

TASMANIAN PLANNING COMMISSION



Our ref: DOC/22/139081
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21 December 2022

Mr Rolph Vos
General Manager
West Tamar Council

By email: wtc@wtc.tas.gov.au

Attention: Ms Michelle Riley, Municipal Planner

Dear Mr Vos

**West Tamar Local Provisions Schedule
Draft amendment 02/22
Rezone various lots from Environmental Management**

I refer to the above draft amendment and to a directions hearing held at the Tamar Function Centre in Riverside on 13 December 2022 which was adjourned subject to a further hearing on a date to be confirmed.

As outlined in the letter dated 16 November 2022, there are a range of matters that the Commission believes have not have been addressed sufficiently in the assessment undertaken by the planning authority. In summary these matters include:

- Strategic Planning
- Purpose of the Zones
- Section 34(2) of the Land Use Planning and Approvals Act 1993
- Intent of the draft amendment.

Following the direction hearing, the Commission has determined that its request for information will focus on a discrete subset of information that it believes is necessary to enable an informed public hearing to occur.

While the scope of this request is focused on specific matters and in some cases how these issues relate to specific sites, the Commission's assessment and the extent of the matters that it will be seeking to fully discuss a broad range of relevant planning policy and strategy matters.

For example, as outlined in the letter dated 16 November 2022, The State Coastal Policy 1996 and the Northern Tasmania Regional Land Use Strategy, 23 June 2021 contains outcomes, strategies and policies that relate to the planning matters the Commission must consider.

The parties should be prepared to discuss and provide advice on these and other relevant matters at a future hearing.

Prior to the yet to be scheduled hearing, the Commission seeks the planning authority's advice on a number of specific planning matters and therefore provides following directions.

1. Coastal hazards and values

A number of the titles subject to the draft amendment contain coastal hazard overlays. These coastal hazards may include coastal erosion, coastal inundation, future coastal refugia areas, and waterway and coastal protection areas.

The planning authority is to provide information on the suitability of the proposed zones and the permitted uses applicable in these zones, where pre-existing hazards and values apply. While the Commission requests a response to this matter for all sites with coastal hazard / values overlays and within 1km of the high water mark, specific reference is made to the following sites:

- 1180 Greens Beach Road, Kelso
- various titles in York Town
- 154, 156 and 166 Flinders Street, Beauty Point
- 4432 West Tamar Highway, Beauty Point
- 14 and 52 Stony Brook Road, Blackwall
- 162, 164, 180 and 188 Gravelly Beach Road, Blackwall
- 82A Gravelly Beach Road, Blackwall
- 2 Rosevears Drive, Rosevears
- 4 Rosevears Drive, Rosevears.

Specifically the information should address how the proposed amendment relates to the strategic planning principles in the Coastal Hazards in Tasmania Summary Report of Coastal Hazards Technical Report, Dec 2016 (Department of Premier and Cabinet).

2. Landslip hazard

A number of titles subject to the draft amendment contain areas identified in the landslip hazard overlay. In particular, there are four titles identified which are within a declared Landslip A area.

The Commission requests information from the planning authority that addresses the suitability of the proposed zones to be applied to land subject to a landslip hazard band.

While the Commission requests a response for all sites with medium and high landslide hazard bands, specific reference is made to the following sites:

- 154, 156 and 166 Flinders Street, Beauty Point
- Various titles along Aldridge Street, York Town.

Specifically the information should address how the proposed amendment relates to the strategic planning principles in the Landslide Planning Report, version 5 – 19 August 2013 (Department of Premier and Cabinet).

The Commission also advises that it is seeking advice from Mineral Resources Tasmania.

3. Bushfire Risk

The Commission requests advice and relevant information on:

- the level of potential bushfire hazard based on the existing landscape conditions of the local area surrounding the northern section of Yorktown
- the suitability of Aldridge Street to provide a means of access and egress given the potential bushfire hazard of the area

- the suitability of the proposed application landscape conservation zone to the northern section of Yorktown given the potential bushfire hazard.

Please note that the Commission is also seeking advice from the Tasmania Fire Service on the level of potential bushfire hazard in this area.

4. Landscape Values

In instances where land is proposed to have the Landscape Conservation applied to it, the Commission requests an assessment of the following matters:

- how the draft amendment relates to the zone application guidelines of Guidelines No. 1, 2019
- the existing natural or cultural landscape values of the land
- how the development of permitted uses and associated vegetation removal would complement the objectives of the Landscape Conservation Zone.

5. Ecological values

The Commission requests advice from the planning authority which assesses the cumulative impact of development and vegetation removal associated permitted uses on properties with native vegetation

Information on land with the potential to contain ecological values is available from data on listmap including:

- threatened vegetation communities
- coastal vegetation significance
- coastal fauna significance
- FPA mature habitat.

Please note that the Commission is also seeking advice from the Tasmania Fire Service on the extent of vegetation removal associated with hazard management.

6. Reserves under Nature Conservation Act

Information is to be provided which addresses the suitability of the existing and proposed zoning on land that has been declared a Private Nature Reserve. Specifically the information should address the zone application guidelines included in Guideline No. 1, June 2018.

At the directions hearing the planning authority requested a list of properties that the Commission does not require further information for.

The Commission has not yet assessed the merits of the proposed amendment in relation to any site. As outlined in the letter dated 16 November 2022, and above in this letter, there are a range of planning policy and strategy matters that relate to the amendment and to sites where no specific information has been requested in this direction.

The Commission intends to fully discuss these and other relevant matters at a future hearing.

In terms of this direction and the request for specific information the Commission is satisfied that has sufficient information prior to the hearing on the properties listed below:

- Lot 1 Badger Head Road, Badger Head (PID 9283953)
- 28 Ocean View Drive, Greens Beach (PID 7793189)
- Fernlack Road, Greens Beach (PID 7793197)
- 637 Greens Beach Road, York Town (PID 6107028)

- 65 West Bay Road, Rowella (PID 6105508)
- 117 Motor Road, Deviot (PID 6099873)
- 155 Motor Road, Deviot (PID 6110155)
- 157 Motor Road, Deviot (PID 7807771)
- Motor Road, Deviot (PID 7324075)
- 267 Gravelly Beach Road, Gravelly Beach (PID 6060143).

The planning authority is to provide the information requested to the Commission by close of business on **30 March 2023**.

Other respondent submissions must be provided to the Commission by close of business on **13 April 2023**.

Submissions must be made by email to tpc@planning.tas.gov.au. Once received, the submissions will be made available under the [relevant assessment](#)¹ on the Commission's website.

Please note that submissions will be published in full, without redaction.

When a date is confirmed for the hearing, the Commission will advise the parties and subsequently publish a notice.

If you require further information please contact Lauren O'Brien, Planning Adviser, on 6165 6828.

Yours sincerely

A handwritten signature in black ink, appearing to be 'MH' followed by a stylized flourish.

Michael Hogan
Delegate (Chair)

cc Representors and interested parties

¹ <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/am-wta-amd-02-22>