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## POSSIBLE ALTERNATIVE LPS

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## Introduction

DISCLAIMER: This is a draft format LPS we were able to create using a data-driven approach to the LPS. The aim is to present a process which is repeatable focusing on academically robust methods. This was done in under 4 weeks, however, we tried to follow state guidelines and draw on HVZA landscape value analysis which goes far beyond the work done by Council. Additional refinement will be required.

Zoning is the principal mechanism available for a planning scheme to determine how land may be used, developed, protected and/or conserved into the future. The SPPs provide 23 zones each with a specific purpose that describes the manner in which land may be utilised.

In 2018 the TPC issued Guideline No. 1 Local Provisions Schedule (LPS): Zone and Code Application (the Guideline) 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 set 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 Guideline is to be read in conjunction with the transitional provisions under Schedule 6 of LUPAA.

The Guideline directs that the 'primary objective in applying zone should be to achieve the zone purpose to the greatest extent possible'. This is consistent with the Schedule 1 Objectives of LUPAA, however must also be read in conjunction with the allowance for overriding local provisions to be included in an LPS and the requirement to demonstrate that it promotes sustainable use and development.

The Guideline contains 'should' statements for the zoning of land and in doing so, recognised that there will be circumstances whereby sustainable outcomes are not achieved without variation in zone type, or the inclusion of overriding local provision.

With the benefit of other councils within the State of Tasmania going to the LPS, clarity was given on the potentially more contentious zones such as LCZ.

## HVZA - Zone Conversion Brief

For the most part, the draft LPS should transition through the existing interim planning scheme zoning, as this correlates directly with the zone application Guidelines. The IPS to LPS should be seen as a simple translation task, not an opportunity to create broad strategic decisions without appropriate strategic assessment. This is summarised in the Zone Conversion Matrix; an additional flow check will occur to ensure that minor changes in zone standards can be captured and flagged and corrected where appropriate. The zones from the interim planning scheme have been transferred into the draft LPS with the aim to deliver a 'like for like' transition where possible ((Certain zones have been referred as a "recalibration" (to make a small change to an instrument so that it is more accurate). The layman's term is "like for like" )). The process of LPS development has determined that despite the zone purpose and/or uses of the SPP's being the 'best fit' to achieve the primary objective, some associated standards of the zone did not result in sustainable outcomes and disadvantaged landowner. Some zoning changes are proposed derived from:

- The statements and requirements specified in the Guidelines;
- The State's mapping of 'Land Potentially Suitable for Agriculture Zone' and the Agricultural Land Mapping Project (Mapping Project)
- Recalibration of Rural Resource Zone (RRZ) and Significant Agricultural Zone (SAZ)
- Correction of local anomalies and disposal of land.
- Potential rezoning to align with possible goals with reference to Huon Road Link and other major infrastructure developments
- The disestablishment of the Environmental Living Zone (ELZ)
- Integrating disestablished zones to the 'best fit'
- The introduction of the Landscape Conservation Zone (LCZ)

The HVZA through meetings came up with a list of principles addressing the issue with Council's application of LCZ.

These principles are:

- Like-for-like default transition for Rural Resource vs Rural Zone.
- Existing uses are an important consideration, especially when evidenced by formal contract/s.
- Split zoning to be considered as an option to recognise diverse in-property uses but not encouraging spot zoning.
- Ensure consistent with other state systems and regulatory requirements.
- Adequate evidence for Overlays (eg. Scenic & Priority Vegetation ) to be provided to enable a useable and objective LPS that enables efficient development application assessments by Council and landowner/developer.
- Landscape Conservation Zone to only be applied if evidenced by Scenic Overlay and opted-in by landowner.

The following sections discuss these zoning changes in greater detail. The next section will outline an order of operations to automate zoning conversations and to ensure repeatability and data validity.

<b>IPS Zone</b>	<b>LPS Zone</b>	<b>Zone Recalibration?</b>
General Residential Zone	General Residential Zone	Yes
Inner Residential Zone	Inner Residential Zone	Yes
Low Density Residential Zone	Low Density Residential Zone	Yes
Rural Living Zone	Rural Living A	Yes – 1ha
Rural Living Zone	Rural Living B	Yes – 2ha
Rural Living Zone	Rural Living C	Yes – 5ha
Rural Living Zone	Rural Living D	Yes – 10ha
Urban Mixed Use Zone	Urban Mixed Use Zone	Yes
Village Zone	Village Zone	Yes
Community Purpose Zone	Community Purpose Zone	Yes
Recreation Zone	Recreation Zone	Yes
Open Space Zone	Open Space Zone	Yes
Local Business Zone	Local Business	Yes
General Business Zone	General Business	Yes
Central Business Zone	Central Business	Yes
Commercial Zone	Commercial	Yes
Light Industrial Zone	Light Industrial	Yes
General Industrial Zone	General Industrial	Yes
Utilities Zone	Utilities	Yes
Environmental Management Zone	Environmental Management Zone	Yes
Major Tourism Zone	Major Tourism Zone	Yes
Port and Marine Zone	Port and Marine Zone	Yes
Particular Purpose Zone	Particular Purpose Zone	Yes
Rural Resource Zone	Rural Zone	Yes
Significant Agricultural Zone	Agriculture Zone	Yes
Environmental Living Zone		Zone disestablished
	Landscape Conservation Zone	New Zone
	Future Urban Zone	New Zone

## General Residential Zone (GRZ)

The Guideline provides the following zone application guidelines for applying the GRZ.

