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Enquiries: Planning Department
Planning ref: Local Provision Schedule

15 January 2021

Executive Commissioner
Tasmanian Planning Commission

Email to: tpc@planning.gov.au

Attention: Mr John Ramsay, Chair, Delegated Assessment Panel

Dear Sir

GLAMORGAN SPRING BAY LOCAL PROVISIONS SCHEDULE

Response to Directions

Please see the following response to the directions request issued by the Chair of the Delegated Assessment Panel dated 18 December 2020.

If you wish to discuss this response, please contact me, on 0418 597 997 or by return email.

Yours sincerely

Mick Purves

Senior Planning Consultant

Response to Post Hearings Directions, 18 December 2020

The following response is provided to the Commission directions, issued on 18 December, concerning matters identified in the hearings. Documentation was obtained from the Iplan website, per advice contained in advice from the Commission.

Direction 1 – LCZ for various areas

Council confirms that the various areas within the five different representations should be zoned landscape conservation as detailed in the following.

Area 1

The road reservation, which appears to be vested with the Crown, can be defined by the title boundary established for the property to the east, 1683069, CT113932/7.

Area 2



Parks and Wildlife Service Land (left below), by prolongation of northern boundary of CT 204129/1 to intersect with CT113933/9, which forms the northern extent of the Onshore Water Body included within Area 5.



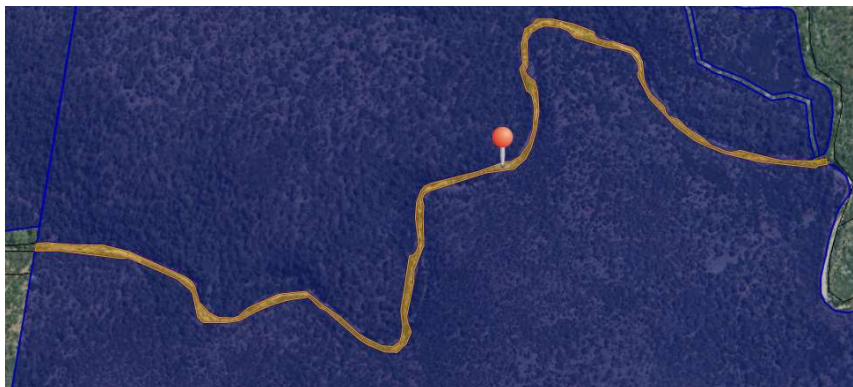
Area 3

Reserved road, by extension within surrounding boundaries of CT122884/1, and all of FR 55/5363.



Area 4

By extension of northern boundary of CT204511/1 to include all of the onshore water body and join CT248115/1.



Area 5

All of the land identified in the list parcel Onshore Water Body within the extent of the Landscape conservation zone, plus adjoining lands identified as DPIPWE (Crown Land Services) where within the area (terminations shown in red).



Area 6

The western boundary of CT202456/1 should be prolonged to intersect the northern boundary of CT240267/1 and match adjoining zone boundary, as shown in red following:



Area 7

All of the land identified as reserved road between the two portions of each of CT170049/7 and CT170049/6, between the western and eastern extents of the titles respectively.



Zoning of acquired roads FR 55/5363, 12404/2, 12404/3 and 12404/4

All of the subject folios of register should be located in the Landscape Conservation zone.

Direction 2 – PVO for representation 15

Email consent from the representor/owner of the land is provided at **Attachment 1** to this report.

Direction sought how the split zoning of FR102171/1 should be delineated. The subject FR comprises two original grants, 1362 and 24822. The Pinion Advisory report identifies part of the subject title by the UPI reference 0624. LISTmap identifies UPI 0624 as north of a line between the following points based on GDA94:

Criteria	Point 1	Point 2
Lat, Lon (DD):	-41.98253 148.01401	-41.97483 148.03462
Lat, Lon (DMS):	-41°58'57.1" 148°0'50.4"	-41°58'29.4" 148°2'4.6"
Lat, Lon (DDM):	-41°58.95' 148°0.84'	-41°58.49' 148°2.08'
MGA Zone 55:	584001E 5351667N	585719E 5352500N
MGA Zone 55:	840516	857525
Web Mercator:	16476843.9E -5158362.43N	16479138.48E -5157210.23N

Direction 3 – Saltwater Creek Flood Study

A copy of the report is attached as directed.

Please note that Council's concern comes because there is no ability to identify the limits or extents of the study and by definition, the limits of the land that was identified as being flood prone.

From an operational perspective, inclusion of such a limited study is counterproductive as it creates the expectation within the community that areas not identified on the overlay map are therefore not subject to flooding

Council does not object to the inclusion of flooding data per se, rather we object to the inclusion of such limited data in such a way that does not allow the limitations of that data to be made known to any person querying flooding information.

