

From: [Indra Boss](#)
To: [TPC Enquiry](#)
Cc: [McCrossen, Samuel](#)
Subject: Glamorgan Spring Bay draft LPS - Further Submission (Rep 23) Wallaroo Contracting
Date: Wednesday, 13 January 2021 9:19:59 AM
Attachments: [image001.jpg](#)
[Submission post TPC Hearings GSB draft LPS Wallaroo Contracting Pty Ltd final.pdf](#)

Dear Mr Ramsay,

The attached letter provided details of the preferred split zoning for the Coles Bay Property (CT 137208/3) as per the TPC's request of 18 December.

Please note that Friday 15 January is my last day with JMG and any future correspondence re this matter should be forwarded to planning@jmg.net.au Attn: Mat Clark.

Kind regards, Indra

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TOWN PLANNER
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JMG Ref: J203167PH

13 January 2021

Tasmanian Planning Commission
Chair - Glamorgan Spring Bay draft LPS
Attn: Mr John Ramsay
Via email - tpc@planning.tas.gov.au

Dear Mr. Ramsay,

FURTHER SUBMISSION TO GLAMORGAN SPRING BAY DRAFT LOCAL PROVISION SCHEDULE - TASMANIAN PLANNING SCHEME CONSULTATION; CT 137208/3 COLES BAY ROAD, COLES BAY

The following information is provided in response to the Commission's request of 18 December 2020 for a further submission in relation the proposed split-zoning of folio of the Register 137208/3.

The draft Glamorgan Spring Bay LPS zoning map indicates that the subject site is proposed to be transitioned to Landscape Conservation Zone, while the majority of the land to the north, west and south are proposed to be zoned Rural Zone. The land predominantly to the east of the site is proposed to be transitioned to Landscape Conservation as shown in Figure 1.



Figure 1: Marked up draft Glamorgan Spring Bay LPS Zone map (extract from Map 7 of 24)

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The Draft LPS overlay maps show the Scenic Landscape Corridor applies to Coles Bay Road, but there is no application of the Scenic Protection Area to the subject land as shown on Map 7 of 24 (see marked up Figure 2).

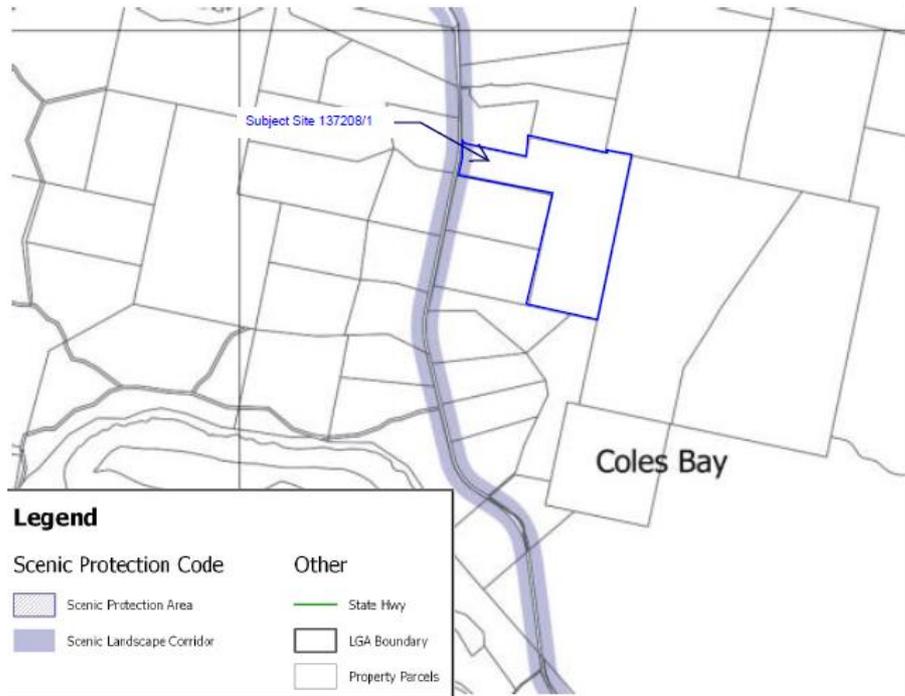


Figure 2: Marked up draft Glamorgan Spring Bay LPS Scenic Protection Code map. Our previous submission (9 November 2020) outlined a number of potential options with the then preferred option being Option 4, which is shown in Figure 3 below.

