

TASMANIAN PLANNING COMMISSION



Our ref: DOC/21/141117
Officer: Samuel McCrossen
Phone: 03 6165 6833
Email: tpc@planning.tas.gov.au

14 December 2021

Mr Warren Groves
General Manager
Flinders Council
PO Box 40
Whitemark Flinders Island TAS 7255

By email: office@flinders.tas.gov.au

Dear Mr Groves,

Flinders Draft Local Provisions Schedule (LPS)

Hearings are to be held on the representations made on the Flinders draft LPS and the recommendations in planning authority's report under section 35F of the *Land Use Planning and Approvals Act 1993* (the section 35F report).

The hearings have been scheduled for **8, 9 and 10 February 2022** commencing at 10am each day, at the Flinders Council, 4 Davies Street, Whitemark. A full schedule of the nominated matters and hearing dates is included at Attachment A, which provides guidance on which hearing sessions are intended to be relevant to each representation. A reserve hearing day has been scheduled for Wednesday 23 February 2022, if required, at the Commission Office, Level 3, 144 Macquarie Street, Hobart.

Hearing Attendance

Due to the opening of the Tasmanian State borders, the Commission has reviewed its COVID-19 safety plan for the management of public hearings.

All parties that attend the hearing in person must be able to provide a COVID-19 vaccination certificate to confirm that they have received a COVID-19 vaccination. Those who cannot provide evidence will not be able to attend the hearing in person.

The Commission invites anyone who cannot provide a vaccination certificate to attend the hearing via video conference using MS Teams or via telephone conference.

Directions

I also refer to matters raised in the representations and the planning authority's section 35F report, including recommendations on the representations. Preliminary consideration of the representations and the section 35F report recommendations on the merit of each representation has identified that there are a number of issues that the Commission seeks further information about from the planning authority and specific representors prior to the hearings. The directions on these matters are set out in the attached directions schedule (Attachment B).

Please submit your responses to tpc@planning.tas.gov.au by the due dates specified in the schedule.

Once received, the submissions referred to above will be made available on the Commission's website at the following link: [LPS-FLI-TPS – Tasmanian Planning Commission Website](#). Please note that submissions will be published in full, without redaction. This website will be the primary portal for exchanging information.

If you require further information please contact Samuel McCrossen, Planning Adviser, on 6165 6833.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ann Cunningham', written in a cursive style.

Ann Cunningham
Delegate (Chair)

Attachment A – Hearings schedule
Attachment B – Directions schedule

CC. Mr Mick Purves, Town Planning Solutions Pty Ltd

TASMANIAN PLANNING COMMISSION



Our ref: DOC/21/141116
Officer: Samuel McCrossen
Phone: 03 6165 6833
Email: tpc@planning.tas.gov.au

14 December 2021

By email

Dear Representor

Flinders Draft Local Provisions Schedule (LPS)

Hearings are to be held on the representations made in relation to the Flinders draft LPS and the recommendations in planning authority's report under the *Land Use Planning and Approvals Act 1993* (the section 35F report).

The hearings have been scheduled for **8, 9 and 10 February 2022** commencing at 10am each day, at the Flinders Council, 4 Davies Street, Whitemark. A full schedule of the nominated matters and hearing dates is included at Attachment A, which provides guidance on which hearing sessions are intended to be relevant to each representation. A reserve hearing day has been scheduled for Wednesday 23 February 2022, if required, at the Commission Office, Level 3, 144 Macquarie Street, Hobart.

Prior to the hearing, you are encouraged to read the recommendations made in the 35F report about your representation.

Hearing Attendance

If you intend to appear at the hearings to support the matters raised in your representation, please complete the attached form (Attachment C) and return it, by email or post, to the Tasmanian Planning Commission, GPO Box 1691, Hobart, 7001 by close of business on **Monday, 31 January 2022**. Video conferencing (MS Teams) is available for any parties that are unable to attend in person.

