

Launceston Local Provisions Schedule Supporting Report August 2019



Launceston Local Provisions Schedule - Supporting Report

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ACRONYMS

TPS	Tasmanian Planning Scheme
SPPs	State Planning Provisions
LPS	Local Provisions Schedule
LIPS 2015	Launceston Interim Planning Scheme 2015
LUPAA	Land Use Planning and Approvals Act 1993
TPC	Tasmanian Planning Commission
PPU	Planning Policy Unit
NRLUS	Northern Regional Land Use Strategy
PPZ	Particular Purpose Zone
SAP	Specific Area Plan
SSQ	Site-Specific Qualification

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1. INTRODUCTION

In 2015 the State Government legislated to implement a Tasmanian Planning Scheme (TPS), whereby every planning scheme across the State would be consistent in policy and operational provisions. The amendments to the *Land Use Planning and Approvals Act 1993* (LUPAA) established the State Planning Provisions (SPPs) which comprise the 'rules', and instructions to apply the rules, which all planning authorities must comply with when preparing the planning scheme for their municipality.

The component of the TPS prepared by planning authorities is the Local Provisions Schedule (LPS). This report supports the submission of the Launceston Draft Local Provisions Schedule to the Tasmanian Planning Commission (TPC) under section 35(1) of LUPAA for assessment before the TPC makes a recommendation to the Minister for Planning for formal public exhibition of the draft LPS.

The City of Launceston has prepared its draft LPS. This supporting report demonstrates that the draft LPS meets the LPS criteria in section 34(2) of the LUPAA as required.

2. LOCAL PROVISIONS SCHEDULE CRITERIA

2.1. State Planning Provisions – s34(2)(a)

Section 34(2)(a) of LUPAA requires that a LPS must contain all of the provisions that the SPPs specify must be included. Section LP1.0 of the SPPs outlines requirements for the content of the SPPs and includes:

- Zone Maps;
- Local Area Objectives;
- Particular Purpose Zones (PPZs);
- Specific Area Plans (SAPs);
- Site Specific Qualifications (SSQs);
- Code Overlay Maps; and
- Code Lists in Tables.

The draft LPS contains all the mandatory requirements of the SPPs. Each of the mandatory and optional components is discussed below under the relevant heading.

2.2. Contents of LPS – Section 32 of LUPAA

2.2.1. Municipal Area – s32(2)(a)

The LPS specifies that it applies to the Launceston municipal area in accordance with the SPP template.

2.2.2. Mandatory Requirements - s32(2)(b)

The mandatory requirements are adopted in full.

2.2.3. Spatial Application of the SPPs - s32(2)(c) & (e)

Section 32(2)(c) and (e) requires that an LPS must contain maps, overlays, lists or other provisions that provide for the spatial application of the SPPs. Section LP1.0 of the SPPs outlines the way the spatial application of the SPPs is to be presented.

The draft LPS is prepared in accordance with the application and drafting instructions included in the SPPs and in *Guideline No.1 - Local Provisions Schedule Zone and Code Application* (the Guidelines) issued by the TPC.

2.2.4. Sections 11 & 12 of LUPAA – s32(2)(d) & (f)

Sections 11, 12 and 20 of the former provisions of LUPAA prescribe the contents of planning schemes and refer to the TPS. In particular, the sections outline the matters that a planning scheme may, or may not, regulate.

Section 12 recognises the continuing use and development rights for those uses and developments that were in existence before new planning scheme provisions take effect, or that have been granted a permit but have not yet been completed.

The draft LPS does not seek to regulate matters outside the jurisdiction prescribed in Sections 11 and 12 of LUPAA. It is noted that the legal protections for existing uses informs decisions about the application of zoning to land.

2.2.5. Use of Overlays & Lists – s32(2)(e)

The SPP includes a number of Codes that are only given effect through maps or lists in the LPS. Refer to section 4 of this report for more detail.

2.2.6. Land Reserved for Public Purposes - s32(2)(g)

The draft LPS does not expressly designate land for public purposes, however it does zone public land appropriately. Generally, land owned and maintained by the City of Launceston has been zoned Open Space. Land which is owned and maintained by The Crown or DPIPWE has been zoned Environmental Management, where appropriate.

2.2.7. Application of the detail of the SPP to a particular place or matter - s32(2)(h)

The LPS applies to the SPPs via zones and overlays consistent with the Guidelines issued by the TPC.

2.2.8. Overriding Provisions – s32(2)(i)

The draft LPS contains overriding provisions in that the contents of PPZs, SAPs and SSQs override some provisions of the SPPs where those provisions modify, are in addition to or are in substitution for the SPPs.

Most overriding provisions are protected under transitional arrangements in which PPZs, SAPs and SSQs that exist at December 2015 can automatically carry forward into the LPS with the consent of the Minister.

The draft LPS aims to achieve as much consistency as possible with the SPPs and only seeks to include overriding provisions where compliance with the Schedule 1 Objectives of LUPAA or the NRLUS cannot be met without local provisions, or where significant local policy exists which is contrary to the SPPs.

Each of these circumstances, and the rationale required for the local provisions under Section 32(4), is addressed in section 5 of this report.

2.2.9. Modification of Application of SPPs – s32(2)(j)

The draft LPS does not seek to modify application of the SPPs. The SPPs are applied to land, use and development in accordance with the directions prescribed in Section LP1.0 of the SPPs, and with consideration of the Guidelines.

The requirements for the application of the SPPs does however influence the inclusion of overriding local provisions in the PPZs, SPPs and SSQs.

2.2.10. Limitations of LPS – s32(2)(k) & (l)

The provisions of LUPAA at Section 32(2)(k) & (l) require a LPS not to include provisions that:

- the SPP specifies cannot be included in an LPS;
- otherwise exist in the SPP; and
- are inconsistent with the SPPs.

It is considered that the draft LPS for the Launceston municipal area is compliant with these limitations.

2.2.11. LPS may include – s32(3), (4) & (5)

The LPS may include PPZs, SAPs and SSQs only if:

(a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or

(b) the area of land has particular environmental, economic, social or spatial qualities that require provisions that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.

The draft LPS includes nine PPZs, which are currently contained in the Launceston Interim Planning Scheme 2015 (LIPS 2015) and are protected by transitional arrangements under Schedule 6, Clause 8 of LUPAA.

The draft LPS includes 16 SAPs, nine of which are existing SAPs in the LIPS 2015 and are protected by transitional arrangements under Schedule 6, Clause 8 of LUPAA. Three SAPs are currently Codes under the LIPS 2015 and will be converted into SAPs under the transitional arrangements. Four additional SAPs are recommended in the draft LPS. The rationale and details of the new SAPs is described at Section 5.2 of this report.

The draft LPS includes three SSQs which are protected by transitional arrangements under Schedule 6, Clause 8 of LUPAA. Refer to section 5.3 of this report for the discussion.

2.3. Schedule 1 of LUPAA - Objectives

Schedule 1 of LUPAA prescribes the Objectives of the Resource Management and Planning System of Tasmania (Part 1) and the Objectives of the Planning Process (Part 2). Together they emphasise ‘sustainable development’. The Schedule clarifies that reference to ‘sustainable development’ means:

managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while:

(a) Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and

(b) Safeguarding the life supporting capacity of air, water, soil and ecosystems; and

(c) Avoiding, remedying or mitigating any adverse effects of activities on the environment.

It is not possible for the LPS to meet both obligations without the inclusion of localised provisions. LUPAA provides for overriding provisions to be included in a LPS, subject to meeting the criteria of section 32(4), which also correlates with the Schedule 1 Objectives. The two components effectively work together to establish the rationale for inclusion of PPZs, SAPs and SSQs in an LPS.

The table below provides an analysis of the LPS against the Schedule 1 Objectives, highlighting those areas where the SPPs and the Objectives are in tension. A detailed discussion of the proposed PPZs, SAPs and SSQs against the criteria set out in section 32(4) is provided in section 5 of this report.

PART 1
<i>(a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.</i>
<p>Response: Within the legislative framework of the TPS and the SPPs, the draft LPS seeks to ensure that the implementation of the SPPs results in sustainable outcomes. The draft LPS achieves this through the application of appropriate zones and codes and, where</p>

necessary, the inclusion of overriding local provisions to protect the environmental capability of the land and the capacity of infrastructure. The provisions set out in section 32(4) of LUPPA allow for local provisions that are inconsistent with the SPPs, subject to criteria that demonstrates the need. This recognises that the broad application of one set of standardised provisions will not always result in sustainable outcomes for every different local government area and local context.

The draft SPPs require a priority vegetation area overlay to be mapped, but restricts the overlay to certain zones only. Of note, the Agriculture Zone is excluded from the priority vegetation area. The application of the priority vegetation area is based on the Regional Ecosystem Model (refer to section 4.5 of this report). The policy behind this direction in the SPPs is that these values are considered by other jurisdictions such as the Forest Practices System or the *Threatened Species Protection Act 1995* assessment. The operational effect of the SPPs however is that vegetation removal in areas identified as priority vegetation area in the Agriculture Zone will not be subject to any assessment where it is for a building, as clearance for building development is exempt from approval under forest practices legislation and it may not relate to threatened species.

Manipulating the spatial application of zones to enable the operation of the Natural Assets Code is contrary to the intent of the SPPs and the directions outlined in the Guidelines.

The application of the waterway and coastal protection area in the Natural Assets Code has been altered from the State Waterways and Coastal Protection Area Guidance Map. Any watercourse is deemed to be a Class 4 watercourse (with a 10m buffer from top of bank) within certain zones. In some instances, a 10m buffer is insufficient to minimise impacts. Therefore, based on case by case analysis by council's environmental scientist of the various waterways in the Launceston municipality, a wider buffer area was proposed for different components of Barnards Creek and Kings Meadows Rivulet. Refer to section 4.5.1 of this report for further discussion.

The draft LPS otherwise provides adequate protection to natural and physical resources by:

- application of the Environmental Management Zone to reserves;
- using the best available data and method to prepare the priority vegetation area through the Regional Ecosystem Model.

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

Response:

The development of the draft LPS for Launceston is an opportunity to review the current application of zones and overlays currently managed through the LIPS 2015. A number of individual strategic projects were undertaken to inform the application of the SPP zones and codes and also achieve any strategic objectives for local variations to the SPPs. The significant changes resulting from strategic projects are as follows:

- variations to the existing spatial distribution of the Inner, General and Low Density Residential Zones;
- variation to the existing spatial distribution of the General and Light Industrial Zones;
- variation to the existing spatial distribution of the Local Business Zone where it applies to spot zonings within residential areas;
- variation to the existing spatial distribution of the Urban Mixed Use Zone surrounding the city;
- variation to the existing spatial application of the buffer areas applicable through the Attenuation Code;
- variation to the existing Scenic Management Area;
- variation to the existing Local Heritage Places List;
- introduction of new Specific Area Plans to address local issues.

These changes are justified as required in separate project reports attached to this report.

In rural areas, the Rural Zone, Agriculture Zone and Landscape Conservation Zone are essentially new zones. Use and development control within each zone is established by the SPPs, and the application of the zones was informed by the Guidelines as well as a separate report prepared by AK Consultants who were engaged to assist with the application of the zones in Launceston.

Appendix 1 to this report provides a high level summary of changes between the LIPS 2015 and the LPS and SPP application.

(c) to encourage public involvement in resources management and planning.

Response:

Prior to formal endorsement by Council and lodgement with the TPC, landowners who were considered to have a significant zone or overlay change were personally written to with the view to involving the Launceston community in the statewide planning scheme process.

When directed to do so, the draft LPS will be exhibited and subject to the 60 day statutory notification period in accordance with Section 35(c) of LUPAA whereby formal written representations and community input will be welcomed.

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

Response:

The State Government has stated that the policy behind the drafting of the SPPs is to apply regulation only to the extent necessary, thereby 'cutting red tape'. The express purpose of doing this is to facilitate economic development and certainty. It is well documented that in practice, overregulation acts as a disincentive to economic development. The key is to find the ideal balance of regulation.

The draft LPS facilitates economic development in appropriate locations through the application of the SPP zones as well as through SAPs and PPZs. The mapping is consistent with the Guidelines, the NRLUS and local policy embedded in the current LIPS 2015, but also through recent strategic project work undertaken to prepare the LPS. The applied zones provide for a range of economic opportunities in residential, rural, commercial and industrial settlements.

There are elements of the draft LPS that have an express purpose to facilitate economic development, such as the expansion of the Urban Mixed Use Zone to the south of the city and zoning of additional residential land in areas which act as a natural extension of residential areas to provide an appropriate level of supply based on residential land supply analysis undertaken to inform the LPS.

(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.

Response:

The SPPs are structured taking into account the roles of other jurisdictions in the assessment of land use and development including the *Local Government Act (Building and Miscellaneous Provisions) Act 1993* (LGBMPA), Building approval process, Forest Practices System, Tasmanian Heritage Council and the Environmental Protection Authority. The draft LPS does not seek to undermine this policy in the application of the SPPs and the drafting of local overriding provisions.

The implementation of the SPPs and final approval of the Launceston LPS requires cooperative planning between the TPC, State Agencies, TasWater and the broader community. The draft LPS reflects the strategic planning which was undertaken as part of the interim planning scheme process, significant planning scheme amendments and strategic work which has been undertaken in order to apply the SPPs in a Launceston context. These strategic processes involved consultation with the community, industry, local and state government and key industry stakeholders as appropriate.

PART 2

(a) to require sound strategic planning and co-ordinated action by State and local government.

Response:

The NRLUS is formally recognised as a Regional Strategy under LUPAA and took effect in 2011. It was developed through the cooperation of the eight councils in the northern region and was recently amended and declared by the Minister on 27 June 2018.

Councils established working groups in the three regions to work through the planning reforms and have had ongoing communications with the State Government through the Planning Policy Unit (PPU) and TPC.

Through the allocation of zones, development of code mapping and utilisation of local overriding provisions (PPZs, SAPs and SSQs) the draft LPS is consistent with NRLUS.

Where new local overriding provisions have been recommended in the draft LPS, consistency with the NRLUS and the requirements of section 34(2) have been addressed in those individual project reports attached to this report as appendices.

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

Response:

The TPS establishes a new system of planning instruments that will deliver consistency in the objectives, policies and controls for the use and development of land by prescribing common content. Objectives and controls contained in local overriding provisions are justified against the criteria of Section 32(4) of the Act.

Although not yet effective, the Tasmanian Planning Policies (TPPs) will sit above the TPS to establish a comprehensive planning system.

(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.

Response:

Comment is made in regard to the impacts of the SPPs on ecological processes in Part 1(a) above. The SPPs include a range of zones and codes that provide for assessment of environmental impact. The overriding local provisions proposed in the draft LPS are a result of the explicit consideration of social and economic effects of the SPPs on landowners, the Launceston municipality and the region.

(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.

Response:

The SPPs have been drafted by the State, in the context of compliance with State Policies, but, as mentioned above, in the absence of TPPs.

LUPAA requires that a draft LPS must demonstrate compliance with State Policies, the policies of the NRLUS, and may include local overriding provisions where the need is justified under the criteria of Section 32(4).

(e) to provide for the consolidation of approvals for land use and development and related matters, and to co-ordinate planning approvals with related approvals.

Response:

The approvals process is prescribed by LUPAA. The planning scheme regulates the use permissibility and the level of use and development control. The approval of the TPS and associated LPS will not comprise this objective.

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

Response:

The available zones and codes provided for under the SPPs, enable controls to suit varying levels of amenity, employment opportunities, diverse environments and risk associated with natural hazards.

The draft LPS through the inclusion of SAPs makes particular provision for these values in the objectives and detailed design outcomes in the provisions.

The draft LPS is considered to further this objective through:

- Including the best available information and mapping on land hazards;
- Providing sufficient zoning for residential and visitor accommodation development within settlements;
- Providing opportunities for commercial use in settlements through appropriate zoning;
- Providing opportunities for industrial development in appropriate locations;
- Providing the Recreation Zone and Open Space Zone where appropriate and including provisions in the SPPs to consider walkability in new subdivisions;
- Identifying major roads for protection for Road Attenuation Areas;
- Applying appropriate zone and overlay controls to key public infrastructure; and
- Applying a Launceston Landscape Character SAP to protect important vistas identified as being of significant social benefit by the community.

Notwithstanding, unfortunately design, landscaping and subdivision standards that facilitate good urban design outcomes that promote this objective have been removed from the zone standards in the SPPs although these issues were raised during the public hearing process for the SPPs. The LPS is limited in addressing these shortcomings because of how they integrate with the SPPs.

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

Response:

Historic built heritage is captured through places listed on the Tasmanian Heritage Register, which has a statutory referral process for development applications. Launceston also has a Local Heritage Places List which will transition from the LIPS 2015. Additional local listings have been added to the list with the new listing containing 'statements of significance as required'. One Heritage Precinct has also been included in the draft LPS for Cimitiere Street with the intention of further precincts being included in the coming years. Other areas are protected by being included in the Environmental Management zoning of reserves. Aboriginal heritage is not considered in the SPPs.

(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.

Response:

Significant public infrastructure in Launceston is protected through the use of the SPPs Utilities Zone, Community Purpose Zone, Open Space Zone, Recreation Zone, Road and Railway Assets Code, Electricity Transmission Infrastructure Protection Code and the Safeguarding of Airports Code.

(i) to provide a planning framework which fully considers land capability.

Response:

The State methodology that produced the 'Land Potentially Suitable for Agriculture Layer' to provide a recommendation for the State's agricultural estate, has taken into account land capability. This is discussed further in section 3.2.7.

The draft LPS has examined at a more local level the constraints to land and the capability of the land to accommodate development as prescribed in the SPPs. AK Consultants were engaged to assist Council with the spatial application of zones identified as 'potentially constrained' by the State and made recommendations for application of the Rural or Agriculture Zone for those properties.

