

10.3 DRAFT AMENDMENTS TO LATROBE LOCAL PROVISIONS SCHEDULE-REPORT UNDER SECTION 40K LUPPA 1993

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Note: The Report Author does not have a pecuniary interest in the subject matter

AUTHORISING MANAGER: Jan Febey, Manager Development and Regulatory Services

REPORT CLASS: Public/Open

DATE OF REPORT: 06 December 2023

FILE NO: N/a

ATTACHMENTS:

1. Attachment 1 - S.40 K Report - Draft Substantial Modification Amendments - Response to Representatio [10.3.1 - 14 pages]
2. Attachment 2 - Latrobe Draft LPS - Notified Amendments [10.3.2 - 25 pages]
3. Attachment 3 - Representations Compiled [10.3.3 - 31 pages]

PURPOSE OF REPORT

For Council to consider the representations to a number of draft amendments to the Latrobe Local Provisions Schedule and provide recommendations to the Tasmanian Planning Commission, pursuant to the requirements set out in Section 40K of the *Land Use Planning & Approvals Act* (LUPAA) 1993.

BACKGROUND INFORMATION

The Tasmanian Planning Commission (TPC) issued its decision on the Latrobe Draft Local Provisions Schedule (LPS) on 16 March 2023 which required a number of modifications to be made.

The Latrobe LPS became operational on 10 May 2023.

As part of its decision, the TPC issued a notice pursuant to section 35KB that a number of 'substantial modifications' were to be made to the LPS after it became operational and that Council was to prepare those modifications as individual draft amendments.

The draft amendments were prepared and endorsed by Council at its July 2023 Ordinary Meeting and were placed on public exhibition between 21 August and 18 September 2023. Affected landowners and adjoining landowners were directly notified of the draft amendments by mail.

The notified draft amendments are included in Attachment 2 to this report, however are summarised as follows:

Draft amendment 1.1

Apply the Rural Living Zone (subdivision category D) to a number of properties in the Port Sorell, Squeaking Point and Thirlstone areas;

Draft amendment 1.2

Apply the Priority Vegetation Area overlay to 200 Parkers Ford Road, Port Sorell and adjoining road reserves;

Draft amendment 1.3

Apply the Priority Vegetation Area overlay to 111 Mill Dam Road, Port Sorell;

Draft amendment 2.1

Apply the Rural Living Zone (subdivision category D) to a number of properties in Latrobe;

Draft amendment 3.1

Apply the Rural Living Zone (subdivision category A) to three properties at Tarleton (*Note: the s.40K report describes an error in the TPC notice where the correct category is D*);

Draft amendment 3.2

Delete LAT-S3.0 Tarleton Specific Area Plan;

Draft amendment 4.1

Apply the Agriculture Zone to a number of properties at Latrobe and remove the Priority Vegetation Area overlay;

Draft amendment 5.1

Apply the Open Space Zone to a number of properties at Latrobe;

Draft amendment 6.1

Insert an Attenuation Area overlay map for the Latrobe Speedway;

Draft amendments 7.1 and 7.2

Insert a Site-Specific Qualification over 8659 Bass Highway, Latrobe (Ampol Wattle Hill) and associated mapping;

Draft amendments 8.1 and 8.2

Insert a Site-Specific Qualification over 9 Conservatory Road, Sassafras and associated mapping;

Draft amendments 9.1, 9.2 and 9.3

Zone the Devonport Airport land Particular Purpose Zone and insert associated provisions including a defined term overlay into the LPS.

PROPOSAL/SUMMARY

At the conclusion of the exhibition period, 12 representations had been received.

Section 40K of the LUPAA requires the planning authority to prepare a report in regard to the representations to notified LPS draft amendments containing:

- a copy of each representation made;
- a statement of the planning authority's opinion as to the merit of each representation made, in particular as to:
 - whether the draft amendment should be modified to take into account the representation; and
 - if recommended to be modified, the effect of implementing that recommendation on the draft amendment and LPS as a whole;
- a statement as to whether the planning authority is satisfied that the draft amendment to the LPS meets the LPS criteria; and
- any recommendation of the planning authority in relation to the draft amendment.

The recommendations of the planning authority may be based on (but are not limited to) whether:

- a provision of the draft amendment of an LPS is inconsistent with a provision of the SPPs; or
- the draft amendment of an LPS should, or should not, apply a provision of the SPPs to an area of land; or
- the draft amendment of an LPS should, or should not, contain a provision that an LPS is permitted to contain under section 32 of the LUPAA.

Section 40L of the LUPAA provides that the TPC may dispense with the holding of a hearing into a draft amendment if it is satisfied that representations are in support of the draft amendment, or that a draft amendment did not receive any representations and the public interest would not be prejudiced.

Given that the draft amendments are a result of consideration of representations to the Latrobe Draft LPS and other matters relating to the content of the Latrobe Draft LPS that have been discussed in hearings, it is reasonable to request that the TPC dispense with hearings in regard to the draft amendments that did not receive any representations and those that received representation only in support.

The draft amendments that did not receive representations are:

- Draft amendment 1.2
- Draft amendment 2.1
- Draft amendment 5.1
- Draft amendment 6.1
- Draft amendments 7.1 and 7.2

Draft amendments 8.1 and 8.2 received only one representation in support.

The representations received are considered in regard to each individual draft amendment in Attachment 1 to this report, which forms the planning authority report pursuant to section 40K of the LUPAA.

RELATIONSHIP WITH STRATEGIC PLANNING AND POLICY

The Latrobe Council Strategic Plan 2020 - 2030 provides the following objectives and strategies that are relevant to the development and implementation of the Tasmanian Planning Scheme, inclusive of the Latrobe LPS:

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| Objective 1.1: | Provide leadership and advocacy on behalf of our community |
| Strategy 1.1.1: | Engage with State, Regional and Local Government bodies to promote local projects and development opportunities and resolve strategic issues affecting the municipal area. |
| Objective 2.1: | Identify, promote, and support business and economic development opportunities |
| Strategy 2.1.2: | Actively promote the municipal area as an ideal location to conduct business and commerce. |
| Strategy 2.1.3: | Support and assist developers in identifying and managing opportunities for business growth and development. |
| Objective 2.2: | Promote, develop, and support tourism activities |
| Strategy 2.2.2: | Support the development of appropriate short term visitor accommodation. |
| Objective 4.1: | Effectively manage land use planning and building services |
| Strategy 4.1.1: | Work with other levels of government and regional stakeholders on regional development and planning issues. |
| Strategy 4.1.3 | Implement the recommendations of the Port Sorell and Environs Strategic Plan Review 2019. |
| Strategy 4.1.7 | Implement the new Latrobe Planning Scheme as part of the Tasmanian Planning Scheme Framework. |

Council's consideration of the representations to the notified draft amendments, which are a result of the assessment of the Latrobe Draft LPS, takes into account the local objectives and strategies expressed in the Strategic Plan 2020 – 2030.

LEGAL AND RISK IMPLICATIONS

Latrobe Council, as a planning authority, is required by the Land Use Planning & Approvals Act 1993 to implement the Tasmanian Planning Scheme through the preparation of a Local Provisions Schedule. This

includes the process of preparing and notifying the draft amendments to substantially modify the Latrobe LPS, in accordance with the notice issued by the TPC in its decision on the Latrobe Draft LPS.

Council is obliged under the legislation to participate in the process and support the position it takes in regard to its consideration of the representations. Not participating in the process would risk a decision by the TPC that may be contrary to Council's strategic objectives.

FINANCIAL IMPLICATION

As Council presently does not have a Strategic Planner on staff, resources will be required for consultant assistance to progress the draft amendments to the Latrobe LPS through the hearings of the TPC, to the decision and implementation. An allocation for strategic planning work has been made in the current operating budget.

PUBLIC/CUSTOMER IMPLICATIONS

Refer to comments under Consultation.

SOCIAL/ENVIRONMENTAL IMPLICATIONS

The consideration of matters raised in the representations takes into account numerous social and environmental aspects that are inherent in the operation of a planning scheme and in the implementation of local strategies, to the extent possible in the context of the Tasmanian Planning Scheme statutory process and the allowable contents of a Local Provisions Schedule.

The draft amendments largely reflect Council's prior submissions to the TPC process for assessment of the Latrobe Draft LPS.

CONSULTATION

The legislation required that the draft amendments to the Latrobe LPS were to be publicly notified in two Saturday editions of the Advocate newspaper and placed on Council's website for a period of 28 days. The newspaper advertisements were undertaken on 19 and 26 August 2023 and an article was placed on Council's website under 'Latest News' for the full, public exhibition period.

In addition to the statutory notification requirements, a letter was sent to each affected property owner and adjoining landowners, notifying that the draft amendments to the Latrobe LPS were on public exhibition and where to access the documents for viewing and the timeframe for making a representation.

OPTIONS FOR COUNCIL TO CONSIDER

The planning authority may:

- a. endorse the report as recommended;
- b. modify the recommendation relating to specific representations and provide associated reasons;
or
- c. not endorse the report.

OFFICER'S COMMENTS/CONCLUSION

The matters raised in the representations are addressed in accordance with the requirements of section 40K of the LUPAA in Attachment 1 - *Planning Authority Report – S.40K Land Use Planning & Approvals*

The report groups representations under each individual draft amendment, with a small number of representations submitting to more than one draft amendment.

As discussed above, section 40L. of the LUPAA provides that the TPC may dispense with the holding of a hearing if there are no representations to a draft amendment and the public interest is not prejudiced, or if there are only representations in support. The recommendation includes a request to the TPC to dispense with the holding of hearing for those draft amendments where this is the case.

RECOMMENDATION

That the report by the Manager Development and Regulatory Services concerning Draft Amendments to Latrobe Local Provisions Schedule-Report Under Section 40K LUPPA 1993, be received and:

1. Endorse as the Planning Authority report, pursuant to Section 40K of the Land Use Planning & Approvals Act 1993;
2. Council requests that the Tasmanian Planning Commission dispense with the holding of a hearing into the following draft amendments:
 - Draft amendment 1.2
 - Draft amendment 2.1
 - Draft amendment 5.1
 - Draft amendment 6.1
 - Draft amendments 7.1 and 7.2
 - Draft amendments 8.1 and 8.2
3. Council delegate to the General Manager its powers and functions to:
 - a) modify the report submitted under Recommendation 1 if a request or a direction for further information is received from the Tasmanian Planning Commission; and
 - b) represent the planning authority at hearings of the Tasmanian Planning Commission pursuant to Section 40L. of the Land Use Planning & Approvals Act 1993.

PLANNING AUTHORITY REPORT – S.40K LAND USE PLANNING & APPROVALS ACT 1993 – RESPONSE TO REPRESENTATIONS TO DRAFT
SUBSTANTIAL MODIFICATION AMENDMENTS - LATROBE LOCAL PROVISIONS SCHEDULE

| Draft Amendment 1.1 – Apply the Rural Living Zone to multiple properties at Port Sorell, Shearwater, Squeaking Point and Thirlstone | |
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| Representation 1. | E Powlett - East Glen, Port Sorell |
| Matters Raised | <p>Does not object to Rural Living Zone D over CT's 34572/3 and 30184/3, however is opposed to allowance of a greater density.</p> <p>Queries timing of amendment notification.</p> <p>Disputes submissions to LPS process that a link road is wanted by the East Glen residents, due to the increase in traffic and geometry of East Glen Rd and potential impacts on the broader road network.</p> |
| Consideration of Merits | <p>Agreement to Rural Living Zone D is noted.</p> <p>The time taken to the notification of the amendment following the decision of the TPC on the Latrobe Draft LPS is due to the statutory processing time in the preparation of the amendments, liaison with the TPC and certification of the amendments at a Council meeting.</p> <p>All representors will be notified directly by the TPC of forthcoming hearings with a 'request to be heard' form for lodgement.</p> <p>Submissions regarding road capacities are noted, however this amendment only provides the ability to achieve one additional lot by subdivision on CT30184/3, which takes access from Hawk Hill Road. Concerns regarding traffic and the capacity of roads to absorb increased loads would be considered as part of any proposal to amend the LPS in the future to provide for additional development.</p> <p>At this stage, Council does not have a position on the densification of the subject titles as the area is subject to further strategic investigations, which will be publicly consulted with the Port Sorell/Shearwater/Hawley community.</p> |
| Recommendation | It is recommended that the draft amendment is not modified in response to the representation. |
| Effect on Draft Amendment and LPS as a Whole | No modification recommended – Not applicable. |
| LPS Criteria | The planning authority is satisfied that the draft amendment meets the LPS criteria. |
| Representation 2. | Veris obo H & M Dorling - East Glen, Port Sorell |
| Matters Raised | Supports Rural Living Zone being applied, however requests that CT34572/3 be zoned Rural Living Zone A. |

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| | <p>Submits that the strategic directions in the CCRLUS are outdated in regard to population predictions for the area and that evidence has been provided previously that there is insufficient land supply for rural residential land use. Provides a supporting letter from a local real estate agent in support.</p> <p>The submission references the Port Sorell Strategic Plan 2008 as identifying the land for rural residential land use and that the Strategic Plan was aligned to Rural Living Zone A.</p> <p>The development of the site together with land to the north, provides for an alternate vehicular access from Shearwater and Hawley.</p> |
| Consideration of Merits | <p>Draft Amendment 1.1 follows the decision of the TPC on the Latrobe Local Provisions Schedule, whereby a number of substantial modifications were to be progressed as individual amendments, in consideration of representations that were made to the Latrobe Draft LPS.</p> <p>Consistent with the response provided to submissions made to the Latrobe Draft LPS, Council's local strategic planning is not yet sufficiently advanced to support Rural Living A zoning at this time, as the local project to analyse the demand and supply of land, including rural-residential land, is not yet complete. As such, there is not yet a sufficient evidence basis to justify the enabling of additional rural-residential lots, noting the equity issues in consideration of a number of parcels at Port Sorell that are also subject to this amendment.</p> <p>In addition, matters relating to land demand and supply are only a part of the broader strategic consideration of appropriate density and lot arrangements in the locality, with issues relating to the road and pedestrian network, downstream stormwater management and visual and natural landscape management also currently under analysis.</p> <p>When the comprehensive analysis of these matters is complete and consultation undertaken with the Port Sorell community is undertaken, Council will settle its strategic position in regard to appropriate future density of development.</p> |
| Recommendation | It is recommended that the draft amendment is not modified in response to the representation. |
| Effect on Draft Amendment and LPS as a Whole | No modification recommended – Not applicable. |
| LPS Criteria | The planning authority is satisfied that the draft amendment meets the LPS criteria. |
| Representation 3. | Veris obo S Greenhill - 111 Milldam Rd, Port Sorell |
| Matters Raised | Supports Rural Living Zone being applied, however requests that 13 hectares of 111 Mill Dam Rd be zoned Rural Living Zone A with the balance retained as Rural Living Zone D. |

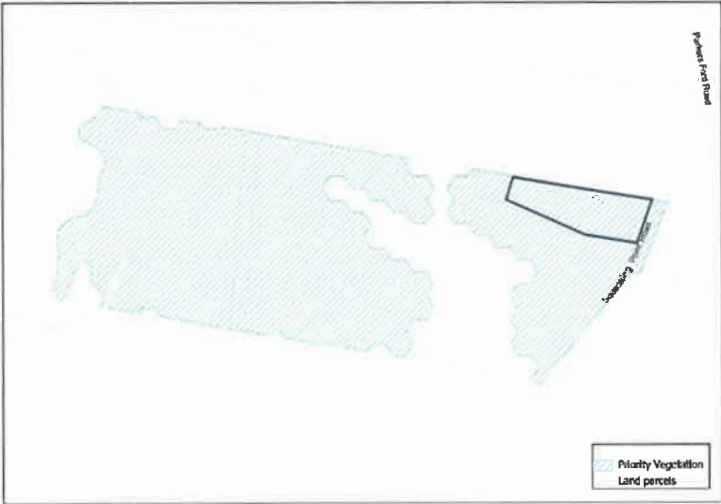
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| | <p>The representation submits that Rural Living Zone A and the enablement of subdivision will facilitate road connectivity between Mill Dam Rd and Panatana Drive.</p> <p>Submits that the strategic directions in the CCRLUS are outdated in regard to population predictions for the area and that evidence has been provided previously that there is insufficient land supply for rural residential land use. The submission references the Port Sorell Strategic Plan 2008 as identifying the land for rural residential land use and that the Strategic Plan was aligned to Rural Living Zone A.</p> |
| Consideration of Merits | <p>Draft Amendment 1.1 follows the decision of the TPC on the Latrobe Local Provisions Schedule, whereby a number of substantial modifications were to be progressed as individual amendments, in consideration of representations that were made to the Latrobe Draft LPS.</p> <p>Consistent with the response provided to submissions made to the Latrobe Draft LPS, Council's local strategic planning is not yet sufficiently advanced to support Rural Living A zoning at this time, as the local project to analyse the demand and supply of land, including rural-residential land, is not yet complete. As such, there is not yet a sufficient evidence basis to justify the enabling of additional rural-residential lots, noting the equity issues in consideration of a number of parcels at Port Sorell that are also subject to this amendment.</p> <p>In addition, matters relating to land demand and supply are only a part of the broader strategic consideration of appropriate density and lot arrangements in the locality, with issues relating to the road and pedestrian network, downstream stormwater management and visual and natural landscape management also currently under analysis.</p> <p>In regard to the land at 11 Mill Dam Rd, it has not yet been determined what the most appropriate layout of lots and density should be, nor the optimum location for a future road connection. When the comprehensive analysis of all of the relevant matters is complete and consultation undertaken with the Port Sorell community is undertaken, Council will settle its strategic position in regard to appropriate future arrangements for development.</p> |
| Recommendation | It is recommended that the draft amendment is not modified in response to the representation. |
| Effect on Draft Amendment and LPS as a Whole | No modification recommended – Not applicable. |
| LPS Criteria | The planning authority is satisfied that the draft amendment meets the LPS criteria. |
| Representation 4. | Veris obo L & K Woodhouse - 238 Parkers Ford Rd, Port Sorell |
| Matters Raised | Supports Rural Living Zone being applied, however requests that CT9398/3 be zoned Rural Living Zone A. |

