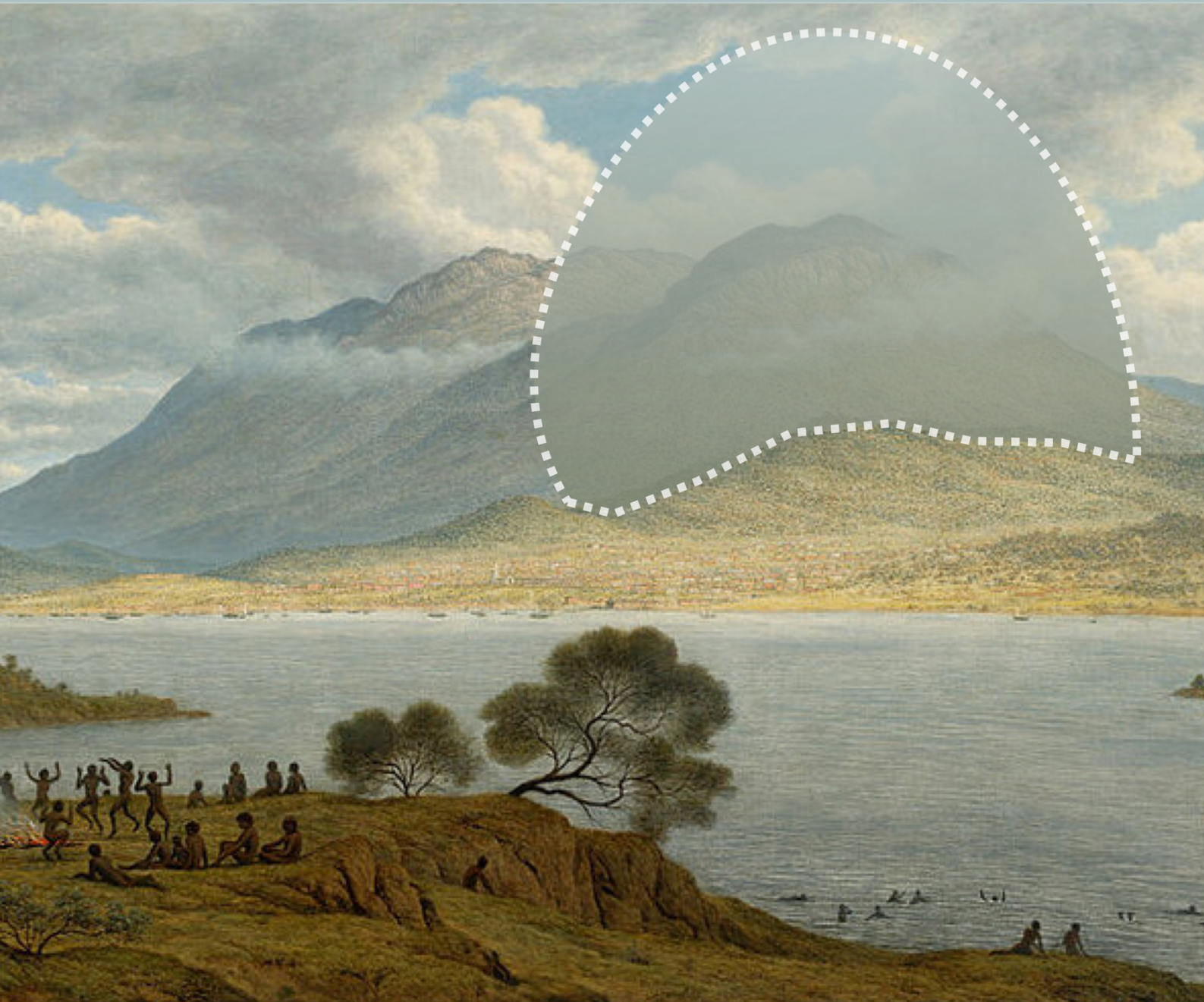


THE MOUNTAIN

CULTURAL LANDSCAPE PRECINCT



—Wellington Park's Heritage Heart—

Compiled by
ENSHRINE

HOBART

2022

Cover image: John Glover *Mount Wellington and Hobart Town from Kangaroo Point* 1834
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listhemountain.org



6 June 2022

The Office of the General Manager

Hobart City Council

coh@hobartcity.com.au

Landowner Consent for The Mountain Cultural Landscape Precinct

Dear Ms Grigsby,

I am writing to request landowner consent to lodge an amendment to the Hobart Interim Planning Scheme. The amendment would seek to add to the scheme's Historic Heritage Code an overlay for a Cultural Landscape Precinct provisionally named by us 'Mountain Cultural Landscape Precinct' and described in the General Manager's Administrative Guidelines attached for your consideration.