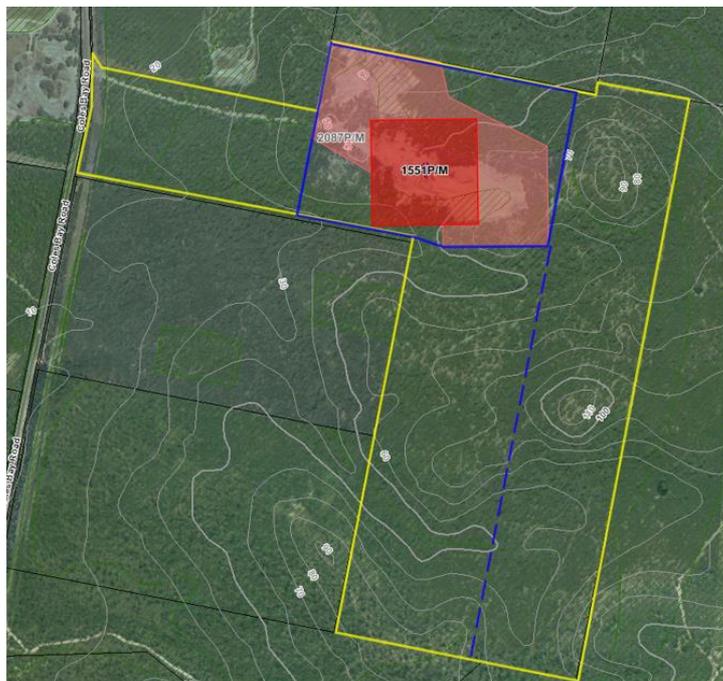


Figure 3: Option 4 as per previous submission on 9 November 2020, subject site outlined in yellow.

Council submission of 25 November acknowledged that there was merit in pursuing split zoning options of the property and provided two suggestions (red line and green line) as shown in Figure 4.



Figure 4: Extract from Council submission of 25 November 2020.

For the purposes of this submission, the justifications for the split zoning will not be reiterated and the Commission is referred to our submission of 9 November 2020 for details. The focus of this submission is to provide our preferred split zoning rationale, considering the discussions between all parties at the TPC Hearing of 8 December 2020.

The challenge with split zoning the subject site is that there are no readily distinguished physical features on which to base such revised zoning. Delineations based on the subject sites natural features provided limited guidance, specifically native vegetation is relatively evenly spread over the site and while the higher elevations of the lot are generally covered by native vegetation, that area has not been identified for particular scenic values that ought to be preserved (refer Figure 2).

Accordingly, it is considered that the split zoning would be best associated with 'socially constructed' features, in this instance, cadastral property boundaries. It is acknowledged that cadastral property boundaries are potentially subject to change based on a variety of planning and other legal instruments, however it is understood that the current boundary outlines of the subject site and surrounding lots will be retained in historical survey records. Furthermore, given the minimum lot size constraints in the Tasmanian Planning Scheme for the Rural Zone (namely Acceptable Solution of 40ha) and the Landscape Conservation Zone (namely Acceptable Solution of 50ha and Performance Criteria of 20ha) the likelihood of boundary changes to the adjoining lots is considered relatively low as the adjoining Rural Zoned land areas are generally already below the minimum 40 ha.

Therefore, it is proposed to align the zone boundary with cadastral intersection points with CT 165885/102 (to the north) and CT 166065/5 and 6 to the south as shown in Figure 5.