Due to the opening of the Tasmanian State borders, the Commission has reviewed its COVID-19 safety plan for the management of public hearings.

All parties that attend the hearing in person must be able to provide a COVID-19 vaccination certificate to confirm that they have received a COVID-19 vaccination. Those who cannot provide evidence will not be able to attend the hearing in person.

The Commission invites anyone who cannot provide a vaccination certificate to attend the hearing via video conference using MS Teams or via telephone conference.

Directions

I also refer to matters raised in the representations and the planning authority's section 35F report, including recommendations on the representations. Preliminary consideration of the representations and the section 35F report recommendations on the merit of each representation has identified that there are a number of issues that the Commission seeks further information about from the planning authority and specific representors prior to the hearing. The directions on these matters are set out in the attached directions schedule (Attachment B).

Please submit your responses to tpc@planning.tas.gov.au by the due dates specified in the schedule.

Once received, the submissions referred to above will be made available on the Commission's website at the following link: [LPS-FLI-TPS – Tasmanian Planning Commission Website](#). Please note that submissions will be published in full, without redaction. This website will be the primary portal for exchanging information.

If you require further information please contact Samuel McCrossen, Planning Adviser, on 6165 6833.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ann Cunningham', with a long horizontal flourish extending to the right.

Ann Cunningham
Delegate (Chair)

Attachment A – Hearings schedule

Attachment B – Directions schedule

Attachment C – Request to be heard form

TASMANIAN PLANNING COMMISSION



Our ref: DOC/21/145474
Officer: Samuel McCrossen
Phone: 03 6165 6833
Email: tpc@planning.tas.gov.au

14 December 2021

Mr Kevin Robinson
Director of Mines
Mineral Resources Tasmania
PO Box 56
ROSNY PARK TAS 7018

By email: info@mrt.tas.gov.au

Dear Mr Robinson,

Flinders Draft Local Provisions Schedule Zoning of Land Mapped as a Strategic Resource

I am writing to you as a result of the different statutory responsibilities that you exercise in relation to land. This letter relates to a similar issue that the Tasmanian Planning Commission (the Commission), wrote to Mineral Resources Tasmania on several other occasions, including Meander Valley and Tasman draft Local Provisions Schedules (LPS).

As part of the establishment of the Tasmanian Planning Scheme, planning authorities are required to develop an LPS, which when added to the State Planning Provisions (the SPPs), forms the TPS for a municipal area.

The Flinders Planning Authority, in pursuing the development of its LPS, wrote to your agency in June this year, (together with numerous other agencies) advising of the development and exhibition of its draft LPS.

Mineral Resources Tasmania did not make a representation to the Flinders Planning Authority about the application of zone, or codes or the provisions of the LPS.

The Commission is currently undertaking its statutory assessment of the zoning of land, application of codes and proposed local provisions which will become the provisions that are to apply in the Flinders municipal area.

The Flinders municipal area includes lands that are designated as 'strategic resources' in the Mineral Resources Tasmania Draft Strategic Resources mapping available on the LIST website. A representation has been made by the Department of State Growth, which raises concern that a number of properties proposed to be zoned Landscape Conservation in the draft LPS, are also located within strategic resource areas.

A copy of the representation and the exhibited draft LPS mapping are available on the Commission's website at: [LPS-FLI-TPS – Tasmanian Planning Commission Website](#).

As you may be aware, SPP zones establish the status of different use classes and the land uses that may be undertaken in a zone, what are permitted, discretionary or prohibited uses and also determine what standards may apply to any proposed use and/or development.

The Commission seeks your view on the appropriate zoning for land currently proposed to be zoned Landscape Conservation in the draft LPS, which is also located within strategic resource areas in the Flinders municipal area.

It would be appreciated if you could respond by **Wednesday 19 January 2022**. Please provide a response by email to tpc@planning.tas.gov.au.

A hearing on these matters will be held on Thursday 10 February 2022. Please advise if you or a representative of the Department wish to attend.