Yours faithfully

Alison Alexander

Patron

Abbreviations

CLP Cultural Landscape Precinct

EMZ Environmental Management Zone

HCC Hobart City Council

HIPS Hobart Interim Planning Scheme

LGA Local Government Area

LUPA Land Use Planning and Approvals Act

STRBUS Southern Tasmanian Regional Land Use Strategy

WPMT Wellington Park Management Trust

WPMP Wellington Park Management Plan

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I. THE AMENDMENT REQUESTED

An amendment of the *Hobart Interim Planning Scheme (2015)* to incorporate into its Historic Heritage Code a Cultural Landscape Precinct overlay provisionally named The Mountain Cultural Landscape Precinct.

II. PURPOSE

To recognise the local cultural and historic landscape values of the subject land.

III. STRATEGIC GROUNDS IN FAVOUR

1. Multiple layers of law enjoin Council to protect its cultural heritage. For example, the internationally recognised *Burra Charter* bids authority to ensure that ‘places of cultural significance are safeguarded and not put at risk or left in a vulnerable state.’¹ At the state level, Council has an obligation under the *Land Use Planning and Assessment Act* to have all places of local heritage significance noted in the heritage code of its planning scheme. At the city level, Hobart’s interim planning scheme’s currently safeguards six designated cultural and historic landscapes.²
2. The subject land demonstrably meets (or exceeds) the threshold significance criteria. Expert heritage assessments prepared for Council by McConnell, Scrips, Handsjuk, Sheridan and others all found that the cultural landscape and historic heritage value of the eastern face of the mountain met the threshold for incorporation in the city’s planning scheme Heritage Code.³
3. As a trustee of the Wellington Park Management Trust, Council has an obligation to act in concert with the Park’s management plan. The Plan’s cardinal responsibilities include preserving the Mountain’s cultural landscape values.⁴ To that end, the first heritage policy action is that ‘cultural landscapes will be designated as heritage precincts.’⁵ Obliging, and at a minimum, Council should designate as a heritage precinct the places specifically mentioned in the management plan.⁶ The most appropriate mechanism available to Council within its interim planning scheme that is consistent with the management plan is a Cultural Landscape Precinct (CLP).⁷
4. The heritage significance of the mountain also exists for the state and the nation as well as the southern region, but Councils have the foundational position. Due to heritage threshold barriers, many places can *only* be recognised in the Council’s Heritage Code. Local recognition is required before any state or national heritage nomination would be considered.⁸
5. Establishing a single heritage precinct is preferable to numerous individual places, networks, clusters and or complexes because 100 separate heritage nominations would be complicated, burdensome, repetitive, and expensive for both the nominator and Council—and this complexity would flow though into management.

6. The Park can look after itself. It's the humans who need an eye kept on them. Time and again in the Park's planning scheme [WPMP Chapter 8B] that protection only operates only over 'a place listed in a Heritage Code of a Planning Scheme'.⁹ The protection relies on recognition, and only Council can grant that recognition. Over more than a century, Council has inherited and developed within itself, through long experience, a deep knowledge and skill in caring for the mountain. Council built and today maintains buildings and places of heritage significance to the entire nation. Council could more officially recognise that.

7. A cultural landscape precinct would provide the foundation upon which the city's mountain culture could be developed, strengthened, deepened and enriched; making Hobart a more grounded, distinctive and exceptional society. *The Burra Charter's* Preamble argues that 'Places of cultural significance enrich people's lives, often providing a deep and inspirational sense of connection to community and landscape, to the past and to lived experiences. They are historical records, important expressions of local identity and experience. Places of cultural significance reflect the diversity of our communities, telling us about who we are and the past that has formed us and the local landscape. They are irreplaceable and precious.'¹⁰ Making a Mountain Cultural Landscape Precinct is a good thing, a required thing, and the right thing to do.

