

Darcey, Tamatha

From: Armstrong, Claire <Claire.Armstrong@stategrowth.tas.gov.au>
Sent: Thursday, 6 April 2023 11:53 AM
To: TPC Enquiry
Cc: Graham, Linda
Subject: Huon Valley draft LPS - submission
Attachments: State Growth submission - Huon Valley Draft LPS.PDF; State Growth submission - Huon Valley draft LPS - Attachment 2.PDF

Categories: Tami

Hi Linda,

Please see attached the Department of State Growth's request to accept a submission on the Huon Valley draft LPS, and the related submission.

Kind regards,

Claire Armstrong (she/her) | Senior Strategic Planner
Transport Systems and Planning Policy | Infrastructure Tasmania | Department of State Growth
Level 1, 2 Salamanca Square, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
Phone: (03) 6166 3397
GPO Box 536, Hobart TAS 7001
www.stategrowth.tas.gov.au

Courage to make a difference through
TEAMWORK | INTEGRITY | RESPECT | EXCELLENCE

In recognition of the deep history and culture of this island, I acknowledge and pay my respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land.

Please note I do not work Fridays.

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Department of State Growth

4 Salamanca Place, Hobart TAS 7000
GPO Box 536, Hobart TAS 7001 Australia
Ph 1800 030 688 Fax (03) 6233 5800
Email info@stategrowth.tas.gov.au Web www.stategrowth.tas.gov.au
Our Ref: D22/100079 Your Ref: LPS-HUO-TPS



Mr John Ramsay
Tasmanian Planning Commission

By email: tpc@planning.tas.gov.au

Dear Mr Ramsay

Tasmanian Planning Scheme – Huon Valley draft Local Provisions Schedule

The Department of State Growth (State Growth) would appreciate your consideration in accepting a representation on the Huon Valley draft Local Provisions Schedules, noting the representation period has closed.

State Growth has reviewed the Draft LPS, supporting mapping and overlay information, and identified a number of matters relevant to the Tasmanian Planning Commission's assessment of the Draft LPS. These matters are outlined in Attachments 1 and 2.

Please do not hesitate to contact Claire Armstrong, Senior Strategic Planner at planningpolicy@stategrowth.tas.gov.au or on (03) 6166 3397 who can arrange for relevant officers to respond to the matters raised in this submission.

Yours sincerely

A handwritten signature in blue ink, appearing to read "James Verrier".

James Verrier
Director, Transport Systems and Planning Policy

6 April 2023

Attachment 1 – State Growth Comments – Draft Huon Valley Local Provisions Schedule
Attachment 2 – State Growth Amendments to State Roads

Attachment I. State Growth comments - Draft Huon Valley Local Provisions Schedule

State Road Network

Zoning of the State Road Network

Consistent with UZ 1 of *Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application* (the ‘Guidelines’)¹, the vast majority of State Roads have been zoned Utilities, based on the State Road Casement layer published on the LIST. This layer was developed in 2018 to assist Councils in drafting their LPSs, with the intent to clearly identify land forming part of the State-road network for inclusion within the Utilities Zone.

The application of the Utilities Zone to State Roads may require further modification during the Commission’s assessment due to the length of time between development of the Casement layer and finalisation of the LPS, ongoing State Road projects, acquisition or transfer of Crown land and other relevant considerations raised during the hearing process.

State Growth has reviewed the Utilities Zone in the draft LPS and identified a number of deviations from the State Road Casement Layer. The draft LPS Zone maps more accurately reflect the State Road reservation boundaries by mapping the Utilities Zone to cadastral boundaries. For the most part, State Growth supports Council’s mapping of the Utilities Zone where it varies from the State Road Casement layer. Instances where State Growth requests amendments to the Zone maps for State Roads are outlined in Attachment 2.

Particular Purpose - Future Road

A portion of the proposed Huon Link Road alignment, between Sale Street to north of Skinners Creek, has been identified in both the Huon Valley IPS and draft LPS and zoned accordingly as Particular Purpose – Future Road Corridor. While State Growth has been working in partnership with Council on this project, the final alignment of the Huon Link Road corridor has only recently been finalised and has not been incorporated into the draft LPS and or Zone maps.