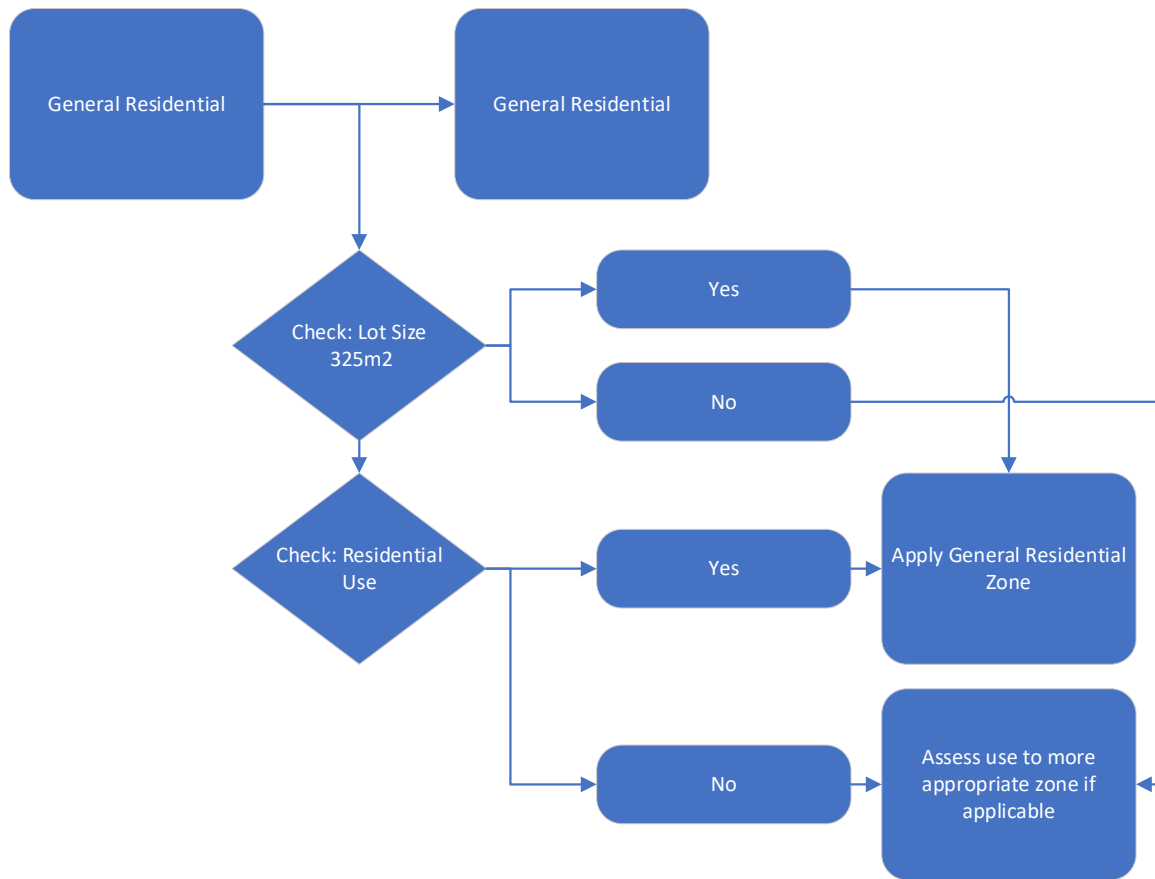
*GRZ 1 The General Residential Zone should be applied to the main urban residential areas within each municipal area which:*  
*(a) are not targeted for higher densities (see Inner Residential Zone); and*  
*(b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system.*

*GRZ 2 The General Residential Zone may be applied to green-field, brown-field or grey-field areas that have been identified for future urban residential use and development if:*  
*(a) within the General Residential Zone in an interim planning scheme;*  
*(b) within an equivalent zone under a section 29 planning scheme; or*  
*(c) justified in accordance 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; and*  
*(d) is currently connected, or the intention is for the future lots to be connected, to a reticulated water supply service and a reticulated sewerage system,*

*Note: The Future Urban Zone may be used for future urban land for residential use and development where the intention is to prepare detailed structure/precinct plans to guide future development.*

*GRZ 3 The General Residential Zone should not be applied to land that is highly constrained by hazards, natural values (i.e. threatened vegetation communities) or other impediments to developing the land consistent with the zone purpose of the General Residential Zone, except where those issues have been taken into account and appropriate management put into place during the rezoning process.*

Additional check on appropriate zone use will be done based on this flow to ensure that previous zoning has not been zoned in error.



For the most part land within the GRZ of the interim planning scheme transitioned to the GRZ of the draft LPS. Additional comparison will occur in a Section: Order of Operations – Comparison Council vs HVZA.

#### Inner Residential Zone (IRZ)

Neither the interim planning scheme nor the draft LPS apply the IRZ within the municipality.



## Low Density Residential Zone (LDRZ)

The Guideline provides the following zone application guidelines for applying the LDRZ.

*LDRZ 1 The Low Density Residential Zone should be applied to residential areas where one of the following conditions exist:*

*(a) residential areas with large lots that cannot be developed to higher densities due to any of the following constraints:*

*(i) lack of availability or capacity of reticulated infrastructure services, unless the constraint is intended to be resolved prior to development of the land; and*

*(ii) environmental constraints that limit development (e.g. land hazards, topography or slope); or*

*(b) small, residential settlements without the full range of infrastructure services, or constrained by the capacity of existing or planned infrastructure services; or*

*(c) existing low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development, and where there is justification for a strategic intention not to support development at higher densities.*

*LDRZ 2 The Low Density Residential Zone may be applied to areas within a Low Density Residential Zone in an interim planning scheme or a section 29 planning scheme to lots that are smaller than the allowable minimum lot size for the zone, and are in existing residential areas or settlements that do not have reticulated infrastructure services.*

*LDRZ 3 The Low Density Residential Zone should not be applied for the purpose of protecting areas of important natural or landscape values.*

*LDRZ 4 The Low Density Residential Zone should not be applied to land that is targeted for greenfield development unless constraints (e.g. limitations on infrastructure, or environmental considerations) have been identified that impede the area being developed to higher densities.*

Additional check on appropriate zone use will be done based on this flow to ensure that previous zoning has not been zoned in error. Additional order of operations will be followed to verify zoning suitability, this will be covered in a later section.

## Rural Living Zone (RLZ)

The Guideline provides the following zone application guidelines for applying the RLZ.

- RLZ 1** *The Rural Living Zone should be applied to:*
- (a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity; or*
  - (b) land that is currently a Rural Living Zone within an interim planning scheme or a section 29 planning scheme, unless RLZ 4 below applies.*
- RLZ 2** *The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:*
- (a) 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; or*
  - (b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater.*
- RLZ 3** *The 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 sizes 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.*
- RLZ 4** *The Rural Living Zone should not be applied to land that:*
- (a) is suitable and targeted for future greenfield urban development;*
  - (b) contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see Landscape Conservation Zone), unless the values can be appropriately managed through the application and operation of the relevant codes; or*
  - (c) is identified in the 'Land Potentially Suitable for Agriculture Zone' available on the LIST (see Agriculture Zone), unless the Rural Living Zone can be justified in accordance 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 SPPs have introduced a number of different lots size classifications within the RLZ.

The RLZ minimum lot sizes are classified as follows:

- Rural Living Zone A: 1ha,
- Rural Living Zone B: 2ha,
- Rural Living Zone C: 5ha,
- Rural Living Zone D: 10ha.

The draft LPS mapping has applied these zone classifications based on allotment size. Additional check on appropriate zone use will be done based on this flow to ensure that previous zoning has

not been zoned in error. For the most part, land within the RLZ of the interim planning scheme should be transitioned to the RLZ of the draft LPS with the application of the appropriate lot size classifications.

## Village Zone (VZ)

The Guideline provides the following zone application guidelines for applying the RLZ.

