

# TASMANIAN PLANNING COMMISSION



Our ref: DOC/23/96834  
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23 August 2023

Mr Brian Risby  
Director  
State Planning Office

By email: [stateplanning@dpac.tas.gov.au](mailto:stateplanning@dpac.tas.gov.au)

Dear Mr Risby

**Draft Planning Directive No. 9 and  
draft amendment 01-2022 to the State Planning Provisions  
Container Refund Scheme - Exemptions and Special Provisions**

I refer to draft Planning Directive No. 9 and draft amendment 01-2022 to the State Planning Provisions (provisions) and to a hearing held at the Tasmanian Planning Commission's (Commission) office in Hobart on 17 and 18 August 2023 which was adjourned.

The Commission gives the following directions:

1. Exemptions

The State Planning Office (SPO) is to provide a submission on the exemptions relating to pop-up refund points, including clarifying whether the scope of the proposed exemption associated with a market, sporting, social or cultural event is intended to be limited to public land.

If modifications are proposed to address these matters, please include them in the submission.

2. Building setbacks and height

The SPO is to provide a submission on the merit of redrafting the provisions relating to setbacks and height in draft subclauses 7.14.2 e), f) and g) as discussed at the hearing, which included modifying the provisions to include a front setback of 2m in the zones referred to in subclause e) and a height of 3m in subclause g).

The SPO is requested to include a response to the side and rear setbacks concerns that were raised at the hearing and whether the provisions require redrafting in response to this matter.

3. Automated and large format container refund depots

At the hearing, the Commission heard submissions that the range of zones proposed to cater for automated and large format container refund depots (proposed to be included in the 'waste transfer station' definition) was too limited, that their impact was similar to the 'Bulky Goods Sales' use class and that consideration ought to be given to their proposed use status and the zones they might be developed in.

The SPO is to provide a submission on the merit of modifying the State Planning Provisions, relevant interim planning schemes and the Sullivans Cove Planning scheme 1997 to give the Recycling and Waste Disposal use class permitted or discretionary use status in the Light Industrial and Commercial zones (if for a waste transfer station).

As part of this submission the Commission request that the SPO provides the drafting of any necessary changes to the planning instruments and its opinion on whether these modifications would require re-exhibition in accordance with section 30P of the *Land Use Planning and Approvals Act 1993* as a substantial modification.

4. The SPO is to provide a submission on a redrafted clause 7.14.2(l) to clarify the intent of the clause in relation to operating hours and limits on service vehicles.
5. The SPO is to provide a submission detailing which interim planning schemes are impacted by draft Planning Directive No. 9.
6. The SPO is to provide a submission in relation to the proposed sign provisions included in draft Planning Directive No. 9 having regard to the sign provisions in the Cradle Coast interim schemes.

The SPO is to provide the Commission with the submission by close of business on **Wednesday, 6 September 2023**.

Parties are invited to make a response submission. Response submissions must be provided to the Commission by close of business on **Wednesday, 20 September 2023**.

Submissions must be made by email to [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au). Once received, the submissions referred to above will be made available under the [draft amendment 01-2022](#)<sup>1</sup> and [draft Planning Directive No. 9](#)<sup>2</sup> assessment pages on the Commission's website.

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

If the hearing is to be reconvened, the Commission will advise the parties and publish a notice.

If you require further information please contact Lauren O'Brien, Planning Adviser, on 6165 6813.

Yours sincerely



Roger Howlett  
**Delegate (Chair)**

cc Representors

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<sup>1</sup> <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/am-spp-01-2022>

<sup>2</sup> <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/pd-mfp-pd9>