



MEDIA RELEASE

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TPC refuses Cambria Green rezoning

The Tasmanian Planning Commission (TPC) today brought down a decision to reject the Cambria Draft Amendment (Cambria Estate Draft Amendment AM 2018-03, Specific Area Plan and other amendments) proposed to facilitate a large-scale tourism-based development on more than 3,100 hectares outside Swansea village on Tasmania's East Coast.

"The East Coast Alliance welcomes this decision by the independent Tasmanian Planning Commission," said Anne Held, President of the East Coast Alliance (ECA). "The planning amendment was lodged with Glamorgan Spring Bay Council by Cambria Green Agriculture and Tourism Management Pty Ltd over five years ago, in April 2018."

The ECA's purpose in forming was to support and represent those in the community who are not in support of the planning scheme amendment lodged by Cambria Green Agriculture and Tourism Management Pty Ltd in April 2018, and to stop the application being approved. The ECA currently represents almost 700 individuals and organisations across Tasmania and interstate opposed to Cambria Green.

The ECA has always questioned whether what is being proposed by the Applicant represents the most appropriate use of this land in terms of community amenity and well-being, local economy and the environment.

It is important to state the East Coast Alliance is not opposed to, and would support, appropriate, reasonable and sustainable development.

As stated in the TPC decision:

(the full decision can be found [here](#))

470. In summary, the Commission finds that the draft amendment:

- is not in accordance with section 32(4)(a) or (b);
- does not further objectives set out in Schedule 1;
- is not consistent with the relevant parts of the State Policy on the Protection of Agricultural Land 2009, the State Coastal Policy 1996 and the State Policy on Water Quality Management 1997;
- is not, as far as practicable, consistent with the Southern Tasmania Regional Land Use Strategy 2010-2035.

471. The Commission rejects the draft amendment.

472. Having considered the alternative draft amendment, the reasons for rejecting the draft amendment apply equally to consideration of the alternative draft amendment. While lessening the impacts of the uses and potential developments that were proposed, the Commission is not satisfied that the alternative draft amendment addresses the fundamental zoning considerations or meets the criteria for the establishment of a SAP.

The ECA planners, ERA Planning and Environment, continued to demonstrate throughout the entire process that appropriate tourism development on the site is already achievable through the current planning scheme provisions applying to the land.

The continuing stream of further modifications put forward by the Applicant through the hearing process is evidence the Applicant themselves were not satisfied the Draft Amendment met legislative provisions.

“After such a long, drawn-out process, while we at the ECA are, of course, very pleased with this decision, we are also cautious about what might happen next,” said Held. “We acknowledge this is possibly not the end of the road for this campaign.”

What happens next?

The proponents will be given 28 days to appeal and apply for a judicial review in the Supreme Court. Any appeal can only be based on an error of law, not on planning merits.

Should an appeal be allowed by the Court, and the TPC’s decision overturned, the Draft Amendment will be remitted back to the TPC for assessment by a differently constituted panel.

If the appeal is not accepted by the Supreme Court, the proponent may consider an appeal to the full bench of the Supreme Court or must wait two years before being able to lodge another application for a planning scheme amendment on the land. This would have to be substantially different to the initial application.

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