A development application for the Huon Link Road is currently being assessed by Council. While extensive stakeholder consultation has already been undertaken as part of developing the project, the development assessment process provides a further opportunity to comment on the application. It is anticipated that affected landowners will be issued with a Notice to Treat in coming months after which the land will be administered by State Growth.

As the land will form part of the State Road network, State Growth requests that the proposed Huon Link Road alignment be zoned Utilities in the LPS as per Figure 1 or as otherwise approved by the development application. State Growth will be able to provide boundary accurate GIS shapefiles to the Commission and Council during the hearing process, if still required.

As the development application allows affected landowners and the public to comment on the project, State Growth is not of the opinion that zoning of the Huon Link Road to Utilities should be considered a substantial modification. Rather, it is anticipated that through finalisation of the LPS, Utilities zoning of the Huon Link Road as Utilities will represent an accurate reflection of the approved development.

¹ Tasmanian Planning Commission (2018) *Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application*. Version 2.0. https://www.planning.tas.gov.au/_data/assets/pdf_file/0006/583854/Section-8A-Guideline-No.-1-Local-Provisions-Schedule-LPS-zone-and-code-application-version-2.pdf

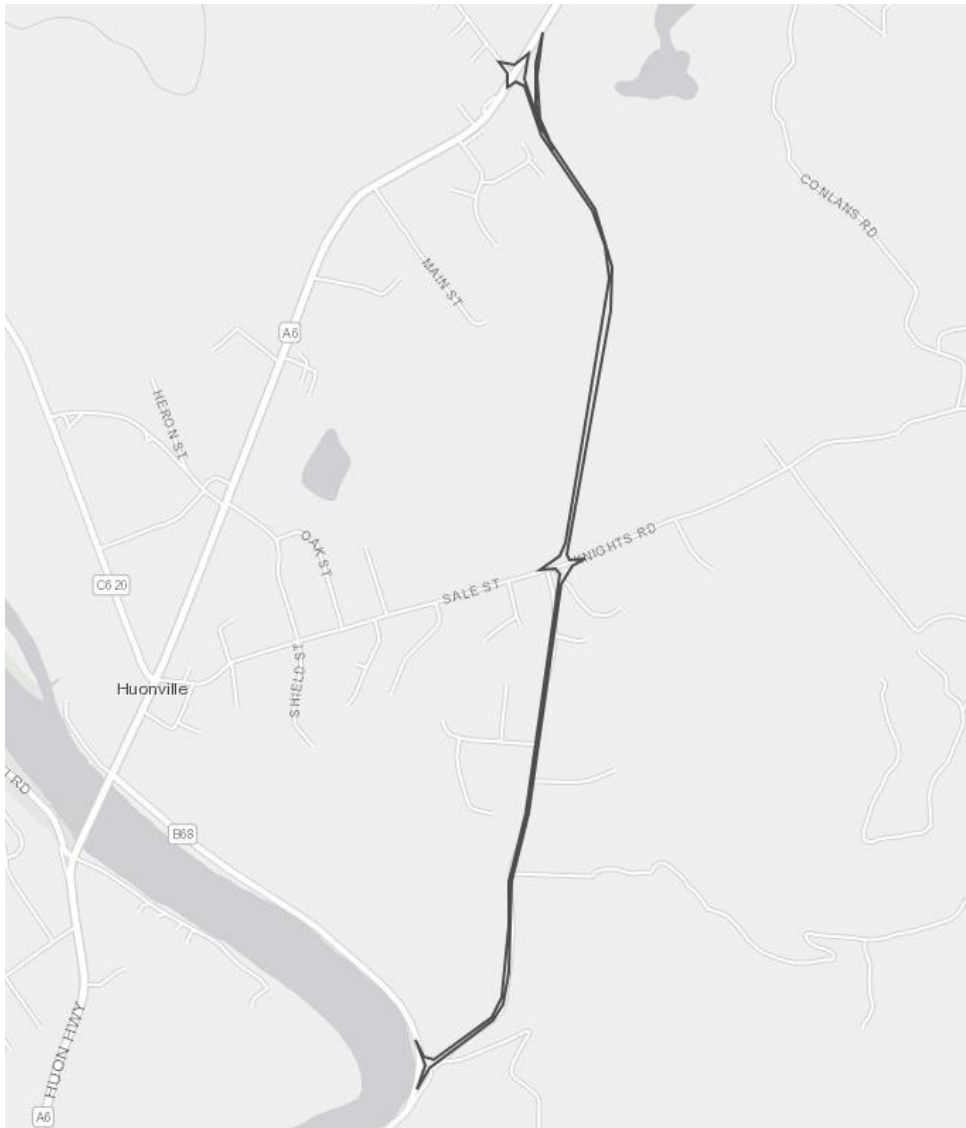


Figure 1. Huon Link Road to be zoned Utilities

Application of Road and Railway Attenuation Area

State Growth supports Council's approach to rely on the written application of the Road and Railway Attenuation Area provisions, rather than applying the Attenuation Area via overlay mapping. The latter approach would require the overlay mapping to be updated via a Planning Scheme Amendment each time a parcel of land is acquired or disposed of for road purposes.

The approach taken will also ensure consistency with other approved LPSs, such as Brighton, Glenorchy, Meander Valley, West Coast, Circular Head, Burnie and Devonport.

Mineral Resources

There are 15 granted mining leases across the Huon Valley municipality. All leases are for Category 3 minerals (construction minerals). Mining lease 2M/2013 at Eddy Creek also provides for extraction of Category 5 minerals ((a) industrial mineral).

