

TASMANIAN PLANNING SCHEME – NATURAL ASSETS

The Natural Assets Code provides consistency across the State regarding the protection of important natural values and recognises the significant role that other State and Commonwealth legislation has in biodiversity conservation.

The protection of natural values through the Natural Assets Code aims to provide a balance and clarify under what circumstances development can take place.

The Natural Assets Code avoids duplication of other regulatory processes and instead focuses on providing an adjunct to existing State legislation. For example, the code exempts works in accordance with a forest practices plan certified under the *Forest Practices Act 1985*.

The Natural Assets Code provides:

- consistent statewide provisions and scope for the assessment of development within identified:
 - ‘waterway and coastal protection areas’;
 - ‘future coastal refugia areas’; or
 - ‘priority vegetation areas’; and

- consistent guidance for the mapping of the overlays with appropriate flexibility to address local circumstances.

The ‘waterway and coastal protection area’ applies to land in proximity to Class 1-4 watercourses and wetlands and includes the State’s coastal areas.

The ‘future coastal refugia area’ provides for the protection of land for the landward retreat of coastal habitats that have been identified at risk from predicted sea level rise. These areas specifically aim to address outcomes of the:

- *State Coastal Policy 1996*, namely the management and protection of the natural assets and processes associated with coastal areas; and
- *State Policy on Water Quality Management*, namely the protection of water quality through control on point source stormwater discharges.

The ‘priority vegetation area’ provides for the protection of:

- threatened native vegetation communities listed under the *Nature Conservation Act 2002*;
- threatened flora species;

- significant habitat for threatened fauna species; and
- other locally important native vegetation,

in conjunction with other State legislation such as the *Nature Conservation Act 2002*, *Threatened Species Protection Act 1995* and the *Forest Practices Act 1995*. The application of priority vegetation areas is limited to “non-urban” type zones to ensure the Code does not undermine the purpose of “urban” type zones.

How are the Code overlays to be mapped?

Base mapping for the ‘waterway and coastal protection areas’ and ‘future coastal refugia areas’ will be provided to planning authorities as part of future guidance material to assist with the preparation of the two overlays and provide for statewide consistency in their application.

The ‘priority vegetation area’ overlay is to be prepared based on the Department of Primary Industries, Parks, Water and Environment’s (DPIPWE) TASVEG mapping for threatened native vegetation communities and the DPIPWE’s Natural Values Atlas for threatened flora and fauna species. Planning authorities have the ability to prepare alternate overlay mapping to:

- addresses any anomalies or inaccuracies in DPIPWE’s mapping and data;
- provides more recent or detailed local assessment of the mapping and data; or

- identify native vegetation of local importance, including habitat for native fauna.

How does the Natural Assets Code differ to current Interim Planning Schemes?

Existing interim planning schemes across the three regions currently include various and differing standards to manage values associated with waterways and coastal areas and native vegetation, where relevant.

Consequently, there is limited consistency in how interim planning schemes identify and manage such values. In most instances these values are managed through the operation of separate codes in interim planning schemes.

In contrast, some interim planning schemes include limited provisions for the protection of native vegetation.

The Natural Assets Code in the State Planning Provisions consolidate the requirements for the assessment of impacts of development on natural values associated with coastal areas, waterways and native vegetation into a single code.

What zones does the Natural Assets Code apply in?

The provisions relating to ‘waterway and coastal protection areas’ and ‘future coastal refugia areas’ apply to all zones. There are however reduced buffer distances for the main urban zones when applying the requirements for ‘waterway and coastal protection areas’.

Guidance material is available to assist local councils with the appropriate application of 'future coastal refugia area' overlays, and to ensure the provisions of the code provide adequate scope for development within urban areas and do not unintentionally undermine the purpose of these zones.

The code differs to most interim planning schemes in that it intentionally limits the application of 'priority vegetation areas' to certain zones to avoid undermining the purpose of those zones intended for more intensive development.

This mainly includes the zones that provide for urban development and the Agriculture Zone. These urban zones are a limited and valuable resource that should be protected for their main purpose.

'Priority vegetation areas' may be included over land within the General Residential Zone or Low Density Residential Zone however, the provisions of the code will only be considered for the subdivision of the land.

It should be noted that while the code may not apply to certain zones, the requirements under other State legislation remain applicable, such as the need to have a forest practices plan certified for the clearance of vegetation under the *Forest Practices Act 1985*.

Where can I get more information about the Tasmanian Planning Scheme?

General information about the Tasmanian Planning Scheme and the preparation of

Local Provisions Schedules can be found on the [Tasmanian Planning Reform website](#).

General enquiries about the preparation of the Tasmanian Planning Scheme should be directed to:

Planning Policy Unit, Department of Justice
GPO Box 825 HOBART TAS 7001
Ph 1300 703 977
[email stateplanning@dpac.tas.gov.au](mailto:stateplanning@dpac.tas.gov.au)

Enquiries on the public exhibition and assessment process should be directed to:

The Tasmanian Planning Commission
Level 3, 144 Macquarie Street, Hobart
GPO Box 1691 HOBART TAS 7001
Ph (03) 6165 6828
[email tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

September 2017