- VZ 1 The Village Zone should be applied to land within rural settlements where the Urban Mixed Use Zone is not suitable and there is an unstructured mix of residential, commercial activities and community services and there is a strategic intention to maintain this mix.*
- VZ 2 The Village Zone may be applied to land where the full range of reticulated infrastructure services are or are not available.*
- VZ 3 The Village Zone may cover either:*  
*(a) an entire settlement where the settlement is relatively small and no clear town centre exists or is intended to exist; or*  
*(b) part of a settlement where a high degree of use mix exists or is intended in the centre (otherwise refer to Local Business Zone) the remainder of the settlement may be zoned either General Residential or Low Density Residential depending on the characteristics of the settlement.*

## Urban Mixed Use (UMU)

Urban Mixed Use (UMU) Neither the interim planning scheme nor the draft LPS apply the IRZ within the municipality

## Local Business Zone (LBZ)

The Guideline details the following zone application guidelines for applying the LBZ.

- LBZ 1** *The Local Business Zone should be applied to land within urban settlements which provides, or is intended to provide, for the business, commercial and community functions within:*
- (a) local shopping strips; or*
  - (b) town centres for some smaller settlements.*
- LBZ 2** *The Local Business Zone may be applied to:*
- (a) Local Centres and the lower order Minor or Neighbourhood Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;*
  - (b) Local or Minor Centres and the Neighbourhood or Rural Town Centres in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and*
  - (c) the main retail and business areas of Local Service Centres and Localities in the activity centres description in the Cradle Coast Regional Land Use Strategy.*
- LBZ 3** *The Local Business Zone may be used for groups of local shops and businesses in existing residential areas where there is a strategic intention to maintain such uses, and the provisions of the surrounding residential zone are not appropriate.*
- LBZ 4** *The Local Business Zone should not be used for individual, isolated local shops or businesses within residential areas, unless:*
- (a) they are a use, or are of a scale, that is more appropriate for the Local Business Zone and there is an intention to maintain the use; or*
  - (b) there is a strategic intention to expand the existing retail or business area in this locality 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.*

For the most part, land within the LBZ of the interim planning scheme transitioned to the LBZ of the draft LPS. The following table details any further modifications to the LBZ within the draft LPS.

## General Business Zone (GBZ)

The Guideline details the following zone application guidelines for applying the GBZ.

**GBZ 1** *The General Business Zone should be applied to land within urban settlements that provides, or is intended to provide, for the business, commercial and community functions within Tasmania's main suburban and rural town centres.*

**GBZ 2** *The General Business Zone may be applied to:*  
*(a) Major Activity Centres, Rural Service Centres and the higher order Minor or Neighbourhood Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;*  
*(b) Suburban Activity Centres and District Service Centres in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and*  
*(c) the main retail and business areas of District Activity Centres in the activity centres description in the Cradle Coast Regional Land Use Strategy.*

For the most part, land within the GBZ of the interim planning scheme transitioned to the GBZ of the draft LPS. The following table details any further modifications to the GBZ within the draft LPS.

## Central Business Zone (CBZ)

Central Business zone, neither the interim planning scheme nor the draft LPS apply the IRZ within the municipality.

## Commercial Zone (CZ)

The Guideline details the following zone application guidelines for applying the Commercial Zone.

**CZ 1** *The Commercial Zone should be applied to land within urban settlements that provides, or is intended to provide, for large floor area retailing (such as Bulky Goods Sales and Equipment and Machinery Sales and Service), service industry, low impact storage and warehousing, or other commercial use needs of the community that demand: (a) large floor or outdoor areas; and (b) high levels of vehicle access and car parking for customers.*

**CZ 2** *The spatial application of the Commercial Zone must ensure that it does not compromise the viability of the other retail and business centres located within the three business zones.*

**CZ 3** *The Commercial Zone should not be applied to land: (a) where the primary purpose is to provide for industrial purposes (see industrial zones); or (b) where the primary purpose is to provide for General Retail and Hire uses such as supermarkets, department stores or other variety stores (see business zones).*

For the most part, land within the CZ of the interim planning scheme transitioned to the CZ of the draft LPS. The following table details any further modifications to the CZ within the draft LPS.

## Light Industrial Zone (LIZ)

Planning should protect industrial zones from encroachment from other uses such as Residential or highly restrictive zones such as Landscape Conservation. It is imperative that industrial areas are maintained to ensure future productivity.

The Guideline details the following zone application guidelines for applying the Light Industrial Zone.

- LIZ 1 The Light Industrial Zone should be applied to land where there are likely to be minimal off site impacts.*
- LIZ 2 The Light Industrial Zone should not be applied to individual, isolated industrial uses, unless:*  
*(a) they are a use, or are of a scale, that is more appropriate for the Light Industrial Zone and there is a strategic intention to maintain the use; or*  
*(b) there is a strategic intention to expand the existing industrial area in this locality 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.*

For the most part, land within the LIZ of the interim planning scheme transitioned to the LIZ of the draft LPS. The following table details any further modifications to the LIZ within the draft LPS.

## General Industrial Zone (GIZ)

Planning should protect industrial zones from encroachment from other uses such as Residential or highly restrictive zones such as Landscape Conservation. It is imperative that industrial areas are maintained to ensure the future productivity

The Guideline details the following zone application guidelines for applying the General Industrial Zone.

- GIZ 1 The General Industrial Zone should be applied to land that provides, or is intended to provide, for a range of larger-scale or medium and higher impact, manufacturing, processing, servicing, storage and transport and distribution uses. These are likely to include large industrial operations with actual or potential nearby off site impacts. These may be located in areas remote from land designated for other uses, such as residential use, in order to avoid land use conflicts.*
- GIZ 2 The General Industrial Zone should not directly adjoin land zoned for residential purposes unless:*  
*(a) separated by physical buffers such as a major road; or*  
*(b) for existing industrial areas that provide for larger-scale or medium and higher impact, manufacturing, processing, servicing, storage and transport and distribution uses.*
- GIZ 3 The General Industrial Zone should have access to freight transport routes and other utility infrastructure and services (e.g. electricity, water, sewerage) that is appropriate for the intended industrial use.*

- GIZ 4 The General Industrial Zone may be applied to land without connection to a reticulated sewerage system if:*
- (a) for existing industrial areas that provide for larger-scale or medium and higher impact, manufacturing, processing, servicing, storage and transport and distribution uses;*
  - (b) unnecessary for the intended industrial use; or*
  - (c) the area is capable of accommodating on-site waste water treatment systems suitable for the intended industrial use.*
- GIZ 5 The General Industrial Zone may be applied to port and marine facilities that are directly linked to specific higher impact manufacturing, processing, repair, servicing or storage uses.*
- GIZ 6 The General Industrial Zone may be applied to land seaward of the high water mark where it includes existing, or is intended for, industrial activities.*

For the most part, land within the GIZ of the interim planning scheme transitioned to the GIZ of the draft LPS.

The following table details any further modifications to the GIZ within the draft LPS.

## Rural Zone (RZ)

The SPPs recalibrated Rural Resource Zone (RRZ) and the Significant Agricultural Zone (SAZ), which is currently applied in the interim planning scheme, to Rural Zone (RZ) and Agriculture Zone.

