

# TASMANIAN PLANNING COMMISSION

Our ref: DOC/24/68409  
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4 April 2024

Ms Indra Boss  
Clarence City Council  
By email: [cityplanning@ccc.tas.gov.au](mailto:cityplanning@ccc.tas.gov.au)

Mr Mat Clark  
MC Planners  
By email: [mat@mcplanners.com.au](mailto:mat@mcplanners.com.au)

Dear Ms Boss and Mr Clark

**Tasmanian Planning Scheme - Clarence**  
**Draft amendment PDPSPAMEND-2021-019004**  
**Rezone 30 Holland Court, Howrah from Community Purpose to General Residential**  
**and a permit for 8 lots**

I refer to the above combined draft amendment and planning permit and to a hearing held at the Commission's office in Hobart on 3 April 2024 which was adjourned.

The Commission gives the following directions.

**Draft amendment**

1. The applicant and the planning authority are to provide to the Commission a submission (jointly, if possible) confirming the final zone modifications sought for 30 Holland Court, Howrah (the subject site), specifically:
  - the part of the site (identified as lot 101 on the subdivision plan), to be zoned Public Open Space (what is the spatial extent of this zone on the site, and what is the rationale for this?); and
  - the part of the site (identified as the road lot on the subdivision plan) that contains the pathway running adjacent to the highway reserve (is this to be zoned Utilities or General Residential zone?).

**Permit**

2. The applicant is to provide to the Commission a submission that confirms the modifications sought to the lot layout in the subdivision plan as discussed at the hearing, and this includes revised versions of the following:
  - subdivision plan;
  - concept services plan;
  - bushfire hazard management report and plan, with approval by the Tasmania Fire Service (TFS);
  - natural values assessment; and

- noise impact assessment.

Issues to address include:

- residual public open space contribution, if required;
  - the required bushfire hazard management areas and ability of all new lots to provide for BAL-19 building areas;
  - the recommendations from the TFS regarding new cul-de-sac design standards;
  - resolution of the existing pathway along the adjacent highway reserve, and associated zoning of this land; and
  - adhesion of public open space lot to Council owned Kunyah Reserve.
3. The applicant and the planning authority are to provide a submission (jointly, if possible) on the draft permit conditions that addresses matters discussed at the hearing, including:
- a. Condition 1 - identify the (to be) endorsed plans and reports, including the bushfire hazard management plan report, natural values assessment, and noise impact assessment, and list in this condition;
  - b. Condition 2 - confirm it is appropriate to delete this condition;
  - c. Condition 3 - confirm it is appropriate to delete this condition;
  - d. Condition 4 - revise to consider:
    - inclusion of trees on lot 8 in the first dot point;
    - defining the meaning of Rw in the second dot point; and
    - insertion of a new dot point to consider identification of hazard management areas for future lot owners of lots 6, 7 and 8 as recommended in the TFS approved bushfire hazard management plan.
  - e. Condition 5 - review considering landowner and planning authority to discussions;
  - f. Condition 7 - review wording to consider relevance to proposed subdivision, as discussed at the hearing;
  - g. Condition 8 - confirm it is appropriate to delete this condition;
  - h. Condition 9 - review to consider the relevance of the road lot;
  - i. Condition 10 - confirm it is appropriate to delete this condition;
  - j. Condition 21 - review to clarify the intent and purpose;
  - k. Potential new condition - consider a new condition requiring a post and wire fence to delineate the boundary between the public open space lot and lot 7;
  - l. Potential new condition - consider a new condition dealing with the adhesion of the public open space lot with Kunyah Reserve title; and
  - m. any other matter arising from the discussions considered appropriate.
4. The Commission requests the planning authority to send a copy of the final subdivision plan and concept services plan to TasWater seeking a revised SPAN.

The submissions are to be provided to the Commission by close of business on **29 April 2024**.

Response submissions from parties are to be provided to the Commission by close of business on **13 May 2024**.

Closing submissions

As agreed at the hearing, the Commission invites all parties to make a written closing submission (if any) on the combined draft amendment and planning permit to the Commission by **20 May 2024**.

All submissions must be made by email to [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au). Once received, the submissions referred to above will be made available under the [relevant assessment](#)<sup>1</sup> on the Commission's website.

Please note that submissions will be published in full, without redaction.

If the hearing is to be reconvened, the Commission will advise the parties and publish a notice.

If you require further information please contact Lauren O'Brien, Planning Adviser on 6165 6813.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'CHynes', is positioned below the text 'Yours sincerely'.

Claire Hynes  
**Delegate (Chair)**

cc all parties

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<sup>1</sup> <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/AP-CLA-PDPSPAMEND-2021-019004>