

Mary-Ann Edwards

From: Office of the Secretary (StateGrowth) <ots@stategrowth.tas.gov.au>
Sent: Monday, 5 August 2019 3:28 PM
To: switch
Subject: Letter from Mr Kim Evans - Secretary of State Growth re. State Growth submission - Central Coast Council - Draft Local Provisions Schedule
Attachments: Letter from Mr Kim Evans - Secretary of State Growth submission - Central Coast Council - Draft Local Provisions Schedule.PDF

Dear Ms Ayton,

Please find attached correspondence from the Secretary of the Department of State Growth.

Kind Regards
Hayley

Hayley Followes | Executive Officer
Office of the Secretary | Department of State Growth
4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
Phone: +61 3 6165 5019 |
www.stategrowth.tas.gov.au

DEPARTMENT OF STATE GROWTH COURAGE TO MAKE A DIFFERENCE THROUGH:



CONFIDENTIALITY NOTICE AND DISCLAIMER

The information in this transmission may be confidential and/or protected by legal professional privilege, and is intended only for the person or persons to whom it is addressed. If you are not such a person, you are warned that any disclosure, copying or dissemination of the information is unauthorised. If you have received the transmission in error, please immediately contact this office by telephone, fax or email, to inform us of the error and to enable arrangements to be made for the destruction of the transmission, or its return at our cost. No liability is accepted for any unauthorised use of the information contained in this transmission.

Department of State Growth

4 Salamanca Place, Hobart TAS 7000
GPO Box 536, Hobart TAS 7001 Australia
Ph 1800 030 688 Fax (03) 6233 5800
Email info@stategrowth.tas.gov.au Web www.stategrowth.tas.gov.au



Ms Sandra Ayton
General Manager
Central Coast Council
PO Box 220
Ulverstone TAS 7315

By email: admin@centralcoast.tas.gov.au

Tasmanian Planning Scheme – Central Coast Draft Local Provisions Schedule

Dear Ms Ayton

Thank you for your invitation to comment on the draft Central Coast Local Provisions Schedule (LPS). The Department of State Growth (State Growth) has reviewed the draft LPS, and supporting mapping and overlay information and believes it largely reflects a sound translation from the *Central Coast Interim Planning Scheme 2013* in accordance with the Tasmanian Planning Commission's Guideline No. 1 Local Provisions Schedule (LPS): zone and code application.

However, a detailed review has highlighted a small number of issues that will require rectification or further discussion with Council officers, particularly in terms of ensuring the application of appropriate zoning to the State Road network. I have outlined each of the issues in the attached document for your consideration.

Please do not hesitate to contact Di Gee, Manager, Major Initiatives on (03) 6165 5346 or email at Di.Gee@stategrowth.tas.gov.au who can arrange for relevant officers to meet with Central Coast Council staff to discuss these issues further.

Yours sincerely

Kim Evans
Secretary

5 August 2019

Attachment 1. Central Coast Council – Draft Local Provisions Schedule

State Road Network

All State Roads should be zoned Utilities in accordance with the *Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application* issued by the Tasmanian Planning Commission under section 8A of the *Land Use Planning and Approvals Act 1993*. Under Zone Application Guidelines for the Utilities Zone -

UZ 1 The Utilities Zone should be applied to land that is used, or intended to be used, for major utilities infrastructure, including:

- a) category 1, 2, 3, 4 and 5 roads as defined in the Tasmanian State Road Hierarchy published by the Tasmanian Department of State Growth;*
- b) any listed major local roads;*
- c) future road corridors for major local and all State roads;*
- d) energy production facilities, such as power stations, and major electricity substation facilities;*
- e) waste water treatment plants; or*
- f) rail corridors.*

UZ 2 The application of the Utilities Zone to category 1, 2, 3, 4 or 5 roads as defined in the Tasmanian State Road Hierarchy should be based on the 'State Road Casement' layer published on the LIST.

State Growth has developed the State Road Casement layer, which was published on the LIST in 2018 to assist Councils in drafting their LPSs. The layer sought to clearly identify land forming part of the State road network for inclusion in the Utilities Zone.

