

Tasmanian Planning Commission
Level 3, 144 Macquarie Street
Hobart TAS 7001

By email: tpc@planning.tas.gov.au

For the attention of John Ramsay, Executive Commissioner

**CC: The Hon Michael Ferguson Minister for Planning, Kate Mauric
General Manager King Island Council**

26th June 2023

RE: King Island Interim Planning Scheme 2013 –Attenuation Code.

Dear John,

The *King Island Interim Planning Scheme 2013* differs from all other planning schemes across Tasmania in that it does not contain an Attenuation Code¹.

This presents a difficulty for Group 6 Metals to operate its Dolphin Tungsten Mine at Grassy King Island (the Mine) without the ability to manage potential land use conflicts in accordance with the acceptable standards which are contained within the Attenuation Code as contained within the Tasmanian Planning Scheme. The Mine once in full production will produce over 10% of the World's Tungsten outside of China.

As you would appreciate the purpose of the Code as stated in the State Planning Provisions is:

- To minimise adverse impacts on the health, safety, and amenity of sensitive use from activities which have the potential to cause emissions.
- To minimise the likelihood for sensitive use to conflict with, interfere with, or constrain, activities which have the potential to cause emissions.

Without an Attenuation Code the Dolphin Tungsten Mine and other activities on King Island which have the potential to cause emissions have very limited protection under the Scheme. Council would be limited in their ability to regulate use and development which has the potential to create land use conflict.

¹ Kentish Interim Planning Scheme 2013 does not have an attenuation code; however its new Kentish Local Provisions Schedule is currently before the Tasmanian Planning Commission awaiting final determination.

As you are aware the Code does not prohibit future use and development but requires *Activities with potential to cause emissions and Sensitive uses within the Attenuation Area* not to:

- result in an unreasonable loss of amenity or on the health and safety of an existing sensitive use, which is existing, or
- interfere with or constrain an existing activity that has the potential to cause emissions. has a planning permit.

The mine was first established in 1917 and as it grew so did Grassy, the town built by the mine, complete with a swimming pool, tennis club, golf course and hundreds of houses. When the mine closed in the 1990's most buildings in the town were sold, resulting in the mine now having numerous near neighbours as can be seen in the following image.



Image showing the location of the Dolphin Tungsten Mine in relation to the Grassy Township.

Evan Boardman and I met with Kate Mauric, General Manager King Island Council and Robyn Barwick Council's Planner on 22 May 2023 to discuss this matter and were informed that the Attenuation Code as per the Tasmanian Planning Scheme is contained within the Draft *Tasmanian Planning Scheme King Island Local Provisions Schedule* (TPSKINGLPS).

Whilst we appreciate that the Attenuation Code will eventually be within the TPSKINGLPS, this is unlikely to occur within the next 12 months and as the Mine is now operating this timeframe will not assist in limiting the potential for land use conflict.

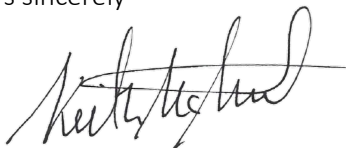
As the Attenuation Code has been subject to significant public consideration including during the development and implementation of the existing 21 Local Provision Schedules of the Tasmanian Planning Scheme, Group 6 Metals are more than confident that the development standards contained within it are appropriate.

Group 6 Metals are requesting that a Planning Directive immediately be issued under the *Land Use Planning and Approvals Act 1993* be issued, which would insert the Attenuation Code of the Tasmanian Planning Scheme into the King Island Interim Planning Scheme 2013. There is one further query which we would appreciate your input on and that is whether the Attenuation Code applies to Visitor Accommodation. We are hopeful that it does as we consider Visitor Accommodation to be a sensitive use for the purpose of being adjacent to or near the Mine.

We have raised this issue with the Minister for Planning and King Island Council, whom I have cc'd this correspondence.

If you have any further queries regarding this matter, please do not hesitate to contact me on 0410 635 251.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Keith McKnight', is written over a horizontal line.

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