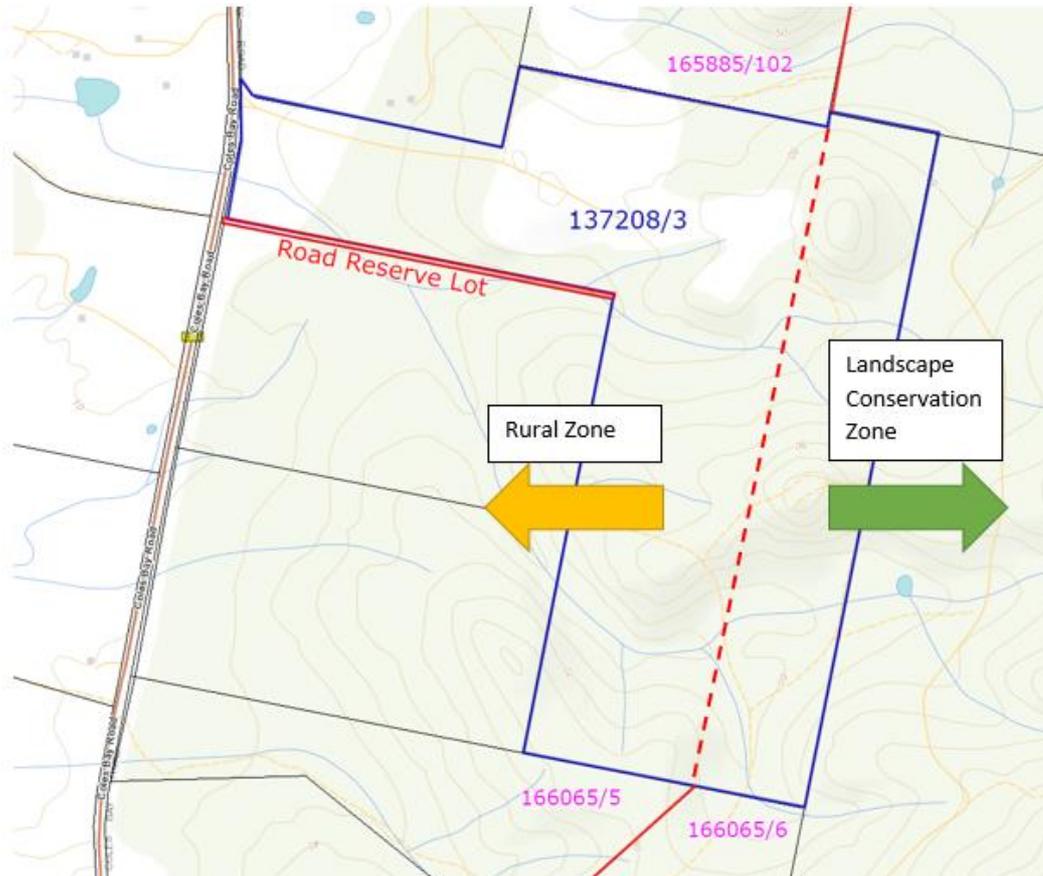


Figure 5: Preferred split zoning arrangement on subject site

It is considered that the proposed split zoning:

- maintains the higher elevations of the lot with native vegetation, within the Landscape Conservation Zone thereby preserving the scenic outlook of the area to address local community concerns;
- provides opportunity for the quarry to potentially expand into the southern areas of the lot, subject to all applicable legislative assessments;
- would limit future quarry expansions into an area of the subject site that is generally not visible from Coles Bay Road;
- by moving the zone boundary approximately 36m to the east (from the previously preferred option as shown in Figure 3), it more clearly aligns the zone boundary with 'fixed' points relevant to planning;
- provides a more consistent extent along the eastern area of the site for the Landscape Conservation Zone; and
- relies on more stable reference points than the Council proposed reliance on the mining lease boundaries, which are potentially subject to more frequent changes than cadastral boundaries.

It is also noted that there is a long narrow 'reserved road' lot that extends from Coles Bay Road to the higher elevations of the subject site, as shown in Figure 6.

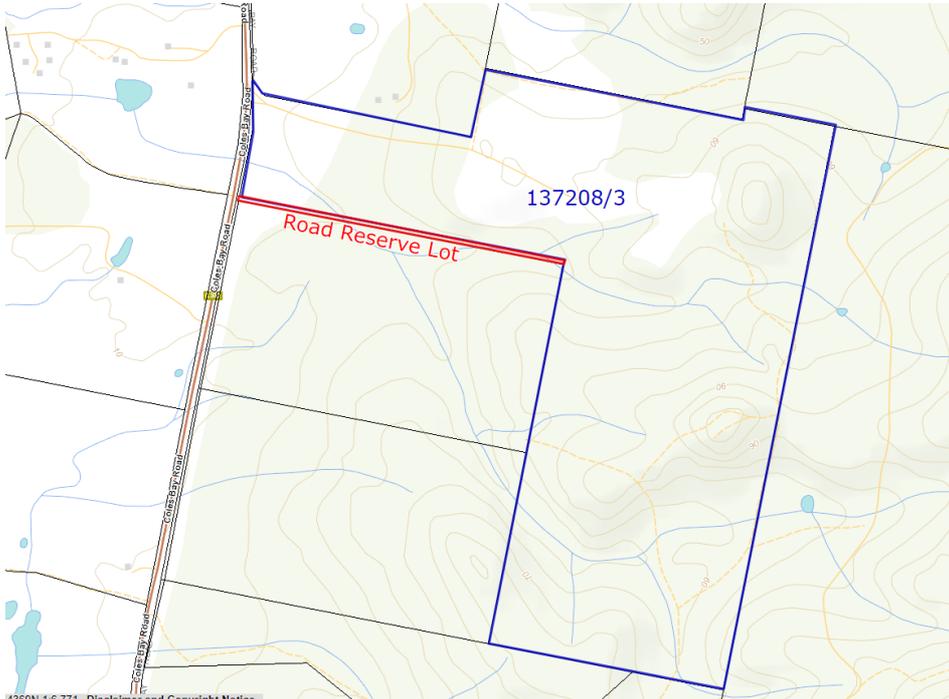


Figure 6: Subject site and adjoining road reserve lot (Source: LISTmap)

The subject site is approximately 83ha and could potentially be further subdivided. A potential subdivision scenario is shown in Figure 7 .

