

TASMANIAN PLANNING COMMISSION



Our ref: DOC/20/104013
Officer: Johanna Edwards
Phone: 03 6165 6811
Email: tpc@planning.tas.gov.au

13 November 2020

By email

Dear Sir/Madam

Circular Head draft Local Provisions Schedule

I am writing to advise that a hearing for the Circular Head draft Local Provisions Schedule (draft LPS) has been convened.

You are invited to appear at the hearing to be held in the Circular Head Council, 33 Goldie Street, Smithton on:

- Tuesday 1 December 2020 at 9.30am;
- Wednesday 2 December 2020 at 9.30am; and
- Thursday 3 December 2020 at 9.30am (if required).

This is **not** a directions hearing as a directions hearing is not considered necessary.

The hearing is held into the representations made in relation to the draft LPS and recommendations about the representations by the Circular Head planning authority under section 35F of the *Land Use Planning and Approvals Act 1993* (section 35F report). You are encouraged to read the recommendations about your representation in the section 35F report which is available for viewing on the [Commission website](#)¹.

Details of the hearing will be published in the Advocate and Examiner newspapers this Saturday. Information on the general procedure followed at Commission hearings is available on the [Commission website](#)².

If you intend to appear at the hearing to support the matters raised in your representation, please complete the [attached form](#)³ and return it, by email or post, to the Tasmanian Planning Commission, GPO Box 1691, Hobart, 7001 by the close of business on **19 November 2020**. If you intend to appear at more than one session, please complete a form for each session.

¹ www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/lps-cir-tps.

² www.planning.tas.gov.au/assessments-and-hearings/faqs

³ www.planning.tas.gov.au/_data/assets/pdf_file/0005/582215/Form-No.-2-Hearing-attendance-for-parties,-updated-12-August-2020.PDF

Hearing schedule

Due to COVID-19 restrictions on numbers in hearing and meeting rooms, a draft hearing schedule has been prepared setting out matters proposed to be heard at particular times. The draft schedule is attached. Note that you have the option of attending the hearing in person, or via phone or video conference. Also note that, although the matters addressed by your representation have been listed at a particular time, if you do not wish to appear, it is not mandatory for you to do so.

Prior to the hearing the Commission will have read your representation, any supporting documentation and the planning authority's response. The purpose of the hearing will be for you to elaborate on any matters raised in your representation and to respond to the planning authority's section 35F report if you wish to do so.

Commission directions for further information

Preliminary consideration by the Commission has identified issues that require further information or clarification as follows:

The planning authority is requested to provide a written submission detailing:

- (a) further justification for recommending a site-specific qualification (SSQ) for the Landscape Conservation Zone, in response to representations 9 (21096 Bass Highway, Wilshire) and 16 (486 Marcus River Road, Marrawah), specifically addressing section 32(4) of the *Land Use Planning and Approvals Act 1993*;
- (b) the proposed drafting for the two proposed Site Specific Qualification's for the properties in (a) above;
- (c) further clarification of the section 35F report response to 12d – Attenuation distances for development of sensitive uses, noting that the recommendation does not appear to match the issue raised in the representation; and
- (d) further advice about the proposed removal of the Future Coastal Refugia overlay, specifically how this is consistent with the LPS requirements in LP 1.7.5 with reference to NAC 4c, to justify the recommendations for 12b and 12c.

The Commission requests that this information be provided to the Commission by close of business on **24 November 2020**. Submission to the Commission is to be by email to tpc@planning.tas.gov.au.

Procedure for further submissions

If other parties wish to provide further submissions, in the interest of natural justice and procedural fairness, please provide these at least seven days prior to the hearing in accordance with the Commission's [Practice Note 14](#).

Otherwise, you can provide a written summary of your submission to the Commission at the hearing. The Commission will determine if further information or evidence is required and will advise by written direction following the hearing. You are requested not to provide submissions following the hearing unless directed to do so by the Commission.

Publication of submissions

Once received, submissions requested by the Commission will be made available on the Commission website.

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

This website will be the primary portal for exchanging information.

If you require further information please contact Johanna Edwards Planning Adviser, on 6165 6811.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sandra Hogue'. The signature is fluid and cursive, with a large initial 'S' and a long, sweeping tail.

Sandra Hogue
Acting Executive Commissioner