Construction mineral mining leases play a key role in supporting the local and regional building and construction industries and provide key materials for road construction and maintenance. Locally sourced construction minerals ensure that the cost of development is kept to a minimum and provides readily available resources close to market.

We have the following comments on specific mining leases -

Mining Lease 2M/2013 – this lease at Eddy Creek is surrounded by the Tasmanian Wilderness World Heritage area (WHA) and is currently within the Environmental Management Zone under the Kingborough Interim Planning Scheme 2015. At the time of granting the lease, the land tenure was State Forest, which subsequently changed as a result of the surrounding area being nominated for World Heritage listing.

The mining lease area is proposed for the Rural Zone under the draft LPS and will be surrounded by the Environmental Management Zone. While the Rural Zone is appropriate for the current use, there are implications for the land once mining ceases and the area rehabilitated given that expectations are that the land would be incorporated into the WHA. Consideration should therefore be given as to the most appropriate zone category given the lease will expire on 13 June 2025. Zoning the land Rural provides for the current land use but may have implications or unintended consequences once mining ceases.

Recommendation – the zone revert to the Environmental Management Zone or the Landscape Conservation Zone if the cessation of mining occurs prior to the draft LPS being finalised.

Mining Lease 1719P/M – the land parcel immediately to the south of the lease (folio of the Register 158504/27) is proposed to be within the Landscape Conservation Zone. This represents a change from the Rural Resource Zone under the current interim planning scheme.

The lessee's operation has progressed outside the mining lease onto land they own. While this represents a breach of conditions resulting from mining related disturbance occurring outside the boundary of the mining lease, changing the zone to the Landscape Conservation Zone will prohibit the lessee from having the option of mining into this area in the future under an appropriate lease.

Recommendation – the land be revised to the Rural Zone.


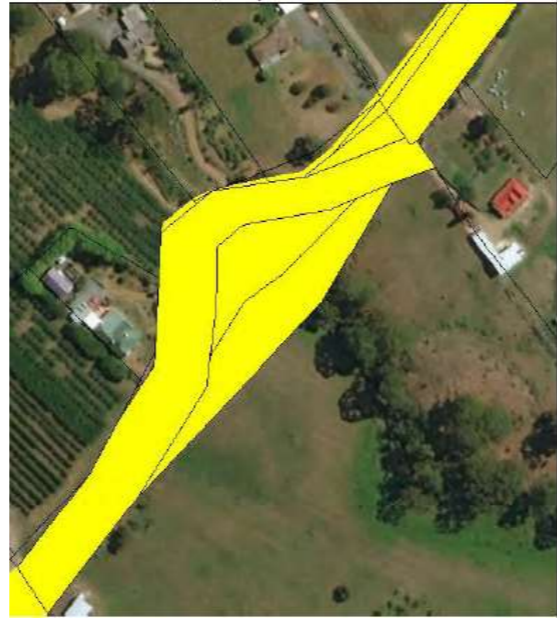


Mining Lease 1148P/M – the land (folio of the Register 157841/1 and 157841/2) and surrounding area is currently within the Rural Resource Zone under the interim planning scheme. Under the draft LPS, the mining lease will be within the Rural Zone, however land to the north and east will be within the Landscape Conservation Zone.

