



**Transition to the Tasmanian Planning Scheme**

# **Draft Devonport Local Provisions Schedule**

**Supporting Report**

**February 2020**

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#### Document version control

Version	Comment	Issue date
1	As endorsed by Council and submitted to the Tasmanian Planning Commission on 28 June 2019	May 2019
2	Modifications made following Tasmanian Planning Commission's direction to modify notice issued pursuant to section 35(5)(b) of the <i>Land Use Planning and Approvals Act 1993</i>	February 2020

## Executive Summary

The purpose of this report is to support the submission of the Devonport City Council's draft Local Provisions Schedule (LPS) to the Tasmanian Planning Commission in accordance with section 35 of the *Land Use Planning and Approvals Act 1993*. The draft LPS will form part of the Tasmanian Planning Scheme.

This supporting report should be read in conjunction with the other components of the draft LPS "package".

The draft LPS package comprises:

- the State Planning Provisions;
- the ordinance (written document) component of the draft LPS;
- zone maps;
- code overlay maps;
- Specific Area Plan overlay maps;
- Local Area Objective (LAO) overlay maps;
- transitional arrangements which provide for the inclusion of existing local planning controls into the draft LPS; and
- this Supporting Report.

The Tasmanian Planning Commission will assess the draft LPS and determine whether it is suitable to proceed to a statutory 60-day public exhibition period.

This report establishes that the draft LPS meets the LPS criteria as set out under section 34(2) of the *Land Use Planning and Approvals Act 1993* and further addresses the statutory requirements and strategic justifications for the preparation of the draft LPS.

## Abbreviations

LUPAA	means the <i>Land Use Planning and Approvals Act 1993</i>
SPPs	means the State Planning Provisions
LPS	means Local Provisions Schedule
LPS Zone and Code Application Guideline	means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission
Commission	means the Tasmanian Planning Commission
Interim Planning Scheme	means the current <i>Devonport Interim Planning Scheme 2013</i>
1984 Planning Scheme	means the <i>Devonport and Environs Planning Scheme 1984</i> . That planning scheme in operation before the commencement of the Interim Planning Scheme in October 2013
PPZ	means a Particular Purpose Zone
SAP	means a Specific Area Plan

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A	Contents of the draft LPS (s.32 LUPAA)
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<b>X</b>	Ministerial Notices and Declarations for transitional arrangements made under Schedule 6 of LUPAA
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<b>Z</b>	Flowchart showing the draft LPS approval process
<b>AA</b>	Environmental Management Zone reassignments

## 1 Introduction

Through amendments to the *Land Use Planning and Approvals Act 1993* (LUPAA), the Tasmanian State Government has legislated for the introduction of a single state-wide planning scheme to be known as the Tasmanian Planning Scheme. The Tasmanian Planning Scheme will replace all existing local council planning schemes in Tasmania.

Each local council is required to prepare a Local Provisions Schedule as part of the transition to the Tasmanian Planning Scheme.

In general terms the Tasmanian Planning Scheme will comprise two parts:

- (a) a set of standardised state-wide planning rules called the State Planning Provisions (SPPs) which contain administrative/operational provisions, and the provisions for a standard suite of zones and codes; and
- (b) a Local Provisions Schedule (LPS) which contains the zone and code overlay maps that apply the SPPs to a local council area.

The Tasmanian Planning Scheme will come into effect for each local council once the LPS is declared/approved for that municipal area.

## 1.1 Making of the State Planning Provisions (SPPs)

At the direction of the Minister for Planning, the SPPs were initially prepared by the State Government's Planning Reform Taskforce in consultation with State agencies, local government and other stakeholders.

The preparation, consultation and assessment of the SPPs was carried out in accordance with the legislative requirements established under LUPAA. This included a statutory public exhibition period between March-May 2016 and further assessment by the Tasmanian Planning Commission (the Commission).

The Commission's assessment of the SPPs included public hearings into the representations received during the public exhibition period. These hearings were held in Hobart, Launceston and Burnie between July and October 2016.

Following the Commission's assessment, the SPPs were declared by the Minister for Planning on 22 February 2017.

A complete version of the State Planning Provisions can be accessed via the following link:

[https://planningreform.tas.gov.au/\\_data/assets/pdf\\_file/0014/412322/State-Planning-Provisions-Draft-Amendment-01-2017-compiled-version.PDF](https://planningreform.tas.gov.au/_data/assets/pdf_file/0014/412322/State-Planning-Provisions-Draft-Amendment-01-2017-compiled-version.PDF)

## 1.2 Preparing the Local Provisions Schedule (LPS)

Each local council is responsible for the preparation of an LPS for its own municipal area, with this work essentially about the spatial application of the SPPs. This can generally be described as a mapping exercise to determine where the standardised zones and codes of the SPPs are to apply.

The LPS preparation process is not about a reviewing or remaking of the SPPs. It is about determining where the rules apply – not reviewing what the rules are.

An LPS can also include "customized local planning controls" that are unique to a particular local council area (e.g. Particular Purpose Zones (PPZs), Specific Area Plans (SAPs), and site-specific qualifications (SSQs)).

LUPAA provides for the transition of some existing customised local controls in current planning schemes to be included with an LPS, whilst any new ones will need to be adequately justified by the significant social, economic or environmental benefit test required by LUPAA.

In the same way that existing PPZs, SAPs and SSQs can be transitioned from an existing planning scheme into an LPS, LUPAA also allows for certain provisions of a code in an existing planning scheme to be included with a draft LPS – which are called "code applying provisions". An example of a code applying provision is a list of local heritage listed places in an existing planning scheme which can become the equivalent list in a draft LPS.

A draft LPS will be made available for public exhibition during which time any person may inspect and make representation on the content of the draft LPS.

The assessment of a draft LPS will be conducted by the Tasmanian Planning Commission.

## 2 Statutory requirements and strategic considerations

### 2.1 Compliance with the LPS criteria

As instructed and set out under section 34 (2) of LUPAA, a draft LPS must satisfy a particular set of statutory criteria. The compliance of the draft LPS with these criteria is elaborated in the following sections.

#### 2.1.1 Draft LPS is to contain all the mandatory provisions

LUPAA reference	Requirement	Compliance statement
s.34 (2)(a)	A draft LPS must contain all the provisions that the SPPs specify must be contained in an LPS.	The LPS Requirements contained at LP1.0 and Appendix A of the State Planning Provisions provide instruction for what a draft LPS must include and the way that detail is to be shown.

		<p>The draft LPS provides:</p> <ul style="list-style-type: none"> <li>• for the identification of the draft LPS as that pertaining to the municipal area of Devonport;</li> <li>• zone maps which show the spatial application of the SPP zones to land (including the differentiation of the relevant Rural Living “sub-zones”);</li> <li>• code overlay maps where a spatial application of the SPPs code provisions is relevant;</li> <li>• code lists in tables for the application of a relevant SPP code;</li> <li>• the required content for a particular purpose zone (including mapping);</li> <li>• the required content for a specific area plan (including overlay mapping);</li> <li>• the required content for the inclusion of Local Area Objectives (including overlay mapping); and</li> <li>• for the identification of any relevant applied, adopted, or incorporated document.</li> </ul> <p>The draft LPS contains all the mandatory provisions required by the SPPs.</p>
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### 2.1.2 Content of draft LPS

LUPAA reference	Requirement	Compliance statement
s.34 (2)(b)	A draft LPS is in accordance with section 32.	<p>The instruction contained at section 32 of LUPAA sets out the requirements for the contents of a draft LPS. These are examined further in <b>Appendix A</b>.</p> <p>The draft LPS is consistent with the content requirements specified.</p>

### 2.1.3 LUPAA Schedule 1 Objectives

LUPAA reference	Requirement	Compliance statement
s.34 (2)(c)	A draft LPS furthers the objectives set out in Schedule 1 of LUPAA.	<p><b>Appendix B</b> of this supporting report provides consideration of the draft LPS against the Objectives set out under Schedule 1.</p> <p>The draft LPS is consistent with and furthers the Schedule 1 objectives.</p>

### 2.1.4 Consistency with State Policies

LUPAA reference	Requirement	Compliance statement
s.34 (2)(d)	A draft LPS is consistent with each State policy.	<p>Section 2.2 of this supporting report provides consideration of the draft LPS against the State policies.</p> <p>The draft LPS is appropriately consistent with each State Policy.</p>



## 2.1.5 Consistency with Regional Strategy

LUPAA reference	Requirement	Compliance statement
s.34 (2)(e)	A draft LPS is, as far as practicable, consistent with the relevant regional land use strategy.	<p>Section 2.3 and <b>Appendix C</b> of this supporting report provide consideration of the draft LPS against the <i>Cradle Coast Regional Land Use Strategy 2010-2030</i> (the Regional Strategy).</p> <p>The draft LPS is appropriately consistent with the Regional Strategy.</p>

## 2.1.6 Consistency with Council's Strategic Plan

LUPAA reference	Requirement	Compliance statement
s.34 (2)(f)	A draft LPS has regard to the relevant strategic plan, prepared under section 66 of the <i>Local Government Act 1993</i> .	<p>Section 2.4 of this supporting report provides consideration of the draft LPS against the <i>Devonport City Council Strategic Plan 2009-2030</i>.</p> <p>The draft LPS is consistent with Council's strategic plan.</p>

## 2.1.7 Consistency and co-ordination with LPS of adjacent municipal areas

LUPAA reference	Requirement	Compliance statement
s.34 (2)(g)	A draft LPS, as far as practicable, is consistent with and co-ordinated with any LPSs that apply to adjacent municipal areas.	<p>The draft LPS is required to be consistent with and co-ordinated with, as far as practicable, any LPSs that apply to adjacent municipal areas.</p> <p>Although sub-clause 34 (2)(g) of LUPAA engages the term "adjacent" which could perhaps invite a broader interpretation than local council areas which simply "adjoin", Council has primarily focused its consultations with the adjoining municipal areas of Central Coast, Latrobe and Kentish.</p> <p>It is also identified that no LPSs have been formally approved/declared for these adjoining municipal areas. As at May 2019:</p> <ul style="list-style-type: none"> <li>- Central Coast Council has endorsed a draft LPS which has been submitted to the Tasmanian Planning Commission but is yet to be publicly exhibited; and</li> <li>- the Latrobe and Kentish Councils are finalising their respective draft LPSs.</li> </ul> <p>Consultations have generally considered the juxtaposition of land zones where zone allocations interface with a municipal boundary.</p> <p>The draft LPS is, as far as practicable, consistent with and co-ordinated with the adjoining draft LPSs of Central Coast, Latrobe and Kentish.</p>

## 2.1.8 Safety considerations against the requirements of the *Gas Pipelines Act 2000*

LUPAA reference	Requirement	Compliance statement
s.34 (2)(h)	A draft LPS has regard to the safety requirements set out in the standards prescribed under the <i>Gas Pipelines Act 2000</i> .	<p>The Tasmanian gas pipeline (as contemplated by the <i>Gas Pipelines Act 2000</i>) intersects the municipal area of Devonport generally on a north-west to south-east alignment (see Figure 1 below). The route of the pipeline extends through non-urban areas, being generally located to the southern end of the municipality.</p>  <p>Figure 1 – Location of Tasmanian Gas Pipeline with regard to the area of Devonport (Source: <a href="http://www.tasmaniangaspipeline.com.au/google-map">www.tasmaniangaspipeline.com.au/google-map</a>).</p> <p>The Minister for Planning declared the Interim Planning Scheme in October 2013, and in doing so confirmed consistency of the Interim Planning Scheme with the safety requirements set out in the standards prescribed under the <i>Gas Pipelines Act 2000</i> (as contemplated by section 20 (1)(e) of the former LUPAA provisions).</p> <p>The allocation of the draft LPS zones for land impacted by the gas pipeline corridor shown in Figure 1 above is generally comparable with existing zone allocations made with the current Interim Planning Scheme. The draft LPS zones impacted by the route of the gas pipeline corridor include the Agriculture Zone, Rural Zone and Environmental Management Zone.</p> <p>On the basis that zone allocations are largely equivalent to the existing situation, the draft LPS will not compromise the safety requirements of the gas pipeline infrastructure. Furthermore, the draft LPS does not include a provision that will modify a State Planning Provision (by action of a Particular Purpose Zone, Specific Area Plan or site-specific qualification) that will affect land with proximity to the Tasmanian gas pipeline.</p> <p>The draft LPS is appropriately consistent with the safety requirements of <i>Gas Pipelines Act 2000</i>.</p>

## 2.2 State Policies

In accordance with section 34(2)(d) of LUPAA a draft LPS must be consistent with each State Policy made under the *State Policies and Projects Act 1993*.

### 2.2.1 State Policy on the Protection of Agricultural Land 2009

The purpose of the *State Policy on the Protection of Agricultural Land 2009* (the PAL Policy) is to conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, by minimising:

- (a) conflict with or interference from other land uses; and
- (b) non-agricultural use or development on agricultural land that precludes the return of that land to agricultural use.

The PAL Policy makes recognition of the particular importance of prime agricultural land.

The Policy is supported by a set of eleven principles that are to be implemented through planning schemes and other planning instruments. Instruction is provided that no principle should be read in isolation from the others to imply a particular action or consequence.

The SPPs have been approved as being consistent with the PAL Policy. The SPPs include the Rural Zone and the Agriculture Zone which is a recalibration of the existing standard Rural Resource Zone and Significant Agriculture Zone included with current interim planning schemes around the State. In making this recalibration the State's position is that this will better reflect the characteristics of rural and agricultural areas.

The PAL Policy is primarily given effect through the SPPs and the draft LPS by the application of the Agriculture Zone which has a distinct focus on agricultural uses and the principles contemplated by the PAL Policy.

The Rural Zone made with the SPPs is more focused towards non-urban land use which is otherwise compromised or significantly constrained for agricultural use (with the exception of plantation forestry). The Rural Zone does not preclude agricultural use, however such use would be considered to be occurring at a lesser intensity than on land included with the Agriculture Zone (again with the exception of plantation forestry). The Agriculture Zone includes some limitations on prime agricultural land being used for plantation forestry which is consistent with the principles contemplated by the PAL Policy.

To support local councils with the application of the Agriculture Zone in preparing a draft LPS, the State has produced a state-wide guidance mapping layer published on the Land Information System Tasmania (LIST) database – titled “*Land Potentially Suitable for Agriculture Zone*”. The methodology behind the preparation of this mapping is based on the Agricultural Land Mapping Project commissioned by the Tasmanian State Government. The mapping produced with this Project focused on land currently zoned Rural Resource or Significant Agriculture under existing interim planning schemes.

The above-mentioned State guidance mapping in conjunction with the instruction contained in the LPS Zone and Code Application Guideline has served to inform the assignment of land to the Agriculture Zone proposed with the draft LPS.

Whilst the majority land currently zoned Rural Resource under the Interim Scheme will transition to the Agriculture Zone (in line with the mapping layer published on the LIST) the draft LPS does propose the assignment of some areas to an alternative zone such as Rural or Rural Living where there are existing factors that significantly constrain the use of such land for agricultural purposes. Such instances are further examined in the zone reassignment tables for the Rural Living Zone and Rural Zone attached as **Appendix H** and **Appendix N** respectively.

Further information on the recalibration of the Rural Zone and Agriculture Zone under the SPPs and the State's Agricultural Land Mapping Project is provided with **Appendix S**.

In accordance with the above rationale the draft LPS provides for the application of zones that is appropriately consistent with the *State Policy on the Protection of Agricultural Land 2009*.

## 2.2.2 State Coastal Policy 1996

The State Coastal Policy 1996 (the Coastal Policy) applies to Tasmania's "coastal zone" (including State Waters) and all land to a distance of 1 km from the high-water mark. The Coastal Policy engages three main principles:

- (1) natural and coastal values of the coast shall be protected;
- (2) the coast shall be used and developed in a sustainable manner; and
- (3) integrated management and protection of the coastal zone is a shared responsibility.

The outcomes contemplated by the Coastal Policy are relatively broad, with planning schemes forming one of various mechanisms to satisfy a specified outcome.

The SPPs have been approved as being consistent with the Coastal Policy. The SPPs address natural resource and ecosystem considerations for coastal environments through:

- the provision of standardised zones (and accompanying standards) such as the Environmental Management Zone which can be applied to coastal areas;
- coastal hazard management codes (the Coastal Erosion Hazard Code and Coastal Inundation Hazard Code); and
- The Natural Assets Code which includes for the identification of a Waterway and Coastal Protection Area and also a Future Coastal Refugia Area.

In particular the identification of "future coastal refugia areas" under the Natural Assets Code of the SPPs relates to areas identified for the potential landward retreat of coastal habitats such as saltmarshes and tidal wetlands as a consequence of predicted sea level rise. This specifically aims to address outcomes of the Coastal Policy, namely ensuring the sustainability of major ecosystems and natural processes in coastal areas.

The Minister for Planning declared the Interim Planning Scheme in October 2013, and in doing so confirmed consistency of the Interim Planning Scheme with the Coastal Policy. The allocation of zones included with the draft LPS for coastal areas is generally consistent with (or generally equivalent to) the existing zoning situations under the Interim Planning Scheme. More specifically the Environment Management Zone is appropriately retained and applied to coastal areas. On this basis the zone assignments made with the draft LPS are considered to be appropriately consistent with the Coastal Policy.

The draft LPS does not include any new Particular Purpose Zones or Specific Area Plans other than those which are contained (in some form) under the current Interim Planning Scheme. These are included with the draft LPS by means of the transitional arrangements enabled under Schedule 6 of LUPAA. Accordingly, these customised local planning controls are deemed to be appropriately consistent with the State Coastal Policy.

The draft LPS will provide for the application of the Coastal Erosion Hazard Code and Coastal Inundation Code in accordance with the SPPs and the standardised State produced mapping which was prepared by the Department of Premier and Cabinet (DPAC), Office of Security and Emergency Management as part of the *Mitigating Natural Hazards through Land Use Planning Project*. This mapping is available on the Land Information System Tasmania (LIST) database. The draft LPS overlay maps to these codes adopt the state produced mapping as published on the LIST database without modification.

The draft LPS also includes overlay maps to inform the application of the Natural Assets Code of the SPPs. The waterway and coastal protection area and future coastal refugia area overlays are relevant to the application the Coastal Policy. The overlay maps for these codes have been derived from guidance mapping produced at the State level and published on the Land Information System Tasmania (LIST) database. Notwithstanding that as part of preparing these overlay maps some modifications have been made to the information shown on the LIST Guidance Map (which is further explained in **Appendix U**), the draft LPS overlays provide for the appropriate application of the Natural Assets Code and recognition of the considerations made with the Coastal Policy.

The sum of the above commentary is that the draft LPS is appropriately consistent with the *State Coastal Policy 1996*.

### **2.2.3 State Policy on Water Quality Management 1997**

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

The purpose of the Water Quality Policy is to protect or enhance the qualities of surface and ground water resources whilst allowing for sustainable development.

Primarily the policy considerations of the Water Quality Policy will be delivered through the provisions of the SPPs under the standard zone provisions which contemplate matters such as connection to reticulated service infrastructure, site coverage considerations for the impact of surface run-off, and codes such as the Natural Assets Code. It is also noted that the instruction contained with clause 6.11.2 (g) of the SPPs enables the making of planning permit conditions dealing with "erosion, and stormwater volume and quality controls".

The draft LPS appropriately applies the relevant zones and codes of the SPPs in a manner that is consistent with the Water Quality Policy.

The draft LPS does not include any new Particular Purpose Zones or Specific Area Plans other than those which are contained (in some form) under the current Interim Planning Scheme. These are included with the draft LPS by means of the transitional arrangements enabled under Schedule 6 of LUPAA. Accordingly, these customised local planning controls are deemed to be appropriately consistent with the Water Quality Policy.

Following the logic set out above, the draft LPS is appropriately consistent with the *State Policy on Water Quality Management 1997*.

### **2.2.4 National Environment Protection Measures**

National Environment Protection Measures (NEPMs) are developed under the *National Environment Protection Council (Tasmania) Act 1995* and detail common national objectives for the protection or management of a range of environmental matters. In accordance with section 12A of the *State Policies and Projects Act 1993*, a NEPM is taken to be a State Policy.

The NEPMs adopted as Tasmanian State Policies are:

- (a) National Environment Protection (Used Packaging Materials) Measure;
- (b) National Environment Protection (Ambient Air Quality) Measure;
- (c) National Environment Protection (Movement of Controlled Waste Between States and Territories) Measure;
- (d) National Environment Protection (National Pollutant Inventory) Measure;
- (e) National Environment Protection (Assessment of Site Contamination) Measure;
- (f) National Environment Protection (Diesel Vehicle Emissions) Measure; and
- (g) National Environment Protection (Air Toxics) Measure.

Only the above-mentioned NEPM pertaining to site contamination is considered relevant to the draft LPS and the matters generally contemplated by the SPPs - which includes the Potentially Contaminated Land Code.

The draft LPS does not include, or rely upon, an overlay map to inform the application of the Potentially Contaminated Land Code of the SPPs, which can operate without reference to an overlay map. The draft LPS (through application of the SPPs) will make appropriate account for the abovementioned NEPM relating to site contamination.



## 2.3 Cradle Coast Regional Land Use Strategy 2010-2030

As instructed by section 34(2)(e) of LUPAA a draft LPS must be consistent as far is practicable with the relevant regional strategy. The regional strategy relevant to the Cradle Coast region is the *Cradle Coast Regional Strategy 2010-2030* (the Regional Strategy).

The Regional Strategy outlines the strategic directions and desired outcomes for land use planning in the Cradle Coast Region. It was originally declared/approved by the Minister for Planning in October 2011.

Whilst the Regional Strategy document itself is constructed as a broader policy framework, it is the content at Part C which details the actual strategy.

In setting out what can generally be described as high level and broad strategic direction for land use planning in the region, the Regional Strategy identifies five general policy considerations:

- (1) Implementation;
- (2) Wise Use of Resources;
- (3) Support for Economic Activity;
- (4) Places for People; and
- (5) Planned Provision for Infrastructure

Given the broad nature of the policy direction established by the Regional Strategy, it is difficult to reconcile that one particular policy statement should be read in isolation from the others in order to imply a particular action or consequence. The Regional Strategy itself provides recognition of this at section 1.2 (of Part C) where it identifies that “*policy groupings are not mutually exclusive*”. Section 1.6(a) further requires that the “*Strategy is to be read and applied in its entirety and all applicable policies are to be applied*”.

The test contained at section 34(2)(e) of LUPAA requires that the draft LPS must be consistent with the Regional Strategy “as far as practicable”. Notably this test implies consistency as far as can be practicably achieved – not absolute consistency. It should be further noted that some of the policy considerations and desired outcomes contemplated by the Regional Strategy are delivered through application of the SPPs rather than being specifically relevant to the content of the draft LPS.

The instruction contained with Practice Note 6<sup>1</sup> makes the implication that addressing the Regional Strategy is to focus on instances where the allocation of draft LPS zones varies to that made with the current Interim Planning Scheme.

The zone reassignment tables included with this report (as **Appendices F to R**, and **AA**) are supported with relevant commentary against the Regional Strategy. The detail of this commentary varies depending on the nature and extent of the reassignments proposed.

A further assessment of the draft LPS against the relevant policy considerations of the Regional Strategy is provided at **Appendix C**.

The collective of these assessments is that the draft LPS is consistent with the Regional Strategy as far as is practicable.

### 2.3.1 Existing Interim Planning Scheme zoning and the Regional Strategy

In providing commentary on the Regional Strategy it is relevant to give some further consideration to the nature of the existing zone allocations included with the current Interim Planning Scheme.

When the Regional Strategy was approved in October 2011 it was understood that planning authorities had the opportunity to make new zone allocations based upon the Regional Strategy. Contained within Part C of the Regional Strategy at section 1.6(h) was instruction around its implementation to the effect:

*“Each municipality of the Cradle Coast Region is to immediately revise or replace its existing local planning scheme to be consistent with the policies contained in the Cradle Coast Regional Land Use Strategy.”*

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<sup>1</sup> Practice Note 6: *Preparing draft Local Provisions Schedules (LPSs) for exhibition* (October 2017) as issued by the Tasmanian Planning Commission.

However, the ability to consider such zone changes was essentially removed with the “like-for-like” instruction on the translation of zones issued by the State Government’s Solicitor General in August 2012. That instruction required the translation of zones from the old planning scheme across to the closest equivalent zone under the new regional interim planning scheme.

Following this instruction from the Solicitor General, the Tasmanian Planning Commission provided advice to local councils in August 2012 that, in relation to zoning changes, “*simply being consistent with the Regional Strategy is not a sufficient ‘test’ of compliance*”.

A reasonable conclusion to the above observations seems to be that existing zone allocations made with the Interim Planning Scheme may not necessarily be consistent with the Regional Strategy (or applied in accordance with the Regional Strategy). They exist generally because of the “like for like” zone translation required by the Solicitor General’s instruction in August 2012, which removed the opportunity to consider revised zone allocations based on the Regional Strategy.

## 2.4 Devonport City Council Strategic Plan 2009-2030

The *Devonport City Council Strategic Plan 2009-2030* (the Strategic Plan) provides a strategic framework which outlines how Council will achieve its vision for Devonport to become a thriving and welcoming regional City, living lightly by river and sea. The framework contemplated by the Strategic Plan sets out a series of goals with corresponding outcomes and strategies. The Strategic Plan has been developed in conjunction with Council, the community and key stakeholders and was recently reviewed in April 2019. The Strategic Plan is attached as **Appendix D**.

With respect to the preparation of the draft LPS, the below table identifies the relevant policy considerations of the Strategic Plan.

Goal	Outcome and Strategies	Comment on consistency
<b>1. Living lightly on our environment</b>	1.2 Sustainability is promoted and integrated across all sectors.	<p>The draft LPS will implement the Tasmanian Planning Scheme and apply the SPPs to the municipal area of Devonport. The SPPs appropriately provide for environmental considerations and the mitigation of impacts associated with climate change in coastal areas.</p> <p>The draft LPS provides for the appropriate application of zones (including the Environmental Management Zone) to recognise areas of environmental importance.</p> <p>The draft LPS will provide for the application of the Coastal Erosion Hazard Code and Coastal Inundation Code in accordance with the SPPs.</p> <p>Furthermore, the draft LPS will apply the Natural Assets Code of the SPPs which provides for the identification and management of areas for:</p> <ul style="list-style-type: none"> <li>- waterway and coastal protection;</li> <li>- future coastal refugia; and</li> <li>- priority vegetation.</li> </ul>
	1.2.1 Support the conservation and maintenance of biodiversity including coastal landscapes and preservation of areas of remnant vegetation.	
	1.2.2 Develop and implement local and regional policies and initiatives to mitigate climate change impacts in partnership with all spheres of government.	
<b>2. Building a unique city</b>	2.1 Council’s Planning Scheme facilitates appropriate property use and development.	<p>The draft LPS will implement the Tasmanian Planning Scheme and apply the SPPs to the municipal area of Devonport.</p> <p>The draft LPS also includes customised local planning controls in the form of a Particular Purpose Zone and Specific Area Plans that allow for unique local circumstances.</p>
	2.1.1 Apply and review the Planning Scheme as required, to ensure it delivers local community character and appropriate land use.	

Goal	Outcome and Strategies	Comment on consistency
	2.1.2 Provide consistent and responsive development assessment and compliance processes.	<p>Once the draft LPS is approved/declared the Tasmanian Planning Scheme will come into effect and replace the current Interim Planning Scheme. The Tasmanian Planning Scheme will then be the instrument to regulate land use and development within the Devonport municipal area.</p> <p>The content of the draft LPS has been prepared in consultation with government and other regulatory authorities, including:</p> <ul style="list-style-type: none"> <li>- adjoining local councils;</li> <li>- representation from the State's Planning Policy Unit and the Tasmanian Planning Commission;</li> <li>- the Tasmanian Fire Service;</li> <li>- TasWater; and</li> <li>- TasPorts.</li> </ul> <p>Public/community involvement in the preparation of the draft LPS will primarily be facilitated through the statutory public exhibition requirements under LUPAA.</p>
	2.1.3 Work in partnership with neighbouring Councils, State Government and other key stake holders on regional planning and development issues.	
	2.4 Promote the development of the CBD in a manner which achieves the Living City Principles Plan.	
	2.4.1 Implement initiatives from the Living City Master Plan.	
<b>3. Growing a vibrant economy</b>	3.3.1 Access in to, out of, and around the City is well planned and managed.	The draft LPS provides for the appropriate allocation of zones that is consistent with this policy. The application of the relevant standardised codes of the SPPs (such as the Parking and Sustainable Transport Code and the Road and Railway Assets Code) will also provide for satisfaction of this policy consideration.
<b>4. Building quality of life</b>	4.3 Heritage is valued.	<p>The draft LPS provides for the appropriate recognition of local heritage interests which will be managed by the Local Historic Heritage Code of the SPPs.</p> <p>All local heritage interests identified under the draft LPS are currently included with the Interim Planning Scheme. They are included with the draft LPS by means of the transitional provisions enabled under Schedule 6 of the <i>Land Use Planning and Approvals Act 1993</i>.</p> <p>Local interests were identified as part of a wide-ranging local heritage study commissioned by the Council back in 2001 which was conducted by an independent heritage consultant. These were incorporated into the <i>Devonport and Environs Planning Scheme 1984</i> and then transitioned across into the current Interim Planning Scheme when that commenced in October 2013.</p>
	4.3.1 Develop and implement initiatives to preserve and maintain heritage buildings, items and places of interest.	

Goal	Outcome and Strategies	Comment on consistency
<b>5 Practicing excellence in governance</b>	5.6 Risk management is a core organisational focus.	Once approved/declared the LPS will form part of the Tasmanian Planning Scheme which will be the instrument to regulate land use and development within the Devonport municipal area. This will operate in accordance with the requirements of the <i>Land Use Planning and Approvals Act 1993</i> .
	5.6.5 Ensure compliance with all relevant legislative requirements, standards, policies and procedures.	

## 2.5 Broader strategic planning considerations

A key challenge in preparing the draft LPS has been the need to differentiate between what is necessary to prepare a draft LPS versus what could be described as broader strategic planning considerations (for example the rezoning of broad areas of land not currently used or zoned for residential purposes to accommodate future settlement growth).

The Minister for Planning has on multiple occasions advised local councils that the State Government's position is that the LPS process is not about the opportunity to undertake significant strategic land use planning reviews. This position is emphasised in a previous statement issued by the Minister for Planning which is reproduced below:

*'The current process of preparing draft LPSs to give effect to the Tasmanian Planning Scheme is a priority for the Government and the efficient conversion of current interim planning schemes to the LPSs should not be unnecessarily complicated by the introduction of strategic changes that are not related to the facilitation of that process.'*

In accordance with this direction, and as part of preparing the draft LPS for the Devonport municipal area, the allocation of land zones has sought to find an appropriate balance between:

- (a) the instruction contained in the State Government issued LPS Zone and Code Application Guideline; and
- (b) zoning assignments that provide for an appropriate recognition of existing and well-established land use and development patterns in the municipal area.

The above approach is not intended to diminish the need for or importance of some broader strategic land use planning reviews. Instead it aims to recognise that such matters do have the potential to complicate the preparation of the draft LPS and may be best considered outside of the draft LPS preparation process.

## 2.6 Previous local strategic planning studies

The current Interim Planning Scheme, and the zone/code assignments made thereunder, hold some regard to previous studies and local strategies commissioned by Council in the past. A number of these studies are now considerably outdated and no longer reflect a policy position held by Council. These include, but are not necessarily limited to:

- the *Devonport Retail Study 2008*; and
- the *Devonport Eastern Shore Project Urban Design Framework (2004)*.

Council recognises the need to undertake some more contemporary localised strategic land use planning which will be pursued in the near future – but ultimately this will occur outside of and separate to the draft LPS preparation process. The absence of some more contemporary strategic planning aside, there is a need to consider an appropriate zoning of land as part of preparing the draft LPS. Furthermore, the allocation of such zones must have regard to the LPS Zone and Code Application Guideline issued by the State.

In preparing and submitting the draft LPS, Council does not wish to be tied or otherwise constrained by any previous outdated local strategic plans or studies that are no longer relevant. With the preparation of draft LPS, Council has primarily recognised the following relevant municipal strategies, policies and actions:

- (a) the *Devonport City Council Strategic Plan 2009-2030*;
- (b) the *Living City Master Plan* (including associated plans and documentation); and
- (c) the *Devonport & Environs Heritage Study 2001*

Whilst regard has been given to the above documents in the preparation of the draft LPS, these do not represent documentation that requires direct inclusion as “*applied, adopted or incorporated documents*” for the purposes of the draft LPS ordinance.

### 3 Composition of the draft LPS

#### 3.1 Points of instruction

In addition to the LPS Requirements set out under the SPPs, a range of information sources have been engaged in the preparation of the draft LPS. These include, but are not necessarily limited to:

(a) *Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)*

This document provides the principal point of instruction for the allocation of zones and codes made with the draft LPS. The Guideline was issued by the Tasmanian Planning Commission in accordance with section 8A of LUPAA.

(b) *Planning Practice Notes*

These represent a series of documents prepared by the Tasmanian Planning Commission to assist local councils with the preparation of a draft LPS. In particular Practice Notes 5, 6, 7 and 8 provide instruction on matters including drafting conventions and written content, technical mapping advice and supporting information requirements.

(c) *Planners Portal*

This is a web based enquiry service developed by the State Government and hosted through the website of the Tasmanian Planning Commission. The Portal serves as a central resource for information relevant to the preparation of a draft LPS leading up to the public exhibition phase.

The Planners Portal provides clarification and information on:

- i. the LPS Requirements set out in the SPPs;
- ii. the requirements detailed in the LPS Zone and Code Application Guideline; and
- iii. the requirements presented in relevant Practice Notes.

