

Launceston Interim Planning Scheme 2015

AMENDMENT 37

Insert the following use class and qualification in Table 24.2 of the Light Industrial Zone of the Launceston Interim Planning Scheme 2015 -

Permitted	
Use Class	Qualification
Resource development	If for controlled environmental agriculture (crop raising)

Insert the following use class and qualification in Table 25.2 of the General Industrial Zone of the Launceston Interim Planning Scheme 2015 -


Permitted	
Use Class	Qualification
Resource development	If for controlled environmental agriculture (crop raising)

Insert the following sub-use class and parking requirements for car and bicycle in the Parking and Sustainable Transport Code of the Launceston Interim Planning Scheme 2015 -

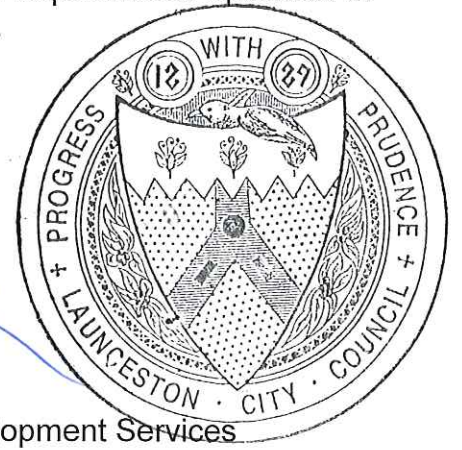
Use	Parking Requirement	
	Car	Bicycle
Resource development:		
Controlled environmental agriculture	1 space per employee	No requirement

The City of Launceston resolved at its meeting on 21 August 2017 that Amendment 37 to the Launceston Interim Planning Scheme 2015 meets the requirements specified in Section 32 of the Land Use Planning and Approvals Act 1993.

THE COMMON SEAL of the City of Launceston is affixed, pursuant to the Council's resolution on 21 August 2017 in the presence of:-


 Michael Tidey
 Acting General Manager
 City of Launceston


 Leanne Hurst
 Director Development Services
 City of Launceston



8.8 Amendment 37 - Text Amendment to Include Resource Development (if for Controlled Environmental Agriculture) as a Permitted Use in the Light and General Industrial Zones with Associated Amendments to the Parking and Sustainable Transport Code

FILE NO: SF6607

AUTHOR: Claire Fawdry (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To decide whether to determine to initiate Amendment 37 to:

1. Insert the Resource Development use class (if for controlled environmental agriculture (crop raising)) as a permitted use in the Light and General Industrial Zones; and
2. Insert Controlled Environmental Agriculture as a sub-use class under Resource Development in Table E6.1 of the Parking and Sustainable Transport Code with the requirement for 1 car parking space per employee.

PREVIOUS COUNCIL CONSIDERATION:

The draft amendment was previously considered by the Council at its meeting on 26 June 2017.

RECOMMENDATION:

That Council:

1. Pursuant to the former section 34(1)(b) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 37 to the Launceston Interim Planning Scheme 2015 to insert the Resource Development use class (if for controlled environmental agriculture (crop raising)) as a permitted use in Table 24.2 of the Light Industrial Zone and Table 25.2 of the General Industrial Zone of the Launceston Interim Planning Scheme 2015; and
 2. Pursuant to the former section 34(1)(b) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 37 to the Launceston Interim Planning Scheme 2015 to insert Controlled Environmental Agriculture as a sub-use class under Resource Development in Table E6.1 of the Parking and Sustainable Transport Code with the text requirement for 1 car parking space per employee and no requirement for bicycle parking; and
 3. Pursuant to the former section 35 of the *Land Use Planning and Approvals Act 1993*, certify the draft amendment as shown in Attachment 1; and
 4. In accordance with the former section 38(1)(a) of the *Land Use Planning and Approvals Act 1993*, determine the period for public exhibition to be 28 days.
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8.8 Amendment 37 - Text Amendment to Include Resource Development (if for Controlled Environmental Agriculture) as a Permitted Use in the Light and General Industrial Zones with Associated Amendments to the Parking and Sustainable Transport Code...(Cont'd)

REPORT:

This proposed amendment has returned to Council for consideration as the incorrect section of the *Land Use Planning and Approvals Act 1993* was referred to in the original recommendation which was before Council on 26 June 2017. That is, a draft amendment which has been instigated internally and not in response to a request made to Council, is made under Section 34(1)(b) of the Act. The original recommendation referred to Section 33(3) of the Act which deals with requests to a Council to amend its planning scheme.

