

Attachment 2 - 30 Boomer Road, Waverley - Subdivision Plans and Report

BOOMER ROAD, WAVERLEY (Water Services Summary)

Revised water supply details and calculations, inc responses on TasWater RAI (Refer TWDA 2017/01001-LCC)

The developer has now determined in consultation with CoL staff that the most appropriate provision of water service to the new development as proposed is to construct a new DN100 water main to provide full service to the three new lots (Lot 4 maintains existing TW service currently in place). Fire Hydrants will also be provided on the new main as proposed.

Background Calculations & Summary:

Calculations of the number of Equivalent Tenements = 3 ET

ET rates were determined from Appendix A of the TasWater Supplement to Water Code of Australia. Determined as RC06, at 1 ET per lot, provides 3 ET

Probable simultaneous water demand (PSD) for the proposed development = 0.88L/s.

In accordance with Water Supply Code of Australia the PSD was determined from Table 3.2 in AS3500.1-2003 using an ET of 3.

The required fire flow rates in L/s and the required residual pressure (kPa) at the point of connection.

From the TasWater Supplement to Water Supply Code Australia, the design fire flows are as follows; 10L/s @ 250kPa (new) or 300kPa (old) minimum residual pressure from one hydrant for a period of 4 hours with a system residual pressure of 100kPa in the entire service zone.

Boundary Condition provided by TasWater (dated 04/07/17) – existing Hydrant near to corner Boomer Road and Whisky Road (RL 118.5m), Total head at 2/3 peak plus fire 10 L/s = 189m AHD. Available head = 70.5m (690 kPa) Elevation highest point on new main (and location of proposed end of line Hydrant) = 135m, new max avail static head = 54m

Calculating friction loss additional:

- Head Loss in new pipeline (DN100 PN16 o-PVC) with terminal fire hydrant fully open @ 10 L/s creates head loss of 4.5m over length of pipeline (488m length)
- Head Loss in new pipeline (DN100 PN16 o-PVC) with both the Whisky Road junction and terminal fire hydrant fully open @ 10 L/s creates head loss of 16.5m over length of pipeline (488m length)

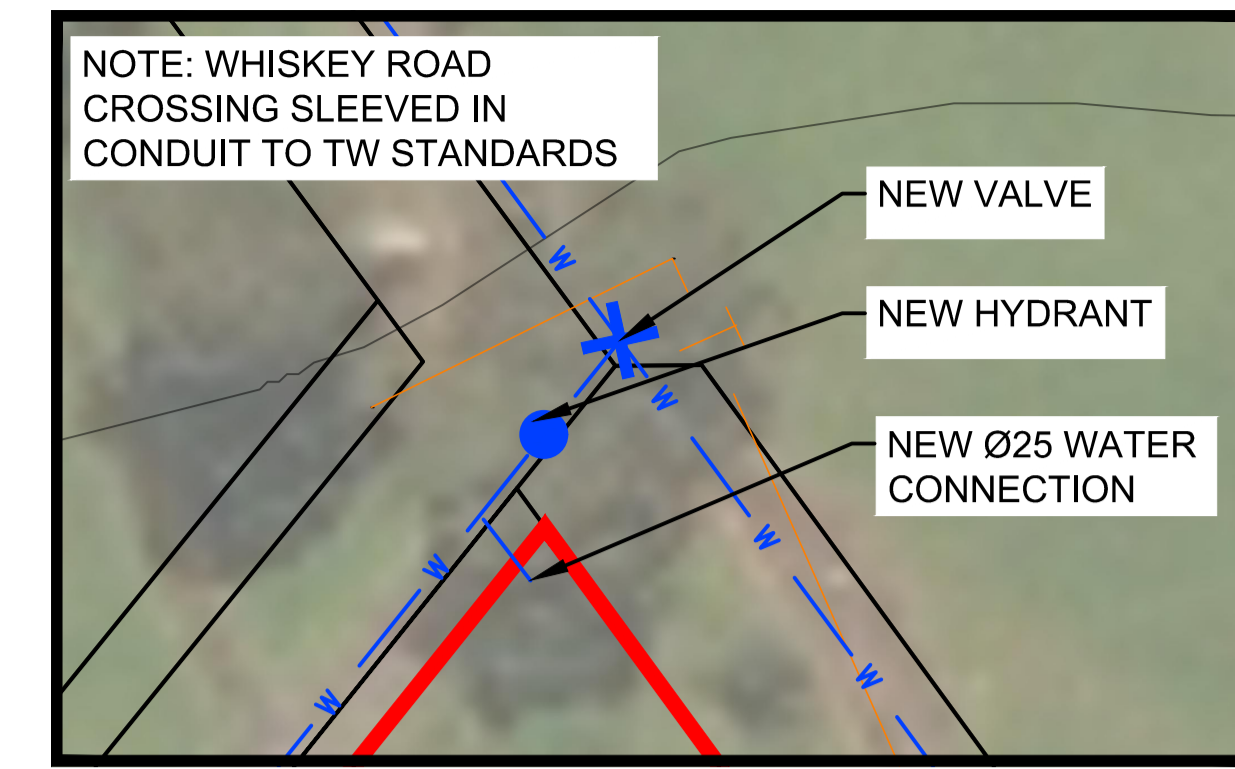
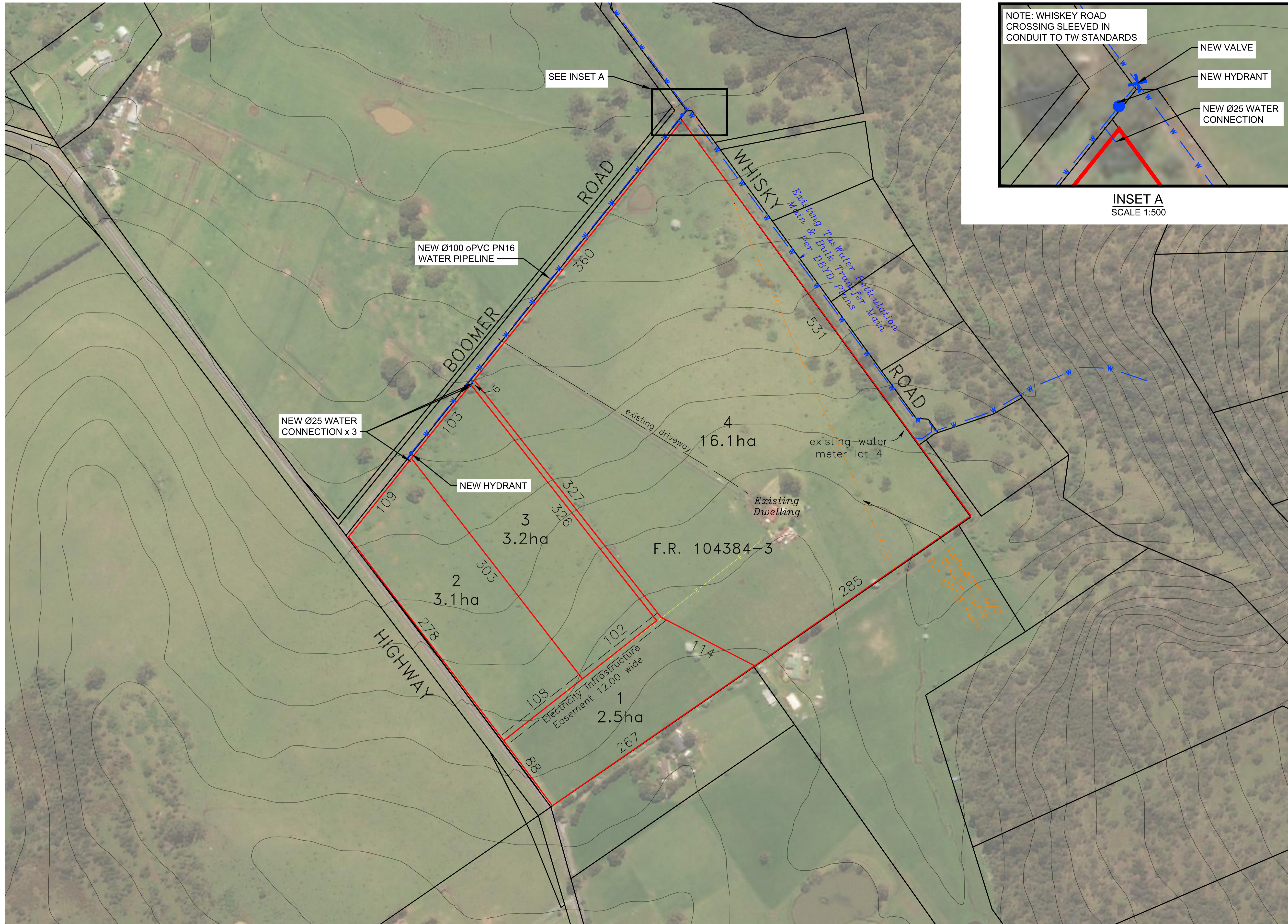
Actual Available pressures, end point of TasWater line:

- Avail pressure at terminal hydrant point typical conditions = 54m (530 kPa)
- Avail pressure at terminal hydrant point with both Boomer Road hydrants open at 10 L/s = approx. 37.5m (368 kPa)

Servicing Plan

Refer Proposed Concept Servicing Plan (attached)

- Refer plans for indicative locations of new DN100 main in Boomer Road, connected to existing bulk transfer TW main running down Whisky Road.
- Connection near to junction with Boomer Road with new DN100 x 100 S/S tapping band and isolation valve. Whisky Road crossing via sleeve conduit to TW and CoL standards.
- Provision of 2 x Fire Hydrants on the new DN100 TasWater line – one at Junction Boomer Road and Whisky road, and one at proposed Termination of new line. (TW requirement being road junctions and 500m spacing)
- Property Connections to each of Lots 1,2, & 3 provided, all DN20 HDPE
- Lot 4 has existing water connection direct to existing TW main (this to remain in service)
- New TasWater DN100 main located wholly in road reserve of Boomer and Whisky Roads.



INSET A
SCALE 1:500

PLAN
SCALE 1:2000

FOR COMMENT

D		
C	-	-
B	-	-
A	COMMENT	02/10/2017
Rev.	Description	Date

REVISIONS

Client:

Project Manager:

Project:

Drawing Title:

Original Size:	Drawn:	Approved:	Date:
A1	BH	AH	02/10/17
Scale:	Drawing No:	Rev:	
AS SHOWN			A

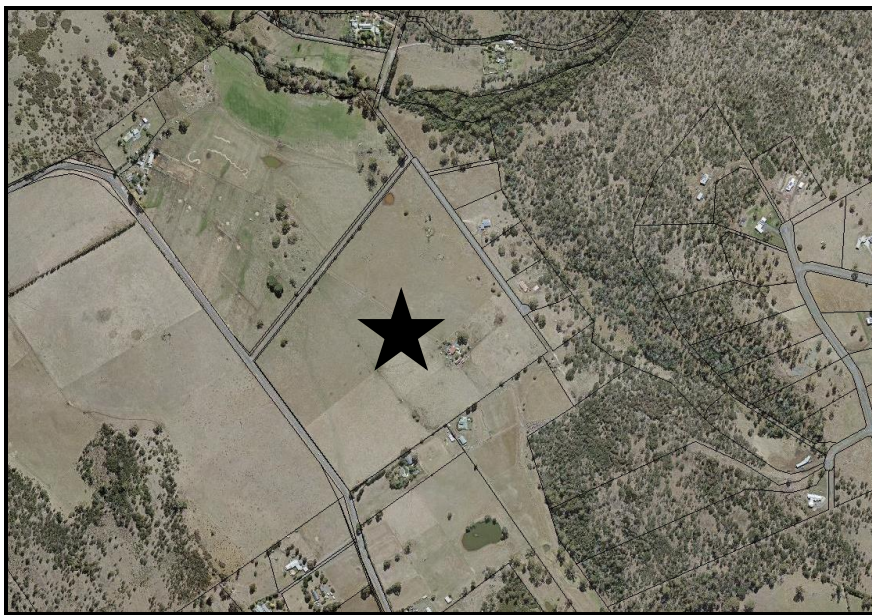
Planning Scheme Amendment Submission

40690 TASMAN HIGHWAY, WAVERLEY

J & M BREWIN

SUPPORTING SUBMISSION

3 OCTOBER 2017



Prepared by:
Rebecca Green & Associates

Contents

1. Executive Summary	3
2. The Proposal	3
3. Site Analysis	4
3.1 Location	4
3.2 Title description.....	5
3.3 Hazards and Special Values	5
3.3.1 Heritage and Scenic.....	5
3.3.2 Flooding.....	5
3.3.3 Bushfire	5
3.3.4 Land capability.....	6
3.3.5 General environmental quality and hazard risk.....	6
3.3.6 Special or significant features of the subject land	6
3.3.7 Infrastructure	6
4. The Amendment	7
4.1 Assessment Under LUPAA.....	7
4.2 State Policies	12
4.3 Use, development, protection or conservation of any land	13
4.4 Requirements under the Gas Pipelines Act 2000.....	13
4.5 Permissible use and development, and the potential for regional impact.....	13
4.6 Regional Land Use	14
4.7 Summary of Amendment	17
5. The Development.....	17
5.1 Section 43a of LUPAA.....	17
5.2 State Policies	32
5.3 Summary of Development	33
6. Conclusion.....	33

APPENDICES

- Appendix A: Land Owners Consent
- Appendix B: Certificate of Title
- Appendix C: Plan of Subdivision
- Appendix D: Agricultural Report
- Appendix E: Waste Water Disposal Assessment
- Appendix F: Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan
- Appendix G: Traffic Assessment

1. Executive Summary

This report forms part of a request for amendment to the Launceston Interim Planning Scheme 2015 ('the scheme') with a combined application for development pursuant to the former provisions of Section 43A of the *Land Use Planning and Approvals Act 1993 (LUPAA)*. The report and application has been prepared on behalf of J & M Brewin by Rebecca Green & Associates.

The application seeks to rezone the subject land at 40690 Tasman Highway, Waverley, from Rural Resource Zone to Rural Living Zone. The resulting drafted amendments to the Launceston Interim Planning Scheme 2015 have been considered against the provisions required by LUPAA including the State Policies and the Objectives of the Act.

Accompanying the scheme amendment submission is an application for the redevelopment of the land for the purpose of subdividing the land into 4 (four) lots. The proposal has been assessed in relation to the zone and the codes and found to meet the relevant provisions of the planning scheme.

2. The Proposal

The purpose of this application is to amend the Launceston Interim Planning Scheme 2015 ("the Scheme") as follows:

- An amendment to the Scheme to change the zoning of CT 104384/3 such that it is comprised within the Rural Living Zone;
- To subdivide the land subject to the change of zoning into 4 lots as depicted by Plan of Subdivision by Cohen & Associates P/L dated 15-12-2016.

