

TASMANIAN PLANNING COMMISSION

Our ref: DOC/24/29715
Officer: Louise Blyth
Phone: 6165 6818
Email: tpc@planning.tas.gov.au

12 March 2024

Mr Gerald Monson
General Manager
Latrobe Council

Attention: Ms Jo Oliver, Director Terra Firma Town Planning

By email: jo@terrafirmaplanning.com.au;
council@latrobe.tas.gov.au

Dear Mr Monson,

Tasmanian Planning Scheme - Latrobe Draft amendment 04-2023

I refer to the above draft amendment and to the hearing held at Latrobe Council chambers on 21 February 2024 which was adjourned by the Commission.

At the hearing, the planning authority submitted a potential modification to the draft amendment to introduce a Site-specific qualification (SSQ) to allow additional uses to all or part of the land proposed to be zoned Agriculture in the draft amendment. The types of additional uses in the potential SSQ or the spatial extent was not confirmed. The planning authority confirmed they had only had the opportunity to discuss this proposal recently with one of the property owners involved.

The Commission has reflected on the planning authority's submission at the hearing and is not persuaded that it is appropriate to consider the potential SSQ at this late stage of the hearing process based on the limited information submitted and lack of consultation.

As a matter of principle, the Commission seeks to be inclusive as possible, but in this case, there are numerous affected landowners and many adjoining and nearby landowners and occupiers who are not aware of the potential SSQ and how it may affect the subject land. They have not been afforded the opportunity to be heard or comment on information that the delegates may base their conclusion on.

The Commission notes the flood-prone hazard area overlay applies to the land. Introducing new uses (whatever they may be) to the subject land requires consideration of the code provisions to ensure such uses are located and managed appropriately according to the flood risk, and evidence supported by a suitably qualified person. Consideration of the newly constructed flood levee system at Latrobe and how this affects the subject land is also relevant.

Further, information on how the potential SSQ meets section 32(4) of *the Land Use Planning and Approvals Act 1993* has not been addressed.

The planning authority may consider pursuing the potential SSQ through a separate amendment process to the LPS.

Closing submissions

As agreed at the hearing, the Commission invites all parties to make a written closing submission (if any) on the draft amendment to the Commission by **28 March 2024**.

Submissions must be made by email to tpc@planning.tas.gov.au. Once received, the submissions referred to above will be made available under the [relevant assessment](#)¹ 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 Louise Blyth, Planning Adviser, on 6165 6818.

Yours sincerely



Claire Hynes
Delegate (Chair)

Cc. representors

¹ <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/am-lat-4-2023>