#### 3.2 Customised local planning controls

A draft LPS may include “customised controls” (or overriding local provisions) that are unique to a local council area and which allow for variation to the SPPs. These include Particular Purpose Zones, Specific Area Plans and Site Specific Qualifications. Further explanation of these customised controls and their inclusion with the draft LPS is summarised in the following table.

Provision Type	Use and effect	Inclusion with the draft LPS
<b>Particular Purpose Zone (PPZs)</b>	Can be used in circumstances where a unique approach is required to accommodate the use and development of land, which cannot be adequately described by the application of a generic zone under the SPPs. A PPZ contains an entirely different and self-contained set of zone provisions.	The draft LPS contains one PPZ, being for the Elimatta Hotel site.  This is an existing PPZ contained with the current Interim Planning Scheme and is included with the draft LPS by means of the transitional provisions enabled under Schedule 6 of LUPAA.
<b>Specific Area Plan (SAPs)</b>	Apply in addition to an underlying zone or zones. An SAP is designed to apply a more detailed level of planning controls that apply in addition to, in modification of, or in substitution for the standards of the underlying zone(s).  Unlike a PPZ, the provisions of an SAP are not self-contained and therefore those provisions of the underlying zone or zones may still be applicable.	The draft LPS includes three SAPs:  (1) Devonport Regional Homemaker Centre Specific Area Plan; (2) Devonport Homemaker Service Industrial Centre Specific Area Plan; and (3) Devonport Reserved Residential Land Specific Area Plan  Each of the above controls are contained with the current Interim Planning Scheme in some form. These are included with the



		draft LPS by means of the transitional provisions enabled under Schedule 6 of LUPAA.
<b>Site Specific Qualification (SSQs)</b>	May be applied to a specific site or sites for the purposes of a varying a limited range of use and development standards which would otherwise be applicable under the SPPs. The use of an SSQ should be limited to very specific or unique circumstances.	No need has been identified for the inclusion of any SSQs with the draft LPS.

As indicated above, the customised local planning controls included with the draft LPS are to be transitioned across from the current Interim Planning Scheme. No new customised local planning controls are proposed as part of the draft LPS.

### 3.3 Transitional arrangements

#### 3.3.1 Existing Particular Purpose Zone and Specific Area Plans

The provisions under Schedule 6 of LUPAA enables the transition of some existing customised local planning controls in the current Interim Planning Scheme into the draft LPS by means of ministerial declaration.

The inclusion of the below Particular Purpose Zone and Specific Area Plans are supported by the Ministerial notices and declarations contained in **Appendix X**.

- (1) Particular Purpose Zone – Elimatta Hotel;
- (2) Devonport Regional Homemaker Centre Specific Area Plan;
- (3) Devonport Homemaker Service Industrial Centre Specific Area Plan; and
- (4) Devonport Reserved Residential Land Specific Area Plan (reworked from the existing Devonport Reserved Residential Land Code included with the Interim Planning Scheme)

Some modifications have been made to the above controls to align with the requirements of the SPPs. These are made as “permitted alterations” under Schedule 6 of LUPAA and are detailed at **Appendix Y**.

#### 3.3.2 Code applying provisions

In the same way that the existing PPZ and SAPs can be transitioned from the Interim Planning Scheme into the draft LPS, LUPAA also allows for certain provisions of codes to be included with a draft LPS. Code applying provisions are those provisions that indicate the spatial application of a code.

The following code applying provisions from the Interim Planning Scheme are to be included with the draft LPS and are supported by the Ministerial notices and declarations contained in **Appendix X**.

- Local Heritage Code – buildings and places and conservation areas listed in Table E5.1; and
- Traffic Generating Use and Parking Code – the Devonport Local Parking Area Scheme

Some minor modifications have been made to the code applying provisions applicable to the local heritage interests. These are primarily to provide for the correction of minor errors or to ensure the effective operation of the provision included with the draft LPS. The modifications are identified in **Appendix T**.

The detail included with the Ministerial notices and declarations in **Appendix X** also identifies which code applying provisions are not subject to the transitional arrangements under Schedule 6 of LUPAA and which are not to be included with the draft LPS.

### 3.4 Allocation of land to zones under the draft LPS

#### 3.4.1 Methodology

Most of the work associated with preparing the draft LPS is generally about where to apply the standardised suite of zones set by the SPPs. All land within the municipal area is assigned to a zone and it is the zoning that provides the primary mechanism for expressing the spatial strategy contemplated by the draft LPS.

The zoning of land provides for what land use and development can occur in particular areas and under what circumstances – each zone has its own set of use and development standards. The SPPs include the full suite of standardised zone provisions.

In preparing the draft LPS for Devonport, a general methodology has been adopted where the allocation of land to zones is made as either a **translation** or a **reassignment**.

- (a) A **translation** occurs where the zone proposed under the draft LPS is the same as that already existing under the existing Interim Planning Scheme (for example General Residential to General Residential).

Translations will generally be described by the draft LPS Zone maps.

- (b) A **reassignment** occurs where the draft LPS proposes an alternative zoning to that existing under the Interim Planning Scheme.

In addition to the draft LPS Zone maps, proposed zone reassignments are supported by a “reassignment table” which sets out additional information to justify the reassignment to an alternative zone.

It is recognised that the structure and content of the zones included with the SPPs is not exactly the same as those equivalent zones forming part of the existing Interim Planning Scheme. However, where a translation is proposed this is considered to appropriately align with the intent and function of the equivalent zone of the SPPs.

Zoning reassignments also have regard to situations where the current zoning does not appropriately reflect the existing use and development of a site and where there is an established pattern/sequence of such use and development on adjacent properties.

The adopted method has been to start with current zone allocations of the Interim Planning Scheme as the base and then prepare a set of zone reassignment tables instructing where an alternative zone is proposed for a site.

Section 3.4.2 below provides further information for zone allocations proposed with draft LPS.

### 3.4.2 Draft LPS zones

The proposed zoning of land is expressed in the draft LPS zone maps.

The allocation of land to zones is made in accordance with the instruction contained in *Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)*.

The draft LPS includes a suite of 19 zones and further information on the application of each of these zones is set out below. This information should be read in conjunction with the full suite of standard zone provisions included with the SPPs.

The set of provisions applicable to Particular Purpose Zone – Elimatta Hotel are detailed in the ordinance (written document) component of the draft LPS at clause DEV-P1.0.

Zone Name	General Residential	
Zone Purpose	<p>The purpose of the General Residential Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided;</li> <li>(2) To provide for the efficient utilisation of available social, transport and other service infrastructure;</li> <li>(3) To provide for non-residential use that: <ol style="list-style-type: none"> <li>(i) primarily serves the local community; and</li> <li>(ii) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off-site impacts; and</li> </ol> </li> <li>(4) To provide for Visitor Accommodation that is compatible with residential character.</li> </ol>	

<b>Comparable Zone under the Interim Planning Scheme</b>	General Residential Zone.
<b>Comments on LPS Zone Application</b>	The General Residential Zone is applied to the main urban residential areas of the Devonport municipality. The reassignment of land to this Zone under the draft LPS includes land in and around established urban areas that is occupied by residential use and development and which is not appropriately described by the incumbent zone under the Interim Planning Scheme.
<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<b>Additions:</b> See General Residential Zone reassignments ( <b>Appendix F</b> ).
	<b>Removals:</b> Land containing schools (see Community Purpose Zone reassignments). Land containing churches where there is an associated graveyard/cemetery (see Community Purpose Zone reassignments). Land containing funeral home/parlour at 117 Forbes Street, Devonport (see Community Purpose Zone reassignments). Single land parcel at the southern end of Hiller Street, Devonport (90 Hiller Street) in a location that is predominantly used and zoned for light industrial activity (see Light Industrial Zone reassignments). Land containing major TasWater infrastructure (see Utilities Zone reassignments). Land included within the area bound by Brooke, North Caroline, Neely and Tarleton Streets in East Devonport (see Light Industrial Zone reassignments). Land where there is an established sequence (or "cluster") of local business type uses (see Local Business Zone reassignments). Public land which is better identified as public open space (see Open Space Zone reassignments).

<b>Zone Name</b>	<b>Inner Residential</b>	
<b>Zone Purpose</b>	<p>The purpose of the Inner Residential Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for a variety of residential use or development that accommodates a range of dwelling types at higher densities;</li> <li>(2) To provide for the efficient utilisation of available social, transport and other service infrastructure;</li> <li>(3) To provide for non-residential use that: <ol style="list-style-type: none"> <li>(i) primarily serves the local community; and</li> <li>(ii) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off-site impacts; and</li> </ol> </li> <li>(4) To provide for Visitor Accommodation that is compatible with residential character.</li> </ol>	
<b>Comparable Zone under the Interim Planning Scheme</b>	Inner Residential Zone not currently used with the Interim Planning Scheme (as at May 2019).	
<b>Comments on LPS Zone Application</b>	The Inner Residential Zone has a limited application under the draft LPS and is only applied to a particular site that has been specifically identified for higher density residential development. This site at 39A North Fenton Street, Devonport is the subject of a Housing Land Supply Order (the Order) issued by the State under the <i>Housing Land Supply Act 2018</i> . The effect of the Order will be to rezone the site to Inner Residential under the existing Interim Planning Scheme. This zoning will transition to the draft LPS.	
<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<b>Additions:</b> See Inner Residential Zone reassignments ( <b>Appendix G</b> ).	
	<b>Removals:</b> Nil.	

<b>Zone Name</b>	<b>Rural Living</b>	
<b>Zone Purpose</b>	<p>The purpose of the Rural Living Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for residential use and development in a rural setting where: <ol style="list-style-type: none"> <li>(i) services are limited; or</li> <li>(ii) existing natural and landscape values are to be retained.</li> </ol> </li> <li>(2) To provide for compatible agricultural use and development that does not adversely impact on residential amenity.</li> <li>(3) To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off-site impacts; and</li> <li>(4) To provide for Visitor Accommodation that is compatible with residential character.</li> </ol>	
<b>Comparable Zone under the Interim Planning Scheme</b>	<p>Rural Living Zone</p> <p>Environmental Living Zone</p>	
<b>Comments on LPS Zone Application</b>	<p>The Rural Living Zone is generally applied to residential areas with larger lots within a rural setting including areas where existing and intended land 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.</p> <p>The Interim Planning Scheme includes the Environmental Living Zone, a zone option which is no longer available under the SPPs. Accordingly, all land currently assigned to this Zone under the Interim Planning Scheme will need to be assigned to an alternative zone under the draft LPS. The Rural Living Zone under the SPPs is considered to provide a generally equivalent zoning alternative.</p> <p>Generally, all land currently zoned Rural Living or Environmental Living under the current Interim Planning Scheme will be translated to the Rural Living Zone under the draft LPS. The exception to this will be for some limited and specific circumstances where an alternative zone is considered more appropriate - for example a site containing major TasWater infrastructure and where the Utilities Zone has been nominated.</p> <p>Reassignments of land to the Rural Living Zone made with the draft LPS include land areas that have readily identifiable "rural-residential" settings occupied by existing residential use and development in and around established settlement areas. The allocation of such land to the Rural Living Zone under the draft LPS is about providing for the appropriate recognition of such land use patterns.</p> <p>As instructed by the State Planning Provisions, the Rural Living Zone includes the option of four "sub-zones" according to existing or desired lot size/density. These are:</p> <ul style="list-style-type: none"> <li>- Rural Living A (1ha)</li> <li>- Rural Living B (2ha)</li> <li>- Rural Living C (5ha)</li> <li>- Rural Living D (10ha)</li> </ul> <p>Based on the existing pattern and density of rural living (or rural residential) development patterns in the Devonport municipal area, most of the land proposed to be included with the Rural Living Zone will be assigned to Rural Living Zone A.</p> <p>The exception to this will be specific circumstances where there the current Interim Planning Scheme prescribes a restriction to maintain an existing lot size and limit any further subdivision potential. In such instances the restriction is "carried over" through the prescription of a larger lot Rural Living sub-zone (such as C). These specific occurrences are detailed in the Rural Living Zone reassignments included as <b>Appendix H</b>.</p> <p>The sub-zones of the Rural Living Zone included with the draft LPS are differentiated on the relevant zone maps by a grey border for each and annotated with the relevant sub-zone identifier in bold grey text.</p>	

<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<b>Additions:</b> See Rural Living Zone reassignments ( <b>Appendix H</b> ).
	<b>Removals:</b> Land containing major TasWater infrastructure (see Utilities Zone reassignments).

<b>Zone Name</b>	<b>Urban Mixed Use</b>	
<b>Zone Purpose</b>	<p>The purpose of the Urban Mixed Use Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for a mix of residential, retail, community services and commercial activities in urban locations; and</li> <li>(2) To provide for a diverse range of use or development that are of a type and scale do not compromise or distort the role of surrounding activity centres in the activity centre hierarchy.</li> </ol>	
<b>Comparable Zone under the Interim Planning Scheme</b>	Urban Mixed Use Zone	
<b>Comments on LPS Zone Application</b>	<p>The Urban Mixed Use Zone is applied to urban areas:</p> <ol style="list-style-type: none"> <li>(a) which have an existing mix of uses, where no particular use dominates, and there is a strategic intention to maintain a mix of uses; or</li> <li>(b) where there is a strategic intention to create an area with a mix of uses where no particular use dominates.</li> </ol> <p>Reassignments of land made to the Urban Mixed Use Zone include those areas identified by the "Area A overlay" as part of the Central Business Zone included with current Interim Planning Scheme.</p> <p>The Urban Mixed Use Zone has generally been applied to locations peripheral to the main CBD area and to the Fourways shopping precinct where there is an established mix of uses or to promote/encourage such a mix.</p> <p>The allocation of the Urban Mixed Use Zone under the draft LPS also provides for an appropriate hierarchical identification of business/retail areas including a better alignment of the Central Business Zone to the main CBD area of Devonport.</p>	
<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<b>Additions:</b> See Urban Mixed Use Zone reassignments ( <b>Appendix I</b> ).	
	<b>Removals:</b> Land on and around North Fenton and Parker Streets where there is no mix (or desired mix) of uses and residential use and development is the prevailing and dominant land use (see General Residential Zone reassignments).	

<b>Zone Name</b>	<b>Local Business</b>	
<b>Zone Purpose</b>	<p>The purpose of the Local Business Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area;</li> <li>(2) To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy;</li> <li>(3) To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers; and</li> <li>(4) To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.</li> </ol>	
<b>Comparable Zone under the Interim Planning Scheme</b>	Local Business Zone	
<b>Comments on LPS Zone Application</b>	The Local Business Zone is generally applied on the same spatial application as that existing with the Interim Planning Scheme. However, some additional land is assigned to the Local Business Zone to capture established "clusters"	



	of business/retail type uses which are currently zoned General Residential under the Interim Planning Scheme. These established patterns of use and development are more appropriately described by the application of the Local Business Zone.
Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application	<b>Additions:</b> See Local Business Zone reassignments ( <b>Appendix J</b> ).
	<b>Removals:</b> Nil.

<b>Zone Name</b>	<b>General Business</b>
<b>Zone Purpose</b>	<p>The purpose of the General Business Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for business, retail, administrative, professional, community, and entertainment functions within Tasmania's main suburban and rural centres;</li> <li>(2) To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy;</li> <li>(3) To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers; and</li> <li>(4) To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.</li> </ol>
<b>Comparable Zone under the Interim Planning Scheme</b>	The General Business Zone is not used with the current Interim Planning Scheme.
<b>Comments on LPS Zone Application</b>	<p>The General Business Zone is applied by the draft LPS to the Fourways shopping precinct.</p> <p>Under the zone allocations made with the current Interim Planning Scheme, the Fourways precinct is zoned Central Business – however this location is separated from the main central business district (CBD) area of Devonport to the extent that the Central Business Zone is not considered appropriate.</p> <p>A key tenet of Council's Living City initiative is to protect and promote the primacy of the CBD area. This policy position is reinforced through the <i>Devonport City Council Strategic Plan 2009-2030</i>. The containment of the Central Business Zone to align with the main CBD area is consistent with this policy.</p> <p>Although the application of the Central Business Zone is not deemed appropriate for the Fourways precinct - the size and scale of this activity centre (and the business/retail services it provides) extend beyond that which is appropriate for inclusion with the Local Business Zone or the Urban Mixed Use Zone.</p> <p>There is a need for the allocation of a business zone that recognises the Fourways as a "higher order" business zone that is outside and separate to the main CBD area. The allocation of this area to the General Business Zone is an appropriate option to address this matter.</p>
Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application	<b>Additions:</b> See General Business Zone reassignments ( <b>Appendix K</b> ).
	<b>Removals:</b> Nil.

Zone Name	Central Business
Zone Purpose	<p>The purpose of the Central Business Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for the concentration of the higher order business, retail, administrative, professional, community, and entertainment functions within Tasmania's primary centres;</li> <li>(2) To provide for a type and scale of use and development supports and does not compromise or distort the activity centre hierarchy;</li> <li>(3) To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers; and</li> <li>(4) To encourage Residential and Visitor Accommodation use above ground floor level if it supports the viability of the activity centre and an active street frontage is maintained.</li> </ol>
Comparable Zone under the Interim Planning Scheme	Central Business Zone
Comments on LPS Zone Application	<p>No additional land to be reassigned to the Central Business Zone under the draft LPS from that which is currently made with the Interim Planning Scheme. Some properties currently allocated to the Central Business Zone under the Interim Planning Scheme are proposed to be reassigned to an alternative business zone (e.g. General Business or Urban Mixed Use). The intention is to contain the Central Business Zone to better align with the main CBD area of Devonport.</p> <p>A key tenet of Council's Living City initiative is to protect and promote the primacy of the CBD area. This policy position is reinforced through the <i>Devonport City Council Strategic Plan 2009-2030</i>. The containment of the Central Business Zone to align with the main CBD area is consistent with this policy.</p>
Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application	<b>Additions:</b> Nil.
	<b>Removals:</b> Fourways shopping precinct (see General Business Zone reassignments). Land identified by the "Area A" business overlay included with the Interim Planning Scheme (see Urban Mixed Use Zone reassignments). Land south of the William Street and Best Street intersection (see Urban Mixed Use Zone reassignments).

Zone Name	Commercial
Zone Purpose	<p>The purpose of the Commercial Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for retailing, service industries, storage and warehousing that require: <ol style="list-style-type: none"> <li>(i) large floor or outdoor areas for the sale of goods or operational requirements; and</li> <li>(ii) high levels of vehicle access and parking for customers; and</li> </ol> </li> <li>(2) To provide for a mix of use and development that supports and does not compromise or distort the role of other activity centres in the activity centre hierarchy.</li> </ol>
Comparable Zone under the Interim Planning Scheme	Commercial Zone
Comments on LPS Zone Application	Commercial Zone allocations will transition from those existing under the Interim Planning Scheme. No additional land to be reassigned to the Commercial Zone under the draft LPS.
Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application	<b>Additions:</b> Nil.
	<b>Removals:</b> Nil.
	The Commercial Zone will translate on the same spatial application as made with the Interim Planning Scheme.

<b>Zone Name</b>	<b>Light Industrial</b>
<b>Zone Purpose</b>	<p>The purpose of the Light Industrial Zone is:</p> <p>(1) To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off site impacts are minimal or can be managed to minimise conflict with, or unreasonable loss of amenity to, any other uses; and</p> <p>(2) To provide for use or development that supports and does not adversely impact on industrial activity.</p>
<b>Comparable Zone under the Interim Planning Scheme</b>	Light Industrial Zone
<b>Comments on LPS Zone Application</b>	The draft LPS applies the Light Industrial Zone to appropriately reflect light industrial type land use patterns in the municipal area. Reassignments of land to the Light Industrial Zone have regard to situations where areas are generally characterized by well-established light industrial type use and development which is not appropriately described or accommodated by the existing zoning under the Interim Planning Scheme.
<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<p><b>Additions:</b> See Light Industrial Zone reassignments (<b>Appendix L</b>).</p> <p><b>Removals:</b> Land occupied by an established pattern of residential use and development (see General Residential Zone reassignments). Land south of Bishops Road in Spreyton (see Rural Living Zone reassignments).</p>

<b>Zone Name</b>	<b>General Industrial</b>
<b>Zone Purpose</b>	<p>The purpose of the General Industrial Zone is:</p> <p>(1) To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on adjacent uses; and</p> <p>(2) To provide for use or development that supports and does not adversely impact on industrial activity.</p>
<b>Comparable Zone under the Interim Planning Scheme</b>	General Industrial Zone
<b>Comments on LPS Zone Application</b>	The draft LPS applies the General Industrial Zone to appropriately describe existing and well established industrial land use patterns in the municipal area that are for larger scale, medium or high impact manufacturing and processing type uses. Modifications from the way that the General Industrial Zone is currently applied under the Interim Planning Scheme include to align the Zone with heavier industrial activities situated to the eastern side of Devonport Road in and around Quoiba.
<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<p><b>Additions:</b> See General Industrial Zone reassignments (<b>Appendix M</b>).</p> <p><b>Removals:</b> Land containing use and development better described by the application of the Light Industrial Zone (see Light Industrial Zone reassignments).</p>

<b>Zone Name</b>	<b>Rural</b>
<b>Zone Purpose</b>	<p>The purpose of the Rural Zone is:</p> <p>(1) To provide for a range of use and development in a rural location:</p> <p>(i) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;</p> <p>(ii) that requires a rural location for operational reasons;</p> <p>(iii) is compatible with agricultural use if occurring on agricultural land; and</p>

	<p>(iv) minimises adverse impacts on surrounding uses;</p> <p>(2) To minimise conversion of agricultural land for non-agricultural use; and</p> <p>(3) To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.</p>
<b>Comparable Zone under the Interim Planning Scheme</b>	Rural Resource
<b>Comments on LPS Zone Application</b>	<p>The inclusion of the Rural Zone with the SPPs is the result of a recalibration of the existing standard Rural Resource Zone and Significant Agriculture Zone included with interim planning schemes around the State.</p> <p>The Rural Zone made with the SPPs is more focused towards non-urban land use which is otherwise compromised or significantly constrained for agricultural use (with the exception of plantation forestry). The Rural Zone does not preclude agricultural use, however such use would be considered to be occurring at a lesser intensity than on land included with the Agriculture Zone.</p> <p>The Rural Zone has been applied by the draft LPS generally to those areas currently zoned Rural Resource under the Interim Planning Scheme and which have been identified as unsuitable for inclusion with the Agriculture Zone.</p> <p>In accordance with the further instruction contained in the LPS Zone and Code Application Guideline, the draft LPS applies the Rural Zone 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.</p> <p><b>Zone application methodology</b></p> <p>In addition to the instruction contained in the LPS Zone and Code Application Guideline for the application of the Rural Zone, the draft LPS has applied the Rural Zone upon consideration of the following cumulative criteria:</p> <ol style="list-style-type: none"> <li>1. Land that is zoned Rural Resource under the existing Interim Planning Scheme;</li> <li>2. Land that is excluded from the “<i>land potentially suitable for Agriculture Zone</i>” guidance mapping published on the Land Information System Tasmania (LIST) database and is not otherwise considered suitable for inclusion with the Agriculture Zone, having regard to: <ol style="list-style-type: none"> <li>i. the methodology set out for the application of the Agriculture Zone as prepared for the draft LPS;</li> <li>ii. the existing use and development and the land size of the site;</li> <li>iii. whether the land is significantly constrained for agricultural use due to topographical, environmental or other constraining factors (such as proximity to residential use and development including land zoned for such purposes); and</li> <li>iv. the extent of the land involved and how that land sits relative to the surrounding zoning (including the prevailing zoning in that location);</li> </ol> </li> <li>3. Land that is shown within the “<i>land potentially suitable for Agriculture Zone</i>” guidance mapping published on the LIST database and having regard to: <ol style="list-style-type: none"> <li>i. whether that land is significantly constrained for agricultural use due to topographical, environmental or other constraining factors (such as proximity to residential use and development including land zoned for such purposes);</li> <li>ii. existing use and development of such land and whether this forms part of a pattern/sequence of similar use and development on adjacent sites in that location (including the suitability of such use and development to be described by the application of the Rural Zone); and</li> </ol> </li> </ol>

	<p>iii. the extent of the land involved and how that land sits relative to the surrounding zoning (including the prevailing zoning in that location);</p> <p>4. Land where there is a pattern (or cluster) of extractive industry or forestry operations (including mining leases and private timber reserves). Individual or isolated instances of such operations are not considered as specific justification for inclusion with the Rural Zone; and</p> <p>5. Land that is not otherwise proposed for reassignment to an alternative zone under the draft LPS (i.e. to the Rural Living Zone, Agriculture Zone, or the Utilities Zone).</p> <p>Further information on the allocation of the Rural Zone with the draft LPS and also the recalibration of the Rural Zone and Agricultural Zone under the SPPs is provided with <b>Appendix S</b>.</p>
<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<p><b>Additions:</b></p> <p>The spatial application of the Rural Zone with the draft LPS does not propose any reassignments per se because land proposed for inclusion in this Zone is already zoned Rural Resource under the current Interim Planning Scheme which has some general zoning equivalence.</p> <p>However, because the existing Rural Resource Zone of the Interim Planning Scheme is to be generally "separated" into Rural Zone or Agricultural Zone assignments by the draft LPS, further information on the assignment of land to the Rural Zone is detailed in <b>Appendix N</b>.</p> <p><b>Removals (from the existing Rural Resource Zone):</b></p> <p>Land containing residential use and development and where there is an established pattern of such use and development which is better described by the application of the Rural Living Zone (see Rural Living Zone reassignments).</p> <p>Land containing major TasWater infrastructure (see Utilities Zone reassignments).</p> <p>Land that is reserved under the <i>Nature Conservation Act 2002</i> (see Environmental Management Zone reassignments).</p>

<b>Zone Name</b>	<b>Agriculture</b>
<b>Zone Purpose</b>	<p>The purpose of the Agriculture Zone is:</p> <p>(1) To provide for the use or development of land for agricultural use;</p> <p>(2) To protect land for the use and development of agricultural use by minimising:</p> <p>(i) conflict with or interference from non-agricultural uses;</p> <p>(ii) non-agricultural use or development that precludes the return of the land to agricultural use; and</p> <p>(iii) use of land for non-agricultural use in irrigation districts; and</p> <p>(3) To provide for use or development that supports the use of the land for agricultural use.</p>
<b>Comparable Zone under the Interim Planning Scheme</b>	Rural Resource
<b>Comments on LPS Zone Application</b>	<p>The inclusion of the Agricultural Zone with the SPPs is the result of a recalibration of the existing standard Rural Resource Zone and Significant Agriculture Zone included with interim planning schemes around the State. Whilst the Council's current Interim Planning Scheme does not make use of the Significant Agriculture Zone – it does include the Rural Resource Zone which is also used to describe land used for agricultural purposes within the municipal area.</p> <p>To support local councils with the application of the Agriculture Zone in preparing a draft LPS, the State has produced a guidance mapping layer published on the Land Information System Tasmania (LIST) database – titled "<i>Land Potentially Suitable for Agriculture Zone</i>". The methodology behind the</p>

preparation of this mapping is based on the Agricultural Land Mapping Project commissioned by the Tasmanian State Government. The mapping produced with this Project focused on land currently zoned Rural Resource or Significant Agriculture under existing interim planning schemes.

As described in the Background Report for the Agricultural Land Mapping Project, the *"Agriculture Zone aims to broadly capture and protect Tasmania's agricultural land – or Tasmania's 'agricultural estate'."*The application of the Agriculture Zone will primarily facilitate the principles contemplated by the *State Policy on the Protection of Agricultural Land 2009*.

Whilst the majority of land currently zoned Rural Resource under the Interim Scheme will transition to the Agriculture Zone (in line with the mapping layer published on the LIST) the draft LPS does propose the assignment of some areas to an alternative zone such as Rural or Rural Living and where there are existing factors that significantly constrain the use of such land for agricultural purposes.

The above-mentioned State guidance mapping in conjunction with the instruction contained in the LPS Zone and Code Application Guideline, and the following methodology has served to inform the assignment of land to Agriculture Zone.

#### **Zone application methodology**

In addition to the instruction contained in the LPS Zone and Code Application Guideline for the application of the Agriculture Zone, the draft LPS has applied the Agriculture Zone upon consideration of the following cumulative criteria:

1. Land that is zoned Rural Resource under the existing Interim Planning Scheme;
2. Land that is shown within the *"land potentially suitable for Agriculture Zone"* guidance mapping published on the LIST database and having regard to:
  - i. whether that land is significantly constrained for agricultural use due to topographical, environmental or other constraining factors (such as proximity to residential use and development including land zoned for such purposes); and
  - ii. the extent of the land involved and how that land sits relative to the surrounding zoning (including the prevailing zoning in that location);
3. Land that is excluded from the *"land potentially suitable for Agriculture Zone"* guidance mapping published on the Land Information System Tasmania (LIST) database, will only be considered for inclusion with the Agriculture Zone where there is a readily apparent or logically compelling justification and having regard to:
  - i. the instruction and matters contemplated at AZ 7 of the LPS Zone and Code Application Guideline;
  - ii. the existing use and development of such land and whether this forms part of a pattern/sequence of similar use and development on adjacent sites in that location (including the suitability of such use and development to be described by the application of the Agriculture Zone); and
  - iii. the extent of the land involved and how that land sits relative to the surrounding zoning (and the prevailing zoning in that location); and
4. Land that is not otherwise proposed for reassignment to an alternative zone under the draft LPS (i.e. to the Rural Living Zone, Rural Zone, or the Utilities Zone).

Further information on the allocation of the Agriculture Zone with the draft LPS and also the recalibration of the Rural Zone and Agricultural Zone under the SPPs is provided with **Appendix S**.



<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<p><b>Additions:</b> The spatial application of the Agriculture Zone with the draft LPS does not propose any reassignments per se because land proposed for inclusion in this Zone is already zoned Rural Resource under the current Interim Planning Scheme which has some general zoning equivalence.</p> <p>The spatial application of the Agriculture Zone is detailed by the draft LPS Zone maps.</p> <p>The majority land currently zoned Rural Resource under the Interim Scheme will transition to the Agriculture Zone in line with the State guidance mapping published on the LIST. Given this scenario and the significantly large number of properties involved, a zone assignment table has not been produced for this particular Zone.</p> <p><b>Removals (from the existing Rural Resource Zone):</b> Land containing residential use and development and where there is an established pattern of such use and development which is better described by the application of the Rural Living Zone (see Rural Living Zone reassignments).</p> <p>Land containing major TasWater infrastructure (see Utilities Zone reassignments).</p> <p>Land that is reserved under the <i>Nature Conservation Act 2002</i> (see Environmental Management Zone reassignments).</p>
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<b>Zone Name</b>	<b>Environmental Management</b>
<b>Zone Purpose</b>	<p>The purpose of the Environmental Management Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for the protection, conservation and management of land with significant ecological, scientific, cultural or scenic value.</li> <li>(2) To allow for compatible use or development where it is consistent with: <ol style="list-style-type: none"> <li>(i) the protection, conservation and management of the values of the land; and</li> <li>(ii) applicable reserved land management objectives and objectives of reserve management plans.</li> </ol> </li> </ol>
<b>Comparable Zone under the Interim Planning Scheme</b>	Environmental Management Zone
<b>Comments on LPS Zone Application</b>	<p>The Environmental Management Zone is applied to areas of environmental/natural significance including (but not necessarily limited to) the Kelcey Tiers green belt, the Tasmanian Arboretum at Eugenana, riverine locations such as the Crown Land foreshore areas of the Mersey River south of the Victoria Bridge, and other areas of specific environmental/natural conservation value.</p> <p>The proposed reassignments of land to the Environmental Management Zone (which is not zoned Environmental Management under the current Interim Planning Scheme) comprise specific sites where that land is reserved under the <i>Nature Conservation Act 2002</i>. The application of the Environmental Management Zone provides for the appropriate recognition of the environmental values associated with these land areas.</p> <p>Some properties currently allocated to the Environmental Management Zone under the existing Interim Planning Scheme are proposed to be reassigned to an alternative zone which better reflects established use and development at such sites.</p>
<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<p><b>Additions:</b> See Environmental Management Zone reassignments (<b>Appendix AA</b>).</p> <p><b>Removals:</b> Land containing residential use and development within established urban residential areas (see General Residential Zone reassignments).</p> <p>Land adjacent to the Devonport aquatic centre complex (see Open Space Zone reassignments).</p> <p>Land used as part of the Devonport Golf Club (see Recreation Zone reassignments).</p>

<b>Zone Name</b>	<b>Port and Marine</b>	
<b>Zone Purpose</b>	<p>The purpose of the Port and Marine Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for major port and marine activity related to shipping and other associated transport facilities and supply and storage; and</li> <li>(2) To provide for use or development that supports and does not adversely impact on port and marine activities.</li> </ol>	
<b>Comparable Zone under the Interim Planning Scheme</b>	Port and Marine Zone	
<b>Comments on LPS Zone Application</b>	<p>The draft LPS applies the Port and Marine Zone to better align with the defined port area of Devonport as established by the <i>Marine and Safety (Pilotage and Navigation) Regulations 2017</i>. The northern edge of the Victoria Bridge seems the logical point to demarcate the boundary of the Port and Marine Zone, and the strategic significance of the port area is not diminished as a result of such action.</p>	
<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<b>Additions:</b>	Nil.
	<b>Removals</b>	Land south of Victoria Bridge (see Light Industrial Zone reassignments).