A further clarification has also been added to the description of the amendment to specify 'crop raising'.

Aldermen are advised that under Schedule 6 - Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015* - Parts 2A and 3 of the *former provisions* remain in force until a Local Planning Schedule comes into effect for the municipal area and this application assessment and recommendation has therefore been made under those transitional provisions.

1. Introduction

The Planning Department, on behalf of the City of Launceston, has decided to initiate a planning scheme text amendment to the Launceston Interim Planning Scheme 2015 to allow for Resource Development (if for controlled environmental agriculture (crop raising)) as a permitted use class in the two industrial zones of the Launceston Interim Planning Scheme 2015. A text amendment to the Parking and Sustainable Transport Code is also proposed to remove the automatic discretion triggered by the absence of parking requirements in Table E6.1.

2. Background

All use and development is controlled by the Launceston Interim Planning Scheme 2015 (the planning scheme), and all development must be assigned a use class as defined in the planning scheme. The cultivation of a plant in an indoor and controlled environment is best defined as Resource Development in Table 8.2 of the planning scheme 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, bee keeping, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry and turf growing.*

Controlled environmental agriculture is defined in Clause 4.1 as -

Controlled environmental agriculture means an agricultural use carried out within some form of built structure, whether temporary or permanent, which mitigates the

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effect of the natural environment and climate. Such agricultural uses include production techniques that may or may not use imported growth medium. Examples include greenhouses, polythene covered structures, and hydroponic facilities.

Crop raising is defined in Clause 4.1 as -
means use of land to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds and vegetables.

The planning scheme allows for the Resource Development use class, if for controlled environmental agriculture, in the Rural Resource Zone as a permitted use on the basis that it is not on prime agricultural land, otherwise it is discretionary. 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 difficult 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 recent 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 favourable to those in a rural area. The properties which would appear to be most suitable are zoned commercial or industrial whereby the Resource Development (controlled environmental agriculture) use class is currently prohibited by the planning scheme. It is noted that Resource Development (if for controlled environmental agriculture) is also prohibited in commercial and industrial zones in the recently approved State Planning Provisions which will form part of the future Tasmanian Planning Scheme.

The proposed solution is to initiate a text amendment to the Launceston Interim Planning Scheme 2015 to allow Resource Development (if for controlled environmental agriculture (crop raising)) as a permitted use in the Light Industrial and General Industrial Zones. Although there may be some sites in the Commercial Zone which may be suitable for controlled environmental agriculture uses, the Commercial Zone has not been included in the proposed amendment to the industrial zones on the basis that Resource Development (controlled environmental agriculture) is inconsistent with the zone purpose statements of the Commercial Zone.

The Parking and Sustainable Transport Code applies to all use and development and Table E6.1 details the number of on-site parking spaces required for each use listed. Where a use is not listed in the table, as is the case for Resource Development (controlled environmental agriculture), clause E6.2.2 of the Code applies as follows:

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An application for a use not included in Table E6.1 must be determined as a discretionary use or development.

The effect of this is that notwithstanding the use classification in the zone, the development application would become discretionary under section 57 of the *Land Use Planning and Approvals Act 1993* (the Act). This would contravene the intent of the proposed planning scheme amendment to allow the use to be permitted in the industrial zones.

This is the basis for the second component of the proposed text amendment to the Parking and Sustainable Transport Code to insert a parking requirement for Resource Development (controlled environmental agriculture) in Table E6.1 and allow for a permitted pathway.

