

Save Ralph's Bay Inc propose under Part 2A, 10 (d) and 9 (a-e) - Planning Directives a **DRAFT PLANNING DIRECTIVE** to prohibit canal estate development in Tasmania.

1.0 Introduction

A planning directive may be made in accordance with Part 2A of the Land Use Planning and Approvals Act 1993 in respect of the following matters:

- (a) land use issues requiring consistency for all municipal areas;
- (b) land use issues unique to one municipal area or only some municipal areas;
- (c) procedural matters arising from the operation of this Act or a State Policy;
- (d) the application of a State Policy;
- (e) any other matter the Minister considers appropriate.

Canal estate development has been prohibited in other States because of the environmental impacts, risks and long term costs to the community that are associated with them.

These impacts and costs are compounded by the potential effects of climate change and sea level rise in the longer term.

The Kingborough Planning Scheme 2000 prohibits canal estates, as per the extract attached.

The Kingborough Planning Scheme was approved by the Resource Planning and Development Commission as being in accordance with the State Coastal Policy.

It is very doubtful that a canal estate could comply with the principles and outcomes of the State Coastal Policy.

Canal estates are alien to Tasmania's clean, green natural image and the natural values image we promote as our Brand.

Councils need direction to protect these values and to interpret the State Coastal Policy consistently.

Consistency across all municipalities in interpretation of the State Coastal Policy in respect to canal estates development is desirable.

The development industry and the community will both benefit from the increased certainty that prohibition of canal estate development will provide.

Draft

Planning Directive No. 2

Prohibition of Canal Estates

1.0 Introduction

1.01 Planning Directive No.2 prohibits canal estate development in all planning schemes.

2.0 Definition

"canal estate development" means development that:

- (a) incorporates wholly or in part a constructed canal, or other waterway or waterbody, that is inundated by or drains to a natural waterway or natural waterbody by surface water or groundwater movement, and
- (b) includes the construction of residential or tourist dwellings, and
- (c) requires the use of a sufficient depth of fill material to raise the level of all or part of that land on which the dwellings are (or are proposed to be) located in order to comply with requirements relating to residential development on flood prone land, tidal flats or wetlands.

2.0 Effect of the Planning Directive

2.1 Councils will insert a provision within their planning schemes to prohibit canal developments.

3.0 Commencement

3.01 This planning directive takes effect from the day on which the notice of its issue is published in the *Gazette*.

Extract from

KINGBOROUGH
Planning Scheme 2000
A performance based planning system
(Incorporating amendments to 29/6/2005)

TABLE S5.1 PRINCIPLES AND SCHEME STANDARDS FOR WATERWAYS AND WETLANDS

ISSUE 1: Development PRINCIPLE – To maintain the hydrological and biological roles of near wetlands waterways wetlands and waterways. and the coastal zone.

ACCEPTABLE SOLUTION (Deemed to Comply)

ALTERNATIVE SOLUTION (Requires Justification)

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5.2.1.8 Canal Estates: Canal estates are not permitted.	16.2.1.8: Canal estates are not permitted.
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