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| | <p>Submits that the strategic directions in the CCRLUS are outdated in regard to population predictions for the area and that evidence has been provided previously that there is insufficient land supply for rural residential land use. It is submitted that the area is a popular lifestyle choice.</p> <p>The submission references the Port Sorell Strategic Plan 2008 as identifying the land for rural residential land use and that the Strategic Plan is aligned to Rural Living Zone A.</p> |
| Consideration of Merits | <p>Draft Amendment 1.1 follows the decision of the TPC on the Latrobe Local Provisions Schedule, whereby a number of substantial modifications were to be progressed as individual amendments, in consideration of representations that were made to the Latrobe Draft LPS.</p> <p>Consistent with the response provided to submissions made to the Latrobe Draft LPS, Council's local strategic planning is not yet sufficiently advanced to support Rural Living A zoning at this time, as the local project to analyse the demand and supply of land, including rural-residential land, is not yet complete. As such, there is not yet a sufficient evidence basis to justify the enabling of additional rural-residential lots, noting the equity issues in consideration of a number of parcels at Port Sorell that are also subject to this amendment.</p> <p>In addition, matters relating to land demand and supply are only a part of the broader strategic consideration of appropriate density and lot arrangements in the locality, with issues relating to the road and pedestrian network, downstream stormwater management and visual and natural landscape management also currently under analysis.</p> <p>When the comprehensive analysis of these matters is complete and consultation undertaken with the Port Sorell community is undertaken, Council will settle its strategic position in regard to appropriate future density of development.</p> |
| Recommendation | It is recommended that the LPS is not modified in response to the representation. |
| Effect on Draft Amendment and LPS as a Whole | No modification recommended – Not applicable. |
| LPS Criteria | The planning authority is satisfied that the draft LPS meets the LPS criteria. |
| Representation 5. | Veris obo T Bell – 200 Parkers Ford Rd, Port Sorell |
| Matters Raised | <p>Supports Rural Living Zone being applied, however requests that CT13993/1 be zoned Rural Living Zone A.</p> <p>Submits that the strategic directions in the CCRLUS are outdated in regard to population predictions for the area and that evidence has been provided previously that there is insufficient land supply for rural residential land use. It is submitted that the area is a popular lifestyle choice.</p> |

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| | The submission references the Port Sorell Strategic Plan 2008 as identifying the land for rural residential land use and that the Strategic Plan is aligned to Rural Living Zone A. |
| Consideration of Merits | <p>Draft Amendment 1.1 follows the decision of the TPC on the Latrobe Local Provisions Schedule, whereby a number of substantial modifications were to be progressed as individual amendments, in consideration of representations that were made to the Latrobe Draft LPS.</p> <p>Consistent with the response provided to submissions made to the Latrobe Draft LPS, Council's local strategic planning is not yet sufficiently advanced to support Rural Living A zoning at this time, as the local project to analyse the demand and supply of land, including rural-residential land, is not yet complete. As such, there is not yet a sufficient evidence basis to justify the enabling of additional rural-residential lots, noting the equity issues in consideration of a number of parcels at Port Sorell that are also subject to this amendment.</p> <p>In addition, matters relating to land demand and supply are only a part of the broader strategic consideration of appropriate density and lot arrangements in the locality, with issues relating to the road and pedestrian network, downstream stormwater management and visual and natural landscape management also currently under analysis.</p> <p>When the comprehensive analysis of these matters is complete and consultation undertaken with the Port Sorell community is undertaken, Council will settle its strategic position in regard to appropriate future density of development.</p> |
| Recommendation | It is recommended that the LPS is not modified in response to the representation. |
| Effect on Draft Amendment and LPS as a Whole | No modification recommended – Not applicable. |
| LPS Criteria | The planning authority is satisfied that the draft LPS meets the LPS criteria. |
| Representation 6. | Veris obo M & M Carter – 345 Squeaking Point Rd, Thirlstane |
| Matters Raised | <p>Supports Rural Living Zone being applied, however requests that CT13993/1 be zoned Rural Living Zone A.</p> <p>Submits that the strategic directions in the CCRLUS are outdated in regard to population predictions for the area and that evidence has been provided previously that there is insufficient land supply for rural residential land use. It is submitted that the area is a popular lifestyle choice.</p> |
| Consideration of Merits | Draft Amendment 1.1 follows the decision of the TPC on the Latrobe Local Provisions Schedule, whereby a number of substantial modifications were to be progressed as individual amendments, in consideration of representations that were made to the Latrobe Draft LPS. |

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| | <p>Consistent with the response provided to submissions made to the Latrobe Draft LPS, Council's local strategic planning is not yet sufficiently advanced to support Rural Living A zoning at this time, as the local project to analyse the demand and supply of land, including rural-residential land, is not yet complete. As such, there is not yet a sufficient evidence basis to justify the enabling of additional rural-residential lots, noting the equity issues in consideration of a number of parcels at Port Sorell that are also subject to this amendment.</p> <p>In addition, matters relating to land demand and supply are only a part of the broader strategic consideration of appropriate density and lot arrangements in the locality, with issues relating to the road and pedestrian network, downstream stormwater management and visual and natural landscape management also currently under analysis.</p> <p>When the comprehensive analysis of these matters is complete and consultation undertaken with the Port Sorell and surrounds community is undertaken, Council will settle its strategic position in regard to appropriate future density of development.</p> |
| Recommendation | It is recommended that the LPS is not modified in response to the representation. |
| Effect on Draft Amendment and LPS as a Whole | No modification recommended – Not applicable. |
| LPS Criteria | The planning authority is satisfied that the draft LPS meets the LPS criteria. |
| Representation 7. | Quinn – 168 Parkers Ford Rd, Port Sorell |
| Matters Raised | <p>Requests that CT9398/3 be zoned Rural Living Zone A as the land was previously zoned Rural Residential under a prior planning scheme. A prior application for the site for rural residential purposes was rejected on the basis of being located outside of Port Sorell Strategic Plan expansion boundary.</p> <p>The representation submits that there is insufficient supply to satisfy demand for rural residential use.</p> |
| Consideration of Merits | <p>Draft Amendment 1.1 follows the decision of the TPC on the Latrobe Local Provisions Schedule, whereby a number of substantial modifications were to be progressed as individual amendments, in consideration of representations that were made to the Latrobe Draft LPS.</p> <p>Consistent with the response provided to submissions made to the Latrobe Draft LPS, Council's local strategic planning is not yet sufficiently advanced to support Rural Living A zoning at this time, as the local project to analyse the demand and supply of land, including rural-residential land, is not yet complete. As such, there is not yet a sufficient evidence basis to justify the enabling of additional rural-residential lots, noting the equity issues in consideration of a number of parcels at Port Sorell that are also subject to this amendment.</p> |

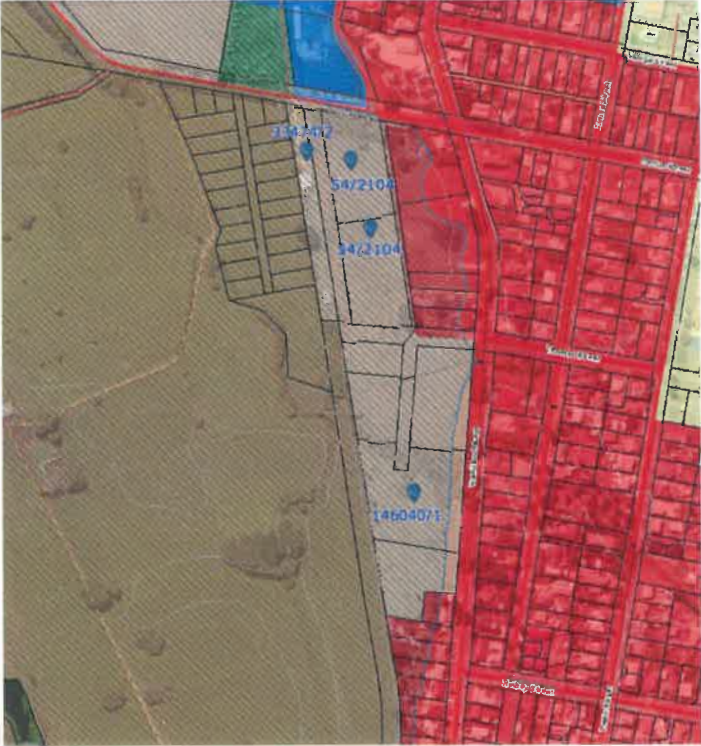
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| | <p>In addition, matters relating to land demand and supply are only a part of the broader strategic consideration of appropriate density and lot arrangements in the locality, with issues relating to the road and pedestrian network, downstream stormwater management and visual and natural landscape management also currently under analysis. In this regard, due to the different context for the Tasmanian Planning Scheme, the prior extent of the Port Sorell Strategic Plan may not correlate with new analysis under contemporary circumstances in regard to defining if, where and how growth occurs.</p> <p>When the comprehensive analysis of these matters is complete and consultation undertaken with the Port Sorell and surrounds community is undertaken, Council will settle its strategic position in regard to appropriate future density of development.</p> |
| Recommendation | It is recommended that the LPS is not modified in response to the representation. |
| Effect on Draft Amendment and LPS as a Whole | No modification recommended – Not applicable. |
| LPS Criteria | The planning authority is satisfied that the draft LPS meets the LPS criteria. |
| Draft Amendment 1.3 - Priority Vegetation Area overlay - 111 Mill Dam Rd, Port Sorell | |
| Representation 3. | Veris obo S Greenhill – 111 Mill Dam Rd, Port Sorell |
| Matters Raised | Supports the application of the Priority Vegetation Area overlay. |
| Consideration of Merits | Support is noted. |
| Recommendation | It is recommended that the LPS is not modified in response to the representation. |
| Effect on Draft Amendment and LPS as a Whole | No modification recommended – Not applicable. |
| LPS Criteria | The planning authority is satisfied that the draft LPS meets the LPS criteria. |
| Draft Amendment 1.4 - Priority Vegetation Area overlay - 345 Squeaking Point Rd, Thirlstane | |
| Representation 6. | Veris obo M & M Carter - 345 Squeaking Point Rd, Thirlstane |
| Matters Raised | Submits for a modified application of the Priority Vegetation Area overlay. Vegetation assessment report provided. |
| Consideration of Merits | The vegetation assessment provides only for an assessment of the threatened species <i>Cassinia rugata</i> , which occurs in a defined area of approximately 7500m ² in the north east corner of the property. The extract of the notified amendment below shows the proposed |

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| | <p>priority vegetation area overlay with the approximate area of the known extent of the threatened species on the property shown in dark outline. It is noted that a substantive portion of the property has been cleared since the threatened species assessment was undertaken, with a protected area maintained around the <i>Cassinia rugata</i>.</p> <div data-bbox="613 379 1332 885"></div> <p>Figure 1.4 – Application of the Priority Vegetation Area overlay at Squeaking Point Road</p> <p>The PVA report for the site (attached) lists the PVA values as relative rarity, remnant vegetation, threatened flora and threatened fauna significant habitat, based on the Regional Ecosystem Model (REM)that underpins the overlay.</p> <p>Whilst it is noted that the site has been substantively cleared, there is no qualified assessment of the values described in the PVA report to demonstrate the extent to which these value may, or may not be present. The REM includes buffering of vegetation andit cannot be determined the extent to which the identified values are diminished by prior land clearance.</p> <p>Until such time as a qualified assessment addresses the values identified in the PVA overlay, it is not recommended that the overlay be modified. If further qualified natural values assessment is provided, modification of the overlay can be considered.</p> |
| Recommendation | It is recommended that the LPS is not modified in response to the representation. |

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| Effect on Draft Amendment and LPS as a Whole | No modification recommended – Not applicable. |
| LPS Criteria | The planning authority is satisfied that the draft LPS meets the LPS criteria. |
| Draft Amendment 3.1 – Apply the Rural Living Zone to three properties at Tarleton | |
| Representation 8. | J Turner - Tarleton |
| Matters Raised | <p>Requests detailed information to be provided by Council which appears to relate to future subdivision outcomes. Opposes rezoning if detailed subdivision information is not available.</p> <p>Raises concerns relating to the significance of agricultural and natural biodiversity assets, submitting that the agricultural land under consideration plays a vital economic and resource role.</p> <p>The representation submits that the land has natural biodiversity and scenic value.</p> |
| Consideration of Merits | <p>It is noted that there is an error in the TPC issued notice under s.35KB(1) in its decision on the Draft Latrobe LPS that directs the planning authority to prepare an amendment to apply Rural Living Zone A to the three lots that are the subject of the proposed zoning change from Rural Zone to Rural Living Zone. The Council, in its representation to the Draft LPS submitted that Rural Living Zone D was the appropriate category, that it reflected the existing rural residential land use on two of the three lots and would prevent further subdivision until such time as Council had undertaken further strategic work in regard to rural residential land use. The TPC decision of 16 March 2023 agrees with Council's submission and the decision directs the application of Rural Living Zone D. It appears the notice is a typographical error.</p> <p>Rural Living Zone D prevents further subdivision and only allows for one additional dwelling to be constructed on CT107560/1, a vacant 7.2 hectare parcel which has a cleared area adjacent to Coal Mines Rd. The representation refers to agricultural land and resources, however the three titles are predominantly vegetated and two of which have dwellings. No agriculture is conducted on the three titles and the agricultural resource of adjoining farm land will not be compromised by the change in zoning.</p> <p>Rezoning the titles to Rural Living Zone D means that the Priority Vegetation Area overlay will continue to apply to any future development of the land and natural values will be assessed to determine impacts on biodiversity.</p> |
| Recommendation | It is recommended that the LPS is not modified in response to the representation. |
| Effect on Draft Amendment and LPS as a Whole | No modification recommended – Not applicable. |

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| LPS Criteria | The planning authority is satisfied that the draft LPS meets the LPS criteria. |
| Draft Amendment 3.2 - Deletion of the Tarleton Specific Area Plan | |
| Representation 9. | M Cunningham, G & T Connelly – 1 & 4 Champ St, Tarleton |
| Matters Raised | Support the deletion of the Tarleton Specific Area Plan |
| Consideration of Merits | Support is noted. |
| Recommendation | It is recommended that the LPS is not modified in response to the representation. |
| Effect on Draft Amendment and LPS as a Whole | No modification recommended – Not applicable. |
| LPS Criteria | The planning authority is satisfied that the draft LPS meets the LPS criteria. |
| Draft Amendment 4.1 - Apply the Agriculture Zone over multiple properties at Latrobe | |
| Representation 10. | O'Rourke Kelly obo S. Jones and Estate of T. Jones |
| Matters Raised | <p>Representation submits:</p> <p>CT 33474/2:</p> <ul style="list-style-type: none"> - the land is unsuitable for agriculture due to size and proximity to residential areas and has been previously used for equine training; - the land is not in common ownership with adjoining agricultural land; - permitted uses existing under the Rural Zone are compatible with the residential area. <p>GLD 54/2104:</p> <ul style="list-style-type: none"> - land borders a residential area and agricultural use may conflict; - land has been used for limited grazing, however lacks size, capability and water resources for any viable agricultural use; - permitted uses existing under the Rural Zone are compatible with the residential area. <p>CT 146040/1:</p> <ul style="list-style-type: none"> - land borders a residential area and agricultural use may conflict; - land has been used for limited grazing, however lacks size, capability and water resources for any viable agricultural use; |

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| | <p>- permitted uses existing under the Rural Zone are compatible with the residential area.</p> <p>The representation submits that Agriculture zoning will burden current and future owners of the land and will stifle opportunity for suitable development. Submission is made that the land should be considered for an alternate zoning to Agricultural Zone as the capability of the land is consistent with the directions under Guideline No. 1.</p> |
| Consideration of Merits | <p>The submissions made in regard to the individual capabilities of the titles for viable agricultural use are not disputed.</p> <p>However, reiterating Council's position in its section 35F report on the representations to the Latrobe Draft LPS, the application of zoning must take into account broader considerations than just land capability and agricultural viability. There are many titles throughout rural areas that are not individually viable for agriculture, that are part of the agricultural landscape and are appropriately zoned as part of that broader land use pattern.</p> <p>In considering which zone is most appropriate for land, particularly land on the peripheral edge of a settlement and adjoining residential areas, Council considers the range of uses enabled by a zone and the potential added complexities as a result of any overlays. In this case, the land is also subject to flood hazard. The map below pinpoints the subject titles over zoning and the flood prone area overlay.</p> <p>Council does not agree with the submission that permitted uses in the Rural Zone are compatible with residential areas. Council's consistent position is that the Rural Zone provides for a substantive number of permitted status uses that are industrial in nature, highly incompatible with nearby residential uses and under a permitted use status, cannot be assessed for appropriateness of location. Examples are extractive industry and processing of extracted materials, resource processing, contractors yard, fuel depot and woodyard. Many of these uses are also not appropriate to be located on a flood plain.</p> <p>It is noted that the Agriculture Zone allows for consideration of a number of non-agricultural uses under a discretionary status and considers the capability of the land in assessment of those proposals. Council does not agree with the position that the Agriculture Zone will 'stifle any opportunity for suitable development'.</p> <p>However, concerns regarding limitations over potential future uses are noted and Council is open to considering a site-specific qualification over the titles that would allow consideration of additional discretionary uses that are reasonably compatible with the adjoining residential area and can manage the flood hazard. A submission in this regard can be made to the TPC hearing process.</p> |