There are other Codes in the planning scheme which may trigger assessment against performance criteria and consequently a discretionary development application, but these will apply on a case by case basis if the amendment is progressed.

3. Proposed Amendment

The proposed amendment seeks to insert the Resource Development use class, with the qualification of 'if for controlled environmental agriculture (crop raising)', as a permitted use in Table 24.2 of the Light Industrial Zone and Table 25.2 of the General Industrial Zone. Concurrently, an amendment to the Parking and Sustainable Transport Code is proposed to insert Controlled Environmental Agriculture as a sub-use class under Resource Development in Table E6.1 of the Parking and Sustainable Transport Code with the text requirement for 1 car parking space per employee and no requirement for bicycle parking.

3.1 Text Amendment

The proposed amendment will be achieved by making the three alterations below to the Launceston Interim Planning Scheme 2015:

*24.0 Light Industrial Zone
 Table 24.2 Use Table*

Permitted	
Use Class	Qualification
Resource development	If for controlled environmental agriculture (crop raising)

*25.0 General Industrial Zone
 Table 25.2 Use Table*

Permitted	
Use Class	Qualification
Resource development	If for controlled environmental agriculture (crop

8.8 Amendment 37 - Text Amendment to Include Resource Development (if for Controlled Environmental Agriculture) as a Permitted Use in the Light and General Industrial Zones with Associated Amendments to the Parking and Sustainable Transport Code...(Cont'd)

	raising)
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The existing Use Tables for the Light and General Industrial Zones prohibits the Resource Development use class. The purpose of the planning scheme amendment is to allow this use to occur, but only for controlled environmental agriculture (crop raising).

*E6.0 Parking and Sustainable Transport Code
 Table E6.1 Parking space requirements*

Use	Parking Requirement	
	Car	Bicycle
Resource development:		
Controlled environmental agriculture	One space per employee	No requirement

The current parking space requirements table in the Parking and Sustainable Transport Code does not list Resource Development (controlled environmental agriculture). The effect of this pursuant to clause E6.2.2 is that an application for a use not listed must be determined as a discretionary use or development which is contrary to the objective of the proposed amendment.

3.2 Zone Purpose Statements

It is considered that the proposed amendment will not substantially alter the functionality of the Launceston Interim Planning Scheme 2015 apart from the insertion of an additional use class which is currently prohibited in the Light and General Industrial Zones. The proposed 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 as follows -

24.0 Light Industrial Zone

24.1.1 Zone Purpose Statements

24.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimize conflict or impact on the amenity of any other uses.

24.1.1.2 To provide for uses that are complementary to and compatible with the above purpose.

25.0 General Industrial Zone

25.1.1 Zone Purpose Statements

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

25.1.1.2 To provide for uses that are complementary to and compatible with the above purpose.

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It is considered that any future development applications made under a scenario where the proposed amendment is approved are able to demonstrate consistency with the zone purposes statements insofar as:

- The locations of the majority of land zoned industrial, often on the urban periphery, would appear to 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 anticipated impacts from a controlled environmental agricultural use compared to other permitted uses in the industrial zones is reasonable in most circumstances. That is, there will be no external storage of good or materials and minimal emissions which may impact nearby sensitive uses; and
- Controlled environmental agriculture is inconsistent with the purpose statements of the Commercial or Urban Mixed Use Zones.

Notwithstanding, any development application made under a scenario where the proposed amendment is approved will be subject to assessment against all relevant standards of the scheme including zone and code use and development standards.

Overall, the proposed amendment is considered to be compatible with the scheme.