The principles for development of the State Road Casement layer were as follows:

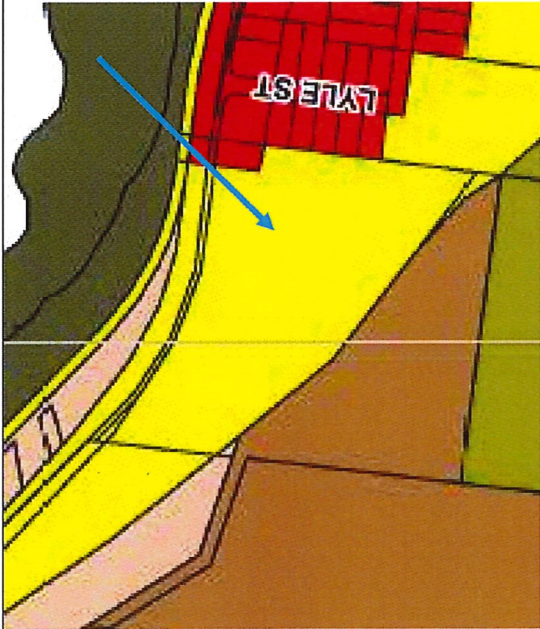
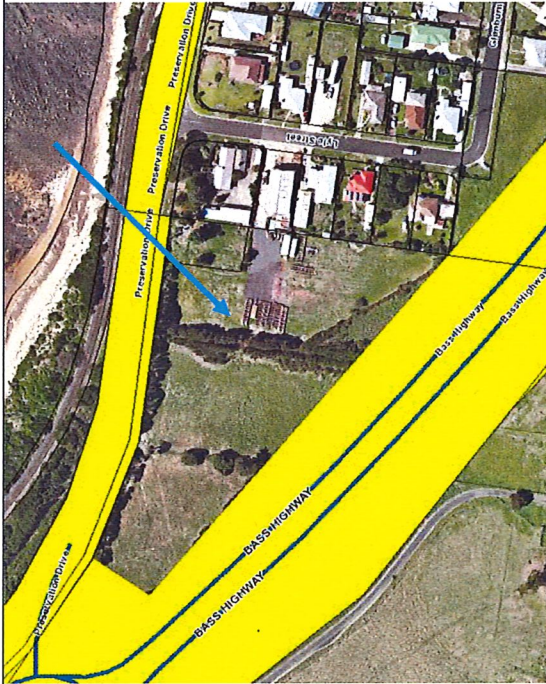
- Category 1, 2 & 3 Roads under the State Road Hierarchy are the priority.
- Zone boundaries are generally based on State road proclamation boundaries – this where the land is designated as a State highway or subsidiary road under the *Roads and Jetties Act 1935*, although excess land may have been acquired at the time the road was built or upgraded.
- In general the Utilities Zone is applied to the width of road reserve parcel with the following exceptions where:
 - Proclamation differs to cadastral boundaries
 - State Growth does not own the underlying land but the proclamation sits over it = 'right of user road' (fence line to fence line or other distinguishing features, 2.5m from edge of works, see s.9 of *Highways Act 1951*).
 - Land surplus to the State road network is identified as suitable for divestment into private (or public) ownership.
 - Land is required for future roadworks (may extend onto private land).

The layer also sought to update the Utilities Zone applying to the State Road network in the Interim Schemes in circumstances where State Growth had undertaken a number of road upgrades requiring land acquisitions. Frequently, these were small pieces of land alongside existing roads required for road widening, curve improvements, junction upgrades and similar, but could also include greenfield sites. There are also a number of situations where State Growth has (often historically) acquired a larger area of land than required for a new road reserve – this land is not functionally part of the road and it is more appropriate to apply or retain the adjacent zoning such as Rural or General Residential to enable use of the land for that purpose, where deemed appropriate.

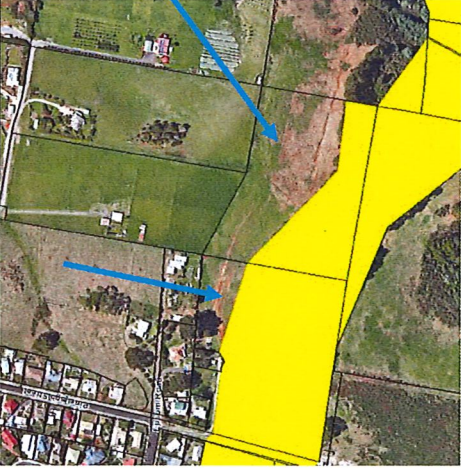
A review of the LPS Zoning Maps indicates the zoning of the Bass Highway and other State Roads is not based on the State Road Casement as published on the LIST.