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| Recommendation | <p>It is recommended that the LPS is not modified in response to the representation. However Council is open to the consideration of additional discretionary uses if they are proposed by the landowner, through a site-specific qualification.</p> |
| Effect on Draft Amendment and LPS as a Whole | <p>No modification recommended. Further consideration of a site-specific qualification would affect the grouping of titles that are proposed to be changed to the Agriculture Zone through this amendment, however as an isolated grouping of titles, this would not affect the LPS as a whole.</p> |

Attachment 10.3.1 Attachment 1 - S.40 K Report - Draft Substantial Modification Amendments - Response to Representatio

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| LPS Criteria | The planning authority is satisfied that the draft amendment meets the LPS criteria. |
| Draft Amendment 8.1 and 8.2 – Apply Site-Specific Qualifications to 9 Conservatory Rd, Sassafras | |
| Representation 11. | G & V Mason – 9 Conservatory Rd, Sassafras |
| Matters Raised | Support the site-specific qualifications. |
| Consideration of Merits | Support is noted. |
| Recommendation | It is recommended that the LPS is not modified in response to the representation. |
| Effect on Draft Amendment and LPS as a Whole | No modification recommended – Not applicable. |
| LPS Criteria | The planning authority is satisfied that the draft LPS meets the LPS criteria. |
| Draft Amendment 9.1, 9.2 and 9.3 – Apply the Particular Purpose Zone to Devonport Airport (CT130335/1), insert LAT-P5.0 Particular Purpose Zone – Devonport Airport into the LPS and apply a Defined Terms overlay. | |
| Representation 12. | All Urban Planning obo Tasports |
| Matters Raised | Support the draft amendments for the Devonport Airport. |
| Consideration of Merits | <p>Support is noted.</p> <p>However, Council has further comment on the TPC directed substantial modification included in a draft amendment 9.3, relating to the defined term and overlay for the 'primary public access'. This inclusion has resulted from consideration of Council's revisions to the proposed PPZ for the airport, through the assessment of the Draft Latrobe LPS.</p> <p>In the Latrobe Draft LPS hearing, Council submitted that the purpose of including a standard relating to access and presentation was to ensure that as a major tourism gateway for the State, that entrance and egress from the site was treated with an appropriate degree of design attention to enhance the visitor experience through visual amenity. Council submitted that this was not just relevant to the current access driveway to the terminal building, but also to any potential change to a different access driveway alignment in the future, which could be quite possible when considering the potential interactions between the supporting industrial uses on the land and the domestic travel visitation to the site.</p> <p>As drafted by the TPC, the 'primary public access' defined term in standard <i>LAT-P5.6.4 Access Presentation and Landscaping</i>, only relates to the existing established access driveway. This means that any relocation of the access driveway to another part of the land</p> |

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| | <p>will not be subject to <u>any</u> requirements for landscaping or presentation. The defined term requires modification to ensure it also applies to any relocation of the 'primary public access' to the terminal building.</p> <p>Note: There is a typographical error in LAT-P5.6.4 – Objective (c) – superfluous 'and'.</p> |
| Recommendation | It is recommended that the LPS is not modified in response to the representation. However, Council recommends that the defined term 'primary public access' is modified to apply to any future relocation of the 'primary public access' to the terminal building. |
| Effect on Draft Amendment and LPS as a Whole | The recommendation affects the drafting of the TPC directed defined term which needs to be further considered to ensure that the intended effect of the standard is achieved. |
| LPS Criteria | The planning authority is satisfied that, subject to the recommendation, the draft LPS meets the LPS criteria. |

ATTACHMENT 2

LATROBE LOCAL PROVISION SCHEDULE AMENDMENTS

AMENDMENT 1.1

Apply the Rural Living Zone (subdivision category D) to the following properties as shown in Figure 1.1 below:

- a. 10 Charles Street, Squeaking Point folio of the Register 10582/2;
- b. 24 Charles Street, Squeaking Point folio of the Register 10582/3;
- c. 32 Charles Street, Squeaking Point folio of the Register 10582/4;
- d. 39 Charles Street, Squeaking Point folio of the Register 66812/2;
- e. East Glen, Port Sorell folio of the Register 34572/3;
- f. 83 Gardams Road, Port Sorell folio of the Register 117647/1;
- g. Gardams Road, Port Sorell folio of the Register 146335/1;
- h. 110 Hawk Hill Road, Shearwater folio of the Register 30184/3;
- i. 93 Milldam Road, Port Sorell folio of the Register 21090/1;
- j. 111 Milldam Road, Port Sorell folio of the Register 236837/1;
- k. 185 Milldam Road, Port Sorell folio of the Register 43520/1;
- l. 201 Milldam Road, Port Sorell folio of the Register 233672/1;
- m. 209 Milldam Road, Port Sorell folio of the Register 7172/3;
- n. 160 Parkers Ford Road, Port Sorell folio of the Register 132783/2;
- o. 168 Parkers Road, Port Sorell folio of the Register 9398/3;
- p. 200 Parkers Ford Road, Port Sorell folio of the Register 213993/1;
- q. 238 Parkers Ford Road, Port Sorell folio of the Register 20974/1;
- r. 241 Parkers Ford Road, Port Sorell folio of the Register 156549/1;
- s. Parkers Ford Road, Port Sorell folio of the Register 229447/1;
- t. 345 Squeaking Point Road, Thirstlane folio of the Register 227658/1 and part of the adjoining reserved road;
- u. 257 Woodbury Lane, Squeaking Point folio of the Register 66827/1;
- v. 264 Woodbury Lane, Squeaking Point folio of the Register 10716/1;
- w. 290 Woodbury Lane, Squeaking Point folio of the Register 10582/1;
- x. part of the reserved road adjoining the boundaries of 200 Parkers Ford Road, Port Sorell folio of the Register 213993/1;
- y. the reserved road adjoining the boundaries of 111 Milldam Road, Port Sorell folio of the Register 236837/1, 83 Gardams Road, Port Sorell folio of the Register 117647/1 and Gardams Road folio of the Register 146335/1; and
- z. adjoining public roads to the road centreline.

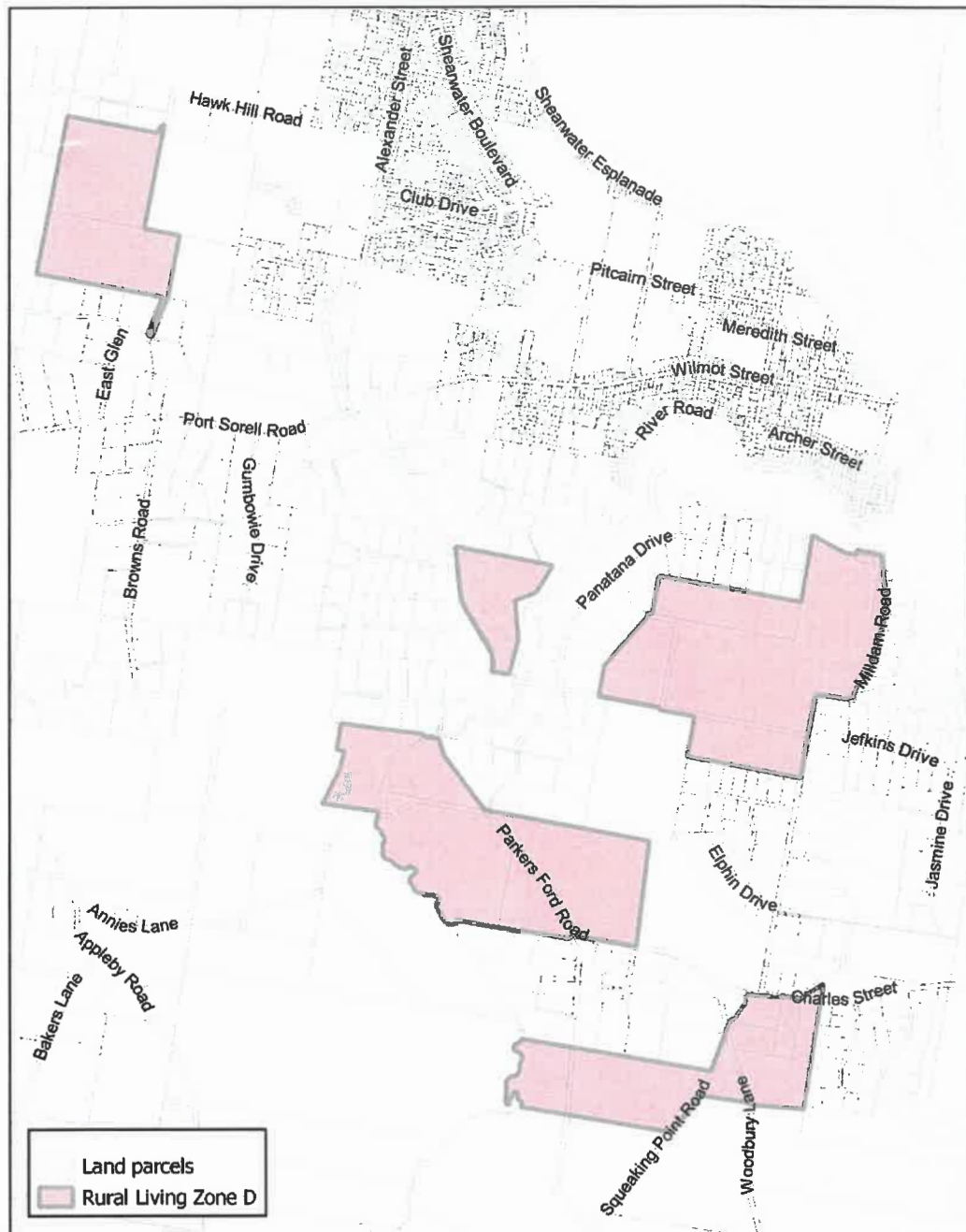


Figure 1.1 – Application of the Rural Living Zone (subdivision category D) at Port Sorell, Shearwater and Squeaking Point.

AMENDMENT 1.2

Apply the Priority Vegetation Area overlay to 200 Parkers Ford Road, Port Sorell folio of the Register 213993/1, the adjoining reserved, and the adjoining public road to the road centreline as shown in Figure 1.2 below:

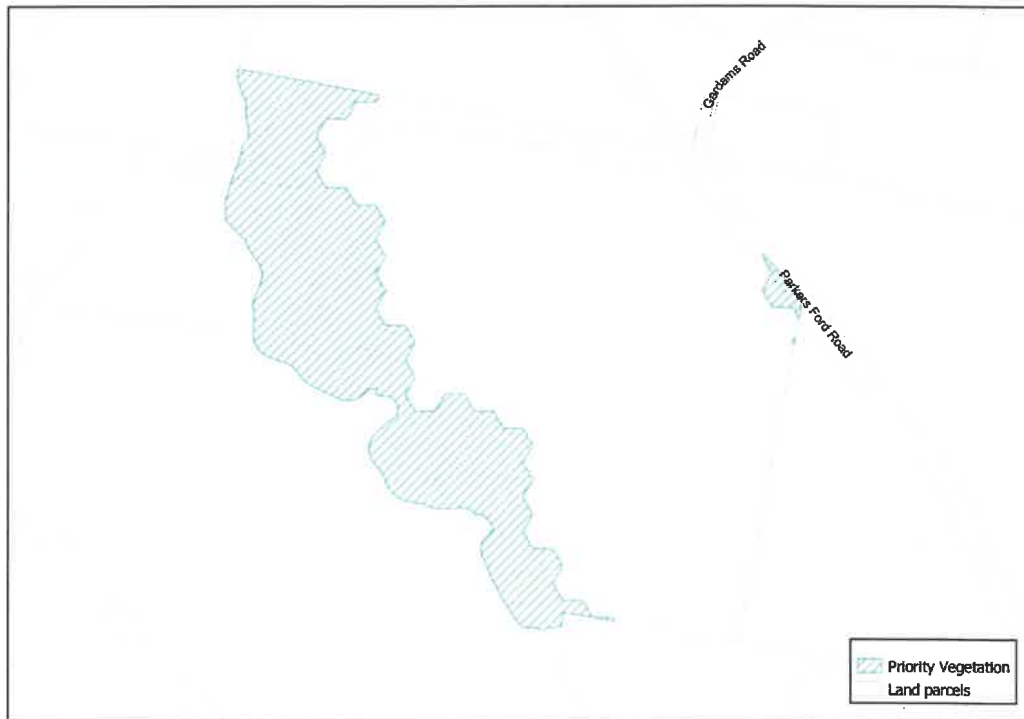


Figure 1.2 – Application of the Priority Vegetation Area overlay at Parkers Ford Road.

AMENDMENT 1.3

Apply the Priority Vegetation Area overlay to 111 Milldam Road, Port Sorell folio of the Register 236837/1 as shown in Figure 1.3 below:

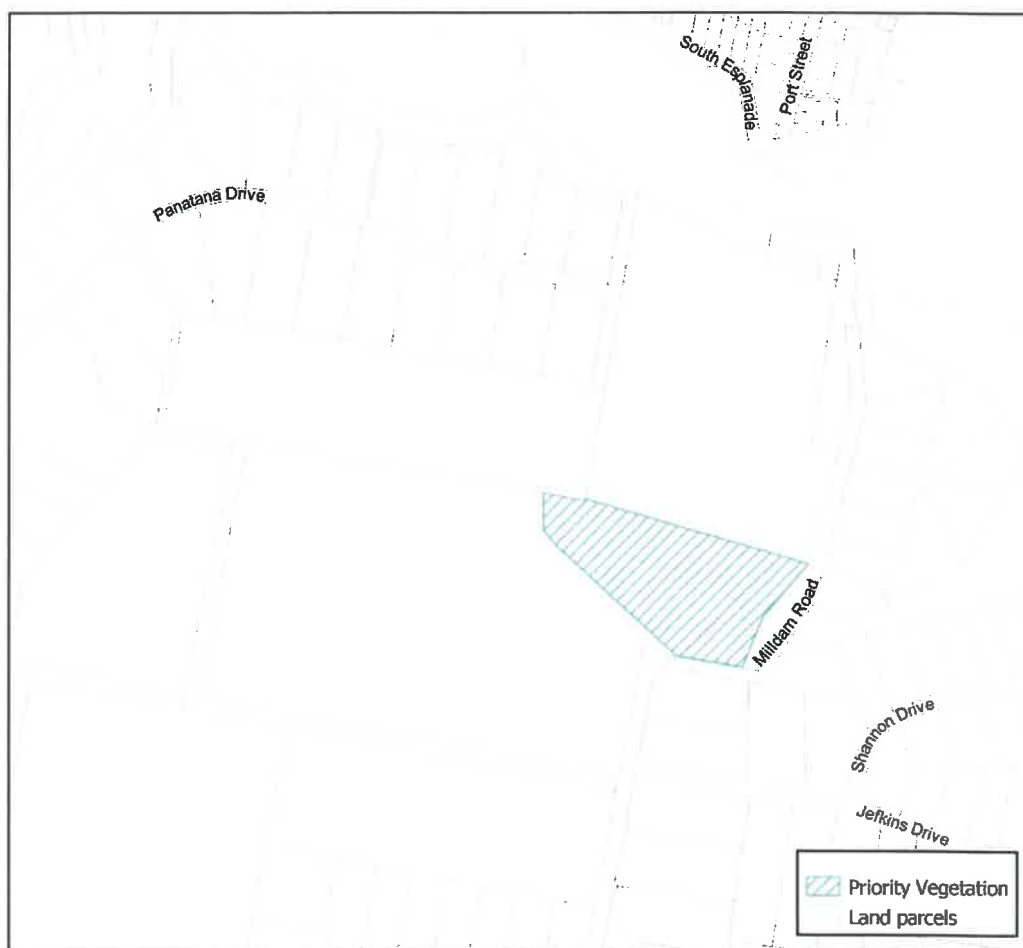


Figure 1.3 – Application of the Priority Vegetation Area overlay at 111 Milldam Road

AMENDMENT 1.4

Apply the Priority Vegetation Area overlay to 345 Squeaking Point Road, Thirstlane folio of the Register 227658/1, the adjoining reserved, and the adjoining public road to the road centreline as shown in Figure 1.4 below:

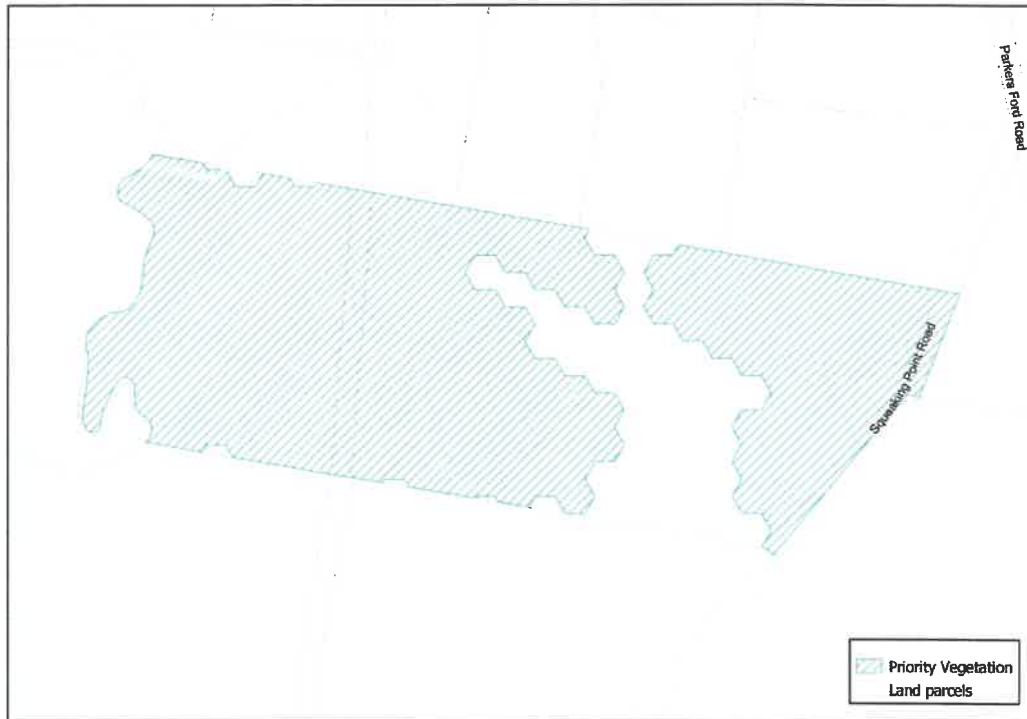


Figure 1.4 – Application of the Priority Vegetation Area overlay at Squeaking Point Road

AMENDMENT 2.1

Apply the Rural Living Zone (subdivision category D) to the following properties as shown in Figure 2.1 below:

- a. Hawkins Street West, Latrobe folio of the Register 41816/2;
- b. 24 Lochner Street, Latrobe folio of the Register 153865/1;
- c. 26 Lochner Street, Latrobe folio of the Register 55355/1;
- d. 51 Forth Street, Latrobe folios of the Register 210746/1 and 111928/1;
- e. 76 Lochner Street, Latrobe folio of the Register 235508/1;
- f. 89 Lochner Street, Latrobe folio of the Register 146060/1;
- g. 91 Lochner Street, Latrobe folio of the Register 24426/1;
- h. 96 Lochner Street, Latrobe folio of the Register 204246/1;
- i. 104 Lochner Street, Latrobe folio of the Register 62410/1;
- j. 105 Lochner Street, Latrobe folio of the Register 61704/1;
- k. Lochner Street, Latrobe folio of the Register 49117/1;
- l. Lochner Street, Latrobe General Law deed 15/4286;
- m. River Road, Latrobe folio of the Register 73410/1;
- n. the reserved road located between 26 Lochner Street, Latrobe folio of the Register 55355/1 and 96 Lochner Street, Latrobe folio of the Register 204246/1; and
- o. other reserved roads/public roads adjoining the land to the road centrelines.

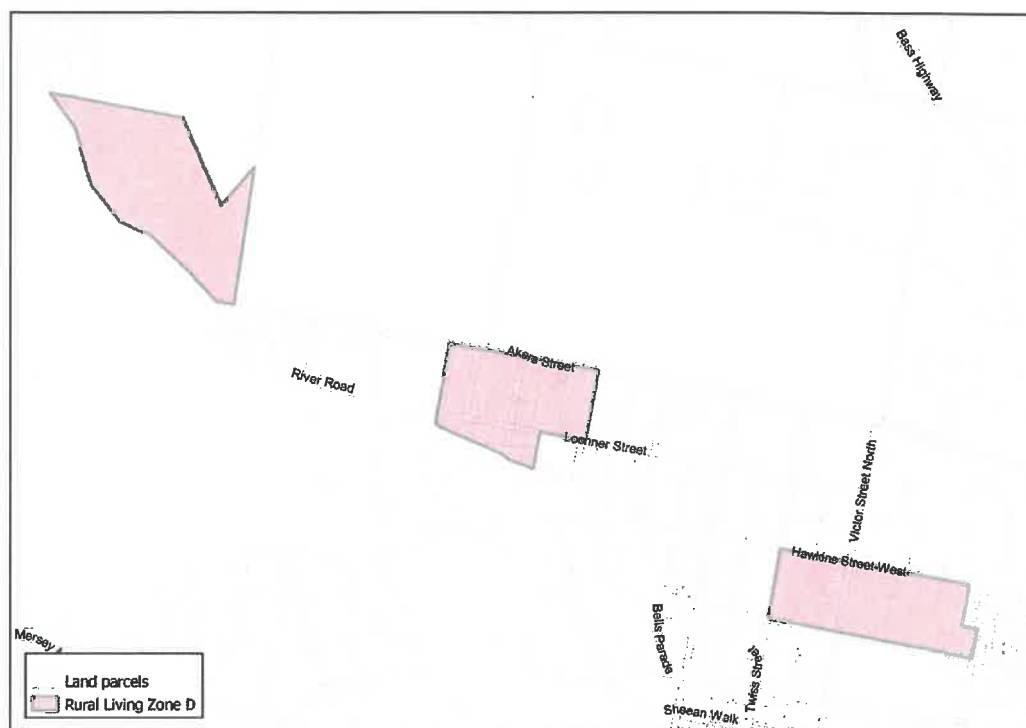


Figure 2.1 – Application of the Rural Living Zone (subdivision category D) at River Road, Hawkins Street West and Lochner Street, Latrobe.

AMENDMENT 3.1

Apply the Rural Living Zone (subdivision category A) to the following properties as shown in Figure 3.1 below:

- a. 62 Seymour Street, Tarleton folio of the Register 107560/4;
- b. Coal Mines Road, Tarleton folio of the Register 107560/1; and
- c. 26 Garrett Street, Tarleton folio of the Register 107560/5.

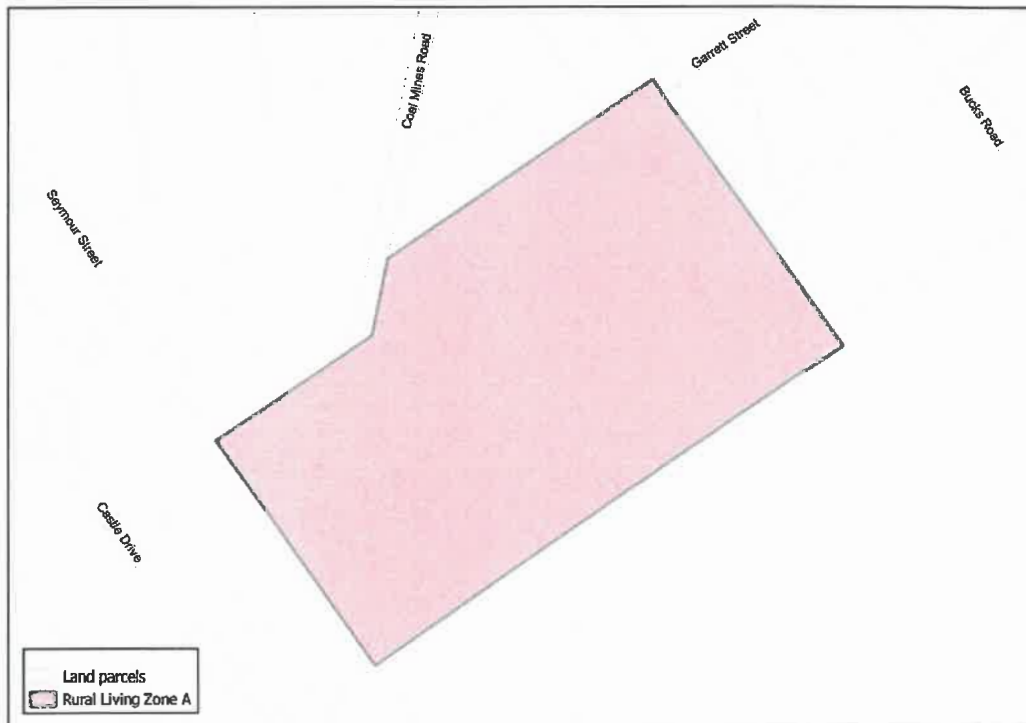


Figure 3.1 – Application of the Rural Living Zone (subdivision category A) at Tarleton

AMENDMENT 3.2

Delete LAT-S3.0 Tarleton Specific Area Plan from the Latrobe draft LPS written document and revise the Specific Area Plans overlay by removing LAT-S3.0 as shown in Figure 3.2 below:

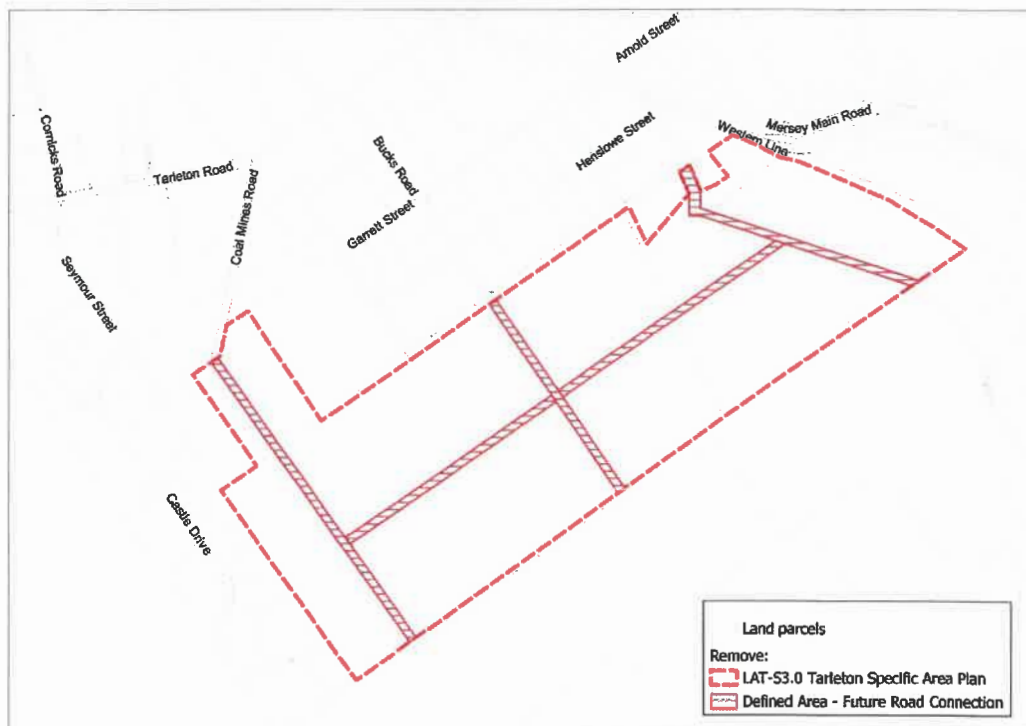


Figure 3.2 – Deletion of LAT-S3.0 Tarleton Specific Area Plan from the Specific Area Plans overlay.

AMENDMENT 4.1

Apply the Agriculture Zone to the following properties as shown in Figure 4.1 below and remove the Priority Vegetation Area overlay:

- a. Cotton Street, Latrobe folio of the Register 33474/2;
- b. Cotton Street, Latrobe General Law deed 54/2104;
- c. 42 Hamilton Street, Latrobe folios of the Register 148873/1, 148873/2 and 225459/1;
- d. Hamilton Street, Latrobe folio of the Register 146040/1;
- e. 20 Victor Street, Latrobe folio of the Register 7149/1;
- f. Victor Street, Latrobe folio of the Register 146271/1;
- g. Victor Street, Latrobe folio of the Register 132179/1;
- h. Victor Street, Latrobe folio of the Register 118067/2;
- i. reserved road between folio of the Register 33474/2 and General Law deed 54/2104;
- j. unidentified Crown land adjacent to the southern boundary of folio of the Register 146040/1;
- k. the reserved/subdivision roads that adjoin the western boundaries of Cotton Street General Law deed 54/2104 and 42 Hamilton Street; and
- l. public roads adjoining the land to the road centrelines.



Figure 4.1 – Application of the Agriculture Zone at Victor Street, Cotton Street and Hamilton Street, Latrobe.

AMENDMENT 5.1

Apply the Open Space Zone to Lochner Street, Latrobe folios of the Register 108955/1, 108955/2 and 46994/1, River Road, Latrobe folios of the Register 213733/1, 148574/1, 233621/1, 148654/1, 42737/1, 103359/7, 103359/2, 103359/1 and 103359/6, the reserved road between folios of the Register 42737/1, 148574/1, 233621/1 and 148654/1, and adjoining public roads as shown in Figure 5.1 below:



Figure 5.1 – Application of the Open Space Zone at River Road and Lochner Street, Latrobe

AMENDMENT 6.1

Insert the Attenuation Area overlay in the draft LPS and apply the overlay to the area around the Latrobe Speedway, as shown in Figure 6.1 below:

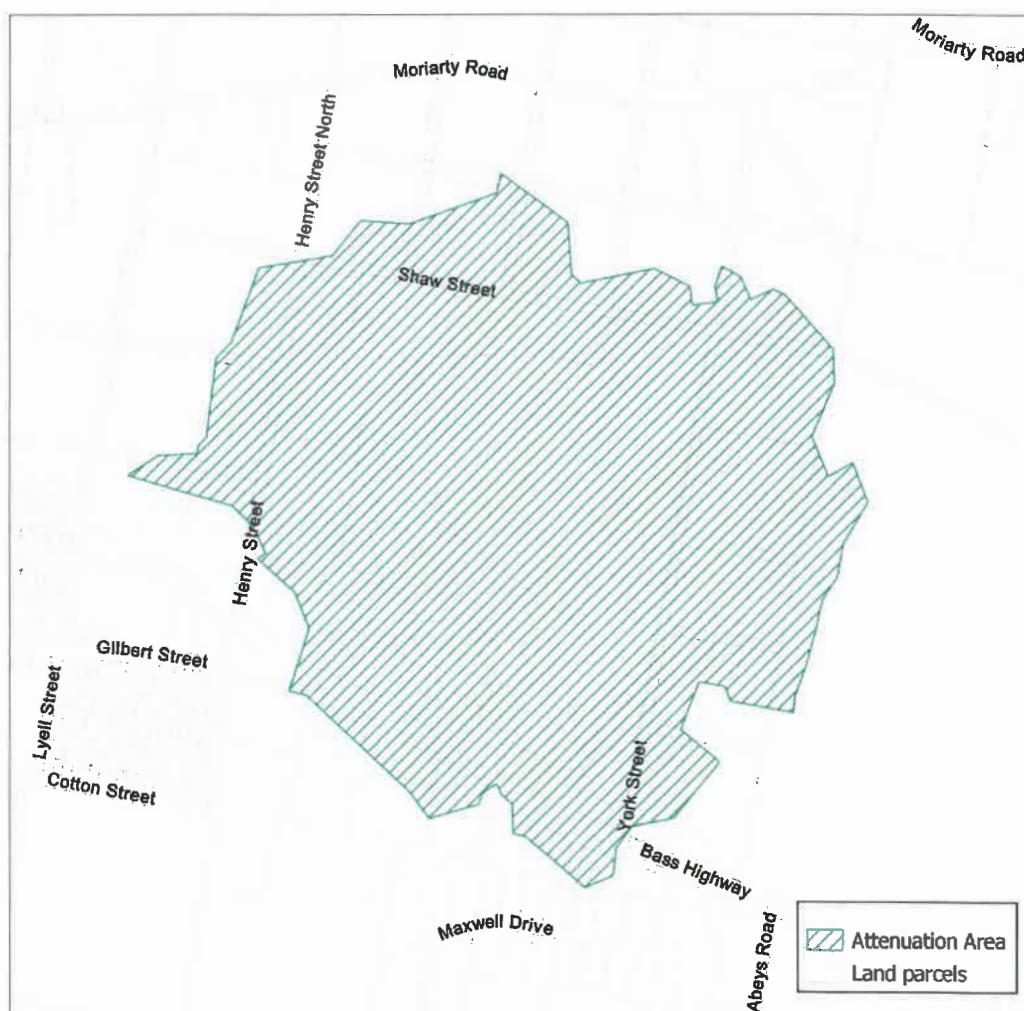


Figure 6.1 – Application of the Attenuation Area overlay for the Latrobe Speedway at Latrobe.