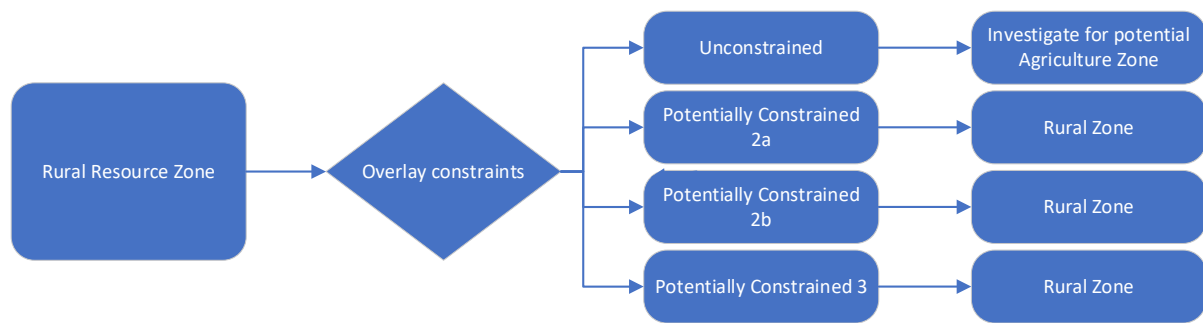
A State-wide Agricultural Land Mapping Project (Mapping Project) was commissioned by the State Government with the primary aim of identifying Tasmania's existing and potential agricultural land, and to provide guidance to local planning authorities on the spatial application of the AZ within their municipal areas. Land within the RRZ of the interim planning scheme transitioned to either the RZ or AZ depending on how the land was mapped in the Mapping Project.

The RZ provides for the remaining rural land where there is limited or no potential for agriculture and also provides for all agricultural uses to occur in conjunction with a range of rural businesses and industries. The AZ is intended to provide a much broader scope for the identification and protection of agricultural land in Tasmania, with priority given to agricultural uses.

The Guideline details the following zone application guidelines for applying the RZ:

- RZ 1 The Rural Zone should be applied to land in non-urban areas with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area, and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.*
- RZ 2 The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.*
- RZ 3 The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:
  - (a) it can be demonstrated that the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;*
  - (b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;*
  - (c) the land is identified for the protection of a strategically important naturally occurring resource which is more appropriately located in the Rural Zone and is supported by strategic analysis;*
  - (d) the land is identified for a strategically important use or development that is more appropriately located in the Rural Zone and is supported by strategic analysis; or (e) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.**





For the most part, land within the RRZ of the interim planning scheme transitioned to the RZ or AZ of the draft LPS. It should be noted in Guideline RZ 3 - Working forests, including but not limited to State Forests and Private Timber Reserves, are to be appropriately zoned to RZ. Areas which are constrained but have clear agriculture use should be zoned as Agriculture.

Additional order of operations will be followed to verify zoning suitability, this will be covered in a later section.

## Agriculture Zone (AZ)

As detailed in the previous section of this report, the RZ and AZ in the SPPs reflect a recalibration of the RRZ and the SAZ that are currently applied in the interim planning schemes. The State Government identified land suitable for inclusion within the AZ through the Mapping 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 AZ within their municipal areas. The mapping is of particular weight given the interim planning scheme did not include any land within the SAZ.

The Mapping Project excluded certain land use such as forestry in their analysis which was better suited to the Rural Zone as a strategically important naturally occurring resource. The Mapping 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 (Orange)
- Potentially Constrained Agricultural Land (Criteria 2A) (Yellow)
- Potentially Constrained Agricultural Land (Criteria 2B) (Cream)
- Potentially Constrained Agricultural Land (Criteria 3) (Green)

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"> <li>– an area greater than the Criteria 1 size thresholds; or</li> <li>– 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.</li> </ul>	<ul style="list-style-type: none"> <li>– an area less than the Criteria 1 size thresholds;</li> <li>– a capital value of greater than \$50,000/ha; and</li> <li>– not adjoining a residential zone.</li> </ul>	<ul style="list-style-type: none"> <li>– an area less than the Criteria 1 size thresholds;</li> <li>– a capital value of less than \$50,000/ha;</li> <li>– not adjoining a title with an area greater than the Criteria 1 size thresholds; and</li> <li>– not adjoining a residential zone.</li> </ul>	<ul style="list-style-type: none"> <li>– an area less than the Criteria 1 size thresholds;</li> <li>– 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</li> <li>– adjoining a residential zone.</li> </ul>

- AZ 1 *The spatial application of the Agriculture Zone should be based on the land identified in the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST, while also having regard to:*
- (a) 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, and where appropriate, may be demonstrated in a report by a suitably qualified person, and is 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;*
  - (b) any other relevant data sets; and*
  - (c) any other strategic planning undertaken at a local or regional level 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.*
- AZ 2 *Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.*
- AZ 3 *Titles highlighted as Potentially Constrained Criteria 2A, 2B or 3 in the 'Land Potentially Suitable for Agriculture Zone' layer may require further investigation as to their suitability for inclusion within the Agriculture Zone, having regard to:*
- (a) existing land uses on the title and surrounding land;*
  - (b) whether the title is isolated from other agricultural land;*
  - (c) current ownership and whether the land is utilised in conjunction with other agricultural land;*
  - (d) the agricultural potential of the land; and*
  - (e) any analysis or mapping undertaken at a local or regional level 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.*
- AZ 4 *The 'Potential Agricultural Land Initial Analysis' layer may assist in making judgements on the spatial application of Agriculture Zone, including, but not limited to:*
- (a) any titles that have or have not been included in the 'Land Potential Suitable for the Agriculture Zone' layer, including titles that are surrounded by land mapped as part of the LIST layer;*
  - (b) any titles highlighted as Potentially Constrained Criteria 2A, 2B or 3;*
  - (c) outlying titles that are either included or excluded within the 'Land Potential Suitable for the Agriculture Zone' layer; and (d) larger titles or those with extensive areas of native vegetation cover.*
- AZ 5 *Titles may be split-zoned to align with areas potentially suitable for agriculture, and areas on the same title where agriculture is constrained. This may be appropriate for some larger titles.*

- AZ 6 *Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if:*
- (a) local or regional strategic analysis has identified or justifies the need for an alternate 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;*
  - (b) for the identification and protection of a strategically important naturally occurring resource which requires an alternate zoning;*
  - (c) for the identification and protection of significant natural values, such as priority vegetation areas as defined in the Natural Assets Code, which require an alternate zoning, such as the Landscape Conservation Zone or Environmental Management Zone;*
  - (d) for the identification, provision or protection of strategically important uses that require an alternate zone; or*
  - (e) it can be demonstrated that:*
    - (i) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;*
    - (ii) there are significant constraints to agricultural use occurring on the land; or*
    - (iii) the Agriculture Zone is otherwise not appropriate for the land.*
- AZ 7 *Land not identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for inclusion within the Agriculture Zone if:*
- (a) local or regional strategic analysis has identified the land as appropriate for the Agriculture Zone 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;*
  - (b) the land has similar characteristics to land mapped as suitable for the Agriculture Zone or forms part of a larger area of land used in conjunction with land mapped as suitable for the Agriculture Zone;*
  - (c) it can be demonstrated that the Agriculture Zone is appropriate for the land based on its significance for agricultural use; or*
  - (d) it addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer, and having regard to the extent of the land identified in the 'Potential Agricultural Land Initial Analysis' layer.*

