

TASMANIAN PLANNING COMMISSION



Our ref: DOC/24/94579
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8 August 2024

Hon Felix Ellis MP
Minister for Planning

By email: Minister.Ellis@dpac.tas.gov.au

Dear Minister,

Draft amendment 01-2024 of the State Planning Provisions Hazards Code

I refer to your correspondence received 11 July 2024 relating to draft amendment 01-2024 of the State Planning Provisions (draft SPP amendment).

The Commission acknowledges your approval to publicly exhibit the draft amendment under section 30G(3) of the *Land Use Planning and Approvals Act 1993* (the Act). The Commission advises that public exhibition of the draft SPP amendment will commence this Saturday, 10 August 2024.

The Commission has reviewed the draft SPP amendment. Under section 30NB(2), the Commission is of the opinion that draft SPP amendment should become an interim SPPs amendment.

The Commission understands that the draft SPP amendment is intended to clarify the interpretation and operation of the exemptions in the Landslip Hazard Code. In addition, the draft SPP amendment seeks to clarify the relationship between the SPPs and the *Building Act 2016* for the Landslip Hazard Code, Coastal Erosion Hazard Code, and Coastal Inundation Hazard Code.

The Commission considers that the proposed changes to the relevant hazards codes are intended to provide clarity and consistency with other development legislation in Tasmania, and to correct errors related to the exemption of subdivision in certain landslip hazard bands. The Commission considers that this is consistent with section 30NB(4)(a) and (b) of the Act.

Additionally, the Commission considers that the proposed changes in the draft SPP amendment are of a nature that would not unfairly impact the public as it does intent to alter the original policy intent of the relevant hazard codes.

The draft SPP amendment will be subject to public exhibition and an assessment and hearing process conducted by the Commission under sections 30K, 30L, 30M, 30N of the Act.

If you require further information please contact Lauren O'Brien, Planning Adviser on (03) 6165 6813.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'CH', is positioned below the 'Yours sincerely' text.

Claire Hynes
Delegate (Chair)

cc: Department of Premier and Cabinet, State Planning Office