Direction 4 – Rheban Rd Future Urban

PA advises that the Waterway and Coastal Protection Area should be applied to the waterways through the subject lands, as identified on the '*Waterway and Coastal Protection Area Guidance Map*' published on the LIST. The width of the buffer should be 10 metres for consistency with the definition for Waterway and Coastal Protection Area and Table C7.3 of the State Planning Provisions.

Direction 5 – Fisheries PPZ

The PPZ will be delivered to the Commission by 22 January.

Issues with the standards for visitor accommodation, setbacks and scenic management / visual impact are being worked through with the representors and their consultant and will require a minor extension of time to resolve.

Direction 6 – 29 Tasman Highway, Triabunna

The PA advises that the ownership of the subject property changed to Mr Domonic Lee Wilson on 19 October 2020.

Council no longer wishes to pursue Light Industrial zoning of the subject property as a result of representation 58 from the former owner, Ms Leanne Woods.

Direction 7 – Priority Vegetation overlays

PA to advise extent of Priority Vegetation overlay to the following properties:

- a. 336 Okehampton Road, Triabunna folios of the Register 155176/1 and 155176/2 (representation 13);

The representor provided the dataset that resulted from their onsite surveys that supported their representation. Use of this data is allowed under guideline NAC 11(b).

- b. 17010 Tasman Highway, Bicheno folios of the Register 36272/1, 205249/1, 133587/1, 133587/2, 14560/1, 205248/1, 202452/1, 205250/1, 207554/1, 201034/1 (representation 23); and

The priority vegetation overlay should be applied to the subject properties in accordance with the Regional Ecosystem Model REM1804 that supports the Natural Assets Code. This is shown on Figure 1.

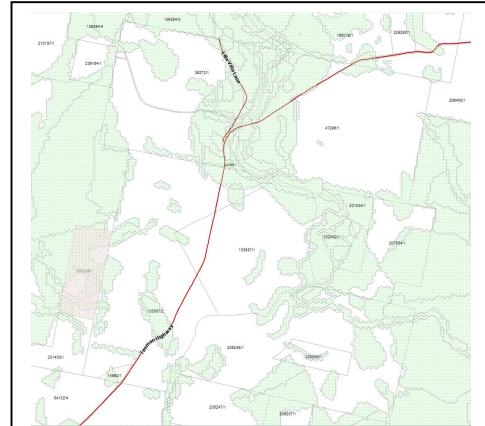


Figure 1 - Priority vegetation overlay
17010 Tasman Highway, Bicheno

- c. 13593 Tasman Highway folio of the Register 15395/3 (representation 50).

The priority vegetation overlay should be applied to the subject properties in accordance with the Regional Ecosystem Model REM1804 that supports the Natural Assets Code. This is shown on Figure 2.

While the area in the north western corner was discussed in the hearings as having no vegetated value, no evidence was presented to support these statements. Existing permits for the construction of a house will not be affected by inclusion of this area, which suggests there will be little detrimental impact.

Based on these issues, the PVO should be applied as shown in Regional Ecosystem Model dataset REM 1804.

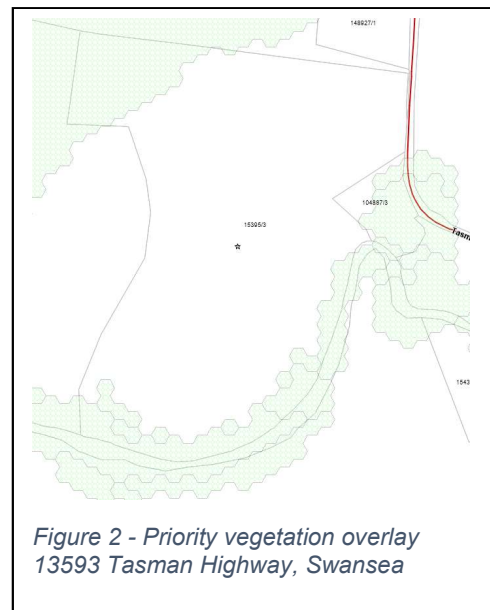


Figure 2 - Priority vegetation overlay
13593 Tasman Highway, Swansea

Direction 8 – Copy of permit SU07001

A copy of Planning Permit SU07001 and the associated endorsed plans are attached to the email for this advice.

Direction 9 – 65 Flacks Road, Coles Bay

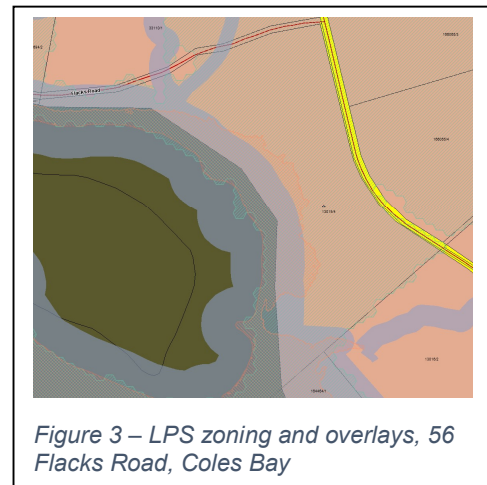
Council agreed to consider rezoning the subject property to Landscape Conservation following the request of the property owners during the hearing process.