8. Cultural Landscape Precinct status would also make a significant 'contribution to the region's competitive advantage'.¹¹ Heritage recognition is a prerequisite for access to some funding sources.

9. The potential for development on the subject land is low due to the topography, lack of infrastructure, environmental hazards, tenure and zoning. All the subject land is owned by Council and zoned for Environmental Management.

10. The Mountain is a place on Country. The HIPS Heritage Code cannot include Aboriginal places nevertheless the proposed CLP does encompass significant Aboriginal places and would recognise Aboriginal and historic (European) landscape values simultaneously.¹²

IV. POLICY LEGISLATION SCHEMES PLANS

State Policies Of all state policies, only the *State Policy on Water Quality Management* is related to the CLP. The quality of the water on the Mountain will not be affected in any deleterious way by this new Heritage Code. Hobart's water is itself a cultural heritage asset that would be further protected by the amendment's Conservation Plan.

Land Use Planning and Approvals Act Clause 2: Subject to this Act, a planning scheme or the Tasmanian Planning Scheme may (a) make any provision which relates to the use, development, protection or conservation of any land. The amendment addresses a cardinal purpose of LUPA at Part 2 (g) 'To conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.' The Park is subject to two key pieces of legislation; consequently, two approval processes operate in the Park. The Trust is the managing authority for the Park ... however some use and development may also require the approval of the relevant Planning Authority (local council) under *LUPAA*. Any assessment undertaken by such a Planning Authority is bound by the relevant provisions of this Management Plan.

Southern Tasmania Regional Land Use Strategy A Mountain CLP is in sympathy with and would be a potent mechanism to achieve the significant regional strategic land use aims of this strategy: 'Undertake the statutory recognition (listing) and management of heritage values....' and 'Recognise and list heritage precincts within planning scheme Heritage Codes and spatially define them by associated overlays on planning scheme maps.'¹³

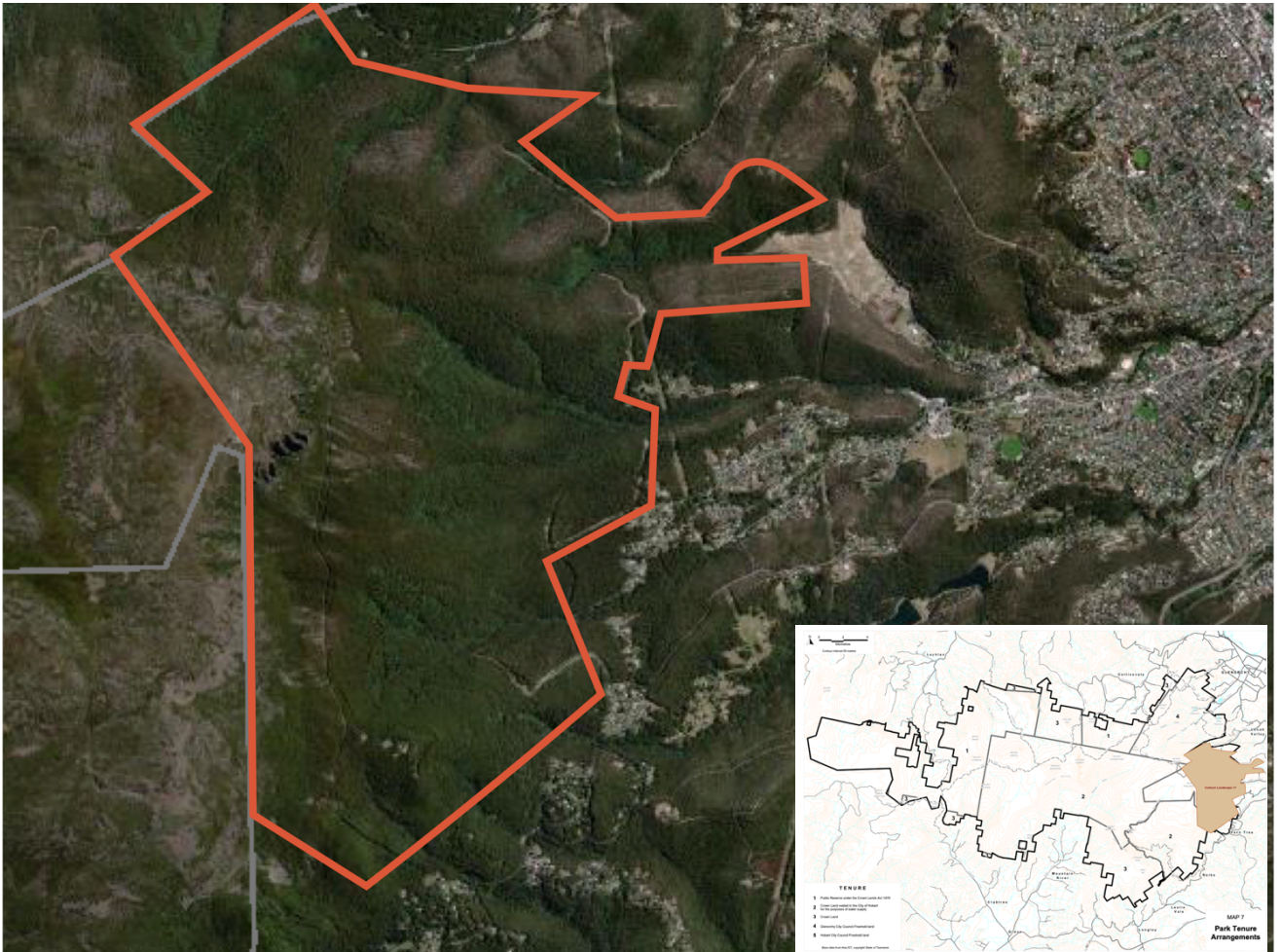
Wellington Park Management Plan 'Two approval processes operate in the Park. The Trust is the managing authority for the Park ... however some use and development may also require the approval of the relevant Planning Authority. Any assessment undertaken by such a Planning Authority is bound by the relevant provisions of this Management Plan.'¹⁴