As the submission affects all the State Road Casement along the Bass Highway and other State roads, it is not possible to provide a comprehensive list of all affected land as part of this submission. However, several examples are provided in table 1 below of State Growth-owned land that does not form part of the State Road network. Additional detail will be provided at the hearing relating to specific parcels that State Growth requests consideration for rezoning from Utilities.

Table 1. Example of potential zoning changes based on State Road casement mapping

Map No.	Location	Proposed LPS Mapping	State Road Casement Mapping	Issues/Comment
Map 2	Sulphur Creek Part of CT 123065/3			Not part of State road network and suitable for urban development. Recommend rezone to General Residential.


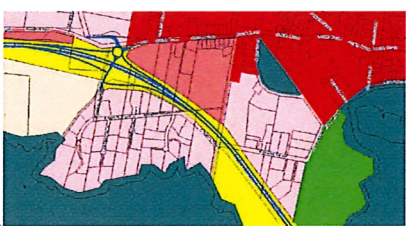
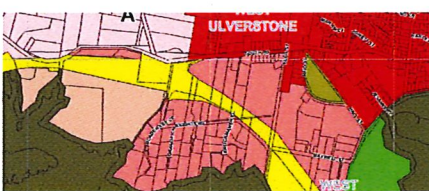
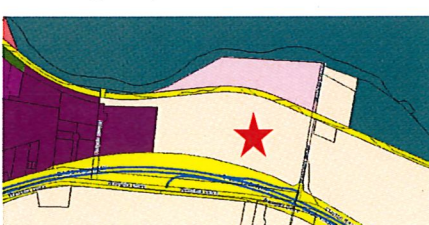

Map 2	Sulphur Creek Part of CT 199745/1			Not part of State road network and suitable for residential development. Recommend rezone to General Residential.
Map 3	Sulphur Creek Part of CTs 109809/1 and 109809/3			Not part of State Road network and suitable for alternative use and development. Recommend rezone CT 109809/1 to General Residential or Rural. Recommend rezone CT 109809/3 to Rural.

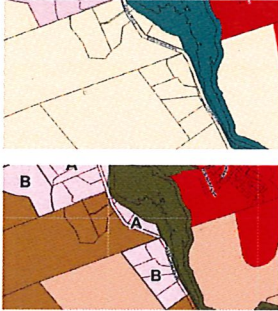
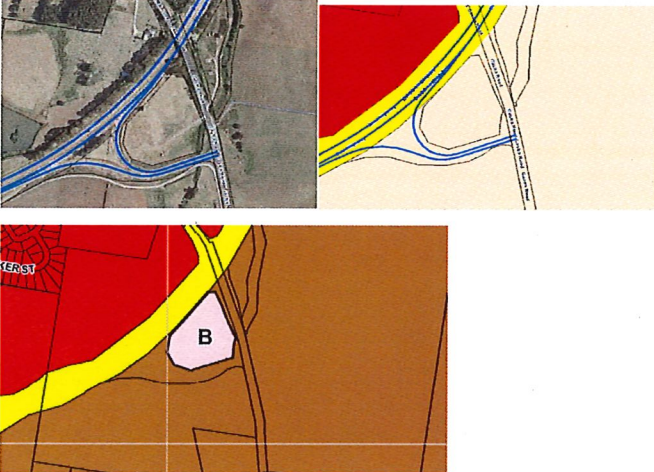
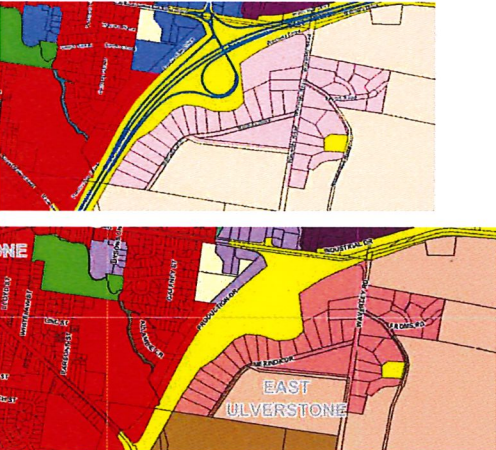
Map 4	Penguin Part of CTs 175618/1 and 29463/1		<p>Not part of State Road network and suitable for alternative use and development.</p> <p>Recommend rezone to Rural.</p>
-------	---	--	---