<b>Zone Name</b>	<b>Utilities</b>	
<b>Zone Purpose</b>	<p>The purpose of the Utilities Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for major utilities installations and corridors; and</li> <li>(2) To provide for other compatible uses where they do not adversely impact on the utility.</li> </ol>	
<b>Comparable Zone under the Interim Planning Scheme</b>	Utilities Zone	
<b>Comments on LPS Zone Application</b>	<p>The Utilities Zone is applied to land that is used, or intended to be used, for major utilities infrastructure, including:</p> <ol style="list-style-type: none"> <li>(a) category 1, 2, 3, 4 and 5 roads as defined in the <i>Tasmanian State Road Hierarchy</i> published by the Department of State Growth (as based on the "State Road Casement" layer published on the Land Information System Tasmania (LIST) database);</li> <li>(b) energy production facilities, such as power stations, and major electricity substation facilities;</li> <li>(c) wastewater treatment plants; and</li> <li>(d) rail corridors.</li> </ol> <p>Advice has been sought from TasWater as to the appropriate zoning of land containing major TasWater infrastructure (such as sewerage treatment plants and water storage reservoirs). TasWater has identified the properties containing such infrastructure and where the Utilities Zone is nominated by TasWater as the appropriate zone under the draft LPS.</p> <p>The Utilities Zone is also applied to the land occupied by the waste transfer station at Quoiba which is a translation of the existing zoning included with the Interim Planning Scheme.</p>	
<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<b>Additions:</b>	See Utilities Zone reassignments ( <b>Appendix O</b> ).
	<b>Removals:</b>	Land adjacent to the railway off Beaumont Drive which forms of Miandetta Park (see reassignments to the Open Space Zone).

<b>Zone Name</b>	<b>Community Purpose</b>	
<b>Zone Purpose</b>	<p>The purpose of the Community Purpose Zone is:</p> <p>(1) To provide for key community facilities and services including health, educational, government, cultural and social activities; and</p> <p>(2) To encourage multi-purpose, flexible and adaptable social infrastructure.</p>	
<b>Comparable Zone under the Interim Planning Scheme</b>	Community Purpose Zone	
<b>Comments on LPS Zone Application</b>	The draft LPS provides for the appropriate application of the Community Purpose Zone to recognise key community facilities and places including schools, funeral homes and cemeteries.	
<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<b>Additions:</b> See Community Purpose Zone reassignments ( <b>Appendix P</b> ).	
	<b>Removals:</b> Nil.	

<b>Zone Name</b>	<b>Recreation</b>	
<b>Zone Purpose</b>	<p>The purpose of the Recreation Zone is:</p> <p>(1) To provide for active and organised recreational use and development ranging from small community facilities to major sporting facilities;</p> <p>(2) To provide for complementary uses that do not impact adversely on the recreational use of the land; and</p> <p>(3) To ensure that new major sporting facilities do not cause unreasonable impacts on adjacent sensitive uses.</p>	
<b>Comparable Zone under the Interim Planning Scheme</b>	Recreation Zone	
<b>Comments on LPS Zone Application</b>	<p>The Recreation Zone is applied to land that is used for active or organised recreational purposes, including:</p> <p>(a) sporting grounds and facilities;</p> <p>(b) golf courses;</p> <p>(c) racecourses; and</p> <p>(d) major sporting facilities.</p>	
<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<b>Additions:</b> See Recreation Zone reassignments ( <b>Appendix Q</b> ).	
	<b>Removals:</b> Nil.	

<b>Zone Name</b>	<b>Open Space</b>	
<b>Zone Purpose</b>	<p>The purpose of the Open Space Zone is:</p> <p>(1) To provide land for open space purposes including for passive recreation and natural or landscape amenity; and</p> <p>(2) To provide for use and development that supports the use of the land for open space purposes or for other compatible uses.</p>	
<b>Comparable Zone under the Interim Planning Scheme</b>	Open Space Zone	
<b>Comments on LPS Zone Application</b>	The draft LPS applies the Open Space Zone to land that provides for passive recreational opportunities and public reserves in urban settings.	
<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<b>Additions:</b> See Open Zone reassignments ( <b>Appendix R</b> ).	
	<b>Removals:</b> Land containing sporting facilities that is better described by the application of the Recreation Zone (see Recreation Zone reassignments).	

<b>Zone Name</b>	<b>Particular Purpose Zone – Elimatta Hotel</b>		<b>DEV-P1.0</b>
<b>Zone Purpose</b>	<p>The purpose of the Particular Purpose Zone 1 – Elimatta Hotel is:</p> <ol style="list-style-type: none"> <li>(1) To provide for the continued use and further development of the property known as the Elimatta Hotel;</li> <li>(2) To provide for other use or development that does not constrain or conflict with the hotel use;</li> <li>(3) That use and development of the land does not impact adversely on the residential amenity or heritage values of the locality;</li> </ol>		
<b>Comparable Zone under the Interim Planning Scheme</b>	Particular Purpose Zone – Elimatta Hotel		
<b>Comments on LPS Zone Application</b>	<p>This is an existing Particular Purpose Zone (PPZ) contained with the current Interim Planning Scheme and is included with the draft LPS by means of the transitional provisions enabled under Schedule 6 of LUPAA.</p> <p>Some minor modifications have been made to the PPZ to align with the requirements of the SPPs. These are made as “permitted alterations” under Schedule 6 of LUPAA and are further detailed at <b>Appendix Y</b>.</p>		
<b>Spatial application of Zone under the LPS in comparison to Interim Planning Scheme application</b>	<b>Additions:</b>	Nil	The Particular Purpose Zone – Elimatta Hotel will translate on the same spatial application as made with the Interim Planning Scheme.
	<b>Removals:</b>	Nil	

### 3.4.3 Zones not included with the draft LPS

The below table details those zone options available under the SPPs which have not been utilised in the draft LPS.

<b>Zone</b>	<b>Zone Purpose Statements</b>	<b>General comments</b>
<b>Low Density Residential</b>	<p>The purpose of the Low Density Residential Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for residential use and development in residential areas where there are infrastructure or environment constraints that limit the density, location or form of development;</li> <li>(2) To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off site impacts; and</li> <li>(3) To provide for Visitor Accommodation that is compatible with residential character.</li> </ol>	<p>No land within the municipal area that meets the intended function and purpose of this Zone or that meets the instruction contained in the LPS Zone and Code Application Guideline.</p> <p>The Low Density Zone is not currently used in the Interim Planning Scheme.</p>
<b>Village</b>	<p>The purpose of the Village Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for small rural centres with a mix of residential, community services and commercial activities; and</li> <li>(2) To provide amenity for residents appropriate to the mixed use characteristics of the zone.</li> </ol>	<p>No land within the municipal area that meets the intended function and purpose of this Zone or that meets the instruction contained in the LPS Zone and Code Application Guideline.</p> <p>The Village Zone is not currently used in the Interim Planning Scheme.</p>
<b>Landscape Conservation</b>	<p>The purpose of the Landscape Conservation Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for the protection, conservation and management of landscape values; and</li> <li>(2) To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.</li> </ol>	<p>This is a new zone option included with the State Planning Provisions (SPPs).</p> <p>The LPS Zone and Code Application Guideline makes it clear that this Zone is not a replacement for the Environmental Living Zone which is used under the current Interim Planning Scheme but is not a zone option available under the SPPs. Instead, the</p>

Zone	Zone Purpose Statements	General comments
		<p>Landscape Conservation Zone prioritises landscape values over residential use.</p> <p>No land within the municipal area that meets the intended function and purpose of this Zone or that meets the instruction contained in the LPS Zone and Code Application Guideline.</p>
<b>Major Tourism</b>	<p>The purpose of the Major Tourism Zone is:</p> <ol style="list-style-type: none"> <li>(1) To provide for large scale tourist facilities which include a range of use and development;</li> <li>(2) To provide for compatible use and development that complements or enhances the tourist facilities on the site;</li> <li>(3) To provide for development that does not unreasonably impact on surrounding areas; and</li> <li>(4) To ensure that any commercial uses support the tourist purpose of the site and do not compromise or distort the role of existing activity centres.</li> </ol>	<p>No land within the municipal area that meets the intended function and purpose of this Zone or that meets the instruction contained in the LPS Zone and Code Application Guideline.</p> <p>The Major Tourism Zone is not currently used in the Interim Planning Scheme.</p>
<b>Future Urban Zone</b>	<p>The purpose of the Future Urban Zone is:</p> <ol style="list-style-type: none"> <li>(1) To identify land intended for future urban use and development; and</li> <li>(2) To ensure that development does not compromise the potential for future urban use and development.</li> </ol>	<p>This is a new zone option included with the State Planning Provisions (SPPs).</p> <p>This Zone option has some comparability to the Devonport Reserved Residential Land Code with the Interim Planning Scheme. However, this Code overlays land currently assigned to the General Residential Zone and is only applicable to subdivision development.</p> <p>Rather than completely supplanting the existing Code overlay with the allocation of the Future Urban Zone – the existing Code has been reworked into a Specific Area Plan (SAP) and the underlying zoning of General Residential retained.</p> <p>This SAP is included with the draft LPS by means of the transitional arrangements enabled under Schedule 6 of LUPAA (see also the commentary provided at section 3.6 regarding this SAP.)</p> <p>No other land within the municipal area has been identified that meets the intended function and purpose of the Future Urban Zone or that meets the instruction contained in the LPS Zone and Code Application Guideline.</p>

### 3.5 Draft LPS Codes

A standardised set of codes is included with the SPPs. Codes are used to identify areas of land or planning issues which require compliance with additional provisions for:

- (a) particular types of use or development that may apply to land in one or more zones; and
- (b) matters that affect land that are not appropriately described by zone boundaries.

The application of codes is made in accordance with the instruction contained in *Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)*.

The draft LPS includes codes that are applied spatially by means of overlay maps, with some applied by reference to more than one overlay. All those codes for which the SPPs require a mandatory overlay map to be shown are included with the draft LPS. The codes of the draft LPS with a spatial overlay are shown by the LPS code overlay maps.
















Further information on the standardised SPPs codes included with the draft LPS is set out below. This information should be read in conjunction with the full suite of standard code provisions included with the SPPs. The code lists that apply particular aspects of the SPPs codes to the Devonport municipal area (e.g. local heritage places) are contained in the ordinance (written document) component of the draft LPS.

<b>Code Name</b>	<b>Signs Code</b>
<b>Code Purpose</b>	The purpose of the Signs Code is: (1) To provide for appropriate advertising and display of information for business and community activity; (2) To provide for well-designed signs that are compatible with the visual amenity of the surrounding area; and (3) To ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.
<b>Comparable Code under the Interim Planning Scheme</b>	Sign Code
<b>Code Overlay Map(s) included with LPS</b>	There are no spatial overlays applicable to the operation of the Signs Code.
<b>Comments on LPS Code Application</b>	The Code will apply in accordance with the requirements and standards prescribed by the State Planning Provisions.

<b>Code Name</b>	<b>Parking and Sustainable Transport Code</b>	
<b>Code Purpose</b>	The purpose of the Parking and Sustainable Transport Code is: (1) To ensure that an appropriate level of parking facilities is provided to service use and development; (2) To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas; (3) To ensure that access for pedestrians, vehicles and cyclists is safe and adequate; (4) To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area; (5) To ensure that parking spaces and accesses meet appropriate standards; and (6) To provide for parking precincts and pedestrian priority streets.	
<b>Comparable Code under the Interim Planning Scheme</b>	Traffic Generating Use and Parking Code	
<b>Code Overlay Map(s) included with LPS</b>		Parking Precinct Plan
<b>Comments on LPS Code Application</b>	As part of applying this Code, the draft LPS includes a parking precinct plan overlay which provides for a reduction of on-site car parking. It means that land identified within the overlay is not required to provide car-parking spaces in accordance with standardised requirements set out under Table C2.1 of the SPPs.  The Parking Precinct Plan is based on the existing "Local Parking Area" overlay contained with the current Interim Planning Scheme. It is included with the draft LPS by means of the transitional provisions enabled under Schedule 6 of LUPAA. The Parking Precinct Plan will translate on the same spatial application as the Local Parking Area included with the current Interim Planning Scheme.	



<b>Code Name</b>	<b>Road and Railway Assets Code</b>
<b>Code Purpose</b>	The purpose of the Road and Railway Assets Code is: (1) To protect the safety and efficiency of the road and railway networks; and (2) To reduce conflicts between sensitive uses and major roads and the rail network.
<b>Comparable Code under the Interim Planning Scheme</b>	None comparable.
<b>Code Overlay Map(s) included with LPS</b>	The draft LPS does not include an overlay map to inform the application of this Code.
<b>Comments on LPS Code Application</b>	The Code will apply in accordance with the requirements and standards prescribed by the State Planning Provisions.

<b>Code Name</b>	<b>Electricity Transmission Infrastructure Protection Code</b>										
<b>Code Purpose</b>	The purpose of the Electricity Transmission Infrastructure Protection Code is: (1) To protect use and development against hazards associated with proximity to electricity transmission infrastructure; (2) To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure; and (3) To maintain future opportunities for electricity transmission infrastructure.										
<b>Comparable Code under the Interim Planning Scheme</b>	None applicable.										
<b>Code Overlay Map(s) included with LPS</b>	<table border="1"> <tr> <td></td><td>Communications station buffer area</td></tr> <tr> <td></td><td>Electricity transmission corridor</td></tr> <tr> <td></td><td>Inner protection area</td></tr> <tr> <td></td><td>Substation facility</td></tr> <tr> <td></td><td>Substation facility buffer area</td></tr> </table>		Communications station buffer area		Electricity transmission corridor		Inner protection area		Substation facility		Substation facility buffer area
	Communications station buffer area										
	Electricity transmission corridor										
	Inner protection area										
	Substation facility										
	Substation facility buffer area										
<b>Comments on LPS Code Application</b>	<p>This Code is applied by reference to standardised mapping prepared at the State level by TasNetworks. This mapping is available on the Land Information System Tasmania (LIST) database.</p> <p>The draft LPS overlay map to this Code adopts the standardised State level mapping as published on the LIST database without modification.</p>										

<b>Code Name</b>	<b>Telecommunications Code</b>
<b>Code Purpose</b>	The purpose of the Telecommunications Code is: (1) To provide for telecommunication networks as a service for the community. (2) To ensure that facilities are co-located where practicable; and (3) To ensure that facilities use mitigation measures to avoid an unreasonable loss of visual amenity.
<b>Comparable Code under the Interim Planning Scheme</b>	Telecommunication Code
<b>Code Overlay Map(s) included with LPS</b>	There are no spatial overlays applicable to the operation of the Telecommunications Code.
<b>Comments on LPS Code Application</b>	The Telecommunications Code will apply in accordance with the requirements and standards prescribed by the State Planning Provisions.

<b>Code Name</b>	<b>Local Historic Heritage Code</b>	
<b>Code Purpose</b>	The purpose of the Local Historic Heritage Code is to recognise and protect the local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential and significant trees by regulating development that may impact on their values, features and characteristics.	
<b>Comparable Code under the Interim Planning Scheme</b>	Local Heritage Code	
<b>Code Overlay Map(s) included with LPS</b>		Local heritage place
		Local heritage precinct
		Local historic landscape precinct
<b>Comments on LPS Code Application</b>	<p>The draft LPS will apply the Local Historic Heritage Code by reference to three overlays:</p> <ol style="list-style-type: none"> <li>(1) Local Heritage Places;</li> <li>(2) Local Heritage Precincts; and</li> <li>(3) A local Historic Landscape Precinct</li> </ol> <p>All local heritage interests identified under the draft LPS are currently included with the Interim Planning Scheme. They are included with the draft LPS by means of the transitional provisions enabled under Schedule 6 of LUPAA.</p> <p>The local heritage interests described by the Interim Planning Scheme were identified as part of a wide-ranging local heritage study commissioned by the Council in 2001 which was conducted by an independent heritage consultant. These were incorporated into the <i>Devonport and Environs Planning Scheme 1984</i> and then transitioned across into the current Interim Planning Scheme when that commenced in October 2013.</p> <p><b>Local Heritage Places</b></p> <p>These are listed in Table C6.1 of the draft LPS ordinance in addition to being given spatial representation on an overlay map. Whilst an overlay map to show local heritage places is not a mandatory requirement, it does enable for an improved awareness and identification of local heritage listed places. The overlay map helps to identify the particular site or property, but it is the listing in Table C6.1 of the draft LPS ordinance which provides the description of the local heritage interest.</p> <p>Local Heritage Places are adapted from the list of "Buildings and Places" included with Table E5.1 of the current Interim Planning Scheme. Some minor modifications have been made to these listings such as to remove buildings which have been legally demolished, or to provide a correct property address. These modifications are identified in <b>Appendix T</b>.</p> <p><b>Local Heritage Precincts</b></p> <p>With the exception of the Don/Lillico Straight Conservation Area, all existing Conservation Areas under the Interim Planning Scheme are to be transitioned to become "local heritage precincts" under the draft LPS.</p> <p>The SPPs, at provision C6.3.1, define a "local heritage precinct" as meaning: <i>an area that has been identified as having particular local historic heritage significance because of the collective heritage value of individual places as a group for their streetscape or townscape values.</i></p> <p>Local Heritage Precincts are listed in Table C6.2 of the draft LPS ordinance and are mapped as a mandatory overlay.</p> <p>Some minor modifications have been made to the descriptions of these precincts from that provided with the current Interim Planning Scheme. These modifications include the correction of errors and to align the descriptions with the requirements of the SPPs. These modifications are identified in <b>Appendix T</b>.</p> <p><b>Local Historic Landscape Precinct</b></p> <p>The existing Don/Lillico Straight Conservation Area of the current Interim Planning Scheme is better described as a "local historic landscape precinct" under draft LPS.</p>	

	<p>The State Planning Provisions, at provision C6.3.1, define a "local historic landscape precinct" as meaning: <i>an area that has been identified as having particular local historic heritage significance because of the collective heritage value of individual elements and features, both natural and constructed, as a group, for their landscape value.</i></p> <p>Some minor modifications have been made to the description of this precinct from that provided with the current Interim Planning Scheme. These modifications include the correction of errors and to align the descriptions with the requirements of the SPPs. These modifications are identified in <b>Appendix T</b>.</p>
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<b>Code Name</b>	<b>Natural Assets Code</b>	
<b>Code Purpose</b>	<p>The purpose of the Natural Assets Code is:</p> <ol style="list-style-type: none"> <li>(1) To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes;</li> <li>(2) To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast;</li> <li>(3) To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise;</li> <li>(4) To minimise impacts on identified priority vegetation; and</li> <li>(5) To manage impacts on threatened fauna species by minimising clearance of significant habitat.</li> </ol>	
<b>Comparable Code under the Interim Planning Scheme</b>	None comparable.	
<b>Code Overlay Map(s) included with LPS</b>		Waterway and coastal protection area
		Future coastal refugia area
		Priority vegetation area
<b>Comments on LPS Code Application</b>	<p>The Natural Assets Code will be applied by reference to three overlay maps:</p> <ol style="list-style-type: none"> <li>1. Waterway and coastal protection area overlay;</li> <li>2. Future coastal refugia area overlay;</li> <li>3. Priority vegetation area overlay.</li> </ol> <p>The inclusion of these overlay maps is a mandatory requirement of a draft LPS as instructed by the LPS Requirements contained at LP1.0 of the SPPs.</p> <p>As a preface to the below commentary on the application of the Code components, it is considered relevant and appropriate to make some mention of the complexities and difficulties associated with the various overlay maps. The Natural Assets Code has arguably presented the biggest challenge for Council in preparing its draft LPS and it is understood that this has been a relatively common circumstance faced by the majority of local councils.</p> <p>The matters contemplated by the Natural Assets Code represent a substantial change in policy to those matters identified in existing planning schemes – only some of the councils in the south of the State have a generally equivalent code in existing interim planning schemes. Consequently, this is entirely new ground for the majority of local councils in the State.</p> <p>Whilst the State has prepared guidance mapping to assist local councils with the formulation of draft LPS mapping for the waterway and coastal protection area and future coastal refugia area – there has remained a number of gaps in this mapping which have been left to local councils to</p>	

address. For example, the preparation of the waterway and coastal protection area overlay requires various cross referencing between the guidance mapping and the instruction contained in the SPPs. This involves complex interpretations and will invariably lead to some mapping inconsistencies.

The mapping for the priority vegetation area has been produced at a regional level by an independent consultant. That mapping has utilised and relied on what can reasonably be described as a very complex methodology engaging a range of different data sets. The resultant overlay map produces a confusing depiction of priority vegetation values – a confusion that is compounded by the removal of the overlay from the zones that it does not apply to (as instructed by NAC 13 of the LPS Zone and Code Application Guideline). These uncertainties invite some caution as to the practical implementation of the Natural Assets Code.

It is noted that a lot of these matters were previously identified by the Tasmanian Planning Commission in its previous assessment of the SPPs in 2016. It is disappointing that this advice (particularly around practicality issues for local councils to implement the Code) was not given more consideration before the SPPs were formally approved.

Notwithstanding the above, the Council acknowledges that the Natural Assets Code forms part of the SPPs and that it is mandatory for a draft LPS to include the specified overlay maps to this Code.

The State Government has prepared a "Fact Sheet" in relation to the Natural Assets Code included with the SPPs. This detail is included with the information at **Appendix V**.

#### ***Waterway and Coastal Protection Area (WCPA) Overlay Map***

The draft LPS overlay map has been derived from the "Waterway and Coastal Protection Area Guidance Map" (the Guidance Map) published on the Land Information System Tasmania (LIST) database. The WCPA Guidance Map was generated by the Derwent Estuary Program in conjunction with UTAS as an extension to the work that was completed for the Southern Region to apply the WCPA overlay for the equivalent code in the current interim planning schemes of local councils in the Southern Region of the State.

The Guidance Map attempts to identify:

- (a) wetlands and saltmarshes based on the DPIPWE Conservation of Freshwater Ecosystem Values (CFEV) Program mapping, TASVEG 3.0 and additional areas identified by UTAS; and
- (b) the applicable buffer areas from tidal coastlines, water bodies (e.g. lakes and artificial storage areas, excluding farm dams) and waterways based on CFEV catchment mapping and other relevant data obtained from the LIST database.

As part of preparing the draft LPS WCPA overlay map, some modifications have been made to the information shown on the LIST Guidance Map. These modifications are identified in **Appendix U** and have been made in accordance with the instruction contained within the SPPs and also the LPS Zone and Code Application Guideline.

#### ***Future Coastal Refugia Area (FCRA) Overlay Map***

The draft LPS overlay map has been derived from the "Future Coastal Refugia Area Guidance Map" (the Guidance Map) published on the Land Information System Tasmania (LIST) database.

The terminology "future coastal refugia areas" relates to areas identified for the potential landward retreat of coastal habitats such as saltmarshes and tidal wetlands as a consequence of predicted sea level rise. This specifically aims to address outcomes of the *State Coastal Policy 1996*, namely ensuring the sustainability of major ecosystems and natural processes in coastal areas.

	<p>The FCRA Guidance Map was produced by the Derwent Estuary Program in conjunction with UTAS and aligns with the Department of Premier and Cabinet's (DPAC) predicted sea level rise data (which is presented in the Coastal Inundation Hazard Code) for the year 2100 to assist in predicting future coastal saltmarsh and tidal wetland areas.</p> <p>The FCRA Guidance Map categorises areas based on the zoning under current interim planning schemes and provides for the identification of "compatible zones", "special consideration zones", "case by case consideration zones" and "incompatible zones". Further information on the identification of these areas is included with the LPS Zone and Code Application Guideline.</p> <p>As part of preparing the draft LPS FCRA overlay map, some modifications have been made to the information shown on the LIST Guidance Map. These modifications are identified in <b>Appendix U</b> and have been made in accordance with the instruction contained within the SPPs and also the LPS Zone and Code Application Guideline.</p> <p><b>Priority Vegetation Area (PVA) Overlay Map</b></p> <p>The requirements for the preparation of the PVA overlay map are established by LP1.7.5 (c) and (d) of the SPPs, which includes instruction that the identification of the PVA must:</p> <ul style="list-style-type: none"> <li>(a) include threatened native vegetation communities as identified on TASVEG Version 3 mapping, as published on the Department of Primary Industries, Parks, Water and the Environment's website and available on the Land Information System Tasmania (LIST) database;</li> <li>(b) be derived from threatened flora data from the Natural Values Atlas, as published on the Department of Primary Industries, Parks, Water and the Environment's website and available on the Land Information System Tasmania; and</li> <li>(c) be derived from threatened fauna data from the Natural Values Atlas, as published on the Department of Primary Industries, Parks, Water and the Environment's website for the identification of significant habitat for threatened fauna species.</li> </ul> <p>The above mapping parameters establish a very broad, high level set of information sources – where connection to a more localised context may not be so readily apparent to facilitate the direct preparation of an overlay map as part of preparing a draft LPS. Unlike the other overlay components of the Natural Assets Code, the PVA is not supported by any State Government prepared guidance mapping.</p> <p>To address this "gap" most local councils across the State have engaged the services of consulting firm Natural Resource Management Pty Ltd to assist with the preparation of the priority vegetation area mapping. This work has generally been undertaken at a regional level across the State, with priority vegetation areas identified in accordance with a "Regional Ecosystem Model".</p> <p>The Regional Ecosystem Model (REM) employs a complex layering of biodiversity values to define the importance of vegetation area. The methodology engaged by the REM can be generally summarised as follows:</p> <ul style="list-style-type: none"> <li>(1) Integrates spatial data on the distribution of the major components of biodiversity, and the factors affecting them;</li> <li>(2) Models key biodiversity attributes that derive from multiple inputs;</li> <li>(3) Analyses the relationships among the components of biodiversity and the environment; and</li> <li>(4) Spatially identifies areas which have immediate or potential conservation concerns, and provides indicators of their relative importance, to inform approaches and priorities for management.</li> </ul>
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	<p>Further details on the Regional Ecosystem Model is included with the information provided at <b>Appendix V</b>.</p> <p>The PVA overlay map prepared with the draft LPS is based upon the mapping prepared and supplied by Natural Resource Management P/L and which is based upon the REM methodology. This information has been supplied to all local councils in the Cradle Coast region.</p> <p>Some modifications have been made to the supplied mapping to align with the instruction contained in the LPS Zone and Code Application Guideline - including to remove the mapping from those zones to which the PVA does not apply (see instruction NAC 13 of the LPS Zone and Code Application Guideline).</p> <p>For information purposes an unmodified version of this PVA overlay mapping (without the exclusion of the non-compatible zones described above) is included with <b>Appendix V</b>. This unmodified mapping version is provided for information only and does not form part of the statutory draft LPS mapping.</p> <p>Whilst the PVA overlay map will apply to land in the General Residential Zone, this component of the Natural Assets Code will only be applicable to subdivision development.</p>
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<b>Code Name</b>	<b>Attenuation Code</b>
<b>Code Purpose</b>	<p>The purpose of the Attenuation Code is:</p> <ol style="list-style-type: none"> <li>(1) To minimise adverse impacts on the health, safety and amenity of sensitive use from activities which have the potential to cause emissions; and</li> <li>(2) To minimise the likelihood for sensitive use to conflict with, interfere with, or constrain, activities which have the potential to cause emissions.</li> </ol>
<b>Comparable Code under the Interim Planning Scheme</b>	None comparable.
<b>Code Overlay Map(s) included with LPS</b>	Draft LPS does not include an overlay map to inform the application of this Code. The Code can operate without reference to an overlay map.
<b>Comments on LPS Code Application</b>	The Code will apply in accordance with the requirements and standards prescribed by the SPPs. The SPPs, at Table C9.1 and C9.2, set out standardised attenuation distances from listed activities.

<b>Code Name</b>	<b>Coastal Erosion Hazard Code</b>
<b>Code Purpose</b>	<p>The purpose of the Coastal Erosion Hazard Code is:</p> <ol style="list-style-type: none"> <li>(1) To ensure that use or development subject to risk from coastal erosion is appropriately located and managed, so that: <ol style="list-style-type: none"> <li>i. people, property and infrastructure are not exposed to an unacceptable level of risk;</li> <li>ii. future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised;</li> <li>iii. it does not increase the risk from coastal erosion to other land or public infrastructure; and</li> <li>iv. works to protect land from coastal erosion are undertaken in a way that provides appropriate protection without increasing risks to other land.</li> </ol> </li> <li>(2) To provide for appropriate use or development that relies upon a coastal location to fulfil its purpose.</li> </ol>
<b>Comparable Code under the Interim Planning Scheme</b>	Hazard Management Code (although the draft LPS features updated state-wide mapping not currently included with the Interim Planning Scheme).

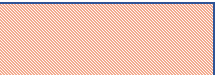


<b>Code Overlay Map(s) included with LPS</b>		Coastal erosion investigation area
		Low coastal erosion hazard band
		Medium coastal erosion hazard band
		High coastal erosion hazard band
<b>Comments on LPS Code Application</b>	<p>This Code is applied by reference to an overlay map which includes land identified by three coastal erosion hazard bands (low, medium, or high) or within a coastal erosion investigation area.</p> <p>The Code overlay map is based on mapping prepared at the State level by the Department of Premier and Cabinet (DPAC), Office of Security and Emergency Management as part of the <i>Mitigating Natural Hazards through Land Use Planning Project</i>. This mapping is available on the Land Information System Tasmania (LIST) database.</p> <p>The draft LPS overlay map to this Code adopts the state produced mapping as published on the LIST database without modification.</p>	

<b>Code Name</b>	<b>Coastal Inundation Hazard Code</b>	
<b>Code Purpose</b>	<p>The purpose of the Coastal Inundation Hazard Code is:</p> <p>(1) To ensure that use or development subject to risk from coastal inundation is appropriately located and managed, so that:</p> <ul style="list-style-type: none"> <li>i. people, property and infrastructure are not exposed to an unacceptable level of risk;</li> <li>ii. future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised;</li> <li>iii. it does not increase the risk from coastal inundation to other land or public infrastructure; and</li> <li>iv. works to protect land from coastal inundation are undertaken in a way that provides appropriate protection without increasing risks to other land.</li> </ul> <p>(2) To provide for appropriate use or development that relies upon a coastal location to fulfil its purpose.</p>	
<b>Comparable Code under the Interim Planning Scheme</b>	Hazard Management Code (although the draft LPS features updated state-wide mapping not currently included with the Interim Planning Scheme).	
<b>Code Overlay Map(s) included with LPS</b>		Coastal inundation investigation area
		Low coastal inundation hazard band
		Medium coastal inundation hazard band
		High coastal inundation hazard band
<b>Comments on LPS Code Application</b>	<p>This Code is applied by reference to an overlay map which includes land identified by three coastal inundation hazard bands (low, medium, or high) or within a coastal inundation investigation area.</p> <p>The Code overlay map is based on mapping prepared at the State level by the Department of Premier and Cabinet (DPAC), Office of Security and Emergency Management as part of the <i>Mitigating Natural Hazards through Land Use Planning Project</i>. This mapping is available on the Land Information System Tasmania (LIST) database.</p> <p>The draft LPS overlay map to this Code adopts the state produced mapping as published on the LIST database without modification.</p>	

<b>Code Name</b>	<b>Flood-Prone Areas Hazard Code</b>	
<b>Code Purpose</b>	<p>The purpose of the Flood-Prone Areas Hazard Code is:</p> <p>(1) To ensure that use or development subject to risk from flood is appropriately located and managed, so that:</p>	

	<ul style="list-style-type: none"> <li>i. people, property and infrastructure are not exposed to an unacceptable level of risk;</li> <li>ii. future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; and</li> <li>iii. it does not increase the risk from flood to other land or public infrastructure; and</li> </ul> <p>(2) To preclude development on land that will unreasonably affect flood flow or be affected by permanent or periodic flood.</p>
<b>Comparable Code under the Interim Planning Scheme</b>	Hazard Management Code
<b>Code Overlay Map(s) included with LPS</b>	The draft LPS does not include an overlay map to inform the application of this Code. The Code can operate without reference to an overlay map.
<b>Comments on LPS Code Application</b>	<p>Whilst this Code can be referenced by an overlay map, Council does not have sufficient data which could reliably inform the preparation of such a map.</p> <p>It is understood that the State may be giving some consideration to undertaking some future state-wide flood hazard mapping – but that will not be completed or be available for the preparation of the draft LPS. Despite the absence of an overlay map, the instruction at provision C12.2.4 of the SPPs means that the Flood Prone Areas Code can still be called in where a planning authority reasonably believes that a site may be subject to flooding hazard. The State's Planning Policy Unit has confirmed this interpretation that the Flood Prone Areas Code can operate without an overlay map.</p>

<b>Code Name</b>	<b>Bushfire-Prone Areas Code</b>
<b>Code Purpose</b>	The purpose of the Bushfire-Prone areas code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.
<b>Comparable Code under the Interim Planning Scheme</b>	Bushfire-Prone Areas Code (although the draft LPS features standardised mapping prepared by the Tasmanian Fire Service which is not included with the current Interim Planning Scheme).
<b>Code Overlay Map(s) included with LPS</b>	 Bushfire-prone areas
<b>Comments on LPS Code Application</b>	<p>This Code is applied by reference to an overlay map prepared and endorsed by the Tasmania Fire Service (TasFire).</p> <p>Further information supplied by TasFire on the preparation on the Bushfire-Prone Areas Code overlay map is provided at <b>Appendix W</b>.</p>

<b>Code Name</b>	<b>Potentially Contaminated Land Code</b>
<b>Code Purpose</b>	The purpose of the Potentially Contaminated Land Code is to ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.
<b>Comparable Code under the Interim Planning Scheme</b>	Hazard Management Code
<b>Code Overlay Map(s) included with LPS</b>	Draft LPS does not include an overlay map to inform the application of this Code. The Code can operate without reference to an overlay map.
<b>Comments on LPS Code Application</b>	Whilst this Code can be referenced by an overlay map, Council does not have sufficient data which could reliably inform the preparation of such a map. As instructed under clause C14.2 of the SPPs, the Code provides for alternative means for the identification of potentially contaminated land.