The area proposed for rezoning is one parcel of land with an area of 24.89 hectares. One lot exists with a single dwelling and associated outbuildings. The subject land is owned by Joseph Henry Brewin and Meredith Grace Brewin.

The subdivision of the land subject to the amendment is proposed as part of this development. This land would be subdivided into four lots, as illustrated by Plan of Subdivision, dated 15 December 2016, attached at Appendix C to this submission.

Upon the approval of this amendment and approval, the site within its context will be at the optimum use for the land.

This submission will be presented in three parts. The first part of the submission will provide details of the site. The second part deals with the proposed amendment to the Planning Scheme including the strategic background and consideration against the

requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA) and State Policies. The amendment proposed is to the zone maps for the Scheme and the planning application, which relates to land at 40690 Tasman Highway, Waverley (CT 104384/3).

The third part deals with the proposed development application including consideration against the relevant provisions of the Launceston Interim Planning Scheme 2015 (as if amended). The client is seeking to subdivide the site into 4 lots.

3. Site Analysis

3.1 Location

The subject land is located at 40690 Tasman Highway, Waverley (CT 104384/3) and is comprised of one parcel of land. Figure 1, below, illustrates the location of the subject land.

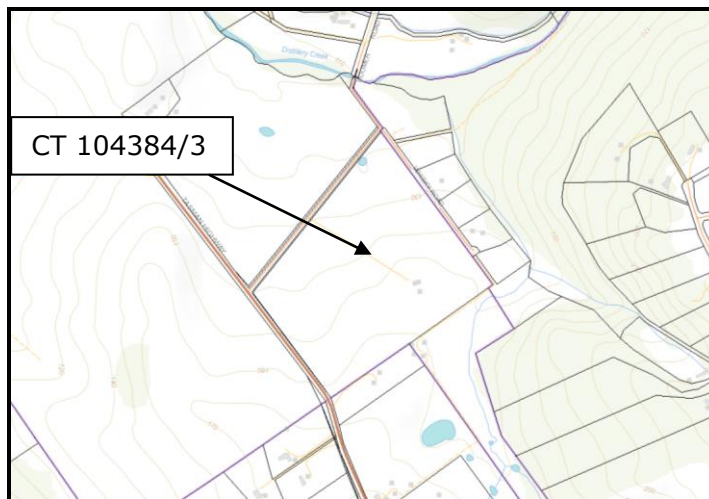


Figure 1 – Location of subject land. (Image courtesy of www.thelist.tas.gov.au)

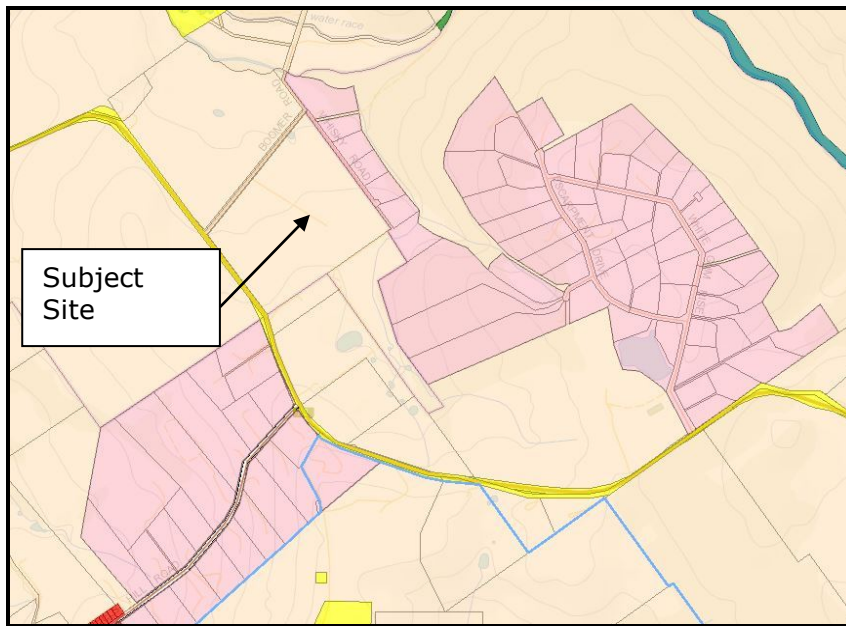


Figure 2 – Site zoning and surrounding zoning. (Image courtesy of www.thelist.tas.gov.au)
Light Pink = Rural Resource, Pink = Rural Living

The site is surrounded by a number of rural residential properties, including Drivers Run and Abels Hill Road.

The site in its context is somewhat out of character of the lot sizes predominantly surrounding the site. The site is used for residential and hobby farm use presently.

3.2 Title description

The subject property is described in the following title, CT 104384/3. The registered owners of the lot are Joseph Henry Brewin and Meredith Grace Brewin.

3.3 Hazards and Special Values

3.3.1 Heritage and Scenic

The site is not locally or state heritage listed and is not considered to have any special scenic values. The site is not listed in the Tasmanian Aboriginal site index.

3.3.2 Flooding

The site is not known to be subject to flooding, given the elevation above sea level.

3.3.3 Bushfire

The site is likely to be considered to be bushfire prone. Much of the area consists of a mixture of woodland and grasslands. The area is serviced by a network of roads that provides alternate access and egress if needed in times of evacuation and the area is serviced by a volunteer fire brigade which provides added protection to the immediate area.

3.3.4 Land capability

The land is mapped as class 6 according to the Land Capability Report contained at Appendix D to this submission. The classification assessment is based on the permanent biophysical features of the land and does not take into account economics of agricultural production, distance from markets and other, social and political factors in evaluating the best use for a particular area. The site is considered unsuitable for horticultural cropping purposes and only has a limited grazing potential.

The title has very low agricultural potential due to limitations of low fertility and relatively shallow soils, low soil moisture holding capacity, presence of rocky outcrops over the property and stone throughout the soil profile, relatively high incidence of frost during winter, high exposure to prevailing westerly winds, and the presence of an existing dwelling, please refer to Land Capability Report, as contained in Appendix D to this submission.

3.3.5 General environmental quality and hazard risk

There are no identified areas of contamination on the development site.

The site is not identified as an area of potential landslip.

3.3.6 Special or significant features of the subject land

There are no species of rare vulnerable or endangered flora species located on the subject land.

There is no vegetation on the development site that will require clearing as part of the development of the site.

3.3.7 Infrastructure

The site is located within an area where there is reticulated water, but with limitations and the site has access to a number of Council and State maintained roads.

It is assumed that the existing services, except for reticulated water would be adequate for the proposed use and any further development.

TasWater has provided correspondence to the author of this report, particularly noting reference to an email received 29 November 2016:

“It should be noted that at the time of writing this advice that due to the property being located within the North Esk supply zone, which has known capacity issues, that it is not fully understood if additional capacity will be available for this development at the time of lodging an official planning application.”

The application seeks to provide on-site water supply to Lots 1, 2 and 3, whilst Lot 4 will retain its existing water connection to the reticulated supply.

4. The Amendment

This section has been prepared in response to the various statutory controls that apply to the site. The intent of this application for an amendment is to enable strategic development at 40690 Tasman Highway, Waverley and permit appropriate and efficient use of the land.

The site is currently mapped Rural Resource Zone. Nearby land has previously been rezoned to Rural Living to better reflect the existing uses as well as the character of the locality.

There is no amendment proposed to the Planning Scheme ordinance. The amendment proposed is to the Planning Scheme map to rezone the entire site from Rural Resource to Rural Living Zone.