2.4. State Policies

Section 34(2)(d) of LUPAA requires that a LPS is consistent with each State Policy. State Policies are made under Section 11 of the *State Policies and Practices Act 1993*.

Currently there are three State Policies made and the Act also incorporates National Environment Protection Measures (NEPMs) as State Policies.

2.4.1. State Policy on the Protection of Agricultural Land 2009 (PAL Policy)

The purpose of the PAL Policy is to "*conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land*".

The stated objectives of the PAL Policy are "*to enable the sustainable development of agriculture by minimising:*

(a) conflict with or interference from other land uses; and

(b) non-agricultural use or development on agricultural land that precludes the return of that land to an agricultural use".

The eleven principles that support the PAL Policy relate to the identification of valuable land resources and the matters that can be regulated by planning schemes.

The SPPs were examined against the principles of the PAL Policy in the development of the Rural and Agriculture Zone provisions.

The Guidelines require that land to be included in the Agriculture Zone should be based on the 'Land Potentially Suitable for Agriculture Zone', a methodology developed by the State through consultants Macquarie Franklin. The guidelines state:

The Guideline provides that in applying the zone, a planning authority may:

also have regard to any agricultural land analysis or mapping undertaken at a local or regional level for part of the municipal area which:

(i) incorporates more recent or detailed analysis or mapping;

(ii) better aligns with on-ground features; or

(iii) addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer.

Further local analysis of the results of the State layer was undertaken for the draft LPS to determine the land that should be included in the Agriculture or Rural Zone.

2.4.2. State Coastal Policy 1996 (SCP)

The SCP applies to all land to a distance of 1km inland from the high-water mark, including all inlands with the exception of Macquarie Island which is subject to separate legislation within 1m from a coastal zone.

The SCPs three main guiding principles are:

- *Natural and cultural values of the coast shall be protected.*
- *The coast shall be used and developed in a sustainable manner.*
- *Integrated management and protection of the coastal zone is a shared responsibility.*

The Policy provides a series of outcomes that embody the principles under the following four sections, each of which is discussed in further detail below:

- a) Protection of Natural and Cultural Values of the Coastal Zone;
- b) Sustainable Development of Coastal Areas and Resources;
- c) Shared Responsibility for Integrated Management of Coastal Areas and Resources;
- d) Implementation, Evaluation and Review.

The SCP incorporates a number of themes, all of which have associated policy statements, including:

- Natural Resources & Ecosystems
- Cultural & Historic Resources
- Cultural Heritage
- Coastal Hazards
- Coastal Uses & Development
- Marine Farming

- Tourism
- Urban & Residential Development
- Transport
- Public Access & Safety
- Public Land
- Recreation

Depending upon their spatial application, the PPZs and SAPs in the Draft Launceston LPS are all subject to the SCP.

The SCP is principally implemented via the use of zones and the use and development control provisions within the SPP zones. Public reserves and foreshore reserves are in the Environmental Management Zone or Open Space Zone.

Overall, the draft LPS is considered to be consistent with the State Coastal Policy.

2.4.3. State Policy on Water Quality Management 1997

The purpose of the State Policy on Water Quality Management 1997 is to:

achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System.

The *State Policy on Water Quality Management 1997* applies to all surface waters, including coastal waters, and ground waters excluding privately owned waters that are not accessible to the public and are not connected to waters that are accessible to the public and waters in any tank, pipe or cistern.

Currently, water quality objectives under the policy are largely managed through:

- provisions within zones that require connection to reticulated services where they exist or require wastewater to be kept on-site; and
- provision to condition permits to minimise impact from construction works.

Clause 6.11.2(g) of the SPPs allows for conditions of a permit to include “erosion, and stormwater volume and quality controls”.

2.4.4. National Environmental Protection Measures (NEPMs)

Additionally the SPPs require the mandatory inclusion in the LPS of the State mapped waterway protection areas, which are based on buffer distances contained in the current interim planning scheme and derived from the Forest Practices System.

The current NEPMs relate to the following:

- Ambient air quality;
- Ambient marine, estuarine and fresh water quality;
- The protection of amenity in relation to noise;
- General guidelines for assessment of site contamination;
- Environmental impacts associated with hazardous wastes; and
- The re-use and recycling of used materials.

The NEPMS are not directly implemented through planning schemes, with some matters being outside the jurisdiction prescribed by LUPAA. However, some aspects are addressed through various SPP provisions relating to matters such as water quality, amenity impacts on residential uses due to noise emissions and site contamination assessment.

2.5. Northern Regional Land Use Strategy (NRLUS) - s34(2)(e)

2.5.1. Background

At the direction of the Minister, each of the regional land use strategies for the State have been subject to review to remove inconsistencies with the Tasmanian Planning Scheme and the SPPs. The current version of the NRLUS (version 6.0) was declared by the Minister on 27 June 2018. The revisions to the NRLUS were policy neutral (apart from those matters that are directly inconsistent with the SPPs) and as such, the LPS is examined against the relevant policies and actions.

2.5.2. NRLUS Assessment

The LIPS 2015 was assessed against, and found to be consistent with, the NRLUS as part of its finalisation. Holistically, the draft LPS seeks to convert as far as practicable the LIPS 2015 into the new TPS format having regard to the SPP provisions and LPS zone and code application.

Any departure from either the Guidelines and/or a “like for like” conversion of the existing LIPS 2015 is discussed in this report below or in a separate project report.

Reference	Regional Planning Policy	Response on Launceston LPS
REGIONAL SETTLEMENT NETWORK POLICY		
Regional Settlement Networks		
RSN-P1	<i>Urban settlements are contained within identified Urban Growth Areas. No new discrete settlements are allowed and opportunities for expansion will be restricted to locations where there is a demonstrated housing need, particularly where spare infrastructure capacity exists (particularly water supply and sewerage).</i>	The existing urban settlement of Launceston is not recommended to be expanded as part of the LPS. Based on residential land supply analysis, additional residential land is required to meet demand, however these areas are not included as zoned in the LPS and will be addressed by separate planning scheme amendment.
RSN-P2	<i>Provide for existing settlements to support local and regional economies, concentrate investment in the improvement of services and infrastructure, and enhance quality of life.</i>	The spatial application of zones has been undertaken to align with the Zone Application Guidelines and in a manner which will support the existing settlements and economies.
RSN-P3	<i>Recognise the isolated relationship of the Furneaux Group of islands to the settlement system of the region, and that settlement and activity centre planning will be dependent on local strategies to support sustainable outcomes.</i>	Not Applicable
Housing Dwellings and Densities		
RSN-P4	<i>Provide a planning framework for new and upgraded infrastructure and facilities to support a growing and ageing population, and provide housing choice through a range and mix of dwelling types, size and locations in new residential developments.</i>	The existing spatial application of the Inner Residential and Low Density Residential Zones (refer to Appendices 2 and 3 for project reports) was undertaken to ensure that the appropriate use, development and density is provided. Areas which are currently zoned Inner Residential will be better suited to the General Residential Zone based on the Zone Application Guidelines and the analysis undertaken. Similarly, particular areas which are zoned Low Density Residential in the LIPS 2015 have been recommended to be zoned General Residential in response to land characteristics,

Reference	Regional Planning Policy	Response on Launceston LPS
		<p>hazards, service capacity, the ability to accommodate higher density development and the Zone Application Guidelines.</p> <p>Identifying areas which can accommodate a range of dwelling types in established suburban areas provides an offering to the market which is currently not provided.</p>
RSN-P5	<p><i>Encourage a higher proportion of development at high and medium density to maximise infrastructure capacity. This will include an increased proportion of multiple dwellings at infill and redevelopment locations across the region's Urban Growth Areas to meet residential demand.</i></p>	<p>The application of Urban Mixed Use, Inner Residential and General Residential Zones should specifically support diversity in dwelling types and sizes in appropriate locations.</p> <p>The recommended rezoning of areas currently zoned Low Density Residential to General Residential allows a higher proportion of development at a high and medium density to maximise infrastructure capacity allowing subdivision and multiple dwelling developments in areas which are currently restricted to single dwellings on large residential lots.</p>
RSN-P6	<p><i>Focus higher density residential and mixed-use development in and around regional activity centres and public transport nodes and corridors.</i></p>	<p>The Urban Mixed Use zoning which surrounds the Launceston CBD provides a transitional space between the commercial centre and inner city residential areas. The Urban Mixed Use Zone fringe has been reviewed (refer to Appendix 5 for project report) and minor alterations made to the zoning of properties which are more suited to the Urban Mixed Use Zone. The Inner Residential Zone has been recommended for areas which border the Urban Mixed Use Zone which have a residential character, but may be used for high density residential developments or compatible non-residential uses.</p>
RSN-P7	<p><i>In new development areas include a diversity in land uses, employment opportunities and housing types at densities that support walkable communities, shorter vehicle trips and efficient public transport services.</i></p>	<p>The LPS seeks to facilitate job opportunities and facilitate housing choice in the market. This is achieved in the draft Launceston LPS by increasing the capacity of existing Low Density Residential areas to be further developed through the zoning of General Residential.</p>

Reference Regional Planning Policy		Response on Launceston LPS
Integrated Land Use and Transport		
RSN-P8	<i>New development is to utilise existing infrastructure or be provided with timely transport infrastructure, community services and employment.</i>	The draft LPS will allow for the orderly use and development of land which is integrated with transport infrastructure and services in the city.
RSN-P9	<i>Apply transit oriented development principles and practices to the planning and development of transit nodes, having regard for local circumstances and character</i>	The review of the existing spatial application of the Low Density Residential Zone took into account properties which were suitably located to accommodate higher density development which were in locations which were serviced and had access to public transport facilities.
RSN-P10	<i>Plan new public transport routes, facilities and high-frequency services to provide safe and convenient passenger accessibility, and to support the interrelationship between land use and transport.</i>	
RSN-P11	<i>Coordinate land use and transport planning and the sequence of development with timely infrastructure provision.</i>	
RSN-P12	<i>Connect active transport routes to improve accessibility and encourage transport use by a broader range of people.</i>	
RSN-P13	<i>Manage car parking provision in regional activity centres and high-capacity transport nodes to support walking, cycling and public transport accessibility.</i>	
RSN-P14	<i>New development within walking distance of a transit node or regional activity centre is to maximise pedestrian amenity, connectivity and safety.</i>	The existing Urban Mixed Use Zone which surrounds the Launceston CBD will be transitioned into the draft LPS to accommodate mixed use development on the fringe of the city which is within walking distance of inner residential areas and the CBD. The Inner Residential Zone has been recommended for areas on the fringe of the Urban Mixed Use zoning surrounding the city in areas which may be suitable for higher

Reference	Regional Planning Policy	Response on Launceston LPS
		density residential development and compatible non-residential uses allowable in the zone.
Residential Design		
RSN-P15	<i>In established urban areas where an existing urban or heritage character study has been undertaken and adopted by Council, provide for development that is consistent with that study and reinforces and enhances the strengths and character of the area in which it is set.</i>	The City of Launceston has an extensive heritage listed places register applicable under the LIPS 2015. The list is being reviewed by precinct with individual datasheets developed for each property to articulate statements of individual heritage significance.
RSN-P16	<i>Achieve high quality design outcomes for all new prominent buildings and public spaces in the Launceston Central Business District, regional activity centres and transit communities.</i>	Local Heritage Precincts are also being developed for inclusion in the LPS, however only the first one for Cimitiere Street has been completed. This will act as a prototype for the remaining precincts in the city. The intent of the statements of significance for locally listed properties and development of heritage precincts is to reinforce and enhance the strengths and character of heritage properties and areas.
RSN-P17	<i>Provide accessible and high quality public open space in all new 'Greenfield' and infill development by creating well-designed public places.</i>	It is noted that the SPPs do not include any provision for public open space to be provided in subdivision. It is not a matter that is provided for in the SPPs that can be included in an LPS. The current LIPS 2015 includes a requirement for the provision of open space or a cash in lieu payment when additional lots are created by subdivision in particular zones through the Open Space Code. The SPPs do not contain such a Code.
Housing Affordability		
RSN-P20	<i>Provide a variety of housing options to meet diverse community needs, and achieve housing choice and affordability.</i>	The LPS includes land which is zoned Inner Residential, General Residential, Low Density Residential and Rural Living

Reference	Regional Planning Policy	Response on Launceston LPS
		<p>which provides a diverse range of housing choice options to the market.</p> <p>Housing affordability is often linked to difficulties in achieving finance for lots where the residential - single dwelling use class is discretionary. It has been identified that this scenario will be exacerbated for lots which are currently zoned Environmental Living in the rural areas of Launceston, yet align with the Landscape Conservation Zone in the Guidelines. A single dwelling, in the Environmental Living Zone has a No Permit Required status compared to a discretionary status in the Landscape Conservation Zone. To provide the opportunity for the community to have housing choice whilst providing for the protection, conservation and management of landscape values, a Specific Area Plan has been recommended to allow the residential - single dwelling use class to be Permitted.</p>
Rural and Environmental Living Development		
RSN-P21	<i>Rural and environmental lifestyle opportunities will be provided outside urban areas.</i>	The Specific Area Plan recommended to cover the Landscape Conservation Zone in the rural area will provide for an environmental lifestyle opportunity for individuals who value the protection, conservation and management of landscape values.
RSN-P22	<i>Rural and environmental lifestyle opportunities will reflect established Rural Residential Areas.</i>	<p>Where possible, the zoning of land has been transitioned into the LPS. Existing areas of Rural Living have been transitioned with the appropriate application of zone densities to reflect the existing pattern of development.</p> <p>The Environmental Living Zone has been transitioned to the Landscape Conservation Zone following a detailed analysis of alternatives.</p>

Reference	Regional Planning Policy	Response on Launceston LPS
RSN-P23	<i>Growth opportunities will be provided in strategically preferred locations for rural living and environmental living based on sustainability criteria and will limit further fragmentation of rural lands.</i>	The LPS contains a translation of the existing Rural Living Zone in Launceston.
RSN-P24	<i>Growth opportunities for rural living will maximise the efficiency of existing services and infrastructure.</i>	
RSN-P25	<i>Recognise that the Furneaux Group of islands are more reliant on local strategies for Rural Residential Areas and the protection of agricultural land that respond to the complexities of remote area economics and the need to retain or increase population and visitation.</i>	Not Applicable
REGIONAL ACTIVITY CENTRE NETWORK POLICY		
RAC-P1	<i>Maintain and consolidate the Regional Activity Centres Network so future urban development consolidates and reinforces the spatial hierarchy of existing centres. This will be achieved through the reuse and redevelopment of existing buildings and land to integrate a mix of land uses including the coordinated provision of residential development, retail, commercial, business, administration, social and community facilities, public and active transport provision and associated infrastructure.</i>	<p>The activity centre hierarchy is established in Launceston and will be maintained through the LPS.</p> <p>The existing spatial application of the Central Business Zone for the Launceston CBD and the General Business Zone for the major activity centres provides for a range of land uses designed to align with the hierarchy. The extent of these activity centres has not been altered in the Draft LPS.</p>
RAC-P2	<i>Reinforce the role of the Launceston Principal Activity Centre as the primary focus for administration, government, business, commercial, cultural, high order retail goods (including bulk goods locations/ precincts) recreational, arts and tourism activity for the region.</i>	The Central Business Zone has been applied to the Launceston Principal Activity Centre.

Reference	Regional Planning Policy	Response on Launceston LPS
RAC-P3	<i>Promote and support the role of Major and Suburban Activity Centres so these centres broaden their district and regional attractions as places of future employment and residential development with substantially improved access, amenity, diversity, liveability outcomes.</i>	The General Business Zone has been applied to the Major Activity Centres.
RAC-P4	<i>Promote and support the role of lower order activity centres, particularly neighbourhood and rural town centres. This will support and strengthen local communities and encourage a viable population base for regional and rural settlements, while promoting the development of new neighbourhood and local centres within Urban Growth Areas where appropriate.</i>	Existing lower order activity centres have been maintained through appropriate Local Business zoning to strengthen local communities and promote neighbourhood interaction and activity. The zoning of land surrounding the centre is also important to maintain the prominence of the centre itself. The recommendation to zone residential land surrounding the Newstead Neighbourhood Town Centre for example means that ribbon development along Elphin Road and Penquite Road will not occur without prior strategic consideration. That is, the Inner Residential Zone in the SPPs allows for a suite a discretionary uses which could see non-residential uses dominate the area immediately surrounding the centre instead of maintaining the extent of the local centre.
RAC-P5	<i>Provide safe and amenable access to Activity Centres, for all members of the community, by supporting active transport opportunities that encourage people to walk, cycle and use public transport.</i>	A future project will look to introduce additional Parking Precincts for the major activity centres to alleviate pressure to accommodate on-site parking within the activity centre. This in turn encourages people to walk, cycle and use public transport as the activity centres provide regular bus routes and taxis.
RAC-P6	<i>Improve the integration of public transport with activity centre planning, particularly where it relates to higher order activity centres.</i>	
RAC-P7	<i>Coordinate with state agencies to support the ongoing delivery of high quality, high frequency public transport that</i>	Beyond the scope of the LPS.

Reference	Regional Planning Policy	Response on Launceston LPS
	<p><i>meets the needs and expectations of the community and supports the Regional Activity Centres Network.</i></p>	
RAC-P8	<p><i>Provide high quality urban design and pedestrian amenity within regional activity centres by acknowledging the significance of place making, activity diversity and improvement of amenity. Coordinated urban design and planning are necessary elements in the development and management of attractive, sustainable and socially responsive regional activity centres.</i></p> <p><i>The desired urban design outcomes include:</i></p> <ul style="list-style-type: none"> • <i>Improvements in the presentation, safety and amenity of the public realm and built environment; and</i> • <i>Provision of outdoor urban spaces and streetscape environments (shopfronts, etc.) that create a diversity of land use activities and maximise public and private investments.</i> 	<p>The Launceston City Heart Project is an example of the acknowledgement of the significance of place making, activity diversity and the improvement of amenity.</p> <p>Similarly the Building Heights and Massing Study which is underway for the central area will produce Guidelines and a new Specific Area Plan which will provide guidance and direction to developers to achieve positive built form in the city. Refer to Appendix 26 for reports.</p>
RAC-P9	<p><i>Discourage 'out-of-centre' development and provide for new development that supports the Regional Activity Centres Network and the integrated transport system.</i></p> <p><i>Development applications that are 'out of centre' will only be considered if all of the following criteria are adequately addressed:</i></p> <ul style="list-style-type: none"> • <i>Community need;</i> • <i>No adverse impact on existing activity centres; and</i> • <i>Synergy with existing employment hubs (i.e. health, education, research).</i> 	<p>A key intent behind rezoning a substantial area of Inner Residential zoned land to the General Residential Zone in the LPS is to discourage out of centre development and conversion of residential dwellings for non-residential uses. Refer to Appendix 2 for project report.</p>

Reference	Regional Planning Policy	Response on Launceston LPS
	<i>Overall, community benefit must be demonstrated through a social and economic impact assessment to reflect the strategic directions and policies of the RLUS.</i>	
RAC-P10	<i>Provide for a range of land uses to be incorporated into activity centres appropriate to their role and function within the Activity Centres Hierarchy</i>	The business zones for the relevant activity centres in the hierarchy provide for a range of complementary uses.
RAC-P11	<i>Develop activity centres with street frontage retail layouts instead of parking lot dominant retailing, with the exception of Specialist Activity Centres where the defined character or purpose requires otherwise.</i>	Beyond the scope of the LPS.
RAC-P12	<i>Regional Activity Centres should encourage local employment. In most instances this will consist of small-scale businesses servicing the local or district areas.</i>	
RAC-P13	<i>Support effective access to a hierarchy of social facilities and amenities.</i>	
RAC-P14	<i>Investigate capital improvements works to improve pedestrian safety and access to activity centres and precincts. Progressively implement capital works improvements to the region's activity centres.</i>	
RAC-P15	<i>Coordinate joint agreements on the range of future needs for community, social and recreation facilities and amenities with relevant providers and state agencies.</i>	
RAC-P16	<i>Coordinate joint agreements with relevant providers and state agencies on the most effective spatial distribution of future social facilities and services to the community. In this context:</i>	

Reference	Regional Planning Policy	Response on Launceston LPS
	<ul style="list-style-type: none"> Consider the co-location of facilities and services within the activity centre network; and Develop a policy framework and guidelines for social community services and facilities appropriate to activity centres as part of the overall planning and development of those centres and precincts. 	
REGIONAL INFRASTRUCTURE NETWORK POLICY		
RIN-P1	<i>Coordinate, prioritise and sequence the supply of infrastructure throughout the region to match the settlement framework.</i>	Significant public infrastructure such as pump stations has been zoned Utilities in the LPS. The settlement framework has been established to maximise
RIN-P2	<i>Identify infrastructure capacity, need and gaps in current provision to meet requirements for projected population and economic activity</i>	The review of the existing spatial application of the Low Density Residential Zone took into account properties which were suitably located to accommodate higher density development in suburban areas. This will provide development opportunities for future subdivision or multiple dwelling developments.
RIN-P3	<i>Direct new development towards settlement areas that have been identified as having spare infrastructure capacity.</i>	
RIN-P4	<i>Recognise the Department of State Growth Road Hierarchy and protect the operation of major road and rail corridors (existing and planned) from development that will preclude or have an adverse effect upon existing and future operations.</i>	State Roads and major arterial local roads have been zoned Utilities in the LPS.
RIN-P5	<i>Recognise the region's port, airport and other intermodal facilities (existing and planned), including operations, and protect from development that will preclude or have an adverse impact on existing and future operations.</i>	Not Applicable
RIN-P6	<i>Facilitate and encourage active modes of transport through land use planning.</i>	The Parking and Sustainable Transport Code of the SPPs provides pathways for assessment to promote active modes of

Reference	Regional Planning Policy	Response on Launceston LPS
RIN-P7	<i>Facilitate an efficient and convenient public transport system through land use planning.</i>	transport.
REGIONAL ECONOMIC DEVELOPMENT POLICY		
Economic Development		
ED-P1	<p><i>Promote increased innovation within the Northern Tasmanian economy, and encourage:</i></p> <ul style="list-style-type: none"> • <i>Increased agricultural potential by investment in irrigation schemes and irrigated lands;</i> • <i>Innovation, which utilises and captures the region's water resources;</i> • <i>Food and wine innovation; and</i> • <i>A diversity of logistics in freight and port capacity.</i> 	<p>There are two Irrigation Schemes which affect the Launceston municipality which contribute to the promotion of agricultural investment in the region. The SPPs allow for increased flexibility for agricultural innovation in the Rural and Agriculture Zones.</p> <p>The LIPS 2015 includes an approved text amendment to allow for Resource Development (if for crop raising in an existing building) in the Light and General Industrial Zones to allow for the hydroponic growing of plants and vegetables. This is an innovative industry which has seen two operations take up this opportunity since the amendment took effect. A submission will be made to the SPPs to allow this innovative industry to flourish in Tasmania. Refer to section 5.3.2.1 of this report for further discussion.</p>
Industrial Land		
ED-P2	<p><i>Provide for land use planning and infrastructure networks to support the development of:</i></p> <ul style="list-style-type: none"> • <i>High value agriculture and food products;</i> • <i>Digital economy (including the NBN);</i> • <i>Vibrant, creative and innovative activity centres as places of employment and lifestyle; and</i> • <i>Diverse tourism opportunities.</i> 	Refer to response above.

Reference	Regional Planning Policy	Response on Launceston LPS
ED-P3	<i>Provide a 10 year supply of industrially zoned and serviced land in strategic locations.</i>	There is an oversupply of industrial land in the northern region. No additional industrial land has been recommended in the LPS. A project report was undertaken to review the existing spatial application of the General Industrial Zone in the draft LPS in the absence of a use standard which manages the interface between sensitive and non-sensitive uses. Launceston historically has areas which have been developed as heavy industrial, but also have a close proximity to residential use and development. Where this interface occurs, a review was undertaken of the existing land uses and in some cases, the Light Industrial Zone has instead been recommended to ensure there is some protection and management of off-site amenity impacts on nearby residential uses.
Training and Education		
ED-P4	<p><i>Provide suitable training and education opportunities in response to identified regional challenges, including those concerned with:</i></p> <ul style="list-style-type: none"> • <i>An ageing population;</i> • <i>Out-migration of younger generations;</i> • <i>Low literacy/education/skilled workers;</i> • <i>Lack of diversity in the economy;</i> • <i>Lack of support and training facilities; and</i> • <i>Availability of affordable housing.</i> 	<p>Beyond the scope of the LPS.</p> <p>Notwithstanding, there is capacity through the relevant use tables of the applicable zones to accommodate education and training opportunities.</p>
ED-P5	<i>Support initiatives that provide Northern Tasmanian with an economic capacity to improve their lifestyle and engaged in fulltime or part-time employment to promote standards of living and access to basic services.</i>	

Reference Regional Planning Policy		Response on Launceston LPS
Rural Land Natural Productive Resources		
ED-P6	<i>Encourage sustainable and appropriate land use planning practices that seek to manage development and use of the region's natural resources.</i>	<p>The SPPs include a Landscape Conservation Zone which is an adaptation of the existing Environmental Living Zone in the interim planning schemes, but with a heavier focus on landscape values. This zone has been chosen to replace the Environmental Living zoned land in Launceston.</p> <p>The Priority Vegetation Area created by the Regional Ecosystem Model by Natural Resource Planning Pty Ltd identifies areas of current and future flora and fauna habitat to be managed and protected through application of the Natural Assets Code.</p>
ED-P7	<i>Prevent the loss of future rural production (including agriculture, mineral extraction, forestry).</i>	The State Agricultural Mapping Project made recommendations for land which is unconstrained and potentially constrained. The Rural and Agriculture Zones have been applied taking this analysis into account as well as local analysis undertaken by AK Consultants. Refer to Appendix 10 for project report.
ED-P8	<i>Manage the region's natural economic resources to sustainably and efficiently meet the needs of existing and future communities.</i>	<p>There has been an apparent policy decision by the State Government to protect large agricultural industries above the protection of natural values. This is evidenced through the application of the zones and Natural Assets Code of the SPPs.</p> <p>Notwithstanding, the Priority Vegetation Area will apply to land as applicable through the Natural Assets Code and a reference map will also be available for the community to be aware of the full extent of the mapping regardless of zone application.</p>
Tourism		
ED-P9	<i>Support tourism development that is guided by research and economic strategies that develop projects and initiatives</i>	Beyond the scope of the LPS.

Reference	Regional Planning Policy	Response on Launceston LPS
	<i>to enhance the range of tourism and visitor experiences in the region.</i>	
ED-P10	<i>Support the development of the tourism sector by ensuring land use planning policies and principles do not unnecessarily restrict tourism use and development.</i>	Tourism Operation and Visitor Accommodation are permissible use classes in a variety of zones.
ED0-P11	<i>Provide for the opportunity in planning schemes to identify, protect and enhance distinctive local characteristics and landscapes.</i>	The LPS contains Specific Area Plans, Site Specific Qualifications and Local Area Objectives through those SAPs. The purpose and intent of the SAPs is to protect and manage local values and characteristics which are unique to Launceston.
ED-P12	<i>Avoid unnecessary restrictions on new tourism sector innovation in planning schemes and acknowledge that planning schemes cannot always predict future tourist sites/developments.</i>	Beyond the scope of the LPS.
SOCIAL INFRASTRUCTURE AND COMMUNITY POLICY		
Social Infrastructure		
SI-P01	<i>Coordinate planning for social infrastructure with residential development.</i>	Established social infrastructure has been appropriately zoned to facilitate appropriate development.
SI-P02	<i>Provide social infrastructure that is accessible and well-located to residential development, public transport services, employment and educational opportunities.</i>	
SI-P03	<i>Provide multi-purpose, flexible and adaptable social infrastructure that can respond to changing and emerging community needs over time.</i>	The Urban Mixed Use Zone has been transitioned from the LIPS 2015 to areas surrounding the CBD to accommodate multi-purpose use and development which requires a central location to respond to changing and emerging community

Reference	Regional Planning Policy	Response on Launceston LPS
		needs over time. The suite of discretionary uses in the SPP zones also allows for non-primary uses to be accommodated where unreasonable impacts on the primary uses in the zone will not occur.
SI-P04	<i>Allow for a greater choice in housing types</i>	The suite of residential zones available in the SPPs has been applied to Launceston to provide for a range of housing choice options.
SI-P05	<i>Protect the operation of existing and planned education/ training facilities from conflicting land uses.</i>	In some instances, existing education or training facilities were zoned residential in the LIPS 2015. These have been recommended to be zoned Community Purpose in the LPS to protect their operation.
Cultural Heritage		
CH-P01	Recognise, retain and protect cultural heritage values in the region for their character, culture, sense of place, contribution to our understanding of history.	The Drat LPS includes a Local Heritage Places List and the first Local Heritage Precinct. Additional precincts will be added to the LPS as amendments under LUPAA.
CH-PO2	Recognise, manage and preserve regional archaeological values.	There are no recommended places or precincts of archaeological potential under the Local Historic Heritage Code of the LPS.
REGIONAL ENVIRONMENT POLICY		
Biodiversity and Native Vegetation		
BNV-P01	<i>Implement a consistent regional approach to regional biodiversity management, native vegetation communities and native fauna habitats including comprehensive spatial regional biodiversity mapping.</i>	The Regional Ecosystem Model has been used to inform the priority vegetation area overlay for the region.

Reference	Regional Planning Policy	Response on Launceston LPS
BNV-P02	<i>Except where planning scheme provisions provide for exemptions, restrict land clearing and disturbance of intact natural habitat and vegetation areas, including areas of forest and non-forest communities declared under the Nature Conservation Act, coastal wetlands and remnant and appropriate cultural vegetation within settlement areas.</i>	Areas which are zoned Landscape Conservation or covered by the Scenic Protection Code, Western Hillside SAP or Southern Gateway SAP will assist in restricting land clearing of significant vegetation.
BNV-P03	<i>Land use planning is to minimise the spread and impact of environmental weeds.</i>	Beyond the scope of the LPS.
BNV-P04	<i>Land use planning processes are to be consistent with any applicable conservation area management plans or natural resource management strategy.</i>	The Environmental Management Zone has been utilised for conservation areas or Reserves such as Mount Barrow and Mount Arthur which are on Crown Land managed by DPIPWE.
Open Space and Recreation		
OSR-P01	<i>To provide for an integrated open space and recreation system that contributes to social inclusion, community health and well-being, amenity, environmental sustainability and the economy.</i>	The Open Space, Recreation and Community Purpose zones have been applied according to the Zone Application Guidelines.
OSR-P02	<i>Improve open space planning outcomes through the delivery of a consistent regional approach that responds to the community's needs and avoids unnecessary duplication of facilities.</i>	Council owned land has been zoned Open Space in the LPS.
Natural Hazards		
NH-P01	<i>Future land use and urban development is to minimise risk to people and property resulting from land instability by adopting a risk-managed based approach, consistent with Practice Note Guidelines for Landslide Risk Management 2007 and AGS (2007a) Guideline for Landslide</i>	Landslide Hazard Code applies and specifies areas of low, medium and high landslide risk.

Reference	Regional Planning Policy	Response on Launceston LPS
	<i>Susceptibility, Hazard and Risk Zoning for Land Use Planning; AGS (2007e) Australian GeoGuides for Slope Management and Maintenance.</i>	
NH-P02	<i>Future land use and development is to minimise risk to people and property resulting from flooding.</i>	The Coastal Inundation Area and Flood Prone Areas Codes as well as the Invermay/Inveresk Flood Inundation SAP provide mechanisms to manage flood risk.
NH-P03	<i>Future land use and development is to minimise risk to people and property resulting from bushfire hazard.</i>	The TFS Bushfire Mapping has been included in the LPS applicable through the Bushfire Code. Note that there is a current planning scheme amendment for this mapping to be included in the LIPS 2015.
NH-P04	<i>Where avoidance of hazards is not possible or the level of risk is deemed acceptable, best practice construction and design techniques and management practices are to be implemented.</i>	Beyond the scope of the LPS.
Climate Change Adaptation		
CCA-P1	<i>Encourage energy efficient building use and design.</i>	Beyond the scope of the LPS.
CCA-P2	<i>Protect investment in new Infrastructure from the impacts of climate change.</i>	Application of the State Hazard Codes will apply in the LPS.
Coasts and Waterways		
CW-P01	<i>Protect and improve the ecological integrity of coastal environments</i>	The Waterways and Coastal Protection overlay has been recommended through the Natural Assets Code.

Reference	Regional Planning Policy	Response on Launceston LPS
CW-P02	<i>Limit the expansion of urban development within the coastal zone to avoid encroachment into areas of intact coastal environments.</i>	State Coastal Inundation Area and Coastal Erosion Area Codes will apply in the LPS.
CW-P03	<i>Minimise or avoid use or development in areas subject to high coastal hazard.</i>	State Coastal Inundation Area and Coastal Erosion Area Codes will apply in the LPS.
CW-P04	<i>Protect the visual integrity of coastal landscapes.</i>	Not Applicable
CW-P05	<i>Protect and manage the ecological health and environmental values of surface and groundwater.</i>	The Natural Assets Code applies to class 4 watercourses, estuaries and coastal environments. Council's environmental scientist undertook Launceston specific analysis of the watercourses in the municipality and recommended alterations to the State waterways mapping in the LPS to protect environmental values of surface and ground waters.
CW-P06	<i>Where appropriate, development in new or redevelopment areas is to adopt best practice Water Sensitive Urban Design (WSUD) principles.</i>	Beyond the scope of the LPS.
CW-P07	<i>Protect the water quality of the region's waterways and wetlands, including key water supply catchments.</i>	The Waterways and Coastal Protection overlay has been recommended through the Natural Assets Code.
CW-P08	<i>Recognise the importance of non-land use planning based organisations and their strategies and policies in managing, protecting and enhancing natural values.</i>	The Landscape Conservation Zone has been applied to land which is currently zoned Environmental Living.
Landscape and Scenic Amenity		
LSA-P01	<i>Consider the value of protecting the scenic and landscape amenity of key regional tourism routes having regard to the</i>	The Scenic Protection Code will apply in Launceston with scenic protection areas and scenic road corridors. Two SAPs have also been recommended for the Western Hillside and

Reference	Regional Planning Policy	Response on Launceston LPS
	<p><i>routes identified in Map E3 and local circumstances, as well as the:</i></p> <ul style="list-style-type: none"> • <i>Importance of scenic landscapes as viewed from major roads and tourist routes/destinations as contributing to economic basis of the tourism industry as well as local visual amenity;</i> • <i>Importance of natural/native vegetation in contributing to scenic values of rural and coastal areas generally, with particular emphasis on prominent topographical features; and</i> • <i>Need to protect skylines and prominent hillsides from obtrusive development/works.</i> 	<p>Southern Gateway to manage landscape character and visual amenity that is important to the Launceston context.</p> <p>Refer to Appendices 16, 22-25 for project reports and SAPs.</p> <p>The proposed performance criteria in the Western Hillside and Southern Gateway SAPs provide reference to the management, establishment and retention of existing vegetation. Performance criteria refer to the impact of development on prominent locations, the bulk, form and materiality of proposed buildings and the extent of proposed earthworks.</p>
LSA-P02	<p><i>Protect specific topographic or natural features of significant scenic/landscape significance.</i></p>	

2.6. Council’s Strategic Plan – s32(s)(f)

The draft LPS is generally consistent with the Launceston Strategic Plan 2014-2024 as outlined below. Our key issues are:

- A creative and innovative city;
- A city where people choose to live;
- A city in touch with its region;
- A diverse and welcoming city;
- A city that values its environment;
- A city building its future;
- A city that stimulates economic activity and vibrancy;
- A secure, accountable and responsive Organisation.