The subject property has a conservation covenant (CPR10846) over the majority of the title and contains an existing house outside of that area. The covenant covers approximately 36.27 ha of the overall 37.73 ha area of the title (approximately 96%). The presence of the Conservation Covenant suggests that the requested zoning is consistent with guidelines LCZ 1 and 2(a).

The LPS mapping identifies that almost the entire property is covered by the Priority Vegetation Area and other overlays under the Natural Assets Code (refer Figure 3), which suggests that a single zone is preferred.

Council supports zoning the subject property Landscape Conservation in response to the request, or retaining the proposed Rural zone. Given the small area of land that is not within the conservation covenant and the uses that can be applied under the SPP's, split zoning is not supported.

If the Commission determines that the property should have a split zoning, then it is logical to establish the zoning boundary to correspond with the conservation covenant.



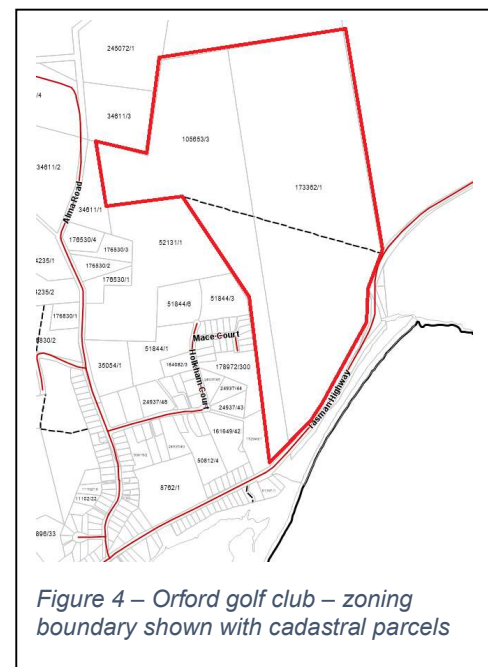
Direction 10 – Orford Golf Club

Review of the zoning maps for the LPS identifies that the zoning of the Golf club land is defined by established cadastral points that allow for the clear identification of the zoning boundary by permanent features, as required under the relevant practice note.

This is shown by the black line in Figure 4. The cadastral parcels owned by the golf club are outlined in red. While this line is somewhat north of the existing facilities, there are few other permanent features that allow for clear identification of the change in zoning within the property.

Given the permanent nature of the features that define the change in zoning, it is not considered appropriate to alter those points.

The zone boundary should stay where it was located on the published maps.