AMENDMENT 7.1

Insert Site-specific Qualification LAT-11.2 as follows:

| Reference Number | Site Reference | Folio of the Register | Description (modification, substitution or addition) | Relevant Clause in State Planning Provisions |
|------------------|---------------------------|-----------------------|--|--|
| LAT-11.2 | 8659 Bass Highway Latrobe | 199384/1 | A substitution for the qualification for Discretionary Use Class – Food Services is: 'If for a gross floor area of not more than 300m ² .' | Rural Living Zone - 11.2 Use Table |

AMENDMENT 7.2

Apply the Site-specific Qualifications overlay and clause number annotation to the land at 8659 Bass Highway Latrobe folio of the Register 199384/1 as shown in Figure 7.2 below:

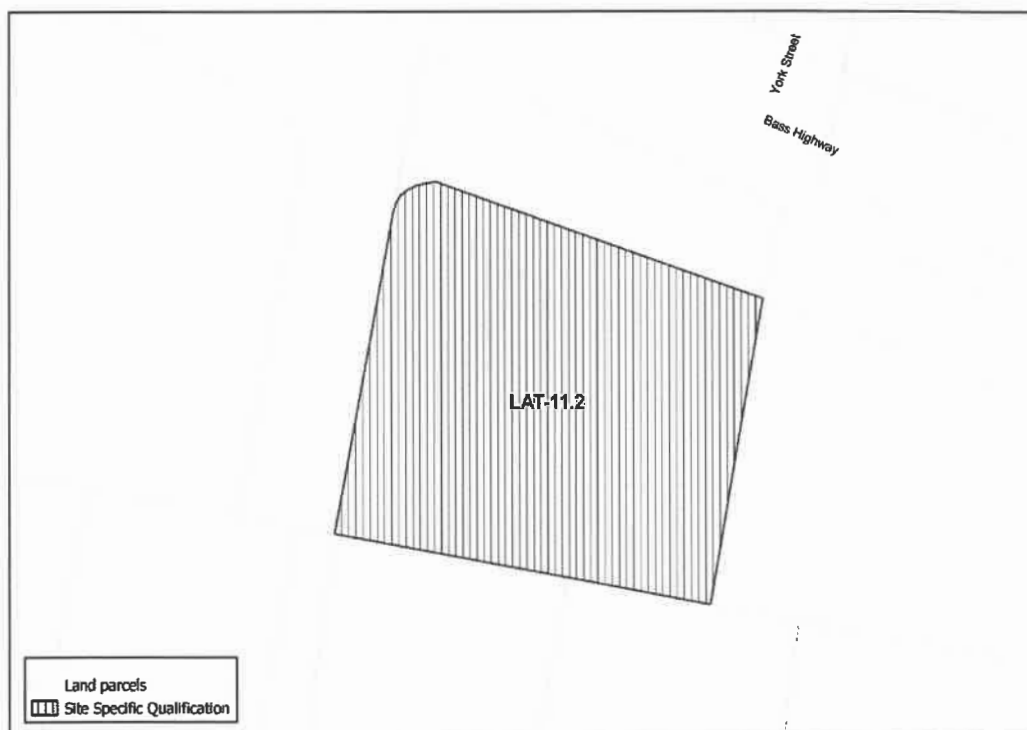


Figure 7.2 – Application of Site-specific Qualification LAT-11.2 at 8659 Bass Highway Latrobe

AMENDMENT 8.1

Insert Site-specific Qualification LAT-21.1 and Site-specific Qualification LAT-21.2 as follows:

| Reference Number | Site Reference | Folio of the Register | Description (modification, substitution or addition) | Relevant Clause in State Planning Provisions |
|------------------|--------------------------------|-----------------------|---|--|
| LAT-21.1 | 9 Conservatory Road, Sassafras | 213008/1 | Additional Discretionary Use Classes for this site are: <ul style="list-style-type: none"> • Food Services; and • General Retail and Hire, with the qualification 'If not listed as Permitted.' | Agriculture Zone - 21.2 Use Table |
| LAT-21.2 | 9 Conservatory Road, Sassafras | 213008/1 | An additional Permitted Use Class for this site is: Community Meeting and Entertainment. | Agriculture Zone - 21.2 Use Table |

AMENDMENT 8.2

Apply the Site-specific Qualifications overlay and clause number annotations to the land at 9 Conservatory Road, Sassafras folio of the Register 213008/1 as shown in Figure 8.2 below:

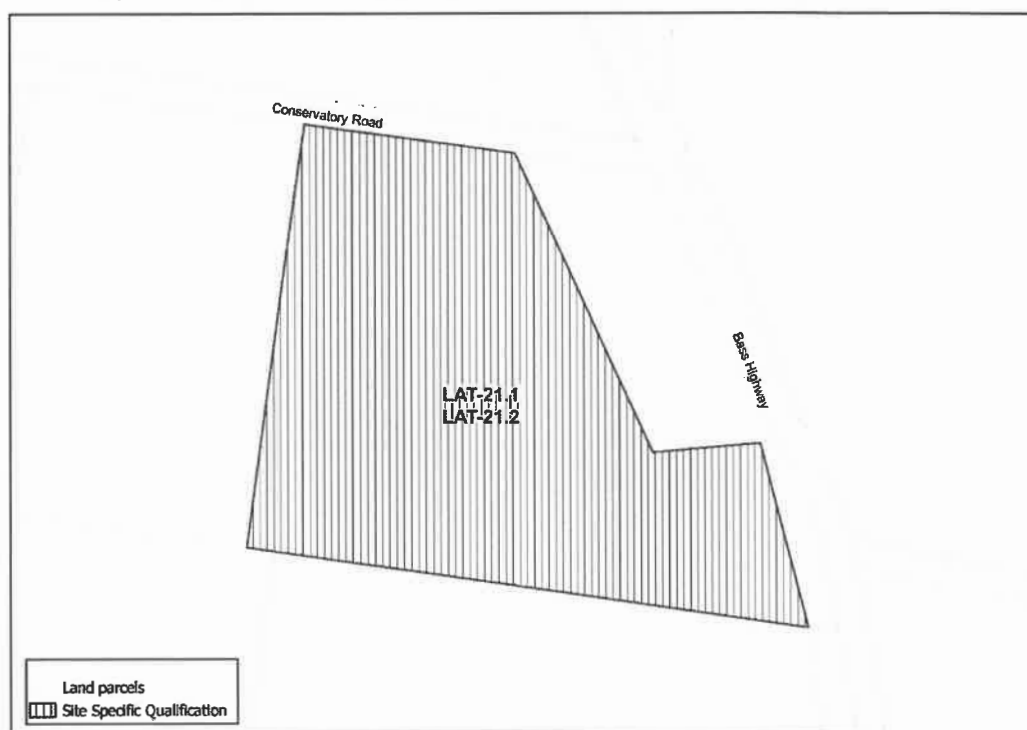


Figure 8.2 – Application of Site-specific Qualifications LAT-21.1 and LAT-21.2 at 9 Conservatory Road, Sassafras

AMENDMENT 9.1

Insert LAT-P5.0 Particular Purpose Zone – Devonport Airport into the LPS as set out in Annexure A.

AMENDMENT 9.2

Apply LAT-P5.0 Particular Purpose Zone – Devonport Airport and clause number annotations to 13 Airport Road, Wesley Vale folio of the Register 130335/1 as shown in Figure 9.2 below:

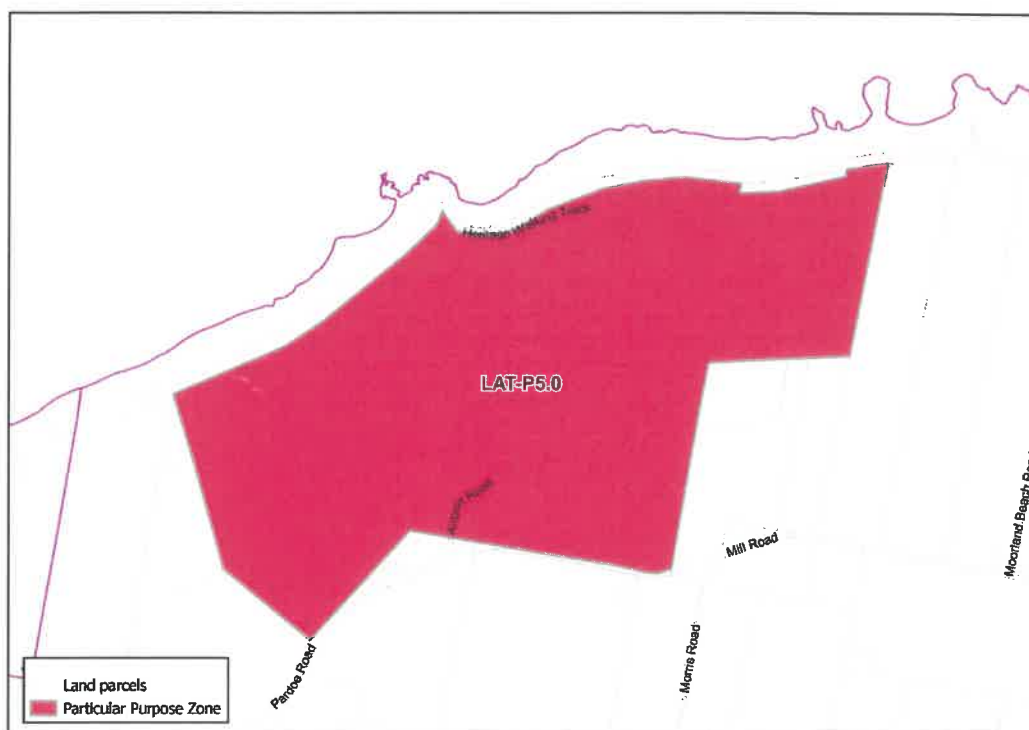


Figure 9.2 – Application of LAT-P5.0 Particular Purpose Zone – Devonport Airport at 13 Airport Road, Wesley Vale

AMENDMENT 9.3

Apply a *Defined terms overlay* and clause number annotations to 13 Airport Road, Wesley Vale folio of the Register 130335/1 as shown in Figure 9.3 below:

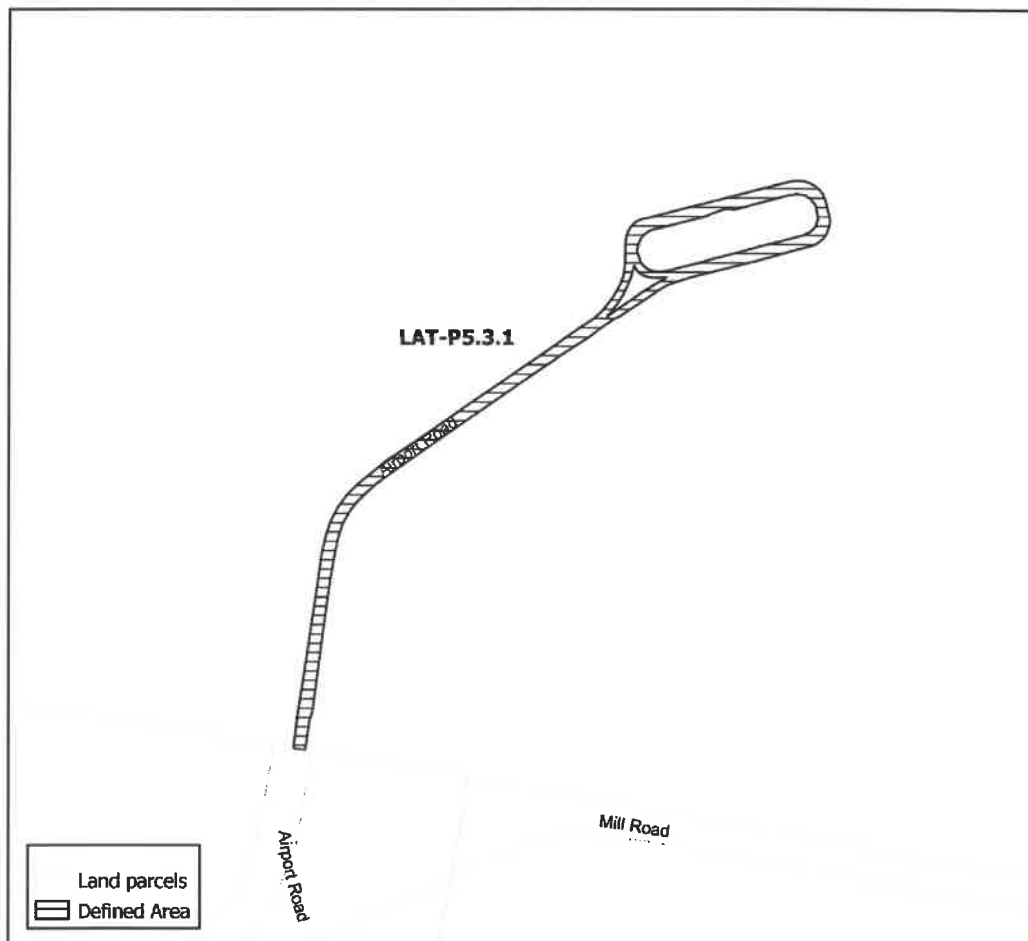


Figure 9.3 – Application of Defined terms overlay – Devonport Airport at 13 Airport Road, Wesley Vale

Annexure A

Modifications to Latrobe LPS written document:

LAT-P5.0 Particular Purpose Zone – Devonport Airport

LAT-P5.1 Zone Purpose

The purpose of the Particular Purpose Zone – Devonport Airport is:

- LAT-P5.1.1 To provide for aviation, passenger transport, freight, emergency services, utilities and tourism activities directly associated with the Devonport Airport.
- LAT-P5.1.2 To provide for use and development related to aviation industry training.
- LAT-P5.1.3 To provide for use and development that is compatible with, supports, relies on, or enhances the function of the airport as a regional facility for air freight and passenger transport, that does not compromise the role and function of any surrounding Village, Urban Mixed Use, Local Business, General Business, Central Business, Commercial, Light Industrial and General Industrial zones in the Devonport and Latrobe municipalities.
- LAT-P5.1.4 To provide for use and development that does not adversely impact the operation of the airport.
- LAT-P5.1.5 To provide for use and development of the land that promotes a high level of visual amenity when viewed from the primary public access and surrounding public roads.

LAT-P5.2 Local Area Objectives

This sub-clause is not used in this particular purpose zone.

LAT-P5.3 Definition of Terms

LAT-P5.3.1 In this Particular Purpose Zone, unless the contrary intention appears:

| Terms | Definition |
|-----------------------|---|
| primary public access | means the road or the extent of a constructed vehicular access that serves as the public entry and exit to the Devonport Airport and extends to the terminal building and to the entry and exit points of the car parking areas and shown on an overlay map and in Figure LAT-P5.1. |

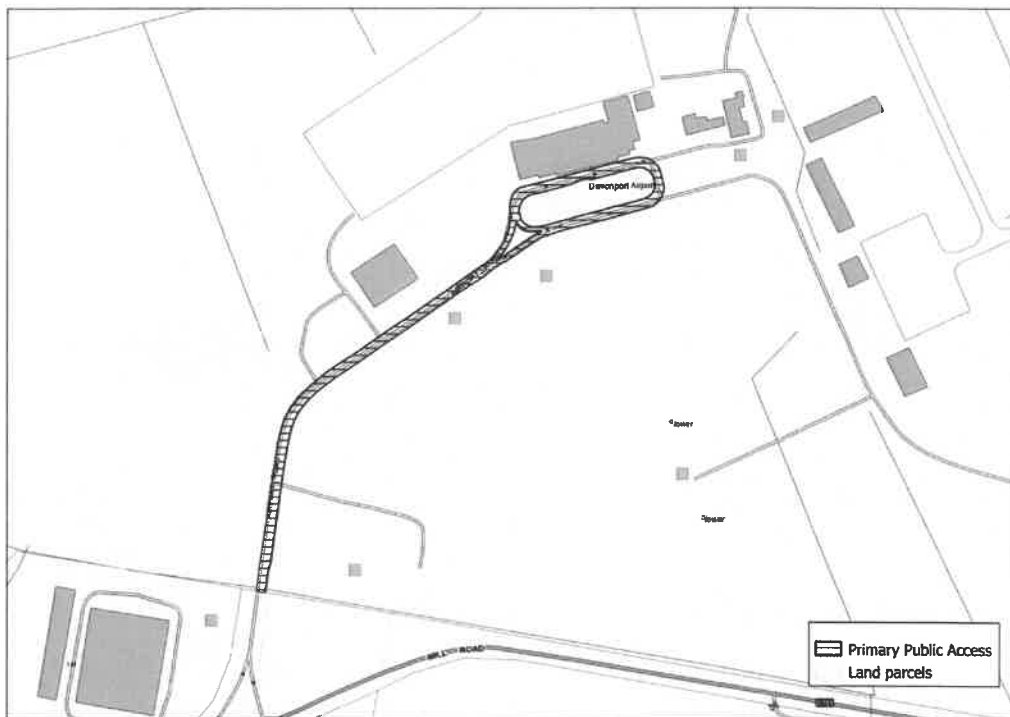


Figure LAT-P5.1 Primary public access as required by clause LAT-P5.6.1 P1, clause LAT-P5.6.2 A1/P1, clause LAT-P5.6.3 A1, clause LAT-P5.6.4 A1/P1

LAT-P5.4 Use Table

| Use Class | Qualification |
|--|--|
| No Permit Required | |
| Natural and Cultural Values Management | |
| Passive Recreation | |
| Utilities | If for minor utilities. |
| Permitted | |
| Bulky Goods Sales | If for motor vehicle sales associated with car hire. |
| Emergency Services | |
| Storage | |
| Transport Depot and Distribution | |

| Use Class | Qualification |
|---------------------------------|--------------------------------------|
| Utilities | If not listed as No Permit Required. |
| Vehicle Parking | |
| Discretionary | |
| Educational and Occasional Care | |
| Food Services | |
| General Retail and Hire | |
| Manufacturing and Processing | |
| Recycling and Waste Disposal | |
| Resource Processing | |
| Service Industry | |
| Tourist Operation | If for a visitor centre. |
| Vehicle Fuel Sales and Service | |
| Visitor Accommodation | |
| Prohibited | |
| All other uses | |

LAT-P5.5 Use Standards

LAT-P5.5.1 All uses

| | | |
|--|--|--|
| Objective: | That external lighting does not impact on the safety and operation of the airport. | |
| Acceptable Solutions | | Performance Criteria |
| A1 External lighting for a use must be aligned or baffled so that direct light is not visible to approaching aircraft and does not extend into the operational | | P1 No Performance Criterion. |

Attachment 10.3.2 Attachment 2 - Latrobe Draft LPS - Notified Amendments

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| areas of the airport, unless for the specific provision of aviation light signals required to direct aircraft. | |
|--|--|

