

From: [Sarah Crawford](#)
To: [TPC Enquiry](#)
Subject: RE: Draft Planning Directive No. 7 - Permits for Temporary Housing
Date: Tuesday, 23 June 2020 2:15:21 PM
Attachments: [image001.jpg](#)

Good morning,

Thank you for your invitation to attend the hearing relating to Draft Planning Directive No. 7.

In this instance we are satisfied our submitted representation does not require further elaboration, and therefore we do not intend to attend the hearing.

It is considered that the Planning Policy Unit response adequately considers the matters raised in our representation. However, please note we disagree with the assertion that internal works within heritage buildings are not a form of development that can be assessed under a planning scheme. This is supported by the tribunal decision MA and JM Purton v A and M Jackson [\[2013\] TASRMPAT 99](#)

31 In the Tribunal's view, the definition of development should not be constrained in the manner contended by solicitors for the Council. Section 3A of LUPAA can be read and indeed ought to be read as the "construction of a building", "the exterior alteration of a building" or the "exterior decoration of a building". The use of the word "or" indicates that the eusdem generis rule ought not to apply and the word "construction" should therefore be given its ordinary meaning. That ordinary meaning includes the erection of internal and external walls and there is no logical basis for a distinction. To suggest that the particular mention of "exterior alteration" or "exterior decoration" favours the definition of a construction or indicates an intention to exclude internal changes to a building is, with respect, incorrect.

Under the HIPS 2015 (E13.4.1 (a)), internal alterations on a heritage place that involve removal of skirting boards, fire mantles, ceiling roses and alterations to original floor plan forms are specifically not exempt.

Kind regards

Sarah

Sarah Crawford | Development Planner | Planning Policy and Heritage
6238 2157

Please note I work Mondays, Tuesdays and Fridays

From: TPC Enquiry [<mailto:tpc@planning.tas.gov.au>]
Sent: Tuesday, 23 June 2020 9:44 AM
To: Sarah Crawford <crawfords@hobartcity.com.au>
Subject: Draft Planning Directive No. 7 - Permits for Temporary Housing

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Good morning Ms Crawford,

On behalf of the Tasmanian Planning Commission, please find attached correspondence and hearing attendance form in relation to the hearing for Planning Directive No. 7 – Permits for Temporary Housing.

Kind regards



Level 3 144 Macquarie Street Hobart TAS 7000

GPO Box 1691 Hobart TAS 7001

P 03 6165 6828

w www.planning.tas.gov.au

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