Hobart Interim Planning Scheme The amendment would be made under the historic heritage code E13.1.1. The purpose of the Historic Heritage Code is: 'To recognise and protect the historic cultural heritage significance of listed places, precincts, landscapes and areas of archaeological potential by regulating development that may impact on their values, features and characteristics.' A Cultural Landscape Precinct is defined as 'An area shown on the planning scheme maps as a cultural landscape precinct and described in Table E13.3 as having particular historic cultural heritage significance because of the collective heritage value of individual elements and features, both natural and constructed, as a group for their landscape value.' The planning scheme also recognises places having the potential to contain archaeological remains that provide information about the past.¹⁵ In line with the purpose (2.2.2): 'building upon the City's unique heritage assets' the expansion of its Heritage Area—where justified—is purposeful and beneficial.

Capital City Strategic Plan 'We are a city whose people see ourselves as part of a beautiful and unique natural environment, from the mountain to the river, which embrace us and shape our identity.' The Strategic Plan proposes to 'Strengthen open space connectivity, in partnership with stakeholders, prioritising links between the river, bushland and the mountain, through acquisitions and other opportunities.' The plan also commits to 'Create opportunities for people to connect to place, supporting spiritual and cultural customs and practices.' The Mountain CLP would facilitate identification, strengthen open space connectivity and support cultural customs.

V. PRECINCT BOUNDARY

The boundary had to be restricted to the HCC LGA. It was drawn to surround the eight heritage proto-precincts and approximately 100 heritage sites identified in WPMT reports, for example: historic tracks, hut sites, geo-heritage features, scenic and aesthetic values, scientific stations.¹⁶ The precinct is approximately 1,700 hectares. No historic heritage assets were identified on the adjoining private freehold land.



VI. STATEMENT OF HERITAGE SIGNIFICANCE

Several suitably qualified people (including John Hepper, Anne McConnell and Gwenda Sheridan) have prepared heritage Statements of Significance for the entire Park or its eastern face and some of its precincts. The statement for this Request draws upon all the above, primarily Sheridan.¹⁷

“The views of Mount Wellington from the City of Hobart have or possibly have National Estate value for their scenic qualities alone.”

Wellington Park: Values, Use and Management Inventory page 179 [WPMT 1996]

“The Hobart face of Mt Wellington within Wellington Park should be considered as an 'historic cultural landscape' ...”