LAT-P5.5.2 Discretionary uses

| Objective: | That discretionary uses support the purpose of the zone. |
|--------------------------------------|---|
| Acceptable Solutions | Performance Criteria |
| A1 No Acceptable Solution. | P1 A use listed as Discretionary, must support the purpose of the zone, having regard to: <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the size and scale of the proposed use; (c) the impact of the use on the operation of the airport; (d) association the use has with, and degree of support it would give to, the primary air freight handling, logistics, tourism and servicing activities of the airport; (e) the extent that the proposed use would support increased product and commodity export through the airport; and (f) whether the use is more appropriately located in other business or industrial precincts in the Devonport or Latrobe municipalities. |

LAT-P5.6 Development Standards for Buildings and Works

LAT-P5.6.1 Building height

| Objective: | That building height: <ul style="list-style-type: none"> (a) is necessary for the operation of the use; and (b) is compatible with the presentation of the airport site as viewed from the primary public access and surrounding public roads. |
|---|--|
| Acceptable Solutions | Performance Criteria |
| A1 Building height must be not more than: <ul style="list-style-type: none"> (a) 10m; or | P1 Building height must be necessary for the operation of the use and must not be out of character with existing infrastructure and buildings on the site when viewed |

| | |
|---|---|
| (b) 15m if for a structure, such as a tower, pole or similar. | <p>from the primary public access and surrounding public roads, having regard to:</p> <ul style="list-style-type: none"> (a) the bulk and form of the building; (b) the visual character of the area; (c) the topography of the site; (d) the visibility of the building from adjoining roads and public spaces; and (e) any existing or proposed screening by vegetation or other measures. |
|---|---|

LAT-P5.6.2 Setbacks

| Objective: | <p>That the siting of buildings:</p> <ul style="list-style-type: none"> (a) minimises potential conflict with use on adjoining sites; and (b) provides an area for landscaping along public roads and the primary public access to promote a high level of visual amenity. |
|--|---|
| Acceptable Solutions | Performance Criteria |
| <p>A1</p> <p>Buildings, excluding light poles, must have a setback from:</p> <ul style="list-style-type: none"> (a) the frontage to Mill Road of not less than 15m; and (b) the primary public access of not less than 10m. | <p>P1</p> <p>Buildings must have a setback from the frontage to Mill Road and the primary public access that provides adequate space for landscaping and vehicle access and parking, having regard to:</p> <ul style="list-style-type: none"> (a) the design and presentation of the development, including the provision of vehicle access and parking; (b) retention of existing vegetation or proposed landscaping; (c) the setback of buildings on adjoining properties; and (d) the safety of road users. |
| <p>A2</p> <p>Buildings, excluding structures for communications and light poles, must have a setback from side or rear boundaries of not less than:</p> <ul style="list-style-type: none"> (a) 5m; or (b) an existing building on the site that fronts the same boundary. | <p>P2</p> <p>Buildings must be sited to provide for adequate vehicle access and must not conflict or interfere with adjoining uses, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; |

| | |
|--|--|
| | <ul style="list-style-type: none"> (c) the setback of existing buildings on adjoining properties; (d) the bulk and form of proposed buildings; and (e) vehicle access and circulation requirements. |
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LAT-P5.6.3 Outdoor storage

| Objective: | That outdoor storage areas do not detract from the appearance of the site when viewed from any road adjoining the site or the primary public access. |
|--|---|
| Acceptable Solutions | Performance Criteria |
| A1 Outdoor storage areas, excluding any goods for sale, must not be visible from any road adjoining the site or the primary public access. | P1 Outdoor storage areas, excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity. |

LAT-P5.6.4 Access presentation and landscaping

| Objective: | That: <ul style="list-style-type: none"> (a) the primary public access to the airport is presented and landscaped to provide visual amenity and enhancement of the streetscape or vehicular access; (b) the frontage along Mill Road is landscaped to provide visual amenity and enhancement of the streetscape; and (c) development that takes access from, or has a boundary shared with the primary public access, and is designed to enhance the visual amenity of the primary public access. |
|---|--|
| Acceptable Solutions | Performance Criteria |
| A1 Landscaping must be provided to a depth of not less than 15m along the frontage to Mill Road and 10m from the primary public access that: <ul style="list-style-type: none"> (a) includes a contiguous line of a species of tree known to grow to a minimum height of 12m; and (b) includes not less than 20% of the area planted with shrubs, except areas developed with buildings and vehicle access. | P1 Landscaping must be provided along the frontage to Mill Road and adjoining the primary public access to enhance the appearance of the site, having regard to: <ul style="list-style-type: none"> (a) the movement of vehicles and pedestrians; (b) the safety of junctions, driveways and footpaths; (c) the requirements for infrastructure and services; (d) the degree of visibility of the frontage and primary public access from public roads and access points; (e) the need for visibility for commercial uses; and (f) signage requirements. |

LAT-P5.7 Development Standards for Subdivision

LAT-P5.7.1 Subdivision

| Objective: | That each lot: (a) has an area and dimensions appropriate for use and development supported by the zone purpose; and (b) is provided with appropriate frontage to a road. |
|--|---|
| Acceptable Solutions | Performance Criteria |
| A1 Each lot, or lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities; or (c) be for the consolidation of a lot with another lot provided both lots are within the same zone. | P1 Each lot, or lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> (a) the relevant requirements for development of buildings on the lots; (b) the location of existing buildings and the location of intended buildings on the lot; (c) the topography of the site; and (d) the presence of any natural hazards. |
| A2 Each lot, or lot proposed in a plan of subdivision, must have a frontage, or legal connection to a road by a right of carriageway, of not less than 20m. | P2 Each lot, or lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: <ul style="list-style-type: none"> (a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (b) the topography of the site; (c) the functionality and useability of the frontage; (d) the anticipated nature of vehicles likely to access the site; (e) the ability to manoeuvre vehicles on the site; and (f) the ability for emergency services to access the site. |

| | |
|--|--|
| <p>A3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p> | <p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; and (d) the pattern of development existing on established properties in the area. |
|--|--|

LAT-P5.7.2 Services

| Objective: | That the subdivision of land provides services for the future use and development of the land. | |
|---|--|---|
| Acceptable Solutions | | Performance Criteria |
| <p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:</p> <ul style="list-style-type: none"> (a) be connected to a full water supply if the frontage of the lot is within 30m of a full water supply service; or (b) be connected to a limited water supply service if the frontage of the lot is within 30m of a connection to a limited water supply service, <p>unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.</p> | | <p>P1</p> <p>No Performance Criterion.</p> |
| <p>A2</p> <p>Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p> | | <p>P2</p> <p>Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating or connecting to an on-site wastewater treatment system adequate for the future use and development of the land.</p> |

| | |
|---|---|
| A3 Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system. | P3 Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of providing an on-site stormwater management system adequate for the future use and development of the land, having regard to: (a) the size of the lot; (b) topography of the site; (c) soil conditions; (d) any existing buildings on the site; (e) any area of the site covered by impervious surface; and (f) any watercourse on the land. |
|---|---|

LAT-P5.8 Tables

This sub-clause is not used in this particular purpose zone.

From: edward powlett < >
Sent: Saturday, September 30, 2023 4:51 PM
To: Latrobe Council <council@latrobe.tas.gov.au>
Subject: Draft amendment 1.1 to substantially modify the Latrobe Local provisions schedule -Rural living zone D.

To the general manager.

In regards to the proposed amendment to zone D we would have no objection.

However we would be strongly opposed to anything less.

It is interesting that the TPC made a decision back in May and we did not receive notification until the 26th of September.

We would like to be informed of any future hearings so that we can make representations as required.

Ms Rockliff has claimed that a road through her original planning application linking to East Glen is desperately wanted by the community. This is utter nonsense. The residents of East Glen would suddenly have a lot of traffic on their previously quiet road and residents of East Glen and Summerhill drive who already find it difficult to turn onto Port Sorell road would have even more problems. As far as emergency service vehicles go the road is not suitable because of the two 90 degree dog legs in East Glen. There is already access for these vehicle's at the end of Hawk Hill Rd. These issues were a big part of the original opposition to the first application to develop the land at this location.

We have seen the council talk of reducing the speed limit on the Squeezing Point Rd as people use it to avoid the reduced speed limit on Port Sorell road. What do they think will happen when people have a chance to avoid the roundabouts and reduced speed limit on Alexander St.

It would seem that the council might be desperate to get someone to pay for a road through to Port Sorell Rd as they have not been able to progress with Pink st and the land at the end of Burgess drive that is zoned residential has no way out except via the Burgess drive industrial area.

E.Powlett.

Representation 2



Friday, 8 September 2023

Ref: 3D15116 PLN_L01_Rev0

The General Manager
PO Box 63
Latrobe TAS 7307

Written submission to significant modification amendment 1.1e

Dear Sir,

We herewith submit a representation to the draft amendment of the Latrobe LPS regarding a property East Glen, Port Sorell (FR34572/3) owned by Develop & Reno Pty Ltd (Helen and Mark Dorling).

A representation was submitted to the initial process (Representation 22) requesting that the property be zoned for rural residential purposes to allow for residential development. Council recognised that the land should be zoned rural residential by recommending the Rural Living Zone D, which is now proposed as part of the significant modification.

While our clients are supportive of a Rural Living Zone being applied to their land, we consider the Rural Living Zone A classification to be more appropriate. It is generally accepted that the strategic directions set by the Cradle Coast Regional Land Use Strategy are outdated in regard to predicted population growth of the area. Evidence has been provided that there is insufficient land supply particularly for the popular choice of rural living. We have additionally enclosed a letter addressed to our clients from a real estate professional in the area asking for the availability of their land for subdivision due to high demand. This indicates the current supply and demand situation from a professional's perspective in the area.

The Port Sorell Strategic Plan 2008 identified the land to be zoned for rural residential purposes. At that time, the Rural Living Zone was closely aligned with the Rural Living Zone A under the SPP, anticipating 1ha lots. Other planning instruments will provide protection for natural values such as waterways, vegetation, and fauna, and bushfire safety. Rural living has proven to be a popular and sustainable lifestyle choice for many residents of the Latrobe municipality area, particularly in the vicinity of our client's land. Together with the development of the land to the north, the development of the site can also provide for an alternative route in and out of Shearwater and Hawley. We respectfully request to consider the Rural Living A Zone for this land.

Your sincerely

A handwritten signature in blue ink, appearing to read "Jana Rockliff", is written over a light blue horizontal line.

Jana Rockliff
Town Planner

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View Real Estate Latrobe & Devonport
1/153 Gilbert Street
Latrobe Tas 7307

HIGH DEMAND FOR LAND

Monday 4th September 2023

High Demand for Land in Latrobe Municipality

Dear Mark,

I am writing to you to advise that we have many buyers wanting to purchase Land in the area and have noticed your land is vacant.

We are a local Latrobe Real Estate Office with over 14 years experience in the Residential, Rural and Land sales.

We have been involved in many subdivisions and have successfully sold all allotments and therefore we are Urgently seeking more Land to meet the high demand of clients asking to build their dream homes.

Your land in particular has been of high interest and I have been asked to reach out and ask if you are interested to sell 1/2 to 1Ha blocks.

Please feel free to give me a call to discuss any questions you may have.

Yours faithfully

VIEW REAL ESTATE

Colin Leiper

Director

0408 666 301

View Real Estate Latrobe & Devonport

colinleiper@viewmail.com.au



Friday, 8 September 2023

Ref: 305025_L01_Rev0

The General Manager
PO Box 63
Latrobe TAS 7307

Written submission to significant modification amendment 1.1j

Dear Sir,

We herewith submit a representation to the draft amendment of the Latrobe LPS regarding a property at 111 Milldam Road, Port Sorell (FR236837/1) by Stuart Greenhill.

A representation was submitted to the initial process (Representation 21) as well as additionally information provided during the hearing requesting that the property be zoned for rural residential purposes to allow for residential development as well as the amendment of the priority vegetation overlay to be applied to the land. Council recognised that the land should be zoned rural residential by recommending the Rural Living Zone D, which is now proposed as part of the significant modification.

While our clients are supportive of a Rural Living Zone being applied to their land, we consider the application of a split zoning comprised of the Rural Living Zone D applied to the southern part of the land and Rural Living Zone A applied to the northern part to be more appropriate (see Figure 1 below).



FIGURE 1: PROPOSED SPLIT ZONING

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This would allow the development of the northern part of the site, which is surrounded by rural residential developments, and allow the desired road connectivity between Panatana Drive and Mildam Road. This road connection would significantly increase the safety of residents to the west as it could provide for an alternative egress route in an emergency such as bushfire.

It is generally accepted that the strategic directions set by the Cradle Coast Regional Land Use Strategy are outdated in regard to predicted population growth of the area. Evidence has been provided that there is insufficient land supply particularly for the popular choice of rural living. The Port Sorell Strategic Plan 2008 identified the land to be zoned for rural residential purposes. At that time, the Rural Living Zone was closely aligned with the Rural Living Zone A under the SPP, anticipating 1ha lots. Rural living has proven to be a popular and sustainable lifestyle choice for many residents of the Latrobe municipality area, particularly in the vicinity of our client's land. We respectfully request to consider the split zoning of the Rural Living Zone A (north) and Rural Living Zone D (south) for this land.

Additionally, we would like to express our full support for the proposed amendment of the priority vegetation overlay to the land. The application as proposed will provide sufficient protection for natural values such as waterways, vegetation, and fauna.

Your sincerely

A handwritten signature in blue ink, appearing to read 'Jana Rockliff', is written over a horizontal blue line.

Jana Rockliff

Town Planner

Representation 4



Wednesday, 8 September 2023

Ref: 305028-01_L01_Rev0

The General Manager
PO Box 63
Latrobe TAS 7307

Written submission to significant modification amendment 1.1q

Dear Sir,

We herewith submit a representation to the draft amendment of the Latrobe LPS regarding a property at 238 Parkers Ford Road, Port Sorell (FR9398/3) owned by Leigh and Kelly Woodhouse.

A representation was submitted to the initial process (Representation 16) requesting that the property be zoned for rural residential purposes to allow for residential development. Council recognised that the land should be zoned rural residential by recommending the Rural Living Zone D, which is now proposed as part of the significant modification.

While our clients are supportive of a Rural Living Zone being applied to their land, we consider the Rural Living Zone A classification to be more appropriate. It is generally accepted that the strategic directions set by the Cradle Coast Regional Land Use Strategy are outdated in regard to predicted population growth of the area. Evidence has been provided that there is insufficient land supply particularly for the popular choice of rural living. The Port Sorell Strategic Plan 2008 identified the land to be zoned for rural residential purposes. At that time, the Rural Living Zone was closely aligned with the Rural Living Zone A under the SPP, anticipating 1ha lots. Other planning instruments will provide protection for natural values such as waterways, vegetation, and fauna, and bushfire safety. Rural living has proven to be a popular and sustainable lifestyle choice for many residents of the Latrobe municipality area, particularly in the vicinity of our client's land. We respectfully request to consider the Rural Living A Zone for this land.

Your sincerely

A handwritten signature in blue ink, appearing to read "Jana Rockliff", is written over a blue horizontal line.

Jana Rockliff
Town Planner

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Representation 5



Thursday, 14 September 2023

Ref: 305044-01_L01_Rev0

The General Manager
PO Box 63
Latrobe TAS 7307

Written submission to significant modification amendment 1.1p

Dear Sir,

We herewith submit a representation to the draft amendment of the Latrobe LPS regarding a property at 200 Parkers Ford Road, Port Sorell (FR213993/1) by Tracey Bell.

A representation was submitted to the initial process (Representation 16) requesting that the property be zoned for rural residential purposes to allow for residential development. Council recognised that the land should be zoned rural residential by recommending the Rural Living Zone D, which is now proposed as part of the significant modification.

While our clients are supportive of a Rural Living Zone being applied to their land, we consider the Rural Living Zone A classification to be more appropriate. It is generally accepted that the strategic directions set by the Cradle Coast Regional Land Use Strategy are outdated in regard to predicted population growth of the area. Evidence has been provided that there is insufficient land supply particularly for the popular choice of rural living. The Port Sorell Strategic Plan 2008 identified this property to be zoned for rural residential purposes. At that time, the Rural Living Zone was closely aligned with the Rural Living Zone A under the SPP, anticipating 1ha lots. Other planning instruments will provide protection for natural values such as waterways, vegetation, and fauna, and bushfire safety. Rural living has proven to be a popular and sustainable lifestyle choice for many residents of the Latrobe municipality area, particularly in the vicinity of our client's land.

Additionally, the application of the Rural Living Zone instead of the Agricultural Zone requires the application of the priority vegetation overlay to the site. While it is acknowledged that the protection of threatened and endangered vegetation communities is important, the extent over mostly previously cleared and pastureland appears too extensive and potentially restrictive for future development.

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FIGURE 1: AERIAL PHOTO OF SITE WITH PROPOSED VEGETATION OVERLAY (SOURCE: LIST)

We respectfully request to consider the Rural Living A Zone for this land as well as a potential redefinition of the priority vegetation overlay.

Your sincerely


Jana Rockliff
Town Planner

Representation 6



Thursday, 14 September 2023

Ref: 305028-01_L01_Rev0

The General Manager
PO Box 63
Latrobe TAS 7307

Written submission to significant modification amendment 1.1t

Dear Sir,

We herewith submit a representation to the draft amendment of the Latrobe LPS regarding a property at 345 Squeaking Point Road, Thirlstane (FR227658/1) owned by Matthew and Melissa Carter.

A representation was submitted to the initial process (Representation 17) requesting that the property be zoned for rural residential purposes to allow for residential development. Council recognised that the land should be zoned rural residential by recommending the Rural Living Zone D, which is now proposed as part of the significant modification.