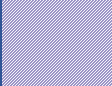


<b>Code Name</b>	<b>Landslip Hazard Code</b>	
<b>Code Purpose</b>	The purpose of the Landslip Hazard Code is to ensure that a tolerable risk can be achieved and maintained for the type, scale and intensity and intended life of use or development on land within a landslip hazard area.	
<b>Comparable Code under the Interim Planning Scheme</b>	Hazard Management Code	
<b>Code Overlay Map(s) included with LPS</b>		Low landslip hazard band
		Medium landslip hazard band
		Medium-active landslip hazard band
		High landslip hazard band
<b>Comments on LPS Code Application</b>	<p>This Code is applied by reference to an overlay map which includes land within the four landslip hazard bands (low, medium, medium-active or high).</p> <p>The Code overlay map is based on mapping prepared at the State level by the Department of Premier and Cabinet (DPAC), Office of Security and Emergency Management as part of the <i>Mitigating Natural Hazards through Land Use Planning Project</i>. This mapping is available on the Land Information System Tasmania (LIST) database.</p> <p>The draft LPS overlay map to this Code adopts the state produced mapping as published on the LIST database without modification.</p>	

<b>Code Name</b>	<b>Safeguarding of Airports Code</b>	
<b>Code Purpose</b>	<p>The purpose of the Safeguarding of Airports Code is:</p> <ol style="list-style-type: none"> <li>(1) To safeguard the operation of airports from incompatible use or development; and</li> <li>(2) To provide for use and development that is compatible with the operation of airports in accordance with the appropriate future airport noise exposure patterns and with safe air navigation for aircraft approaching and departing an airport.</li> </ol>	
<b>Comparable Code under the Interim Planning Scheme</b>	Airport Impact Management Code	
<b>Code Overlay Map(s) included with LPS</b>	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> <b>&lt;insert height (m)&gt;</b> </div>	Airport obstacle limitation area (specified height limitation in metres AHD)
<b>Comments on LPS Code Application</b>	<p>This Code is applied by reference to two overlays relevant to the operation of the Devonport Airport:</p> <ol style="list-style-type: none"> <li>(1) an airport noise exposure area overlay (if so required); and</li> <li>(2) an airport obstacle limitation area overlay.</li> </ol> <p>Since Council submitted its draft LPS to the Commission in June 2019, improved TasPorts mapping data has become available for the Devonport Airport upon which to inform the preparation of the draft LPS overlay maps for the Safeguarding of Airports Code. Council's position is that there is a readily apparent logic for the draft LPS overlay maps to have regard to the most up to date information endorsed and adopted by TasPorts as the operator of the Devonport Airport. To that effect, modifications have been made to the previously submitted draft LPS overlay maps. These modifications have been undertaken in accordance with the direction from the Commission and the requirements of section 35(5) of LUPAA.</p> <p>The modifications and revised overlay mapping have been prepared in consultation with TasPorts.</p> <p><b>Airport Noise Exposure Area overlay</b></p> <p>The previously submitted airport noise exposure area overlay map was derived from previous TasPorts noise exposure mapping for the Devonport Airport prepared in 2007. In August 2019, TasPorts prepared updated airport</p>	

	<p>noise exposure mapping as part of its draft master plan for the Devonport Airport.</p> <p>TasPorts has advised that Australian Noise Exposure Concept (ANEC) contours are used for the Devonport Airport rather than Australian Noise Exposure Forecast (ANEF) contours. Following the instruction from TasPorts, the ANEC mapping is essentially the same as ANEF mapping – just not commissioned/endorsed by Airservices Australia which TasPorts does not utilise nor require for the operation of the Devonport Airport.</p> <p>Following the instruction contained with SAC 2 of the LPS Zone and Code Application Guideline, the airport noise exposure area overlay should at least include all land within the 20 ANEF (or in this case 20 ANEC) contour and higher contours. Based on the most up to date ANEC mapping for the Devonport Airport there is no land in the Devonport municipal area that is affected by the 20 ANEC or higher contours – so there is no need for the draft LPS to include such an overlay.</p> <p>Following the above logic, the draft Devonport LPS does not contain an airport noise exposure area overlay map.</p> <p><b>Airport Obstacle Limitation Area overlay</b></p> <p>The previously submitted airport obstacle limitation area overlay map was translated from the Airport Impact Management Code of the Interim Planning Scheme. This information shows 10m and 15m height limitations and has formed part of the Interim Planning Scheme since that commenced in October 2013. This mapping was also previously included in the <i>Devonport and Environs Planning Scheme 1984</i>.</p> <p>The instruction contained at clause LP1.7.14(a) of the SPPs and also that prescribed with SAC 4 and SAC 5 of the LPS Zone and Code Application Guideline specify how the LPS airport obstacle limitation area overlay map for the Safeguarding of Airports Code is to be created. Both of these points of instruction make reference for an LPS overlay map to be based on the Obstacle Limitation Surfaces (OLS) and Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) contained in the relevant airport masterplan or otherwise adopted by the relevant airport operator. Further advice from TasPorts is that the OLS for the Devonport Airport sits below the PAN-OPS and therefore, consistent with the instruction contained at SAC 5 of the LPS Zone and Code Application Guideline, it should be used to inform the preparation of the airport obstacle limitation area overlay included with the draft LPS.</p> <p>Following consultation with TasPorts, Council has prepared a revised airport obstacle limitation area overlay map based on the most up to date TasPorts OLS mapping for the Devonport Airport.</p>
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### 3.5.1 Codes not included with the draft LPS


The below table details those code options available under the SPPs which have not been utilised in the draft LPS.


Code	Overlays	Code Purpose Statements	General comments
<b>Scenic Protection</b>		The purpose of the Scenic Protection Code is to recognise and protect landscapes that are identified as important for scenic values.	No land within the municipal area has been identified that meets the intended function and purpose of this Code or that meets the instruction contained in the LPS Zone and Code Application Guideline.  The landscape area of Don Heads and surrounds is identified as a local historic landscape precinct under the Local Historic Heritage Code.
			
			

### 3.6 Specific Area Plans (SAPs)


As previously detailed in section 3.2, an SAP is applied in addition to an underlying zone or zones. An SAP is designed to apply a more detailed level of planning controls which apply in addition to, in modification of, or in substitution for the standards of the underlying zone(s).

The draft LPS includes three SAPs, the details of which are elaborated in the following tables. The full set of provisions applicable to each SAP are detailed in the ordinance (written document) component of the draft LPS at clauses DEV-S1.0, DEV-S2.0 and DEV-S3.0.

<b>SAP Name</b>	<b>Devonport Regional Homemaker Centre Specific Area Plan</b>	
<b>SAP Purpose</b>	The purpose of the Devonport Regional Homemaker Centre Specific Area Plan is:  (1) To manage the use or development of the Devonport Regional Homemaker Centre site.	
<b>Comparable controls under the Interim Planning Scheme</b>	Devonport Regional Homemaker Centre Specific Area Plan	
<b>SAP Overlay Map(s) included with LPS</b>		Devonport Regional Homemaker Centre Specific Area Plan
<b>Comments on SAP application made with the LPS</b>	The Devonport Regional Homemaker Centre Specific Area Plan forms part of the existing Interim Planning Scheme. It is included with the draft LPS by means of the transitional provisions enabled under Schedule 6 of LUPAA.  This SAP will translate on the same spatial application as that made with the Interim Planning Scheme.  Some minor modifications have been made to the SAP to align with the requirements of the SPPs. These are made as "permitted alterations" under Schedule 6 of LUPAA and are detailed at <b>Appendix Y</b> .	

<b>SAP Name</b>	<b>Devonport Homemaker Service Industrial Centre Specific Area Plan</b>	
<b>SAP Purpose</b>	The purpose of the Devonport Homemaker Service Industrial Centre Specific Area Plan is:  (1) To accommodate uses which support the operation of the Devonport Regional Homemaker Centre.	
<b>Comparable controls under the Interim Planning Scheme</b>	Devonport Homemaker Service Industrial Centre Specific Area Plan	
<b>SAP Overlay Map(s) included with LPS</b>		Devonport Homemaker Service Industrial Centre Specific Area Plan
<b>Comments on SAP application made with the LPS</b>	The Devonport Homemaker Service Industrial Centre Specific Area Plan forms part of the existing Interim Planning Scheme. It is included with the draft LPS by means of the transitional provisions enabled under Schedule 6 of LUPAA.  This SAP will translate on the same spatial application as that made with the Interim Planning Scheme.  Some minor modifications have been made to the SAP to align with the requirements of the SPPs. These are made as "permitted alterations" under Schedule 6 of LUPAA and are detailed at <b>Appendix Y</b> .	

<b>SAP Name</b>	<b>Devonport Reserved Residential Land Specific Area Plan</b>	
<b>SAP Purpose</b>	The purpose of the Devonport Reserved Residential Land Specific Area Plan is:  (1) To require the subdivision and subsequent use and development of land reserved for future residential purposes:  (a) has no impact on threatened fauna or flora; (b) occurs in an orderly sequence of release; and (c) enables the efficient provision of roads and utilities.	

Comparable controls under the Interim Planning Scheme	Devonport Reserved Residential Land Code	
SAP Overlay Map(s) included with LPS		Devonport Reserved Residential Land Specific Area Plan
Comments on SAP application made with the LPS	<p>The existing Interim Planning Scheme includes the Devonport Reserved Residential Land Code. As part of preparing the draft LPS this existing Code has been reworked as a Specific Area Plan and included by means of the transitional provisions enabled under Schedule 6 of LUPAA.</p> <p>The Devonport Reserved Residential Land Specific Area Plan will apply on the same spatial application as the Devonport Reserved Residential Land Code made with the Interim Planning Scheme.</p> <p>This report has previously noted that the Future Urban Zone has some general level of comparability to the Devonport Reserved Residential Land Code (Code E11) included with the Interim Planning Scheme. However, the area demarcated by Code E11 overlays land zoned General Residential by the Interim Planning Scheme. The effect of Code E11 is that it only applies to subdivision development – beyond that the underlying General Residential Zone provisions are applicable.</p> <p>If all existing Code E11 impacted properties were transitioned straight across to the Future Urban Zone, then the use and development options currently available under the General Residential Zone would be entirely replaced by those of the Future Urban Zone under the SPPs which are more limited in scope. In other words, the controls made by Code E11 of the current Interim Planning Scheme would extend well beyond those just relating to subdivision.</p> <p>In these terms a prominent consideration for Council is that landowners might have some confusion/discontent with the replacement of the General Residential Zone (albeit with the Code E11 overlay) with the Future Urban Zone. Aside from the Code E11 overlay which includes additional controls for subdivision – the land has been zoned General Residential since the Interim Planning Scheme commenced in October 2013.</p> <p>Following the above logic, and rather than completely supplanting the existing Code E11 overlay with the allocation of the Future Urban Zone, Code E11 has been reworked into a Specific Area Plan (SAP) and the underlying zoning of General Residential has been retained. As with the existing Code E11, the SAP only applies to subdivision development.</p> <p>Some minor modifications have been made to the SAP to align with the requirements of the SPPs. These are made as "permitted alterations" under Schedule 6 of LUPAA and are detailed at <b>Appendix Y</b>.</p>	

## 4 Community consultation

In accordance with the requirements of LUPAA, the draft LPS will be made available for public exhibition for a period of 60 days. During this exhibition period any person may inspect and make representation on the content of the draft LPS.

The Tasmanian Planning Commission (the Commission) will direct each local council as to when the public exhibition of their draft LPS is to occur. This will happen at some point after a council has submitted its draft LPS to the Commission.

As instructed by LUPAA, an exhibition notice regarding the draft LPS will be published twice in a local newspaper (once prior to the commencement of the exhibition period and again within 14-days of the exhibition period commencing).

Pursuant with the statutory requirements, a draft LPS will be made available for exhibition:

- (a) at the at the offices of the relevant local council;
- (b) at the offices of the Commission in Hobart; and
- (c) for viewing and download via the website of the relevant local council and also the website of the Commission.



It is important here to reiterate that the draft LPS preparation process is not about seeking to amend the State Planning Provisions (SPPs). The provisions of LUPAA make it clear that public representations on a draft LPS are not to be of the effect that the content of the SPPs should be altered. The State has formally made the SPPs as state-wide planning rules – the LPS process is about where those rules are to be applied (through the allocation of zones, etc.). As previously detailed in section 1.1, the public consultation and approval of the SPPs has already been completed.

During the public exhibition period Council's planning staff will be available to provide advice on the draft LPS including proposed zone allocations and the spatial application of any code overlay mapping.

There is no statutory requirement for a local council to individually notify landowners regarding changes to zones, etc. as part of preparing a draft LPS. There are a number of reasons for this including:

- i. this would be a substantial and complex undertaking for a local council;
- ii. there is a risk that a landowner may be inadvertently missed from receiving a personalised notification; and
- iii. just because a local council may be proposing the allocation of a particular zone or zones, there is no guarantee that the Commission (which has the final determination) will agree with what a local council may be proposing.

Furthermore, the Minister for Planning has recently provided advice to all local councils that the 60-day public notification period required by LUPAA provides adequate opportunity for the public to participate in the draft LPS process. It is the Minister's position that conducting informal consultations outside of the statutory notification process *"....has the potential to confuse the public, create misunderstandings of legal rights and delay the formal consultation process"*.

Following the statutory public exhibition period, a local council is required to prepare a report to the Commission on any representations received in relation to the draft LPS and whether such representations have sufficient merit to necessitate a modification to the draft LPS.

In its assessment of a draft LPS the Commission may determine to hold public hearings into any representations received during the public exhibition period.

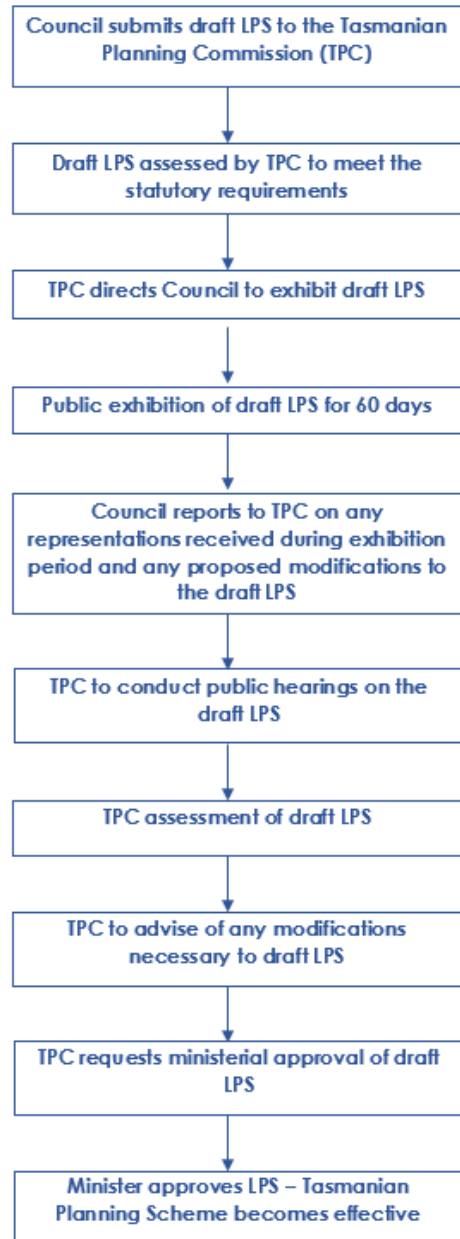
## 5 Approval process for the draft LPS

It is important to recognise that the submission of a draft LPS to the Tasmanian Planning Commission essentially represents only the first step in the process. A flowchart showing the approval process for a draft LPS is attached at **Appendix Z**, whilst a generalised summary of the process is shown in the following diagram.

Noting that the Commission has the responsibility of assessing a draft LPS for all twenty-nine local councils in the State – the process is likely to take some time. An indicative estimate for a draft LPS to be assessed is at least 12-18 months.

The Tasmanian Planning Scheme will come into effect for each local council once the relevant LPS is declared/approved for that local council area.

#### GENERALISED DRAFT LPS PROCESS FLOWCHART



## 6 Conclusion

The Tasmanian State Government has legislated for the introduction of the Tasmanian Planning Scheme to replace all local council planning schemes within the State. As part of the transition to the Tasmanian Planning Scheme each local council is required to prepare a draft LPS for its municipal area.

This report has set out supporting information for the preparation of Devonport City Council's draft LPS including compliance with the statutory requirements and further strategic justifications.

Specifically, this supporting report establishes that the draft LPS meets the LPS criteria as set out under section 34(2) of LUPAA and is therefore suitable for submission to the Tasmanian Planning Commission in accordance with section 35 of LUPAA.

# APPENDICES

## APPENDIX A

### Content of draft LPS – section 32 of the *Land Use Planning and Approvals Act 1993* (LUPAA)

LUPAA reference	LPS Requirement	Compliance statement
s.32 (1)	Consist of the provisions that apply only to a single municipal area specified in the LPS.	Complies.  The draft LPS applies provisions only to the municipal area of Devonport.
s.32 (2)(a)	Must specify the municipal area to which its provisions apply	Complies.  The draft LPS specifies that it applies to the municipal area of Devonport.
s.32 (2)(b)	Must contain a provision that the SPPs require to be included in an LPS.	Complies.  The draft LPS contains all the mandatory provisions required by the SPPs. The draft LPS is made in accordance with the LPS Requirements contained at LP1.0 and Appendix A of the SPPs.
s.32 (2)(c)	Must contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to land, if required to do so by the SPPs	Complies.  The draft LPS contains all the mandatory spatial application requirements specified by the SPPs.  The spatial application of the draft LPS is made in accordance with the LPS Requirements contained at LP1.0 and Appendix A of the SPPs.  The draft LPS contains: <ul style="list-style-type: none"> <li>• zone maps which show the spatial application of the SPP zones to land (including the differentiation of the relevant Rural Living “sub-zones”);</li> <li>• code overlay maps where a spatial application of the SPPs code provisions is applicable and required;</li> <li>• code lists in tables for the application of a relevant SPP code;</li> <li>• the required content for the spatial application of a Particular Purpose Zone (including mapping);</li> <li>• the required content for the spatial application of a Specific Area Plan (including overlay mapping); and</li> <li>• the required content for the inclusion of Local Area Objectives (including overlay mapping).</li> </ul>
s.32 (2)(d)	May, subject to this Act, contain any provision in relation to the municipal area that may, under section 11 or 12, be included in the Tasmanian Planning Scheme.	Complies.  The draft LPS includes some customised local planning controls in the form of a Particular Purpose Zone and Specific Area Plans which allow for variation to the SPPs. Each of these controls are contained within the current Interim Planning Scheme in some form and are included by means of the transitional provisions enabled under Schedule 6 of LUPAA. These existing local

LUPAA reference	LPS Requirement	Compliance statement
		controls are appropriately consistent with the matters contemplated at section 11 of LUPAA.  Section 12 of LUPAA provides for the recognition and protection of lawfully existing use and development commenced (or where a valid planning permit exists but has not yet been commenced) before the coming into effect of a new planning scheme. The draft LPS does not contain a provision that conflicts with these protections. In the allocation of zones made with the draft LPS, regard has been given to existing use and development.
s.32 (2)(e)	May contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to particular land.	Complies.  The SPPs provide for the optional (non-mandatory) inclusion of maps, overlays and lists to describe the spatial application of the SPPs.  The draft LPS contains the following non-mandatory spatial inclusions to apply the SPPs: <ul style="list-style-type: none"> <li>• an overlay map to identify local heritage places under the Local Historic Heritage Code;</li> <li>• lists to describe the local heritage places, local heritage precincts and local historic landscape precincts under the Local Historic Heritage Code (made via the transitional arrangements enabled under Schedule 6 of LUPAA); and</li> <li>• an overlay map to identify bushfire-prone areas under the Bushfire-Prone Areas Code;</li> </ul> The abovementioned code overlay maps and code lists included with the draft LPS are made in accordance with the LPS Requirements contained at LP1.0 and Appendix A of the SPPs and LPS and <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> .
s.32 (2)(f)	Must not contain a provision that is inconsistent with a provision of section 11 or 12 of LUPAA.	Complies.  The draft LPS does not contain a provision that is inconsistent with a provision contemplated at section 11 or 12 of LUPAA.
s.32 (2)(g)	May designate land as being reserved for public purposes.	Complies.  The draft LPS does not explicitly designate land for public purposes, however it does provide appropriate zone allocations for public land.
s.32 (2)(h)	May, if permitted to do so by the SPPs, provide for the detail of the SPPs in respect of, or the application of the SPPs to, a particular place or matter	Complies.  The draft LPS is the instrument to apply the State Planning Provisions in the municipal area of Devonport. The draft LPS includes zone maps, code overlay maps and code lists in tables to facilitate the application of the SPPs. The allocation of the zones and codes with the draft

LUPAA reference	LPS Requirement	Compliance statement
		LPS has been made in accordance with the LPS Requirements contained at LP1.0 and Appendix A of the SPPs and LPS and <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> .
s.32 (2)(i)	May, if permitted to do so by the SPPs, override a provision of the SPPs	Complies.  The draft LPS includes some customised local planning controls in the form of a Particular Purpose Zone and Specific Area Plans which allow for variation to the SPPs. Each of these controls are contained with the current Interim Planning Scheme in some form and are included by means of the transitional provisions enabled under Schedule 6 of LUPAA.
s.32 (2)(j)	May, if permitted to do so by the SPPs, modify, in relation to a part of the municipal area, the application of a provision of the SPPs	Complies.  As above.
s.32 (2)(k)	May, subject to this Act, include any other provision that –  (i) is not a provision of the SPPs or inconsistent with a provision of the SPPs; and  (ii) is permitted by the SPPs to be included in an LPS	Complies.  As above.
s.32 (2)(l)	Must not contain a provision that the SPPs specify must not be contained in an LPS	Complies.  The draft LPS does not contain any provision that the SPPs specify must not be contained in an LPS.
s.32 (3)(a)	May include a Particular Purpose Zone	Complies.  The draft LPS contains one Particular Purpose Zone (PPZ) being for the Elimatta Hotel site. This is an existing PPZ contained with the current Interim Planning Scheme and is included with the draft LPS by means of the transitional provisions enabled under Schedule 6 of LUPAA.  The draft LPS includes the mapping and provisions that are applicable to the PPZ.
s.32 (3)(b)	May include a Specific Area Plan	Complies.  The draft LPS includes three Specific Area Plans (SAPs):  (1) Devonport Regional Homemaker Centre Specific Area Plan; (2) Devonport Homemaker Service Industrial Centre Specific Area Plan; and (3) Devonport Reserved Residential Land Specific Area Plan  Each of the above controls are contained with the current Interim Planning Scheme in some form. These are included with the draft LPS by



LUPAA reference	LPS Requirement	Compliance statement
		means of the transitional provisions enabled under Schedule 6 of LUPAA.  The draft LPS includes the mapping and provisions that are applicable to each of the SAPs.
s.32 (3)(c)	May include a Site-Specific Qualification.	Not applicable.  The draft LPS does not include any Site-Specific Qualifications.
s.32 (4) (a)&(b)	Any new Particular Purpose Zone, Specific Area Plan, or Site-Specific Qualification is justified in accordance with a significant social, economic or environmental benefit test.	Not applicable.  The Particular Purpose Zone and Specific Area Plans included with the draft LPS are contained with the current Interim Planning Scheme in some form. These are included with the draft LPS by means of the transitional provisions enabled under Schedule 6 of LUPAA.
s.32 (5)	Conforms to the structure required by the SPPs.	Complies.  The draft LPS has been prepared in accordance with the LPS Requirements contained at LP1.0 and Appendix A of the State Planning Provisions which provide instruction for what a draft LPS must include and the way that detail is to be shown.
s.32 (6)	Conforms to the form required by the SPPs	Complies.  As above.
s.32 (7)	Effect of LPS provision with respect to commencement of the SPPs	Complies.  The draft LPS provides for the application of the SPPs as existing on the date that the draft LPS is submitted to the Tasmanian Planning Commission pursuant to section 35 of LUPAA.

## APPENDIX B

### Consideration of the draft LPS against the *Land Use Planning and Approvals Act 1993 – Schedule 1 Objectives*

Part 1 – Objectives of the Resource Management and Planning System of Tasmania	
Objective	Compliance statement
(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.	<p>The draft LPS will implement the Tasmanian Planning Scheme and apply the SPPs to the municipal area of Devonport. The SPPs have been approved and declared to be consistent with the LUPAA Schedule 1 Objectives.</p> <p>The draft LPS will implement a suite of zone and codes mandated by the SPPs that address matters relating to the protection and conservation of natural and cultural values, hazard mitigation and management, and the efficiency of infrastructure.</p> <p>With particular regard to natural environment considerations, the draft LPS (through the application of the SPPs) enables for the furtherance of sustainable outcomes by a range of means including the appropriate zoning of land for environmental management purposes, the application of codes for the mitigation of impacts associated with climate change in coastal areas, and more specifically the Natural Assets Code to identify and manage areas for waterway and coastal protection, future coastal refugia, and priority vegetation.</p> <p>The draft LPS is consistent with the Objective.</p>
(b) to provide for the fair, orderly and sustainable use and development of air, land and water.	<p>Once approved/declared, the draft LPS will implement the Tasmanian Planning Scheme and apply the SPPs to the municipal area of Devonport.</p> <p>Zone and code applications made with the draft LPSs have been made with appropriate regard to:</p> <ul style="list-style-type: none"> <li>(a) the instruction contained in the State Government issued <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application</i>; and</li> <li>(b) zoning assignments that provide for an appropriate recognition of existing and well-established land use and development patterns in the municipal area.</li> </ul> <p>Where the draft LPS proposes the reassignment of land to an alternative zoning from that existing under the Interim Planning Scheme these are supported by a “reassignment” tables which sets out additional information to justify the reassignment to an alternative zone.</p> <p>The spatial application of relevant codes included with the LPS is predominantly derived from State based mapping, or otherwise by action of code applying provisions (such as local heritage listings) which are</p>

Part 1 – Objectives of the Resource Management and Planning System of Tasmania	
Objective	Compliance statement
	<p>included by means of the transition arrangements contemplated under Schedule 6 of LUPAA.</p> <p>The “customised” local planning controls included with the draft LPS (being the Particular Purpose Zone, and Specific Area Plans) appropriately recognise local circumstance. These controls form part of the current Interim Planning Scheme and their inclusion with the draft LPS is made via the transitional arrangements enabled under Schedule 6 of LUPAA.</p> <p>The collective of the above observations is that the draft LPS will appropriately provide for the fair, orderly and sustainable use and development of air, land and water.</p> <p>The draft LPS is consistent with the Objective.</p>
<i>(c) to encourage public involvement in resource management and planning.</i>	<p>Public involvement in the preparation of the draft LPS will primarily be facilitated through the statutory public exhibition process. In accordance with the requirements of LUPAA, the draft LPS will be made available for public exhibition for a period of 60 days. During this exhibition period any person may inspect and make representation on the content of the draft LPS.</p> <p>The Tasmanian Planning Commission (the Commission) will direct each local council as to when the public exhibition of their draft LPS is to occur. This will happen at some point after a local council has submitted its draft LPS to the Commission.</p> <p>The Minister for Planning has recently provided advice to all local councils that the 60-day public notification period required by LUPAA provides adequate opportunity for the public to participate in the draft LPS process. It is the Minister's position that the conducting of informal consultations outside of the statutory notification process “....has the potential to confuse the public, create misunderstandings of legal rights and delay the formal consultation process”.</p> <p>Following the statutory public exhibition period, the Council is required to prepare a report to the Commission on any representations received in relation to the draft LPS and whether such representations have sufficient merit to necessitate a modification to the draft LPS.</p> <p>In its assessment of a draft LPS the Commission may determine to hold public hearings into any representations received during the public exhibition period.</p> <p>The draft LPS is consistent with the Objective.</p>
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c).</i>	<p>The draft LPS appropriately provides for the furtherance of economic development within the municipal area through the appropriate zoning of land for activity including, but not necessarily limited to:</p>

Part 1 – Objectives of the Resource Management and Planning System of Tasmania	
Objective	Compliance statement
	<ul style="list-style-type: none"> <li>- residential use and development;</li> <li>- business, retail and professional services;</li> <li>- hospitality, entertainment and tourism;</li> <li>- industry;</li> <li>- agriculture and resource production;</li> <li>- transport and distribution (including shipping, road and rail activity); and</li> <li>- sporting facilities and recreational activity.</li> </ul> <p>The draft LPS is consistent with the Objective.</p>
<p><i>(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.</i></p>	<p>The draft LPS will implement the Tasmanian Planning Scheme and apply the SPPs to the municipal area of Devonport.</p> <p>At the direction of the Minister for Planning, the SPPs were initially prepared by the State Government's Planning Reform Taskforce in consultation with State agencies, local government and other stakeholders. The preparation, consultation and assessment of the SPPs was carried out in accordance with the legislative requirements established under LUPAA. This included a statutory public exhibition period between March-May 2016 and further assessment by the Tasmanian Planning Commission (the Commission). The Commission's assessment of the SPPs included public hearings into the representations received during the public exhibition period.</p> <p>The content of the draft LPS has been prepared in consultation with government and other regulatory authorities including:</p> <ul style="list-style-type: none"> <li>- adjoining local councils;</li> <li>- representation from the State's Planning Policy Unit and the Tasmanian Planning Commission;</li> <li>- the Tasmanian Fire Service;</li> <li>- TasWater; and</li> <li>- TasPorts.</li> </ul> <p>Public/community involvement in the preparation of the draft LPS will primarily be facilitated through the statutory public exhibition process. In accordance with the requirements of LUPAA, the draft LPS will be made available for public exhibition for a period of 60 days. During this exhibition period any person may inspect and make representation on the content of the draft LPS. The Tasmanian Planning Commission (the Commission) will direct each local council as to when the public exhibition of their draft LPS is to occur. This will happen at some point after a local council has submitted its draft LPS to the Commission.</p> <p>The draft LPS is consistent with the Objective.</p>
<p>Schedule 1 of LUPAA clarifies that the term "sustainable development" in Part 1 (a) above means:</p> <p><i>managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while –</i></p>	

Part 1 – Objectives of the Resource Management and Planning System of Tasmania	
Objective	Compliance statement
<p><i>(a) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and</i></p> <p><i>(b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and</i></p> <p><i>(c) avoiding, remedying or mitigating any adverse effects of activities on the environment.</i></p>	

Part 2 – Objectives of the Planning Process Established by this Act	
Objective	Compliance statement
<p><i>(a) to require sound strategic planning and co-ordinated action by State and local government.</i></p>	<p>Through amendments to LUPAA, the Tasmanian State Government has legislated for the introduction of a single, state-wide planning scheme to be known as the Tasmanian Planning Scheme.</p> <p>The draft LPS will implement the Tasmanian Planning Scheme and apply the SPPs to the municipal area of Devonport.</p> <p>The Minister for Planning has on multiple occasions advised local councils that the State Government's position is that the LPS process is not about the opportunity to undertake significant strategic land use planning reviews.</p> <p>This position is emphasised in a previous statement issued by the Minister for Planning which is reproduced below:</p> <p><i>"The current process of preparing draft LPSs to give effect to the Tasmanian Planning Scheme is a priority for the Government and the efficient conversion of current interim planning schemes to the LPSs should not be unnecessarily complicated by the introduction of strategic changes that are not related to the facilitation of that process."</i></p> <p>Council recognises the need to undertake some more contemporary localised strategic land use planning which will be pursued in the near future – but ultimately this will occur outside of and separate to the draft LPS preparation process.</p> <p>The absence of a some more contemporary strategic planning aside, there is a need to consider an appropriate zoning of land as part of preparing the draft LPS. Furthermore, the allocation of such zones must have regard to <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application</i> (the LPS Zone and Code Application Guideline).</p> <p>In accordance with the Minister for Planning's direction, and as part of preparing the draft LPS for the Devonport municipal area, the allocation of land zones has sought to find an appropriate balance between:</p>

Part 2 – Objectives of the Planning Process Established by this Act	
Objective	Compliance statement
	<p>(a) the instruction contained in the State Government issued LPS Zone and Code Application Guideline; and</p> <p>(b) zoning assignments that provide for an appropriate recognition of existing and well-established land use and development patterns in the municipal area.</p> <p>The draft LPS has further been prepared with appropriate regard to the relevant policy considerations of the <i>Cradle Coast Regional Land Use Strategy 2010-2030</i>, and the <i>Devonport City Council Strategic Plan 2009-2030</i>.</p> <p>The draft LPS is appropriately consistent with the Objective.</p>
<i>(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.</i>	<p>The draft LPS will implement the Tasmanian Planning Scheme and apply the SPPs to the municipal area of Devonport.</p> <p>Once the draft LPS is approved/declared the Tasmanian Planning Scheme will come into effect and replace the current Interim Planning Scheme. The Tasmanian Planning Scheme will then be the instrument to regulate land use and development within the Devonport municipal area.</p> <p>The draft LPS is consistent with the Objective.</p>
<i>(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.</i>	<p>The draft LPS will implement the Tasmanian Planning Scheme and apply the SPPs to the municipal area of Devonport. The SPPs appropriately provide for environmental considerations including the mitigation of impacts associated with climate change.</p> <p>The draft LPS provides for the appropriate application of zones to recognise areas of environmental importance and also for the application of the Coastal Erosion Hazard Code and Coastal Inundation Code in accordance with the SPPs.</p> <p>Furthermore, the draft LPS will apply the Natural Assets Code of the SPPs which provides for the identification and management of areas for waterway and coastal protection, future coastal refugia, and priority vegetation.</p> <p>The draft LPS is consistent with the Objective.</p>
<i>(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.</i>	<p>The draft LPS will implement the Tasmanian Planning Scheme and apply the SPPs to the municipal area of Devonport.</p> <p>The draft LPS is consistent with the Objective.</p>
<i>(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate</i>	<p>Consideration against this objective is generally beyond the scope of that contemplated by the draft LPS. The draft LPS will implement the Tasmanian</p>



Part 2 – Objectives of the Planning Process Established by this Act	
Objective	Compliance statement
<i>planning approvals with related approvals.</i>	<p>Planning Scheme and apply the SPPs to the municipal area of Devonport. The draft LPS is consistent with the objective on the basis that it will not modify a permit application referral process required by legislation or the SPPs.</p> <p>The draft LPS is consistent with the Objective.</p>
<i>(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation.</i>	<p>The SPPs provide for the application of a various and wide range of standards including those relating to amenity, private open space requirements, zoning options for open space and recreational land use, attenuation between certain activities and sensitive uses (such as residential) and for the mitigation and management of hazards (including natural hazards).</p> <p>The draft LPS will implement the standardised zone and code provisions of the SPPs in a manner that is appropriately consistent with the Objective.</p>
<i>(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.</i>	<p>The draft LPS generally provides for the conservation of buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value, by means of:</p> <ol style="list-style-type: none"> <li>(1) the identification of local heritage places, local heritage precincts and landscape historic landscape precincts which form part of the Local Historic Heritage Code. These local heritage interests identified here form part of the current Interim Planning Scheme and are based upon a local heritage study commissioned by the Council in 2001. Their inclusion with the draft LPS is made via the transitional arrangements enabled under Schedule 6 of LUPAA; and</li> <li>(2) Assigning land to the Environmental Management Zone in accordance with the instruction contained with <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i>.</li> </ol> <p>Places listed on the Tasmanian Heritage Register will be managed via the established legislative process between the <i>Land Use Planning and Approvals Act 1993</i> and the <i>Historic Cultural Heritage Act 1995</i>.</p> <p>The draft LPS is consistent with the Objective.</p>
<i>(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.</i>	<p>The draft LPS provides for the appropriate identification and protection of public infrastructure and other assets through the spatial application of the following standard zones and codes of the SPPs:</p> <ul style="list-style-type: none"> <li>- Community Purpose Zone;</li> <li>- Utilities Zone;</li> <li>- Recreation Zone;</li> <li>- Open Space Zone;</li> <li>- Port and Marine Zone;</li> <li>- Road and Railway Assets Code;</li> </ul>

Part 2 – Objectives of the Planning Process Established by this Act	
Objective	Compliance statement
	<ul style="list-style-type: none"> <li>- Electricity Transmission Infrastructure Protection Code; and</li> <li>- Safeguarding of Airports Code.</li> </ul> <p>The draft LPS is consistent with the Objective.</p>
(i) <i>to provide a planning framework which fully considers land capability.</i>	<p>The zone and code applications made with the draft LPS have been made cognisant of land capability considerations and further in accordance with the instruction contained with <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i>.</p> <p>The standardised provisions of the zone and codes contained with the SPPs will be applied by the draft LPS to manage factors that may affect the capability of land to sustain use and development.</p> <p>The “customised controls” included with the draft LPS (being the Particular Purpose Zone, and Specific Area Plans) appropriately recognise local circumstance and land capability. These controls form part of the current Interim Planning Scheme and their inclusion with the draft LPS is made via the transitional arrangements enabled under Schedule 6 of LUPAA.</p> <p>The draft LPS is consistent with the Objective.</p>

## APPENDIX C

### Policy considerations of the Cradle Coast Regional Land Use Strategy 2010 – 2030

The following general assessment of the draft LPS against the policy considerations detailed under Part C of the *Cradle Coast Regional Strategy 2010-2030* (the Regional Strategy) should be read in conjunction with the commentary contained at section 2.3 of the draft LPS supporting report. It should be further noted that some of the policy considerations detailed below are delivered through the application of the State Planning Provisions (SPPs) rather than being specifically relevant to the content of the draft LPS.