Mining Lease 1915P/M – the land subject to the mining lease (folio of the Register 66677/1) and surrounding land is currently within the Rural Resource Zone under the interim planning scheme. Under the draft LPS the mining lease will be within the Rural Zone, however the land to the north, south and east will be within the Landscape Conservation Zone.


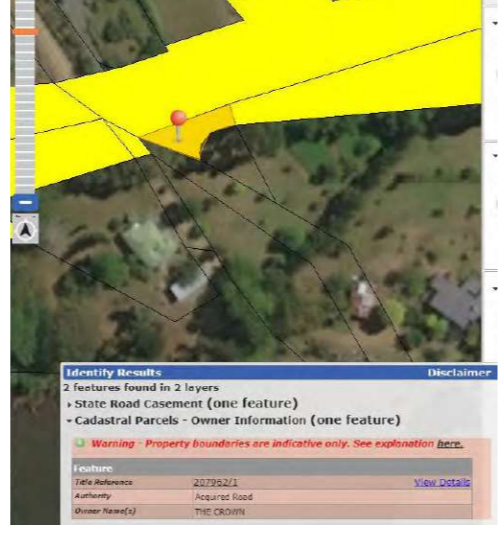
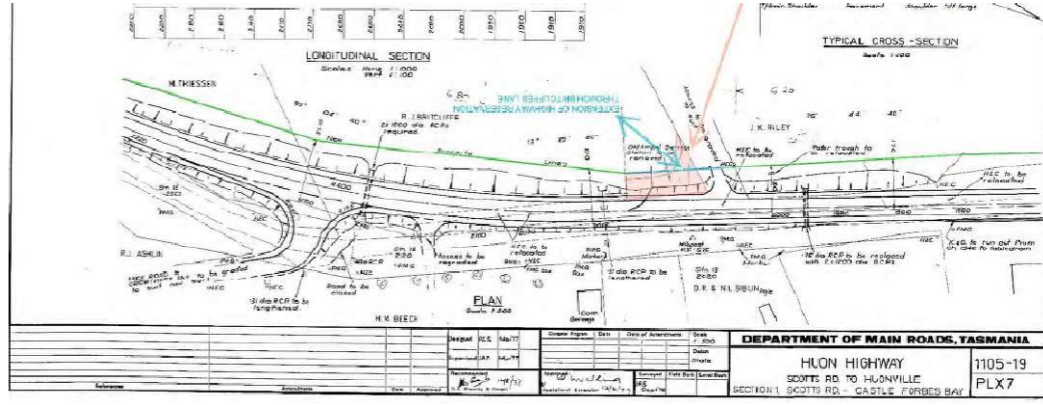