4. Requirements of the Act

The amendment must be decided under section 34 of the *Land Use Planning and Approvals Act 1993* which reads:

- (1) A planning authority may -
 - (a) in response to a request under Section 33; or
 - (b) of its own motion -
initiate an amendment of a planning scheme administered by it.
 - (2) The Commission may, with the approval of the Minister, give a written direction to a planning authority to initiate an amendment of a planning scheme administered by the authority and the authority must initiate the amendment of the planning scheme in accordance with the direction within 10 weeks after receiving the direction or such longer period as the Commission allows.
 - (3) A planning authority may at any time determine to withdraw an amendment, of a planning scheme administered by it, that it has initiated of its own motion.
 - (4) The withdrawal of an amendment of a planning scheme comes into effect 7 days after the date on which the planning authority determines to withdraw the amendment.
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- (5) *The planning authority is to -*
- (a) *notify the Commission of the withdrawal of the amendment; and*
 - (b) *give notice, in a daily newspaper circulating generally in the area, that the amendment has been withdrawn and of the date on which the withdrawal takes effect.*

The matters which Council must consider when making a decision whether to reject or exhibit the application are listed in section 32 of the Act and are set out in subsequent sections of this report.

Should the Council decide to initiate the amendment, the draft amendment will be publicly exhibited for a period of 28 days, or a longer period agreed to by the Council and the Commission pursuant to section 38 of the Act. During the public exhibition period, representations may be submitted to the Council before the expiration of the exhibition period.

Following the public exhibition period, pursuant to section 39 of the Act the Council must, no later than 35 days after the exhibition period, provide the Commission with a report comprising the following elements:

- a. Copy of each representation received, or if no representations were received, a statement to that effect; and
- b. A statement of Council's opinion as to the merit of each representation (if any), including, in particular Council's views as to -
 - i. the need for modification of the draft amendment in light of each representation; and
 - ii. the impact of that representation on the draft amendment as a whole; and
- c. Any recommendations in relation to the draft amendment as Council considers necessary.

The Commission must then consider the draft amendment in addition to the representations (if any), statements and recommendations contained in Council's report and where necessary, conduct hearings pursuant to section 40 of the Act. The Commission then makes a decision to modify, reject or approve the draft amendment pursuant to sections 41-42 of the Act.

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5. Assessment

5.1 Strategic Plan 2014-2024

The Strategic Plan 2014-2024 seeks to provide direction to the range of operations Council undertakes in their role as the major provider of services and facilities for the City of Launceston. The Strategic Plan essentially indicates the actions and strategies that the Council will implement to deliver on the Greater Launceston Plan goals. The relevant goals are addressed below.

Goal 5 - A city that values its environment

The proposed amendment seeks to allow a use which does not require soil as a growth medium, to be conducted in a more urban environment. The Light and General Industrial Zones have been selected due to the capacity for impacts on residential amenity to be managed and mitigated. This means that the impact on the natural environment can be reduced.

Goal 6 - A city building its future

The proposed amendment seeks to allow for a positive land use planning outcome by allowing for a use in an appropriate zone. This will allow for new businesses to operate in locations in Launceston. This will allow for increased customer satisfaction and maximise public benefits of development.

Goal 7 - A city that stimulates economic activity and vibrancy

The proposed amendment will allow for new businesses in the controlled environmental agriculture industry to locate in Launceston. This directly aligns with the key directions of this goal being to provide an environment that is conducive to business and development.

5.2 Northern Regional Land Use Strategy

Section 30O(1) of the Act requires the amendment to be, as far as practicable, consistent with the Strategy. The Northern Regional Land Use Strategy (the NRLUS) was declared by the Minister for Planning on 16 October 2013 pursuant to section 30C(3) of the Act. The NRLUS is a policy framework that guides land use, development and infrastructure decisions across the northern region by State and Local Government and other relevant infrastructure providers. The NRLUS has provided significant guidance for the preparation of the Launceston Interim Planning Scheme 2012 and 2015.

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Part D of the NRLUS details the desired regional outcomes that have been determined as priorities for the northern region which include:

- Regional strategic planning directions and principles necessary to achieve those outcomes;
- Specific strategic policies to be applied to guide state and local government planning process and decision-making; and
- Specific regional planning projects and programs to be implemented over the life of the plan.