The instruction contained with Practice Note 6<sup>1</sup> makes the implication that addressing the Regional Strategy is to focus on instances where the allocation of draft LPS zones varies to that made with the current Interim Planning Scheme. The zone reassignment tables included with this report (as **Appendices F to R**) are supported with relevant commentary against the Regional Strategy. The detail of this commentary in the zone reassignment tables varies depending on the nature and extent of the reassignments proposed.

#### Regional Strategy policy statements:

#### **2. Wise Use of Resources – respect for what is valued**

Section	Policy Consideration	Compliance statement
<b>2.3</b>	<b><i>Land Use Policies for a Changing Climate</i></b>	
a	Promote outcomes which reduce carbon emissions and increase energy efficiency in a manner consistent with and appropriate to furthering declared Commonwealth and State policies and targets.	Insofar as such matters are relevant to the draft LPS preparation process, the draft LPS provides for the application of the zones and codes of the SPPs in a manner that is appropriately consistent with these policy considerations.
b	<p>Promote compact and contained settlement centres which allow reduced dependency on private vehicle use and the length of daily journeys by providing communities with ready local access to daily needs for employment, education, health care, retail and personal services and social and recreation facilities, including –</p> <ul style="list-style-type: none"><li>i. a greater mix and less dispersal or segregation in the nature and distribution of land use</li><li>ii. provision of local activity centres where there is a concentrated mix of activity for shopping, working, studying, recreation and socialising clustered at readily accessible locations</li><li>iii. improvement in the level of internal connectedness and convenience for pedestrian, cycle and public transport options</li><li>iv. increase in urban densities for residential and commercial use</li><li>v. location of employment opportunities within a greater number of centres and at a rate commensurate with local need</li></ul>	

<sup>1</sup> Practice Note 6: *Preparing draft Local Provisions Schedules (LPSs) for exhibition* (October 2017) as issued by the Tasmanian Planning Commission.

Section	Policy Consideration	Compliance statement
	vi. minimise expansion at the urban fringe and creation of rural residential clusters in remote or poorly connected locations	
c	Facilitate opportunity for resource processing, manufacturing and utility development in locations which minimise distances for freight transport, energy distribution and journey to work	
d	Promote energy efficient urban places and facilitate energy efficient buildings through design and construction requirements for subdivision layout, building disposition, and the use of materials and landscaping which maximise solar access and natural lighting, natural heating, cooling and ventilation, and the use of low energy and recovered materials, energy and resources	
e	Facilitate non-carbon energy alternatives, renewable energy and energy recovery projects which enhance transition to a carbon-neutral society, including – <ul style="list-style-type: none"> <li>i. stand-alone commercial scale installations in locations where there will be an acceptable level of impact on cultural, economic and natural resource values and on the amenity of designated sensitive use areas</li> <li>ii. installations forming a directly associated and subservient part of a use or development</li> <li>iii. domestic-scale installations in all locations</li> </ul>	
f	Facilitate carbon capture and storage, including by geological sequestration, soil carbon in agriculture, reforestation and control on the clearing of vegetation.	
g	Apply sound risk management practices.	
<b>2.4</b>	<b>Land Use Policies for Water Management</b>	
a	Use catchments as the ecological and hydrological unit of meaningful scale for planning and land management	The draft LPS applies the zones and codes of the SPPs in a manner that is appropriately consistent with these policy considerations. In particular, the Utilities Zone is applied to recognise key TasWater infrastructure such as water storage reservoirs whilst the Natural Assets Code provides for the management of the natural ecological function of watercourses, wetlands and other waterbodies.
b	Identify the surface water and ground water features, hydrological function, and natural features and areas necessary for the ecological and hydrological integrity of catchments	
c	Require catchments, natural water courses and water bodies be adequately buffered against likelihood for resource development, economic activity, utilities and settlement to have adverse effect on – <ul style="list-style-type: none"> <li>i. existing and known likely drinking water supplies</li> <li>ii. surface water, ground water, and water bodies susceptible to impact due to extraction of water or the addition of nutrients, sediments and pollutants</li> </ul>	

Section	Policy Consideration	Compliance statement
	iii. hydrological function of water, including its chemical and physical properties, and its biological interaction with the environment.	
d	Limit modification of natural drainage systems, including change in channel alignment and in the nature of the stream beds and flow rates	
e	impact on water quality by runoff from adjacent use or development (sic)	
d (sic)	Promote sustainable water use practices including water harvesting and recycling such as Water Sensitive Urban Design for stormwater and waste water	
e (sic)	Require retention and rehabilitation of native vegetation within riparian and foreshore areas	
f	Require urban and rural land use or development incorporate measures to manage diffuse and point source pollution from storm water and waste water discharge in accordance with the <a href="#">Tasmanian State Policy on Water Quality Management 1997</a> and the <a href="#">Tasmanian State Stormwater Strategy 2010</a> .	
2.5	Land Use Policies for Land	
a	Recognise land is an land is an (sic) irreplaceable and exhaustible resource	The draft LPS provides for the application of the SPPs zones and codes, as well as the localised content of a Particular Purpose Zone, and Specific Area Plans that is appropriately consistent with these policy considerations.
b	Ensure the sustainable use or development of land in accordance with capability to provide the greatest economic and social for the region's communities benefit at least cost to natural values	
c	Identify land for <ul style="list-style-type: none"><li>i. protection and conservation</li><li>ii. primary production</li><li>iii. economic activity</li><li>iv. settlement</li><li>v. community, transport and utility infrastructure</li><li>vi. tourism and recreation</li></ul>	
2.6	Land Use Policies for Air	
a	Maintain standards for natural air quality within the Region	Insofar as such matters are relevant to the draft LPS preparation process, the draft LPS provides for the appropriate allocation of zones to accommodate industrial activity where air quality considerations may be present.  The draft LPS will further apply the Attenuation Code of the SPPs which provide for separation between sensitive uses and activities which may cause (or have a potential to cause) air emissions.  The draft LPS is appropriately consistent with these policy considerations.
b	Promote development which satisfies or exceeds applicable regulatory standards for air quality	
c	Buffer development with potential to create adverse effects by nuisance and pollutant emissions from settlement areas	

Section	Policy Consideration	Compliance statement
<b>2.7</b>	<b>Land Use Policies for Conservation</b>	
a	Acknowledge natural conservation value is inherent in all terrestrial and aquatic environments	The draft LPS applies the Environmental Management Zone and the Natural Assets Code in a manner that is appropriately consistent with these policy considerations.
b	<p>Recognise land is declared under the legislation of the Commonwealth and of the State of Tasmania for –</p> <ul style="list-style-type: none"> <li>i. comprehensive, adequate and representative natural areas are given long-term protection in formal reserves for the maintenance of biological diversity, ecological process and geological feature</li> <li>ii. areas outside formal reserves which compliment, link or enhance areas of conservation status, regional identity or local character are managed to retain natural values and function</li> <li>iii. settlement and development on land adjacent to areas of conservation value is sited and managed to avoid adverse effect on natural values and processes</li> </ul>	
c	<p>Require use or development of land within or in the vicinity of a declared conservation area is to be consistent with the outcomes intended in the applicable statutory management plan for such reserve, including as from time to time applying for –</p> <ul style="list-style-type: none"> <li>i Tasmanian Wilderness World Heritage Area</li> <li>ii. Savage Rive National Park</li> <li>iii. Rocky Cape National Park</li> <li>iv. Cradle Mountain/Lake St Clair National Park v. Franklin/Gordon Wild Rivers National Park</li> <li>vi. South West National Park</li> <li>vii. Narawntapu National park</li> <li>viii. Arthur Pieman Conservation Area</li> <li>ix. The Nut Reserve</li> <li>x. Dial Range Reserve d.</li> </ul>	
d	Promote settlement and land use decisions which integrate with the Cradle Coast Natural Resource Management Strategy	
e	Support sustainable economic use of bio-resources occurring in native forests, water ways and aquatic environments	
f	Require settlement development and growth has regard to likely adverse effect on areas of natural conservation value, including remnant vegetation, waterways and water bodies, and coastal systems	
g	Restrict land clearing and disturbance of intact natural habitat and vegetation areas, including areas of forest and non-forest vegetation communities declared under the Nature	



Section	Policy Consideration	Compliance statement
	Conservation Act, coastal wetlands, and remnant and appropriate cultural vegetation within settlement areas	
h	<p>Avoid fragmentation and bisection of areas of identified natural conservation value and retain appropriate connecting habitat corridors between individual areas of natural conservation value</p> <ol style="list-style-type: none"> <li>Consider the likely impact of climate change on areas of natural conservation value, including need for measures to –</li> <li>retain and expand areas of remnant native vegetation, biological corridors, contiguous waterways, and off-stream wetlands</li> <li>address the exposure and vulnerability of natural systems to future or enhanced levels of risk from the consequences of climate change, including provision of additional areas for habitat migration.</li> </ol>	
<b>2.8</b>	<b><i>Land Use Policies for Coastal Management</i></b>	
a	Place limits on the expansion of urban and residential use and development within the coastal zone to avoid linear settlement patterns and encroachment onto areas of intact coastal environment	<p>The draft LPS will implement the requirements of the SPPs which appropriately provide for environmental considerations in coastal areas.</p> <p>The draft LPS provides for the appropriate application of zones to recognise areas of environmental importance. The allocation of zones included with the draft LPS for coastal areas are generally consistent with (or generally equivalent to) the existing zoning situations under the Interim Planning Scheme. More specifically the Environment Management Zone is appropriately retained and applied to coastal areas.</p>
b	Require new use or development within areas of intact coastal environment are dependent on a coastal location for operational efficiency	<p>The draft LPS will provide for the application of the Coastal Erosion Hazard Code and Coastal Inundation Code in accordance with the SPPs.</p> <p>Furthermore, the draft LPS will apply the Natural Assets Code of the SPPs which provides for the identification and management of areas for:</p> <ul style="list-style-type: none"> <li>- waterway and coastal protection;</li> <li>- future coastal refugia; and</li> <li>- priority vegetation</li> </ul>
c	Minimise or avoid use or development in areas subject to high levels of coastal hazard	
d	Protect ecological and cultural values of foreshore, coastal reserve, wetland, dune, and estuary areas from adverse effect and encroachment by development on land in the vicinity, including RAMSAR wetlands and significant coastal wetlands such as Robbins Passage and Boullanger Bay	
e	Require intensification and redevelopment within established settlements ensure continued and undiminished physical and visual public access to beaches, headlands and waterways	

Section	Policy Consideration	Compliance statement
		The draft LPS is appropriately consistent with these policy considerations.
<b>2.9</b>	<b><i>Land Use Policies for Cultural and Historic Heritage</i></b>	
a	Recognise and conserve the importance of natural geological and biological heritage for both indigenous and European communities.	The draft LPS provides for the appropriate recognition of local heritage interests which will be managed by the Local Historic Heritage Code of the SPPs.
b	Recognise and promote understanding of Aboriginal heritage, including places, features, landscapes and items of spiritual and cultural significance and identify measures to consider and resolve values of importance for Aboriginal communities in accordance with statutory requirements.	
c	Recognise and promote understanding of the Region's historic cultural heritage places, including significant buildings, structures, works, relics, towns and localities.	
d	Rely on the scope and accuracy of statutory archaeological and heritage registers to identify all buildings, items, landscapes, places, precincts and relics of scientific, aesthetic, architectural and historic interest or otherwise of special cultural value of national, state and local significance.	
e	Facilitate sympathetic re-use of historic heritage assets through planning incentives and design requirements.	
f	Promote settlement and development compatible with the underlying heritage values of a location.	

### **3. Support for Economic Activity – a diverse and robust economy**

Section	Policy Consideration	Compliance statement
<b>3.3</b>	<b><i>Land Use Policies for Economic Activity and Jobs</i></b>	
<b>3.3.1</b>	<b><i>Economic Activity</i></b>	
a	Facilitate supply of employment land in all settlement areas for industrial, business and institutional use including in residential locations	<p>The draft LPS makes provision to support economic activity through the appropriate zoning of land for activities including, but not necessarily limited to:</p> <ul style="list-style-type: none"> <li>- business, retail and professional services;</li> <li>- hospitality, entertainment and tourism;</li> <li>- industry;</li> <li>- agriculture and resource production; and</li> <li>- transport and distribution (including shipping, road and rail activity); and</li> </ul>
b	Recognise the implication of enhanced capacity in digital communication to diminish location dependencies for economic activity and provide the Region with competitive equality and opportunity for new business ventures in non-traditional sites	
c	Ensure locations for employment use accommodate new forms and changing patterns of economic activity	
d	Promote provision of employment land in locations where – <ul style="list-style-type: none"> <li>i. land is physically capable of development</li> </ul>	

Section	Policy Consideration	Compliance statement
	<ul style="list-style-type: none"><li>ii. transport access and utilities can be provided at reasonable economic, social and environmental cost</li><li>iii. there is a access to resource, energy, communication, and workforce</li><li>iv. sufficient separation can be provided to buffer impact on natural values, economic resources and adjoining settlement</li></ul>	The draft LPS makes appropriate provision for “employment land” and further provides for the allocation of zones that enable an appropriate recognition of existing and well-established land use and development patterns in the municipal area.
e	Protect designated economic activity and employment lands against intrusion by alternate forms of use or development	
f	Indicate necessary infrastructure must be planned or available and protected to support current and forecast employment needs	
g	Convert employment land to non-employment use only where – <ul style="list-style-type: none"><li>i. the land is not required for the employment purpose for which it is designated; or</li><li>ii. the land is incapable of effective use for employment purposes over the long-term; and</li><li>iii. conversion will not adversely affect the overall efficiency of other employment land in the vicinity;</li><li>iv. there is a need for the conversion; and</li><li>v. the land is suitable for the proposed alternative purpose</li></ul>	
3.3.2	<b>Natural Bio-Resource Production</b>	
a	identify land significant for bio-resource use	The draft LPS applies the Rural Zone, Agriculture Zone, Environmental Management Zone, and also the Natural Assets Code in a manner that is appropriately consistent with these policy considerations.
b	limit encroachment or intrusion by use or development that will compromise efficiency for – <ul style="list-style-type: none"><li>i. habitat for wild fisheries such as tidal, inter-tidal and freshwater wetlands, estuaries, seagrass and marsh areas and other fish breeding and nursery grounds, including the aquaculture and marine farming operations at Macquarie Harbour, Smithton and Port Sorell</li><li>ii. timber production in State forests, Private Timber Reserves, and plantation forests, including for transition from old growth production</li><li>iii. adventure and nature based tourism</li></ul>	
c	support multiple use of forest areas for production, recreation and nature based tourism and conservation	
d	provide for land based support and processing activity in connection with off-shore aquaculture and marine farming	

Section	Policy Consideration	Compliance statement
e	promote land-based aquaculture development where there are low levels of environmental risk	
3.3.3	<b>Agricultural Production</b>	
a	identify land significant for agriculture in the Region as not less than the entirety of the land which is currently available to and developed for agriculture	The draft LPS applies the Agriculture Zone in a manner that is consistent with these policy considerations.
b	exclude use or development that has no need or reason to locate on land significant for agriculture	
c	indicate agriculture dependent on the soil as a growth medium is the priority use on land significant for agriculture	
d	facilitate new forms and changing patterns of agricultural use on land that is not significant for agriculture, including controlled environment and feed lot agriculture	
e	protect and buffer agriculture against incompatible use which may conflict and constraint potential for sustainable production	
f	ensure industries which support and service agricultural production are able to diversify, adjust, innovate and value-add	
g	land significant for agriculture is not excluded from agricultural use unless for -  i. settlement in accordance with an approved settlement strategy; or  ii. an alternate economic use where  iii. necessary to operational efficiency  iv. the impact on loss of land for agricultural use and on adjacent agricultural use is minimal; and  v. there is no reasonable alternate location which would avoid agricultural land or allow location on agricultural land of a lesser classification;	
3.3.4	<b>Minerals, Construction Aggregate and Stone resource extraction</b>	
a	identify areas of known and prospective significant mineral and aggregate resources in consultation with Mineral Resources Tasmania	The zone allocations made with the draft LPS provide appropriate opportunities for extractive industry that is consistent with these policy considerations.
b	exclude use or development with likelihood to preclude or hinder development of the resource for reasons of public health, safety or environmental impact from land in the vicinity of an identified extraction resource unless extraction is not feasible	
3.3.5	<b>Sustainable Tourism</b>	
a	facilitate tourism operations and facilities in locates that –  i. leverage attraction and uniqueness of authentic experience in natural and wild places, including iconic destinations	The zone allocations made with the draft LPS provide appropriate opportunity for tourism related use and development that is consistent with these policy considerations.

Section	Policy Consideration	Compliance statement
	<div>ii. integrate with other economic activity, including agriculture and mining</div> <div>iii. capitalise on natural and cultural heritage and landscapes</div> <div>iv. provide choice and diversity in character, distribution and scale</div>	
b	protect attributes which attract and enhance tourism experience in the vicinity of designated tourist trails, identified points of interest and high value environmental, cultural and scenic sites	
c	promote nature based and cultural tourist orientated development in conservation and natural value locations	
d	promote tourism incidental to resource, industrial and settlement activity	
e	require tourist facilities are environmentally and socially sustainable with appropriate standards for transport, water supply and waste water infrastructure	
f	integrate tourist experience and infrastructure into settlement centres to support and reinforce economic function	
g	avoid alienation and displacement of local communities and significant change in local character, function and identity	
h	ensure regulatory requirements and approval processes do not unduly direct or restrain the location, nature and flexibility of tourism operations and visitor accommodation	
3.3.6	Visitor Accommodation	
a	facilitate a range of visitor accommodation options	The zone allocations made with the draft LPS provide appropriate opportunity for visitor accommodation that is consistent with these policy considerations.
b	locate high-capacity accommodation in major settlement centres and key tourist locations	
c	designate sites for camping, caravan and mobile home use	
d	restrict permanent settlement within designated tourist sites and facilities	
3.3.7	Energy Generation	
a	promote energy generation and co-generation facilities for alternative energy, renewable and micro-generation	Insofar as such matters are relevant to the draft LPS preparation process, the draft LPS provides for the application of the zones and codes of the SPPs in a manner that is appropriately consistent with these policy considerations.
b	avoid requirements to unreasonably manage visual and nuisance impact of microgeneration systems	
3.3.8	Manufacturing and Processing	
a	recognise distinction between industry with an export focus and industry required to service and support local settlement areas	The draft LPS applies the standard zones of the SPPs such as the Commercial Zone, Light Industrial

Section	Policy Consideration	Compliance statement
b	cluster manufacturing, processing, and bulk storage and handling in locations where there is clear advantage for industry through –  i. availability of large suitable land sites  i. proximity to resource or workforce  iii. secure access to available or planned transport and utility infrastructure  iv. established pattern of industrial use  v. reasonable ability to buffer against impact on other land uses	Zone, General Industrial Zone, Rural Zone, and Port and Marine Zone in a manner that is appropriately consistent with these policy considerations.
c	promote transport and storage activities in locations with access to strategic transport infrastructure and high productivity vehicle access freight corridors, including sea and air ports, major road junctions and rail yards and avoid further dispersal onto new or under-developed networks	
d	enable new discrete sites only where there is need for processing close to source or for significant separation from other activity	
e	rationalise and reduce fragmentation of existing industrial land locations to increase efficiency of use and to reduce impact on adjoining lands	
f	provide land for service and support industries, including trade, construction and fabrication, maintenance, repair, distribution and transport in all settlement areas	
g	segregate local service industries from large-scale manufacturing, process and transport activities	
h	locate new industrial land to avoid adverse impact on other land uses and natural or cultural values or high volume transport routes or facilities and buffer against encroachment	
i	restrict intrusion by development that may displace industry through competition for cheaper land or by use conflict, including for bulky good and large format retailing and recreation	
j	promote small scale value adding industries that compliment primary production, including packing, processing, storage, and tourism	
k	promote on-site energy generation and waste recovery systems	
l	promote flexibility in development requirements to accommodate new forms of manufacturing and processing and change in existing arrangements	
3.3.9	<b>Business and Commercial Activity</b>	
a	facilitate convenient access in each settlement area to food and convenience goods retailers and services	The draft LPS applies the Local Business Zone, Urban Mixed Use Zone, General Business Zone, Central Business Zone and Commercial Zone in a way that enables an appropriate hierarchy in the designation of
b	promote the distribution of higher order retail goods and services throughout the Region in a manner consistent with recognised settlement patterns and	



Section	Policy Consideration	Compliance statement
	at a scale, type and frequency of occurrence appropriate to settlement size, local consumer demand, and relationship to the wider regional market	planning scheme zones for the business/retail activity centres in the Devonport municipal area.
i (sic)	In this regard Devonport, Burnie, Latrobe, Sheffield, Ulverstone, Wynyard, Queenstown, Smithton and Currie will provide regional or district business and commercial service roles in addition to meeting local demand.	<p>A key tenet of Council's Living City initiative is to protect and promote the primacy of the CBD area, a policy position which is reinforced in the <i>Devonport City Council Strategic Plan 2009 - 2030</i>. Consistent with this policy direction is the containment of the Central Business Zone to align with the main CBD area of Devonport.</p> <p>The draft LPS will provide for business and commercial activity that is appropriately consistent with these policy considerations.</p>
c	facilitate retail and service provision to complement and enhance the collective drawing power of existing retail and service areas but which does not involve location of major attractors for the express purpose of capturing market share in excess of that warranted by settlement size and relative function in a regional context	
d	promote integration of neighbourhood retail and service provision into residential areas at a scale, location and disposition suitable to service local need	
e	maintain the integrity, viability and vitality of established centres by locating new business and commercial development onto land within or immediately contiguous with existing town centres and commercial zones	
f	promote increased mix of land use, including for housing, within accessible business centres to encourage viability and vitality	
g	prevent linear commercial development	
h	prevent leakage of commercial and retail activities from preferred locations by restricting retail sales in other land use areas	
i	provide designated locations for bulky goods and large format retailing, including for vehicle, building and trade supply, and home improvement goods	
j	restrict sale of food, clothing and carry away consumables through bulky goods and large format retail outlets located outside town centres	
k	require proposals for major business or commercial development outside designated town centres be supported by need, absence of suitable alternative sites	
<b>3.3.10</b>	<b>Micro-Enterprises</b>	
a	facilitate location in association with other land use, including home-based business in housing areas where scale and nature will not adversely affect domestic character	Through the application of the SPPs, the draft LPS allows micro-enterprises (such as home-based business) to occur in residential zones which is appropriately consistent with these policy considerations.
b	promote opportunities for lifestyle and creative enterprise	
c	require micro-enterprise to locate on designated industrial or business land only where of a scale or nature inappropriate for alternate areas	

#### 4. Places for People –liveable and sustainable communities

Section	Policy	Compliance statement
<b>4.3</b>	<b>Land Use Policies for Managing Growth and Development</b>	
<b>4.3.1</b>	<b>Urban Settlement Areas</b>	
a	Assume a low growth scenario under which demand is driven by internal population change and low rates of inward migration	The allocation of land to zones under the draft LPS do not represent or propose an expansion of urban settlement boundaries – instead they provide for the appropriate designation of planning scheme zones to recognise existing patterns of urban land use and development within and around established urban areas in the municipal area. The reassignment of land to the General Residential proposed with the draft LPS represents the opportunity for in-fill development and focuses growth within existing urban boundaries.
b	Promote established settlement areas as the focus for growth and development	
c	Promote optimum use of land capability and the capacity of available and planned infrastructure service	
d	Match land supply to need and provide sufficient land within the designated urban settlement boundaries of each centre to meet forecast need for a time horizon of not less than 10 years but not exceeding 20 years	
e	Accommodate growth and development for each of the centres identified in Table B4.5 through either –  i. A <i>Stable Growth Strategy</i> which promotes growth and development within the established boundaries of the nominated settlement area without priority for intensification; or  ii. A <i>Contained Growth Scenario</i> (sic) which promotes a mix of intensification and strategically planned expansion on the established boundaries of the nominated settlement centre	This is appropriately consistent with the “contained” growth management strategy contemplated by the Regional Strategy.  With regard to urban residential land supply, the Regional Strategy includes the following policy statement at 4.3.1 (d):  <i>Match land supply to need and provide sufficient land within the designated urban settlement boundaries of each centre to meet forecast need for a time horizon of not less than 10 years but not exceeding 20 years.</i>
f	Provide a pattern of settlement which maintain –  i. Separated towns, villages and communities  ii. Visual and functional transitional space between each individual centre  iii. Absence of linear development or expansion aligned to coastline, ridgeline, or river or road frontage	
g	Implement structure plans and regulatory instruments for each centres which –  i. Identify arrangements for intensification through infill, redevelopment and conversion of vacant and under-developed land, including for intensity of buildings and density of population  ii. Identify arrangements for the expansion of urban boundaries when –	
		The detail provided with Appendix 1 of the Regional Strategy – and in particular that detail provided relating to the Devonport municipal area - includes the following statements:  - “The urban land area within Devonport provides approximately 5 years forward residential supply, predominantly at Ambleside and East Devonport <sup>[1]</sup> ”. - “Internal housing growth will need to be accommodated through infill and consolidation <sup>[2]</sup> ”.  Notwithstanding the observation that the Regional Strategy was

<sup>[1]</sup> Cradle Coast Regional Land Strategy 2010-2030 (Cradle Coast Regional Planning Initiative, 2011) – p.166.

<sup>[2]</sup> Ibid.

