

TASMANIAN PLANNING COMMISSION



Our ref: DOC/23/61825
Officer: Samuel McCrossen
Phone: 03 6165 6833
Email: tpc@planning.tas.gov.au

1 June 2023

Mr Jason Jacobi
Secretary
Department of Natural Resources and Environment Tasmania

By email: Jason.Jacobi@nre.tas.gov.au

Dear Mr Jacobi,

Break O'Day Draft Local Provisions Schedule Zoning of Various Crown Land

I write to seek your opinion on the appropriate zone to apply to various Crown land under the Break O'Day draft LPS (draft LPS).

As part of the establishment of the Tasmanian Planning Scheme, planning authorities are required to develop an LPS, which when added to the State Planning Provisions, forms the Tasmanian Planning Scheme for a municipal area.

The Commission is currently undertaking its statutory assessment of the zoning of land, application of overlays and proposed local provisions, which will become the LPS that applies in the Break O'Day municipal area.

As you may be aware, SPP zones establish the status of different use classes and the land uses that may be undertaken in a zone, what are permitted, discretionary or prohibited uses and also determine what standards may apply to any proposed use and/or development.

Following hearings on the draft LPS held in August and September 2022, the Commission directed the Planning Authority to write to the Department of Natural Resources and Environment to seek its views on a number of zones proposed for Crown land. Specifically, a representation made by the North East Bioregional Network (representation number 81), proposed that the Environmental Management Zone be applied to the following properties:

- Tasman Highway, St Helens PID 6792694 (and Priority Vegetation Area overlay);
- Ericksons Road, Goshen PID 6791835;
- Tasman Highway, Goshen PID 2159197/FR 114281/1;
- Upper Irishtown Road, St Marys PID 2154783;
- Irishtown Road, St Marys PID 2153182; and
- Coffey Drive and Felmingham Street, Binalong Bay FRs 49278/14, 49278/15, 49278/16, 49278/17, 49278/18, 49278/19, 49278/20, 49278/21, 49278/22, 49278/23, 49278/39 and 49278/40 and PID 3383967 adjacent to 49278/19 and PID 2663000.

Furthermore, the Planning Authority was directed to seek written evidence that the Department would support application of the Priority Vegetation Area overlay in accordance with the Regional Ecosystem Model mapping to Tasman Highway, St Helens PID 6792694 if application of a zone compatible with the overlay was applied.

The Commission understands the Planning Authority wrote to the Department on 22 September 2022 (see attached letter) and that no response was forthcoming. The purpose of my letter is to make a similar request for a response as the Department's view on the matter would be of assistance to the Commission.

A copy of the representation 81 and the Planning Authority's report on the representations are available on the [Commission's website](#)¹.

It would be appreciated if you could respond by **Friday 9 June 2023**. Please provide a response by email to tpc@planning.tas.gov.au.

The Commission keeps electronic records and does not require hard copy documents. Note that this communication and any response that you provide will be made available on the [Commission's website](#)².

Submissions will be published in full, without redaction.

If you require further information please contact Samuel McCrossen, Planning Adviser, on 6165 6833.

Yours sincerely



John Ramsay
Delegate (Chair)

cc: Marion.March@nre.tas.gov.au
Sonia.Mellor@nre.tas.gov.au

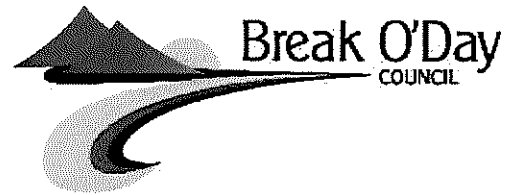
Attachment:

- Break O'Day Draft LPS - Planning Authority Letter to DNRE about Crown Land, 22 September 2022

¹ <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/lps-bre-tps>

² <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/lps-bre-tps>

32-34 Georges Bay Esplanade
St Helens Tasmania 7216
T: 03 6376 7900 | ABN 96 017 131 248



Our Reference: TRIM 21/6398
Contact: Deb Szekely

22 September 2022

Office of the Secretary
Department of Natural Resources and Environment Tasmania
GPO Box 44
HOBART TAS 7001

E: propertyservices@parks.tas.gov.au

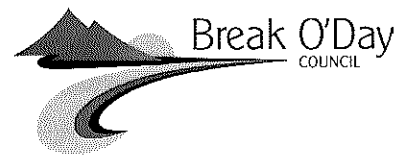
Dear Sir/Madam,

RE: BREAK O'DAY DRAFT LOCAL PROVISIONS SCHEDULE (LPS) – CROWN LAND

Council recently participated in the Tasmanian Planning Commission Hearings at which time the North East Bioregional Network made representation on the future zoning of various parcels of Crown land. The North East Bioregional Network (Representation No. 81) is seeking the application of the **Environmental Management Zone** to the following properties:

- Tasman Highway, St Helens PID 6792694;
- Ericksons Road, Goshen PID 6791835;
- Tasman Highway, Goshen PID 2159197/FR 114281/1;
- Upper Irishtown Road, St Marys PID 2154783;
- Irishtown Road, St Marys PID 2153182; and
- Coffey Drive and Felmingham Street, Binalong Bay FRs 49278/14, 49278/15, 49278/16, 49278/17, 49278/18, 49278/19, 49278/20, 49278/21, 49278/22, 49278/23, 49278/39 and 49278/40 and PID 3383967 adjacent to 49278/19 and PID 2663000.

The Tasmanian Planning Commission has directed the Break O'Day Council to submit written evidence that the Crown (NRE Tas – Property Services) would support application of the **Environmental Management Zone** to the properties. A copy of this direction can be found on the TPC Website relating to the Break O'Day LPS as provided above.



Council is required to respond to the TPC by **7 October** and so your earliest attention to this matter would be appreciated.

Should you have any further questions, please contact Deb Szekely on telephone 6376 7900.

Yours faithfully

A handwritten signature in black ink, which appears to read "Deb Szekely".

Deb Szekely
SENIOR TOWN PLANNER