4.1 Assessment Under LUPAA

In accordance with S8C and the Savings and Transitional Provisions of Schedule 6 request for amendment to the Scheme is made under the former *Land Use Planning and Approvals Act 1993* in accordance, the former Section 32 which requires that amendments to planning schemes be considered against the following:

- (1) *A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A) –*
 - (a)
 - (b)
 - (c)
 - (d)
 - (e) *Must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*
 - (ea) *must not conflict with the requirements of section 300; and*
 - (f) *must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.*
- (2) *The provisions of section 20(2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes.*

Section 20 also includes the following:

- 20.(1) (a) *seek to further the objectives set out in Schedule 1 within the area covered by the scheme; and*
- (b) *prepare the scheme in accordance with State Policies made under section 11 of the State Policies and Projects Act 1993; and*

(c)

4.1.1 Risk of land use conflict

As noted throughout this submission, the proposed amendment will not cause conflict with adjoining uses. The adjacent residential uses on adjacent and nearby lots will continue, and will not be affected by future residential/hobby farms uses and development. The development itself will be considered on its merits as part of a further section of this submission.

The uses allowed in the Rural Living Zone are unlikely to conflict with the adjacent residential development beyond that level of interface existing at present.

4.1.2 Requirements of Section 300

Section 300 provides as follows:

300. Amendments under Divisions 2 and 2A of interim planning schemes

- (1) *An amendment may only be made under Division 2 or 2A to a local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker within the meaning of section 20(2A) practicable, consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the scheme applies.*
- (2) *An amendment, of a planning scheme, that would amend a local provision of the scheme or insert a new provision into the scheme may only be made under Division 2 or 2A if –*
 - (a) *The amendment is not such that the local provision as amended or inserted would be directly or indirectly inconsistent with the common provisions, except in accordance with section 30EA, or an overriding local provision; and*
 - (b) *The amendment does not revoke or amend an overriding local provision; and*
 - (c) *The amendment is not to the effect that a conflicting local provision would, after the amendment, be contained in the scheme.*
- (3) *Subject to section 30EA, an amendment may be made to a local provision if –*
 - (a) *The amendment is to the effect that a common provision is not to apply to an area of land; and*
 - (b) *A planning directive allows the planning scheme to specify that some or all of the common provisions are not to apply to such an area of land.*
- (4) *An amendment may not be made under Division 2 or 2A to a common provision of a planning scheme unless the common provision, as so amended, would not be inconsistent with a planning directive that requires or permits the provision to be contained in the planning scheme.*
- (5) *Subject to section 30EA, an amendment of a planning scheme may be made under Division 2 or 2A if the amendment consists of –*
 - (a) *Taking an optional common provision out of the scheme; or*
 - (b) *Taking the provision out of the scheme and replacing it with an optional common provision.*

The amendment proposed is a rezoning of an area of land and as such is a local provision which can be amended under Division 2 or 2A. The amendment proposed is consistent with the Regional Land Use Strategy of Northern Tasmania Version 5.0 (2016) (RLUS) as detailed and will contribute to addressing the consolidation of rural living zoned land.

4.1.3 Objectives of Schedule 1, Part 1 of LUPAA

(a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity

The proposed amendment seeks to further the objective of this part of the Act through the future development of land presently un-used, but with a surrounding context of occupation and residential use. No rare or threatened species of flora or fauna have been identified on the subject site. As such, the proposed amendment will not threaten genetic diversity. The proposal would therefore also not adversely impact on ecological processes.

(b) To provide for the fair, orderly and sustainable use and development of air, land and water

The existing character of the properties in the area is rural residential in all but the zone. The existing character of the settlement is fixed and there is little subdivision potential given the land size and orientation and each lot already contains a house (Drivers Run and Whisky Road).

The Rural Living zone best reflects the established character of the district and would support a fairer, more orderly approach to any future development of that land.

(c) To encourage public involvement in resource management and planning

This process encourages public participation and comment through the notification process, following Council certification. The community and government departments and agencies will be able to formally comment on the draft amendment as part of this process.

(d) To facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)

The proposed amendment seeks to further this objective of the Act by rezoning the subject land to facilitate future residential/ hobby farms uses and to facilitate expansion of the Drivers Run and Abels Hill rural living areas and to further define and promote rural living growth within areas not of high agricultural potential in the Waverley/St Leonards area.

The rezoning of the site to Rural Living will facilitate economic development through the opportunity for subdivision and later new dwelling constructions in the area. The amendment is therefore in accordance with objectives (a), (b) and (c) as discussed above.

- (e) *To promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.*

The amendment seeks to further this objective by allowing for commercial development of the subject land, in conjunction with Council and the community.

Community involvement will be encouraged through public notification, local government involvement will be encouraged through this planning process and industry involvement will be promoted during the future development and construction phase of the site development. State Government involvement will be facilitated through the Tasmanian Planning Commission assessment process.

Objectives of Schedule 1, Part 2 of LUPAA

- (a) *To require sound strategic planning and coordinated action by State and local government; and*

The amendment seeks to further this objective of the Act by furthering Council's objectives as expressed through the Northern Regional Land Use Strategy.

- (b) *To establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and*

The proposed amendment seeks to change the zoning of the subject site to a zone existing within the Launceston Interim Planning Scheme 2015. The Rural Resource Zone currently only accommodates for Residential Use where the use is for a single dwelling as a discretionary use and limits the subject site for further subdivision. It is proposed to change the zoning of the subject site, to allow future subdivision to occur with greater assurance at the purchase stage of the development.

The land will be developed in accordance with the relevant provisions of the Launceston Interim Planning Scheme 2015.

- (c) *To ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and*

The amendment is not likely to have an adverse impact on the surrounding environment. No rare, vulnerable or threatened species of flora or fauna have been identified on the subject property. Similarly, no areas of land exist on the site that requires conservation.

The social and economic effects of development of the site should be given sufficient weight as the change of zone will allow a lot which has limited potential for efficient or practical agricultural or rural resource use on a commercial basis to be used for rural living.

- (d) To require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and*

The proposed amendment seeks to further this objective through alignment with Council's objectives for the development of the subject area of St Leonards/Waverley and furthers the objectives of the Regional Land Use Strategy of Northern Tasmania.

All relevant regional and state policies have been considered for this proposal.

- (e) To provide for the consolidation of approvals for land use or development and related matters, and to coordinate planning approvals with related approvals; and*

This amendment seeks to further this objective by allowing simultaneous consideration of both the amendment and the proposed development.

The proposed amendment will allow for additional rural living land adjacent to a number of sites with similar characteristics and lot sizes, and zoning. The subsequent planning and development approvals will be coordinated at development stage.

- (f) To secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania; and*

The amendment sought seeks to further this objective by allowing for residential/ hobby farm use of the subject site in a manner that will not have an adverse impact upon the amenity of nearby residential development. The Launceston Interim Planning Scheme 2015 makes provision to ensure issues of safety and amenity area considered.

- (g) To conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and*

The subject land has no known scientific, historical or special cultural value. The proposed amendment seeks to further this objective by allowing for future residential development of the site in a manner that has no impact on the historic value of any heritage sites.

- (h) To protect public infrastructure and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community; and*

This amendment will further this objective by allowing for the rezoning of the site to facilitate subdivision of the subject site. By allowing an increase in density, public infrastructure will be more efficiently used.

- (i) To provide a planning framework that fully considers land capability.*

The land capability of the subject site has been mapped as Class 6. The classification assessment is based on the permanent biophysical features of the land and does not take into account economics of agricultural production, distance from markets and other, social and political factors in evaluating the best use for a particular area.