Any departure from either the Guidelines and/or a “like for like” conversion of the existing LPS 2015 is discussed on a case by case basis further in this report or as attached in a separate project report listed in the Appendices.

2.7. Adjacent Municipal Areas – s34(2)(g)

Section 34(2)(g) of the LPS Criteria requires that the planning scheme “*as far as practicable, is consistent with and co-ordinated with and LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates*”.

The adjacent municipal areas to Launceston are West Tamar, Meander Valley, Northern Midlands, Dorset, George Town and Break O’Day.

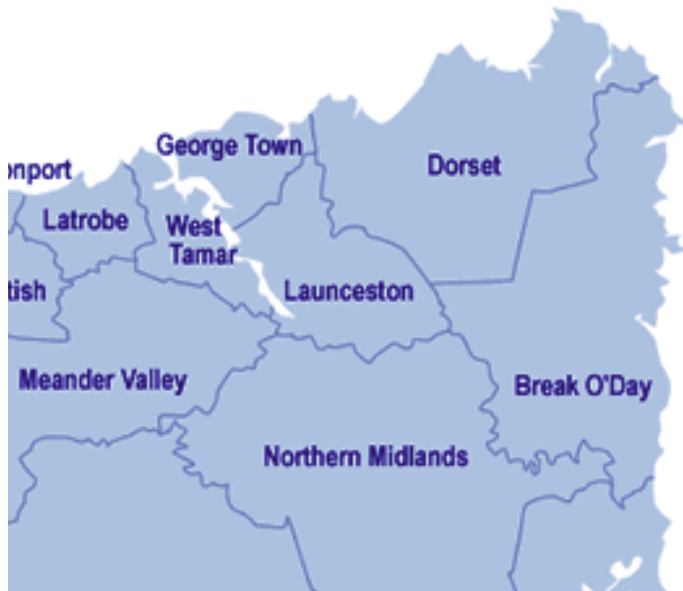


Figure 1 - Adjacent municipal areas (source: DPAC website)

At the time of writing, Meander Valley and Flinders are the only councils in the region to have submitted their LPS to the TPC. Regular discussion with officers at Meander Valley, West Tamar and Northern Midlands councils has occurred to ensure that zoning is logical across local government boundaries.

In developing the Obstacle Limitation Surface for the Safeguarding of Airports Code, Northern Midlands Council were provided a copy of the OLS which was prepared internally for the draft Launceston LPS. This was to ensure that the layer was consistent in its application across the municipal boundaries.

Regular discussions have resulted in a consistent zone/code application process, for example:

- MRT sites will be mapped with attenuation areas on the statutory overlay maps in Meander Valley, West Tamar, Northern Midlands and Launceston councils;
- Schools will be zoned Community Purpose in Meander Valley, West Tamar and Launceston;
- Similarly to Launceston, Meander Valley and West Tamar Councils engaged AK Consultants to assist with their mapping of the Agriculture and Rural Zones;
- The Obstacle Limitation Surface layer was provided to Northern Midlands Council for consistency across the municipal boundary.
- There are 12 properties which straddle the Launceston municipal boundary with West Tamar, Northern Midlands and George Town councils. These councils were contacted to ensure that consistency was being achieved for the landowner in terms of zoning.
- The two scenic road corridors which extend to the north and terminate at the municipal boundary have also been discussed with George Town Council officers to ensure consistency.
- The West Tamar and East Tamar Highways will be zoned Utilities in both Launceston and the northern neighbouring councils.

Each of the adjoining municipalities will be notified during the statutory exhibition period.

2.8. Gas Pipelines Act 2000

The LPS is to have regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*. The Act and regulations provide for safety requirements, however these do not have any direct relationship to a planning scheme. More relevantly the Act includes a declared statutory notification corridor for use and development within proximity to the pipeline to ensure its safety and protection. Sections 70C and 70D of the Act require the planning authority to give notice to the pipeline licensee for development within the corridor. The licensee may provide advice to the planning authority as to safety conditions that are to be included on any permit issued. A planning authority cannot include on a permit condition that conflicts with any condition contained in the safety and operating plan for the affected pipeline.

The pipeline does not traverse the Launceston municipality.

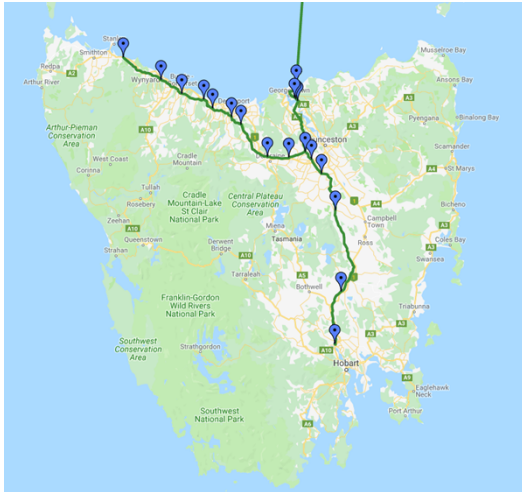


Figure 2 - Tasmanian Gas Pipeline corridor
(source: TGP website)

3. ZONING

The revised Guideline No 1 - Local Provisions Schedule Zone and Code Application (the Guideline) was issued by the TPC in October 2017, with approval of the Minister, in accordance with section 8A of LUPAA. The purpose of the Guideline is to provide an easy reference guide for the application of all zones and codes for the preparation of draft LPS in accordance with LP1.0 of the SPP which sets out the LPS requirements.

Section LP1.2 requires each LPS to contain a map that provides for spatial application of the zones to land in the municipal area. The zone map contained with each LPS must differentiate between Rural Living Zone A, B, C & D and any PPZs.

The Guideline is also to be read in conjunction with the transitional provisions under Schedule 6 of LUPAA.

Guideline No.1 directs that the “*primary objective in applying a zone should be to achieve the zone purpose to the greatest extent possible*”. This is consistent with the Schedule 1 Objectives of the LUPAA, however must also be read in conjunction with the allowance for overriding local provisions to be included in a LPS and the requirement to demonstrate that it promotes sustainable use and development. The Guidelines contain ‘should’ statements for the zoning of land and in doing so, recognises that there will be circumstances whereby sustainable outcomes are not achieved without variation in zone type, or the inclusion of overriding local provisions.

For the most part, the draft LPS carries through existing LPS 2015 zoning where compliance with the Guidelines can be achieved. The associated changes in zone standards are generally minor and it is considered that the strategic intent underpinned by the NRLUS and local strategies was not compromised by the SPPs. A summary of key changes between the existing LPS 2015 and the draft LPS and SPP application in Launceston is attached as **Appendix 1** of this report.

The process of LPS development has determined that despite the zone purpose and/or uses of the SPPs being the 'best fit' to achieve the primary objective, some associated standards of the zone did not result in sustainable outcomes and disadvantaged landowners, in direct conflict with the requirements of Section 34. This has resulted in the draft LPS including SAPs and SSQs which are discussed in section 5 below.

It is noted that where titles were split-zoned, that the default position was to translate them across into the LPS unless it was identified that the split zoning could be avoided through sound application of zoning by complying with the Guidelines.

3.1. Site Specific Zone Changes

During the GIS mapping process for the LPS, zoning adjustments were made and can be summarised as follows -

- Service infrastructure such as pump stations on land owned by the regulated entity i.e. TasWater, Transend etc. have been zoned Utilities;
- Open space land owned and maintained by the council has been zoned Open Space;
- Public land adjoining rivers or for reserves owned and management by The Crown/DPIPWE has been zoned Environmental Management;
- State roads and main arterial local roads have been zoned Utilities;
- The levees around Invermay/Inveresk, the city and Newstead have been zoned Utilities.

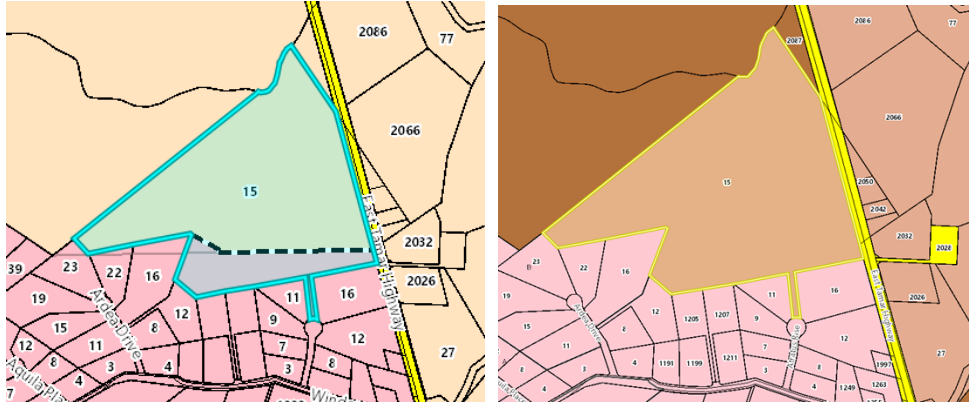
Where the zoning of a property was ambiguous and did not suit the use and development on the site, but where a zone change aligned with the Zone Application Guidelines a change has been recommended. Historically, split zoning was introduced to create a buffer between residential and non-residential uses -

- 1) The property at 85-87 Hobart Road is split zoned General Residential and General Business, but is occupied by KFC entirely. The business presumably expanded into the neighbouring property to the north which was at once stage potentially a dwelling, but the zoning was never reconciled. The zoning of the property has been corrected to be entirely General Business.

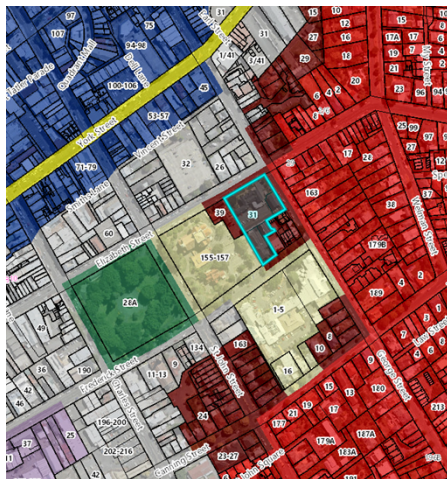


- 2) The property at 15 Atratus Rise, Swan Bay is split zoned. The owner of the property has contacted council and requested that their property be zoned singularly. The property

received planning approval in 2016 for visitor accommodation, food services, community meeting and entertainment, passive recreation, sports and recreation uses for a camping and caravan area. The uses on the site are more aligned to the Rural Zone of the SPPs and comply with the Zone Application Guidelines. It is recommended that the entire title be zoned Rural as shown below on the right.



- 3) The property known as the Colonial Hotel at 31 Elizabeth Street, Launceston on the corner of Elizabeth and George Streets is currently zoned Inner Residential, but is currently operating as a hotel and restaurant. The buildings on the site are significant and the zoning to the north of the site is Urban Mixed Use. The owner has approached officers requesting that the property be considered for the Urban Mixed Use Zone in the draft LPS. The Inner Residential Zone has not been utilised widely in the draft LPS and the Urban Mixed Use Zone provides more flexibility for development on the site. It is recommended that the site be zoned Urban Mixed Use to better align with the Guidelines.



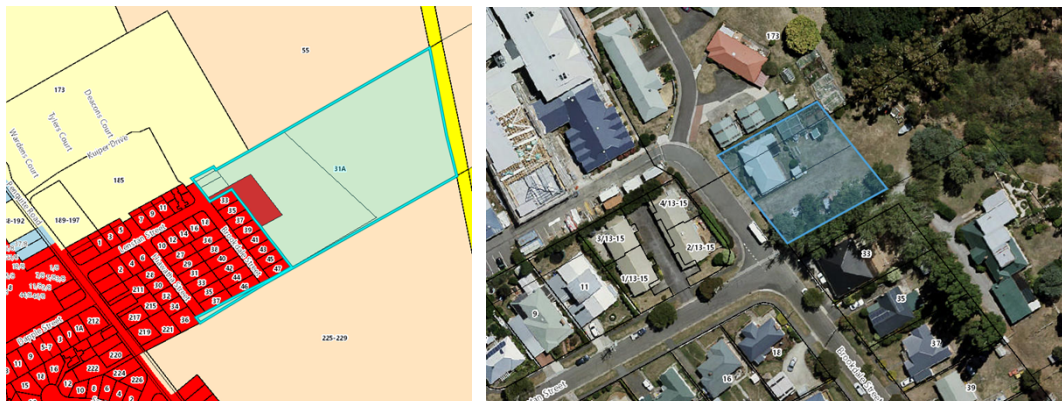
- 4) The property known as 16-18 Reuben Court, Kings Meadows is split zoned through the middle of the building on the site. The landowner has requested that the site be singularly zoned for simplicity. The best fit zone is the Local Business Zone as shown in the image below on the right.



5) 31A Brookdale Street, Norwood -

- Land now known as F.R. 177151-1 wasn't previously shown on The LIST correctly as it was still held under the general law system of land tenure. This land was subdivided by survey plan 59-20 which was deposited in the Registry of Deeds in 1958. The owner's solicitor recently made a request to the Recorder of Titles to bring this land under the Real Property Act and hence F.R. 177151-1 was prepared and the LIST has been updated.
- Land now known as F.R. 177188-1, F.R.177188-2 & F.R. 177189-1 was not previously shown on the LIST as being separate even though the lots were originally created in 1958 via survey plan 369-8. This occurred due to drafting of P 198403 by the Land Titles Office in 1998 which for convenience showed the three parcels together as they were in the same ownership.

Now that the above rectifications have been completed and The LIST updated accordingly, the landowner has requested that the zoning should be corrected to reflect the residential land that has existed since 1958. The General Residential Zone has been recommended for the three titles highlighted on the aerial image below.



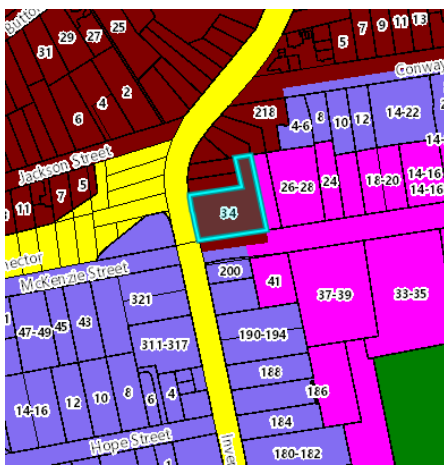
6) The property known as 34 McKenzie Street, Invermay is currently zoned Inner Residential and is developed with four commercial tenancies which occupy the following floor areas:

- Tenancy 1 - 646m² (currently tenanted as Tas Bearing & Chain - wholesale distribution/bulky goods sales)
- Tenancy 2 - 467m² (currently vacant, but previous tenant was electrical goods/furniture retail)

- Tenancy 3 - 330m² (currently tenanted as Winc Australia - photocopier repairs and maintenance provider)
- Tenancy 4 - 376m² (currently tenanted as GTE Australia - engineering/welding works for the rail industry)

The property received planning approval for DA0015/2009 for the demolition of existing buildings; Subdivision - consolidate four lots into one; Construction of a building - shop, service centre and two warehouses; Signage - internally illuminated pylon sign and building fascia signs on 5 March 2009. The commercial buildings were constructed and are currently tenanted.

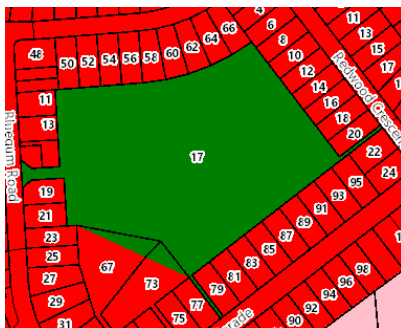
Following a meeting with the landowner on 26 July 2019, it seemed logical to consider the Commercial Zone in the draft LPS. This zoning will align with the prevailing zoning of Invermay Road. The zoning of the site to Commercial aligns with the Zone Application Guidelines CZ1, CZ2 and CZ3.



3.1.1. Errors and Anomalies

Where a zoning error or anomaly was identified in the current LIPS mapping, it was rectified as follows -

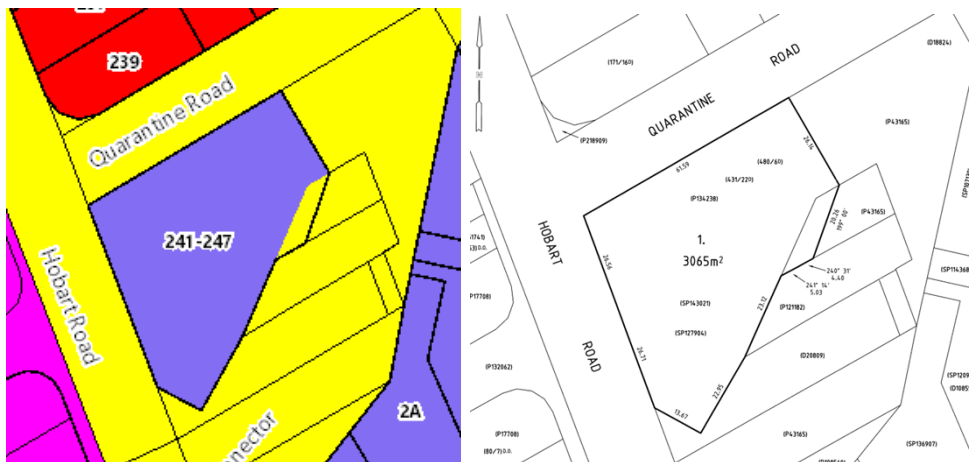
- 1) The Open Space zoning of 17 Bluegum Road extends into the private properties of 67 and 73 Poplar Parade -



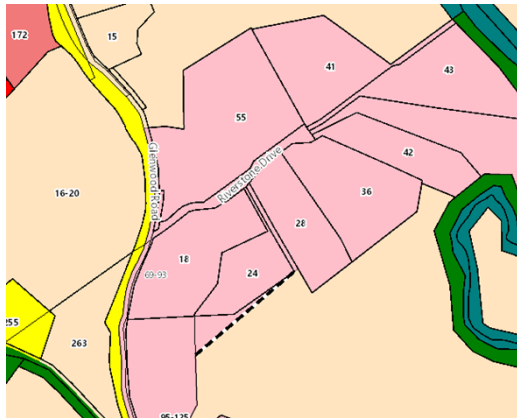
- 2) The Community Purpose zoning of Youngtown Primary School, 15 Napier Street, extends into the private property of 53 Victoria Street. The property at 53 Victoria Street is comprised in two titles, of which the sub-minimal slither appears to have been incorrectly zoned Community Purpose rather than General Residential.



