

TASMANIAN PLANNING COMMISSION



DECISION

Planning scheme	Tasmanian Planning Scheme - Hobart
Planning authority	Hobart City Council
Decision type	Section 80O Alteration - 2026-04
Date of decision	24 August 2026

Background

The Hobart Local Provisions Schedule (LPS) was approved by the Commission in August 2025 and became effective in October 2025. In May 2026, the planning authority wrote to the Commission to request the overlay mapping for the Lower Sandy Bay Escarpment Specific Area Plan (SAP) be updated to aid interpretation of the 'escarpment line' on the overlay maps and to update the alignment of the SAP overlay with current cadastre.

The planning authority has suggested these issues could be addressed through an alteration made by the Commission under section 80O of the *Land Use Planning and Approvals Act 1993* (the Act). Section 80O of the Act allows the Commission to alter the authorised version of a planning scheme. The authorised version is the version currently provided through Tasmanian Planning Scheme Online and LISTmap.

Incidentally, the SAP is currently subject to a draft amendment directed as a substantial modification by the Commission as a result of its decision on the Hobart draft LPS. Under section 51 of the Act, the planning authority applies this version of the SAP to assessment of use and development until a decision on the draft amendment is ultimately made by the Commission. Section 80O does not apply to this version as it is currently under assessment.

Requirements of the Act

Section 80O of the Act provides the following:

- (1) The Commission may alter an authorised version of an electronic planning instrument -
 - (a) so as to correct an error in the version as to spelling, punctuation, order of provisions, cross-referencing, numbering, format or printing; or
 - (b) so as to make references to one gender include references to the other gender; or
 - (c) so as to replace a reference in the scheme to a body, office, person, place or thing with a reference to another body, office, person, place or thing that has replaced the body, office, person, place or thing; or

- (d) so as to leave out from the version any provision that is spent, has expired or has otherwise ceased to have effect or that is a provision of a saving, transitional or validating nature that only applies to a time or event that has passed.
- (2) The Commission may authorise the alteration of an electronic zoning map forming part of an authorised version of an electronic planning instrument or an authorised version of an electronic policy instrument, so as to –
 - (a) maintain alignment between that map and a layer of cadastral data on the LIST database, a layer of topographic data on the LIST database or another layer of data on the LIST database; or
 - (b) modify the technical characteristics of the map, such as attribute tables and metadata, providing that the planning markings are not altered (except in so far as paragraph (a) applies); or
 - (c) correct errors arising from the electronic characteristics of the electronic planning map, including gaps in data or overlaps in data; or
 - (d) improve the clarity of the electronic planning map, including by altering any colours or symbols used on the map.

Requested alteration

The first issue concerns the representation of the escarpment line overlay in LISTmap. For the line to be visible, it is displayed with a width of approximately 2m. The SAP contains provisions which set requirements based on whether proposed development is seaward or landward of the escarpment line, particularly for the area within 20m of the line. The planning authority has advised that it is not certain where the measurable point is for administering the SAP. It has questioned whether it is measured from the edges of the escarpment line as shown in LISTmap, or from the centre. If the measurable point is taken from the edges of the escarpment line, then there is additional land subject to the SAP provisions, which should not be included. The planning authority has suggested this issue could be addressed by mapping the seaward and landward areas either side of the line to 20m.

The second issue is that the SAP boundary shown in LISTmap does not align with the cadastre on the eastern side (seaward side) of the SAP area. In the exhibited draft LPS, the SAP overlay was aligned with the cadastre, however it is understood the cadastre changed about the time hearings on the draft LPS were held. The version of the SAP approved as the final LPS did not result in the SAP boundary being realigned with the updated cadastre as is common practice. It is noted the diagram in the written document for the directed substantial modification draft amendment aligns the SAP with the cadastre.

Commission consideration of proposed alteration

1. The SAP is intended to set a point at which land is either seaward or landward of the escarpment line. The escarpment line is effectively depicted in LISTmap as an area, which conflicts with the intent that the line simply separates the seaward and landward areas.

2. The Commission agrees with the planning authority proposal that the issue could be resolved by mapping the seaward and landward areas either side of the line with an overlay. However, these areas would need to extend fully to the eastern and western property boundaries as HOB-S3.7.2 A1 - Site coverage, unlike clauses HOB-S3.7.1 A1.1 and A1.2, and HOB-S3.8.1 A1, is not limited to 20m from the line.
3. To resolve the issue and to enable proper administration of the SAP, it is proposed to create defined areas, which map the seaward and landward areas. The location of the escarpment line will be the boundary between the two defined areas. Definitions should be included in the written document as follows:
 - landward area - means the area on the landward side of the Lower Sandy Bay escarpment.
 - Lower Sandy Bay escarpment - means the boundary between the landward area and seaward area shown on the overlay map as Lower Sandy Bay escarpment.
 - seaward area - means the area on the seaward side of the Lower Sandy Bay escarpment.

Commission consideration - section 80O

4. Section 80O(1)(a) provides for the Commission to correct spelling, punctuation, the order of provisions, cross-referencing, numbering, format or printing.
5. Section 80O(2)(d) provides for the Commission to alter planning scheme maps to improve the clarity of the electronic planning map, including by altering any colours or symbols used on the map.
6. The proposed alteration to the written document and replacement of the line in the maps with the defined areas, will aid interpretation of the LPS. Specifically, the alteration will enable proper administration of the SAP through improved cross-referencing between the provisions of the SAP and mapping. The proposed alterations to the mapping in LISTmap are for interpretation purposes only and do not change the policy of the SAP.
7. The Commission notes the planning authority may request these alterations be included in the directed substantially modified draft amendment SAP, if approved.
8. Section 80O(2)(a) otherwise provides for the Commission to alter planning scheme maps to maintain alignment between a map and a layer of cadastral data on the LIST database.
9. The extent of the misalignment of the SAP with the cadastre along the eastern boundary of the site is minor, generally being up to 2-3m, however in some areas the misalignment is up to 11m. It is considered appropriate that the SAP boundary be adjusted in LISTmap to match the current cadastre. This will ensure the SAP maintains alignment with the cadastral data and reflects the intent expressed in the exhibited mapping, which is that the SAP follow the eastern property boundaries and fully encompass the Low Density Residential Zone applied to properties in that area.

Decision

10. The Commission is satisfied the alterations detailed in Annexure A meet the requirements of section 80O of the Act and gives its approval.
11. The effective date for the alterations is 2 September 2026.



John Ramsay
Executive Commissioner

Annexure A - Alterations to the Tasmanian Planning Scheme - Hobart

1. Modify clause HOB-S3.4 Definition of Terms so that it appears as follows:

Term	Definition
landward area	means the area on the landward side of the Lower Sandy Bay escarpment.
Lower Sandy Bay escarpment	means the boundary between the landward area and seaward area shown on the overlay map as Lower Sandy Bay escarpment.
seaward area	means the area on the seaward side of the Lower Sandy Bay escarpment.

2. Modify the Lower Sandy Bay Escarpment Specific Area Plan overlays (SAP outline and defined areas) as follows:

