

**Mr John Ramsay
Executive Commissioner
Tasmanian Planning Commission
144 Macquarie Street
Hobart TAS 7000**

**PO Box 460
Newstead 7250
Email: jcampbellsmith@iice.net.au**

4th November 2022

Dear Mr Ramsay,

Further to our submission and attendance at the Hearings held at St Helens on 7th and 9th September in relation to our land at Simeon Place Akaroa, it is noted on the Tasmanian Planning Commission website that the Council have responded to the Commission's request for further detail regarding their proposal for split zoning.

At the meeting on 9th September we noted your remarks that the Council must meet with us to discuss any proposal before any final decision on Zoning was made. In this regard as we have not received any communication from the Council regarding their proposal to the Commission, it was felt prudent to provide you with our concerns on their proposal.

The Council would appear to have altered their definition of the word "constraints" to cover potential for Coastal Inundation. In this regard it should be noted that it does not follow that the Coastal Inundation overlay dictates the underlying zone.

It is also noted that the original issue raised by the Council that our land "Holds significant Natural Values" has not been addressed particularly considering this assumption was extensively refuted in our submission. A search of the Natural Values Atlas on the section of our land located to the North East shows no evidence of any threatened species being present. As ordinary rate payers we would expect that Council to have followed appropriate due diligence in relation to matters they raised to try and differentiate our property from its neighbours. It is considered unreasonable that the onus of proof is expected to fall heavily on us as landowners.

As proposed in our submission to the Planning Commission, we are amenable to having our land to the south that is low lying and subject to potential tidal inundation removed from our title and could potentially become a conservation reserve. We strongly object however to treating the portion of our land to the North East as a conservation area through the application of Landscape Conservation Zone.

Of major concern is the fact that the Council has failed to follow a directive from the Planning Commission to discuss with us any further proposals for this rezoning. Also of major concern is Council process to date in not addressing any of the many issues we raised in our submission relating to Council not adhering to the zoning guidelines and their complete lack of supporting evidence in attempting to differentiate our land from that of its neighbours in a long established residential settlement. It would appear that we are not being afforded Natural Justice in this matter.

Yours Sincerely

John and Annie Campbell-Smith