*Note: Further details on the Agricultural Land Mapping Project can be found in the Agricultural Land Mapping Project: Background Report, April 2017, including the methodology used in generating the 'Land Potentially Suitable for Agriculture Zone' and the 'Potential Agricultural Land Initial Analysis' layers. The Background Report is available on the Department of Justice, Tasmanian planning reform website ([www.justice.tas.gov.au/tasmanian\\_planning\\_reform](http://www.justice.tas.gov.au/tasmanian_planning_reform))*

For the most part, land within the SAZ of the interim planning scheme transitioned to the AZ or RZ of the draft LPS. Areas which are previously zoned SAZ of the interim planning scheme that are constrained and is near residential areas should be assessed if it is viable to keep these areas within an Agriculture zone. Additional order of operations will be followed to verify zoning suitability, this will be covered in a later section.

## Landscape Conservation Zone (LCZ)

The main purpose of the zone is for the protection, conservation and management of **landscape values**, such as large areas of bushland, or areas of important scenic value **which have been identified for protection or conservation**. As such, LCZ is not a recalibration of Environmental Living Zone in the SSP.

The Guideline details the following zone application guidelines for applying Landscape Conservation:

- LCZ 1 The Landscape Conservation Zone should be applied to land with landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values, where some small scale use or development may be appropriate.*
- LCZ 2 The Landscape Conservation Zone may be applied to:*
- (a) large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation;*
  - (b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or*
  - (c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.*
- LCZ 3 The Landscape Conservation Zone may be applied to a group of titles with landscape values that are less than the allowable minimum lot size for the zone.*
- LCZ 4 The Landscape Conservation Zone should not be applied to:*
- (a) land where the priority is for residential use and development (see Rural Living Zone);*
  - (b) State-reserved land (see Environmental Management Zone).*

*Note: The Landscape Conservation Zone is not a replacement zone for the Environmental Living Zone in interim planning schemes. There are key policy differences between the two zones. The Landscape Conservation Zone is not a large lot residential zone, in areas characterised by native vegetation cover and other landscape values. Instead, the Landscape Conservation Zone provides a clear priority for the protection of landscape values and for complementary use or development, with residential use largely being discretionary. Together the Landscape Conservation Zone and the Environmental Management Zone, provide a suite of environmental zones to manage use and development in natural areas.*

It is important to note a zone area size that is below 20ha (minimum allowable lot sizes) will be seen as “Spot Zoned” and will require exceptional reasoning to justify applying Landscape Conservation Zone. Also note: EMZ should not be considered a part of the LCZ total area.

Interpretation if LCZ1 and LCZ2 is provided in the decision in the Flinders LPS Decision, paragraph:

*324. **The Landscape Conservation Zone guidelines in the context provided by the zone purpose, require the Zone to be applied to land with landscape values.** LCZ 1 is the key guideline, and its application is contingent on identification of landscape values. LCZ 2, like LCZ 1 (after it has established landscape values as the condition of its application), lists the types of landscapes that the zone might be applied to i.e. bushland areas, large areas of native vegetation, or other areas of locally or regionally important native vegetation. LCZ 2 also provides for the Zone to be applied to areas of bushland or native vegetation that are 'not otherwise reserved,' but this is dependent on meeting the remainder of LCZ 1, which indicates that the Zone is only appropriate for use and development of a 'small scale.'*

*325. Landscape is defined in the Macquarie Dictionary as 'a view or prospect of rural scenery, more or less extensive, such as is comprehended within the scope or range of vision from a single point of view.' Value is defined as 'that property of a thing because of which it is esteemed, desirable, or useful, or the degree of this property possessed; worth, merit, or importance.' Therefore, in the context of Guideline No. 1 and the Zone purpose, landscape value is taken to mean that **the land must be significantly visible from surrounding areas and must be perceived to have positive value that is important or beneficial to the degree that it warrants specific control of its use.** Otherwise the impacts on natural and scenic values can be managed through the Priority Vegetation Area and Scenic Protection Area overlays.*

With respect to conservation covenants and application of LCZ to covenanted land.

*326. Conservation covenants, the Priority Vegetation Area overlay and the Scenic Protection Area overlay all indicate that land **might** have landscape value. That these provisions routinely overlap with the Landscape Conservation Zone is unsurprising given the Zone is intended to be applied to areas of bushland and native vegetation. However, the Priority Vegetation Area overlay and the Scenic Protection Area overlay do not control use; that is primarily the domain of zones, so the ultimate question is whether the scale and type of uses provided by a zone are appropriate and necessary if land has landscape value. Unless such values are significant enough to warrant use and development being curtailed to a small scale, then conservation covenants, the Priority Vegetation Area overlay and the Scenic Protection Area overlay, can operate perfectly well under the provisions of another zone, such as the Rural Zone, which provides for a more expansive use and development options.*

Emphasis has been put on certain sections. As such distinct rationale must be cited for the application of the LCZ. Inclusions into the LCZ are detailed below:

- Apply where the Natural Assets Overlay and/or Scenic Protection Code is deemed not sufficient protection where specific and definable landscape values have been identified for protection.

Explanation: Planning overlays are different to land zones, overlays are a planning tool which are can based on broad scale application such as Natural Assets Overlay or used to overlay a number of titles to protect certain features such as the Scenic Protection Code . To apply a restrictive zone such as LCZ it is not unreasonable for the council to provide a Natural Values Assessment or a Scenic

Protection Assessment by a suitably qualified person unless it is abundantly obvious. EG: Apply to natural landmarks with great significance. These landmarks can be but not limited to:

- Significantly visible prominent water features ( Large 1st and 2nd Order streams, rivers and estuaries with permanent flow.; Large to medium waterfalls; Large and moderate sized natural lakes, ponds and wetlands. and Large reservoirs.)
- Significantly visible isolated small peaks or hills peaks with distinctive form and colour contrast that become focal points.
- Significantly visible steep hill and ridge systems with deep lateral gullies or ravines.
- Significantly visible well-defined V-shaped valleys with dramatic spatial definition.
- Significantly visible distinctive river terraces.
- Large to moderate-sized cliffs, rock faces or rock outcrops that are visually prominent or dominate the surrounding landscape.
- Other Significantly visible and distinctive landmarks
- Significantly visible combinations of eucalypt forest (including unusually tall eucalypt stands), naturally appearing open grasslands, marshlands, wetlands and scattered exotic trees (coniferous or deciduous) seen as distinctive vegetative patterns, colours and textures across the landscape.
- Significantly visible areas with dramatic displays of seasonal colour with regards to vegetation features.
- Very prominent, unique or extensive visual influence of cultural heritage features reflecting local history through built forms and structures such as farm buildings, kilns, stone walls, fences etc. with traditional/historic architecture styles that visually enhance the landscape.