4.2 State Policies

State Policy on Water Quality Management 1997

The *State Policy on Water Quality Management 1997* came into operation on 27 September 1997. This policy applies to all surface water, including coastal waters, and groundwater's, other than privately owned waters that are not accessible to the public and are not connected to, or flow directly into, waters that are accessible to the public, or, water in any tank, pipe or cistern.

Clause 31.5 of the Policy requires that a use or development be consistent with the physical capacity of the land so that the potential for erosion and subsequent water quality degradation is minimised.

The nature of future use and development combined with the capacity of the Planning Authority to impose appropriate conditions in any subsequent planning approvals provides the opportunity for the relevant requirements of the Policy to be met.

On the above basis, it is considered that the dispensation complies with the provisions of the *State Policy on Water Quality Management 1997*.

State Policy on the Protection of Agricultural Land 2009

The *State Policy on the Protection of Agricultural Land 2009* came into operation on 3 September 2009. The Policy applies to all agricultural land in Tasmania.

The Agricultural Land Policy defines 'Agricultural land' as:

Means all land that is in agricultural use or has the potential for agricultural use, that has not need zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.

The land capability of the subject site has been mapped as Class 6. The classification assessment is based on the permanent biophysical features of the land and does not take into account economics of agricultural production, distance from markets and other, social and political factors in evaluating the best use for a particular area. Given the topography and size of the subject site it would be difficult to graze on anyway. The site is not prime agricultural land.

State Coastal Policy 1996

The *State Coastal Policy 1996* came into operation on 10 October 1996. This policy applies to the coastal zone, which includes all State waters and land within 1km from the High Water Mark.

The site is located not within 1km of the coast and the State Coastal Policy does not apply to the land.

National Environment Protection Measures

In accordance with Section 12A of the *State Policies and Projects Act 1993*, a national environment protection measure is taken to be a State Policy. The following therefore require consideration:

- Ambient air quality 2002
- Diesel vehicle emissions 2001
- Assessment of site contamination 1999
- Used packaging materials 1999
- Movement of controlled waste between States and Territories 19998
- National pollutant inventory 2000

The site has no land use history that indicates contamination. It is considered that the NEPMs will have no impact on the proposed amendment.

4.3 Use, development, protection or conservation of any land

The proposed amendment does not make provision for the protection of any particular piece of land, as no sites of significance are located either within the boundaries of the subject property, or adjacent.

There are no areas of significance on the development site that require protection or conservation.

4.4 Requirements under the Gas Pipelines Act 2000

This section of LUPAA requires that regard be had with respect of the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*. The gas pipeline is not located near to the subject property. As such, the requirements of the *Gas Pipelines Act 2000* are not relevant to the proposed amendment.

4.5 Permissible use and development, and the potential for regional impact

The proposed amendment will facilitate the consolidation of an existing area categorized as having properties similar to rural living objectives.

The regional impact of such residential/ hobby farm use and development is likely to have a positive regional impact. Furthermore, the requested amendment will have no impact on environmental values of local or regional significance. As is evident from the previous discussion, the draft amendment furthers the objectives of the Act.

4.6 Regional Land Use

Regional Land Use Strategy of Northern Tasmania Version 5.0 (2016) (RLUS).

The RLUS is a broad ranging high level strategy covering all forms of development in Northern Tasmania. The document provides guidance on the provision of Rural Living settlements for the region.

The strategy clearly recognises rural living as a legitimate residential choice and provides a method to assess the suitability of candidate areas. Although, the RLUS does not envisage an unlimited growth and there are also parameters provided to guide expansion.

Rural and Environmental living areas are considered to be an important counterpoint to the Rural Resource zone, by directing residential demands on larger lots into appropriate areas rather than on valuable agricultural and other primary industry areas (p33). The evidence indicates that the region continues to have demand for rural lifestyle properties, so providing that choice in the right locations is necessary to support that lifestyle choice for the community.

An established rural residential area is described as (p33):

Land that has no real potential for efficient or practical agricultural or rural resource use on a commercial basis where the land use pattern is characterised by:

- *Predominantly residential land use i.e. lifestyle blocks, hobby farms or low density residential subdivisions; and*
- *Fragmentation of the cadastral base and property ownership; and may also include*
- *Topographical constraint resulting in physical impediments to rural resource use or connectivity, which may include bio-diversity protection and /or conservation.*

In response to the above analysis of both the Rural Resource Zone and Rural Living Zone within the RLUS, and the subject sites' characteristics, it is considered that the subject site would be more appropriately zoned Rural Living.

And the following RLUS policies for Rural Living are:

Policy	Action
<p><i>RSN-P22 Rural and environmental lifestyle opportunities will reflect established rural residential areas.</i></p> <p><i>RSN-P24 Growth opportunities for rural living and environmental living will maximise the efficiency of existing services and infrastructure.</i></p>	<p><i>RSN-A19 Rural living land use patterns will be identified based on a predominance of residential land use on large lots in rural settings with limited service capacity that are outside urban areas.</i></p> <p><i>RSN-A20 Planning schemes should prioritise the consolidation of established rural residential areas over the creation of new rural residential areas.</i></p> <p><i>RSN-A23 Ensure future locations of the Rural Living zone will not require extension of the Urban Growth Boundary Areas, compromise</i></p>

	<p><i>productivity of agricultural lands and natural productive resources.</i></p> <p><i>RSN-A25 Consolidation and growth of rural living and environmental living areas is to be directed to areas identified in the local strategy that align with the following criteria (where relevant):</i></p> <ul style="list-style-type: none"> • <i>Proximity to existing settlements containing social services;</i> • <i>Access to road infrastructure with capacity;</i> • <i>Onsite waste water system suitability;</i> • <i>Consideration of the impact in natural values or the potential land use limitations as a result of natural values;</i> • <i>Minimising impacts on agricultural land and land conversion;</i> • <i>Minimising impacts on water supply required for agricultural and environmental purposes;</i> • <i>Consideration of natural hazard management;</i> • <i>Existing supply within the region;</i> • <i>Potential for future requirement for the land for urban purposes; and</i> • <i>The ability to achieve positive environmental outcomes through the rezoning.</i>
--	---

Response: The amendment is considered to meet those strategies for the following reasons:

- The land is not prime agricultural land, it is Class 6 land.
- The district is not used for primary production since the area is already developed for housing on lot sizes consistent with the characteristics of a rural living area.
- Given the proximity to the city, value of the land and poor agricultural capability, it is unlikely to return to a primary production use.
- The area adjoins an existing established suburban residential area. The district will provide a buffer between denser residential land and farmland.
- The land has access to basic services including sealed roads, garbage collection, telecommunications and power and limited water and sewer services.
- There are no capacity constraints with Boomer Road and Tasman Highway or the surrounding road network.
- The existing area function adequately in terms of on-site waste water disposal.

- The land is not subject to any severe hazards.

Greater Launceston Plan (GLP)

The GLP provides a long term strategy to inform a coordinated approach for land use and development in the greater urban area of Launceston. The amendment proposed will reflect the prevailing or intended land use on the property and orderly development of the land.

Launceston Residential Strategy 2009

Rural living lots are not encouraged by the strategy since they divert housing demand away from more desirable forms of residential development. That said, the proposed amendment for the site is considered to not be inconsistent with the strategy since it concerns a site that is consistent with the typical characteristics of rural living by:

- Lot size;
- Existing housing style;
- Sealed road frontage;
- On current garbage collection route;
- No significant natural values;
- No active landslide issues; and
- Adjoins existing Rural Living land.

The strategy prefers rural living land to be on a reticulated water supply. There is an existing legacy issue with water supply to this lot. TasWater cannot guarantee standard water pressures for this lot and future lots.