[Focus on the Fringe: Layered use & meanings in a natural context](#) McConnell and Scripps Vol 1. page 70–71 [WPMT 2005]

“The Springs Precinct *as an entity* is considered to have local, regional and state level significance.” And the Mountain “more generally” meets additional local and state level criteria thresholds.

[The Springs Initial Conservation Policy](#) [Wellington Park Management Trust 2006]

The Mountain is “an icon of Tasmania, one of THE most culturally significant Associative cultural landscapes in Australia, and also one of THE most significant and wonderful examples of an organically evolved cultural landscape in Australia.”

The Historic Landscape Values of Mount Wellington: An evolution across time, place and space (WPMT 2010)

“The historic heritage values of the summit area have been undervalued to date, and to help recognise and protect these values of the summit area the significant sites in the area should be included on relevant lists, including in the City of Hobart Planning Scheme Heritage Schedule and the Tasmanian Heritage Register. It has also been determined that the summit area can be considered a 'precinct' as per the *Wellington Park Management Plan*.”

Assessment of the Summit Area of Mount Wellington McConnell and Handsjuk, Executive Summary, page iv-v [WPMT 2010]

“The track network has international level significance as a rare and well preserved, scenic tourism and recreation development’. The recreational huts, as a suite, ‘have national and some international level heritage significance.’

The Historic Track & Hut Network of the Hobart face of Mount Wellington [WPMT 2012]

The Trust should “Consider preparing an application for National Heritage Listing for the Park, based upon the Park’s identified natural and cultural (including landscape and social) values.”

Wellington Park Management Plan page 82 [WPMT 2013]

Description

A mountain whose densely wooded slopes rise to a snow-capped plateau dominated by a fluted cliff.

Statement of local cultural heritage significance and historic heritage value

(A) Heritage Landscape Values

(i) Local history

- Its significant contribution to the history and development of nature conservation through both its early reservation status and its history of environmental disputation.
- Its so powerfully and richly documented spirit of place.
- Its historic significance to tourism including Australia's first 'wilderness lodge'.

(ii) Creative or Technical achievement

- Its long and important connections with pioneering scientific research.
- Its evolved history of shelter that includes Aboriginal encampment, bivouacs, hostels and a hotel, mountain huts and stone shelter sheds.

(iii) A Class of Place

- Its geo-heritage significance which includes its rare periglacial landforms, the alpine peats around Dead Island, tor-fields, cataracts, caves, the ploughed field and the fluted columns of the Organ Pipes.
- Its recreational significance for its network of historic bush walking tracks and climbing routes together with their associated stone shelters and natural attractions such as caves, waterfalls, tors, ponds and groves.
- The landscape value of its high wildness index, being the eastern-most point of a wild country that spans the state almost from coast to coast.

(iv) Aesthetic characteristics

- Its scenic significance for the grandeur of its temporal changes of light and atmospheric effect of weather on its striking landforms and the outstanding panoply of vegetation determined by the steepest cline in Australia.
- Its scenic value in the acclaimed panoramic viewpoints to and from the Pinnacle.
- Its significance to the arts by its depiction in the work of landscape artists, with aspects of the Sublime and the Picturesque depicted across two centuries of representation. The Mountain has been a subject in the work of many notable 19th 20th century artists.

(B) Associations

(i) A particular community or cultural group for social or spiritual reasons

- Its landscape value, being the capital's emblem and chief landmark of home to the citizens born in its shadows.
- Its social significance as a place with spiritual connections.

(ii) The life of works of a person or group of persons of importance to the locality or region

- Its historic significance as a foundational convict-era forestry worksite, a significance enhanced by its woodland setting.
- Its social significance as a place with strong associations with many notable Tasmanians and visitors.

VI. ZONING & USE

Existing zoning All Council land proposed for The Mountain CLP is zoned for Environmental Management.

Surrounding Zone A considerable part of the proposed heritage precinct is surrounded by (Wellington) parkland that is also zoned by its owning authorities (Kingborough, Glenorchy and the TasWater water catchment reserve) as Environmental Management. On private land in South Hobart and Ferntree on the eastern and southern flanks of the CLP are areas zoned Rural Living and Environmental Living. The amendment does not request any change to the existing zoning for any adjoining or surrounding land.