Of the six key desired regional outcomes, the Regional Economic Development is considered to be the most relevant to the proposed amendment. The proposed amendment appears to align with regional principle 2 which states - *'to pursue a range of new and innovative investment and product development opportunities in locations and sectors generally not previously targeted...'*. Although the focus of this outcome is on infrastructure, economic growth and new employment initiatives are also acknowledged.

5.3 Section 33 Considerations

Before making a decision as to whether or not to initiate a draft amendment, section 33(2B) of the Act requires Council to consider whether the amendment is consistent with the requirements of other legislative requirements including section 32 of the Act.

Section 32(1) specifies that a draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of Council –

- must, as far as practicable, avoid the potential for land use conflicts with the use and development permissible under the planning scheme applying to the adjacent area; and
- must not conflict with the requirements of section 30O of the Act; and
- must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

The following discussion examines these requirements in greater detail.

5.3.1 Land Use Conflict

There is a use standard in the Light and General Industrial Zones which deals with proximity to sensitive uses. Compliance with the acceptable solutions of the zone will be required to maintain the permitted status of the development application. It should be noted that any future use or development will be subject to a separate development application in which any real or perceived impacts on adjacent and surrounding sensitive uses can be managed through conditions if required or be publicly advertised where an acceptable solution cannot be met.

It is considered that the use which would be permissible as a result of the proposed amendment is similar in impact to other permitted, if not discretionary uses, allowable in the Light and General Industrial Zones.

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5.3.2 Section 30O

Section 30O(2) through to (4) of the Act allows for an amendment to the planning scheme to occur for the purposes of inserting a new provision into the scheme provided that the amendment:

- is not directly or indirectly inconsistent with a common provision of the scheme;
- does not revoke or amend an overriding local provision;
- does not result in a conflicting local provision; and
- does not impact upon a common provision within the scheme.

The proposed amendment aims to broaden the scope of uses that can be considered in the industrial zones through the insertion of an additional use class and qualification in the use tables which is consistent with the format of Planning Directive No. 1 - The Format and Structure of Planning Schemes. The proposed amendment will not override, be in conflict or inconsistent with, any other local or common provision of the scheme. The proposed amendment merely enables a use which does not require a rural location to operate, to be located on the urban fringe in an industrial zone. The use status will be permitted, but will be subject to compliance with the applicable use and development standards of the planning scheme. All relevant local and common provisions will remain applicable to any future development application.

5.3.3 Regional Impact

The proposed amendment is not expected to 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;
- 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. Notwithstanding, the Light Industrial Zone includes a use standard relating to amenity of sensitive uses within 100m.

It is considered that the proposed amendment will have a minimal impact on the region as a whole.

5.4 Objectives of the Resource Management and Planning System

Section 20(1)(a) of the Act requires a planning scheme to seek to further the objectives set out in Schedule 1 of the *Land Use Planning and Approvals Act 1993*.

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5.4.1 Schedule 1 - Part 1

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

The proposed amendment will not adversely impact upon natural, ecological or physical values. It will rather seek to allow a use which does not require the soil as a growth medium to occur on non-agricultural land.

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

The proposed amendment will not directly impact the sustainable use of air, land and water in terms of creating environmental nuisances.

(c) *to encourage public involvement in resource management and planning; and*
Should Council decide to initiate the proposed amendment, public consultation will be undertaken in accordance with the Act. This will ensure the public are aware of the proposal and will enable the public to engage with the process through submissions.

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

The proposed amendment will enable the industrial zones to be utilised for an additional complementary use. The proposed amendment is not expected to generate any additional impact to the amenity of surrounding sensitive uses greater than the level that currently exists from industrial uses.

(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.*

This is facilitated through the amendment process and application of relevant legislation.

5.4.2 Schedule 1 - Part 2

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

The proposed amendment has been assessed as being supportive of the objectives of the Act, NRLUS and the Scheme. Co-ordinated action by the State and local government is facilitated through the amendment process and application of relevant legislation.