The Commission keeps electronic records and does not require hard copy documents. Note that this communication and any response that you provide will be made available on the Commission's website at: [LPS-FLI-TPS – Tasmanian Planning Commission Website](#). Submissions will be published in full, without redaction.

If you require further information please contact Samuel McCrossen, Planning Adviser, on 6165 6833.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ann Cunningham', written in a cursive style.

Ann Cunningham
Delegate (Chair)

Attachment B – Directions Schedule for Flinders Draft LPS

The Commission directs that the parties listed below be prepared to address the identified matters by the date specified.

Submissions to the Commission are to be provided by email to tpc@planning.tas.gov.au. Where attachments are too large for email, please contact the Commission for assistance with accessing Dropbox.

The Commission keeps electronic records and does not require hard copy documents. All submissions will be placed on the Commission's website at www.planning.tas.gov.au. Please note that submissions will be published in full, without redaction.

Name	Direction
Planning Authority	<p>Submit written evidence that the owners of Little Dog Island folios of the Register 204139/1, 226682/1, and 204138/1 support application of the Landscape Conservation Zone to the land.</p> <p><i>Response due Wednesday 19 January 2022.</i></p>
Planning Authority	<p>Submit written evidence that the owner of the 7 lots at Gunter Street and the 5 lots at Barr Street, Lady Barron (DPIPWE – Crown Land Services) subject to representations 7 (Department of Communities) and 10 (Flinders Council) would support the application of the Low Density Residential Zone to the land.</p> <p><i>Response due Wednesday 19 January 2022.</i></p>
Planning Authority	<p>Provide maps or diagrams that show where the Coastal Areas Specific Area Plan would be removed from the urban areas/zones at Whitemark and Lady Barron.</p> <p>Furthermore, clarify whether the supporting report statement that demonstrates how the Specific Area Plan satisfies section 32(4) of the <i>Land Use Planning and Approvals Act 1993</i> would need to be amended and explain how the written document would need to be modified to reflect the amended mapping.</p> <p><i>Response due Wednesday 19 January 2022.</i></p>
Planning Authority	<p>Provide a statement to demonstrate how the Urban Development Specific Area Plan proposed in response to representations 7 (Department of Communities) and 10 (Flinders Council) complies with section 32(4) of the <i>Land Use Planning and Approvals Act 1993</i>. Furthermore, provide maps/diagrams that show where the Specific Area Plan would be applied, and the written component of the Specific Area Plan that would be inserted into the draft LPS written document.</p> <p>Clarify that the proposed Specific Area Plan would apply to the lots recommended to be changed from the Landscape Conservation Zone to the Low Density Residential Zone as a result of representation 8 (Rebecca Green and Associates for Dianne Fair) i.e. folios of the Register 181695/4, 181695/5, 181695/6, 181695/7, 181696/3, 181696/4, 181696/5, and 181696/6.</p> <p><i>Response due Wednesday 19 January 2022.</i></p>
Planning Authority	<p>Provide written confirmation that the planning authority's response to representation 8 on pages 15 and 16 of the section 35F report, that</p>

