

Your Ref: DOC/26/97776



7th September 2026

John Ramsay
Executive Commissioner

tpc@planning.tas.gov.au

To The Executive Commissioner,

**Draft Amendment AMD 2026-1 and Permit DA 2026-4
1 Stonehouse Street, George Town**

I write to respond to your letter dated 21 August 2026.

The use of a Part 5 agreement in this specific circumstance is considered to be an acceptable mechanism for securing the ongoing maintenance of the hazard management area, though it is not Council's preferred mechanism.

Council's preference is for an easement benefiting the residential lots that rely upon the hazard management area and providing those landowners with appropriate rights to manage fuel loads within the relevant area of the balance lot. This provides a more direct mechanism whereby affected landowners can undertake the necessary vegetation management if the owner of the balance lot fails to do so.

A Part 5 agreement would instead rely upon an ongoing obligation being imposed upon the owner of the balance lot and, where that obligation is not met, potentially require Council enforcement. Council considers this a less desirable mechanism where an easement can provide the benefiting landowners with a direct means of protecting their own properties. Administration and enforcement of Part 5 agreements can also impose ongoing costs and resource demands on Council.

Notwithstanding this preference, the particular circumstances of the site reduce Council's concerns regarding the effectiveness of a Part 5 agreement. The land is located within the developed area of George Town, where substantial areas of undeveloped land are interspersed with residential development. Council already operates a comprehensive fire abatement program under which vegetation on land adjoining residential areas may be required to be managed where it presents an unacceptable fire risk. This provides an additional mechanism for managing bushfire risk irrespective of whether the hazard management area is secured through an easement or Part 5 agreement.

Accordingly, Council considers that a Part 5 agreement could provide sufficient certainty for future landowners in this instance. However, an easement benefiting the lots reliant upon the hazard management area and providing appropriate rights for those landowners to undertake the necessary fuel management, is considered an adequate and preferable mechanism.

Kind regards



Justin Simons
SENIOR TOWN PLANNER