All these landmarks need to be balanced in the context of the land title with regards the use, prominence, location and consideration of owners' intent and consent.

- Apply to enclaves where land is surrounded by EMZ.

Explanation: Land enclaves within the EMZ present limited rural and/or agricultural use where existing natural and landscape values are to be retained. Lot of EMZ areas contain significantly visible landmarks.

Note: LCZ4 State-reserved land (see Environmental Management Zone) should be applied to State-reserves such as additions to Russel Ridge.

- Apply where LCZ is along major Coastal Scenic Protection area

Explanation: Scenic coastal areas present a limited use rural and/or agricultural use and where existing natural and landscape values are to be retained. It should be noted that not all coastal areas are 'scenic' for example, fish farms detract greatly from the landscape value and LCZ should not be applied to costal area where fish farms or Shellfish Harvest Areas (Recherche Bay and Hastings Bay) are present this concept also applies to zones higher levels traffic along the coastline used for industry uses. Should be used only for 'tourist centric' areas. Example: Enclaves of the Cockle Creek

- Apply with explicit consent from the landholder/s outside of the limited conditions.

Explanation: There may be instances where landholders may apply for LCZ as they see fit for their land, where there is conservation covenant and/or their intent for the land is for landscape conservation.

All applications of LCZ should be considerate of the minimal allowable lot size which is 20ha. Titles or groupings of titles under 20ha require substantial justification why it should be considered and used for LCZ. EMZ should not be considered a part of the LCZ total area.

The following are **NOT** to be used as a primary justification to implement LCZ:

- Land that is covered or substantially covered by with the Natural Assets Overlay and/or the Scenic Protection Overlay.

Explanation: Planning overlays are different to land zones; overlays are a planning tool which are predominately based on broad scale application. Overlays are used to identify risks and factors that can affect land use and development. Overlays override zone requirements and as such should not be used as primary justification to dictate an area's zone.

Titles may have natural assets, however, due to remoteness, some titles may not be significantly visible. Landscape analysis should be done to determine if the land is significantly visible from surrounding areas and must be perceived to have positive value that is important or beneficial to the degree that it warrants specific control of its use. This requires understanding of community expectations.

- Land with a conservation covenant.

Explanation: Protections from conservation covenants in remain effect regardless of the zoning of the land as these are established independent of the planning system. As such, conservation covenants should not be used as primary justification to dictate zone. There may be instances where landholders may apply for LCZ using the reasoning of a conservation covenant and this should be considered favourably if appropriate.

Assessing landscape values can be done by following the South East Coastal Hills Scenic Quality Class Frame of Reference.



## Environmental Management Zone (EMZ)

The Guideline details the following zone application guidelines for applying Environmental Management Zone:

**EMZ1** *The Environmental Management Zone should be applied to land with significant ecological, scientific, cultural or scenic values, such as:*

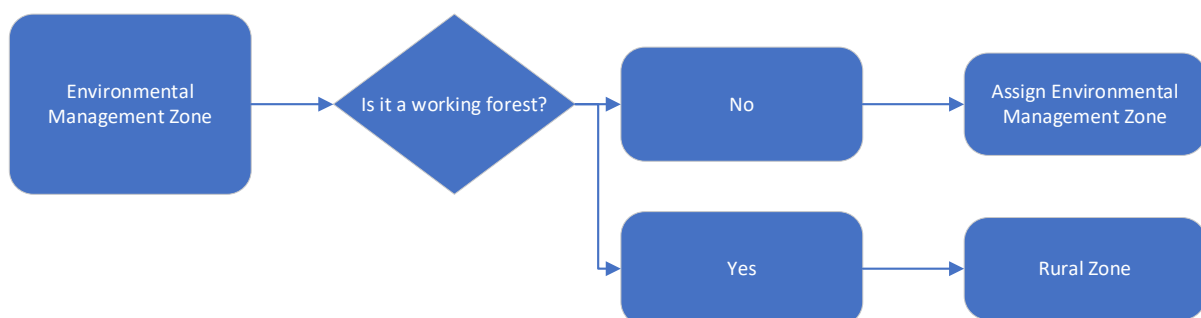
- (a) land reserved under the Nature Conservation Act 2002;*
- (b) land within the Tasmanian Wilderness World Heritage Area;*
- (c) riparian, littoral or coastal reserves;*
- (d) Ramsar sites;*
- (e) any other public land where the primary purpose is for the protection and conservation of such values; or*
- (f) any private land containing significant values identified for protection or conservation and where the intention is to limit use and development.*

**EMZ 2** *The Environmental Management Zone should be applied to land seaward of the high water mark unless contrary intention applies, such as land with existing, or intended for: (a) passive recreation opportunities (see Open Space Zone); (b) recreational facilities (see Recreation Zone); (c) large scale port and marine activities or facilities (see Port and Marine Zone); (d) industrial activities or facilities (see industrial zones); or (e) major utilities infrastructure (see Utilities Zone).*

**EMZ 3** *The Environmental Management Zone may be applied to land for water storage facilities directly associated with major utilities infrastructure, such as dams.*

*Note: If the land seaward of the high water mark that is outside the municipal area is unzoned, the General Provision at clause 7.11 of the State Planning Provisions will be applicable for any use subject to section 7 of the Act. Clause 7.11 requires the consideration of the provisions of the zone that is closest to the site, or the provision of the zone from which the use or development extends.*

For the most part, land within the EMZ of the interim planning scheme transitioned to the EMZ of the draft LPS. There may be, however, working forests included currently zoned as EMZ and should be moved to Rural Zone (Guideline RZ 3)



Other areas which form part of reserve areas and crown land which may need to be translated across to EMZ. As such, the following table details any further modifications to the EMZ within the draft LPS.