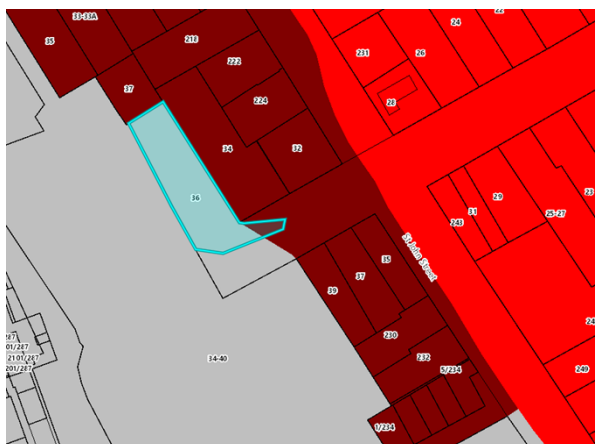
- 3) The Commercial zoning of the property known as 241-247 Hobart Road, Kings Meadows (CT172541/1) appears in misalignment with the title boundary. This is as a consequence of a boundary adjustment between this site and the Crown Land adjacent. The current title was registered by the Land Titles Office on 29 March 2018 (see extract below). The Commercial zoning of the site has been updated to include the entire title.



- 4) The zoning boundary between the Rural Resource and Rural Living Zones at 95-125 Glenwood Road, Relbia does not align with the title boundary with 24 Riverstone Drive and was originally created prior to the subdivision. The zone boundary has been realigned to the title boundaries.

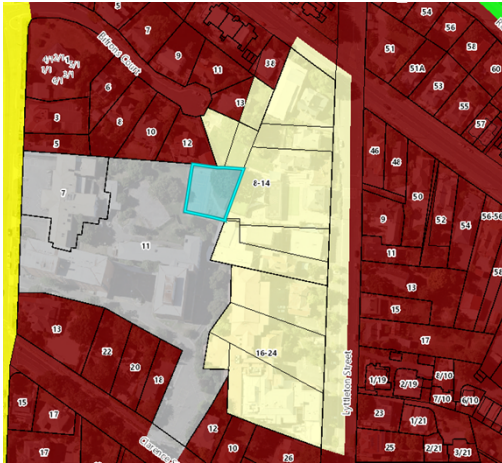


- 5) The property known as 36 French Street is split zoned Urban Mixed Use and Inner Residential in the LIPS 2015. It was previously owned by the DHHS and formed part of 34-40 Howick Street. It was subdivided in 2014. The property contains a dwelling and is privately owned. It is recommended that it be zoned General Residential to align with the prevailing residential zoning in the area and the characteristics of the site. It is noted that the landowner provided informal feedback that they would object to the site being zoned General Residential due to future development potential for the site. Notwithstanding, the zoning of this title is better suited to be General Residential due to the use and development of the site as a single dwelling and the prevailing residential zoning in French Street.

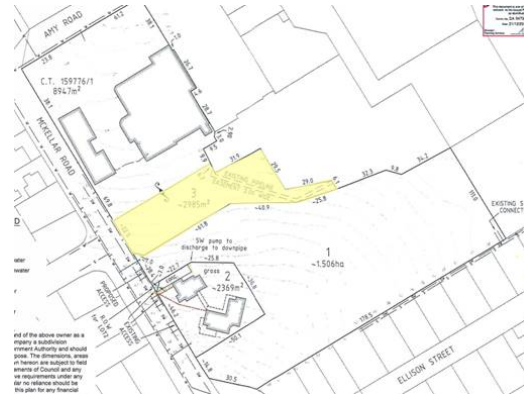


- 6) The property at 13 Bifrons Court is comprised in two titles, but one title containing the dwelling is zoned Inner Residential and the rear yard is zoned Community Purpose to align with the zoning of the Launceston Church Grammar School property. This appears to be an error and the entire site at 13 Bifrons Court has been recommended to be zoned General Residential to align with the prevailing draft LPS zoning of Bifrons Court.

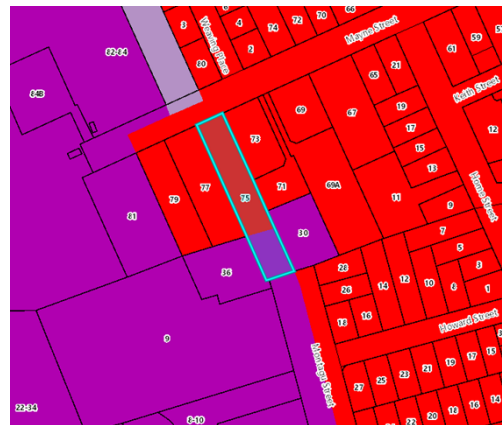
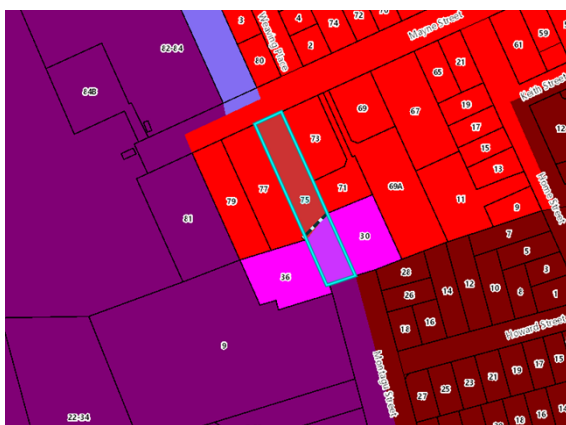
Also, the property identified by blue outline below is zoned Urban Mixed Use, but is owned by the school and contains a basketball court associated with the school. This also appears to be a zoning anomaly and has been recommended for the Community Purpose Zone.



- 7) The property at 42-50 McKellar Road and 65 Amy Road, Newstead is owned by St Giles and a planning permit was issued for a subdivision and boundary adjustment in December 2018. It is recommended that the Community Purpose Zone boundary be aligned to the subdivision boundary as identified below.

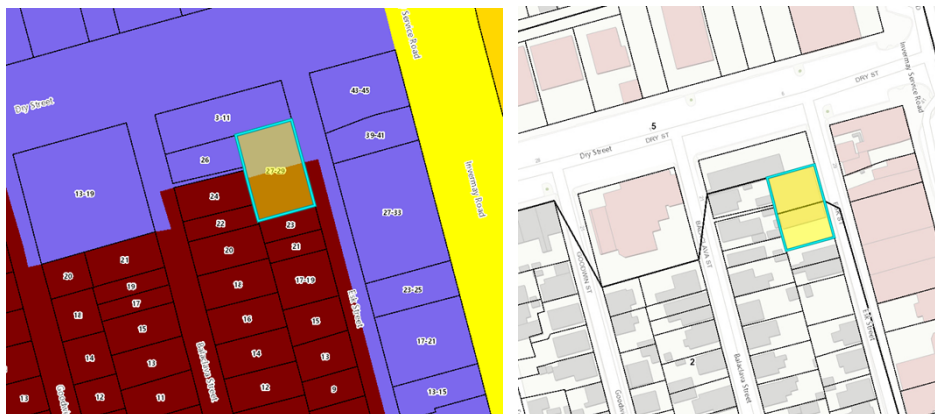


- 8) The property known as 75 Mayne Street, Invermay is split zoned Inner Residential and General Industrial in the LIPS 2015. The owner has requested that the split zoning alignment be straightened up to align with the rear title boundaries of 77 and 79 Mayne Street rather than on the diagonal. There is a row of established trees which transects the site and it seems logical to align the split zone boundary with this natural feature.



- 9) The property known as 27-29 Esk Street, Invermay is split zoned Commercial and Inner Residential in the LIPS 2015. Following a meeting with the landowner on 5 August 2019, it was agreed that the property would be recommended for the Commercial Zone in the

Draft LPS. There is one building on one title which is commercially tenanted. The split zoning appears to be a historical legacy from when the site was developed with individual cottages prior to 1970 according to the landowner. The precinct boundary between Precinct 2 and 5 of the Invermay/Inveresk Flood Inundation Area SAP is also recommended to be shifted to accommodate the entire site in Precinct 5 to align with the zoning.



3.2. Significant Zone Changes and Projects

While the application of the SPPs in Launceston through the draft LPS have resulted in the need for some local overriding provisions discussed in detail in Section 5 of this report, some zoning changes are proposed resulting from:

- The statements/requirements specified in the Guidelines;
- Review of the Inner, General, Low Density Residential Zones and Urban Mixed Use Zone;
- Review of isolated Local Business zoned properties;
- Review of spatial distribution of Light and General Industrial Zones;
- The introduction of the Landscape Conservation Zone;
- The State's mapping of 'Land Potentially Suitable for Agriculture Zone';
- Input from utilities providers (e.g. TasWater, DSG, TasRail, etc.).

The sections below discuss the significant changes in more detail. Appropriate justification against the NRLUS is detailed in each separate project report attached to this report as an appendix.

3.2.1. Application of the General, Inner & Low Density Residential Zones

The General Residential Zone will be the default residential zone in Launceston's draft LPS with areas of Inner Residential zoning and Low Density Residential zoning applied to discrete areas that align with the Guidelines and the local strategic policy direction for the city.

A comprehensive analysis was undertaken of the areas of Inner Residential zoning throughout the municipality separating areas into precincts surrounding the activity centres identified in the NRLUS.

A summary of the local policy position for application of these zones is as follows:

- General Residential Zone is the default residential zone for established residential areas in Launceston where single and multiple dwellings are the desired use and development. Areas of heritage listed residential dwellings will be zoned General Residential to preserve the character and use.
- Inner Residential Zone is recommended for areas characterised as residential mixed use with direct frontage to a street.
- Low Density Residential Zone is recommended for sites which are constrained by servicing capacity, slope or hazard mapping.

Refer to [Appendix 2](#) and [Appendix 3](#) for project reports.

3.2.2. Application of Densities for the Rural Living Zone

The State Planning Provisions (SPPs) contain a Rural Living Zone which is substantially the same as the existing Rural Living Zone in the LIPS 2015 except that it allows for four density categories for subdivision. That is:

Category	Density
Rural Living Zone A	1 ha
Rural Living Zone B	2 ha
Rural Living Zone C	5 ha
Rural Living Zone D	10 ha

The Zone Application Guidelines state that differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on:

- a) a reflection of the existing pattern and density of development within the rural living area; or*
- b) further strategic justification to support the chosen minimum lot sized consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.*

The Launceston municipality has seven existing areas that are covered by the Rural Living Zone. These areas are Relbia, Drivers Run, Abels Hill Road, St Leonards, Dilston, Windermere and Swan Bay. The approach taken was to review the existing Rural Living areas and recommend the appropriate category based on the existing character, land constraints and provision of services within the area.

Refer to [Appendix 4](#) for project report.

3.2.3. Expansion of the Urban Mixed Use Zone

A review of the existing extent of the Urban Mixed Use Zone which applies around the perimeter of the city was undertaken. Areas of mixed character which are flagged to be transitioned from Commercial uses to future city fringe mixed uses are recommended for Urban Mixed Use Zone. Areas of residential mixed character have been recommended for the Inner Residential Zone to protect residential amenity of single storey buildings, yet allowing a pathway for non-residential discretionary uses.

Refer to [Appendix 5](#) for project report.

3.2.4. Isolated Local Business Zoning Review

Launceston contains approximately 62 sites which could be described as 'isolated local business zonings'. That is one or two titles which are zoned Local Business and are surrounded by either General Residential or Inner Residential zoning. This is a historical reflection of land use and the old 'corner store'. A review was undertaken of individual sites, their land use, approvals history and recommendations made about whether they are to retain their Local Business zoning or will be zoned to match the surrounding residential zone. It is noted that in the SPPs General and Inner Residential Zones, that an expanded list of discretionary Business and Professional Services uses are permissible compared to the LIPS 2015. The General Retail and Hire use class is also classified as discretionary and unqualified in the Inner Residential Zone in the SPPs. Refer to [Appendix 6](#) for project report.

The report recommends that 28 properties be rezoned as follows:

ADDRESS	EXISTING ZONE	RECOMMENDED ZONE
21-23 Holbrook St, Invermay	Local Business	General Residential
257 Invermay Rd, Invermay	Local Business	Inner Residential
27 Bryan St, Invermay	Local Business	General Residential
29 Bryan St, Invermay	Local Business	General Residential
34 Mayne St, Invermay	Local Business	General Residential
61 Herbert St, Invermay	Local Business	General Residential
138 George Town Rd, Newnham	Local Business	General Residential
63 George Town Rd, Newnham	Local Business	General Residential
97 George Town Rd, Newnham	Local Business	General Residential
39 Campbell St, Newstead	Local Business	General Residential
42 Wentworth St, Newstead	Local Business	General Residential
8 Blenheim St, Norwood	Local Business	General Residential
196 Penquite Rd, Norwood	Local Business	General Residential
187 Wellington St, Launceston	Inner Residential	Local Business
19-21 Mitchell St, Mayfield	Local Business	General Residential
1 Mangin St & 14 Foch St, Mowbray	Local Business	General Residential
111 Vermont Road, Mowbray	Local Business	General Residential
11 George Town Rd, Newnham	Local Business	General Residential
8 Tasman Highway, Waverley	Local Business	General Residential
3 Brougham St, West Launceston	Inner Residential	Local Business
346 Upper York St, West Launceston	Local Business	General Residential
12 Alma St, Youngtown	Local Business	General Residential
2A Woolven St, Youngtown	Local Business	General Residential
437 Hobart Road, Youngtown	Local Business	General Residential
57 Punchbowl Road, Punchbowl	Local Business	General Residential
59 Punchbowl Road, Punchbowl	Local Business	General Residential
2 Dilston Road, Dilston	Local Business	Rural Living Zone A
725 John Lees Drive, Dilston	Rural Living	Local Business

3.2.5. Application of the Light and General Industrial Zones

SGS Economics & Planning was engaged to undertake an analysis of the existing spatial distribution of the General Industrial Zone under the LIPS 2015 and make recommendations regarding zoning for the draft LPS.

Refer to **Appendix 7** for project report, but in summary -

Compared to the LIPS 2015 General Industrial Zone, the SPPs General Industrial Zone has more permitted uses. Similarly, the SPPs Light Industrial Zone has more permitted or discretionary land uses when compared to the same zone in the LIPS. On balance, these use category changes appear relatively minor in nature. A 'neutral translation' of the existing LIPS zones to the new SPPs zones is unlikely to significantly increase the potential for land use conflicts with sensitive uses, due to the wider range of permissible land uses.

It is not uncommon in Launceston for potentially conflicting uses to be in close proximity to each other. Potential conflicts are managed in the LIPS via the 'emissions impacting sensitive uses' use standard, which has an acceptable solution of a 100 metre buffer to sensitive uses for both the General and Light industrial zones. The SPPs do not have this form of buffer control and, as a result, Council's ability to manage development on industrial land, near sensitive uses, will be reduced.

In the SPPs Light Industrial Zone, there are restrictions on operating hours, lighting and vehicle movements for land that is within 50 metres of General Residential, Inner Residential, or Rural Living zone boundaries. These provisions are intended to reduce any potential loss of amenity experienced by residents close to light industrial area. This provision applies to residential zoned areas that are adjacent to zone boundaries, and does not apply to sensitive use within industrial precincts, such 'legacy' residential uses. As a result, existing sensitive uses within industrial precincts will have reduced protection against nuisance from industrial activity.

The TPS features a longer list of specific uses with attenuation/buffer distance requirements when compared to the LIPS. These distances are typically larger than 100 metres. Due to these changes in the buffer distance requirements from the LIPS to the TPS:

- *For land uses listed in the table of Attention Distances in the TPS, required separation distance are typically the same or greater than those listed in the LIPS. This should reduce the potential for land use conflict between sensitive uses and new industrial uses.*
- *For any industrial land uses not listed in the table of Attention Distances:*
- *For development within General Industrial Zone Council will have limited ability to manage potential conflicts with sensitive uses.*
- *For development within the Light Industrial Zone Council will have limited ability to manage potential conflicts with sensitive uses. They will however have some ability to influence operating hours, lighting and vehicle movements in order to protect the amenity of adjoining areas zoned General Residential, Inner Residential, or Rural Living.*

Precinct	Existing zone	Recommendation (and alternatives)
Georgetown Road (1)	General Industrial	Change zoning of site adjacent Brooks High School and Aldersgate Village to Light Industrial (see map) to limit likelihood of higher impact industrial uses. Consider change of zone for area at the corner of Georgetown Road and Lilydale Road to commercial. This is a highly visible location and is also in close proximity to residential uses on Lilydale Road.
Lilydale Road (2)	General Industrial	Change zoning to Light Industrial zone.
Remount Road (3)	General Industrial	Change zoning of the site that is immediately adjacent housing on Trueman Crescent (see map) to Light Industrial to provide a buffer between the housing and General Industrial zoned land.
Invermay – Invermay Road North (4a)	Light Industrial	Apply TPS Light Industrial zoning.
Invermay – Churchill Park Drive (4b)	Light Industrial	Apply TPS Light Industrial zoning.
Inveresk (5)	General Industrial	Rezone entire precinct to Light Industrial zoning. Alternative: Change zoning of sites on the eastern edge of this precinct (see map) to light industrial to provide a buffer between the housing and General Industrial zoned land.
Dowling Street (6)	Light Industrial	Apply TPS Light Industrial zoning.
St Leonards Road (7)	Light Industrial	Apply TPS Light Industrial zoning.
South Launceston – Frankland Street (8a)	Light Industrial	Change zone to Commercial which in keeping with context and existing land uses. Precinct is subject to contamination and may not be suitable for sensitive uses.
South Launceston – Wilmot Street (8b)	General Industrial	Change zone to TPS Light Industrial or Commercial which is more compatible with adjoining land use patterns.
South Launceston – Glen Dhu Street (8c)	Light Industrial	Apply TPS Light Industrial zoning.
Oakden Road (9)	General Industrial	Change zone to Commercial, as per adjacent zoning and aligned with the current uses at the site, food retail.
Youngtown – 345 Hobart Road (10a)	General Industrial	Rezone to TPS Light Industrial zone (as adjoining site to the north).
Youngtown - Hobart Road south (10b)	General Industrial	Apply TPS General Industrial zoning.