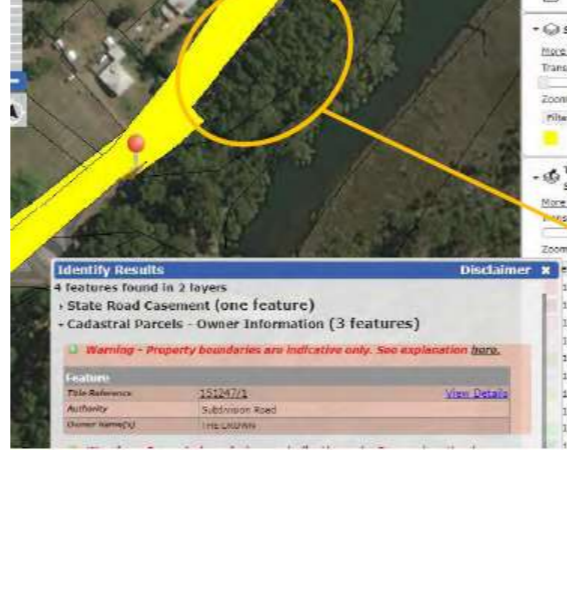
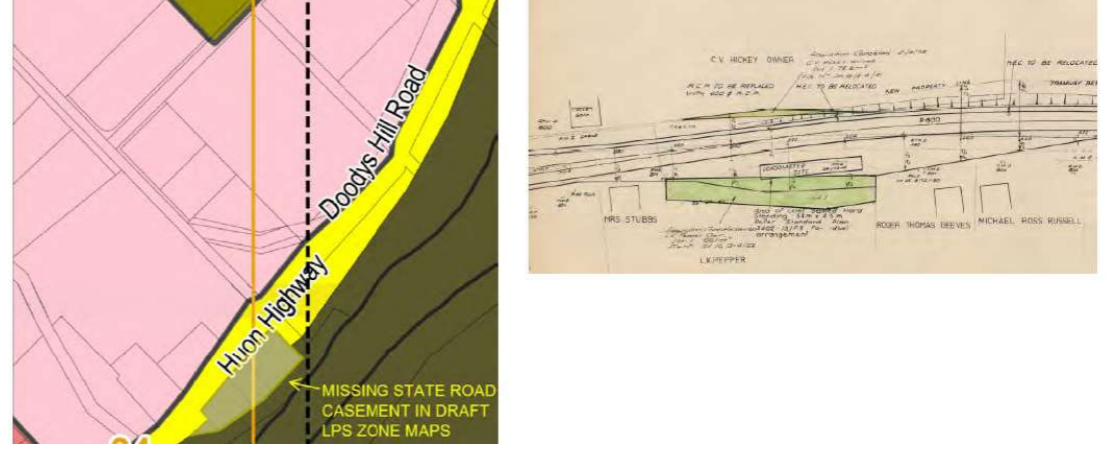
Mining Lease 1797P/M – the land (folio of the Register 126703/12) is currently within the Rural Resource Zone under the interim planning scheme. Under the draft LPS, the land is to be split-zoned, with the Rural Zone applying to the western part that contains the mining lease, and the remaining part within the Landscape Conservation Zone.

Recommendation – the Rural Zone over the three mining leases described above is supported, however the adjoining land (and remainder of folio of the Register 126703/12) within the Landscape Conservation Zone, should be revised to the Rural Zone. The application of the Landscape Conservation Zone would extinguish the option of being able to apply for a mining lease over adjoining areas. This would have the result of preventing the supply of construction material from the site into the local market.

Attachment 2 - Table 1: State Growth amendments to the Utilities zoning for the State Road Reservation