Section	Policy	Compliance statement
	<ul style="list-style-type: none"> <li>a. There is insufficient capacity within existing designated land to accommodate forecast growth</li> <li>b. Areas of expansion are contiguous with established settlement areas</li> <li>c. Sequence of release is progressive from established settlement areas and consistent with the capacity and orderly provision of infrastructure services</li> <li>d. Compact urban form is retained</li> <li>iii. Embed opportunity for a mix of use and development within each centre sufficient to meet daily requirements for employment, education, health care, retail, personal care and social and recreation activity</li> <li>iv. Avoid encroachment or adverse impact on places of natural or cultural value within the designated urban boundary</li> <li>v. Avoid exclusion or restraint on areas significant for natural or cultural value, resource development or utilities in the vicinity of the designated urban boundary</li> <li>vi. Minimise exposure of people and property to unacceptable levels of risk to health or safety</li> <li>vii. Promote active and healthy communities through arrangements for activity centres, public spaces, and subdivision layout which facilitate walking and cycling</li> <li>viii. Buffer the interface between incompatible use or development</li> <li>ix. Facilitate any agreed outcomes for future character</li> <li>x. Facilitate reduced carbon emission and improved energy efficiency through requirements for the orientation and placement of lots and buildings, access to solar energy and daylight, and the application of energy generation and efficiency technology and construction techniques</li> <li>xi. Acknowledge the transient and cyclic nature of resource-based activity in towns such as Rosebery, Zeehan and Grassy and require the legacy of new development for housing, commercial, community, recreation and utility infrastructure does not unreasonable burden the permanent population</li> <li>xii. Acknowledge the specialist role of centres such as Cradle village, Strahan, Stanley and Waratah as tourist destinations and require new development be consistent with this purpose without alienation or disadvantage to ability for the centre to remain a liveable community for the permanent resident population</li> </ul>	<p>declared in 2011 and which is now due for review – since the Regional Strategy was adopted in 2011, there has not been a significant change in urban residential land supply that would substantially alter the general supply forecast for Devonport as currently described in Appendix 1 of the Regional Strategy.</p> <p>Following the above rationale, Council can say with a degree of certainty that the reassignment of land to the General Residential Zone proposed with the draft LPS does not result in an urban residential land supply that exceeds the 20-year forecast period contemplated at policy 4.3.1 (d) of the Regional Strategy.</p>

Section	Policy	Compliance statement
<b>4.3.2</b>	<b>Rural Land</b>	
a	Make primary production the priority purpose	<p>The draft LPS applies the Rural Zone and Agricultural Zone of the SPPs in a manner that is appropriately consistent with these policy considerations.</p> <p>The draft LPS also applies the Local Historic Heritage Code and the Natural Assets Code to recognise areas of cultural or natural value in rural locations.</p>
b	Limit use or development that does not have a need or reason to be located on rural land	
c	Facilitate use or development that is directly associated with and subservient part of a rural resource use	
d	Restrict use or development likely to interfere or conflict with a rural resource use	
e	Protect areas of natural or cultural significance	
<b>4.4</b>	<b>Land Use Policies for Protecting People and Property</b>	
a	Recognise land exposed to future or enhanced risk is a valuable and strategic resource that should not be sterilised by unnecessarily excluding use or development	<p>The SPPs provide for the application of a various and wide range of standards including those relating to attenuation between certain activities and sensitive uses, airport impacts, and for the mitigation and management of hazards (including natural hazards). These standards are generally contained in the suite of codes made with the SPPs.</p> <p>The draft LPS will implement the relevant standardised codes of the SPPs in a manner that is appropriately consistent with these policy considerations.</p>
b	Establish the priority for risk management is to protect the lives of people, the economic value of buildings, the functional capacity of infrastructure, and the integrity of natural systems	
c	Avoid new essential service, sensitive or inappropriately located use or development on undeveloped land exposed to or affected by a high level of an existing, likely future or enhanced risk, including from inundation and erosion by the sea, flooding, bush fire or landslide	
d	Limit opportunity for expansion of existing essential service, sensitive or inappropriately located use and development onto land exposed to or affected by an existing, likely future or enhanced level of risk	
e	Limit opportunity for redevelopment and intensification of existing essential service, sensitive or inappropriately located use or development on land exposed to or affected by an existing, likely future or enhanced level of risk unless the impact can be managed to be no greater or less than the existing situation	
f	Promote guidelines and technical measures that which will assist to reduce impact of an existing, likely future or enhanced level of risk and make existing strategically significant places, uses, development and infrastructure assets less vulnerable, including provision for protection, accommodation and abatement, or retreat	
g	Require a hazard risk assessment for new or intensified use or development on land exposed to an existing, likely future or enhanced risk, such assessment to address the nature and severity of the hazard, the specific risk factors for the proposed use or development, and the measures required to mitigate any risk having exceedance probability of greater than 1% at any time over the life of the development	

Section	Policy	Compliance statement
h	Ensure current and future landowners and occupiers are put on notice of the likelihood for a future or enhanced level of risk	
4.5	Land Use Policies for facilitating access to business and community services	
a	Require each settlement area facilitate a mix of use and development of a nature and scale sufficient to meet for basic levels of education, health care, retail, personal services and social and economic activity and for local employment opportunities for the convenience of the local resident and catchment population	The draft LPS provides for the allocation of zones to facilitate use and development in a manner that is appropriately consistent with these policy considerations.
b	Locate business and community service activity reliant for operational efficiency on a regional-scale population or on a single or limited number of sites at Burnie or Devonport, and at Latrobe, Ulverstone, Sheffield, Wynyard, Smithton, Currie and Queenstown	
4.7 (sic)	Land Use Policies for Housing Land – places to live	
a	Identify at all times the ability to accommodate forecast housing demand for a minimum future period of 10 years –  i. through infill, redevelopment or increased densities within each settlement area  ii. on land designated for settlement growth and immediately available for residential development under the planning scheme	The draft LPS applies the General Residential Zone and the Inner Residential Zone in a manner that is appropriately consistent with these policy considerations.  With regard to the reassignment of land to the Rural Living Zone proposed with the draft LPS, the Regional Strategy recognizes “rural-residential” as a legitimate housing option. The proposed reassignment of land to the Rural Living zone represents land areas that have a readily identifiable “rural-residential” character occupied by existing and well-established residential use and development in and around established settlement areas. The allocation of such land to the Rural Living Zone under the draft LPS is about providing for the appropriate recognition of such land use patterns. This is deemed to be appropriately consistent with the policy consideration for housing land in rural areas.
b	Facilitate choice and diversity in location, form and type of housing to meet the economic social, health and well-being requirements and preferences of all people	
c	Direct development for new housing into locations where appropriate levels of employment, business, infrastructure and community service facilities are available or planned	
d	Promote higher dwelling density to optimise use of land and infrastructure and community service facilities	
e	Rationalise or remove opportunity for housing in locations where oversupply is identified, and in locations where access, servicing, safety or impact are unacceptable	
j (sic)	Require housing land is separated from and buffered against adverse effect from existing and potential adjacent non-residential use	
f	Provide land for housing development requirements which do not unreasonable or unnecessary constrain –  i. efficient use of land and infrastructure  ii. housing market or supply	

Section	Policy	Compliance statement
	<ul style="list-style-type: none"> <li>iii. location of housing outside designated residential estates</li> <li>iv. tenure, including for public housing, rental and temporary accommodation</li> <li>v. accessibility and affordability</li> <li>vi. diversity in type, mix and density within a single urban locality as appropriate to lifestyle preference and changing housing needs</li> <li>vii. housing for the elderly, disadvantaged and disabled</li> <li>viii. orientation, configuration, design, materials and technologies</li> <li>ix. inclusion of housing in business and mixed use areas</li> </ul>	
g	Facilitate housing forms which incorporate climate sensitive design, the use of low energy materials, reduction in waste and emissions, and technologies which encourage efficient water and energy use	
h	<p>Provide opportunity for housing in rural areas where –</p> <ul style="list-style-type: none"> <li>i. Required as part of a rural resource use</li> <li>ii. There is no adverse effect for access to and use of rural resource land, including to land significant for agriculture</li> <li>iii. There is no adverse effect on key natural resource values, including areas of biodiversity significance and landscape aesthetics</li> <li>iv. Adequate arrangements are available for transport and there is convenient access to basic retail needs, community services, and employment opportunities, whether or not in an alternate settlement area</li> <li>v. There is no restraint on options for settlement expansion or provision of employment land</li> <li>vi. There is an acceptable level of risk from exposure to natural or man-made hazard</li> <li>vii. Capacity is available to meet basic utility needs at reasonable cost or there is capacity for self-sufficiency in on-site generation, collection and disposal without risk to human or environmental health</li> </ul>	
<b>4.8</b>	<b>Land Use Policies for Healthy and Educated Communities</b>	
a	Align to State and regional health, education, community support and recreation strategies, policies and programs	Insofar as such matters are relevant to the draft LPS preparation process, the draft LPS provides for the allocation of zones that is appropriately consistent with these policy considerations.
b	Focus community services dependent on a regional or sub-regional catchment or a single or limited number of sites into locations where there is a high degree of accessibility and a synergy with existing facilities of a like kind, including at Burnie and Devonport	

Section	Policy	Compliance statement
c	Facilitate local development of community service facilities in locations accessible and convenient to the population they serve	
d	Facilitate education and training facilities within residential, business and industrial locations	
e	Facilitate co-location, integration and shared use of community service facilities including schools, medical centres and local recreation spaces on land allocated for housing and business purposes	
f	Restrict new housing development until there is adequate available or planned community service capacity to meet requirements from new development	
4.9	Land Use Policies for Active Communities	
a	Assist implementation of the Tasmanian Open Space Policy and Planning Framework 2010 and the Cradle Coast Regional Open Space Strategy 2009 and other related sport and recreation plans and strategies endorsed by government agencies and planning authorities	The draft LPS applies the Open Space Zone and Recreation Zone in a manner that is consistent with these policy considerations.
b	Recognise recreation, leisure and wellbeing opportunities are integrated with settlement activity and do not always require a discrete land allocation, such as urban trails and walkways as detailed in the North West Coastal Pathway project	
c	Facilitate equitably distribution of accessible built and natural settings in a variety of locations for formal and informal recreation, including for unstructured and structured physical and contemplative activity, sport, personal enjoyment, positive social interaction, spiritual well-being and the achievement of human potential	
d	Facilitate opportunity for recreation and open space land within all settlement, nature conservation and resource areas in accordance with population requirements and environmental capacity	
e	Require adequate open space and recreation capacity is available or planned to meet requirements from new development applying a process consistent with that outlined in Appendix 3 of the Tasmanian Open Space Policy and Planning Framework 2010	

## **5. Planned Provision for Infrastructure -support for growth and development**

Section	Policy	Compliance statement
<b>5.3</b>	<b><i>Land Use Policies for Integrated Land Use and Infrastructure Planning</i></b>	
a	Are integrated and coordinated with strategies, policies and programs contained in or derived from the Tasmanian Infrastructure Strategy planning processes	The draft LPS applies the relevant zones and codes of the SPPs in a manner that is consistent with these policy considerations.



Section	Policy	Compliance statement
b	Recognise existing and planned infrastructure provision for services and utilities	This includes the allocation of land to zones such as the Port and Marine Zone and the Utilities Zone, and also the action of codes such as the:  (a) Parking and Sustainable Transport Code; (b) Road and Railway Assets Code; (c) Electricity Transmission Infrastructure Protection Code; (d) Telecommunications Code; and (e) Safeguarding of Airports Code.
c	Promote compact contained settlement areas to –  i. Assist climate change adaptation and mitigation measures  ii. Optimise investment in infrastructure provision	
d	Direct new and intensified use or development to locations where there is available or planned infrastructure capacity and function appropriate to the need of communities and economic activity	
e	Require the scale and sequence of growth and development be in accordance with arrangements for the provision of infrastructure	
f	Require use or development optimise capacity and function in available and planned infrastructure services and utilities	
g	Restrict use or development in locations where provision or upgrade in capacity or function of infrastructure services and utilities cannot be economically or sustainably provided	
h	Recognise strategic and substantial infrastructure assets such as airports, railways, major roads and seaports as a distinct land use category	
i	Protect infrastructure assets, corridors, facilities sites and systems from use or development likely to create conflict or interference to the operational capacity, function or security of services and utilities, including for road and rail corridors, airport and seaport land, energy generation and distribution corridors, and water catchment and storage areas	
j	Minimise permit and assessment requirements for works involving replacement or improvement in the capacity, function or safety of existing infrastructure	
k	Limit use or development which has no need or reason to locate on land within an infrastructure corridor, facility or site	
l	Promote infrastructure corridors, sites and facilities that –  i. Minimise adverse effect on areas of natural or cultural value  ii. Minimise adverse effect on the amenity, health and safety of designated settlement areas  iii. Minimise exposure to likely risk from natural hazards  iv. Collocate services and facilities	
5.4	Land Use Policies for Transport Systems – moving freight and people	
5.4.1	Integrated Planning	
	Are aligned to the Tasmanian Infrastructure Strategy and the Cradle Coast Integrated Transport	Insofar as such matters are relevant to the draft LPS preparation process, the

Section	Policy	Compliance statement
	Strategy 2006 goals to deliver connected communities and efficient and safe movement of people and freight in a manner that will drive economic growth, social inclusion and meet climate change challenges	draft LPS provides for the application of the zones and codes of the SPPs in a manner that is appropriately consistent with these policy considerations.
<b>5.4.2</b>	<b>Sea Transport</b>	
a	Recognise the strategic significance to Tasmania of the Burnie and Devonport ports for freight movement in import and export trade	The draft LPS applies the Port and Marine Zone in a manner that is consistent with this policy consideration.
b	Recognise the regional importance of ports at Port Latta, Strahan, Stanley, Smithton and King Island for resource development, tourism and servicing of local communities	
<b>5.4.3</b>	<b>Air Transport</b>	
a	Recognise the strategic significance of air transport for movement of people and specialist freight into and out of the Region	The draft LPS applies the Safeguarding of Airports Code in a manner that is consistent with this policy consideration.
b	Protect the operation of airports by ensuring– <ul style="list-style-type: none"> <li>i. development for residential and other sensitive use is not exposed to excessive noise intrusion due to operation of the airport</li> <li>ii. use and development does not create a hazard to air navigation from obstacles such as height of buildings or structures or to activity which may increase likelihood of the hazards such as bird strikes to aircraft</li> </ul>	
<b>5.5.4</b>	<b>Road Transport</b>	
a	Recognise the strategic importance of major road freight and passenger transport corridors identified in the Tasmanian State Road Hierarchy 2006; and <ul style="list-style-type: none"> <li>i. Limit access between priority roads and adjoining land and</li> <li>ii. Limit creation of junctions with local roads</li> <li>iii. Avoid ribbon development aligned along frontages to major transport corridors</li> <li>iv. Direct use or development dependent on high volume freight capacity to locations with ability to readily integrate with major freight routes</li> <li>v. Restrict use or development dependent on high volume freight capacity in locations where there is not an appropriate standard of road freight capacity</li> </ul>	The draft LPS applies the Utilities Zone (for category 1, 2, 3, 4 and 5 roads as defined in the <i>Tasmanian State Road Hierarchy</i> ), the Parking and Sustainable Transport Code, and the Road and Railway Assets Code in a manner that is consistent with this policy consideration.
b	Require local road networks provide a high level of accessibility and connectedness to local destinations, including for pedestrian, cycle and public transport	
c	Require traffic generating use or development make arrangements for vehicular access, freight and passenger handling, parking of vehicles,	

Section	Policy	Compliance statement
	pedestrian and cycle access, and connection to public transport	
d	Promote mixed use communities and use of communication and digital technologies to minimise frequency and distance of travel for daily requirements for employment, education, health care, retail and personal services, and social and recreation activity	
<b>5.4.5 Rail Transport</b>		
a	Recognise the strategic significance for Tasmanian import and export trade of the regional rail links to Western Junction and Melba for freight movement	The draft LPS applies the Utilities Zone and the Road and Railway Assets Code in a manner that is consistent with this policy consideration.
<b>5.4.6 Active Transport</b>		
a	Recognise policies for improved pedestrian, cycle and public transport forms as an alternative to personal car travel contained in the Tasmanian Walking and Cycling Active Transport Strategy.	This is generally beyond the scope of matters contemplated by the draft LPS. Suffice to say that the draft LPS will apply the Parking and Sustainable Transport Code of the SPPs in a manner that is consistent with this policy consideration.
<b>5.5 Land Use Policies for Energy Systems – generation, distribution and supply</b>		
a	Recognise strategic importance of inter-State connections via BassLink and the Natural Gas Pipeline for the import and export of energy	Insofar as such matters are relevant to the draft LPS preparation process, the draft LPS provides for the application of the zones and codes of the SPPs in a manner that is appropriately consistent with these policy considerations.
b	Facilitate commercial-scale renewable energy generation	
c	Facilitate small-scale renewable energy generation and energy efficiency technology and practices in domestic, commercial and industrial use or development	
<b>5.6 Land Use Policies for Supply Water</b>		
a	Require growth and development has secure access to water supply and waste water disposal system that –  i. are sustained by the water resources upon which such services rely  ii. are economically viable  iii. protect human and environmental health	The draft LPS provides for the application of the zones and codes of the SPPs in a manner that is appropriately consistent with these policy considerations.
b	Facilitate water conservation and water use efficiency including water sensitive urban design, stormwater and waste water re-use, and on-site water storage	
c	Require reticulated water supply and waste water disposal systems as the priority arrangement for servicing of settlement areas unless –  i. reticulated services are not available or planned or are not of sufficient capacity	

Section	Policy	Compliance statement
	<div>ii. alternative water supply and/or waste water disposal systems that provide are at least as effective as a reticulated system; and</div> <div>iii. site conditions are suitable for long-term operation of alternate systems, without human or environmental health impact</div>	
d	Facilitate arrangements under designated irrigation schemes for water storage and distribution for agricultural use	
5.7	Land Use Policies for Information Technology – moving data, information, knowledge and services	
a	Facilitate installation and upgrade of digital communication infrastructure in accordance with the statutory requirements for telecommunication infrastructure and the National Broadband Network	This is generally beyond the scope of matters contemplated by the draft LPS. Suffice to say that the draft LPS will apply the Telecommunications Code and also the Electricity Transmission Infrastructure Protection Code (as made with the SPPs) in a manner that is consistent with this policy consideration.
b	Recognise application of cyber infrastructure may displace conventional arrangements for use and development of land and require flexibility to accommodate economic, community development and service and social activity within a virtual rather than physical location	
5.8	Land Use Policies for Policies for Waste Management	
a	Waste minimisation	The draft LPS makes appropriate provision for the zoning of land containing waste management facilities such as waste transfer stations and wastewater treatment plants which are assigned to the Utilities Zone.  The Attenuation Code included with the SPPs also allows for the management of sensitive use and development in proximity of activities including waste transfer stations and sewage treatment plants.
b	Recovery and reprocessing	
c	Reuse of waste materials in use and development	
5.9	Land Use Policies for Community Services	
a	Align to State strategies, policies and plans for provision of health, education and community support programs	The draft LPS makes appropriate provision of land to the Community Purpose Zone to recognise and provide opportunities for education, health and other key community services.
b	Facilitate community service activity and facilities in locations for housing and business	

## **APPENDIX D**

### **Devonport City Council Strategic Plan 2009-2030**



# Devonport City Council Strategic Plan 2009-2030





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[council@devonport.tas.gov.au](mailto:council@devonport.tas.gov.au)



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# VISION

**Devonport will be a thriving and welcoming regional City, living lightly by river and sea.**

**Strong, thriving and welcoming** - Devonport is a regional leader with a strong economy. It is a great place to live, work and play.

**Valuing the past, caring for the present, embracing the future** - We have been shaped by a rich cultural heritage and enthusiastically embrace present challenges and future opportunities.

**Engaging with the world** - We have an outward focus and send quality products and experiences to the world. We welcome all to share our beautiful City and all it offers.

**Living lightly by river and sea** - We live lightly on our valued natural environment of clean rivers, waterways and beaches; rich agricultural land; and coastal landscapes so future generations can also enjoy this special place.

# MISSION

**A commitment to excellence in leadership and service.**

# VALUES

**We value:**

## **Continuous Improvement and Innovation**

We will continually evaluate current practices and changing needs to foster an adaptive and innovative environment.

## **Customer Satisfaction**

We will strive to consistently engage and communicate with our internal and external customers to meet desired outcomes.

## **Leadership**

We will embrace a culture of equity and leadership founded on respect, professionalism and integrity, to ensure we make strategic decisions today for tomorrow.

## **Results and Accountability**

We will be results focused and take pride in our successes and efforts and be accountable for our actions.

## **Our People**

We will respectfully work together by recognising each other's talents, skills, experience and knowledge.

# Goal 1

## LIVING LIGHTLY ON OUR ENVIRONMENT

Through the integration of sustainable practices, we will ensure Devonport's viability socially, economically and environmentally, preserving our natural geography and landscapes for future generations. Planned and sustainable management of energy, air, water and waste will assist in the delivery of a healthy environment.



# Outcomes & Strategies

## **1.1 Devonport is an energy efficient City**

- 1.1.1 Lead and actively promote the adoption of practices that support the sustainable use of energy and other natural resources by Council, businesses and the community
- 1.1.2 Investigate innovative ways of accessing alternative power sources including renewable energy

## **1.2 Sustainability is promoted and integrated across all sectors**

- 1.2.1 Support the conservation and maintenance of biodiversity including coastal landscapes and preservation of areas of remnant vegetation
- 1.2.2 Develop and implement local and regional policies and initiatives to mitigate climate change impacts in partnership with all spheres of Government

## **1.3 “Living lightly” is promoted and encouraged**

- 1.3.1 Identify and implement initiatives to educate and encourage our community on opportunities to “live lightly”

## **1.4 Our energy use is reduced**

- 1.4.1 Promote reduction, re-use and recycling options to minimise waste materials within Council, the community and businesses
- 1.4.2 Facilitate, and where appropriate, undertake improvements in waste and recycling collection, processing services and facilities
- 1.4.3 Lead and actively promote emissions minimisation

## **1.5 Water is actively conserved and well managed**

- 1.5.1 Promote sustainable water usage and water quality management



# Goal 2

## BUILDING A UNIQUE CITY

Devonport continues to develop its uniqueness as a City. The City's location provides a desirable position and ready-made advantages to guide future development and urban design. Land use planning and building on current strengths shall assist in the creation of precincts linking the river and coast, and offer a range of cultural, recreational and entertainment experiences. Strategic branding and marketing will underpin future development and growth, promoting the City as the place to live, invest, work, shop and visit.



# Outcomes & Strategies

## 2.1 Council's Planning Scheme facilitates appropriate property use and development

- 2.1.1 Apply and review the Planning Scheme as required, to ensure it delivers local community character and appropriate land use
- 2.1.2 Provide consistent and responsive development assessment and compliance processes
- 2.1.3 Work in partnership with neighbouring councils, State Government and other key stakeholders on regional planning and development issues

## 2.2 The Devonport brand supports our marketing and promotion

- 2.2.1 Maintain a local brand that supports our competitive advantages
- 2.2.2 Develop an integrated approach to local branding in partnership with business and community groups

## 2.3 Infrastructure priorities support well planned, managed and appropriately funded development within our unique City

- 2.3.1 Develop and maintain long term Strategic Asset Management Plans
- 2.3.2 Provide and maintain roads, bridges, paths and car parks to appropriate standards
- 2.3.3 Provide and maintain stormwater infrastructure to appropriate standards
- 2.3.4 Provide and maintain Council buildings, facilities and amenities to appropriate standards
- 2.3.5 Provide and maintain sustainable parks, gardens and open spaces to appropriate standards



## 2.4 Promote the development of the CBD in a manner which achieves the LIVING CITY Principles Plan

2.4.1 Implement initiatives from the LIVING CITY Master Plan

2.4.2 Lobby and attract Government support to assist with the implementation of the LIVING CITY Master Plan

2.4.3 Implement initiatives to encourage private investment aligned with the outcomes of the LIVING CITY Master Plan





# Goal 3

## GROWING A VIBRANT ECONOMY

Devonport's location supports its position as the service and retail centre for North West Tasmania. Accessibility in, around and out of the City will be supported by sound planning and management. Devonport's natural beauty, its location as the sea gateway to Tasmania and home of the Spirit of Tasmania, provides the foundations for developing experiences and unique events to attract and retain visitors. Rich agricultural surrounds provide the opportunity to further develop food production, processing and experiences. With modern communication technology, Devonport engages with the world's markets, consumers and travellers.



# Outcomes & Strategies

## 3.1 Devonport is the business, service and retail centre for North West Tasmania

3.1.1 Market and promote the City as a regional business, service and retail hub

## 3.2 Devonport's visitor industry is developed around its natural assets, history and location

3.2.1 Support tourism through the provision of well designed and managed infrastructure and facilities

3.2.2 Support regional tourism development through productive relationships with regional partners and State and Federal Government

3.2.3 Facilitate a pro-active approach by business to embrace tourism opportunities

3.2.4 Promote our natural environment and assets to underpin tourism opportunities

3.2.5 Support festivals, events and attractions that add value to the City's economy

## 3.3 Access in to, out of, and around the City is well planned and managed

3.3.1 Improve the City's physical access and connectivity focusing on linkages to and from key access points

## 3.4 Our economic progress continuously improves

3.4.1 Work in partnership with industry and government to identify needs of business and industry to pursue opportunities, which fosters economic development in the area

3.4.2 Promote, encourage and develop initiatives that support the local economy



# Goal 4

## BUILDING QUALITY OF LIFE

The quality of life enjoyed by the community depends largely on its connectedness, access to a range of community services and facilities, and the degree to which people feel safe, secure and included. Provision of education and health services are vital to the well-being of the community, as are recreational and community facilities for sport and individual pursuits, cultural activities which assist people to connect and engage with each other in developing a strong sense of belonging, community spirit and quality of life.



# Outcomes & Strategies

## 4.1 Sport and recreation facilities and programs are well planned to meet community needs

- 4.1.1 Provide and manage accessible sport, recreation and leisure facilities and programs
- 4.1.2 Increase the utilisation of sport and recreation facilities and multi-use open spaces
- 4.1.3 Promote passive recreational usage including walking, bike paths, trails, parks and playspaces
- 4.1.4 Build capacity of the sport and recreation sector

## 4.2 A vibrant City is created through the provision of cultural activities, events and facilities

- 4.2.1 Acknowledge, preserve and celebrate local art, culture and heritage
- 4.2.2 Cultural facilities and programs are well planned and promoted to increase accessibility and sustainability
- 4.2.3 Develop and implement an integrated approach to public art

## 4.3 Heritage is valued

- 4.3.1 Develop and implement initiatives to preserve and maintain heritage buildings, items and places of interest

## 4.4 Our community and visitors are safe and secure

- 4.4.1 Support the community in emergency management response and recovery
- 4.4.2 Coordinate and promote effective management of animals
- 4.4.3 Encourage safe and responsible community behaviour
- 4.4.4 Support a collaborative approach to community safety

## 4.5 Education and learning is accessible and responsive

- 4.5.1 Support the provision of facilities and services that encourage lifelong learning, literacy and meet the information needs of the community

## 4.6 Integrated health and wellbeing services and facilities are accessible to all

- 4.6.1 Facilitate and advocate for child and family support services
- 4.6.2 Facilitate and advocate for services for seniors in the community
- 4.6.3 Provide quality public and environmental health services
- 4.6.4 Develop partnerships between all levels of government, the private and not for profit sectors that deliver innovative solutions

## 4.7 An engaged community promotes and values diversity and equity

- 4.7.1 Develop and implement community development opportunities which strengthen community capacity
- 4.7.2 Encourage opportunities for active participation in community life
- 4.7.3 Promote the equitable distribution and sharing of resources throughout the community that supports the delivery of quality outcomes
- 4.7.4 Advocate for and provide access to quality services, facilities, information and activities that celebrate and promote diversity and harmony which supports engagement, participation and inclusivity

## 4.8 Young people are recognised and valued allowing them to reach their full potential

- 4.8.1 Promote programs that encourage youth participation, engagement in decision making, development and leadership
- 4.8.2 Provide, promote and advocate for appropriate and accessible services, information, facilities, activities and spaces for young people
- 4.8.3 Assist in the development, promotion and celebration of young people



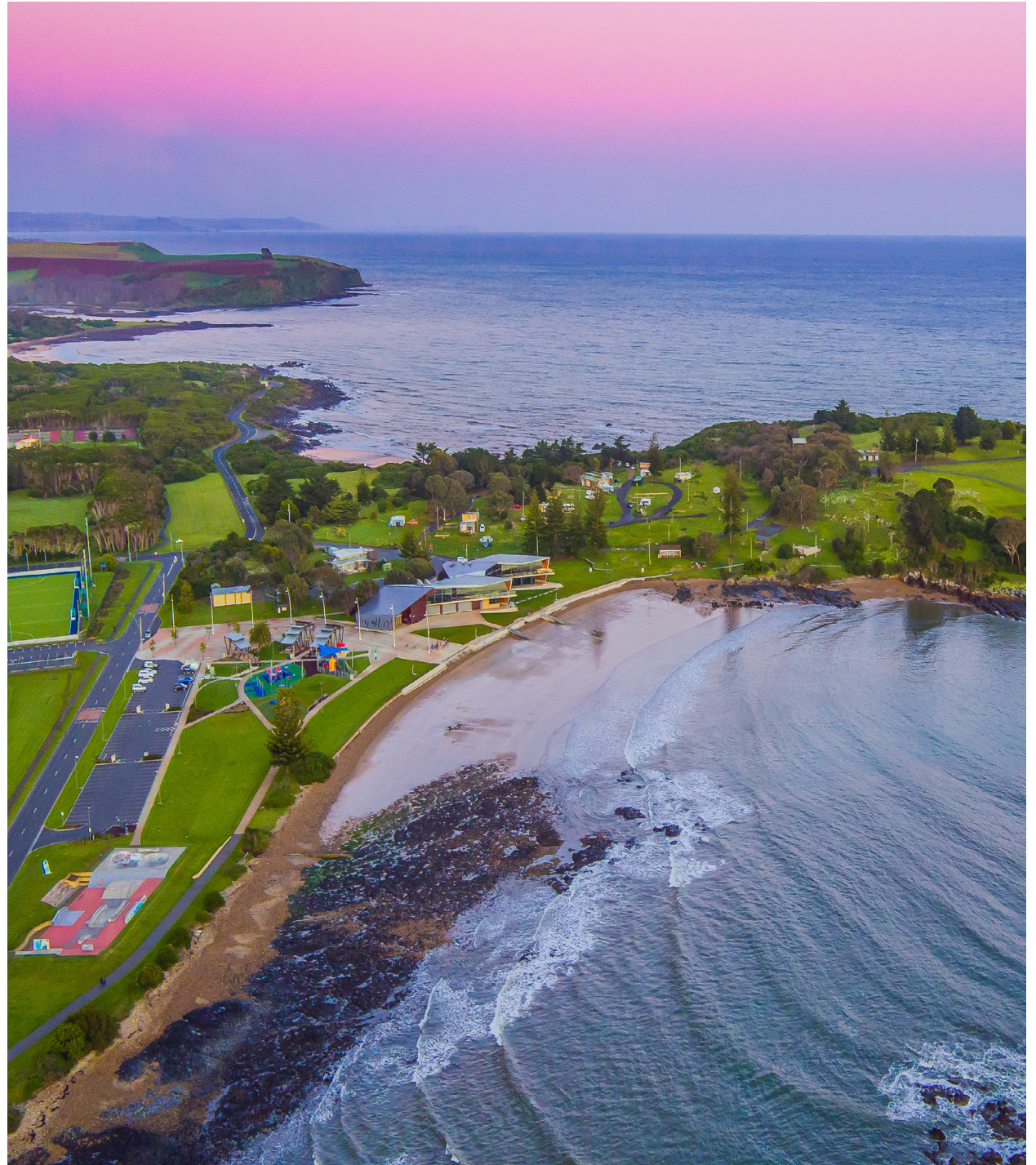




# Goal 5

## PRACTICING EXCELLENCE IN GOVERNANCE

The changing role of local government contributes to the importance of regional cooperation and resource sharing, to deliver cost effective services to communities. Devonport ensures that it has best practice governance processes and systems in place to help provide leadership and develop the skills and performance of the Council. Close liaison and strategic alliances across the three tiers of government continue to be developed and sustained to ensure the future aspirations of the Devonport community can be achieved.



# Outcomes & Strategies

## 5.1 Regional co-operation is achieved through purposeful participation

- 5.1.1 Promote open communication and cooperation whilst representing Council at a regional, state and national level
- 5.1.2 Pursue opportunities for cooperative initiatives including resource sharing with other councils, organisations and community groups
- 5.1.3 Develop and maintain partnerships and advocate for improved service provision, funding and infrastructure that balances the needs of industry, business, community, government and the environment

## 5.2 Promote active and purposeful community engagement and participation

- 5.2.1 Encourage community participation initiatives that supports two-way communication and consultation which results in increased engagement
- 5.2.2 Develop an integrated approach to “volunteerism” in our community

## 5.3 Council looks to employ best practice governance

- 5.3.1 Review and amend structures, policies and procedures to adapt to changing circumstances
- 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions
- 5.3.3 Encourage increased community participation in Council elections
- 5.3.4 Ensure effective administration and operation of Council's committees
- 5.3.5 Maintain and monitor a fully integrated strategic and business planning process
- 5.3.6 Integrate continuous improvement behaviours into the organisation's culture



## 5.4 Council is recognised for its customer service delivery

- 5.4.1 Provide timely, efficient, consistent services which are aligned with and meet customer needs
- 5.4.2 Monitor and evaluate Council's service standards
- 5.4.3 Manage customer requests and complaints with a view to continual improvement of service delivery
- 5.4.4 Provide professional administrative services to support effective and efficient operations

## 5.5 Council's services are financially sustainable

- 5.5.1 Provide financial services to support Council's operations and meet reporting and accountability requirements
- 5.5.2 Ensure comprehensive financial planning and reporting to guarantee sustainability and meet or exceed financial targets

## 5.6 Risk management is a core organisational focus

- 5.6.1 Ensure safe work practices through adherence to Work Health and Safety standards
- 5.6.2 Comply with Council's Risk Management Framework
- 5.6.3 Provide internal and external audit functions to review Council's performance
- 5.6.4 Climate change and adverse weather associated risks and their mitigation are key considerations in Council decision making
- 5.6.5 Ensure compliance with all relevant legislative requirements, standards, policies and procedures

## 5.7 Skilled, engaged and motivated employees have a supportive environment

- 5.7.1 Provide opportunities for the development of Council employees
- 5.7.2 Implement human resource management plans and strategies to meet current and future workforce needs
- 5.7.3 Ensure Human Resource policies, procedures and management systems support effective Council service delivery

## 5.8 Information management and communication enhances Council's operations and delivery of services

5.8.1 Provide efficient, effective and secure information management services that support Council's operations

5.8.2 Ensure access to Council information that meets user demands







## **APPENDIX E**

*Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application (June 2018) as issued by the Tasmanian Planning Commission under section 8A of the Land Use Planning and Approvals Act 1993.*



# **Guideline No. 1**

## **Local Provisions Schedule (LPS): zone and code application**

June 2018

This Guideline has been issued by the Tasmanian Planning Commission under section 8A of the *Land Use Planning and Approvals Act 1993* with the approval of the Minister for Planning and Local Government.

<b>Version</b>	<b>Issue Date</b>	<b>Description</b>
0.0	4 May 2017	original issue
1.0	4 October 2017	amended to reflect changes to the Act
2.0	6 June 2018	amended to reflect minor amendments to the SPPs and correct anomalies

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## 1.0 Guideline purpose

The purpose of this guideline is to provide an easy reference guide for the application of all zones and codes for the preparation of draft Local Provisions Schedules (LPSs) and amendments to LPSs.

## 2.0 Guideline issue

This Guideline has been issued by the Tasmanian Planning Commission under section 8A of the *Land Use Planning and Approvals Act 1993* (the Act) with the approval of the Minister for Planning and Local Government.

## 3.0 LPS zone and code application

- 3.1 Clauses 5.0 and 6.0 of this guideline provide detailed Local Provisions Schedule (LPS) application instructions for the State Planning Provisions (SPPs) zones and codes.
- 3.2 This guideline must be read in conjunction with the:
  - (a) SPPs and particularly clause LP1.0 Local Provisions Schedule Requirements of the SPPs;
  - (b) the transitional provisions under Schedule 6 of the Act; and
  - (c) any declarations made by the Minister in relation to specific area plans, particular purpose zones, site-specific qualifications and code-applying provisions under Schedule 6 of the Act<sup>1</sup>.
- 3.3 The zone and overlay names, colours, outlines, hatching and annotations must be applied as shown in the first column of the tables in clauses 5.0 and 6.0 of this guideline.
- 3.4 The primary objective in applying a zone should be to achieve the zone purpose to the greatest extent possible. Reference may also be made to the 'allowable minimum lot size' in the Acceptable Solution, unless there is a Performance Criterion that specifies an absolute minimum, in the subdivision standards for the zone to understand the density that is allowable.
- 3.5 The spatial application of zones and codes should as far as practicable be consistent with and coordinated with the LPS that applies to an adjacent municipal area as required by section 34(2)(g) of the Act.

## 4.0 Disclaimer

Notwithstanding the content of this guideline, the LPS must also meet the LPS criteria of section 34 of the Act which prevail over any conflict with the content in this guideline.