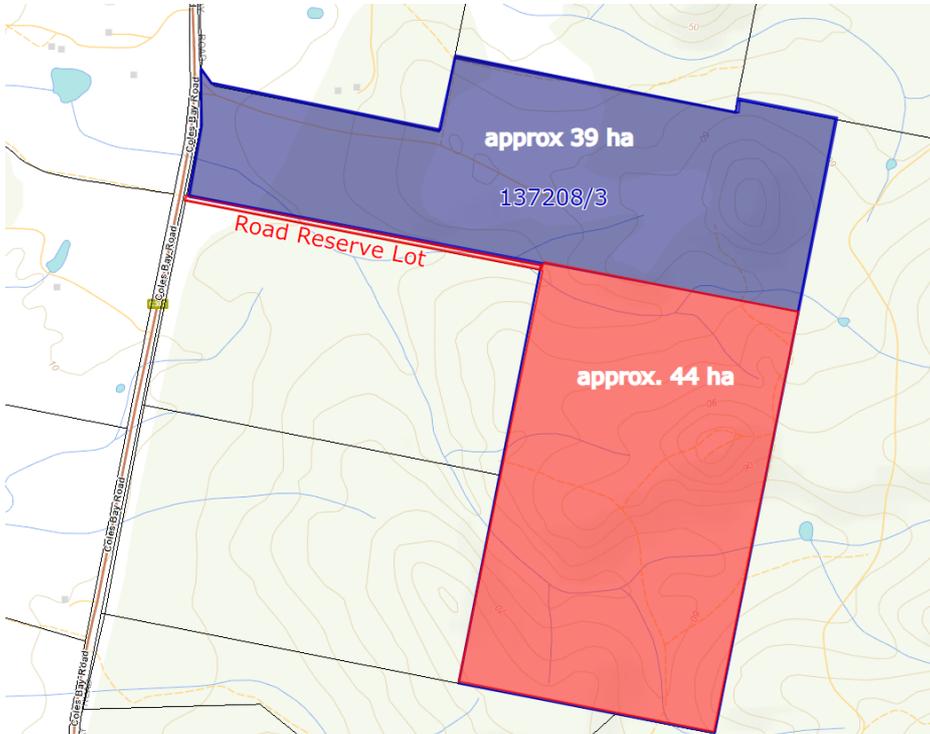


Figure 7: Potential future subdivision layout for the subject site, two compliant lot sizes.

Should this eventuation it is considered that the preferred split zoning as shown in Figure 5 would still provide sufficient land (approximately 27ha) within the Rural Zone to undertake allowable zone uses in a commercially viable manner.

Summary

The proposed transition of the entire subject site (CT 137208/3) to Landscape Conservation is not supported as it would detrimentally impact on the future viability of the existing extractive industry uses on the site.

The previously submitted Natural Values Assessment identified that the site has moderate natural values. The current overlays (Priority Vegetation and Scenic Road Corridor) would be carried over and would require consideration during any planning permit application if the land is transitioned to the Rural Zone.

It is considered that the scheme provisions, in conjunction with the Level 2 EPA referral processes, would enable appropriate consideration and protection of natural values on the site, noting that the draft Glamorgan Spring Bay LPS does not propose any scenic protection area overlay on the eastern portions of the land.

The preference would be for the entire site to be transitioned to Rural Resource zone, as this is considered the most appropriate zoning based on the Zone Purpose Statement.

Should this not find favourable consideration with Council or the TPC the preferred option is shown in Figure 5, which references the “fixed” cadastre points of adjoining property titles.

In either instance the zoning to Rural Resource is considered to be aligned with the Zone purpose, TPC transitional Guideline 1 requirements and the Southern Regional Land Use Strategy.

If any further information or clarification with respect to this application is required, please contact me on 6231 2555 or at planning@jmg.net.au.

Yours faithfully

JOHNSTONE MCGEE & GANDY PTY LTD



Indra Boss
TOWN PLANNER

cc:

Mr M Purves (Consultant Planner) Glamorgan Spring Bay Council

Mrs Belinda Lyne (Wallaroo Contracting Pty Ltd)