The Rural Living land supply in Launceston is contained in the following table:

District	Number of Existing Houses	Number of Ha Existing	Number of Ha Proposed	Potential Additional Houses (3/ha)*
Subject Site	1	0	24	7
Abels Hill	22	66	0	4
Dilston	135	248	0	29
Drivers Run	16	118	0	45
Relbia	192	699	0	36
Swan Bay	122	763	0	91
Windermere	52	23	0	0
Total	525	1917	24	212

March 2016

* Based on 3ha average per house whether a house exists or not on the title.

Rezoning the site may create the potential for limited subdivision to accommodate up to 4 additional houses (3 actually proposed).

The amendment proposal is to recognise an existing area with a strong and established rural living character rather than expansion of the zone to support new rural living development.

4.7 Summary of Amendment

The proposed amendment satisfies the requirements of Section 32 of LUPAA by:

- Seeking to further the objectives set out in Schedule 1 of the Act; and
- Being prepared in accordance with State Policies; and
- By making provision for the use, development, protection or conservation of land; and
- By having regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000; and
- By avoiding the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent areas; and
- By having regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

5. The Development

5.1 Section 43a of LUPAA

Section 43a of LUPAA dictates the Council assessment process in determining a combined application for a scheme amendment and development.

Launceston Interim Planning Scheme 2015

There are significant differences between the Rural Resource and Rural Living zones. Beginning with the purpose statements:

Rural Resource zone purpose statements:

26.1.1.1. To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.

26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.

26.1.1.3 To provide for uses that adds value to primary industries.

26.1.1.4 To provide for uses that support or service rural communities.

And Rural Living purpose statements:

13.1.1.1 To provide for residential use or development on large lots in a rural setting where services are limited.

13.1.1.2 To provide for compatible use and development that does not adversely impact on residential amenity.

13.1.1.3 To provide for use and development that is compatible with local natural values.

There is a completely different focus for each zone. Rural Resource is a zone for primary industries and related activities. Rural Living is a zone for residential use on larger lots, in effect rural lifestyle blocks, a use that is not encouraged in the Rural Resource zone.

This different purpose of each zone is apparent with the uses permissible in each zone being:

Rural Resource Zone	Rural Living Zone
No Permit Required	No Permit Required
Passive recreation	Education and occasional care if for home based child care
Natural and cultural values management	Natural and cultural values management
Resource development if it is not for: <ul style="list-style-type: none"> a) Plantation forestry on prime agricultural land; b) Controlled environment agriculture on prime agricultural land, unless dependent on the soil as a growth medium; c) Intensive animal husbandry on prime agricultural land; or d) A dwelling. 	Passive recreation
Utilities is for existing uses: <ul style="list-style-type: none"> a) The gross floor area existing at the effective date does not increase by more than 30%; and b) The development area existing at the effective date does not increase by more than 30%; and c) Not located on prime agricultural land. 	Residential if for: <ul style="list-style-type: none"> a) A single dwelling; or b) Home-based business
	Resource development if for grazing
Permitted	Permitted
Business and professional services if for a veterinary centre or specialist animal breeding or car services and not on prime agricultural land	Utilities if for minor utilities
Community meeting and entertainment if for existing premises use for public purposes	
Domestic animal breeding, boarding or training if not on prime agricultural land	
Extractive industries if not on prime agricultural land	

<p>Food services if for existing uses:</p> <ul style="list-style-type: none"> a) The gross floor area existing at the effective date does not increase by more than 30%; and b) The development area existing at the effective date does not increase by more than 30%. 	
<p>Hotel industry if for existing uses:</p> <ul style="list-style-type: none"> a) The gross floor area existing at the effective date does not increase by more than 30%; and b) The development area existing at the effective date does not increase by more than 30%. 	
Residential if for existing uses or if for a home-based business in an existing dwelling	
<p>Resource development if not for:</p> <ul style="list-style-type: none"> a) Plantation forestry on prime agricultural land; or b) Controlled environment agricultural on prime agricultural land; or c) Intensive animal husbandry on prime agricultural land 	
Resource processing if associated with produce from the subject site and not on prime agricultural land	
<p>Sports and recreation if for existing uses:</p> <ul style="list-style-type: none"> a) The gross floor area existing at the effective date does not increase by more than 30%; and b) The development area existing at the effective date does not increase by more than 30%. 	
<p>Visitor accommodation if for existing uses:</p> <ul style="list-style-type: none"> a) The gross floor area existing at the effective date does not increase by more than 30%; and b) The development area existing at the effective date does not increase by more than 30%. 	
Discretionary	Discretionary
Bulky goods sales if for rural supplies, landscape supplies and timber yard	Business and professional services if for veterinary clinic
Business and professional services if for a combined floor area of no more than	Community meeting and entertainment

250m ² .	
Community meeting and entertainment	Domestic animal breeding, boarding and training
Domestic animal breeding, boarding and training	Education and occasional care
Education and occasional care	Food services
Equipment and machinery sales and hire	General retail and hire if for a local shop
Food services	Manufacturing and processing
General retail and hire	Resource development
Hotel industry	Resource processing
Manufacturing and processing	Sports and recreation
Motor racing facility	Tourist operation
Recycling and waste disposal	Utilities
Research and development if not for plantation forestry on prime agricultural land	Vehicle fuel sales and services if for a service station
Resource development if not for plantation forestry on prime agricultural land	
Resource processing	
Service industry	
Sports and recreation	
Tourist operation	
Transport depot	
Utilities	
Vehicle fuel sales and service	
Visitor accommodation	
Prohibited	Prohibited
All other uses	All other uses

Notably residential use for a single dwelling is no permit required in the Rural Living zone. To retain a more residential type of character development standards restricts the size of outbuildings to a combined total of 150m², wall height of 4.5m and overall height of 5m and subdivision of lots to notionally 4ha with an absolute minimum of 1ha where the performance criteria can be met.

By contrast, in summary a single dwelling in the Rural Resource zone is discretionary, unless already existing, and a permit granted only where it can be demonstrated the land is either practically incapable of supporting a primary industry use or is subservient to it. Subdivision is limited to 35ha unless for a:

- Specific rural related or aboriginal, natural or historic cultural use;
- Dwelling excision for a dwelling already in existence; or
- Reorganisation of titles where no new titles are created that protects the productive capacity of the land.

The subject land is already fettered from agricultural use due to land capability and adjacent residential land uses and displays the typical characteristics of a Rural Living zoned

lot. The Rural Living zone is therefore considered a more suitable zone for this lot rather than the Rural Resource zone.

13.4.4 Lot size and dimensions

Objective

To ensure:

- a) The area and dimensions of lots are appropriate for the zone;
- b) Rural uses on adjoining land are protected from adverse impacts; and
- c) The protection of a place of Aboriginal, natural or cultural heritage.