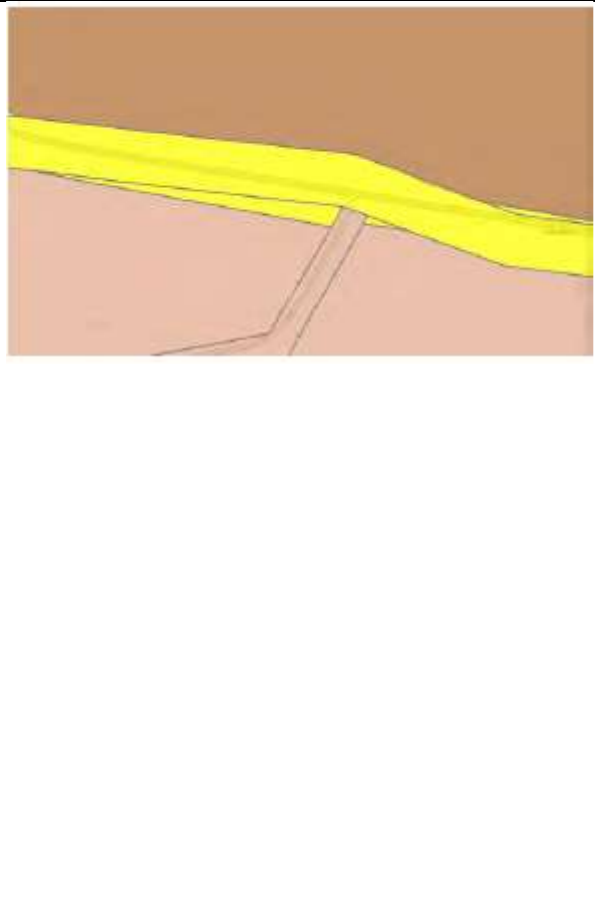
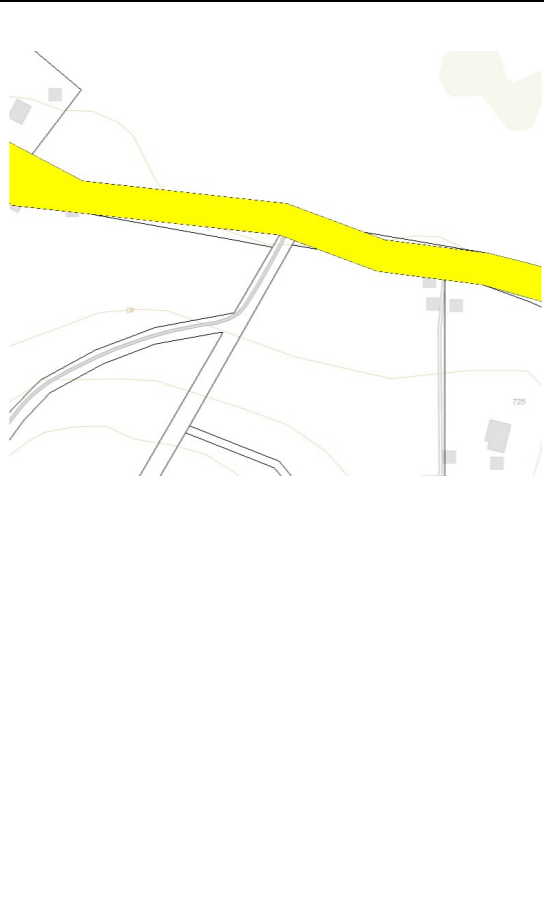
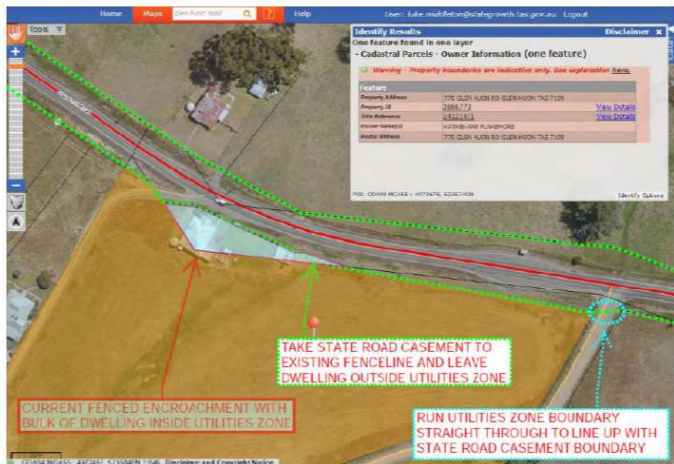
FR geo reference	Draft Huon Valley LPS Zone Maps	State Road Casement on The LIST	Supporting Information
Huon Highway near FR173369/2			<p>The State Road casement layer is missing several acquisition areas and the Utilities Zone in this location should be adjusted to include those areas of Crown land acquired for road purposes as well as exclude portions not that are private property. See below ¹</p> 
Wooden Boat School near FR241803/1			<p>State Growth has established a boundary for the Huon Highway that is unrelated to cadastral boundaries through this location at Franklin. A variation of 8m from the road centreline on the river side (opposed to 10m from the centreline) was sufficient for the purpose of the road reservation by State Growth's predecessor (DIER) as per Map 2 in Attachment B, and the remainder of the acquired land could be incorporated in the leases that were being negotiated by Crown Land Services (CLS). It is, therefore, requested that Council zoning of Utilities in the LPS documents reflect the State Road reservation as defined with CLS at the Wooden Boat School, Franklin. Council reflect zone the Utilities Zone to the State Road reservation at Wooden Boat School, Franklin in the LPS documents.</p>

¹ State Growth can supply acquisition boundaries to the Commission and Council during the hearing process.