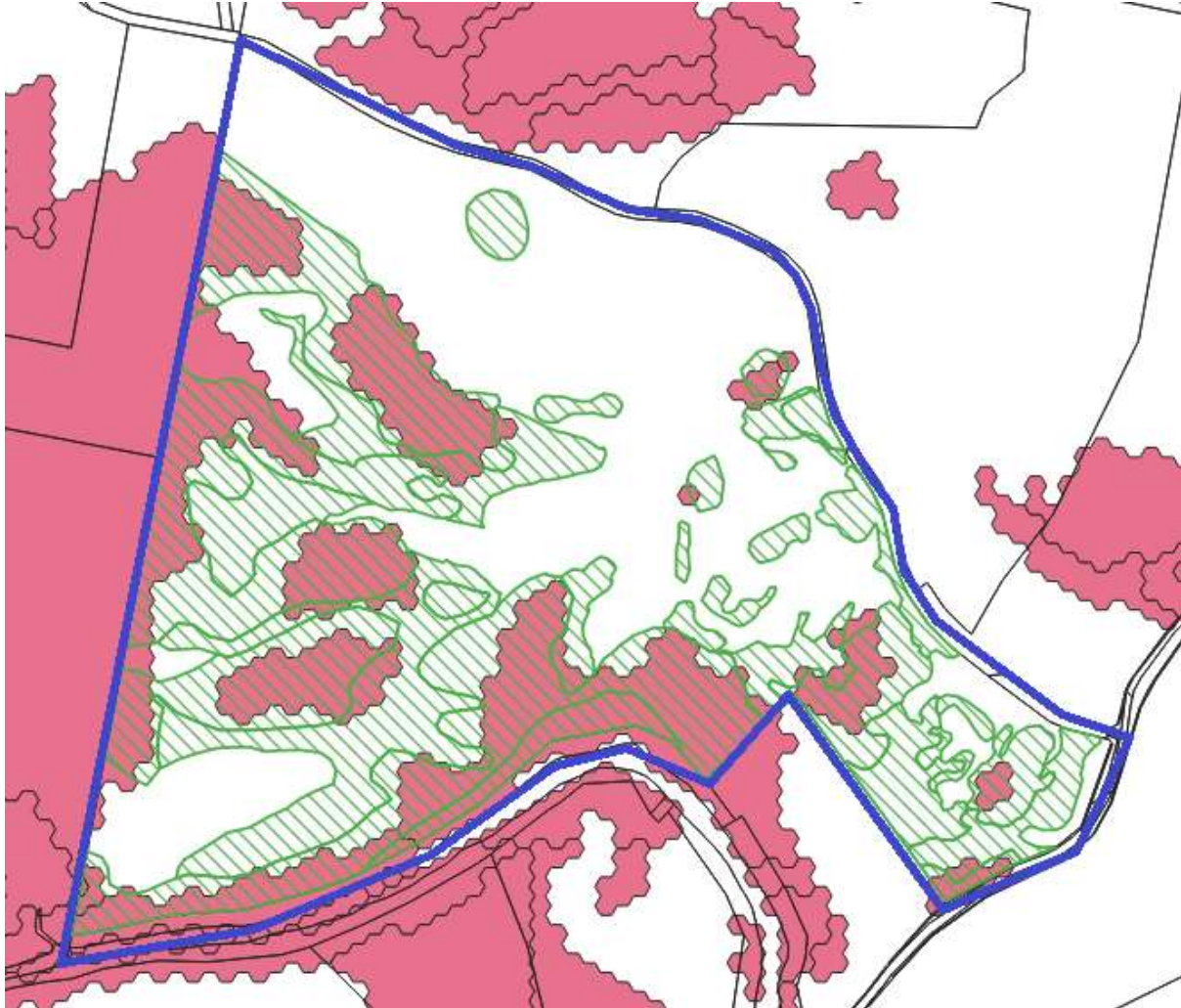


Direction 11 – PVAO 31 Bresnehan's Road, Little Swanport

Planning Authority to confirm the extent of the Priority Vegetation Area overlay that would apply to 31 Bresnehan's Road, Little Swanport folio of the Register 33784/7 (representation 48) if it was determined to apply the Environmental Management Zone.

Data provided from the representor was used to develop the following map for the property and allows the overlay to be linked to the supporting data. The property is outlined in blue, the REM data in dark pink and the TLC data in green hatching.

It is proposed that the Priority Vegetation Overlay applies to both the pink and the green areas.



This map was provided to the representor prior to submission to the Commission.

Attachment 1 – Direction 2 - Representor consent

From: adam@galaestate.com.au <adam@galaestate.com.au>
Sent: Wednesday, 23 December 2020 11:32 AM
To: Mick Purves <mick.purves@freycinet.tas.gov.au>
Subject: RE: Rural zoning for your property and Priority Vegetation overlay

Hi Mick

I agree to Priority Veg Areas be applied.

Is there anything I need to sign

Cheers

Adam Greenhill

From: Mick Purves <mick.purves@freycinet.tas.gov.au>
Sent: Tuesday, December 22, 2020 12:12 PM
To: 'adam@galaestate.com.au' <adam@galaestate.com.au>
Subject: Rural zoning for your property and Priority Vegetation overlay

Good morning Adam

The Commission held its hearings into the Glamorgan Local Provisions Schedule and issued directions on 18 December, as attached for your information (refer Attachment A).

Direction 2 requires Council to provide advice about application of the Priority Vegetation overlay to your lands that you asked to be rezoned Rural as part of the process. Attached is a draft response to the issue, which includes an extract of the mapping for the subject property that informs the Priority Vegetation Overlay.

Your supporting reports relied on UPI numbers to identify properties, which sought rezoning of the land north of the red line on Figure 1. This is the same land that the priority vegetation overlay would need to apply to.

The Commission asked whether you agreed with application of the Priority Vegetation overlay to the rezoned lands, as noted at b. on the attached document.

The Guidelines require that the Priority Vegetation Areas are applied within the Rural zone. If you agree to application of the Priority Vegetation Overlay, the Commission can consider the rezoning of the land. Owners consent is required for this type of change to avoid a convoluted process established under the Act that requires notification of the change for another 60 days.

Please advise whether you agree to applying the Priority Vegetation Overlay as noted in the attached draft response so that I can confirm my response to the Commission, which must be submitted by 15 January. I require your response by 12 January to allow the delegate to authorise my response.

If you have any questions, please call me on 0418 597 997 or email.

Thanks and regards

Mick Purves
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(3 days per week)
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E: mick.purves@freycinet.tas.gov.au