

19 November 2024

CEO's Office
REQ2024-106290

Tasmanian Planning Commission
Mr John Ramsay
Executive Commissioner
Via email only: tpc@planning.tas.gov.au

Dear John

Referral of Major Project - Kangaroo Bay Hotel project

I refer to your letter dated 23 October 2024 inviting council to provide comment on the assessment criteria in the major project impact statement for the Kangaroo Bay Hotel project ("**the Project**").

Preliminary matters

The plans submitted by Chambroad for determination of the major project status lack sufficient clarity to clearly understand the details of the project. Council notes that Chambroad Overseas Investment Australia Pty Ltd ("**Chambroad**") application for major project status was on the basis that the Project was fully within its own purported title boundaries. On this basis, council's comments are premised on the view that the Project will not rely upon or involve any works on any council land including road reservations.

In the ordinary course of a development application, if a proposed development included works on council land for which a permit is required, council would require the applicant to seek landowner consent under section 51(1B) of the *Land Use Planning and Approvals Act 1993 (Tas.)* (LUPAA).

It is council's view that the plans provided by Chambroad are insufficient for any person to properly assess the boundaries of the Project and that proper, clear plans showing the boundaries of the Project should be provided. In addition, neither the application for major project status, nor the subsequent report to the Minister, identified that the development would be inconsistent with the provisions of the Tasmanian Planning Scheme – Clarence ("**the planning scheme**")

Planning Scheme

It is council's view that the application should be assessed against the normal provisions of the planning scheme and relevant council policies.

Accordingly, the application should include all the information required for an ordinary application for permit as set out in Section 6.0 - Assessment of an Application for Use or Development of the planning scheme (with the exception of clause 6.1.2(a) and 6.1.2(b) which relate to an application for permit under Part 4, Division 2 of LUPAA).

It is noted that the site is mostly designated as Area C – Wharf within the Particular Purpose Zone - Kangaroo Bay. A small portion of the western end of the lot would appear to be located outside the zoned area of the Local Provisions Schedule and would therefore be considered in accordance with Section 7.11 - Use or Development Seaward of the Municipal District of the planning scheme.

Therefore, the assessment criteria for the project under the planning scheme is primarily contained within CLA-P2.0 Particular Purpose Zone - Kangaroo Bay of the Local Provision Schedules of the planning scheme.

If you have any queries in relation to this letter please contact council's Head of City Planning, Mr Daniel Marr, on 6217 9546 or dmarr@ccc.tas.gov.au .

Yours sincerely



Ian Nelson
CHIEF EXECUTIVE OFFICER