FR geo reference	Draft Huon Valley LPS Zone Maps	State Road Casement on The LIST	Supporting Information
Huon Highway FR207962/1			<p>This parcel has been acquired by the Crown for road purposes for the extension of the highway reservation through Bitcliffs Lane and should be wholly zoned Utilities.²</p> 
High Highway FR150052/2, FR150052/1, FR148016/1			<p>Acquired land by the Crown for road purposes as per below should be incorporated into the State Road reservation and zoned Utilities.³</p> 

² State Growth can supply acquisition boundaries to the Commission and Council during the hearing process.

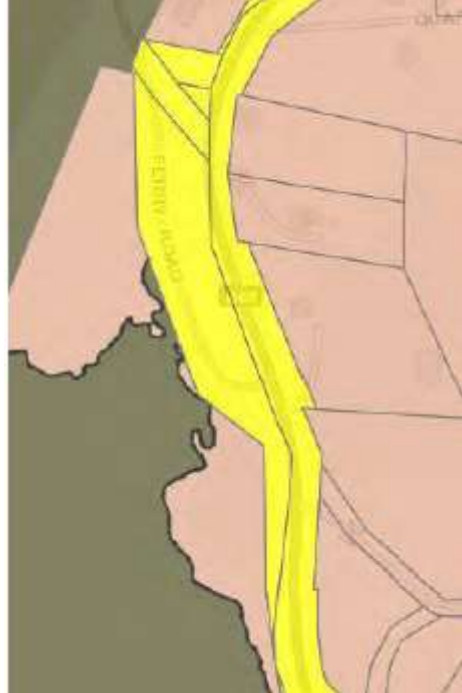




³ State Growth can supply acquisition boundaries to the Commission and Council during the hearing process.



FR geo reference	Draft Huon Valley LPS Zone Maps	State Road Casement on The LIST	Supporting Information
Glen Huon Road near FR138886/2			<p>It is acknowledged Council have adopted the State Road Casement in this location, However, acquired land in this location forms part of Glen Huon Road reservation and should be included in the Utilities Zone. See Attachment C.</p>
Glen Huon Road and Sunny Hills Road and FR141214/1			<p>State Growth acknowledges that Council have adopted the State Road Casement Layer in this location as well as included additional land parcels acquired by the Crown for road purposes</p> <p>State Growth, however, believes it is appropriate that the Utilities Zone run across intersections that enter onto an abutting State Road. Therefore, State Growth requests the Utilities Zone is extended across the junction with Sunny Hills Road. ⁴</p> <p>In addition, it is noted that a dwelling and outbuildings on FR141214/1 are located within the State Road reservation. In this location the reservation boundary and Utilities Zone should be amended to reflect the fence line.</p> 

⁴ State Growth can supply acquisition boundaries to the Commission and Council during the hearing process.

FR geo reference	Draft Huon Valley LPS Zone Maps	State Road Casement on The LIST	Supporting Information
Junction at Glen Huon Road and Crane Road			<p>State Growth acknowledges that Council have adopted the State Road Casement Layer in this location. Discussions between the Department and Natural Resources and Environment Tasmania (NRE Tas) have taken place where it was agreed that the boundary as shown on the Huon River side near the creek line be split between management jurisdictions. State Growth requests Utilities zoning for the State Road Reservation as shown below by the green dashed line.⁵</p>
			

⁵ State Growth can supply acquisition boundaries to the Commission and Council during the hearing process.