Existing land use The Wellington Park Management Plan identifies five existing uses in the proposed cultural landscape precinct: conservation, nature study, recreation, exercise, sightseeing, and some commercial activities. These activities are also the principal land uses in the surrounding land.

Use in surrounding area The surrounding land is used for the same purposes as the proposed Mountain CLP. The amendment does not request any change to any existing permitted uses.

Zone boundary conflicts No subdivision lot boundaries are shown because none are requested. No subdivision or easement is requested. No boundary conflicts or implications are anticipated.

Impact on future zoning No impact is foreseen as no alteration of zoning is requested. All adjoining land and the surrounding area is EMZ.

Impact on zoning in adjoining land & surrounding area No boundary conflicts or impacts on adjoining land and surrounding area is anticipated.

Proposed use The CLP amendment does not propose any specific alteration in current use. No new or additional building, roads, driveways, car parking areas, footpaths or utility service connection points within the precinct are proposed or envisaged.

VII. INFRASTRUCTURE

Notwithstanding that Community infrastructure includes walking tracks, viewpoints and shelter sheds, the Pinnacle Observation Shelter, signage and public toilets, the proposed CLP is not well serviced and This dearth is not detrimental to the intended use because a CLP does not require sewage, potable water, electric power or road access. **Environmental hazards** Fire ecologist professor David Bowman described the Mountain as ‘a biological volcano’. Almost half of the eastern slopes face “Extreme” fire risk and a consequence level of “Catastrophic”.¹⁸ The Park’s eastern face also has a history of flash floods that have swept infrastructure away and inundated Hobart as well as parts of Glenorchy.³⁰ The mountain’s entire eastern face lies on ground with “deep-seated slide susceptibility”.¹⁹ The management plan notes that “Large areas of the Park have a moderate to high landslip potential’ and that ‘the inappropriate location of a building or excessive human activity in an area (causing soil erosion) can increase the [landslip] hazard.’²⁰ The land lies across two landslip hazard bands: medium hazard and high hazard. The medium band is that land which has known landslide features and, consequently, if there is ‘no compelling reason for development, the land should be zoned for open space, rural, or environmental purposes.’ And on the land’s high band is ground where ‘development requires significant investigation and engineered solutions to enable the development to maintain a tolerable level of risk.’

VIII. ISSUES & OPPORTUNITIES

‘Tasmania’s heritage values ... contribute significantly to the community’s sense of place, and their recognition of land management needs to be set at an appropriate standard’.²¹ A region’s landscapes offer ‘importance to the community’s collective sense of place and culture, as well as contributing to economic development and ecological values.’²² Naturally, the issue is that heritage treasures must be maintained. This has cost implications. On the other hand, where ‘heritage treasures’ are acknowledged by enshrinement in heritage registers, exclusive funding opportunities arise. So much so that ‘Tasmania’s heritage values are increasingly recognised as part of our unique competitive advantage.’²³

Social issues The proposed Mountain CLP allows the community to continue to experience the mountain’s landscape as they know it, and gives confidence that it will be so in the future. The social benefits that flow from this include the ability to experience the Park’s aesthetic beauty, to stand in the places admired and described by famous visitors such as artists and scientists and experience the same setting. It guarantees that scientific experimentation in particular places can be replicated, it creates a continuum of experience that is at the heart of cultural development.

Economic issues No additional expenditure in relation to the subject land (such as relocating assets or services) is anticipated for the Council, but a one-off start-up cost is likely required to prepare the conservation plan that must accompany the CLP heritage coding.²⁴ Regarding employment, most of the existing opportunities that the CLP offers will be unchanged or enhanced. The amendment does not propose the construction of any infrastructure.

Environmental issues A CLP protects environmental values to the extent that the environmental values have cultural significance. Arguably, the mountain’s biodiversity and conservation values are cultural values as well as regional planning objectives.²⁵ No tree or any vegetation is proposed to be removed for the purposes of The Mountain CLP.²⁶

IX. ORDERLY PLANNING

Consistency with existing Council policies and strategies A CLP is an exercise of one of the Council's existing planning scheme options.