## Major Tourism Zone (MTZ)

Major Tourism zone, neither the interim planning scheme nor the draft LPS apply the IRZ within the municipality

## Port and Marine Zone (PMZ)

Port and Marine zone, neither the interim planning scheme nor the draft LPS apply the IRZ within the municipality

## Utilities (UZ)

The Guideline details the following zone application guidelines for applying Utilities Zone:

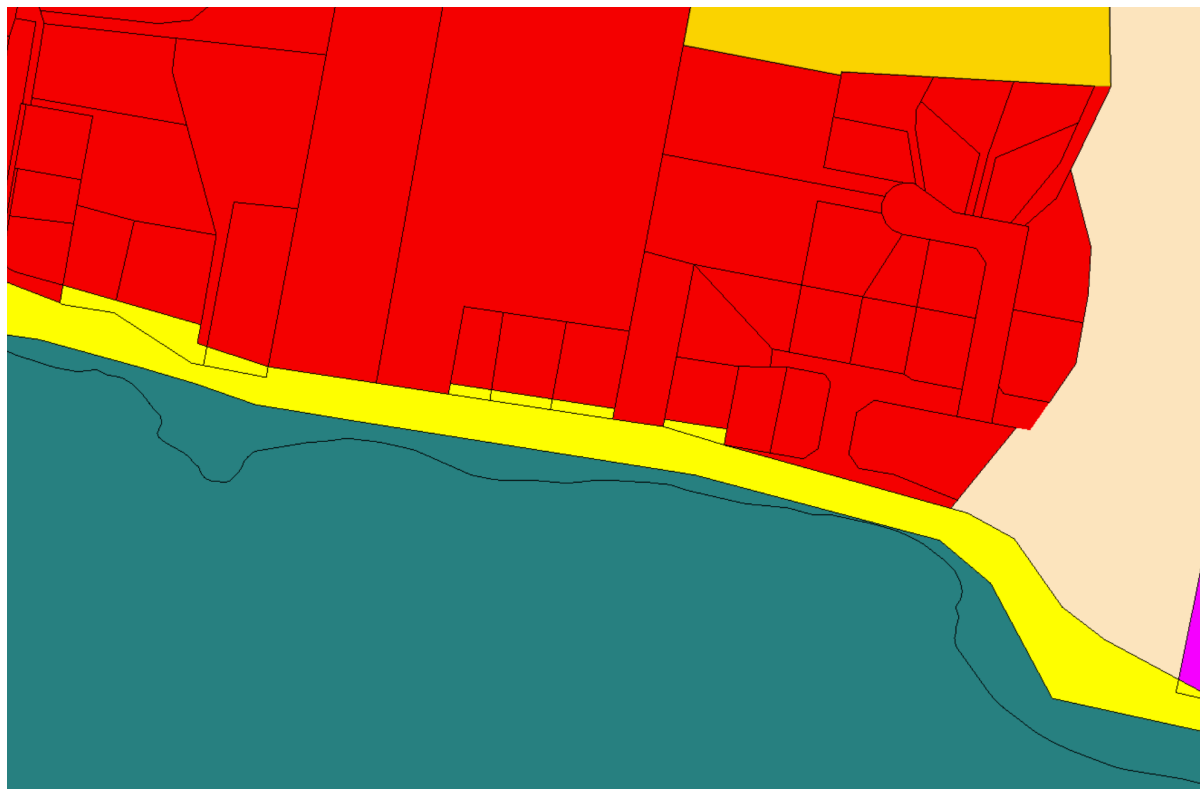
- UZ 1 The Utilities Zone should be applied to land that is used, or intended to be used, for major utilities infrastructure, including:*
- (a) category 1, 2, 3, 4 and 5 roads as defined in the Tasmanian State Road Hierarchy published by the Tasmanian Department of State Growth;*
  - (b) any listed major local roads;*
  - (c) future road corridors for major local and all State roads;*
  - (d) energy production facilities, such as power stations, and major electricity substation facilities;*
  - (e) waste water treatment plants; or (f) rail corridors.*
- UZ 2 The application of the Utilities Zone to category 1, 2, 3, 4 or 5 roads as defined in the Tasmanian State Road Hierarchy should be based on the 'State Road Casement' layer published on the LIST.*
- UZ 3 The Utilities Zone may be applied to land that provides, or is intended to provide, for major waste transfer stations, recycling depots or refuse disposal sites.*
- UZ 4 The Utilities Zone may be applied to land for water storage facilities for the purposes of water supply directly associated with major utilities infrastructure, such as dams or reservoirs.*
- UZ 5 The Utilities Zone may be applied to land seaward of the high water mark where it includes existing, or is intended for, port and marine activities or facilities.*
- UZ 6 The Utilities Zone should not be used for minor utilities or underground utilities as these are more appropriately contained with the surrounding zone to which it is located.*

*Note: Major airport facilities may be more appropriately located within a Particular Purpose Zone*

CT	Address	Address	IPS Zone	LPS Zone (Council)	Like for Like	HVZA LPS
54210/4	4418 HUON HWY	PORT HUON TAS 7116	28.0 Utilities	General Residential	Utilities	Utilities
54210/5	4422 HUON HWY	PORT HUON TAS 7116	28.0 Utilities	General Residential	Utilities	Utilities
54210/6	4426 HUON HWY	PORT HUON TAS 7116	28.0 Utilities	General Residential	Utilities	Utilities

RE: 54210/4 4418 HUON HWY, AND; 54210/5 4422 HUON HWY, AND; 54210/6 4426 HUON HWY

Looks like an error in GIS use. Recommend: Revert to Utilities.



CT	Address	Address	IPS Zone	LPS Zone (Council)	Like for Like	HVZA LPS
61528/1	6904 CHANNEL HWY	GARDNERS BAY TAS 7112	13.0 Rural Living	Rural Living, Utilities	Rural Living	Rural Living

REVIEWED - Utilities not on property boundary -can HVC review?

## Community Purpose Zone (CPZ)

The Guideline details the following zone application guidelines for applying Community Purpose Zone:

- CPZ 1 The Community Purpose Zone should be applied to land that provides, or is intended to provide, for key community facilities and services, including:*
- (a) schools, tertiary institutions or other education facilities;*
  - (b) medical centres, hospital services or other care-based facilities;*
  - (c) emergency services facilities; or (d) large community halls, places of worship or other key community or cultural facilities.*
- CPZ 2 Some community facilities and services may be zoned the same as the surrounding zone, such as a residential or business zone, if the zone is appropriate for the nature or scale of the intended use, such as a small scale place of worship, public hall, community centre or neighbourhood centre.*

*Note: Major community facilities and services, such as tertiary educational facilities and hospital services, with unique characteristics may be more appropriately located within a Particular Purpose Zone*

## Recreation Zone (RecZ)

- RecZ 1 The Recreation Zone should be applied to land that is, or is intended to be, used for active or organised recreational purposes, including: (a) sporting grounds and facilities; (b) golf courses; (c) racecourses; and (d) major sporting facilities.*
- RecZ 2 The Recreation Zone may be applied to either public or privately owned land.*
- RecZ 3 The Recreation Zone may be applied to land seaward of the high water mark where it includes existing, or is intended for, recreational facilities.*
- RecZ 4 The Recreation Zone should not be used for open space areas or land predominantly intended for passive recreation (see Open Space Zone).*

For the most part, land within the RecZ of the interim planning scheme transitioned to the RecZ of the draft Rec.

## Open Space Zone (OSZ)

- OSZ 1 The Open Space Zone should be applied to land that provides, or is intended to provide, for the open space needs of the community, including land identified for:*  
*(a) passive recreational opportunities; or*  
*(b) natural or landscape amenity within an urban setting.*
- OSZ 2 The Open Space Zone may be applied to land seaward of the high water mark where it includes existing, or is intended for, passive recreation opportunities.*
- OSZ 3 The Open Space Zone should generally only be applied to public land, but may be applied to privately owned land if it has been strategically identified for open space purposes.*
- OSZ 4 The Open Space Zone should not be applied to land:*  
*(a) with significant natural values (see Environmental Management Zone); or*  
*(b) with, or intended for, formal recreational facilities, such as sporting grounds, golf courses, racecourses or major sporting facilities (see Recreation Zone).*

For the most part, land within the OSZ of the interim planning scheme transitioned to the OZ of the draft Rec.