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<sup>1</sup> Note: The Minister has issued an Advisory Statement - [Transitional Arrangements for Existing Provisions, 23 June 2017](#)


## **Glossary**


LIST	the Land Information System Tasmania
LPS	Local Provisions Schedule
section 29 Planning Scheme	a planning scheme approved under section 29 of the former provisions of the Act
SPPs	State Planning Provisions
the Act	<i>Land Use Planning and Approvals Act 1993</i>
TPS	Tasmanian Planning Scheme





## 5.0 Zone Application

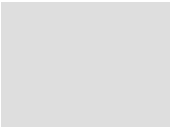
Zone	Zone Purpose	Zone Application Guidelines
<b>8.0</b> <b>General Residential Zone</b>  Red 255, Green 0, Blue 0	<p>The purpose of the General Residential Zone is:</p> <p>8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.</p> <p>8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.</p> <p>8.1.3 To provide for non-residential use that:</p> <ul style="list-style-type: none"> <li>(a) primarily serves the local community; and</li> <li>(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.</li> </ul> <p>8.1.4 To provide for Visitor Accommodation that is compatible with residential character.</p>	<p>GRZ 1 The General Residential Zone should be applied to the main urban residential areas within each municipal area which:</p> <ul style="list-style-type: none"> <li>(a) are not targeted for higher densities (see Inner Residential Zone); and</li> <li>(b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system.</li> </ul> <p>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:</p> <ul style="list-style-type: none"> <li>(a) within the General Residential Zone in an interim planning scheme;</li> <li>(b) within an equivalent zone under a section 29 planning scheme; or</li> <li>(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</li> <li>(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,</li> </ul> <p><i>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.</i></p> <p>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.</p>

Zone	Zone Purpose	Zone Application Guidelines
<p><b>9.0</b></p> <p><b>Inner Residential Zone</b></p>  <p>Red 128, Green 0, Blue 0</p>	<p>The purpose of the Inner Residential Zone is:</p> <p>9.1.1 To provide for a variety of residential use or development that accommodates a range of dwelling types at higher densities.</p> <p>9.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.</p> <p>9.1.3 To provide for non-residential use that:</p> <ul style="list-style-type: none"> <li>(a) primarily serves the local community; and</li> <li>(b) does not cause an unreasonable loss of amenity, through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.</li> </ul> <p>9.1.4 To provide for Visitor Accommodation that is compatible with residential character.</p>	<p>IRZ 1 The Inner Residential Zone should be applied to urban residential areas that are connected to a reticulated water supply service, reticulated sewerage system, and a public stormwater system, and have been identified for higher density development where any of the following conditions exist:</p> <ul style="list-style-type: none"> <li>(a) characterised by higher dwelling density with greater presence of non-housing activity;</li> <li>(b) proximity to activity centres with a range of services and facilities; or</li> <li>(c) located along high frequency public transport corridors.</li> </ul> <p>IRZ 2 The Inner 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:</p> <ul style="list-style-type: none"> <li>(a) within the Inner Residential Zone in an interim planning scheme; or</li> <li>(b) within an equivalent zone under a section 29 planning scheme.</li> </ul> <p>IRZ 3 The Inner Residential Zone should not be applied to land that is highly constrained by hazards, natural or cultural values or other impediments that will limit developing the land to higher densities.</p>

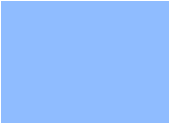
Zone	Zone Purpose	Zone Application Guidelines
<b>10.0</b> <b>Low Density Residential Zone</b>  Red 240, Green 128, Blue 128	<p>The purpose of the Low Density Residential Zone is:</p> <p>10.1.1 To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location or form of development.</p> <p>10.1.2 To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off site impacts.</p> <p>10.1.3 To provide for Visitor Accommodation that is compatible with residential character.</p>	<p>LDRZ 1 The Low Density Residential Zone should be applied to residential areas where one of the following conditions exist:</p> <ul style="list-style-type: none"> <li>(a) residential areas with large lots that cannot be developed to higher densities due to any of the following constraints:               <ul style="list-style-type: none"> <li>(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</li> <li>(ii) environmental constraints that limit development (e.g. land hazards, topography or slope); or</li> </ul> </li> <li>(b) small, residential settlements without the full range of infrastructure services, or constrained by the capacity of existing or planned infrastructure services; or</li> <li>(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.</li> </ul> <p>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.</p> <p>LDRZ 3 The Low Density Residential Zone should not be applied for the purpose of protecting areas of important natural or landscape values.</p> <p>LDRZ 4 The Low Density Residential Zone should not be applied to land that is targeted for green-field development unless constraints (e.g. limitations on infrastructure, or environmental considerations) have been identified that impede the area being developed to higher densities.</p>


Zone	Zone Purpose	Zone Application Guidelines
<b>11.0</b> <b>Rural Living Zone</b>  Red 255, Green 201, Blue 210	<p>The purpose of the Rural Living Zone is:</p> <p>11.1.1 To provide for residential use or development in a rural setting where:</p> <ul style="list-style-type: none"> <li>(a) services are limited; or</li> <li>(b) existing natural and landscape values are to be retained.</li> </ul> <p>11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.</p> <p>11.1.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.</p> <p>11.1.4 To provide for Visitor Accommodation that is compatible with residential character.</p>	<p>RLZ 1 The Rural Living Zone should be applied to:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) land that is currently a Rural Living Zone within an interim planning scheme or a section 29 planning scheme,</li> </ul> <p>unless RLZ 4 below applies.</p> <p>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:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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.</li> </ul> <p>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 :</p> <ul style="list-style-type: none"> <li>(a) a reflection of the existing pattern and density of development within the rural living area; or</li> <li>(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.</li> </ul>


Zone	Zone Purpose	Zone Application Guidelines
		<p>RLZ 4 The Rural Living Zone should not be applied to land that:</p> <ul style="list-style-type: none"> <li>(a) is suitable and targeted for future greenfield urban development;</li> <li>(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</li> <li>(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.</li> </ul>
<p><b>12.0</b></p> <p><b>Village Zone</b></p>  <p>Red 255, Green 165, Blue 0</p>	<p>The purpose of the Village Zone is:</p> <p>12.1.1 To provide for small rural centres with a mix of residential, community services and commercial activities.</p> <p>12.1.2 To provide amenity for residents appropriate to the mixed use characteristics of the zone.</p>	<p>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.</p> <p>VZ 2 The Village Zone may be applied to land where the full range of reticulated infrastructure services are or are not available.</p> <p>VZ 3 The Village Zone may cover either:</p> <ul style="list-style-type: none"> <li>(a) an entire settlement where the settlement is relatively small and no clear town centre exists or is intended to exist; or</li> <li>(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.</li> </ul>



Zone	Zone Purpose	Zone Application Guidelines
		<p>VZ 4 The Village Zone should not be applied to existing rural settlements where a mix of uses does not exist or where there is no strategic intention to provide a mix of uses.</p>
<p><b>13.0</b></p> <p><b>Urban Mixed Use Zone</b></p>  <p>Red 221, Green 221, Blue 221</p>	<p>The purpose of the Urban Mixed Use Zone is:</p> <p>13.1.1 To provide for a mix of residential, retail, community services and commercial activities in urban locations.</p> <p>13.1.2 To provide for a diverse range of use or development that are of a type and scale that support and do not compromise or distort the role of surrounding activity centres in the activity centre hierarchy.</p>	<p>UMUZ 1 The Urban Mixed Use Zone should be applied to land within urban settlements:</p> <ul style="list-style-type: none"> <li>(a) which have an existing mix of uses, where no particular use dominates, and there is a strategic intention to maintain a mix of uses; or</li> <li>(b) where there is a strategic intention to create an area with a mix of uses where no particular use dominates.</li> </ul> <p>UMUZ 2 The Urban Mixed Use Zone may be applied to urban areas:</p> <ul style="list-style-type: none"> <li>(a) along high frequency public transport corridors or key transport hubs such as bus interchanges; or</li> <li>(b) areas intended for commercial, retail and residential activity with good access to high frequency public transport services.</li> </ul> <p>UMUZ 3 The Urban Mixed Use Zone should not be applied to:</p> <ul style="list-style-type: none"> <li>(a) commercial strips where commercial and retail activity is intended as the dominant activity (see business zones);</li> <li>(b) residential areas where residential use is intended as the dominant use (see residential zones); or</li> <li>(c) smaller rural settlements (see Village Zone).</li> </ul>




Zone	Zone Purpose	Zone Application Guidelines
<b>14.0</b> <b>Local Business Zone</b>  Red 143, Green 188, Blue 255	<p>The purpose of the Local Business Zone is:</p> <p>14.1.1 To provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area.</p> <p>14.1.2 To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.</p> <p>14.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.</p> <p>14.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.</p>	<p>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:</p> <ul style="list-style-type: none"> <li>(a) local shopping strips; or</li> <li>(b) town centres for some smaller settlements.</li> </ul> <p>LBZ 2 The Local Business Zone may be applied to:</p> <ul style="list-style-type: none"> <li>(a) Local Centres and the lower order Minor or Neighbourhood Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;</li> <li>(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</li> <li>(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.</li> </ul> <p>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.</p> <p>LBZ 4 The Local Business Zone should not be used for individual, isolated local shops or businesses within residential areas, unless:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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.</li> </ul>


Zone	Zone Purpose	Zone Application Guidelines
<p><b>15.0</b></p> <p><b>General Business Zone</b></p>  <p>Red 9, Green 109, Blue 255</p>	<p>The purpose of the General Business Zone is:</p> <p>15.1.1 To provide for business, retail, administrative, professional, community, and entertainment functions within Tasmania's main suburban and rural centres.</p> <p>15.1.2 To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.</p> <p>15.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.</p> <p>15.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.</p>	<p>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.</p> <p>GBZ 2 The General Business Zone may be applied to:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) Suburban Activity Centres and District Service Centres in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and</li> <li>(c) the main retail and business areas of District Activity Centres in the activity centres description in the Cradle Coast Regional Land Use Strategy.</li> </ul>

Zone	Zone Purpose	Zone Application Guidelines
<b>16.0</b> <b>Central Business Zone</b>  Red 4, Green 50, Blue 154	<p>The purpose of the Central Business Zone is:</p> <p>16.1.1 To provide for the concentration of the higher order business, retail, administrative, professional, community, and entertainment functions within Tasmania's primary centres.</p> <p>16.1.2 To provide for a type and scale of use and development supports and does not compromise or distort the activity centre hierarchy.</p> <p>16.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.</p> <p>16.1.4 To encourage Residential and Visitor Accommodation use above ground floor level if it supports the viability of the activity centre and an active street frontage is maintained.</p>	<p>CBZ 1 The Central Business Zone should be applied to land within urban settlements that provides, or is intended to provide, for the key concentration of the higher-order business, retail, administrative, professional, community, and entertainment functions, within Tasmania's primary activity centres that service the entire State, region or sub-region.</p> <p>CBZ 2 The Central Business Zone may be applied to:</p> <ul style="list-style-type: none"> <li>(a) the Primary Activity Centre and the Principal Activity Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;</li> <li>(b) the Principal Activity Centre in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and</li> <li>(c) the main retail and business areas of Regional Activity Centres in the activity centres description in the Cradle Coast Regional Land Use Strategy.</li> </ul> <p><i>Note: The unique characteristics of the CBDs of Hobart or Launceston may warrant consideration of a Specific Area Plan subject to the requirements of section 32(4) of the Act.</i></p>


Zone	Zone Purpose	Zone Application Guidelines
<b>17.0</b> <b>Commercial Zone</b>  Red 181, Green 145, Blue 197	<p>The purpose of the Commercial Zone is:</p> <p>17.1.1 To provide for retailing, service industries, storage and warehousing that require:</p> <ul style="list-style-type: none"> <li>(a) large floor or outdoor areas for the sale of goods or operational requirements; and</li> <li>(b) high levels of vehicle access and parking for customers.</li> </ul> <p>17.1.2 To provide for a mix of use development that supports and does not compromise or distort the role of other activity centres in the activity centre hierarchy.</p>	<p>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:</p> <ul style="list-style-type: none"> <li>(a) large floor or outdoor areas; and</li> <li>(b) high levels of vehicle access and car parking for customers.</li> </ul> <p>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.</p> <p>CZ 3 The Commercial Zone should not be applied to land:</p> <ul style="list-style-type: none"> <li>(a) where the primary purpose is to provide for industrial purposes (see industrial zones); or</li> <li>(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).</li> </ul>
<b>18.0</b> <b>Light Industrial Zone</b>  Red 176, Green 0, Blue 176	<p>The purpose of the Light Industrial Zone is:</p> <p>18.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict with, or unreasonable loss of amenity to, any other uses.</p>	<p>LIZ 1 The Light Industrial Zone should be applied to land where there are likely to be minimal off site impacts.</p> <p>LIZ 2 The Light Industrial Zone should not be applied to individual, isolated industrial uses, unless:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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.</li> </ul>

Zone	Zone Purpose	Zone Application Guidelines
	<p>18.1.2 To provide for use or development that supports and does not adversely impact on industrial activity.</p>	<p>LIZ 3 The Light Industrial Zone should not be applied to areas that primarily accommodate, or are strategically intended to accommodate, large-scale, medium or high impact manufacturing, processing, storage, or transport activities (see General Industrial Zone).</p> <p>LIZ 4 The Light Industrial Zone may be applied to land seaward of the high water mark where it includes existing, or is intended for, light industrial activities.</p>
<p><b>19.0</b></p> <p><b>General Industrial Zone</b></p>  <p>Red 92, Green 0, Blue 92</p>	<p>The purpose of the General Industrial Zone is:</p> <p>19.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on adjacent uses.</p> <p>19.1.2 To provide for use or development that supports and does not adversely impact on industrial activity.</p>	<p>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.</p> <p>GIZ 2 The General Industrial Zone should not directly adjoin land zoned for residential purposes unless:</p> <ul style="list-style-type: none"> <li>(a) separated by physical buffers such as a major road; or</li> <li>(b) for existing industrial areas that provide for larger-scale or medium and higher impact, manufacturing, processing, servicing, storage and transport and distribution uses.</li> </ul> <p>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.</p> <p>GIZ 4 The General Industrial Zone may be applied to land without connection to a reticulated sewerage system if:</p> <ul style="list-style-type: none"> <li>(a) for existing industrial areas that provide for larger-scale or medium and higher impact, manufacturing, processing, servicing, storage and transport and distribution uses;</li> <li>(b) unnecessary for the intended industrial use; or</li> </ul>



Zone	Zone Purpose	Zone Application Guidelines
		<p>(c) the area is capable of accommodating on-site waste water treatment systems suitable for the intended industrial use.</p> <p>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.</p> <p>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.</p>
<p><b>20.0</b></p> <p><b>Rural Zone</b></p>  <p>Red 228, Green 172, Blue 144</p>	<p>The purpose of the Rural Zone is:</p> <p>20.1.1 To provide for a range of use or development in a rural location:</p> <ul style="list-style-type: none"> <li>(a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;</li> <li>(b) that requires a rural location for operational reasons;</li> <li>(c) is compatible with agricultural use if occurring on agricultural land;</li> <li>(d) minimises adverse impacts on surrounding uses.</li> </ul> <p>20.1.2 To minimise conversion of agricultural land for non-agricultural use.</p> <p>20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and</p>	<p>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.</p> <p>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.</p> <p>RZ 3 The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;</li> <li>(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;</li> </ul>


Zone	Zone Purpose	Zone Application Guidelines
	does not compromise the function of surrounding settlements.	<ul style="list-style-type: none"> <li>(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</li> <li>(e) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.</li> </ul>


Zone	Zone Purpose	Zone Application Guidelines
<p><b>21.0</b></p> <p><b>Agriculture Zone</b></p>  <p>Red 179, Green 113, Blue 59</p>	<p>The purpose of the Agriculture Zone is:</p> <p>21.1.1 To provide for the use or development of land for agricultural use.</p> <p>21.1.2 To protect land for the use or development of agricultural use by minimising:</p> <ul style="list-style-type: none"> <li>(a) conflict with or interference from non-agricultural uses;</li> <li>(b) non-agricultural use or development that precludes the return of the land to agricultural use; and</li> <li>(c) use of land for non-agricultural use in irrigation districts.</li> </ul> <p>21.1.3 To provide for use or development that supports the use of the land for agricultural use.</p>	<p>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:</p> <ul style="list-style-type: none"> <li>(a) any agricultural land analysis or mapping undertaken at a local or regional level for part of the municipal area which: <ul style="list-style-type: none"> <li>(i) incorporates more recent or detailed analysis or mapping;</li> <li>(ii) better aligns with on-ground features; or</li> <li>(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;</li> </ul> </li> <li>(b) any other relevant data sets; and</li> <li>(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.</li> </ul> <p>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.</p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) existing land uses on the title and surrounding land;</li> </ul>


Zone	Zone Purpose	Zone Application Guidelines
		<p>(b) whether the title is isolated from other agricultural land;</p> <p>(c) current ownership and whether the land is utilised in conjunction with other agricultural land;</p> <p>(d) the agricultural potential of the land; and</p> <p>(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.</p> <p>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:</p> <p>(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;</p> <p>(b) any titles highlighted as Potentially Constrained Criteria 2A, 2B or 3;</p> <p>(c) outlying titles that are either included or excluded within the 'Land Potential Suitable for the Agriculture Zone' layer; and</p> <p>(d) larger titles or those with extensive areas of native vegetation cover.</p> <p>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.</p> <p>AZ 6 Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if:</p> <p>(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</p>


Zone	Zone Purpose	Zone Application Guidelines
		<p>local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;</p> <p>(b) for the identification and protection of a strategically important naturally occurring resource which requires an alternate zoning;</p> <p>(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;</p> <p>(d) for the identification, provision or protection of strategically important uses that require an alternate zone; or</p> <p>(e) it can be demonstrated that:</p> <p style="padding-left: 40px;">(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;</p> <p style="padding-left: 40px;">(ii) there are significant constraints to agricultural use occurring on the land; or</p> <p style="padding-left: 40px;">(iii) the Agriculture Zone is otherwise not appropriate for the land.</p> <p>AZ 7 Land not identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for inclusion within the Agriculture Zone if:</p> <p>(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;</p> <p>(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;</p>




Zone	Zone Purpose	Zone Application Guidelines
		<p>(c) it can be demonstrated that the Agriculture Zone is appropriate for the land based on its significance for agricultural use; or</p> <p>(d) it addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer, and</p> <p>having regard to the extent of the land identified in the 'Potential Agricultural Land Initial Analysis' layer.</p> <p><i>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 (<a href="http://www.justice.tas.gov.au/tasmanian_planning_reform">www.justice.tas.gov.au/tasmanian_planning_reform</a>).</i></p>
<p><b>22.0</b></p> <p><b>Landscape Conservation Zone</b></p>  <p>Red 150, Green 146, Blue 0</p>	<p>The purpose of the Landscape Conservation Zone is:</p> <p>22.1.1 To provide for the protection, conservation and management of landscape values.</p> <p>22.1.2 To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.</p>	<p>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.</p> <p>LCZ 2 The Landscape Conservation Zone may be applied to:</p> <p>(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;</p> <p>(b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or</p> <p>(c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.</p>

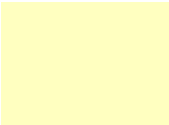

Zone	Zone Purpose	Zone Application Guidelines
		<p>LCZ 3 The Landscape Conservation Zone may be applied to a group of titles with landscape values that are less than the allowable minimum lot size for the zone.</p> <p>LCZ 4 The Landscape Conservation Zone should not be applied to:</p> <ul style="list-style-type: none"> <li>(a) land where the priority is for residential use and development (see Rural Living Zone); or</li> <li>(b) State-reserved land (see Environmental Management Zone).</li> </ul> <p><i>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.</i></p> <p><i>Together the Landscape Conservation Zone and the Environmental Management Zone, provide a suite of environmental zones to manage use and development in natural areas.</i></p>
<p><b>23.0</b></p> <p><b>Environmental Management Zone</b></p>  <p>Red 90, Green 89, Blue 45</p>	<p>The purpose of the Environmental Management Zone is:</p> <p>23.1.1 To provide for the protection, conservation and management of land with significant ecological, scientific, cultural or scenic value.</p> <p>23.1.2 To allow for compatible use or development where it is consistent with:</p>	<p>EMZ 1 The Environmental Management Zone should be applied to land with significant ecological, scientific, cultural or scenic values, such as:</p> <ul style="list-style-type: none"> <li>(a) land reserved under the <i>Nature Conservation Act 2002</i>;</li> <li>(b) land within the Tasmanian Wilderness World Heritage Area;</li> <li>(c) riparian, littoral or coastal reserves;</li> <li>(d) Ramsar sites;</li> <li>(e) any other public land where the primary purpose is for the protection and conservation of such values; or</li> </ul>



Zone	Zone Purpose	Zone Application Guidelines
	<p>(a) the protection, conservation and management of the values of the land; and</p> <p>(b) applicable reserved land management objectives and objectives of reserve management plans.</p>	<p>(f) any private land containing significant values identified for protection or conservation and where the intention is to limit use and development.</p> <p>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:</p> <p>(a) passive recreation opportunities (see Open Space Zone);</p> <p>(b) recreational facilities (see Recreation Zone);</p> <p>(c) large scale port and marine activities or facilities (see Port and Marine Zone);</p> <p>(d) industrial activities or facilities (see industrial zones); or</p> <p>(e) major utilities infrastructure (see Utilities Zone).</p> <p>EMZ 3 The Environmental Management Zone may be applied to land for water storage facilities directly associated with major utilities infrastructure, such as dams.</p> <p><i>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.</i></p>
<p><b>24.0</b></p> <p><b>Major Tourism Zone</b></p>  <p>Red 129, Green 134, Blue 143</p>	<p>The purpose of the Major Tourism Zone is:</p> <p>24.1.1 To provide for large scale tourist facilities which include a range of use and development.</p> <p>24.1.2 To provide for compatible use and development that complements or</p>	<p>MTZ 1 The Major Tourism Zone should be applied to land that is, or intended, for major tourism developments with a range of facilities which, due to their scale and complexity, are best managed through a specific tourism zoning.</p> <p>MTZ 2 The Major Tourism Zone should only be applied to land if:</p> <p>(a) it is within the Major Tourism Zone in an interim planning scheme and the strategic intention for the site is consistent with the zone purpose; or</p>


Zone	Zone Purpose	Zone Application Guidelines
	<p>enhances the tourist facilities on the site.</p> <p>24.1.3 To provide for development that does not unreasonably impact on surrounding areas.</p> <p>24.1.4 To ensure that any commercial uses support the tourist purpose of the site and do not compromise or distort the role of existing activity centres.</p>	<p>(b) justification has been provided for the 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.</p> <p>MTZ 3 The Major Tourism Zone should not be applied to land that is:</p> <p>(a) only intended for a single use (e.g. Visitor Accommodation); or</p> <p>(b) only intended as small-scale sites that can be more appropriately managed through an alternate zoning.</p> <p><i>Note: Major tourism developments with unique characteristics that differ significantly to the Major Tourism Zone purpose may be more appropriately located within a Particular Purpose Zone.</i></p>
<p><b>25.0</b></p> <p><b>Port and Marine Zone</b></p>  <p>Red 0, Green 244, Blue 238</p>	<p>The purpose of the Port and Marine Zone is:</p> <p>25.1.1 To provide for major port and marine activity related to shipping and other associated transport facilities and supply and storage.</p> <p>25.1.2 To provide for use or development that supports and does not adversely impact on port and marine activities.</p>	<p>PMZ 1 The Port and Marine Zone should be applied to land that is used for large scale port and marine activity, including proclaimed wharf areas as described under section 11(7) of the <i>Land Use Planning and Approvals Act 1993</i>.</p> <p>PMZ 2 The Port and Marine Zone may be applied to land seaward of the high water mark where it includes existing, or is intended for, large scale port and marine activities or facilities.</p> <p>PMZ 3 The Port and Marine Zone should not be applied to land only intended for small scale or minor port and marine facilities, such as boat ramps, or small scale marinas or jetties.</p>

Zone	Zone Purpose	Zone Application Guidelines
<b>26.0</b> <b>Utilities Zone</b>  Red 255, Green 255, Blue 0	<p>The purpose of the Utilities Zone to:</p> <p>26.1.1 To provide land for major utilities installations and corridors.</p> <p>26.1.2 To provide for other compatible uses where they do not adversely impact on the utility.</p>	<p>UZ 1 The Utilities Zone should be applied to land that is used, or intended to be used, for major utilities infrastructure, including:</p> <ul style="list-style-type: none"> <li>(a) category 1, 2, 3, 4 and 5 roads as defined in the <i>Tasmanian State Road Hierarchy</i> published by the Tasmanian Department of State Growth;</li> <li>(b) any listed major local roads;</li> <li>(c) future road corridors for major local and all State roads;</li> <li>(d) energy production facilities, such as power stations, and major electricity substation facilities;</li> <li>(e) waste water treatment plants; or</li> <li>(f) rail corridors.</li> </ul> <p>UZ 2 The application of the Utilities Zone to category 1, 2, 3, 4 or 5 roads as defined in the <i>Tasmanian State Road Hierarchy</i> should be based on the 'State Road Casement' layer published on the LIST.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p><i>Note: Major airport facilities may be more appropriately located within a Particular Purpose Zone</i></p>





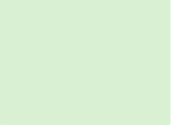
Zone	Zone Purpose	Zone Application Guidelines
<b>27.0</b> <b>Community Purpose Zone</b>  Red 255, Green 255, Blue 192	The purpose of the Community Purposes Zone is:  27.1.1 To provide for key community facilities and services including health, educational, government, cultural and social facilities.  27.1.2 To encourage multi-purpose, flexible and adaptable social infrastructure.	<p>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:</p> <ul style="list-style-type: none"> <li>(a) schools, tertiary institutions or other education facilities;</li> <li>(b) medical centres, hospital services or other care-based facilities;</li> <li>(c) emergency services facilities; or</li> <li>(d) large community halls, places of worship or other key community or cultural facilities.</li> </ul> <p>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.</p> <p><i>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.</i></p>
<b>28.0</b> <b>Recreation Zone</b>  Red 50, Green 226, Blue 27	The purpose of the Recreation Zone is:  28.1.1 To provide for active and organised recreational use and development ranging from small community facilities to major sporting facilities.  28.1.2 To provide for complementary uses that do not impact adversely on the recreational use of the land.	<p>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:</p> <ul style="list-style-type: none"> <li>(a) sporting grounds and facilities;</li> <li>(b) golf courses;</li> <li>(c) racecourses; and</li> <li>(d) major sporting facilities.</li> </ul> <p>RecZ 2 The Recreation Zone may be applied to either public or privately owned land.</p> <p>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.</p>

Zone	Zone Purpose	Zone Application Guidelines
	<p>28.1.3 To ensure that new major sporting facilities do not cause unreasonable impacts on adjacent sensitive uses.</p>	<p>RecZ 4 The Recreation Zone should not be used for open space areas or land predominantly intended for passive recreation (see Open Space Zone).</p>
<p><b>29.0</b></p> <p><b>Open Space Zone</b></p>  <p>Red 51, Green 153, Blue 102</p>	<p>The purpose of the Open Space Zone is:</p> <p>29.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.</p> <p>29.1.2 To provide for use and development that supports the use of the land for open space purposes or for other compatible uses.</p>	<p>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:</p> <ul style="list-style-type: none"> <li>(a) passive recreational opportunities; or</li> <li>(b) natural or landscape amenity within an urban setting.</li> </ul> <p>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.</p> <p>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.</p> <p>OSZ 4 The Open Space Zone should not be applied to land:</p> <ul style="list-style-type: none"> <li>(a) with significant natural values (see Environmental Management Zone); or</li> <li>(b) with, or intended for, formal recreational facilities, such as sporting grounds, golf courses, racecourses or major sporting facilities (see Recreation Zone).</li> </ul>
<p><b>30.0</b></p> <p><b>Future Urban Zone</b></p>  <p>Red 255, Green 135, Blue 75</p>	<p>The purpose of the Future Urban Zone is:</p> <p>30.1.1 To identify land intended for future urban use and development.</p> <p>30.1.2 To ensure that development does not compromise the potential for future urban use and development of the land.</p>	<p>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.</p> <p>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.</p>



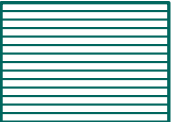
Zone	Zone Purpose	Zone Application Guidelines
	30.1.3 To support the planned rezoning of land for urban use and development in sequence with the planned expansion of infrastructure.	<p>FUZ 3 The Future Urban Zone may be applied to land identified in an interim planning scheme code or specific area plan overlay which provides for future urban land.</p> <p>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.</p>
<p><b>PX.0</b> <b>Particular Purpose Zone</b></p>  <p>Red 255, Green 33, Blue 118</p>		<p>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.</p> <p><i>Note: A new PPZ must meet a requirement of section 32(4) of the Act.</i></p>

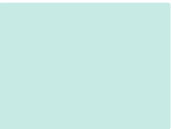


## 6.0 Code Application


Code	Code Purpose	Code Application Guidelines
<b>C1.0</b> <b>Signs Code</b>	<p>The purpose of the Signs Code is:</p> <p>C1.1.1 To provide for appropriate advertising and display of information for business and community activity.</p> <p>C1.1.2 To provide for well-designed signs that are compatible with the visual amenity of the surrounding area.</p> <p>C1.1.3 To ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.</p>	<p>There are no overlays applicable to operation of the Signs Code however, the allowable sign types and development standards relate to the zones in which they occur.</p>
<b>C2.0</b> <b>Parking and Sustainable Transport Code</b> Parking precinct plan  Red 194, Green 165, Blue 207	<p>The purpose of the Parking and Sustainable Transport Code is:</p> <p>C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.</p> <p>C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.</p>	<p><b>Overview</b></p> <p>The Parking and Sustainable Transport Code enables the identification of two overlays for:</p> <ul style="list-style-type: none"> <li>• a parking precinct plan; and</li> <li>• pedestrian priority streets.</li> </ul> <p><b>Guidelines for applying the Parking and Sustainable Transport Code overlays</b></p> <p>PSTC 1 A parking precinct plan overlay may be applied to an area where the intention is to reduce the amount of on-site car parking. This may apply to a specific area such as a main activity centre (e.g. parts of a CBD) or to key development sites (e.g. hospitals).</p> <p>PSTC 2 A pedestrian priority street overlay may be applied to a road where pedestrian movement and activity are to take priority over siting of vehicle parking and access to facilitate active</p>




Code	Code Purpose	Code Application Guidelines
<p>Pedestrian priority street</p>  <p>Red 123, Green 50, Blue 148</p>	<p>C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.</p> <p>C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.</p> <p>C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.</p> <p>C2.1.6 To provide for parking precincts and pedestrian priority streets.</p>	<p>street frontages. These may apply to a specific area such as key streets within the main business or retail areas.</p>
<p><b>C3.0</b></p> <p><b>Road and Railway Assets Code</b></p> <p>Road or railway attenuation area</p>  <p>Red 217, Green 240, Blue 211</p> <p>Future major road</p>	<p>The purpose of the Road and Railway Assets Code is:</p> <p>C3.1.1 To protect the safety and efficiency of the road and railway networks; and</p> <p>C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network.</p>	<p><b>Overview</b></p> <p>The Road and Railway Asset Codes enables the identification of three overlays for:</p> <ul style="list-style-type: none"> <li>• a road or railway attenuation area;</li> <li>• future major road; and</li> <li>• future railway.</li> </ul> <p>A road or railway attenuation area applies to land within a relevant overlay, or, in the absence of an overlay, to land within 50m of the boundary of:</p> <ul style="list-style-type: none"> <li>• a major road with a speed limit above 60km/h;</li> <li>• the rail network;</li> <li>• a future major road; or</li> <li>• a future railway.</li> </ul>





Code	Code Purpose	Code Application Guidelines
 Red 127, Green 191, Blue 123  Future major railway  Red 27, Green 120, Blue 55		<p>The code also provides for future major roads and future railways to be shown as an overlay to assist with application of the provisions.</p> <p><b>Guidelines for applying the Road and Railway Assets Code overlays</b></p> <p>RRAC 1 A road or railway attenuation area overlay may be applied to provide appropriate buffers around existing major roads or railways or future major roads or railways as an alternative to the 50m attenuation area specified in the definition to take account of local circumstances, such as:</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the road or railway;</li> <li>(b) the topography of the surrounding area;</li> <li>(c) the surrounding use or development; or</li> <li>(d) any existing attenuation measures or buffers.</li> </ul> <p>RRAC2 A future major road overlay or a future railway overlay must be applied to land intended for such purposes.</p>
<b>C4.0</b> <b>Electricity Transmission Infrastructure Protection Code</b> Communications station buffer area  Red 1, Green 102,	<p>The purpose of the Electricity Transmission Infrastructure Protection Code is:</p> <p>C4.1.1 To protect use and development against hazards associated with proximity to electricity transmission infrastructure.</p> <p>C4.1.2 To ensure that use and development near existing and future electricity transmission infrastructure does not</p>	<p><b>Overview</b></p> <p>The Electricity Transmission Infrastructure Protection Code applies to land within the following overlays:</p> <ul style="list-style-type: none"> <li>• electricity transmission corridor overlay;</li> <li>• communications station buffer area overlay; or</li> <li>• substation facility buffer area overlay.</li> </ul> <p>The electricity transmission corridor overlay covers land within:</p> <ul style="list-style-type: none"> <li>• a specified distance either side of existing overhead transmission lines;</li> </ul>




Code	Code Purpose	Code Application Guidelines
<p>Blue 94</p> <p>Electricity transmission corridor</p>  <p>Red 199, Green 234, Blue 229</p> <p>Inner protection area</p>  <p>Red 90, Green 180, Blue 172</p> <p>Substation facility</p>  <p>Red 216, Green 179, Blue 101</p> <p>Substation facility buffer area</p>	<p>adversely affect the safe and reliable operation of that infrastructure.</p> <p>C4.1.3 To maintain future opportunities for electricity transmission infrastructure.</p>	<ul style="list-style-type: none"> <li>a specified distance either side of existing underground cabling for electricity transmission; or</li> <li>a specified distance from the edge of an easement established by unregistered wayleave agreement under the <i>Electricity Wayleaves and Easements Act 2000</i> and regardless of whether containing existing infrastructure or not, whichever is the greater.</li> </ul> <p>The substation facility buffer area overlay extends 65m from the title, lease or licence boundary of all 110kV and 220kV substations. The communications station buffer area overlay extends 55m from the centre of the tower of TasNetworks communications stations.</p> <p>The code also includes two further overlays that assist with the interpretation of the exemptions and development standards. These include the:</p> <ul style="list-style-type: none"> <li>inner protection area overlay, which is contained within the electricity transmission corridor overlay; and</li> <li>substation facility overlay, which identifies the location of substation facilities that are subject to the substation facility buffer area overlay.</li> </ul> <p>The overlays for the code have been prepared by TasNetworks and are published on the LIST.</p> <p><b><i>Guidelines for applying the Electricity Transmission Infrastructure Protection Code overlays</i></b></p> <p>ETIPC 1 The following overlays must be included for the application of the Electricity Transmission Infrastructure Protection Code in accordance with the overlay maps produced by TasNetworks:</p> <ol style="list-style-type: none"> <li>communications station buffer area overlay;</li> <li>electricity transmission corridor overlay;</li> </ol>

Code	Code Purpose	Code Application Guidelines
 Red 140, Green 81, Blue 10		(c) inner protection area overlay; (d) substation facility overlay; and (e) substation facility buffer area overlay,  unless modified to address any anomalies or inaccuracies.
<b>C5.0</b> <b>Telecommunications</b> <b>Code</b>	The purpose of the Telecommunications Code is:  C5.1.1 To provide for telecommunication networks as a service for the community.  C5.1.2 To ensure that facilities are co-located where practicable.  C5.1.3 To ensure that facilities use mitigation measures to avoid an unreasonable loss of visual amenity.	There are no overlays applicable to operation of the Telecommunications Code.

