

TASMANIAN PLANNING COMMISSION

Our ref: DOC/20/106779
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18 September 2020

Ms Tasha Tyler-Moore
Manager Development Services
Kingborough Council

Attention: Adriaan Stander

By email: ttyler-moore@kingborough.tas.gov.au
astander@kingborough.tas.gov.au
kc@kingborough.tas.gov.au

Dear Ms Tyler-Moore

Kingborough Interim Planning Scheme 2015 Draft amendment PSA-2020-2

I refer to the above draft amendment and to the supporting information provided to the Commission as set out in Practice Note 1 - Planning Scheme Amendments. That information contained copies of the advertisements for the public exhibition of the draft amendment.

Under section 38 of the *Land Use Planning and Approvals Act 1993*, a draft amendment must be advertised 'as prescribed'. The exhibition of a draft amendment is prescribed under regulation 7(3)(b) of the *Land Use Planning and Approvals Regulations 2014*, which requires that an advertisement is to 'describe the content of the draft amendment'.

The advertisements contained the background and the purpose of the amendment, but did not describe the documents to be incorporated into the interim planning scheme.

The Commission is concerned it may not have jurisdiction if notification of the exhibition has not been carried out in accordance with the requirements of the Act.

The Commission therefore directs that the draft amendment be readvertised as required under section 38 and regulation 7 of the Act.

If representations are received, these will need to be considered by the planning authority under section 39 of the Act.

Please forward copies of the advertisements to tpc@planning.tas.gov.au.

Should you have any queries, please contact, Angela Forrest, Planning Adviser on 03 6165 6803.

Yours sincerely



Marietta Wong
Delegate, Chair