(Source: SGS, 2018)

3.2.6. Translation of the Environmental Living Zone

Under the Interim Scheme, the Environmental Living Zone (ELZ) is used to provide for the management and protection of the natural and landscape values whilst allowing a permitted pathway for single dwellings.

The ELZ has not been carried over to the SPPs, however the most logical translation of this zone is the Landscape Conservation Zone (LCZ).

A key difference between the current ELZ and the LCZ is that a single dwelling will go from a permitted use class to a discretionary use class. The use of the ELZ in the interim schemes was not solely to provide for permitted residential use in these area, but in the absence of a zone that prioritised native vegetation and landscape values, the ELZ was the best fit.

Other than this change in use class, the majority of the uses and development/subdivision standards are similar with the same overall intent of minimising loss of natural and landscape values.

The LCZ has been applied to land currently zoned Environmental Living in LIPS 2015.

A new SAP is proposed to provide titles proposed to be zoned Landscape Conservation a permitted use pathway for single dwellings. Refer to section 5.2.3 of this report for further details on the Rural Conservation SAP.

Refer to **Appendix 8** for project report.

3.2.7. State Agricultural Land Mapping Project

Background

The draft LPS is required to zone rural land that is currently under the Rural Resource Zone (RRZ) into the Rural Zone or the Agricultural Zone.

The State Government commissioned a state-wide Agricultural Land Mapping Project (the Project) with the primary aim of identifying Tasmania's existing and potential agricultural land, and to provide guidance to local planning authorities on the spatial application of the Agriculture Zone within their municipal area.

The new Agriculture Zone is intended to provide a broader scope for the identification and protection of agricultural land in Tasmania, with priority given to agricultural uses.

The Rural Zone provides for the remaining rural land where there is limited or no potential for agriculture. The Rural Zone provides for all agricultural uses to occur in conjunction with a range of rural businesses and industries.

It should be noted that the Project excluded certain land uses such as forestry in their analysis, which was better suited to the Rural Zone as a strategically important naturally occurring resource.

Mapping

The Project produced two mapping layers that were made available on the LIST website, which included:

1. Potential Agricultural Land Initial Analysis (Layer 1)
2. Land Potentially Suitable For Agriculture (Layer 2)

Layer 2 included a constraints analysis and shows land that is:

- Unconstrained agricultural land
- Potentially Constrained agricultural land (Criteria 2A)
- Potentially Constrained agricultural land (Criteria 2B)
- Potentially Constrained (Criteria 3)

The constraints analysis is based on the table below:

<i>Unconstrained</i>	<i>Potentially Constrained (Criteria 2A)</i>	<i>Potentially Constrained (Criteria 2B)</i>	<i>Potentially Constrained (Criteria 3)</i>
<ul style="list-style-type: none"> - an area greater than the Criteria 1 size thresholds; or - an area less than the Criteria 1 thresholds, but adjoining another title with an area greater than the Criteria 1 size thresholds and a capital value of less than \$50,000/ha. 	<ul style="list-style-type: none"> - an area less than the Criteria 1 size thresholds; - a capital value of greater than \$50,000/ha; and - not adjoining a residential zone. 	<ul style="list-style-type: none"> - an area less than the Criteria 1 size thresholds; - a capital value of less than \$50,000/ha; - not adjoining a title with an area greater than the Criteria 1 size thresholds; and - not adjoining a residential zone. 	<ul style="list-style-type: none"> - an area less than the Criteria 1 size thresholds; - a capital value of less than \$50,000/ha, or not adjoining a title with an area greater than the Criteria 1 size thresholds; and - adjoining a residential zone.

Zone Application

The Guidelines required the application of the Agriculture Zone to be based on the land identified in Layer 2, but provides for any analysis at a local level that:

- incorporates more recent or detailed analysis or mapping;
- better aligns with on-ground features; or
- addresses any anomalies or inaccuracies in the layer.

In particular, Guideline AZ3 identifies that titles highlighted as Potentially Constrained Criteria 2A, 2B or 3 in Layer 2 may require further investigation as to their suitability in the Agriculture Zone. Guideline AZ 5 provides for titles to be split-zoned to align with areas potentially suitable for agriculture, and areas on the same title where agriculture is constrained. Guideline AZ 6 provides for alternative zoning of land identified in Layer 2 to be considered if further analysis is done and identifies the following:

- strategically important natural occurring resources;
- protection of significant natural values, such as priority vegetation areas;
- strategically important uses; and
- the land has limited or no potential for agricultural use.

The City of Launceston engaged AK Consultants to assist with the Rural Zone application. Refer to [Appendix 9](#) to this report for the analysis undertaken by AK Consultants which informs the application of the Agriculture and Rural Zones in the draft LPS.

Decision rules were developed for application of the Rural and Agriculture Zones to properties identified as 'constrained'. Properties identified as 'unconstrained' in the State Mapping have been translated into the Agriculture Zone.

27 areas were assessed -

No.	Area of Interest
1	Windermere
2	East Tamar Highway & Magazine Rd Junction
3	Norwood
4	Ravenswood

5	Newnham
6	Rocherlea
7	Pipers River Rd & Lilydale Rd Junction
8	Retreat
9	Underwood
10	Karoola/Lalla
11	Lilydale
12	Austin's Rd, Turners Marsh
13	St Leonards
14	Lone Star Rd
15	Golconda Rd & Denison Gorge Rd
16	Mountain Rd
17	Mt Arthur Rd
18	Myrtle Bank
19	Targa
20	Nunamara
21	Patersonia
22	Mt Barrow Rd
23	Camden Rd
24	Blessington
25	Relbia
26	Big Boomer
27	White Hills

3.2.8. Open Space & Environmental Management Zone Project

A review of the zoning which runs along the Tamar Estuary which are zoned a mixture of Open Space and Environmental Management. Of the 22 sites investigated, two sites are recommended to be rezoned.

Refer to [Appendix 10](#) for the project report.

4. CODES

Section LP1.7 of the LPS provides the requirements for how Code mapping should be applied in each municipal area with additional guidance from the Guidelines.

Section LP1.8 provides the requirements for where Code lists in Tables are to be populated.

The following Codes are not mentioned in the sections below, as they have no requirement for mapping or other input in the LPS:

- C1.0 Signs Code
- C5.0 Telecommunications Code

Mapping undertaken by the State Government will be translated into the Launceston draft LPS:

SPP Code	State Government Mapping Overlay (The LIST)
Landslip Hazard Code	Landslide Planning Map - Hazard Bands
Coastal Erosion Hazard Code	Coastal Erosion Hazard Bands
Coastal Inundation Hazard Code	Coastal Inundation Hazard Bands
Electricity Transmission Infrastructure Protection Code	Electricity Transmission Infrastructure Protection Code Overlay

4.1. C2.0 Parking and Sustainable Transport Code

4.1.1. Parking Precinct Plan

The Code allows for a parking precinct plan overlay which can be applied to land where the intention is to reduce the amount of parking. It can be applied to activity centres and activity sites. Launceston has an existing Parking Exemption Area around the CBD which will be translated across into the draft LPS as a parking precinct plan as identified below.



Figure 4 - Parking Precinct Plan

4.2. C3.0 Road and Railway Assets Code

Future Road or Railway

The Code allows for an overlay map to be provided over areas which are reserved for future major road or a future railway. The Launceston draft LPS does not include a Future Road or Railway overlay.

Road and Railway Attenuation

Each LPS may contain an overlay map showing a road or railway attenuation area for the application of the Road and Railway Assets Code. Guideline RRAC 1 states "a road or railway attenuation area overlay may be applied to provide appropriate buffers around existing major roads or railways or future major roads or railways as an alternative to the 50m attenuation area specified in the definition to take account of local circumstances" (emphasis added).

TasRail and the Department of State Growth (DSG) were contacted to provide feedback in relation to the attenuation areas for railway lines and State roads respectively. TasRail advised that they are happy to accept the 50m attenuation area. This applies to both the operational and non-operational rail lines noting that non-operational lines need to be managed in the same way as an operational rail line. DSG advised that their preferred position is that the attenuation area is applied based upon the land within 50m of the boundary of a major road with a speed limit above 60km/h, the rail network, a future major road or a future railway without the depiction of the attenuation area as an overlay layer for roads and railways.

As such, the road or railways attenuation area overlay map is not shown along the road and railway corridors as there is no desire to vary the 50m attenuation area.

4.3. C4.0 Electricity Transmission Infrastructure Protection Code

The Code provides for the protection of transmission infrastructure such as the transmission line that runs from the south of Prospect Vale to the east towards Youngtown, then kinks in a north eastern direction and extends through Nunamara to the municipal boundary with Dorset Council near Weelaty Road. The LPS includes a mapped overlay based on data supplied by TasNetworks as required by Guideline ETIPC 1. The overlay essentially provides a buffer area around transmission lines and substations and any use or development within that area must satisfy TasNetworks. This layer has been included in the draft LPS overlay maps.

4.4. C6.0 Local Historic Heritage Code

The Local Historic Heritage Code aims to recognise and protect the local historic heritage significance of local heritage places, heritage precincts, historic landscape precincts and places or precincts of archaeological potential, as well as significant trees, by regulating development that may impact on their values, features and characteristics.

4.4.1. Heritage Places and Precincts

The Local Historic Heritage Code does not apply to a registered place entered on the Tasmanian Heritage Register (THR). Some sites may have dual listings for mutually exclusive parts of the same lot or lots, therefore, the code does not apply to that part of the site listed on the THR.

Guidelines Note:

The inclusion of THR places in the LPS local heritage places list provides for the automatic application of the Local Historic Heritage Code to such places if they are de-listed from the THR in the future. The Local Historic Heritage Code will not apply to any THR places if they are included on the LPS code list while they remain listed on the THR.

The LIPS 2015 has an existing list of heritage places which includes both locally listed places and THR listed places. The PPU has identified that Table E13.1 of LIPS 2015 can be transitioned in accordance with the code-applying provisions that are subject to Schedule 6, Clause 8D(2) of LUPAA.

The draft LPS includes THR listed places in the local heritage places list (Table C6.1). Despite the duplication with the THR, this approach provides for a 'one-stop shop' for local and state heritage listings and provides clarity for planners and the public.

The current list of Local Heritage Places (iPlan list) includes 1582 titles. 1316 of these titles were also listed on the Tasmanian Heritage Register (THR) at the time of issue in 2012. Approximately 82 properties/titles have been added to the THR since the 2012 list and these have been picked up on the proposed list of Local Heritage Places List for the draft LPS.

Nominations from the Paul Davies 'Launceston Heritage Study' (2007) and the Miranda Morris 'Twentieth Century Architecture in Launceston' (1985) document which were part of Stage 1 of the Heritage List Review carried out by Gayle Plunkett, Architect, and her team are also to be added, along with additional nominations made by Ms Plunkett as part of this review.

Stage 1 included a review of existing and nominated heritage places located within 4 precincts proposed by the Launceston Heritage Study, all located in the central area of the city. Currently there are an additional 124 titles proposed as part of this process. These additional listings have not yet been confirmed, as they are awaiting consultation with owners and approval by Council, and therefore are indicated with the following notations on the map:

Launceston Heritage Study and Twentieth Century Architecture - Proposed Davies - PD = 92 titles

Heritage List Review - Stage 1 Precincts - Proposed Plunkett - PP = 32 titles

Other minor amendments to the Local Heritage Places List are proposed to correct known errors and make updates required to property addresses and title notations in order to improve the integrity of the list, as well as compatibility between the THR and the Local Heritage Places List table maintained by the City of Launceston.

Refer to [Appendix 11](#) for Local Heritage Places List and Datasheets.

The Cimitiere Street local heritage precinct will also be included in the draft LPS as a 'pilot' precinct. There are likely to be up to 30 small precincts which will be included in the Launceston LPS once approved as amendments over the next 5-10 years.

It is noted that the Local Heritage Landscape Precincts and Place or Precinct of Archaeological Potential or Significant Trees were not used in the draft LPS.

Refer to **Appendix 12** for Cimitiere Street Heritage Precinct.

4.5. C7.0 Natural Assets Code

The Natural Assets Code is comprised of two mapped overlays in the draft LPS:

- Waterway and Coastal Protection Area; and
- Priority Vegetation Area.

The LPS requirements at Section LP1.7.5 of the SPPs, specifies the requirements for the Natural Assets Code and each other respective overlays.

4.5.1. Waterway and Coastal Protection Area

The waterway and coastal protection overlay map is proposed to identify local site specific variation to the State mapping as permissible under Guideline NAC3 which states:

The waterway and coastal protection area overlay may include modifications to the areas depicted on the guidance map to:

(a) address any anomalies or inaccuracies in the guidance map;

(b) identify a larger area if demonstrated as necessary to protect identified natural assets associated with the waterway and coastal protection area;

(c) make any adjustments to align with the definition of 'waterway and coastal protection area' in the Natural Assets Code, such as removing piped watercourses or piped drainage lines;

(d) remove areas of existing development, particularly within urban areas; or

(e) to include Ramsar wetlands within the overlay area (emphasis added).

The purpose of the Natural Assets Code is to minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourse, wetlands and lakes. The spatial extent of Waterway and Coastal Protection Areas is defined in Table 1 of the proposed Code.

Any watercourse is deemed to be a Class 4 watercourse (with a 10m buffer from top of bank) within certain zones in SPPs. In some instances, a 10m buffer is insufficient to minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourse, wetlands and lakes. Council's environmental scientist undertook site specific analysis and in these instances, recommended a wider buffer area for the overlay map. Each variation from the widths

prescribed in Table 1 of the Natural Assets Code is presented in the table on the following page.

The buffers are based on a centreline from CFEV data, whereas the code specifies top of bank (or high water). The code specifies that the buffer width be based on the catchment area (or a named waterway), unless the waterway runs through certain zones, where it is narrowed to 10m.

FID *	Local Provision Schedule	Code Name	Overlay Name	Overlay Category	Comments	Waterway	Buffer distance (catchment calculation)	General comment
14	Launceston	Natural Assets Code	Waterway and Coastal Protection Area	Class 1	Large upstream catchment. 10m insufficient space to contain flow and maintain natural values.	Barnards Creek	40	Insufficient space for waterways with large upstream catchments will result in large volumes of water being forced through narrow spaces. This is likely to result in streambed and bank erosion. The flow-on effects of this are likely to require an engineering solution (channelising the waterway using mass blocks, concrete or piping etc.) to stabilise the banks. These solutions almost always have a negative impact on the natural values. 10m is too narrow a corridor to allow sufficient space for riparian vegetation. Riparian vegetation is important for maintaining aquatic ecosystem health by providing shade and cooling (warm water quickly becomes oxygen-depleted), sediment capture and bank stability. Braided swamps may contain a main channel but the waterways quickly widen out during rainfall events. The swamp forest on the Kings Meadows Rivulet tributary is a threatened vegetation community (<i>Melaleuca ericifolia</i> swamp forest) and is known to contain swamp-dependent species such as burrow crayfish (<i>Engaeus</i> spp.).
5158				Class 3	Large upstream catchment. 10m insufficient space to contain peak flows that are constrained by infrastructure on St Leonards Road		20	
5167				Class 3	Large upstream catchment. 10m insufficient space to contain peak flows that are constrained by infrastructure on St Leonards Road		20	
5221				Class 3	Important to retain sufficient width to buffer downstream impacts in Newnham Creek		20	
5482				Class 2	Swamp forest and braided creek on flood plain. 10m insufficient space for drainage requirements.		30	
5506				Class 2	Large upstream catchment. 10m insufficient space to contain peak flows that are constrained		30	

FID *	Local Provision Schedule	Code Name	Overlay Name	Overlay Category	Comments	Waterway	Buffer distance (catchment calculation)	General comment
					by infrastructure on St Leonards Road			
5710				Class 1	Large upstream catchment. 10m insufficient space to contain peak flows	Kings Meadows Rivulet	40	
5713			Class 1	Large upstream catchment. 10m insufficient space to contain peak flows	40			
5717			Class 1	Large upstream catchment. 10m insufficient space to contain peak flows	40			
5746				Class 2	Important to retain sufficient width to buffer downstream impacts in Newnham Creek		30	
6077				Other wetlands	Large upstream catchment, with wetland on floodplain. 10m is insufficient to contain peak flows and maintain natural values.		50	

4.5.2. Future Coastal Refugia Area

The Future Coastal Refugia Area overlay is applied to land identified for the protection of land for the landward retreat of coastal habitats, such as saltmarshes and tidal wetlands, which have been identified as at risk from predicted sea level rise.

