

**From:** Veale, Kylie  
**Sent:** Tue, 22 Sep 2020 08:12:45 +1000  
**To:** Lyndal Byrne  
**Cc:** Pearce, Caley  
**Subject:** RE: [EXT] RE: Draft Glenorchy Local Provisions Schedule

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Hi Lyndal,

Thank you for the information.

Yes, I can confirm that the land in question is the one shaded in red in the below image. Nyrstar own all of the adjoining land, including the golf course located opposite.

The land currently has a secure land cell located on it, with that cell containing a hazardous process waste. The cell also extends into the land immediately to the north-east. This is why we consider the Open Space zoning to be an irregularity that at some point needs to be resolved. The zoning effectively cuts the hazardous waste land cell in half, with half zoned as Open Space, and the other half zoned as General Industrial.

At some stage, Nyrstar Hobart may look at moving this hazardous waste to another location. The current Open Space zoning is likely to prevent such an activity. As we see it, without a zoning change, the waste will remain in the current location into perpetuity.

Having said that, we have no immediate plans to move the waste, and so I am not going to pursue a planning scheme amendment at this time. We will see where the representation process takes us, and if we need to submit a planning scheme amendment request in the future, we will do so.

Cheers

Kylie

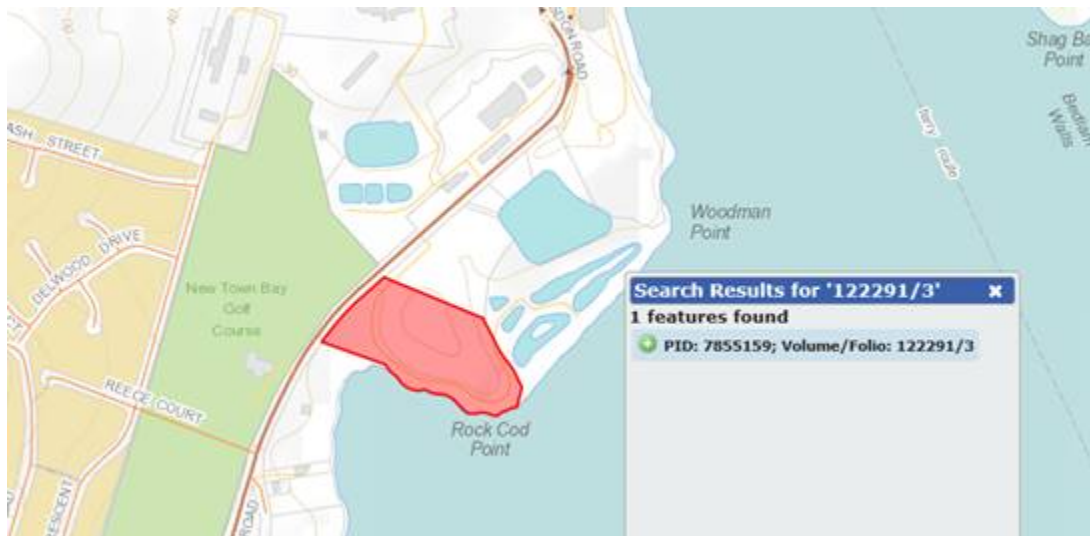
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**From:** Lyndal Byrne <Lyndal.Byrne@gcc.tas.gov.au>  
**Sent:** Monday, 21 September 2020 11:26 AM  
**To:** Veale, Kylie <Kylie.Veale@nyrstar.com>  
**Cc:** Pearce, Caley <Caley.Pearce@nyrstar.com>  
**Subject:** [EXT] RE: Draft Glenorchy Local Provisions Schedule

**Caution: External Email**

Hi Kylie

As noted in my previous email - we will consider your comments about the zoning of the subject land as part of the assessment of representations on the Draft Glenorchy Local Provisions Schedule



As you may be aware, this is a new process - so I cannot pre-empt (or really provide a lot of advice) on how any zoning changes - if supported by Council, or directed by the TPC, would be considered. However it is likely that any rezoning request would need to go through a further community consultation process with adjoining property owners notified about a proposed zoning change. Any representors would then have the right to be heard by the TPC before a decision would be made

The time frame for a decision may not be until late 2021 / early 2022 - that is, its likely that the TPC would not consider all representations on the Draft Glenorchy LPS until early 2021, then they would need to advertise any proposed changes to the LPS, then consider the feedback from those representations via a second hearing. There is also a potential that the TPC may say that a representor seeking to rezone land may need to provide more information and would need to lodge a formal request for a rezoning with the Planning Authority.