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

The proposed amendment seeks to effectively allow a broader range of uses to occur in industrial zones that will be similar in nature as the uses currently allowable in the zone. The amendment process is an established mechanism under the Act to allow the amendment to be lawfully considered. The proposed amendment has been assessed as being consistent with the established land use pattern within the industrial zones and is not expected to generate any additional impacts to surrounding sensitive uses greater than the level that already occurs from existing uses and surrounding activity. Any future use and development will be subject to a separate development application in which appropriate controls for the use and development can be enforced.

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

The proposed amendment is not expected to have any adverse social and economic impacts on the surrounding area. The proposed amendment is not expected to have a significant impact on the natural, biological and physical values of the area.

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

All relevant regional and state policies have been considered through the amendment process.

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

This objective is not relevant to the proposed amendment.

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

It is considered that existing use and development standards within the scheme are sufficiently robust to control any future development applications made as a result of the proposed amendment.

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

The proposed amendment is to allow a use class to be considered in the zone. Individual places of scientific, aesthetic, architectural or historical interest will be managed through the appropriate Codes of the planning scheme and legislation on a case by case basis.

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(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; and

The proposed amendment will not impact any public infrastructure or assets.

(i) to provide a planning framework which full considered land capability.

Consideration of land capability is not relevant.

6. State Legislation & Policies

6.1 State Policy on the Protection of Agricultural Land 2009

The industrial zones are not spatially distributed over agricultural land. The proposal seeks to provide another suitable option for controlled environmental agriculture where soil as a growth medium is not required.

6.2 State Policy on Water Quality Management 1997

Any future use and development will be subject to complying with development standards that are consistent with the policy.

6.3 State Coastal Policy 1996

Any future use and development will be subject to complying with development standards that are consistent with the policy.

6.4 National Environmental Protection Measures

National Environmental Protection Measures (NEPMs) are automatically adopted as State Policies. They outline common environmental objectives for managing the environment.

Current NEPMs include:

- National Environmental Protection (Used Packaging Materials) Measure;
- National Environmental Protection (Ambient Air Quality) Measure;
- National Environmental Protection (Movement of Controlled Waste Between States and Territories) Measure;
- National Environmental Protection (National Pollutant Inventory) Measure;
- National Environmental Protection (Assessment of Site Contamination) Measure;
- National Environmental Protection (Diesel Vehicle Emissions) Measure; and
- National Environmental Protection (Air Toxics) Measure.

In this situation, the NEPMs are either not applicable, or will not be impacted upon by the proposed amendment.

6.5 Gas Pipelines Act 2000

Any future use and development will be subject to complying with development standards that are consistent with the Act.

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7. Conclusion

The application for amendment seeks to insert the Resource Development use class (if for controlled environmental agriculture (crop raising)) as a permitted use in Table 24.2 of the Light Industrial Zone and Table 25.2 of the General Industrial Zone of the Launceston Interim Planning Scheme 2015 and insert Controlled Environmental Agriculture as a sub-use class under Resource Development in Table E6.1 of the Parking and Sustainable Transport Code with the text requirement for 1 car parking space per employee and no requirement for bicycle parking.

The amendment is supported 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 proposed amendment has been assessed as being supportive of the objectives of the Act, NRLUS and the Scheme.

ECONOMIC IMPACT:

No significant economic impacts have been identified.

ENVIRONMENTAL IMPACT:

No significant environmental impacts have been identified.

SOCIAL IMPACT:

No significant social impacts have been identified.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015
Land Use Planning and Approvals Act 1993
Local Government Act 1993

City of Launceston

COUNCIL AGENDA

Monday 21 August 2017

- 8.8 Amendment 37 - Text Amendment to Include Resource Development (if for Controlled Environmental Agriculture) as a Permitted Use in the Light and General Industrial Zones with Associated Amendments to the Parking and Sustainable Transport Code...(Cont'd)**
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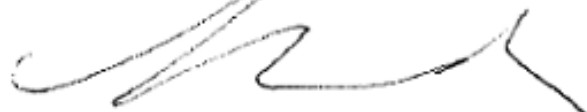
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Instrument for Certification - Amendment 37
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Launceston Interim Planning Scheme 2015