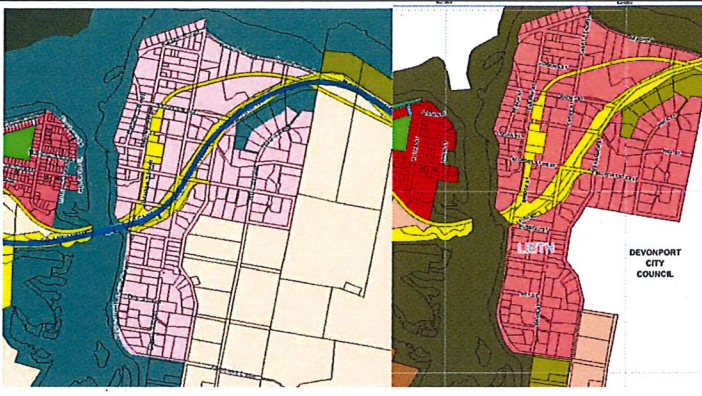

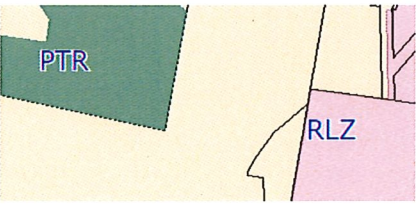
State Growth comments on individual zoning maps

Please note, State Growth has only provided comments on zoning maps for which an issue has been identified.

There are no comments on the overlay maps.

No	Title	Issues / Variations
Zoning of Land (Municipal)		
Map 5		<p>The proposed zoning change will see significant areas of future agricultural land re-zoned to Rural. Has Council undertaken strategic work in relation to the value of this land to the agricultural estate?</p> 
Map 6		<p>Large areas of Rural Living have been rezoned to Low Density Residential adjacent to the Bass Highway. This will see an intensification of residential uses adjacent to a major freight and passenger corridor.</p> <p>Current below</p>  <p>LPS below</p> 
Map 7		<p>In relation to the proposed change from Rural Resource zoned land (PID 3196908) east of Ulverstone to Light Industrial, has any strategic work been undertaken to address the traffic impacts off Maskells Road to the Bass Highway?</p>  
Map 8		<p>Rural Resource parcels changed to Rural Living B. This introduces Residential land adjacent to Rural, with potential for land use conflicts.</p>

No	Title	Issues / Variations
		
Map 9	East Ulverstone	<p data-bbox="520 479 1390 577">Existing Rural Resource zoned land located within the off-ramp has been changed to Rural Living. This land is adjacent to the Bass Highway and is not an appropriate location for residential development.</p>  <p data-bbox="520 1088 1390 1187">Proposed change to existing Rural Living zoned land adjacent to the Bass Highway, to Low Density Residential. This would see an intensification of residential development adjacent to the Bass Highway.</p> 
Map 11	Turners Beach	<p data-bbox="520 1682 1390 1771">Proposed zoning change near Leith, from Rural Living to Low Density Residential, will allow increased residential development close to the Bass Highway and other State Roads.</p>

No	Title	Issues / Variations
		
Map 15	Kimberleys Road, Ulverstone	<p>Change of scheme zoning within 1000m of 2047P/M due east from Rural to Rural Living. This site operates with a Level 2 permit, and has a large crushing facility with some blasting. There are historic and current issues associated with residences encroaching on the activity, and complaining about noise, dust etc. This proposed change may further increase the issues at this site.</p>  <p>Change of zoning 600m north of 703P/M from Rural to Rural Living, together with land across the road from Rural to Community Purpose (Ulverstone lawn cemetery). This is a Level 1 operation with steady extraction.</p> <p>In both the draft LPS and the Interim Scheme there is a property (PID 6764343) containing a Private Timber Reserve (PTR ID 3505). The PTR is approximately 230m from a Rural Living Zone. The attenuation distance for wood processing works is 250m.</p> 
Map 17		<p>1402p/m currently Utilities going forward no change. However, Extractive industries are not permitted in this zone, (council owned Mining lease). Consider rezoning.</p> 