If you want to discuss a planning scheme amendment to consider the zoning of the land now - im happy to meet - just give me a call /send an email for a time that suits you. I would like to be able to confirm the subject land - is it just the land in the image above? I would also need to understand why its no longer appropriate as open space - and how it is being used at the moment

### **Summary of Planning Scheme Amendment Process**

An amendment request must demonstrate that the proposal has strategic merit and that the impacts on the subject land (ie rezoning to a General Industrial Zone) are appropriate, why is more General Industrial land required and open Space zoned land not required? What will be the impacts on surrounding land? Documentation justifying the amendment against the *Land Use Planning and Approvals Act 1993*, the Southern Tasmania Regional Land Use Strategy, State Policies and the objectives of GIPS 2015 is also required.

Once lodged, the Planning Authority has 42 days to consider whether to initiate the amendment request. If it does, the amendment is placed on public exhibition for 28 days. The Planning Authority then has 35 days to consider the merits of any representations received and send a report to the Tasmanian Planning Commission. The Commission will then hold hearings on the representations and then it will determine whether to approve the amendment.

Planning Scheme Amendments, once lodged, can take 8 months to process, Council fees are currently \$3,639 for the amendment

General details on the process and documentation requirements is available at the Tasmanian Planning Commission (TPC) website:

[https://www.planning.tas.gov.au/\\_data/assets/pdf\\_file/0006/564099/Practice-Note-1-Planning-Scheme-Amendments-March-2020.PDF](https://www.planning.tas.gov.au/_data/assets/pdf_file/0006/564099/Practice-Note-1-Planning-Scheme-Amendments-March-2020.PDF)

[https://www.planning.tas.gov.au/\\_data/assets/pdf\\_file/0016/564100/Practice-Note-3-Combined-Permits-and-Amendments-March-2020.PDF](https://www.planning.tas.gov.au/_data/assets/pdf_file/0016/564100/Practice-Note-3-Combined-Permits-and-Amendments-March-2020.PDF)

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**Lyndal Byrne | Strategic Planner | Glenorchy City Council**



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**From:** Veale, Kylie <[Kylie.Veale@nyrstar.com](mailto:Kylie.Veale@nyrstar.com)>

**Sent:** Friday, 18 September 2020 4:27 PM

**To:** GCC Corporate Mail

**Cc:** Pearce, Caley <[Caley.Pearce@nyrstar.com](mailto:Caley.Pearce@nyrstar.com)>

**Subject:** Draft Glenorchy Local Provisions Schedule

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Hello,

We understand from discussions with Paul Garnsey that GCC are seeking comments on the draft Local Provisions Schedule. It was suggested that this may be an opportune time to bring to the attention of GCC a zoning irregularity that has been applied to one of the Nyrstar Hobart titles.

Nyrstar is the owner and operator of a zinc smelter in Lutana, Tasmania. The smelter operations are spread across numerous titles, with all except one of the titles within the operational footprint being zoned as General Industrial.

Under the Glenorchy Interim Planning Scheme (2015), the section of land covered by Property ID 7855159, Title Reference 122291/3 has been zoned as Open Space. This zoning is proposed to be carried across to the Glenorchy Local Provisions Schedule.

Nyrstar Hobart considers that this parcel of land would be more appropriately zoned as General Industrial, due to the secure land cell containing hazardous historical process waste that is located on the land. The secure land cell extends into the adjoining title, which is zoned as General Industrial. Thus, the one secure land cell has two different zonings.

It is the intention of Nyrstar that in time, the hazardous waste located within the secure cell may be moved to a different location. It is understood that the Open Space zoning may prevent this from occurring, effectively resulting in the waste being held in the current location into perpetuity.

We would appreciate advice from GCC as to whether this irregularity may be rectified in the process of implementing the Local Provisions Schedule.

Regards

**Kylie Veale**  
Environment Principal  
**Nyrstar**

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