FR geo reference	Draft Huon Valley LPS Zone Maps	State Road Casement on The LIST	Supporting Information																								
Ferry Road near FR114688/1		 <p>Identify Results Disclaimer</p> <p>1 feature found in 1 layer</p> <p>Industrial Parcels - Owner Information (one feature)</p> <p>Warning - Property boundaries are indicative only. See explanation here.</p> <p>Feature</p> <table border="1"> <tr> <td>Title Reference</td> <td>114688/1</td> <td>View Details</td> </tr> <tr> <td>Authority</td> <td>Acquired Road</td> <td></td> </tr> <tr> <td>Owner Name(s)</td> <td>THE CROWN</td> <td></td> </tr> </table>	Title Reference	114688/1	View Details	Authority	Acquired Road		Owner Name(s)	THE CROWN		<p>Ferry Road is a Council road and does not form part of the State Road network and therefore is not required by State Roads to be zoned Utilities. A 10m road reservation from the road centreline (as shown below) is required to be zoned Utilities. It is noted that Council may wish to zone Ferry Road Utilities of their own accord.</p> 															
Title Reference	114688/1	View Details																									
Authority	Acquired Road																										
Owner Name(s)	THE CROWN																										
Channel Highway FR11469/1, FR11469/2		 <p>Identify Results Disclaimer</p> <p>2 features found in 2 layers</p> <p>Locations</p> <table border="1"> <tr> <td>Property Address</td> <td>83 ROWES RD CRADOCK TAS 7109</td> <td></td> </tr> <tr> <td>Property ID</td> <td>2456171</td> <td>View Details</td> </tr> <tr> <td>Title Reference</td> <td>11469/1</td> <td>View Details</td> </tr> <tr> <td>Owner Name(s)</td> <td>COROTHY JOHN ROWE</td> <td></td> </tr> <tr> <td>Postal Address</td> <td>83 ROWES RD CRADOCK TAS 7109</td> <td></td> </tr> </table> <p>Warning - Property boundaries are indicative only. See explanation here.</p> <p>Locations</p> <table border="1"> <tr> <td>Title Reference</td> <td>11469/2</td> <td>View Details</td> </tr> <tr> <td>Authority</td> <td>Acquired Road</td> <td></td> </tr> <tr> <td>Owner Name(s)</td> <td>THE CROWN</td> <td></td> </tr> </table> <p>PCI: QDA4 MGASS : 5023026, 5128778 Identify Options</p>	Property Address	83 ROWES RD CRADOCK TAS 7109		Property ID	2456171	View Details	Title Reference	11469/1	View Details	Owner Name(s)	COROTHY JOHN ROWE		Postal Address	83 ROWES RD CRADOCK TAS 7109		Title Reference	11469/2	View Details	Authority	Acquired Road		Owner Name(s)	THE CROWN		<p>Two small parcels have been acquired for road by the Crown. These are presently zoned Rural in the draft LPS and should be zoned Utilities as they form part of the State Road Reservation.</p>
Property Address	83 ROWES RD CRADOCK TAS 7109																										
Property ID	2456171	View Details																									
Title Reference	11469/1	View Details																									
Owner Name(s)	COROTHY JOHN ROWE																										
Postal Address	83 ROWES RD CRADOCK TAS 7109																										
Title Reference	11469/2	View Details																									
Authority	Acquired Road																										
Owner Name(s)	THE CROWN																										

FR geo reference	Draft Huon Valley LPS Zone Maps	State Road Casement on The LIST	Supporting Information
Channel Highway – FR121592/4, FR121592/3, FR121592/2, CT121592/1, FR125684/2, FR121592/6, FR125684/1, FR20903/3			<p>It is acknowledged Council have adopted the State Road Casement layer in zoning the State Road Reservation Utilities in this location. However, three land parcels have been acquired for road purposes by the Crown. These parcels are currently zoned Landscape Conservation in the draft LPS and should be zoned Utilities as they form part of the State Road Reservation (as per the green dashed line in the image below).⁶</p> 

⁶ State Growth can supply acquisition boundaries to the Commission and Council during the hearing process.

Attachment B – Huon Highway road reservation at Wooden Boat School

Map 2
Franklin Foreshore, showing proposed new boundaries
DIER Portfolio in teal, red line marking approx location of title split and therefore new western boundary of
Wooden Boat School lease.



1. CT 229422/1	DIER file	01-53-55	5. CT 215043/1
2. CT 225299/1	" "	01-53-54	DIER file 02-78-36
3. CT 229573/1	" "	01-54-29	
4. CT 247961/1	" "	01-53-52	

Attachment C – Glen Huon Road reservation



FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