A 'Future Coastal Refugia Area Guidance Map' (guidance map) has been prepared and published on the LIST to provide guidance for councils in preparing their Future Coastal Refugia Area overlay. The map provides guidance for mapping the Future Coastal Refugia Area overlay by identifying potential future coastal saltmarsh and tidal wetland areas based on the Department of Premier and Cabinet (DPAC) predicted sea level rise and 1% AEP storm surge height mapping for 2100, including areas with and without LiDAR coverage.

The guidance map categorises the land in accordance with the current interim planning schemes for the purposes of mapping the Future Coastal Refugia Area overlay. The Guidelines detail which zones are compatible, incompatible or need further consideration.

It is not mandatory to apply the Future Coastal Refugia Area layer in an LPS. In the absence of a site specific reporting to justify the application of the Future Coastal Refugia Area overlay, the layer will not be included in the draft LPS. It is acknowledged that the impacts on future coastal saltmarsh and tidal wetlands in light of predicted sea level rise is critically important and necessary, but a site specific analysis of the Launceston context is recommended to inform the application of the layer.

4.5.3. Priority Vegetation Area

Section LP1.7.5(c) of the SPPs requires that each LPS must contain an overlay map showing priority vegetation areas that:

- include threatened native vegetation communities as identified on TASVEG Version 3 published by DPIPW;E;
- be derived from threatened flora data from the Natural Values Atlas published by DPIPW;E;
- be derived from threatened fauna data from the Natural Values Atlas for the identification of significant habitat for threatened fauna species, published by DPIPW;E.

Section LP1.7.5(d) allows a planning authority to modify the priority vegetation area derived from the above listed datasets, if field verification, analysis or mapping undertaken at a local or regional level by the planning authority, or a suitably qualified person on behalf of the planning authority:

- finds any anomalies or inaccuracies in the State data,
- provides more recent or detailed local assessment of the mapping and data; or
- identifies native vegetation or habitat of local importance.

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The mapping prescribed in section LP1.7.5 of the SPP was of a high level and does not necessarily include vegetation and habitat of 'local importance', which may also contribute to the protection of the State's biodiversity.

To that end, the planning authorities across the Southern, Northern & North-West Regions engaged Rod Knight of Natural Resource Management Pty Ltd to undertake an analysis based on his 'Regional Ecosystem Model' (REM) and prepare the priority vegetation areas to be mapped as part of the LPSs. A detailed explanation of the REM and how it relates to the priority vegetation overlay is provided in [Appendix 13](#).

This approach provides for consistency across all municipal areas that is well-informed and directly comparable when assessing not only the LPSs, but also when assessing future development applications.

The REM is a complex layering of biodiversity values that refines the focus on areas of importance. In summary, the model:

- Integrates spatial data on the distribution of the major components of biodiversity, and the factors affecting them;
- Models key biodiversity attributes that derive from multiple inputs;
- Analyses the relationships among the components of biodiversity and the environment; and
- Spatially identifies areas which have immediate or potential conservation concerns, and provides indicators of their relative importance, to inform approaches and priorities for management.

The REM recognises that some biodiversity values are more important than others and assigns each Issue a 'level of concern' and a Biodiversity Management Priority. The more detailed information provided in the REM may provide planning authorities the ability to create internal policies about how each type of biodiversity value should be managed.

At the moment, there is some debate around whether the NAC provisions in the SPPs are fit for purpose and whether they should be amended. Furthermore, there are still issues with interrogating the REM data in the GIS layers. In this regard, the City of Launceston has engaged Insight GIS to prepare an online map which has site specific interrogation functionality for the NAC overlay. Meander Valley Council also utilised this online map for their LPS. An example of the template is provided at [Appendix 14](#).

Generally the priority vegetation mapping generated through the REM has been accepted for use in LPSs across the state, except for in the zones required by Guideline NAC 13. That is, the priority vegetation layer cannot apply to land zoned Agriculture.

What this means, is that there has been a state policy decision to prioritise the protection of agricultural land over natural assets, even where it may be possible for the two to co-exist. Because responsible land managers may welcome the knowledge that the priority vegetation area overlay provides and seek to maintain or enhance these areas, a reference map which shows the 'unclipped' extent of the REM has also been provided on the online map.

The Guidelines provide very little guidance where there are competing agricultural and priority vegetation values, particularly as the planning authority is relying on advice from agricultural and environmental consultants, who themselves have different priorities.

4.6. C8.0 Scenic Protection Code

The existing Scenic Management Area Code precincts of the LIPS were assessed in relation to the applicable zones and standards for the Scenic Protection Code in the SPPs. The boundaries of the scenic management areas were reviewed and refined based on the visibility of the area from major roads, public places and key viewpoints. Following this, draft descriptions and management objectives were produced.

When considering the scenic road corridors, it was determined that setbacks should be based on the centreline for the roads. This was due to the variation in title boundaries for the associated highways. Draft maps were produced, with overlays showing a setback at 120m and 500m.

During the final mapping of the area, consideration was given for the ease of boundary determination. Where it was considered possible, the scenic protection areas align with title boundaries to prevent confusion. However, due to the size of lots, particularly in the rural and agricultural zones, along with the discretionary pathway for any proposal for works greater than 500m², this was considered unnecessarily onerous where development would be in view from public places. Therefore boundaries for the areas were also considered in relation to zoning boundaries and contours.

Three Scenic Protection Area precincts and two Scenic Road Corridors have been recommended. Refer to [Appendix 15](#) for project report.

Where the Code cannot be applied, but where there are significant social benefits and expectations for a mechanism of protection, a Specific Area Plan has been recommended. Two SAPs have been recommended to address issues of visual amenity and landscape character - Western Hillside and Southern Gateway. Refer to section [5.2.3](#) of this report for further discussion in relation to the new SAPs.

4.7. C9.0 Attenuation Code

Clause LP1.7.7 of the SPPs allows each LPS contain an overlay map showing attenuation areas for the spatial application of the Attenuation Code.

The Attenuation Code provides for an attenuation area overlay to be applied around existing activities as a variation to the generic attenuation distances specified in the Tables. An attenuation area depicted by an overlay prevails over the generic attenuation distances specified in the Tables.

Engagement with TasWater was undertaken and it was agreed that their facilities would not be mapped in an overlay map and that the attenuation distances listed in the code will be sufficient. MRT on the other hand, preferred to have attenuation distances mapped on an overlay map.

Refer to [Appendix 16](#) for project report.

4.8. C10.0 Coastal Erosion Hazard Code

Clause LP1.7.8 of the SPPs requires the LPS to contain an overlay map produced by the Department of Premier and Cabinet, showing:

- (i) coastal erosion hazard areas; and*
- (ii) coastal erosion investigation areas,*

for the application of the Coastal Erosion Hazard Code.

Guideline CEHC1 requires the coastal erosion hazard area overlay to include the three coastal erosion hazard bands and the coastal erosion investigation area as depicted in the 'Coastal Erosion Hazard Area Bands 20161201' layer published on the LIST.

The coastal erosion hazard area overlay in the LPS has been included as an overlay and has not been modified from the layer published on the LIST.

4.9. C11.0 Coastal Inundation Hazard Code

Clause LP1.7.9 of the SPPs requires each LPS to contain an overlay map produced by the Department of Premier and Cabinet, showing:

- (i) coastal inundation hazard areas; and*
- (ii) coastal inundation investigation areas,*

for the application of the Coastal Inundation Hazard Code.

Guideline CIHC1 requires the coastal inundation hazard area overlay to include the three coastal inundation hazard bands and the coastal inundation investigation area as depicted in the 'Coastal Erosion Hazard Area Bands 20161201' layer published on the LIST.

The coastal inundation hazard area overlay in the LPS has been included as an overlay and has not been modified from the layer published on the LIST.

Guideline CIHC2 requires the LPS to include the AHD levels for the coastal inundation hazard bands and the defined flood level for the relevant localities as a list for the Coastal Inundation Hazard Code in accordance with the AHD levels published on the DPAC website. The AHD levels have been included in the Coastal Inundation Hazard Bands AHD Levels Table in the draft LPS without modification.

LAU-Table C11.1 Coastal Inundation Hazard Bands AHD Levels

Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined Flood Level (m AHD)
	Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100
Dilston	2.67	3.46	3.64	2.77
Invermay	3.22	3.68	3.65	4.23
Launceston	3.54	4.14	3.66	5.06
Mount Direction	1.94	3.62	3.60	2.13
Mowbray	2.73	3.71	3.73	3.61
Newnham	3.00	3.27	3.34	3.30
Newstead	3.42	3.63	3.74	5.47
Norwood	4.53	3.92	5.17	6.10
Ravenswood	2.33	4.00	3.73	5.46
Relbia	3.43	No Data	3.46	9.56
St Leonards	4.87	5.07	5.08	5.50
Swan Bay	1.88	3.94	3.75	No Data
Trevallyn	2.26	4.44	4.15	4.80
West Launceston	5.53	2.89	4.19	5.07
Windermere	2.98	3.68	3.62	No Data

4.10. C12.0 Flood-Prone Hazard Code

Clause LP1.7.10 requires the LPS to contain an overlay showing the areas for the application of the Flood-Prone Areas Hazard Code if a planning authority has flood-prone areas in the municipal area.

The current Flood Prone Area overlay in the LIPS 2015 is subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act. Notwithstanding, following the 2016 floods in Launceston, updated flood modelling was undertaken.

There are three current scenarios in Launceston in relation to flooding:

1. Flood prone land which is levee protected and subject to a Deed of Agreement which saw the implementation of the Invermay/Inveresk Flood Inundation Code in the interim scheme.
2. Flood prone land which is levee protected on the city side and is not subject to a flooding overlay.
3. Flood prone land which is levee protected at Newstead and is currently mapped as Flood Prone in the LIPS 2015.

In the Draft LPS, the position is to maintain the status quo pending the comprehensive work program which is underway to investigate the development of a Levee Protected Areas Specific Area Plan which will be underpinned by a best practice land use planning framework for levee protected areas. Once completed, a new specific area plan which will be recommended to be included in the LPS via a planning scheme amendment under LUPAA.

It is noted that in clause C12.2 of the Code, it is stated that it does not apply to land subject to the Coastal Inundation Hazard Code. As such, the Coastal Inundation Hazard overlay has been 'clipped' around the spatial application of the Flood Prone Areas overlay.

4.11. C13.0 Bushfire-Prone Areas Code

A planning scheme amendment was initiated to the LIPS 2015 in December 2018 and came into effect on 13 August 2019.

The decision and approved amendment issued by the TPC is provided at [Appendix 17](#).

4.12. C14.0 Potentially Contaminated Land Code

The Potentially Contaminated Land Code provides identification of potentially contaminated land via a potentially contaminated land overlay. The Code Application clauses at C14.2 provide alternative ways of identifying potentially contaminated land, which is what Council will rely on to "call in" land that is not within the absence of an overlay.

Council currently has a database compiled in 1996 of potentially contaminated sites within the municipality. At this time, a statutory overlay will not be included in the LPS until a review and update of the existing database has been undertaken.

4.13. C15.0 Landslip Hazard Code

Clause LP1.7.12 of the SPPs requires the LPS to contain an overlay map produced by the Department of Premier and Cabinet, showing landslip hazard areas for the application of the Landslip Hazard Code.

Guideline LHC1 requires the landslip hazard area overlay must include the four landslip hazard bands as depicted in the 'Landslide Planning Map – Hazard Bands 20131022' layer published on the LIST, unless modified.

The coastal erosion hazard area overlay in the LPS has been included as an overlay and has not been modified from the layer published on the LIST.

4.14. C16.0 Safeguarding of Airports Code

There is an Obstacle Limitation Surface (OLS) overlay which is applicable under the Airports Impact Management Code in the LIPS 2015. However, the application of the OLS is significantly different in the SPPs and therefore a new overlay layer was created which identifies the OLS identifying metres above ground level in AHD as required in the Guidelines. This layer has been provided to Northern Midlands Council for consistency. The layer was also provided to Meander Valley Council, but they had already lodged their LPS with the TPC absent an OLS layer.

The layer has been created based upon modelling details provided by the Launceston Airport.

5. LOCAL OVERRIDING PROVISIONS

LUPAA requires that any PPZ, SAP or SSQ that applied to a planning scheme immediately before the commencement date of 17 December 2015 (when the Act was amended to provide for the TPS) must be included in the LPS [Schedule 6, clause (8)(1)]. Section 32(4) of LUPAA does not apply to these PPZs, SAPs and SSQs.

The Minister can declare that a SAP, PPZ or SSQ is not subject to this requirement after consultation with the TPC. The effect of doing so provides that the SAP, PPZ or SSQ is not automatically contained in the LPS.

To assist councils in the preparation their LPSs, and in anticipation of the Minister releasing an appropriate advisory statement, the Department of Justice's Planning Policy Unit (PPU) completed an audit of LIPS 2015 local overriding provisions. The PPU audit forms the basis of the transitional arrangements (or otherwise) discussed below.

In circumstances where a PPZ, SAP or SSQ did not apply in a planning scheme prior to 17 December 2015, or alternatively a planning authority proposes the inclusion of a new PPZ, SAP or SSQ they may be included provided they are capable of meeting section 32(4) of LUPAA.

Section 32(4) of LUPAA sets out the tests for the inclusion of a new particular purpose zone, specific area plan or site-specific qualification as follows:

- (4) An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –*
 - (a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area;*
or
 - (b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

This can be referred to as 'the significant benefit test'.

5.1. Particular Purpose Zones

Guideline No.1 describes that a PPZ may be applied where the intended planning outcomes cannot be achieved through one or more SPP zones.

The SPPs outline the content requirements for any PPZs at LP1.4. All transitioning, post 17 December 2015, meet these requirements.

The draft LPS contains nine transitioning PPZs.

5.1.1. Transitioning PPZs

Provision	Application
32.0 Particular Purpose Zone 1 – Techno Park	LAU-P1.0 Particular Purpose Zone – Techno Park
33.0 Particular Purpose Zone 2 – Coats Patons Complex	LAU-P2.0 Particular Purpose Zone – Coats Patons Complex
34.0 Particular Purpose Zone 3 – Seaport	LAU-P3.0 Particular Purpose Zone – Seaport
35.0 Particular Purpose Zone 4 – Inveresk Site	LAU-P4.0 Particular Purpose Zone – Inveresk Site
36.0 Particular Purpose Zone 5 – University of Tasmania, Newnham Campus	LAU-P5.0 Particular Purpose Zone – University of Tasmania, Newnham Campus
37.0 Particular Purpose Zone 6 – Prospect Business Precinct	LAU-P6.0 Particular Purpose Zone – Prospect Business Precinct
38.0 Particular Purpose Zone 7 – Boags Brewery	LAU-P7.0 Particular Purpose Zone – Boags Brewery
39.0 Particular Purpose Zone 8 – Franklin Village	LAU-P8.0 Particular Purpose Zone – Franklin Village
40.0 Particular Purpose Zone 9 – North Bank Silos	LAU-P9.0 Particular Purpose Zone – North Bank Silos

The transitioning PPZs have been modified to the extent necessary ensure consistency with the prescribed SPP format and drafting instructions. Refer to [Appendix 18](#) for Transitioning PPZs and [Appendix 19](#) for the Table of Permitted Alterations.

5.2. Specific Area Plans

The SPPs outline the content requirements for any SAPs at LP1.5. All transitioning and new SAPs meet these requirements.

The draft LPS contains 16 SAPs. These SAPs comprise of the conversion of nine existing SAPs into LPS SAPs, the transitioning of three Codes in the LIPS 2015 into SAPs and four new SAPs.

5.2.1. Transitioning Codes into SAPs

The PPU audit identified the following existing SAPs to be transitioned under Schedule 6 of LUPAA:

Provision	Application
E16.0 Invermay/Inveresk Flood Inundation Area Code	LAU-S10.0 Invermay/Inveresk Flood Inundation Specific Area Plan
E17.0 Cataract Gorge Management Area Code	LAU-S11.0 Cataract Gorge Management Specific Area Plan
E19.0 Development Plan Code	LAU-S12.0 Development Potential Specific Area Plan

The transitioning SAPs have been modified to the extent necessary ensure consistency with the prescribed SPP format and drafting instructions. Refer to [Appendix 20](#) for Transitioning SAPs (including the three translated codes) and [Appendix 19](#) for the Table of Permitted Alterations.

5.2.2. New SAPs

In addition to the transitioning SAPs the LPS includes the following new SAPs:

- S13.0 Western Hillside
- S14.0 Southern Gateway
- S15.0 Central Area
- S16.0 Rural Conservation

Put simply, the inclusion of additional SAPs in the draft LPS has resulted from:

- The inability of the Scenic Protection Code to apply to General Residential or Low Density Residential zoned land;
- The desire to manage development of existing and new buildings in the Central Area of Launceston through precincts;
- To allow for a permitted pathway for dwellings on land zoned Landscape Conservation in the rural area.

5.2.3. Western Hillside SAP

The Scenic Management Area Code of the LIPS 2015 currently applies to all zones and was a translation from the Launceston Planning Scheme 1996. The opportunity to review the spatial application of the Scenic Management Area Code in association with the Guidelines which prohibit application of the Scenic Protection Code in the SPPs to the General Residential and Low Density Residential Zones has seen the development of the Western Hillside SAP.

Spatial analysis has identified a large number of critical scenic areas within Launceston that will be excluded from protection under the proposed Scenic Protection Code in the SPPs. The SAP covers approximately 157ha, and extends approximately 2.2km from the north to the south (see below). The area has a varied topographical range from approximately 26m AHD at the eastern end of Heather Street to approximately 202m AHD to the southwest of Juliana Street. The skyline is predominately situated between 170m and 180m AHD to the north and south of the highest point of the hillside.



Figure 5 - Map of proposed Western Hillside SAP

The ridgeline of West Launceston are characterised by residential development of mixed character. Development is set amongst a vegetated setting and interspersed with bands of

vegetation and a treed skyline. These areas are heavily vegetated with mature native trees, particularly within the steeper sections and less developed areas. They are a dominant presence in the landscape and form the principal south-western backdrop of Launceston and Kings Meadows. The south-west area is predominately zoned Low Density and comprises a large number of lots that have the capacity to be subdivided. Other areas are fully developed with a mixture of single and multiple dwellings interspersed with large mature native tree species.

