

SORELL COUNCIL

27 JUL 2021

RECEIVED

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Mr Robert Higgins  
The Mayor and Councillors  
PO Box 126  
Sorell  
TAS 7172

26<sup>th</sup> July 2021

Dear Manager, Mayor and Councillors,

RE: DRAFT LOCAL PROVISIONS SCHEDULE

We would like to make representation to the Draft Local Provisions Schedule.

Please find attached a letter from Mr Geoff Storr. We have permission from Mr Storr to use his submission to represent our submission, so as not to have to repeat information that Mr Storr has provided to us which is written in a clear and precise manner.

We entirely agree with all the points Mr Storr has included in his submission and submit it as ours well.

We have been involved with the historic process that residents on the northern side of Shark Point Road have taken as stated in Mr Storr's representation letter.

We request that the northern side of Shark Point Road from Brooklyn Drive to the east to Penna Road be included in Sorell Council's Draft Local Provisions Schedule and in that this area be rezoned to Rural Living as Sorell Council has supported on numerous occasions.

Yours faithfully,

*Maria Mitsakis*  
Maria and Nikolaus Mitsakis

Geoff Storr  
38 Brooklyn Drive  
Penna  
TAS 7171  
Ph 62 65 1686

8 May 2019

Mr Robert Higgins  
General Manager  
Sorell Council  
PO Box 126  
Sorell  
TASMANIA 7172

Dear Mr Higgins

**Development of Sorell Local Provisions Schedule**

Further to the meeting on 22 March 2019 between yourself, Mr John Molnar and myself, I again wish to clarify the position of the group of landholders who joined with you in seeking to re-zone land on the northern side of Shark Point Road and the Tasmanian Planning Commission hearing AM-SOR-43.2017.1.

On Monday I met with Mr Anthony Reid from the Office of the Minister for Planning and went through the history of our matter starting from our objection to the zoning of land on the northern side of Shark Point Road under the Sorell Interim Planning Scheme 2015.

Mr Reid was surprised that the Tasmanian Planning Commission had indicated that they did not have jurisdiction to deal with our objection at that stage, as in his view that should have been possible.

I advised him that Sorell Council had in fact supported the re-zoning on five occasions; first regarding the objection to the Interim Planning Scheme, then with regard to two applications to change the zoning as negotiated with Mr Greg Alomes, then Executive Commissioner with the Tasmanian Planning Commission, although one was lodged under the incorrect section of the Act.

I provided Mr Reid with a copy of the Tasmanian Planning Commission's reasons for rejecting the final application. He considered that the only real impediment to approving the application was the issue raised with regard to the Southern Tasmanian Regional Land Use Strategy.

He considered that the statement that the proposed re-zoning created potential land use conflict was erroneous. He understood that to have changed the zoning would have provided a buffer zone between the Residential Zone along the waterfront and Rural or Rural Resource zoned land to the north of Shark Point Road, rather than perpetuating a potential land use conflict by leaving the zone unchanged.

Mr Reid also considered that given the minimum lot sizes in the Residential zone on the southern side of Shark Point Road, that area would more correctly be zoned as High Density Residential.

Mr Reid did not consider that the issues of the attenuation zones were sufficient to prevent the re-zoning.

In the case of the attenuation zone around the sand mine, he understood that could have been resolved by an alteration to the boundary of the lease, as all usable material between the property boundary and the site of operations had been used and the progress of extraction was towards the north, away from the subject properties.

In the case of the attenuation zone of 1400 metres regarding the sewage treatment ponds, he readily understood the absurdity of presenting that as a reason for refusing the rezoning as that attenuation zone included most of the 2000 residential developments at Midway Point, including some only metres from the ponds.

Mr Reid gave me to understand that the situation that I outlined to him appeared to be an example of the sort of decisions that were inadvertent unintended consequences that were being made under the present STRLUS. He indicated that he would raise our case with the Minister and would keep me informed as to the progress of the review of the STRLUS to ensure I could have input.

He also suggested I contact you with regard to the development of the Sorell Local Provisions Schedule. Following an attempt to contact you by telephone, I thought it would be preferable to write to you outlining the discussion between Mr Reid and myself.

We still wish to pursue the re-zoning and following the meeting on Monday with Mr Reid it appears appropriate to raise the following issues in the context of the development of the Sorell Council Local Provisions Schedule.

1. Despite the outcome of the Tasmanian Planning Commission hearing, Council, having approved the application for re-zoning on five separate occasions, should again in the Local Provisions Schedule being developed, include support for this change.

2. The properties on the southern side of Shark Point Road are presently zoned as Low Density Residential. Given that the allotments are all of minimal size and in total amount to some 100 titles, this area should be correctly zoned as High Density Residential.

It is important that steps be taken as far as possible to describe land use as accurately as possible at this early stage of the process in order for appropriate zones and uses to be considered into the future, and that the Sorell Local Provision Schedule be developed accordingly.

Yours Sincerely

Geoff Storr