While our clients are supportive of a Rural Living Zone being applied to their land, we consider the Rural Living Zone A classification to be more appropriate. It is generally accepted that the strategic directions set by the Cradle Coast Regional Land Use Strategy are outdated in regard to predicted population growth of the area. Evidence has been provided that there is insufficient land supply particularly for the popular choice of rural living. Other planning instruments will provide protection for natural values such as waterways, vegetation, and fauna, and bushfire safety. Rural living has proven to be a popular and sustainable lifestyle choice for many residents of the Latrobe municipality area, particularly in the vicinity of our client's land.

Additionally, the application of the Rural Living Zone instead of the Agricultural Zone requires the application of the priority vegetation overlay to the site. While it is acknowledged that the protection of threatened and endangered vegetation communities is important, the extent over previously cleared and pastureland appears too extensive and potentially restrictive for future development.

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FIGURE 1: AERIAL PHOTO OF SITE WITH PROPOSED VEGETATION OVERLAY (SOURCE: LIST)

The aerial image shows above clearly shows areas of mostly undisturbed vegetation and previously cleared areas. It is noted that there are known and identified threaten species in the north-eastern corner of the property. A report (attached to this representation) was prepared to identify the vegetation community. The report recommends a defined habitat protection zone, which has been established by the owner (clearly shown on the aerial image).

We respectfully request to consider the Rural Living A Zone for this land as well as a potential redefinition of the priority vegetation overlay.

Your sincerely

Jana Rockliff
Town Planner

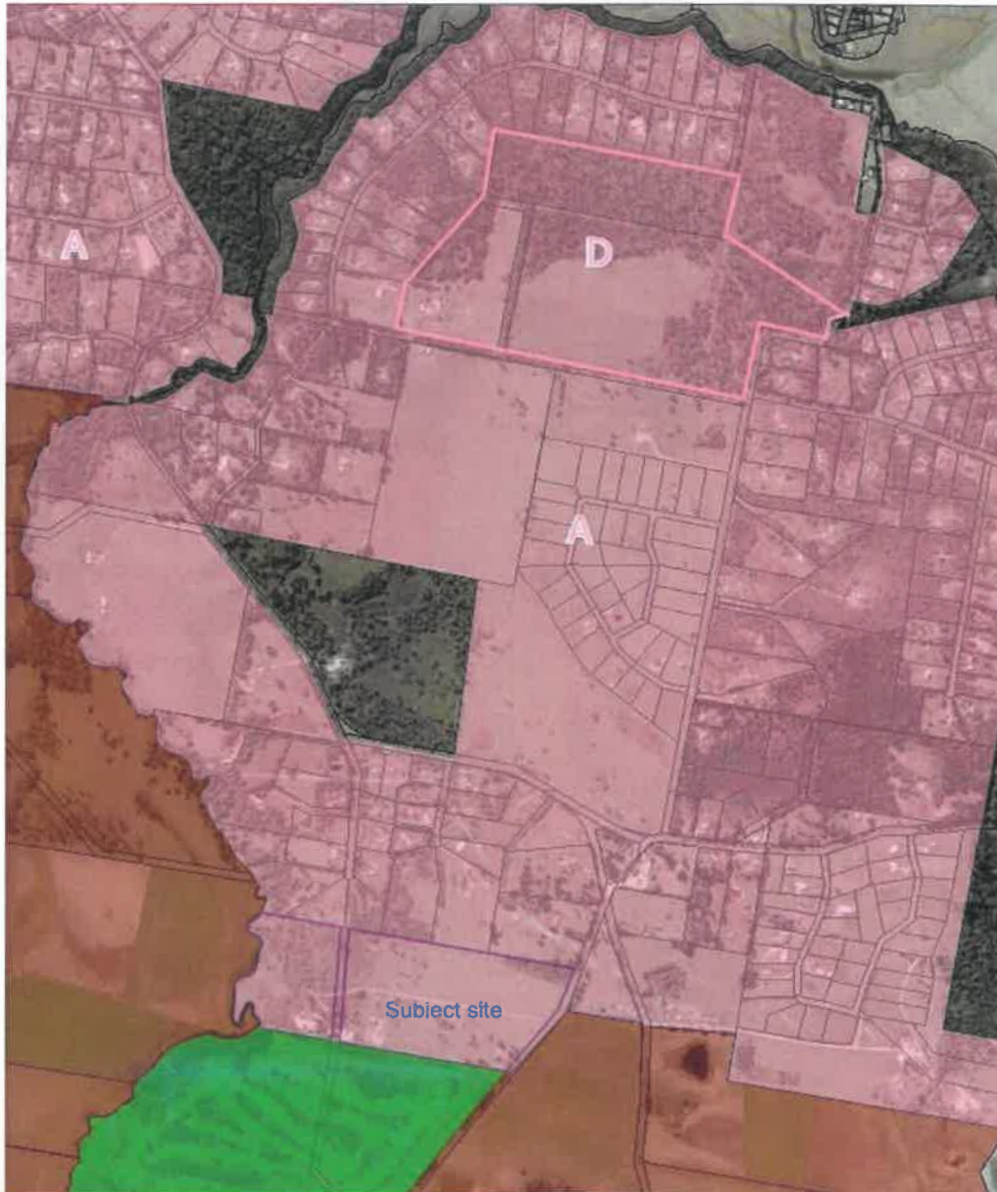


FIGURE 2: APPLICATION OF RURAL LIVING ZONE A TO DESIRED AREA¹

¹ The Rural Living Zone A is shown for all land existing under the current Planning Scheme and proposed as part of the draft Latrobe LPS process via representations



Latrobe Council is taking a conservative approach in applying the Rural Residential Zone D due to a lack of knowledge of supply and demand for Port Sorell. The Section 35F report states that Council will undertake a separate project to determine residential land demand; however, no timeframe is indicated. The enclosed Port Sorell Supply and Demand analysis prepared by Veris concludes that there is insufficient supply to satisfy demand for rural residential type properties. Property sale data in Squeaking Point show that the Moorings Drive subdivision was sold out in 2020 (except for four properties still in ownership of the developer) and Elphin Drive was fully sold at the beginning of 2022. Real estate agents advise that sales within the rural residential market are slowing down only to the fact that no supply is available.

The subject site would allow for a maximum yield of 20 lots (18 additional residential lots). Veris has submitted additional justification for other clients resulting in a potential of 71 additional rural residential lots, if it is decided to provide the Rural Living Zone A for all of these properties. There is therefore a potential for 87 additional lots if all land identified within the PSSP and subject to a representation in regard to the draft Latrobe LPS are zoned Rural Living Zone A. The first scenario would result in a forward supply of 6.7² years while the second scenario results in a slightly higher forward supply of 7.3² years. Allowing for the subject site to be included as Rural Living Zone A land would result in a forward supply of 7.3² years (7.9² years respectively), which is still below common practice strategic planning targets of 10-15 years.

Considering the need for a substantial update of the Port Sorell Strategy and the Cradle Coast Regional Land Use Strategy, a forward supply of land available for immediate development of around 7 years is considered appropriate to allow the continuous growth of the locality.

We herewith request to consider the application of the Rural Living Zone A to land identified as 345 Squeaking Point Road, Thirlstone (FR227658/1).

Your sincerely

Jana Rockliff

Town Planner

² Based on population growth scenario 2 including land identified as unconstrained only

***Cassinia rugata* at the Carter Property: 345 Squeaking Point Road, Thirlstane, Tasmania.**

Phil Collier, 26 July 2012

Background

Cassinia rugata was confirmed in Tasmania by an email from Dr Tony Orchard on 9 April 2010, on the basis of pressed specimens collected at the *Collier/Garnett property* at 241 Parkers Ford Road, Port Sorell (Appendix 1). This prompted a search of roadsides nearby to find any additional populations. Observations of the few plants that were found are included in the Natural Values Atlas¹. The only natural habitat that looked promising for a larger additional population was the *Carter property* at 345 Squeaking Point Road, with some plants possibly being seen in flower over the fence in February 2011.

At the time *Cassinia rugata* was discovered in Tasmania, it was listed as a threatened species nationally because its only known population at Portland, Victoria was reported to be small and declining. There is a recovery plan for the population at Portland².

In July 2012, with earthworks and other development activity obviously underway at the *Cater property*, a representation was made to the federal Department of Sustainability, Environment, Water, Population and Communities advising them of the earthworks and the known plants on the roadside. Subsequently one of the land owners, Matt Carter, spent some hours researching and searching for *Cassinia rugata* plants on his land. Matt later contacted me for assistance with his search.

Prior development works at 345 Squeaking Point Road

Matt Carter reports that he has been working towards clearing most of the land for his own purposes. The front of the land adjacent to the road is flat and supports a low-growing mixed sedge and heath community. Matt reported that he had arranged for the sedge and heath country to be slashed in December 2011, and subsequently sprayed with glyphosate earlier in July 2012. There is ample evidence of the slashing, with much slash debris still in place. The remaining slashed vegetation is approximately 200 mm tall on average. There is no obvious evidence of the spraying at this stage. Even if the spray is 100% successful for exposed plants, there are likely to be many plants under the slash debris that had limited access to the spray.

***Cassinia rugata* in Tasmania**

Appendix 2 discusses the known habitat and response to management actions for *Cassinia rugata* in Tasmania.

Survey for *Cassinia rugata* 19 July 2012

I met Matt Carter at 8am on 19 July 2012 to assist Matt find plants of *Cassinia rugata* on his land. We walked together through the more open areas of the *Carter property*. Walking away from the road in a westerly direction, the land starts to become better drained with denser shrubbery and bracken

¹ www.naturalvaluesatlas.tas.gov.au

² www.environment.gov.au/biodiversity/threatened/publications/c-rugata.html

understory in regenerating Eucalypt woodland. The drier shrubbier habitat is less suitable for *Cassinia rugata*. We returned towards the road near the northern boundary, which is approximately where plants were possibly seen over the fence in February 2011. This is where we found evidence of plants that were recovering well from the December 2011 slash. We walked through this population east-west several times and GPS-located plants and plant clusters, shown as yellow waypoints in Figure 1.



Figure 1 Satellite image of the Carter property, showing track walked (white line) and locations of *Cassinia rugata* plants seen (yellow GPS waypoints). An agreed set aside area is shaded with blue.

Matt and I agreed that there are approximately 100 plants in the vicinity of the GPS waypoints. This makes this population important in the Tasmanian context, where there are approximately 300 known plants on the Collier/Garnett property and very few others known on nearby roadsides. Matt asked me to include suggestions about how to manage the population of *Cassinia rugata* that was found on his property, which I have done in the next section.

Avoiding significant impact on the Carter population of *Cassinia rugata*

Suggested methods to manage the population of *Cassinia rugata* on the Carter property include:

1. Define an area that includes all of the plants discovered. Matt has agreed that the area shaded blue in Figure 1 can be set aside from further development. This area of approximately 7500 sq. m. (maximum dimensions 185m x 50m) covers all of the known plants with a minimum buffer of at least 7m from the boundary. The proposed set aside area is further specified in Appendix 3.
2. Create a permanent managed boundary that can be used as a fire break. Matt has agreed to slash a boundary of approximately 3m width within the perimeter of the set aside area.
3. Should new plants of *Cassinia rugata* be discovered outside the set aside area, there is scope to transplant them into the area near the roadside, where there has been some soil

disturbance to assist the Council with improved road drainage. Matt has access to excavators that can move 3 cu. m. of soil with plants to be relocated.

4. Should the recent spraying be highly effective, regeneration of the area may be assisted by a burn early this coming spring to encourage germination of the soil seed bank. Such a burn will not threaten the surviving *Cassinia rugata* plants, given past experience.
5. Should the spraying be less successful, it is desirable to allow *Cassinia rugata* plants to regrow and seed naturally before an initial burn.
6. Thereafter, a burn frequency of about 5 to 10 years is desirable to avoid growth of larger trees and shrubs that would shade out the *Cassinia rugata* population.
7. Ongoing monitoring for weed infestations or changes in hydrology of the soil are desirable. Some of the *Cassinia rugata* plants on the Collier/Garnett property are growing amongst some herbaceous weeds near a fence line, with no noticeable impact on their survival. However, it is desirable to limit incursions by herbaceous weeds. Any shrubby weeds that establish within the set aside area should be removed immediately by cutting and pasting, especially gorse which is present on a nearby roadside. The flat landscape and humus rich soil will probably be able to sustain its natural seasonal wetting if non-essential drainage is avoided in the immediate vicinity.

Should the spraying be so successful that little natural regeneration of the area occurs following a burn; there are options for rehabilitation that would need to be considered at that stage.

Concluding remarks

In an ideal world, the existence of a threatened plant species should be brought to the attention of a landowner before they develop their own plans for their land. Matt is to be commended for his patience and interest when advised that *Cassinia rugata* was likely to be on his land while conducting his earth works. With an adequate area of land set aside (Figure 1 and Appendix 3) and modest amount of on-going management, there is a high likelihood that a significant population of *Cassinia rugata* can be sustained into the future. It is through these modest but highly significant contributions from interested landowners that we will be able to sustain our natural heritage.

Appendix 1 Email confirmation of *Cassinia rugata* in Tasmania, 9 April 2010

Hi Phil

Thank you very much for sending me the *Cassinia* specimens. They are remarkably variable for such a limited population. However I think that there is no doubt that they represent a new and important record of *C. rugata*.

I have tried hard to make them stand alone as a new taxon, but I think the best solution is to include them in a slightly expanded concept of *C. rugata*. Some, but not all, have narrower leaves (others match the Vic material well in this regard), and some lack the slightly spreading tips to the involucral bracts, and not all have the bracts arranged in \pm vertical rows. The hairs on the upper leaf surface vary from coarse (as in my illustrations) to quite fine. However, I think these kinds of variation can be accommodated in a slightly broader *C. rugata*.

The good news of course is that the species is now a little more secure. Last time I looked at *C. rugata* near Portland the populations seemed to be struggling. It would be great if you managed to find this species in other localities in Tas, although I guess you have already looked.

I will lodge the material you sent in CANB.

Best wishes

Tony Orchard

Appendix 2 Habitat and management of *Cassinia rugata* in Tasmania

The evidence from the Collier/Garnett property is that *Cassinia rugata* favours open situations, often in places that are seasonally inundated with shallow water. We classify this habitat as the vegetation communities (TASVEG 1.0³) SHL *Lowland sedgy heathland*, extending into regenerating DOV *Eucalyptus ovata forest and woodland*, and the edge of ASF *Freshwater aquatic sedgeland and rushland*. A few plants of *Cassinia rugata* that have been shaded more deeply by blackwoods in *Eucalyptus ovata woodland* have been seen to become leggy and die.

As with most organisms, *Cassinia rugata* does not occupy all of the apparently suitable habitat. It tends to grow in a mosaic of dense clusters, looser clusters and isolated plants (Figure 2). The most vigorous plants are shrubs with numerous branches at ground level, forming a dense rounded canopy 1 m to 1.5 m tall. Less vigorous plants can have a few leggy branches. Plants are easiest to see when flowering in February. In particular, with a low light behind the observer the white flower heads (Figure 3) appear to glow. By mid-winter flower heads are finished, many leaves are browning off, and the plants tend to have an unhealthy scruffy appearance, only to burst into life again the following summer.



Figure 2 Massed flowering of *Cassinia rugata* plants February 2011

The management plan at the Collier/Garnett property requires burning/slashing of open SHL communities every 5 to 10 years and DOV communities every 20 to 30 years. Burning of SHL commenced in 2007 before *Cassinia rugata* was identified on the property. Most of the densest clusters of *Cassinia rugata* plants were burnt in 2007, with no pre- or post- survey work. However, plants that survived the burn re-grew rapidly from the rootstock and have flowered successfully for several years since 2007.

³ www.dpipwe.tas.gov.au/inter-nsf/ThemeNodes/LJEM-6PE7J4?open



Figure 3 *Cassinia rugata* flower head February 2011

In 2011, for the first time since *Cassinia rugata* was identified with certainty, some scattered plants were in burn areas and therefore deliberately burnt. We have been monitoring the response of some of these plants to the burn. Many plants regenerated vigorously from the rootstock (Figure 4), but fresh stems are subject to heavy grazing. The old dead branches, which can form a tangled mass at the base of previously vigorous plants, afford some protection from grazing. Presumably as the surrounding vegetation also grows up, grazing access will become more limited and branches will again grow to maturity.

We also monitored for seedling germination, to the extent that is feasible in an extensive native habitat. Seedlings (Figure 5) were seen in some numbers (30+) surrounding two of the burnt plants. Over time these thinned out from natural causes. It is too early to determine whether or how many seedlings will reach maturity. It is the seedlings that grow apart from existing plants that are likely to be of more value to expanding the population, but the observed germination pattern goes some way to explaining why there are dense clusters of adult plants in some instances. Given the typical daisy fruit of *Cassinia rugata* with a pappus that should enable the wind to spread seeds far and wide, it is surprising that germination is concentrated around adult plants.

The observations to date, not only suggest that disturbance is necessary for the health of *Cassinia rugata* plants; it also suggests that adult plants are resilient to disturbance from burning and slashing. Plants regenerate vigorously from burnt rootstock. They also regenerate from slashing as seen at the Cater property. More systematic work would be useful to determine the proportion of mature plants that survive disturbance and whether/how many seedlings survive to maturity.



Figure 4 Regeneration of *Cassinia rugata* plant in August 2011, following a burn in April 2011



Figure 5 *Cassinia rugata* seedling

Appendix 3 Specifications of the set side area

The set aside area aligns with the northern and eastern boundaries of the Carter property, as shown in Figure 6.



Figure 6 Set aside area with property boundary from thelist.tas.gov.au shown.