Acceptable Solutions	Performance Criteria	Proposal Response
<p>A1.1 Each lot, or a lot proposed in a plan of subdivision, must have an area of no less than 4ha; or</p> <p>A1.2 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ol style="list-style-type: none"> a) Be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or b) be required for the provision of public utilities; or c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and <p>A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>	<p>P1.1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <ol style="list-style-type: none"> a) the relevant acceptable solutions for development of buildings on the lots; b) the likely location of buildings on the lots; c) the likely provision of on-site parking and manoeuvrability for vehicles; d) the topography of the site; e) the presence of any natural hazards; f) adequate provision of private open space; g) fire hazard management; h) separation from Rural resource zoned land; i) the ability of vegetation to provide buffering; j) the existing pattern of development in the area; and <p>be not less than 1ha; or</p>	<p><i>A1.1 Lot 4 will be 16.1ha. Lots 1-3 rely upon assessment against the performance criteria.</i></p> <p><i>P1.1 Lot 1 is to be 2.5ha, Lot 2 is to be 3.1ha and Lot 3 is to be 3.2ha. Lots 1-3 are therefore less than 4ha each. The overall density of the development proposed is 1: 6.225ha. Lots 1-3 each provide sufficient useable area and dimensions for future residential development capable of allowing development of buildings on the allotments with setbacks meeting the relevant acceptable solutions, ample area for the provision of parking and manoeuvrability for vehicles, adequate provision of private open space, and fire hazard management.</i></p>

P1.2

Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions to facilitate the protection of a place of Aboriginal, natural or historic cultural heritage.

The existing pattern of development, particularly in Abels Hill Road, Whisky Road and within the Drivers Run subdivision is characteristic of that which is proposed. Each lot is at least 1ha in size.

13.4.5 Frontage and access

Objective

To ensure that lots:

- a) provide appropriate frontage to a road;
- b) provide safe and appropriate access suitable for the intended use.

Acceptable Solutions	Performance Criteria	Proposal Response
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 4m.</p>	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage, or legal connection to a road by a right-of-carriageway, of no less than 3.6m width, having regard to:</p> <ul style="list-style-type: none"> a) the width of frontage proposed, if any; b) whether any other land has a right-of-carriageway as its sole or principal means of access over the frontage; c) the number of immediately adjacent rights-of-carriageway; d) the topography of the site; e) the proposed use of the lot; f) the construction and maintenance of the road; g) the existing pattern of development in the 	<p>A1</p> <p><i>Each lot is to be provided with a minimum frontage of at least 4 metres.</i></p>

		surrounding area; and h) the advice of the road authority.
A2 No acceptable solution.	P2 Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: a) the topography of the site; b) the length of the access; c) the distance between the lot or building area and the carriageway; d) the nature of the road and the traffic; e) the character of the area; and f) the advice of the road authority.	<i>P2 Each lot proposed is provided with a reasonable vehicular access to the boundary of the lot, as per Plan of Subdivision, by Cohen & Associates P/L dated 15-12-2016.</i>

13.4.6 Discharge of stormwater

Objective

To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.

Acceptable Solutions	Performance Criteria	Proposal Response
A1 Each lot, or a lot proposed in a plan of subdivision, including road, must be capable of connecting to a public stormwater system.	P1 All stormwater runoff is to be collected and discharged from the subdivision in a manner that will not cause adverse impacts, having regard to: a) the location of the discharge point (if any); b) the stormwater flow paths both internal and external to the site; c) the location of building areas within the site; d) the topography of the site;	<i>P1 Each lot is sufficient in size to allow on site collection and retention of stormwater from future development. Table drains are located within Boomer Road for collection of existing overland flows. All stormwater runoff from the proposed subdivision will therefore be collected and discharged in a manner that will not cause adverse impacts.</i>

- e) the characteristics of the site, including rainfall;
- f) the development of the site and adjoining land;
- g) the additional runoff from the subdivision development and likely future development of the land; and
- h) any onsite storage devices, detention basins or other design techniques within the subdivision.

A2

The Council's General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.

P2

Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:

- a) the location of the discharge point (if any);
- b) the stormwater flow paths both internal and external to the site;
- c) the topography of the site;
- d) the characteristics of the site, including rainfall;
- e) the development of the site;
- f) the additional runoff from the subdivision development and likely future development of the land; and
- g) any onsite storage devices, detention basins or other design techniques within the

P2 Each lot is sufficient in size to allow on site collection and retention of stormwater from future development. Table drains are located within Boomer Road for collection of existing overland flows. All stormwater runoff from the proposed subdivision will therefore be collected and discharged in a manner that will not cause adverse impacts.

subdivision.

13.4.7 Water and sewerage services

Objective

To ensure each lot provides for appropriate water supply and wastewater disposal.

Acceptable Solutions	Performance Criteria	Proposal Response
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.</p>	<p>P1 Where reticulated water services are not proposed to be connected, it must be demonstrated that the lots are in a locality where reticulated services are not available or capable of being connected.</p>	<p><i>A1 Lot 4 has an existing connected to a reticulated water supply. No changes to Lot 4 is proposed in relation to water services.</i></p> <p><i>A1 Lots 1-3 are proposed to be connected to reticulated water services.</i></p>
<p>A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.</p>	<p>P2 Where reticulated sewerage services are not proposed to be connected, it must be demonstrated that the lots are capable of accommodating an on-site wastewater management system for the intended use which does not have unreasonable adverse environmental impacts.</p>	<p><i>P2 No reticulated sewerage services are proposed to be connected to the subdivision, not are the lots capable of being connected. Each lot has been demonstrated to be capable of accommodating an on-site wastewater management system for the future intended use which does not have unreasonable adverse environmental impact (Refer to Appendix E for further details).</i></p>

Codes

E1.0 Bushfire Prone Areas Code – The proposal is considered to be within a Bushfire Prone Area, being less than 100 metres from vegetation greater than 1 hectare in size.

The proposed subdivision demonstrates compliance with all applicable acceptable solutions. Please refer to the Bushfire Hazard Assessment Report and BHMP at Appendix F to this submission, prepared by an Accredited Person under Part 4A of the *Fire Service Act 1979*.

E2.0 Potentially Contaminated Land Code – Not applicable, the subject site is not known to be potentially contaminated land.

E3.0 Landslide Code – Not applicable.

E4.0 Road and Railway Assets Code

E4.5.1 Existing Road Accesses and Junctions

Objective:

To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.

Acceptable Solution	Performance Criteria	Proposal Response
<p>A1</p> <p>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.</p>	<p>P1</p> <p>Any increase in vehicle traffic to a category 1 or category 2 road in an area subject to a speed limit of more than 60km/h must be safe and minimise any adverse impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact 	<p>A1 Not applicable. Increase demand is 18 movements per day on Boomer Road. This is an approximate 10% increase. Noting the relatively low count and no crash history, this is deemed appropriate. Noting Boomer Road is not a category 1 or 2 road.</p>

assessment; and		
(h) any written advice received by the road authority.		
<p>A2</p> <p>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.</p>	<p>P2</p> <p>Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of more than 60km/h must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature and efficiency of the access or the junction; (d) the nature and category of the road; (e) the speed limit and traffic flow of the road; (f) any alternative access to a road; (g) the need for the use; (h) any traffic impact assessment; and (i) any written advice received by the road authority. 	<p><i>Not applicable. New access to Tasman Highway proposed.</i></p>
<p>A3</p> <p>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed</p>	<p>P3</p> <p>Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard</p>	<p><i>Not applicable.</i></p>

<p>limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p>	<p>to:</p> <ul style="list-style-type: none"> (a) the increase in traffic caused by the use; the nature of the traffic generated by the use; (b) the nature and efficiency of the access or the junction; (c) the nature and category of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any written advice received by the road authority.
---	--

E4.5.2 Exiting Level Crossings – Not applicable.

E4.6.1 Development Adjacent to Roads and Railways

Objective

To ensure that development adjacent to category 1 or category 2 roads or the rail network:

- (a) Ensures the safe and efficient operation of roads and the rail network;
- (b) Allows for future road and rail widening, realignment and upgrading; and
- (c) Is located to minimise adverse effects of noise, vibration, light and air emissions from roads and the rail network.