AMENDMENT 37

Insert the following use class and qualification in Table 24.2 of the Light Industrial Zone of the Launceston Interim Planning Scheme 2015 -

Permitted	
Use Class	Qualification
Resource development	If for controlled environmental agriculture (crop raising)

Insert the following use class and qualification in Table 25.2 of the General Industrial Zone of the Launceston Interim Planning Scheme 2015 -

Permitted	
Use Class	Qualification
Resource development	If for controlled environmental agriculture (crop raising)

Insert the following sub-use class and parking requirements for car and bicycle in the Parking and Sustainable Transport Code of the Launceston Interim Planning Scheme 2015 -

Use	Parking Requirement	
	Car	Bicycle
Resource development:		
Controlled environmental agriculture	1 space per employee	No requirement

The City of Launceston resolved at its meeting on 21 August 2017 that Amendment 37 to the Launceston Interim Planning Scheme 2015 meets the requirements specified in Section 32 of the Land Use Planning and Approvals Act 1993.

THE COMMON SEAL of the
 City of Launceston is affixed,
 pursuant to the Council's resolution
 on 21 August 2017 in the presence of:-

John Davis
 Manager Corporate Strategy
 City of Launceston

Leanne Hurst
 Director Development Services
 City of Launceston

8.8 Amendment 37 - Text Amendment to Include Resource Development (if for Controlled Environmental Agriculture) as a Permitted Use in the Light and General Industrial Zones with Associated Amendments to the Parking and Sustainable Transport Code

FILE NO: SF6607

AUTHOR: Claire Fawdry (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To decide whether to determine to initiate Amendment 37 to:

1. Insert the Resource Development use class (if for controlled environmental agriculture (crop raising)) as a permitted use in the Light and General Industrial Zones; and
2. Insert Controlled Environmental Agriculture as a sub-use class under Resource Development in Table E6.1 of the Parking and Sustainable Transport Code with the requirement for 1 car parking space per employee.

PREVIOUS COUNCIL CONSIDERATION:

The draft amendment was previously considered by the Council at its meeting on 26 June 2017.

RECOMMENDATION:

That Council:

1. Pursuant to the former section 34(1)(b) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 37 to the Launceston Interim Planning Scheme 2015 to insert the Resource Development use class (if for controlled environmental agriculture (crop raising)) as a permitted use in Table 24.2 of the Light Industrial Zone and Table 25.2 of the General Industrial Zone of the Launceston Interim Planning Scheme 2015; and
 2. Pursuant to the former section 34(1)(b) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 37 to the Launceston Interim Planning Scheme 2015 to insert Controlled Environmental Agriculture as a sub-use class under Resource Development in Table E6.1 of the Parking and Sustainable Transport Code with the text requirement for 1 car parking space per employee and no requirement for bicycle parking; and
 3. Pursuant to the former section 35 of the *Land Use Planning and Approvals Act 1993*, certify the draft amendment as shown in Attachment 1; and
 4. In accordance with the former section 38(1)(a) of the *Land Use Planning and Approvals Act 1993*, determine the period for public exhibition to be 28 days.
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City of Launceston

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COUNCIL MINUTES

Monday 21 August 2017

8.8 Amendment 37 - Text Amendment to Include Resource Development (if for Controlled Environmental Agriculture) as a Permitted Use in the Light and General Industrial Zones with Associated Amendments to the Parking and Sustainable Transport Code...(Cont'd)

Mrs L Hurst (Director Development Services) and Mr Richard Jamieson (Manager Planning) were in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 21 August 2017

MOTION

Moved Alderman E K Williams, seconded Alderman D H McKenzie.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 10:0

FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek

ABSENT FROM VOTE: Alderman D W Alexander

The Mayor, Alderman A M van Zetten, announced that Council no longer sits as a Planning Authority.
