as being the custodians of their living and enduring cultural heritage, seeking to improve its protection and where possible supporting ongoing Aboriginal Cultural Heritage practices and custodianship. In the past the main or only emphasis has been on identifying Aboriginal Cultural Heritage in a reactive manner at the development stage, with subsequent management in accordance with the relevant state Aboriginal heritage legislation¹. The Cultural Heritage TPP seeks to mitigate this reactive approach by encouraging the consideration of Aboriginal Cultural Heritage values proactively and more strategically when land is being designated for particular use and development.

¹ Currently the *Aboriginal Heritage Act 1975*, although new legislation is expected in 2024.

Tasmania also has a rich source of historic cultural heritage which is represented in certain buildings, parts of buildings, places/features, precincts and landscapes. Often the best-preserved historical suburbs and towns are the places that attract us to visit, work and live.

The historic cultural heritage component of the Cultural Heritage TPP is focused on local places and precincts of historic cultural heritage values, because places of historic cultural heritage significance to the whole of Tasmania are entered on the Tasmanian Heritage Register and are protected under the provision in the *Historic Cultural Heritage Act 1995*.

The contextual landscape occupied by local historic cultural heritage values and the protection of local places and precincts is multi-layered and fundamentally connected to places of State significance entered on the Tasmanian Heritage Register, the National or a Commonwealth Heritage List or on UNESCO's World Heritage List, such as the Australian Convict Sites World Heritage Property or the Tasmania Wilderness World Heritage Area. The tiered system of heritage identification, protection and management helps to recognise each level plays a unique role in telling Tasmania's cultural heritage story.

While the development of places listed on the State, National or world heritage registers are dealt with outside of the TPS, there is a role for the RLUSs to consider these places of heritage significance when designating land uses and developing regional policies.

Local historic cultural heritage places and precincts play an important role in helping to define the identity and character of local communities and regional areas. They also contribute to the economic prosperity of Tasmania and local places through tourism. This justifies supporting the protection of these values for the benefit of present and future generations.

The underlying principle of the Cultural Heritage TPP is to promote early and proactive consideration of cultural heritage values in land use planning strategies and decisions to manage and protect these values more efficiently and effectively. An approach of this nature will also reduce the risk of heritage being a risk or barrier to new development.

6.0.1 Climate Change Statement

Tasmania's cultural heritage sites are located in a range of settings across the State, including but not limited to the coastal fringe of our land mass. Like other aspects of our natural and built environments, they will be impacted by climate change.

Climate change will impact environmental processes which may affect the cultural heritage values of a site. For example, archaeological sites may be compromised because of changes in soil chemistry. Changes in the water table can affect older buildings and structures, and new pest species may threaten structures constructed with organic material.

This is in addition to the better understood threats of flooding, fire, wind events, heatwaves and other forms of extreme weather events. Increased thermal stress can accelerate the deterioration process, and increased periods under water threaten structural integrity. Some sites may be permanently lost due to sea level rise.

The management of cultural heritage sites requires consideration and response to the projected changes to Tasmania's environments. Management responses require site-specific approaches and a good understanding of the projected risks from natural hazards for a given location. Other components of the TPPs support this, particularly the Environmental Hazards TPP.

While it is premature to accurately predict what, and how, cultural heritage sites might be impacted by climate change and therefore propose specific strategies to protect them, land use planning in general has a role to play by:

- providing spatial identification of cultural sites, and projected risks from natural hazards;
- ensuring the projected impacts of climate change on cultural heritage sites and practises is considered early in the planning process; and
- supporting processes to protect significant cultural heritage sites and practises.

6.1 Aboriginal Cultural Heritage

6.1.1 Application

Statewide.

6.1.2 Objective

Support the protection and Aboriginal custodianship of Aboriginal Cultural Heritage values including places, objects and practices.

6.1.3 Strategies

1. Land use planning is to:
 - a) recognise, respect and accept that Tasmanian Aboriginal people are the custodians of their cultural heritage;
 - b) acknowledge that Aboriginal Cultural Heritage is living and enduring;
 - c) promote the protection of Aboriginal Cultural Heritage values; and
 - d) support Tasmanian Aboriginal people to identify, manage and, where appropriate, continue to use and culturally identify with, Aboriginal Cultural Heritage places.
2. Encourage the understanding and consideration of Aboriginal Cultural Heritage and support the investigation² of land for the presence of Aboriginal Cultural Heritage places and objects where that land is proposed to be designated for use and development that could potentially harm any Aboriginal Cultural Heritage values associated with that land.
3. Avoid designating land for incompatible land use and development where investigations identify, or it is known that there are, or are highly likely to be, Aboriginal Cultural Heritage values unless it is demonstrated that the impact on Aboriginal Cultural Heritage values can be appropriately managed.

6.2 Historic Cultural Heritage

6.2.1 Application

Statewide

6.2.2 Objective

To support the strategic consideration of places listed on State, National and world heritage registers and identification and conservation of significant local historic cultural heritage buildings, part of buildings, infrastructure (for example bridges), places/features, precincts and landscapes and promote sympathetic design solutions and responses that preserve or complement those cultural heritage values, and facilitate appropriate adaptive reuse.

6.2.3 Strategies

1. Identify land that has potential archaeological local cultural heritage value or has research potential and prior to designating it for incompatible use and

² Aboriginal Heritage Tasmania provides advice on investigations and management of Aboriginal Cultural Heritage and the operation of relevant Aboriginal Heritage legislation.

development that would damage the archaeological values, establish the significance of those values and how they can be appropriately managed.

2. Identify sites that have State, National or world heritage significance and consider the impacts on the heritage values of those sites when designating land for a particular purpose.
3. Identify buildings, part of buildings, places/features, infrastructure, precincts and landscapes that contain significant local historic cultural heritage values, describe the significance of those values, and promote access to this information to ensure identified values are considered early in strategic and statutory planning processes.
4. Provide for the protection, and encourage the restoration of identified buildings, part of buildings, infrastructure, places/features, precincts and landscapes that contain local historic cultural heritage significance.
5. Encourage appropriate development and adaptive reuse of buildings, part of buildings, infrastructure, places/features, precincts and landscapes of local historic cultural heritage significance by promoting innovative and complementary design responses that conserves, restore and retain cultural heritage values.
6. Support the retention of appropriate surrounding settings and site context that contributes to the significance of the local historic cultural heritage values of buildings, part of buildings, infrastructure, places/features, precincts and landscapes.
7. Encourage the initiation and implementation of local heritage surveys to proactively identify and manage historic heritage places of local historic cultural heritage significance and to clearly articulate the heritage values of places and precincts listed as having local historic cultural heritage significance.
8. Encourage the preparation and publishing of conservation policies for heritage precincts; development, in-fill, and pre-development assessment guidelines; and similar guidelines for places and precincts of local significance to foster understanding and awareness of the importance of cultural heritage, and provide greater clarity, consistency, and certainty in the management of these values.