## Future Urban Zone (FUZ)

- FUZ 1 The Future Urban Zone should be applied to land identified for future urban development to protect the land from use or development that may compromise its future development, 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.*
- FUZ 2 The Future Urban Zone should be applied to land within an interim planning scheme Particular Purpose Zone which provides for the identification of future urban land.*
- FUZ 3 The Future Urban Zone may be applied to land identified in an interim planning scheme code or specific area plan overlay which provides for future urban land. FUZ 4 The Future Urban Zone may be applied to sites or areas that require further structure or master planning before its release for urban development.*

## Particular Purpose (PPZ)

*PPZ 1 A Particular Purpose Zone (PPZ) may be applied to a particular area of land where the intended planning outcomes cannot be achieved through the application of one or more State Planning Provision zones. It may be applied to land that provides major facilities or sites which require a unique or tailored approach to both use and development standards, such as a university campus, or major hospital site.*

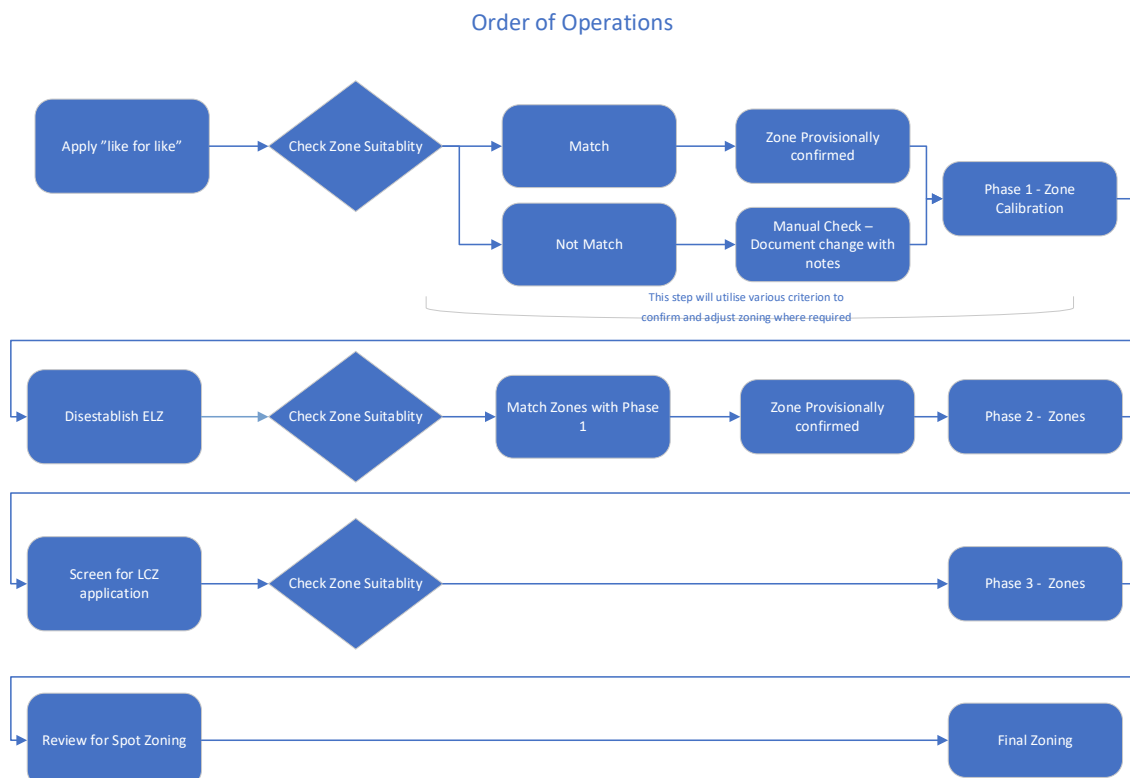
*Note: A new PPZ must meet a requirement of section 32(4) of the Act*

## Order of Operations – Applying of SPP’s Zone Conversion

If given enough time, the HVZA would have been able to provide a community LPS of sorts. The HVC was given multiple years to come up with an LPS. The HVZA has had approximately 4 weeks to reply, with a great deal of uncertainty for extended periods t

We envision the IPS to LPS as a simple translation task, hence, simple operations and checks will be used to apply a Zone Conversation. This is as follows:

- Operation 1: Apply like for like zones as per table.
- Operation 2: Apply flow checks on established zones, confirm suitability on zones.  
Flows followed: GRZ use check, LDR use Check, RLZ Use and Lot Size Check, VZ Use Check, RZ and AZ Decision Tree / Use
- Operation 3: Flag unsuitable zones and match with next suitable zones – document zone changes with justification.
- Operation 4: Disestablish ELZ, run ELZ Zone through ELZ Conversion Decision Tree
- Operation 5: Screen for appropriate use for LCZ using LCZ Transition Decision Tree + Viewshed maps
- Operation 6: Geo-coordinate any spot zone and or manually review with Phase 3 Zone Map.  
Ignore utilities being spot zoned  
Ignore EMZ being spot zoned  
Ignore open space being spot zoned.  
Ignore recreation zone being spot zoned.
- Operation 7: Export Zoning and compare with council proposed zones.



## Commentary on Code Overlays

### C1.0 Signs Code

No comment: Codes Overlay is applied but is not required to be mapped.

### C2.0 Parking and Sustainable Transport Code

No Comment, Code Overlas will be applied in other planning exercises (*Huonville-Ranelagh Masterplan*)

### C3.0 Road and Railway Assets Code

No Comment, Code Overlays not applied/proposed within the LPS. Code Overlay may be applied in future planning exercises.

### C4.0 Electricity Transmission Infrastructure Protection Code

No Comment: Code Overlay applied from data that was supplied by TasNetworks as required.

### C5.0 Telecommunications Code

No comment: Codes Overlay is applied but is not required to be mapped.

### C6.0 Local Historic Heritage Code

No comment: Codes Overlay is currently applied and mapped in certain cases. A Local Historical Heritage Review Project could be conducted to identify potentially more areas to apply this code. This zone has transitioned from the interim planning scheme to the draft LPS. A suitably qualified report needs to be commissioned by the council for revision.

### C7.0 Natural Assets Code

Please refer to previous submission.

### C8.0 Scenic Protection Code

The Scenic Protection Code applies to land shown within a:

- Scenic protection area overlay; or
- Scenic road corridor overlay.

This zone has transitioned from the interim planning scheme to the draft LPS. A suitably qualified report needs to be commissioned by the council for revision.