Acceptable Solution	Performance Criteria	Proposal Response
<p>A1.1</p> <p>Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> (a) New buildings; (b) Other road or earth 	<p>P1</p> <p>The location of development, from the rail network, or a category 1 road or category 2 road in an area subject to a speed limit of more than 60km/h, must be safe and not unreasonably impact on the efficiency of the road or amenity of sensitive uses, having regard to:</p>	<p><i>A1.1 & A1.2 Not applicable.</i></p>

works; and	(a) The proposed setback;
(c) Building envelopes on new lots.	(b) The existing setback of buildings on the site;
	(c) The frequency of use of the rail network;
A1.2	(d) The speed limit and traffic volume of the road;
Buildings must be:	(e) Any noise, vibration, light and air emissions from the rail network or road;
(a) Located within a row of existing buildings and setback no closer than the immediately adjacent building;	(f) The nature of the road;
or	(g) The nature of the development;
(b) An extension which extends no closer than:	(h) The need for the development;
(i) the existing building; or	(i) Any traffic impact assessment;
(ii) an immediately adjacent building.	(j) Any recommendations from a suitably qualified person for mitigation of noise, if for a habitable building for a sensitive use; and
	(k) Any written advice received from the rail or road authority.

E4.6.2 Road Accesses and Junctions

Objective

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.

Acceptable Solution	Performance Criteria	Proposal Response
A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.	P1 For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) The nature and frequency of the	<i>P1 The nature, frequency and use has minimal impact on traffic flow. No deficiency noted with traffic (Refer to Traffic Impact Assessment at Appendix G for further details).</i>

	<p>traffic generated by the use;</p> <p>(b) The nature of the road;</p> <p>(c) The speed limit and traffic flow of the road;</p> <p>(d) Any alternative access;</p> <p>(e) The need for the access or junction;</p> <p>(f) Any traffic impact assessment; and</p> <p>(g) Any written advice received from the road authority.</p>	
<p>A2</p> <p>No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>	<p>P2</p> <p>For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonable impact on the efficiency of the road, having regard to:</p> <p>(a) The nature and frequency of the traffic generated by the use;</p> <p>(b) The nature of the road;</p> <p>(c) The speed limit and traffic flow of the road;</p> <p>(d) Any alternative access;</p> <p>(e) The need for the access or junction;</p> <p>(f) Any traffic impact assessment; and</p> <p>(g) Any written advice received from the road authority.</p>	<p><i>A2 The proposal complies with the acceptable solution. The proposal is to provide one access for each lot.</i></p>

E4.6.3 New Level Crossings – Not applicable.

E4.6.4 Sight Distance at Accesses, Junctions and Level Crossings

Objective		
To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.		
Acceptable Solution	Performance Criteria	Proposal Response
<p>A1</p> <p>Sight distances at:</p> <p>(a) An access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and</p> <p>(b) Rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices – Railway crossings</i>, Standards Association of Australia.</p>	<p>P1</p> <p>The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:</p> <p>(a) The nature and frequency of the traffic generated by the use;</p> <p>(b) The frequency of use to the road or rail network;</p> <p>(c) Any alternative access;</p> <p>(d) The need for the access, junction or level crossing;</p> <p>(e) Any traffic impact assessment;</p> <p>(f) Any measures to improve or maintain sight distance; and</p> <p>(g) Any written advice received from the road or rail authority.</p>	<p>A1 <i>The proposal complies with A1. Further details are provided at the traffic assessment prepared by RJK Consulting Engineers, Appendix G.</i></p>

E5.0 Flood Prone Areas Code – Not applicable.

E6.0 Parking and Sustainable Transport Code - Not applicable. It is not considered that car parking is required to be assessed at this stage.

E7.0 Scenic Management Code – Not applicable.

E8.0 Biodiversity Code – Not applicable.

E9.0 Water Quality Code – Not applicable.

E10.0 Open Space Code – Not applicable.

E11.0 Environmental Impacts and Attenuation Code – Not applicable.

E12.0 Airports Impact Management Code – Not applicable.

E13.0 Local Historic Cultural Heritage Code – Not applicable.

- E14.0 Coastal Code** – Not applicable.
E15.0 Telecommunications Code – Not applicable.
E16.0 Invermay/Inveresk Flood Inundation Area Code – Not applicable.
E17.0 Cataract Gorge Management Area Code – Not applicable.
E18.0 Signs Code – Not applicable.
E19.0 Development Plan Code – Not applicable.

5.2 State Policies

State Policy on Water Quality Management 1997

The *State Policy on Water Quality Management 1997* came into operation on 27 September 1997. This policy applies to all surface water, including coastal waters, and groundwater's, other than privately owned waters that are not accessible to the public and are not connected to, or flow directly into, waters that are accessible to the public, or, water in any tank, pipe or cistern.

Clause 31.5 of the Policy requires that a use or development be consistent with the physical capacity of the land so that the potential for erosion and subsequent water quality degradation is minimised.

The nature of future use and development combined with the capacity of the Planning Authority to impose appropriate conditions in any subsequent planning approvals provides the opportunity for the relevant requirements of the Policy to be met.

On the above basis, it is considered that the dispensation complies with the provisions of the *State Policy on Water Quality Management 1997*.

State Policy on the Protection of Agricultural Land 2009

The *State Policy on the Protection of Agricultural Land 2009* came into operation on 3 September 2009. The Policy applies to all agricultural land in Tasmania.

The Agricultural Land Policy defines 'Agricultural land' as:

Means all land that is in agricultural use or has the potential for agricultural use, that has not need zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.

The land capability of the subject site has been mapped as Class 6. The classification assessment is based on the permanent biophysical features of the land and does not take into account economics of agricultural production, distance from markets and other, social and political factors in evaluating the best use for a particular area. Given the topography and size of the subject site it would be difficult to graze on anyway. The site is not prime agricultural land.

State Coastal Policy 1996

The *State Coastal Policy 1996* came into operation on 10 October 1996. This policy applies to the coastal zone, which includes all State waters and land within 1km from the High Water Mark.

The site is located not within 1km of the coast and the State Coastal Policy does not apply to the land.

National Environment Protection Measures

In accordance with Section 12A of the *State Policies and Projects Act 1993*, a national environment protection measure is taken to be a State Policy. The following therefore require consideration:

- Ambient air quality 2002
- Diesel vehicle emissions 2001
- Assessment of site contamination 1999
- Used packaging materials 1999
- Movement of controlled waste between States and Territories 19998
- National pollutant inventory 2000

The site has no land use history that indicates contamination. It is considered that the NEPMs will have no impact on the proposed amendment.

5.3 Summary of Development

The proposed development fulfils the requirements of Section 43a of LUPAA by:

- Seeking to further the objectives set out in Schedule 1 of the Act; and
- Taking into consideration the prescribed matters, being the Launceston Interim Planning Scheme 2015, as are relevant to the subject application.

6. Conclusion

This application satisfies the requirements of both Section 32 and Section 43a of LUPAA. This submission demonstrates that the proposal is consistent with Council's strategic objectives for this area as articulated in the Regional Land Use Strategy of Northern Tasmania (2016), the Greater Launceston Plan and the Launceston Residential Strategy 2009. The amendment therefore represents consolidation of existing residential / hobby farms.

The proposal is consistent with the objectives of Schedule 1 of LUPAA, and serves to uphold the values and objectives of the Launceston Interim Planning Scheme 2015.

This application therefore seeks:

- An amendment to the Scheme to change the zoning of CT 104384/3 such that it is comprised within the Rural Living Zone;
- To subdivide the land subject to the change of zoning into 4 lots as depicted by Plan of Subdivision by Cohen & Associates P/L dated 15-12-2016.