Maintenance of public access The amendment will not result in any reduction of existing public access to any Council land.²⁷

Inconsistency with any right of occupation held by another person The CLP is not a development and entails no occupation of the land, consequently there is no inconsistency with any right of occupation that may be held by another person.

Consistency with the Council's statutory functions The amendment would strengthen Council's ability to discharge its statutory functions. No statutory function in relation to the land would be made incapable of performance or adversely effected by the amendment. Potential inconsistencies must be imagined.²⁸ No relocation of assets or services is envisaged in the amendment. Naturally, any future Council development would have to be complimentary to the status of the place under the planning scheme.²⁹ The amendment's *Conservation Policy* will formulate and describe what the Mountain CLP overlay will allow or deny in terms of permissions, discretions, regulations, controls, restrictions and prohibitions for all general uses and developments, as well as for maintenance of the cultural landscape assets. To that end, *The Burra Charter* advocates a cautious approach to change: 'do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.'³⁰

Infrastructure and services issues There are significant service issues, but neither new nor additional services or infrastructure are required in a CLP. The access infrastructure consists of a road, Pinnacle Drive. The road is always open to walkers, cyclists and snow sports, but is sometimes closed to vehicular traffic by snowfall or more usually ice. All-year city to summit public transport is a 20-seater private bus with fitted snow chains. Increasing infrastructure capacity would face constraints beyond the challenge of the thickly vegetated, but fragile steep terrain. Compliance with minimal-impact-for-every-footprint conditions would have to be proven and demonstrated. A lack of infrastructure reduces the land's development capability.

X. FUTURE DEVELOPMENTS

A CLP does not curtail future development. On the contrary, CLP status may encourage some kinds of developments and the Park's management plan anticipates development. Potential developments include additional or new recreational pursuits or cultural tourism ventures.³¹ Any development compatible with the subject land's status—incorporating protection conditions and/or use of heritage to avoid impacts on sensitive sites—would be unaffected.³²

The consequent effect on future development opportunities of a CLP coding pales beside the constraints imposed by the land itself. Its steep, hilly and mountainous terrain is isolated, high, cold and wet. It is environmentally fragile, geologically unstable (lying across the two higher landslip hazardous zone) and highly flammable.³³ It is difficult to envisage how a significant development could be built that is able to mitigate the risk of its catching fire without clearing its surrounds—requiring a major impact on the park's sometimes sensitive and protected vegetation. Its slopes are unsuitable for most building; its valleys are subject to flooding and its flat upland plateau may be snow- and ice-bound. There is no sewer, no mains water, and only one public road. Power and telecommunications cabling service The Springs and The Pinnacle only. Obtaining significant water abstraction rights would be problematic. The lack of infrastructure—itsself demonstrating the constraints—further reduces the land's development capability.

In addition to this natural unsuitability, long-established planning constraints leave few development options compatible with the land's zoning (for Environmental Management), reservation status (akin to a national park) and planning controls (the WPMP). The iterations of the Park's management plan have generally reduced development capability to achieve the goal of enhancing the naturalness of the Park. HIPS captures the justification for this diminution: “To recognise and protect the historic cultural heritage significance of listed places, precincts, landscapes and areas of archaeological potential by regulating development that may impact on their values, features and characteristics.”