The set aside polygon is bounded by the following coordinates:

- S41 11 34.0 E146 32 59.9 (north east corner on property boundary)
- S41 11 35.6 E146 32 59.0 (south east corner on property boundary)
- S41 11 35.3 E146 32 57.2 (southern side of set aside area)
- S41 11 33.7 E146 32 51.8 (western side of set aside area)
- S41 11 32.9 E146 32 52.0 (north western corner on property boundary)

A Google Earth data file is supplied separately that includes all the details shown in Figure 1 and Figure 6.

Tuesday, December 5, 2023 at 10:13:22 Australian Eastern Daylight Time

Subject: FW: LPS submission Darrin Belinda Quinn
Date: Tuesday, 5 December 2023 at 10:13:05 am Australian Eastern Daylight Time
From: Jo Oliver | Terra Firma Town Planning
To: Jo Oliver | Terra Firma Town Planning
Priority: High

From: belindaquinn7 <_____
Sent: Monday, September 18, 2023 1:24 PM
To: Latrobe Council <council@latrobe.tas.gov.au>
Subject: LPS submission Darrin Belinda Quinn
Importance: High

Sent from my Galaxy
Dear Sir or Madam,

We would like to add our submission to Latrobe LPS regarding our property at 168 Parkers Ford Road, Port Sorell (FR9398/3) owned by Darrin and Belinda Quinn. Council has recognised in its response to the submission, that the land should be zoned rural residential by recommending the Rural Living Zone D. We are requesting a Rural Living A zone for the future.

The subject land used to be zoned Rural Residential under an older Planning Scheme.

A permit was issued for the subdivision of this land; however, the previous owner did not act on the permit, and it lapsed in 1998.

During this time the land was rezoned as part of the implementation of the Latrobe Planning Scheme No 1 of 1994 to Rural A and later as part of the Latrobe Interim Planning Scheme 2013 to Rural Resource.

A rezoning and development application was lodged in 2004 for the subject site to enable the development of the land for rural residential purposes. The proposal was recommended for approval by the Council Planning Officer; however, was refused based on the subject land being outside the Port Sorell Strategic Plan rural residential expansion boundary.

As there is insufficient supply to satisfy demand for rural residential type properties we do hope that our property is considered to be moved to a rural living A status which will enable possible future development for the future.

Regards
Belinda & Darrin Quinn

03 October 2023

Request for Additional Information and Extension of Public Comment Period – Proposed Rezoning of Agricultural Land

Dear Gerald Monson

I trust this letter finds you well. I am writing to express my sincere interest in the proposed rezoning of agricultural land within our community. I believe that this issue is of great importance to the future of our region, and I would like to request more detailed information regarding the proposal. Additionally, I kindly ask for an extension of the public comment period to allow for a comprehensive assessment and thoughtful engagement.

As a concerned member of our community, I recognize the significance of our agricultural and natural biodiversity assets. The agricultural land under consideration plays a vital role in sustaining our local economy and providing essential resources for our community. Furthermore, it is a sanctuary for natural biodiversity and a source of scenic beauty that greatly enhances the quality of life for our residents.

To better understand the implications of the proposed rezoning, I respectfully request the following:

Comprehensive details on the proposed rezoning plan, including its objectives, potential impact on agricultural activities, visual impact assessment, future land sizes and detailed road and infrastructure plan regarding the creek, dam and topography and historical land use.

Recent history and findings from environmental impact assessments or studies, if available potential consequences on the surrounding environment and community, including any potential threats to biodiversity and ecosystem.

Given the significance of this proposal to our community's agricultural heritage, natural biodiversity, and the overall well-being of its residents, I believe it is essential to extend the public comment period to allow for a thorough and inclusive review process. An extension of 30 days beyond the initial comment deadline would facilitate a more informed and thoughtful dialogue.

I am deeply concerned about the potential risks and consequences associated with the rezoning of this valuable agricultural land. Its contribution to our community's character, privacy, and visual impact cannot be overstated. Therefore, should additional details not be made available, I will have no choice but to express my strong opposition to the rezoning.

I look forward to your response and the provision of the requested information. I am committed to working collaboratively with the local council to ensure that any decisions made regarding this

proposal are in the best interests of our community and the preservation of our invaluable assets.

Thank you for your attention to this matter, and I am grateful for your consideration of my requests.

Sincerely, Jackson Turner
124 Castle Drive
Tarleton

Email:

Phone:

Tuesday, December 5, 2023 at 09:59:30 Australian Eastern Daylight Time

Subject: FW: Draft Amendment 3.2 Delete Tarleton Specific area plan
Date: Tuesday, 5 December 2023 at 9:59:11 am Australian Eastern Daylight Time
From: Jo Oliver | Terra Firma Town Planning
To: Jo Oliver | Terra Firma Town Planning
Attachments: image001.jpg

From: Cunningham, Mandy <____>
Sent: Friday, October 6, 2023 3:51 PM
To: Latrobe Council <council@latrobe.tas.gov.au>
Subject: Draft Amendment 3.2 Delete Tarleton Specific area plan

You don't often get email from mandy.cunningham@tastafe.tas.edu.au. [Learn why this is important](#)

Myself, Gail and Terry Connelly, being land owners of 1 and 4 Champ St, Tarleton, agree with the proposed deletion of the Tarleton Specific area plan

Thanks

Mandy Cunningham
Administration Officer | Drysdale | TasTAFE
20 Valley Rd, Devonport Tasmania 7310
Phone 0 | **Email**
www.tastafe.tas.edu.au | 1300 655 307
RTO 60142 | CRICOS 03041M

We acknowledge the palawa people as the traditional custodians of the land on which we learn and work together and are committed to building relationships and opportunities for all Aboriginal people in our region.



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From: "Justin Castles - O'Rourke and Kelly" <justin@orourkekelly.com.au>
Sent: Mon, 18 Sep 2023 16:02:21 +1000
To: "Latrobe Council" <council@latrobe.tas.gov.au>
Subject: Written Submission - Jones - Latrobe Local Provisions Schedule
Attachments: Representation - Latrobe Council.pdf

 You don't often get email from justin@orourkekelly.com.au. [Learn why this is important](#)

Dear Sir/Madam

Please find attached written representation.

Kind Regards,

Justin Castles, Solicitor

O'Rourke & Kelly Solicitors
PO Box 541/20 Rooke Street
Devonport TAS 7310
Phone: 03 64 244633
Email: justin@orourkekelly.com.au

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O'ROURKE & KELLY

Solicitors
(incorporating BRIAN O'ROURKE & CO.)

ANTHONY JAMES O'ROURKE, B.A., LL.B.
MELANIE HARRIS LL.B. (HONS.)
JUSTIN CASTLES, BA. LL.B.

20 ROOKE STREET, DEVONPORT
P.O. BOX 541, DEVONPORT TAS. 7310

FACSIMILE: (03) 6424 8825

TELEPHONE: (03) 6424 4633

Our Ref:

Your Ref:

Enquiries: Justin Castles

18 September 2023

Latrobe Council
PO Box 63
LATROBE TAS 7307

Dear Sir/Madam,

Re: LATROBE LOCAL PROVISIONS SCHEDULE – REPRESENTATION: ZONING OF COTTON STREET (CT 33474/2) & (General Law Deed 54/2104) and HAMILTON STREET (CT 146040/1)

We act for Stephen John Jones, registered owner of property at Cotton Street, Latrobe, comprised in General Law Deed 54/2104 and Hamilton Street, folio of the Register 146040/1, and we act for the Estate of Thomas Anderson Jones in relation to property at Cotton Street, folio of the Register 33474/2 ("the Land").

It is noted that as part of the proposed amendment to the Latrobe Local Provisions Schedule ("LPS"), Council intends to apply the Agriculture Zone to our client's Land. We submit that the application of the Agriculture Zone to the Land is inconsistent with Guideline No. 1 Local Provisions Schedule (LPS): zone and code application.

Constraints to Agricultural Use

The Land is currently zoned Rural. The adjacent land to the east is zoned General Residential. The Land Potentially Suitable for Agriculture Zone layer published on the LIST, created using the methodology outlined in the Agriculture Land Mapping Project, identifies the land as potentially constrained. In respect to folio of the Register 146040/1 and General Law Deed 54/2104 the land is criteria 3 and in respect to folio of the Register 33474/2, criteria 2A.

Folio of the register 33474/2

The land is not being used for grazing and to our client's knowledge has never been used for grazing. The land has previously been used for the purpose of a private equine training facility, but the topographical features, elongated shape and surface of the land make it incompatible with grazing pursuits, crop production, or keeping of livestock. The size and nature of the land, combined with its proximity to residential areas makes it unsuitable for any type of agricultural enterprise.

The land is not in common ownership with any adjoining property, negating the possibility of expansion to enhance its suitability for agricultural use.

FRAUD WARNING: Due to the increasing number of frauds relating to the transfer of money we request that YOU DO NOT act on any email, letter or fax purporting to be from our office asking you to transfer or send money without first contacting us by telephone to confirm the authenticity of the request.

Document Set ID: 63578
Version: 1, Version Date: 18/09/2023

O'ROURKE & KELLY

Solicitors
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ANTHONY JAMES O'ROURKE, B.A., LL.B.
MELANIE HARRIS LL.B. (HONS.)
JUSTIN CASTLES, BA. LL.B.

20 ROOKE STREET, DEVONPORT
P.O. BOX 541, DEVONPORT TAS. 7310

FACSIMILE: (03) 6424 8825

TELEPHONE: (03) 6424 4633

According to the LIST, Land Capability is assessed as class 5, meaning that the land is unsuited to cropping with slight to moderate limitations to pastoral use.

Permitted uses existing under the Rural Zone are compatible with the surrounding residential area.

General Law Deed 54/2104

The land borders a developing residential area to the east, and given the proximity to the residential area, any agricultural pursuit may conflict with the purpose and expected use of the closely neighbouring General Residential Zone.

The land has been used for grazing of a very limited nature, however the size of the land and lack of irrigation access restricts its ability to permanently support any viable quota of grazing livestock at any one time without intensive supplementary feed management.

The land is not in common ownership with any adjoining property, negating the possibility of expansion to enhance its suitability for agricultural use.

According to the LIST, Land Capability is assessed as class 5, meaning that the land is unsuited to cropping with slight to moderate limitations to pastoral use.

Permitted uses existing under the Rural Zone are compatible with the surrounding residential area.

Folio of the register 146040/1

Agricultural use is limited due to the size of the land and given the proximity to the residential area, any agricultural pursuit may conflict with the purpose and expected use of the closely neighbouring General Residential Zone to the east and south of the land.

The land has been used for grazing of a very limited nature, however the size of the land and lack of irrigation access restricts its ability to permanently support any viable quota of grazing livestock at any one time without intensive supplementary feed management.

The land is not in common ownership with any adjoining property, negating the possibility of expansion to enhance its suitability for agricultural use.

According to the LIST, Land Capability is assessed as class 5, meaning that the land is unsuited to cropping with slight to moderate limitations to pastoral use.

Permitted uses existing under the Rural Zone are compatible with the surrounding residential area.

FRAUD WARNING: Due to the increasing number of frauds relating to the transfer of money we request that YOU DO NOT act on any email, letter or fax purporting to be from our office asking you to transfer or send out money without first contacting us by telephone to confirm the authenticity of the request.

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O'ROURKE & KELLY

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20 ROOKE STREET, DEVONPORT
P.O. BOX 541, DEVONPORT TAS. 7310

FACSIMILE: (03) 6424 8825

TELEPHONE: (03) 6424 4633

Guideline No. 1

Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if:

- (a) local or regional strategic analysis has identified or justifies the need for an alternate consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;
- (b) for the identification and protection of a strategically important naturally occurring resource which requires an alternate zoning;
- (c) for the identification and protection of significant natural values, such as priority vegetation areas as defined in the Natural Assets Code, which require an alternate zoning, such as the Landscape Conservation Zone or Environmental Management Zone;
- (d) for the identification, provision or protection of strategically important uses that require an alternate zone; or
- (e) it can be demonstrated that:
 - (i) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;
 - (ii) there are significant constraints to agricultural use occurring on the land; or
 - (iii) the Agriculture Zone is otherwise not appropriate for the land.

In accordance with AZ 6(e), the Land has restricted agricultural use, due to its size, location and topography. There is little to no potential for the Land to form part of a larger holding and there are constraints to agricultural use.

The Land is not capable of supporting productive agricultural use, it is subject to restraints, lack of quality irrigation, and significant capital investment would be required to transform the Land so as to establish a commercially productive operation. Given the proximity to the neighbouring General Residential Zone, the Land is more suited to its existing zoning.

Conclusion

Applying the Agriculture Zone will significantly burden the current and future owners of the Land, given its practical lack of potential for agricultural use, and it will stifle any opportunity for suitable development. The submission is that in the circumstances the Agriculture Zone is not appropriate, and the Land is more suited to its current Zoning, Rural Zone.

If you require further supporting evidence prior to making any formal decision, we respectfully request that you afford our clients with the further time and opportunity to provide you with an Agricultural Assessment and Rezoning Report.

FRAUD WARNING: Due to the increasing number of frauds relating to the transfer of money we request that YOU DO NOT act on any email, letter or fax purporting to be from our office asking you to transfer or deposit money without first contacting us by telephone to confirm the authenticity of the request.

Document Set ID: 633578
Version: 1, Version Date: 16/09/2023

O'ROURKE & KELLY

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JUSTIN CASTLES, BA. LL.B.

20 ROOKE STREET, DEVONPORT
P.O. BOX 541, DEVONPORT TAS. 7310

FACSIMILE: (03) 6424 8825

TELEPHONE: (03) 6424 4633

We look forward to discussing this representation further with Council.

Yours faithfully,

O'ROURKE & KELLY

Per:



J.R. CASTLES

Direct email: justin@orourkekelly.com.au

Representation 11

Tuesday, December 5, 2023 at 10:08:56 Australian Eastern Daylight Time

Subject: FW: Draft Amendments 7.1 and 7.2

Date: Tuesday, 5 December 2023 at 10:08:38 am Australian Eastern Daylight Time

From: Jo Oliver | Terra Firma Town Planning

To: Jo Oliver | Terra Firma Town Planning

-----Original Message-----

From: VONDA MASON <

<mailto:____>>

Sent: Thursday, September 14, 2023 9:56 AM

To: Latrobe Council <council@latrobe.tas.gov.au> <mailto:council@latrobe.tas.gov.au>>

Subject: Draft Amendments 7.1 and 7.2

To Whom it may concern,

We wish to advise that we support the application for Site Specific Qualification for 9 Conservatory Road Sassafras.

Sincerely,

Vonda & Glenn Mason

1 of 1

Tuesday, December 5, 2023 at 10:15:33 Australian Eastern Daylight Time

Subject: FW: Latrobe LPS - draft amendments to Substantially Modify the Latrobe Local Provisions Schedule
Date: Tuesday, 5 December 2023 at 10:15:21 am Australian Eastern Daylight Time
From: Jo Oliver | Terra Firma Town Planning
To: Jo Oliver | Terra Firma Town Planning
Attachments: image001.jpg, image002.jpg

From: Frazer Read <Frazer@allurbanplanning.com.au>
Sent: Monday, September 18, 2023 2:56 PM
To: Latrobe Council <council@latrobe.tas.gov.au>
Cc: Jo Oliver | Terra Firma Town Planning <jo@terrafirmaplanning.com.au>; Teena Guest <Teena.Guest@tasports.com.au>
Subject: Latrobe LPS - draft amendments to Substantially Modify the Latrobe Local Provisions Schedule

Attention:
Jan Febey
Manager Development & Regulatory Services
Latrobe Council

Dear Jan,
I refer to your letter 21 August 2023 providing an invitation for written representations in relation to the Draft Amendments to Substantially Modify the Latrobe Local Provisions Schedule.
I confirm that I have reviewed the draft amendments affecting the Devonport Airport site and that TasPorts and has no objection.

Thank you for the opportunity to review and for Council's work to progress the new Particular Purpose Zone for this important site.

Regards

Frazer Read
Principal

Call 0400 109 582 Email frazer@allurbanplanning.com.au
19 Mawhera Ave, Sandy Bay Tasmania 7005
allurbanplanning.com.au

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10.3 DRAFT AMENDMENTS TO LATROBE LOCAL PROVISIONS SCHEDULE-REPORT UNDER SECTION 40K LUPPA 1993

Cr Garry Sims moved and Cr David Fidler seconded:

That the report by the Manager Development and Regulatory Services concerning Draft Amendments to Latrobe Local Provisions Schedule-Report Under Section 40K LUPPA 1993, be received and:

1. Endorse as the Planning Authority report, pursuant to Section 40K of the Land Use Planning & Approvals Act 1993;
2. Council requests that the Tasmanian Planning Commission dispense with the holding of a hearing into the following draft amendments:
 - Draft amendment 1.2
 - Draft amendment 2.1
 - Draft amendment 5.1
 - Draft amendment 6.1
 - Draft amendments 7.1 and 7.2
 - Draft amendments 8.1 and 8.2
3. Council delegate to the General Manager its powers and functions to:
 - a) modify the report submitted under Recommendation 1 if a request or a direction for further information is received from the Tasmanian Planning Commission; and
 - b) represent the planning authority at hearings of the Tasmanian Planning Commission pursuant to Section 40L. of the Land Use Planning & Approvals Act 1993.

CARRIED UNANIMOUSLY
8 / 0

FOR: Mayor Peter Freshney, Cr David Fidler, Cr Garry Sims, Cr Gerrad Wicks, Cr Graeme Brown, Cr Jacki Martin, Cr Sommer Metske and Cr Vonette Mead

AGAINST: Nil

ABSTAINED: Cr Claudia Baldock