

# TASMANIAN PLANNING COMMISSION



Our ref: DOC/19/131420  
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22 November 2019

To:  
Brighton Council  
Michael Ball (obo Ms S M Roberts)(rep 18),  
Mark Jakins (rep 20)  
Jenna Pogorzelski (rep 27)  
Aaron Wells (rep 39)  
David and Phillipa McCulloch (rep 19)

Dear

## **Brighton draft Local Provisions Schedule**

I refer to the written representations made on the Brighton draft Local Provisions Schedule (draft LPS) when it was publicly exhibited and the hearings held by the Tasmanian Planning Commission (the Commission) on 14, 15, 19 and 20 November 2019.

I also refer to the planning authority's report under section 35F of the *Land Use Planning and Approvals Act 1993* (s.35F report) on the representations and its recommendations about the representations, and a further submission made by the planning authority on 7 November 2019 in response to directions issued by the Commission by letter dated 23 October 2019.

At the hearings, the Commission identified matters in relation to the representations, the planning authority's s.35F report and further submission, which it seeks further information about from the planning authority.

The Commission directs the planning authority to provide to the Commission, by close of business on or before **3 December 2019**, a submission on the following matters:

1. Regarding the recommendation in the s.35F report on pages 17-20 about 110 Baskerville Road, Old Beach (174865/1):
  - (a) advise the recommended subdivision minimum lot size (A, B, C or D as described in Table 11.1 of the State Planning Provisions (SPPs)) that should apply to the land if it were to be rezoned from Agriculture Zone to Rural Living Zone;
  - (b) clarify the recommended zoning of the 2 areas shown with yellow hatching on the diagram on page 18 of the s.35F report;
  - (c) clarify the location of any recommended split zone boundaries via a map and description consistent with the Commission's Practice Note no.7;
  - (d) clarify how the Priority Vegetation Area overlay would be applied to the land via a map;
  - (e) clarify that the recommendation in the s.35F report affects land beyond the representor's land at 110 Baskerville Road, in particular 160 and 166 Baskerville Road, Old Beach; and

- (f) provide a copy of the submission on this matter to Michael Ball (obo Ms S M Roberts), Mark Jakins, and Jenna Pogorzelski (representors 18, 20 and 27 respectively).
- 2. Regarding the recommendation in the s.35F report on pages 26-28 and in the further submission about 356 Baskerville Road, Old Beach:
  - (a) clarify the location of any recommended split zone boundaries between the Rural Living Zone B and Landscape Conservation Zone, as discussed at the hearing with Aaron Wells (representor 39), via a map and description consistent with the Commission's Practice Note no.7; and
  - (b) provide a copy of the submission on this matter to Aaron Wells (representor 39)
- 3. Regarding the recommendation in the s.35F report on pages 53-54 and in the further submission about 14 Tarquin Road, Old Beach:
  - (a) clarify the location of any recommended split zone boundaries between the Rural Living Zone A and Landscape Conservation Zone, as discussed at the hearing with David McCulloch (representor 19), via a map and description consistent with the Commission's Practice Note no. 7; and
  - (b) provide a copy of the submission on this matter to David and Phillipa McCulloch (representor 19).

Any party wishing to make a written response submission must provide an electronic version to the Commission and to the planning authority (Brighton Council) by email to [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au) and [David.Allingham@brighton.tas.gov.au](mailto:David.Allingham@brighton.tas.gov.au) no later than close of business on **Tuesday, 10 December 2019**.

If the hearing is to be reconvened on any matter, the Commission will advise the parties.

All submissions will be published on the iplan website:  
<https://www.iplan.tas.gov.au/Pages/XC.Track.Assessment/SearchAssessment.aspx?id=788>.  
Please note that submissions will be published in full, without redaction.

If you require further information, please contact Claire Wolf, Planning Adviser, on 03 6165 6818.

Yours sincerely



Roger Howlett  
**Delegate (Chair)**