

TASMANIAN PLANNING COMMISSION



Our ref: DOC/22/125265
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16 November 2022

Mr Rolph Vos
General Manager
West Tamar Council

By email: wtc@wtc.tas.gov.au

Attention: Ms Michelle Riley, Municipal Planner

Dear Mr Vos

**West Tamar Local Provisions Schedule
Draft amendment 02-22
Rezoning various lots from Environmental Management**

The Commission has completed an initial review of the above draft amendment. To assist the Commission in considering the draft amendment a directions hearing has been convened.

The purpose of a directions hearing is to enable the Commission to direct the process and procedures to be followed during its consideration of the draft amendment.

You are invited to attend the directions hearing on 13 December 2022, commencing 9am, at the Tamar Function Centre, 1 Windsor Drive, Riverside.

The Commission wishes to discuss with the planning authority the information and evidence that may be required to enable the Commission to undertake its assessment of the draft amendment.

Matters that will be addressed at the directions hearing include:

1. Strategic planning

At a strategic planning level the Commission has little evidence on the suitability of the land for the proposed zones and its permitted use and development under those zones.

This is particularly applicable to the number of hazards and values that apply to certain sites, including:

- Coastal erosion and inundation hazard
- Landslip hazard
- Bushfire hazard
- Ecological values
- Landscape values

The Commission may refer to the information and references below in discussing these matters:

- Coastal Hazards in Tasmania, 1 December 2016 (Department of Premier and Cabinet)
- Landslide Planning Report, version 5 – 19 August 2013 (Department of Premier and Cabinet)
- Threatened vegetation communities layer of LISTmap
- FPA mature habitat layer of LISTmap
- Coastal vegetation significance layer of LISTmap

2. Purpose of the zones

The Commission has little evidence to support a proposition that the purpose of the Environmental Management Zone is inappropriate.

Additionally, many of the sites are proposed as the Landscape Conservation Zone. The Commission has little evidence of the landscape values of the land or area and therefore why this zone is appropriate. This is specifically relevant to a number of the smaller titles proposed for inclusion under this zone.

The Commission will discuss with the planning authority what further evidence or information may be required on the suitability of existing or proposed zones and may issue a direction in relation to these matters.

3. Section 34(2) of the *Land Use Planning and Approvals Act 1993*

The requirements of section 34(2) of the *Land Use Planning and Approvals Act 1993* must be considered as part of the draft amendment process.

The State Coastal Policy 1996 and the Northern Tasmania Regional Land Use Strategy, 23 June 2021 appears to contain outcomes, strategies and policies that relate to the planning matters the Commission must consider.

The Commission intends to discuss what evidence or information may be needed in relation to these requirements at the directions hearing and may issue a direction in relation to these matters.

4. Intent of the draft amendment

The planning authority's assessment report refers to the draft amendment being proposed to re-establish the use rights that existed under the West Tamar Interim Planning Scheme 2013 (interim planning scheme), and having provisions that are similar to those in place prior to the introduction of the Tasmanian Planning Scheme.

Most of the proposed zones enable a single dwelling to be considered as a 'permitted' use. Also, the Commission notes that clause 7.1 of the State Planning Provisions provides standards for changes to a non-conforming use similar to that provisions of the interim planning scheme.

If the purpose of the draft amendment is to re-establish provisions similar to those that existed in the interim planning scheme, the Commission is interested in understanding what evidence could be provided to support why this is suitable and how this outcome could be achieved.

The directions hearing is an opportunity for any preliminary matters to be addressed prior to any assessment of the merits of the draft amendment. It is not restricted to the above matters.

The matters above have been provided to allow the planning authority to consider some of these considerations that were reviewed by the Commission as part of its initial assessment process.

If participating in the hearing you must complete the attached attendance form and return it to tpc@planning.tas.gov.au at least seven days before the hearing.

Please note that to manage the spread of COVID-19, appearances may be by telephone or Microsoft Teams. For more information see the [Commission's website](#)¹.

For parties other than the planning authority, it is not essential for you to attend the directions hearing. You will still be invited to appear at further hearings and continue to be informed as consideration of the amendment progresses. Any directions given by the Commission as a result of the directions hearing will be made available under the [relevant assessment](#)² on the Commission's website.

If you require further information or are unable to access the website please contact Lauren O'Brien, Planning Adviser, on 03 6165 6813.

Yours sincerely

A handwritten signature in black ink, appearing to read 'MH', with a horizontal line extending to the right.

Michael Hogan
Delegate (Chair)

Cc all parties

¹ <https://www.planning.tas.gov.au/assessment-resources/information-sheets>

² <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/am-wta-amd-02-22>