ENDNOTES

- 1 Burra Charter Article 2.4
- 2 Three on the Domain and three around the mountain at Bracken Land, Pilling Drive and Ferntree.
- 3 Over 100 places with local heritage significance were identified in the Hobart Management Area of Wellington Park and its near environs by the Audit and Inventory survey *Focus on the Fringe*. See also ENSHRINE's report *The Invisible Mountain* available online at [Listthemountain](#).
- 4 Wellington Park is reserved for the purpose of: (c) "The preservation or protection of the natural beauty of the land or of any features of the land of natural beauty or scenic interest; and (d) ... any features of the land being features of historical, Aboriginal, archaeological, scientific, architectural or geomorphological interest." (WPMP page 3.) "Conserving these places for present and future generations is [also] in accord with the principle of inter-generational equity" according to the Burra Charter.
- 5 WPMP page 79
- 6 Historic heritage sites specifically include: "The original water supply pipeline (1831 Diversion canal); sites of convict resource exploitation including forestry, mining and farming; The Springs complex, ice houses, the Stockade, the network of original hut sites, other small buildings and shelters, monuments and features; Pinnacle Road, walking tracks, the sites of importance for scientific study (eg the Mount Wellington summit and Wragge's Observatory); and Mountain Park sites where the conflicting demands of place, of aesthetics, visitors, environmental awareness and the utilitarian need for 'resources', were disputed." WPMP page 77–79.
- 7 Advice to enshrine from HCC Council officers in 2020
- 8 This requirement has been confirmed during meetings Enshrine has held with both state and federal heritage bodies.
- 9 WPMT page 141, 142, 145, 157, 172 and 189. For example: "The self-regulating nature of the Park's ecological processes means that it is not so much the natural values themselves that need management, but rather human activity..." (WPMP p20) and "almost all bushfires affecting the Park have been caused by humans" [p46] and page 27, 53, 54 and etcetera.
- 10 The Burra Charter's *Preamble*
- 11 *Southern Tasmanian Regional Land Use Strategy* page 20
- 12 ENSHRINE has held Aboriginal Heritage Tasmania and the Tasmanian Aboriginal Centre as key stakeholders and regularly informs them of its proposal process since its inception.
- 13 All of the quotations are from chapter 9 of *Southern Tasmanian Regional Land Use Strategy*, CV 3 and CV 2.4, both on page 40
- 14 WPMP page 123
- 15 Hobart Interim Planning Scheme Table E13.4
- 16 The layering is animated in the ENSHRINE video map accessible at [Listthemountain.org/nominations/maps-and-boundaries](#) or on youtube at <https://youtu.be/6aUzSVz0TSs>
- 17 *Historic Landscape Values of Mount Wellington, volume 2 pages 104–109 [WPMT 2010]*
- 18 Hobart's Fire Protection Plan (2017), Bushfire Risk Assessment Model maps page 30
- 19 Search Tasmania's Landslip Hazard Areas online
- 20 *Wellington Park Management Plan* page 49
- 21 *Southern Tasmanian Regional Land Use Strategy* page 37
- 22 *ibid* page 37
- 23 *ibid* page 37
- 24 The development of a Historic Heritage Management Plan is in accord with, and explicitly desired by the *Wellington Park Management Plan*, at page 79 and 80 and elsewhere.
- 25 "Significant areas of threatened vegetation communities, flora and fauna species, habitat for threatened species and places important for building resilience and adaptation to climate change [be] recognised and protected" is a regional strategic goal under *Southern Tasmanian Regional Land Use Strategy*.
- 26 At HIPS 8.1 (vi)
- 27 No 'occupation' of the land is requested with the CLP.
- 28 Here is the only one we can imagine: a heritage overlay might conflict with an EMZ. In non-threatening situations heritage considerations would trump the EMZ, but where human life was at stake the EMZ considerations would prevail. Consistency is retained.
- 29 The proposed CLP does not concern or require 'the construction of infrastructure over Council land consequently the General Manager need not 'seek an opinion or report from an expert body regarding the impact on Council assets, or Council's capacity to deliver services on that land.'
- 30 The Burra Charter
- 31 Council is required to take heritage considerations into account while deciding upon development applications, but if a place of known heritage significance is not listed, the development application process can be interrupted by 11th hour nominations and even stop work orders—accurate acknowledgement dramatically reduces this likelihood.
- 32 Compatible use means a use which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance." *Burra Charter* Article 7.2 Any new use or development proposed within the cultural landscape overlay should be required to describe the potential impact on the elements of the landscape identified in Table 1 as of 'high' or of 'some' cultural value and, if required, the methods to be taken to avoid or mitigate impacts. In terms of siting options for development, the management plan gives preference to the use of previously disturbed sites and as far as possible directs new facilities/uses to areas that have already been disturbed. Where new sites are to be used, the emphasis is on minimum impact and maximum restoration, choosing areas which are most environmentally resistant—of which there are many.
- 33 LUPA (at 3.0.6) recognises and requires development to minimise "the risk of loss of life and property from: (h) bushfires (g) flooding and (j) possible effects of land instability. All three of these environmental hazards exist in the proposed CLP. These environmental hazards restrict the ability of the proposed precinct to be used for most developments.