For assessment against section 32(4) of LUPAA, refer to [Appendix 21](#) for the project report and [Appendix 22](#) for Western Hillside SAP.

5.2.4. Southern Gateway SAP

The Scenic Management Area Code of the LIPS 2015 currently applies to all zones and was a translation from the Launceston Planning Scheme 1996. The opportunity to review the spatial application of the Scenic Management Area Code in association with the Guidelines which prohibit application of the Scenic Protection Code in the SPPs to the General Residential and Low Density Residential Zones has seen the development of the Southern Gateway SAP.

The Southern Gateway SAP varies from 150m wide to 500m wide, and covers approximately 246ha (see below). The northern section involves the residential development and steep slopes framing the final descent into the city. The Bass and Midland Highways frame the Kate Reed Reserve, with bands of native vegetation and steep slopes dominating the western sides. To the east of the Midland Highway, the SAP covers the mature trees screening a multitude of developments, including residential, commercial and industrial uses. The southernmost edges of the SAP cover the trees defining the edges of large rural properties.



Figure 6 - Map of proposed Southern Gateway SAP

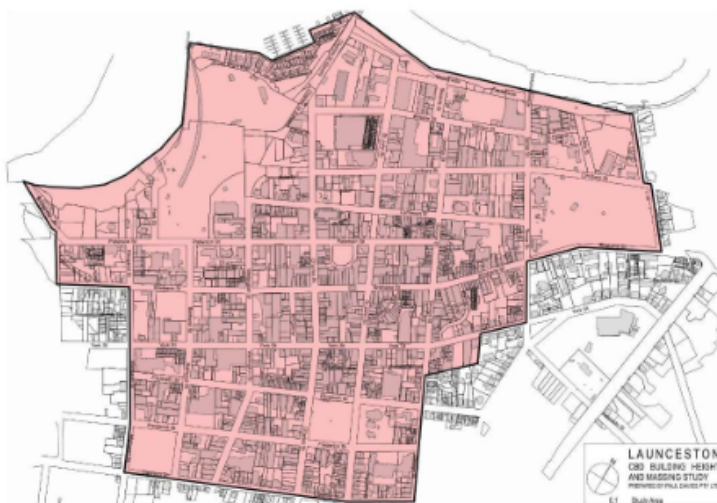
A secondary extension covers approximately 50m from the centre line on either side of the Kings Meadows Link. It covers the landscape buffer for the industrial uses to the north and the mature trees screening the potential residential development land to the south.

For assessment against section 32(4) of LUPAA, refer to [Appendix 23](#) for the project report and [Appendix 24](#) for the Southern Gateway SAP.

5.2.5. Central Area SAP

A SAP has been recommended over the Central Business Zone in the Launceston CBD. The intent is to ensure the existing height controls for the Central Business Zone are maintained in accordance with the decision of Council in relation to the Building Heights and Massing item which was heard on 30 May 2019. At that council meeting, an acceptable solution of 14.5m in the Central Business Zone was agreed.

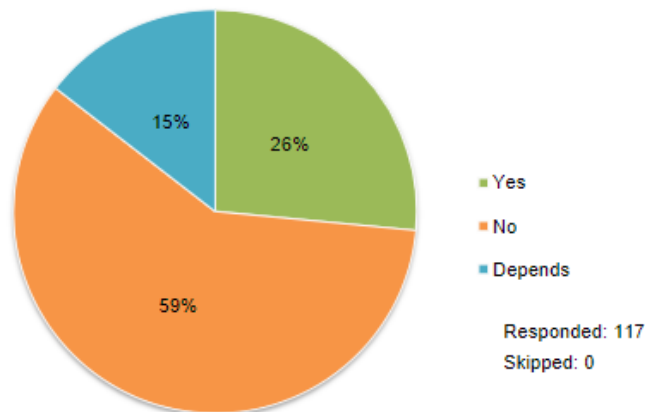
The Central Business Zone of the SPPs stipulates a 20m acceptable solution which is in direct opposition to the council decision. In the absence of approved Building Height and Massing Guidelines and detailed SAP which are being developed, but which have not made the timeline for lodgement of the draft LPS, a SAP which proposes the status quo for the Central Business Zone has been recommended given the significant community and council interest in this issue. Once drafted, the Guidelines and proposed SAP will be consulted as agreed by the Council in their meeting (refer to Appendix 25 for council agenda and minutes).



A comprehensive consultation process was undertaken for a period of 6 weeks in mid-2018. There were several points that were highlighted and reiterated during the consultations, namely:

- The need to retain the unique character of Launceston;
- The desire for design excellence in building proposals;
- The value of heritage buildings within the CBD;
- The desire for an absolute building height to provide certainty; and
- The concern about development that is out of character with existing context.

In survey responses whereby 117 surveys were returned, the following chart represents the answers to the question "Do you support taller buildings in Launceston?"



Over half of the respondents (69) did not support taller buildings in Launceston. Of the 15% (17 respondents) that stated that it depended on additional factors, half referred to the surrounding site context. Compatibility of the proposal with neighbouring properties and the apparent scale of the building were also considered important factors. The majority of respondents also indicated that their preferred maximum building height was between 10m and 15m (17 respondents).

What this illustrates is that the community of Launceston is supportive of the work being undertaken through the Building Height and Massing Study and that an acceptable solution building height of 20m in the Central Business Zone in the SPPs would be contrary to the majority position of the community in wanting to maintain a lower building height in the central area. This community position has informed the decision to include a Central Area SAP in the draft LPS to maintain the current situation for building height in the Central Business Zone to modify A1/P1 and be considered in substitution for A2/P2 of clause 16.4.1 of the Central Business Zone. The responses received during the consultation process as well as the decisions of the Council to date allow the 'significant social benefit' test to be met under section 32(4) of LUPAA.

For context, the Launceston CBD Building Height and Massing Study reports are attached as [Appendix 25\(a\)-\(f\)](#) to this report. Refer to [Appendix 26](#) for Central Area SAP.

5.2.6. Rural Conservation SAP

This SAP has been introduced for isolated properties zoned Landscape Conservation in the rural estate. It allows a permitted pathway for single dwellings, something which is currently provided through the Environmental Living Zone.

In order for the SAP to be included in the LPS it must be demonstrated that it will provide a significant social, economic or environmental benefit. There are many ways in which social benefit can be demonstrated, but the simplest form is through strong community support.

The general consensus from the community who contacted officers in response to letters sent to landowners who were proposed to have a zone change from Environmental Living to

Landscape Conservation with the proposed Rural Conservation SAP was supportive as the zoning reflects the conservation covenants which exist on the titles, however the Rural Conservation SAP allows for the benefit to the community of being able to achieve a permitted use for the development of a single dwelling where environmental values are not compromised. This benefit to the community and the environment of this approach is that land can be developed with a single dwelling in a location on the site which does not compromise the environmental values of the site, but also that allows potential purchasers the ability to seek finance and approvals through the permitted use status on the land.

Refer to [Appendix 8](#) for the project report and [Appendix 27](#) for the Rural Conservation SAP.

5.3. Site Specific Qualifications (SSQs)

5.3.1. Transitioning SSQs

The SSQs contained in the LIPS 2015 which can be transitioned to the draft LPS are as follows:

Reference Number	Site Reference	Folio of the Register	Description	Relevant Clause in SPPs
LAU-8.2	40 Ann Street, Launceston	131354/1	An additional Discretionary Use Class for this site to allow for: Business and Professional Services	General Residential Zone - 8.2 Use Table
LAU-18.2	6-8, 7, 9 12, 13, 14, 15, 17 and 19 Goodman Court, Invermay	Sealed Plan 148413	An additional Discretionary Use Class for this site to allow for: Business and Professional Services	Light Industrial Zone - 18.2 Use Table
LAU-18.2	18 Connector Park Drive, Kings Meadows	154489/23	An additional Discretionary Use Class for these sites to allow for: Educational and Occasional Care with the qualification "if for Trade, Employment or Transport Related Training and Licensing"	Light Industrial Zone - 18.2 Use Table

5.3.2. Non-transitioning SSQs

Two SSQs from LIPS 2015 are not being transitioned because the uses are provided for in the Use Tables of the Commercial Zone in the SPPs. These include:

Address	Launceston Interim Planning Scheme 2015	State Planning Provisions
6-16 Fawkner Avenue, Kings Meadows	Provided an additional Discretionary Use Class for this site to allow for Resource Processing "if for Milk and Egg Processing" in the Commercial Zone.	Resource Processing "if for food and beverage production" is a discretionary use in the Commercial Zone.
6/31A Churchill Park Drive, Invermay	Provided an additional Discretionary Use Class for this site to allow for Resource Processing "if for Coffee Processing" in the Commercial Zone.	Resource Processing "if for food and beverage production" is a discretionary use in the Commercial Zone.

5.3.2.1 Resource Development (if for controlled environment agriculture) in Industrial Zones

An existing planning scheme text amendment which was approved to the LIPS 2015 cannot be transitioned. That is, the Resource Development (if for controlled environment agriculture (crop raising) and in existing buildings as at 29 March 2018) use class has a permitted status in the Light and General Industrial Zones of the LIPS 2015. Advice has been received that this amendment will not be transitioned and an argument under section 32(4) of LUPAA must be put forward in support of it as a site specific qualification in the draft LPS.

The cultivation of a plant in an indoor and controlled environment is best defined as Resource Development in Table 6.2 of the SPPs as follows -

use of land for propagating, cultivating or harvesting plants or for keeping and breeding of livestock or fishstock. If the land is so used, the use may include the handling, packing or storing of produce for dispatch to processors. Examples include agricultural use, aquaculture, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry, forest operations, turf growing and marine farming shore facility.

Controlled environmental agriculture is separately defined in Table 3.1 of the SPPs as -

Controlled environmental agriculture means an agricultural use carried out within some form of built structure, whether temporary or permanent, which mitigates the effect of the natural environment and climate. Such agricultural uses include production techniques that may or may not use imported growth medium such as greenhouses, polythene covered structures, and hydroponic facilities.

The SPPs allow for the Resource Development use class, if for controlled environment agriculture, in the Rural Zone as a No Permit Required use and in the Agriculture Zone as No Permit Required or Discretionary dependent on whether the land is prime agricultural land. It is also allowable in the Rural Living Zone as a discretionary use. The use is currently prohibited in every other zone.

This can be challenging for processes that do not require soil as a growth medium and/or use a hydroponic method for growing plants, herbs or vegetables. In some circumstances, this type of use is more appropriate in an urban location where it is closer to city conveniences and monitoring. This is especially apparent with the legalisation of medicinal cannabis. The Office of Drug Control requires strict security arrangements for sites which will be used to cultivate and/or manufacture cannabis. These requirements mean that locations which are closer to the city are more favourable to those in a rural area.

The solution to this problem was to initiate a text amendment to the Launceston Interim Planning Scheme 2015 to allow Resource Development (if for controlled environmental agriculture) as a permitted use in the Light Industrial and General Industrial Zones. This amendment was subsequently approved by the Tasmanian Planning Commission following a hearing on 29 March 2018.

The amendment does not substantially alter the functionality of the SPPs apart from the insertion of an additional use class which is currently prohibited in the Light and General Industrial Zones. The use is considered to be compatible with the anticipated impacts of other permitted uses in the two zones and aligns with the zone purpose statements in SPPs as follows -

The purpose of the Light Industrial Zone is:

18.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off site impacts are minimal or can be managed to minimise conflict with, or unreasonable loss of amenity to, any other uses.

18.1.2 To provide for use or development that supports and does not adversely impact on industrial activity.

The purpose of the General Industrial Zone is:

19.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on adjacent uses.

19.1.2 To provide for use or development that supports and does not adversely impact on industrial activity.

The purpose statements of the zones allow for the processing of goods as well as accommodating uses that support and do not adversely impact on industrial activity. The growing and processing of hydroponic plants indoors aligns with the purpose statements of the zones.

Controlled environmental agriculture is a technology-based approach towards food production whereby optimal growing conditions can be controlled year round without seasonal influences. The impacts of the uses are arguably lesser than other permitted uses in the Light and General Industrial Zones such as Service Industry, Transport Depot and Distribution and Equipment and Machinery Sales and Hire. The anticipated impacts from a

controlled environmental agricultural use compared to other permitted uses in the industrial zones is considered to be reasonable in most circumstances. That is, there will be no external storage of goods or materials and minimal emissions which may impact nearby sensitive uses.

The longevity of the amendment was questioned at the hearing into the draft amendment and it was suggested by officers that if the amendment was approved it would allow the City of Launceston the policy position to seek a site specific qualification to the draft LPS.

Consideration against Section 32(4) of LUPAA

The proposed SSQ in the draft LPS would apply to the entire zone extent of the Light and General Industrial Zones in Launceston. The 'significant benefit test' in section 32(4)(a) of LUPAA states that a significant social, economic or environmental benefit must be demonstrated to support an SSQ (or other local overriding provision) in an LPS. As detailed above, the type of use and development that this SSQ will provide for is an emerging industry which has not only economic benefit, but also environmental and social benefit. It is recommended that an amendment to the SPPs be made to accommodate such a use to occur in non-rural/agricultural areas, but at a minimum, a SSQ should be approved for Launceston given the expressed interest in this emerging industry. Since the planning scheme text amendment was approved in 2018, the City of Launceston has issued two planning permits for controlled environment agriculture uses in the Light Industrial Zone. The industry allows for an innovative way of growing food indoors which is not impacted by natural weather events and in a location that does not rely on soil as a growth medium.

The proposed amendment is not expected to adversely impact the region from an environmental, economic or social perspective on the following basis:

- the environmental impacts of the proposed amendment are considered to be limited given that the use will be undertaken in a building or enclosed structure with almost no emissions;
- the proposed amendment will not have a significant impact on the Launceston Central Business District or Activity Centre Hierarchy;
- the proposed amendment is not likely to create any adverse impacts on adjoining residential areas. The use with almost no emissions is arguably lesser in impact to various other permitted uses in the Light or General Industrial Zones. Notwithstanding, the Light Industrial Zone includes a use standard relating to amenity of nearby sensitive uses.

The introduction of an SSQ is recommended in the draft LPS based on the following:

- Land use conflicts will be minimal as it is considered that the controlled environmental agriculture use would still be subject to the use standards which deal with proximity to sensitive uses;
- The locations of the majority of land zoned industrial, often on the urban periphery, would be suitable for a controlled environmental agriculture use;
- Controlled environmental agriculture is a technology based approach towards food production whereby optimal growing conditions can be controlled year round without seasonal influences. The impacts of the use are arguably lesser than other permitted uses in the Light and General Industrial Zones such as Service Industry, Transport Depot and Distribution, Equipment and Machinery Sales and Hire;

- The Northern Tasmania Industrial Land Study (the study) prepared by SGS Economics & Planning was prepared for Northern Tasmanian Development in August 2014. It is acknowledged in the study that there is an oversupply of industrial land in the region for the next 15 years of between 167 and 205 hectares and that an oversupply may undermine the feasibility of redevelopment projects of underused and derelict sites. Based on the study figures in 2014, the combined area of vacant industrial land in the Launceston municipality is approximately 52 hectares. It is noted that this does not take into account untenanted/vacant industrial buildings. The interest received to date has been for the use of existing vacant industrial buildings which supports the claim that this SSQ allows for the investment and operation of an innovative industry which will not adversely impact on the industrial land supply in the region or distort the regional activity centre hierarchy.

Recommendation

Advice has been received that the TPC Delegates Panel has considered the approach of seeking to have an SSQ to allow this use in the Light and General Industrial Zones of the Draft Launceston LPS, and does not consider that it meets the requirements under LUPAA. On the basis, it is recommended that the SPPs be amended to include an additional permitted use in Use Tables 18.2 and 19.2 of the Light and General Industrial Zones respectively.

A separate report will be prepared under Section 35G of LUPAA to request that the SPPs be amended to include Resource Development (if for controlled environment agriculture) in the Light and General Industrial Zones across the state for the reasons identified above.

The SSQs have been included as [Appendix 28](#).

6. APPENDICES

- Appendix 1 **Summary of key changes**
- Appendix 2 **Residential Zones Project Report**
- Appendix 3 **Low Density Residential Project Report**
- Appendix 4 **Rural Living Zones Project Report**
- Appendix 5 **Urban Mixed Use Zone Project Report**
- Appendix 6 **Spot Local Business Zones Project Report**
- Appendix 7 **Industrial Land Zoning Advice**
- Appendix 8 **Environmental Living Zone Project Report**
- Appendix 9 **Rural & Agriculture Mapping Project Report**
- Appendix 10 **Open Space & Environmental Management Zone Project Report**
- Appendix 11 **Local Heritage Places List and Report**
- Appendix 12 **Cimitiere Street Heritage Precinct**
- Appendix 13 **Regional Ecosystem Model - Natural Assets Code Report**
- Appendix 14 **Priority Vegetation Area Planning Report Example Template**
- Appendix 15 **Scenic Protection Report**
- Appendix 16 **Attenuation Areas and Buffers Project Report**
- Appendix 17 **Bushfire Prone Areas Mapping - Decision and Approved Amendment**
- Appendix 18 **Transitioning PPZs**
- Appendix 19 **Table of Permitted Alterations**
- Appendix 20 **Transitioning SAPs**
- Appendix 21 **Western Hillside Specific Area Plan Project Report**
- Appendix 22 **Western Hillside SAP**
- Appendix 23 **Southern Gateway Specific Area Plan Project Report**
- Appendix 24 **Southern Gateway SAP**
- Appendix 25 **Launceston CBD Building Height & Massing Study reports**

Appendix 26	Central Area SAP
Appendix 27	Rural Conservation SAP
Appendix 28	Site Specific Qualifications