	<p>proposes the Landscape Conservation Zone be revised to the Low Density Residential Zone, relates to folios of the Register 181695/4, 181695/5, 181695/6, 181695/7, 181696/3, 181696/4, 181696/5, and 181696/6.</p> <p>Response due Wednesday 19 January 2022.</p>
Planning Authority	<p>Confirm whether a Specific area Plan for the management of electricity connections to new lots is still proposed.</p> <p>Response due Wednesday 19 January 2022.</p>
Planning Authority	<p>Submit written evidence that the owner of 1813 Palana Road, Whitemark folios of the Register 158840/1, 175212/2, and 239241/1 would support application of the Rural Zone instead of the Agriculture Zone to the land.</p> <p>Response due Wednesday 19 January 2022.</p>
Planning Authority	<p>Submit written evidence that the owners of Palana Road, Lughrata folios of the Register 141842/1 and 141842/2 would support application of the Rural Zone to the whole of the land.</p> <p>Response due Wednesday 19 January 2022.</p>
Planning Authority	<p>Submit written evidence that the owners of Palana Road, Whitemark folios of the Register 160941/1 and 160941/2 would support application of the Rural Zone to the whole of the land.</p> <p>Clarify whether the Rural Zone would also apply to the whole of 858 Palana Road, Whitemark folio of the Register 162124/1. If so, submit written evidence that the owners of the land would support application of the Rural Zone to the whole of the land.</p> <p>Response due Wednesday 19 January 2022.</p>
Planning Authority	<p>Clarify whether the planning authority would support application of the Rural Zone to the area of the mining lease at 2270 Palana Road, Lughrata folios of the Register 160313/1 and 154620/2, with the remainder of the land zoned Landscape Conservation with the split zoning defined by the area of the mining lease.</p> <p>Submit written evidence that the owners of the land would support application of the Rural and Landscape Conservation zones to the land in this form.</p> <p>Response due Wednesday 19 January 2022.</p>
Planning Authority	<p>Submit written evidence that the owner of 634 Palana Road, Whitemark folios of the Register 245509/1 and 173164/3 would support application of the Rural Zone to the land.</p> <p>Response due Wednesday 19 January 2022.</p>
Planning Authority	<p>Submit a revised version of Table C8.1, including clause FLI-C8.1.4 – Killiecrankie Scenic Protection Area that shows how the draft LPS written document would be amended.</p> <p>Response due Wednesday 19 January 2022.</p>
Planning Authority	<p>Provide a map/diagram with dimensions showing where the Rural Precinct boundaries would be located around the gravel pit, and written evidence</p>

	<p>that the Aboriginal Land Council of Tasmania is supportive of the altered precinct boundaries.</p> <p><i>Response due Wednesday 19 January 2022.</i></p>
Planning Authority	<p>Provide maps/diagrams that identify all land that is proposed to be zoned Rural at Palana, Emita, and Lackrana/Whitemark, and provide any other information, such as an agricultural report by a suitably qualified person that would support application of the Rural Zone to the land.</p> <p>Provide written evidence that the owners of all affected properties support the application of the Rural Zone to the land.</p> <p><i>Response due Wednesday 19 January 2022.</i></p>
Planning Authority	<p>Confirm whether the Rural Zone is still proposed for Killiecrankie as a result of the support of representor 22 for the Agriculture Zone.</p> <p><i>Response due Wednesday 19 January 2022.</i></p>
Planning Authority	<p>Clarify whether any further land at Canns Hill is recommended to be zoned Rural Living as proposed in representation 10 (Flinders Council). If so, provide maps/diagrams that identify all land that is proposed to be zoned Rural Living at Canns Hill, and clarify what sub-zone would apply to the land. Furthermore, provide any other information, such as an agricultural report by a suitably qualified person that would support application of a zone other than the Rural Zone to the land.</p> <p><i>Response due Wednesday 19 January 2022.</i></p>
Planning Authority	<p>Provide maps/diagrams that identify all land in the Low Density Residential Zone where the Priority Vegetation Area overlay is proposed to be removed, and provide any other information, such as a natural values assessment report by a suitably qualified person that would support removal of the overlay.</p> <p><i>Response due Wednesday 19 January 2022.</i></p>
Van Diemen Consulting for Markarna Grazing Company (Rep 30)	<p>Provide any other supporting information, such as an agricultural report or natural values assessment by a suitably qualified person that would support application of the Agriculture Zone to the following properties:</p> <ul style="list-style-type: none"> • 368 Five Mile Jim Road, Memana folio of the Register 121581/1; and • 1297 Five Mile Jim Road, Memana folios of the Register 247225/1, 247225/2, 247225/3 and 247225/4. <p><i>Response due Wednesday 19 January 2022.</i></p>