Code	Code Purpose	Code Application Guidelines
<p><b>C6.0</b></p> <p><b>Local Historic Heritage Code</b></p> <p>Local heritage place</p>  <p>Red 230, Green 245, Blue 208</p> <p>Local heritage precinct</p>  <p>Red 161, Green 215, Blue 106</p> <p>Local historic landscape precinct</p>  <p>Red 197, Green 27, Blue 125</p>	<p>The purpose of the Local Historic Heritage Code is:</p> <p>C6.1.1 To recognise and protect the local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential and significant trees by regulating development that may impact on their values, features and characteristics.</p>	<p><b>Overview</b></p> <p>The Local Historic Heritage Code aims to recognise and protect the local historic heritage significance of local heritage places, heritage precincts, historic landscape precincts and places or precincts of archaeological potential, as well as significant trees, by regulating development that may impact on their values, features and characteristics.</p> <p>The Local Historic Heritage Code applies to development only, not use. Internal buildings and works are exempt from requiring a planning permit under clause 4.3.2 of the SPPs.</p> <p>The Local Historic Heritage Code does not apply to a registered place entered on the Tasmanian Heritage Register (THR). Some sites may have dual listings for mutually exclusive parts of the same lot or lots, therefore, the code does not apply to that part of the site listed on the THR, unless for the lopping, pruning, removal or destruction of a significant tree as defined in the code.</p> <p><b>Guidelines for applying the Local Historic Heritage Code</b></p> <p>LHHC 1 THR places may be listed as local heritage places in the Code list (Table C6.1).</p> <p><i>Note: Inclusion of THR places in the LPS local heritage places list provides for the automatic application of the Local Historic Heritage Code to such places if they are de-listed from the THR in the future. The Local Historic Heritage Code will not apply to any THR places if they are included on the LPS code list while they remain listed on the THR, unless for the lopping, pruning, removal or destruction of a significant tree as defined in the code.</i></p> <p>LHHC 2 If the planning authority has local historic landscape precincts, local heritage precincts, or places or precincts of archaeological potential, within its municipal area, the LPS must include an overlay map showing these places or precincts for the application of the code.</p>

Code	Code Purpose	Code Application Guidelines
<p>Place or precinct or archaeological potential</p>  <p>Red 233, Green 163, Blue 201</p> <p>Significant trees</p>  <p>Red 77, Green 146, Blue 33</p>		<p>LHHC 3 Each LPS may contain an overlay map showing local heritage places for the application of the Local Historic Heritage Code.</p> <p>LHHC 4 Each LPS may contain an overlay map showing significant trees, for the application of the Local Historic Heritage Code.</p> <p>LHHC 5 If including a statement of significance in Table C6.1, C6.2 or C6.3 the information included in the right hand column (titled 'Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values') must address the significance of each place and its historic heritage values, as set out in the definition for local historic heritage significance in the code.</p> <p>The statement of local historic heritage significance must incorporate the historic heritage values of the place.</p> <p>The information may be set out in the table or appear in a separate datasheet. All external documents must be listed in the LPS's Applied, Adopted or Incorporated Documents table.</p> <p><i>Note: Transitioning of existing heritage lists is addressed in Minister's Advisory Statement - Transitional Arrangements for Existing Provisions, 23 June 2017 and is subject to the transitional provisions under Clause 8D, Schedule 6 of the Act.</i></p>
<p><b>C7.0</b></p> <p><b>Natural Assets Code</b></p> <p>Waterway and coastal protection area</p>	<p>The purpose of the Natural Assets Code is:</p> <p>C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological</p>	<p><b>Overview</b></p> <p>The Natural Assets Code applies to land within the following overlays:</p> <ul style="list-style-type: none"> <li>• waterway and coastal protection area;</li> <li>• future coastal refugia area; and</li> </ul>



Code	Code Purpose	Code Application Guidelines
 Red 141, Green 160, Blue 203 Future coastal refugia area	<p>function of watercourses, wetlands and lakes.</p> <p>C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.</p>	<ul style="list-style-type: none"> <li>• priority vegetation area.</li> </ul> <p>The waterway and coastal protection area overlay includes land within a specified buffer distance from Class 1 to 4 watercourses and wetlands, including Ramsar wetlands. Class 1 watercourses include lakes and tidal waters.</p> <p>The future coastal refugia area overlay is applied to land identified for the protection of land for the landward retreat of coastal habitats, such as saltmarshes and tidal wetlands, which have been identified as at risk from predicted sea level rise.</p>
 Red 252, Green 141, Blue 98 Priority vegetation area	<p>C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.</p>	<p>The priority vegetation area overlay is intended for native vegetation that:</p> <ul style="list-style-type: none"> <li>• forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the <i>Nature Conservation Act 2002</i>;</li> <li>• is a threatened flora species;</li> <li>• forms a significant habitat for a threatened fauna species; or</li> <li>• has been identified as native vegetation of local importance.</li> </ul>
 Red 102, Green 194, Blue 165	<p>C7.1.4 To minimise impacts on identified priority vegetation.</p> <p>C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.</p>	<p><b><i>Guidelines for applying the Natural Assets Code overlays</i></b></p> <p><i>Waterway and Coastal Protection Area Overlay</i></p> <p>A 'Waterway and Coastal Protection Area Guidance Map' (guidance map) has been prepared and published on the LIST to provide guidance for preparing the waterway and coastal protection area overlay. The guidance map identifies the relevant buffer distances for the overlay based on the class of watercourse and the type of wetland.</p>

Code	Code Purpose	Code Application Guidelines
		<p>NAC 1 The waterway and coastal protection area overlay should be derived from the guidance map.</p> <p>NAC 2 To assist with the interpretation of the Natural Assets Code, the waterway and coastal protection area overlay metadata may indicate whether it relates to a watercourse, along with the class of watercourse, or a wetland, along with the type of wetland, as per the definition of 'waterway and coastal protection area' in the code. This can be derived from the guidance map by measurement of the buffers applied in the guidance map and cross-referencing with the distances specified in Table 1 in the definition of 'waterway and coastal protection area' in the Natural Assets Code for the relevant watercourse or wetland.</p> <p><i>Note: The watercourses in the guidance map have either been mapped as lines or polygons, and the buffer distance measured from these. For those watercourses mapped as lines, the buffer distances need to be measured from the centre line of the watercourse in determining the class of the watercourse.</i></p> <p>NAC 3 The waterway and coastal protection area overlay may include modifications to the areas depicted on the guidance map to:</p> <ul style="list-style-type: none"> <li>(a) address any anomalies or inaccuracies in the guidance map;</li> <li>(b) identify a larger area if demonstrated as necessary to protect identified natural assets associated with the waterway and coastal protection area;</li> <li>(c) make any adjustments to align with the definition of 'waterway and coastal protection area' in the Natural Assets Code, such as removing piped watercourses or piped drainage lines;</li> <li>(d) remove areas of existing development, particularly within urban areas; or</li> <li>(e) to include Ramsar wetlands within the overlay area.</li> </ul> <p><i>Future Coastal Refugia Area Overlay</i></p>

Code	Code Purpose	Code Application Guidelines												
		<p>A 'Future Coastal Refugia Area Guidance Map' (guidance map) has been prepared and published on the LIST to provide guidance for preparing the future coastal refugia area overlay.</p> <p>The guidance map provides guidance for mapping the future coastal refugia area overlay by identifying potential future coastal saltmarsh and tidal wetland areas based on the Department of Premier and Cabinet (DPAC) predicted sea level rise and 1% AEP storm surge height mapping for 2100, including areas with and without LiDAR coverage.</p> <p>The guidance map categorises the land in accordance with the current interim planning schemes (IPS) and <i>Flinders Planning Scheme 2000</i> (FPS 2000) zones (see Table NAC 1) for the purposes of mapping the future coastal refugia area overlay.</p> <p>Table NAC 1: Future Coastal Refugia Area Guidance Map IPS and FPS 2000 zone categories</p> <table> <tr> <th>Zone Category</th><th>Interim Planning Scheme</th><th>Flinders Planning Scheme 2000</th></tr> <tr> <td><b>Compatible Zone</b></td><td>Rural Resource Zone Significant Agriculture Zone Open Space Zone Environmental Management Zone</td><td>Rural Zone Environmental Management and Recreation Zone</td></tr> <tr> <td><b>Special Consideration Zone</b></td><td>Rural Living Zone Environmental Living Zone</td><td>Rural Residential Zone</td></tr> <tr> <td><b>Case by Case Consideration Zone</b></td><td>Utilities Zone Major Tourism Zone Community Purpose Zone Recreation Zone</td><td>Public Purpose Zone</td></tr> </table>	Zone Category	Interim Planning Scheme	Flinders Planning Scheme 2000	<b>Compatible Zone</b>	Rural Resource Zone Significant Agriculture Zone Open Space Zone Environmental Management Zone	Rural Zone Environmental Management and Recreation Zone	<b>Special Consideration Zone</b>	Rural Living Zone Environmental Living Zone	Rural Residential Zone	<b>Case by Case Consideration Zone</b>	Utilities Zone Major Tourism Zone Community Purpose Zone Recreation Zone	Public Purpose Zone
Zone Category	Interim Planning Scheme	Flinders Planning Scheme 2000												
<b>Compatible Zone</b>	Rural Resource Zone Significant Agriculture Zone Open Space Zone Environmental Management Zone	Rural Zone Environmental Management and Recreation Zone												
<b>Special Consideration Zone</b>	Rural Living Zone Environmental Living Zone	Rural Residential Zone												
<b>Case by Case Consideration Zone</b>	Utilities Zone Major Tourism Zone Community Purpose Zone Recreation Zone	Public Purpose Zone												

Code	Code Purpose	Code Application Guidelines		
			Particular Purpose Zone	
		Incompatible Zone	General Residential Zone	Residential Zone
			Inner Residential Zone	Low Density Residential Zone
			Low Density Residential Zone	Commercial Zone
			Village Zone	Village Zone
			Urban Mixed Use Zone	Port Zone
			Local Business Zone	
			General Business Zone	
			Central Business Zone	
			Commercial Zone	
			Light Industrial Zone	
			General Industrial Zone	
			Port and Marine Zone	
NAC 4    The future coastal refugia area overlay may include modifications to the areas depicted in the guidance map to:				
(a)    address any anomalies or inaccuracies in the guidance map, particularly areas that are located within an area with no LiDAR coverage;				
(b)    identify a larger area if demonstrated as necessary to protect identified future coastal refugia areas, such as mobile and other sensitive coastal habitats and existing saltmarshes and tidal wetlands; or				



Code	Code Purpose	Code Application Guidelines
		<p>(c) remove an area if it is demonstrated that the application of the future coastal refugia area will constrain the future use and development of existing habitable buildings, major infrastructure, key community facilities and services and the like.</p> <p>NAC 5 The accuracy of the areas with no LiDAR coverage that are mapped in the guidance map is uncertain. These areas may be expanded or reduced to reflect the extent of potential future saltmarshes and tidal wetlands.  <i>Note: Anomalies in the future coastal refugia area guidance map are identified in Information Sheet – Clarification on Future Coastal Refugia Area Guidance Map, December 2017, issued by Department of Justice, Planning Policy Unit.</i></p> <p>NAC 6 The future coastal refugia area overlay should be derived from the guidance map, with the following considerations:</p> <p>(a) the future coastal refugia area overlay should not be applied to land that is currently within an incompatible zone, unless:</p> <p>(i) it is intended to provide an alternate zoning for the land in order to protect the future coastal refugia area; or</p> <p>(ii) the land is intended for open space purposes within that zone.</p> <p>(b) the future coastal refugia area overlay may be applied to land that is currently within a special consideration zone if:</p> <p>(i) it is intended to apply the Landscape Conservation Zone, Rural Living C Zone, Rural Living D Zone, or any other zone that is compatible with the overlay; or</p> <p>(ii) it is demonstrated that the application of the future coastal refugia area will not constrain the future use and development of existing habitable buildings, major infrastructure, key community facilities and services and the like.</p> <p>(c) the future coastal refugia area overlay may be applied to land that is currently within a case-by-case consideration zone if:</p>

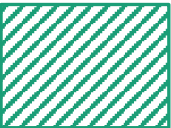
Code	Code Purpose	Code Application Guidelines
		<ul style="list-style-type: none"> <li>(i) the application of the future coastal refugia area overlay is compatible with the purpose of the zone; or</li> <li>(ii) the application of the future coastal refugia area overlay will not significantly impact on the existing development on the land.</li> <li>(d) the future coastal refugia area overlay should be applied to land that is currently within a compatible zone if it is demonstrated that the application of the future coastal refugia area will not constrain the future use and development of existing habitable buildings, major infrastructure, key community facilities and services and the like.</li> </ul> <p><i>Priority Vegetation Area Overlay</i></p> <p>NAC 7 The priority vegetation area overlay must include threatened native vegetation communities as identified in TASVEG Version 3 mapping, as published on the Department of Primary Industries, Parks, Water and the Environment's (DPIPWE) website and available on the LIST.</p> <p>NAC 8 For the purposes of applying the priority vegetation area overlay to land containing threatened flora species, any areas mapped within the overlay should be derived from or based on the threatened flora data from the Natural Values Atlas as published DPIPWE's website and available on the LIST.</p> <p>NAC 9 In applying the priority vegetation area overlay for threatened flora species, the overlay map may include an area around recorded occurrences of threatened flora species to identify areas of potential occurrence based on field verification, analysis or mapping undertaken by, or on behalf of, the planning authority.</p> <p>NAC 10 For the purposes of applying the priority vegetation area overlay to land containing significant habitat for threatened fauna species, any areas identified as significant habitat</p>

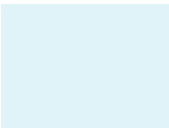





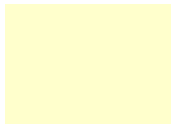
Code	Code Purpose	Code Application Guidelines
		<p>should be based on the threatened fauna data from the Natural Values Atlas, as published on DPIPW's website.</p> <p>NAC 11 The priority vegetation area overlay may be based on field verification, analysis or mapping undertaken by, or on behalf of, the planning authority to:</p> <ul style="list-style-type: none"> <li>(a) address any anomalies or inaccuracies in the mapping and data in clauses NAC 7, NAC 8 and NAC 10 above; or</li> <li>(b) provide more recent or detailed local assessment of the mapping and data in clauses NAC 7, NAC 8 and NAC 10 above.</li> </ul> <p>NAC 12 The priority vegetation area overlay may include areas of native vegetation which have been identified as being of local importance based on field verification, analysis or mapping undertaken by, or on behalf of, the planning authority. Identification of these areas may be assisted by datasets or spatial products identified by DPIPW.</p> <p>NAC 13 A priority vegetation area should not be shown on the overlay map for land that is within the:</p> <ul style="list-style-type: none"> <li>(a) Inner Residential Zone;</li> <li>(b) Village Zone;</li> <li>(c) Urban Mixed Use Zone;</li> <li>(d) Local Business Zone;</li> <li>(e) General Business Zone;</li> <li>(f) Central Business Zone;</li> <li>(g) Commercial Zone;</li> <li>(h) Light Industrial Zone;</li> </ul>

Code	Code Purpose	Code Application Guidelines
		<ul style="list-style-type: none"> <li>(i) General Industrial Zone;</li> <li>(j) Agriculture Zone; or</li> <li>(k) Port and Marine Zone.</li> </ul>




Code	Code Purpose	Code Application Guidelines
<b>C8.0</b> <b>Scenic Protection Code</b> Scenic protection area  Red 117, Green 107, Blue 177  Scenic road corridor  Red 188, Green 189, Blue 220	The purpose of the Scenic Protection Code is:  C8.1.1 To recognise and protect landscapes that are identified as important for their scenic values.	<b>Overview</b>  The Scenic Protection Code applies to land shown within a: <ul style="list-style-type: none"> <li>• scenic protection area overlay; or</li> <li>• scenic road corridor overlay.</li> </ul> The code provides for individual scenic protection areas and scenic road corridors to be listed in the LPSs and for the specific scenic values and management objectives to be identified. The articulation of specific scenic values and management objectives allow for greater guidance in the assessment of discretionary applications against the code. <b>Guidelines for applying the Scenic Protection Code overlays</b>  SPC 1 The scenic protection area overlay and the scenic road corridor overlay may be applied to land identified at the local or regional level as important for the protection of scenic values. These may include areas: <ul style="list-style-type: none"> <li>(a) containing significant native vegetation or bushland areas with important scenic values (such as skyline areas); or</li> <li>(b) identified for their significant scenic views.</li> </ul> SPC 2 The scenic protection area overlay and the scenic road corridor overlay should be justified as having significant scenic values requiring protection from inappropriate development that would or may diminish those values.  SPC 3 The scenic protection area and the scenic road corridor may only be shown on the overlay map for the following zones: <ul style="list-style-type: none"> <li>(a) Rural Living Zone;</li> </ul>


Code	Code Purpose	Code Application Guidelines
		(b) Rural Zone; (c) Agriculture Zone; (d) Landscape Conservation Zone; (e) Environmental Management Zone; or (f) Open Space Zone.
<b>C9.0</b> <b>Attenuation Code</b> Attenuation area  Red 27, Green 158, Blue 119	<p>The purpose of the Attenuation Code is:</p> <p>C9.1.1 To minimise adverse impacts on the health, safety and amenity of sensitive use from activities which have the potential to cause emissions</p> <p>C9.1.2 To minimise the likelihood for sensitive use to conflict with, interfere with, or constrain, activities which have the potential to cause emissions.</p>	<p><b>Overview</b></p> <p>The Attenuation Code provides for an attenuation area overlay to be applied around existing activities as a variation to the generic attenuation distances specified in the Tables. An attenuation area depicted by an overlay prevails over the generic attenuation distances specified in the Tables.</p> <p><b>Guidelines for applying an Attenuation Area overlay</b></p> <p>AC 1 An attenuation area overlay may be applied to an existing activity listed in Tables C9.1 or C9.2 of the Attenuation Code as a variation to the generic attenuation distances to take account of local circumstances, such as:</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the activity;</li> <li>(b) the topography of the surrounding area;</li> <li>(c) the surrounding land uses or zones; or</li> <li>(d) any existing attenuation measures or buffers.</li> </ul> <p>AC 2 Any new attenuation area overlay for an existing activity listed in Tables C9.1 or C9.2, which does not align with an equivalent overlay contained in an interim planning scheme or section 29 planning scheme, must be justified by a suitably qualified person. The</p>


Code	Code Purpose	Code Application Guidelines
		attenuation area overlay may apply to an area larger or smaller than the generic attenuation distances specified for the relevant activity.
<b>C10.0</b> <b>Coastal Erosion Hazard Code</b> Coastal erosion investigation area  Red 224, Green 243, Blue 248  Low coastal erosion hazard band  Red 254, Green 224, Blue 144  Medium coastal erosion hazard band	<p>The purpose of the Coastal Erosion Hazard Code is:</p> <p>C10.1.1 To ensure that use or development subject to risk from coastal erosion is appropriately located and managed, so that:</p> <ul style="list-style-type: none"> <li>(a) people, property and infrastructure are not exposed to an unacceptable level of risk;</li> <li>(b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised;</li> <li>(c) it does not increase the risk from coastal erosion to other land or public infrastructure; and</li> <li>(d) works to protect land from coastal erosion are undertaken in a way that provides appropriate protection without increasing risks to other land.</li> </ul>	<p><b>Overview</b></p> <p>The Coastal Erosion Hazard Code is applied by reference to the coastal erosion hazard area overlay, which includes land within the three coastal erosion hazard bands (low, medium or high) or within a coastal erosion investigation area.</p> <p>The Department of Premier and Cabinet (DPAC), Office of Security and Emergency Management prepared the coastal erosion hazard area overlay as part of the Mitigating Natural Hazards through Land Use Planning Project, which includes the three coastal erosion hazard bands and the coastal erosion investigation area. This overlay is available as a layer on the LIST and is titled 'Coastal Erosion Hazard Bands 20161201'.</p> <p>A coastal erosion investigation area is land shown on the overlay map as within a coastal erosion investigation area. This corresponds with areas with a lack of current data to be able to accurately determine the hazard band. A site assessment of the shoreline is required to determine the applicable hazard band for these areas.</p> <p>The code may also be applied to land outside the mapped overlay area if the planning authority reasonably believes, based on information in its possession, that the land is located on an actively mobile landform within the coastal zone. This ability to 'call-in' an application on land outside the mapped overlay areas is necessary to address the requirements in the <i>State Coastal Policy 1996</i> for actively mobile landforms, namely outcome 1.4.2.</p> <p><b>Guidelines for applying the Coastal Erosion Hazard Area overlay</b></p> <p>CEHC 1 The coastal erosion hazard area overlay must include the three coastal erosion hazard bands and the coastal erosion investigation area as depicted in the 'Coastal Erosion Hazard Area Bands 20161201' layer published on the LIST, unless modified:</p>




Code	Code Purpose	Code Application Guidelines										
<div></div> <div>Red 252, Green 141, Blue 89</div> <div>High coastal erosion hazard band</div> <div></div> <div>Red 215, Green 48, Blue 39</div>	C10.1.2 To provide for appropriate use or development that relies upon a coastal location to fulfil its purpose.	<div>(a) to reflect the coastal erosion hazard bands or coastal erosion investigation area as depicted in an equivalent overlay contained in the interim planning scheme for that municipal area, if consistent with the thresholds specified in Table CEHC 1 below; or</div> <div>(b) in accordance with a report prepared by a suitably qualified person which justifies a change to these areas to meet the thresholds specified in Table CEHC 1 below.</div> <div>Table CEHC 1: Coastal erosion hazard area overlay thresholds</div> <table><tr><th>Hazard area</th><th>Thresholds</th></tr><tr><td>Low hazard band</td><td>Recession to 2100 (incorporating the State sea level rise allowance)</td></tr><tr><td>Medium hazard band</td><td>Recession to 2050 (incorporating the State sea level rise allowance)</td></tr><tr><td>High hazard band</td><td>Vulnerable to two back to back 1% AEP erosion events now.</td></tr><tr><td>Investigation area</td><td>Area with no investigation undertaken</td></tr></table>	Hazard area	Thresholds	Low hazard band	Recession to 2100 (incorporating the State sea level rise allowance)	Medium hazard band	Recession to 2050 (incorporating the State sea level rise allowance)	High hazard band	Vulnerable to two back to back 1% AEP erosion events now.	Investigation area	Area with no investigation undertaken
Hazard area	Thresholds											
Low hazard band	Recession to 2100 (incorporating the State sea level rise allowance)											
Medium hazard band	Recession to 2050 (incorporating the State sea level rise allowance)											
High hazard band	Vulnerable to two back to back 1% AEP erosion events now.											
Investigation area	Area with no investigation undertaken											
<div>C11.0</div> <div>Coastal Inundation Hazard Code</div> <div>Coastal inundation investigation area</div> <div></div> <div>Red 255, Green 255, Blue 204</div>	<div>The purpose of the Coastal Inundation Hazard Code is:</div> <div>C11.1.1 To ensure that use or development subject to risk from coastal inundation is appropriately located and managed so that:</div> <div>(a) people, property and infrastructure are not exposed to an unacceptable level of risk;</div> <div>(b) future costs associated with options for adaptation,</div>	<div>Overview</div> <div>The Coastal Inundation Hazard Code is applied by reference to the coastal inundation hazard area overlay, which includes land within the three coastal inundation hazard bands (low, medium or high) or within a coastal inundation investigation area.</div> <div>The Department of Premier and Cabinet (DPAC), Office of Security and Emergency Management prepared the coastal inundation hazard area overlay as part of the Mitigating Natural Hazards through Land Use Planning Project, which includes the three coastal inundation hazard bands and the coastal inundation investigation area. This overlay is available as a layer on the LIST and is titled ‘Coastal Inundation Hazard Bands 20161201’.</div>										







Code	Code Purpose	Code Application Guidelines
<p>Low coastal inundation hazard band</p>  <p>Red 65, Green 182, Blue 196</p> <p>Medium coastal inundation hazard band</p>  <p>Red 44, Green 127, Blue 184</p> <p>High coastal inundation hazard band</p>  <p>Red 37, Green 52, Blue 148</p>	<p>protection, retreat or abandonment of property and infrastructure are minimised;</p> <p>(c) it does not increase the risk from coastal inundation to other land or public infrastructure; and</p> <p>(d) works to protect land from coastal inundation are undertaken in a way that provides appropriate protection without increasing risks to other land.</p> <p>C11.1.2 To provide for appropriate use or development that relies upon a coastal location to fulfil its purpose.</p>	<p>A coastal inundation investigation area is an area shown on the overlay map as within the coastal inundation investigation area. These areas correspond with land that is within the coastal zone and below the 10m contour where no LiDAR data is available to be able to accurately determine the hazard band. A site survey is required to determine the elevation of the land in order to determine the applicable hazard band. The LPSs must include the AHD levels for the relevant hazard bands, including the 'defined flood level', for the relevant localities in that municipal area. The defined flood level is only applicable to the consideration of building approvals.</p> <p><b><i>Guidelines for applying the Coastal Inundation Hazard Area overlay</i></b></p> <p>CIHC 1 The coastal inundation hazard area overlay must include the three coastal inundation hazard bands and the coastal inundation investigation area as depicted in the 'Coastal Inundation Hazard Area Bands 20161201' layer published on the LIST, unless modified:</p> <p>(a) to reflect the coastal inundation hazard bands or coastal inundation investigation area as depicted in an equivalent overlay contained in the interim planning scheme for that municipal area, if consistent with the thresholds specified in Table CIHC 1 below; or</p> <p>(b) in accordance with a report prepared by a suitably qualified person which justifies a change to these areas to meet the thresholds specified in Table CIHC 1 below.</p> <p>CIHC 2 The LPSs must include the AHD levels for the coastal inundation hazard bands and the defined flood level for the relevant localities as a list for the Coastal Inundation Hazard Code in accordance with the AHD levels published on the DPAC website (<a href="http://www.dpac.tas.gov.au/divisions/osem/coastal_hazards_in_tasmania">http://www.dpac.tas.gov.au/divisions/osem/coastal_hazards_in_tasmania</a>), unless modified:</p> <p>(a) to reflect the AHD levels for a coastal inundation investigation area as included in an equivalent code in the interim planning scheme for that municipal area if consistent with the thresholds specified in Table CIHC 1 below; or</p>

Code	Code Purpose	Code Application Guidelines										
		<p>(b) in accordance with a report prepared by a suitably qualified person which justifies a change to these areas to meet the thresholds specified in Table CIHC 1 below.</p> <p>Table CIHC 1: Coastal inundation hazard area overlay thresholds</p> <table><tr><th>Hazard area</th><th>Thresholds</th></tr><tr><td>Low hazard band</td><td>1% in 2100 rounded up to the nearest 0.1m plus 0.3m in free board</td></tr><tr><td>Medium hazard band</td><td>1 % in 2050 rounded up to the nearest 0.1m plus 0.3m in free board</td></tr><tr><td>High hazard band</td><td>Mean high tide plus sea level rise in 2050, rounded up to the nearest 0.1m</td></tr><tr><td>Investigation area</td><td>The area less than 1km from the mean high-water mark and below the 10m contour in which no detailed investigation has been undertaken.</td></tr></table>	Hazard area	Thresholds	Low hazard band	1% in 2100 rounded up to the nearest 0.1m plus 0.3m in free board	Medium hazard band	1 % in 2050 rounded up to the nearest 0.1m plus 0.3m in free board	High hazard band	Mean high tide plus sea level rise in 2050, rounded up to the nearest 0.1m	Investigation area	The area less than 1km from the mean high-water mark and below the 10m contour in which no detailed investigation has been undertaken.
Hazard area	Thresholds											
Low hazard band	1% in 2100 rounded up to the nearest 0.1m plus 0.3m in free board											
Medium hazard band	1 % in 2050 rounded up to the nearest 0.1m plus 0.3m in free board											
High hazard band	Mean high tide plus sea level rise in 2050, rounded up to the nearest 0.1m											
Investigation area	The area less than 1km from the mean high-water mark and below the 10m contour in which no detailed investigation has been undertaken.											
<p><b>C12.0</b></p> <p><b>Flood-Prone Hazard Areas Code</b></p> <p>Flood-prone areas</p>  <p>Red 103, Green 169, Blue 207</p>	<p>The purpose of the Flood-Prone Hazard Areas Code is:</p> <p>C12.1.1 To ensure that use or development subject to risk from flood is appropriately located and managed, so that:</p> <ul style="list-style-type: none"><li>(a) people, property and infrastructure are not exposed to an unacceptable level of risk;</li><li>(b) future costs associated with options for adaptation, protection, retreat or</li></ul>	<p><b>Overview</b></p> <p>The Flood-Prone Hazard Areas Code is applied by reference to a flood-prone hazard area overlay. There is currently no statewide mapping of land potentially susceptible to flooding risks to guide the application of the overlay.</p> <p><b>Guidelines for applying the Flood-Prone Hazard Area overlay</b></p> <p>FPAZ 1 The flood-prone hazard area overlay should be applied to areas known to be prone to flooding, particularly areas known to be within the 1 per cent annual exceedance probability (AEP) level.</p>										

Code	Code Purpose	Code Application Guidelines
	<p>abandonment of property and infrastructure are minimised; and</p> <p>(c) it does not increase the risk from flood to other land or public infrastructure.</p> <p>C12.1.2 To preclude development on land that will unreasonably affect flood flow or be affected by permanent or periodic flood.</p>	<p>FPHAZ 2 In determining the extent of the flood-prone hazard area overlay, planning authorities may utilise their own data, including any equivalent overlay contained in an interim planning scheme or section 29 planning scheme for that municipal area, or data from other sources.</p>
<p><b>C13.0</b></p> <p><b>Bushfire-Prone Areas Code</b></p> <p>Bushfire-prone areas</p>  <p><b>Red 239, Green 138, Blue 98</b></p>	<p>The purpose of the Bushfire-Prone Areas Code is:</p> <p>C13.1.1 To ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.</p>	<p><b>Overview</b></p> <p>The Bushfire-Prone Areas Code is applied by reference to a bushfire-prone area overlay, or, in the absence of an overlay, to land within 100m of an area of bushfire-prone vegetation equal to or greater than 1ha.</p> <p><b>Guidelines for applying the Bushfire-Prone Area Overlay</b></p> <p>BPAC 1 The bushfire-prone area overlay should be applied in accordance with any overlay map approved by the Tasmania Fire Service for the relevant municipal area. Any modification to an overlay map approved by the Tasmania Fire Service should be made in consultation with the Tasmania Fire Service.</p>
<p><b>C14.0</b></p> <p><b>Potentially Contaminated Land Code</b></p> <p>Potentially</p>	<p>The purpose of the Potentially Contaminated Land Code is:</p> <p>C14.1.1 To ensure that use or development of potentially contaminated land</p>	<p><b>Overview</b></p> <p>The Potentially Contaminated Land Code provides identification of potentially contaminated land via a potentially contaminated land overlay.</p>

Code	Code Purpose	Code Application Guidelines
<p>contaminated land</p>  <p>Red 117, Green 112, Blue 179</p>	<p>does not adversely impact on human health or the environment.</p>	<p><b><i>Guidelines for applying the Potentially Contaminated Land overlay</i></b></p> <p>PCLC 1 The potentially contaminated land overlay: may be applied to delineate land that has been potentially contaminated by a potentially contaminating activity. The overlay may be based on:</p> <ul style="list-style-type: none"> <li>(a) field verification, analysis or mapping undertaken by, or on behalf of, the planning authority or the Environment Protection Authority; or</li> <li>(b) any other relevant information or mapping held by the planning authority or Environment Protection Authority.</li> </ul>
<p><b>C15.0</b></p> <p><b>Landslip Hazard Code</b></p> <p>Low landslip hazard band</p>  <p>Red 255, Green 255, Blue 212</p> <p>Medium landslip hazard band</p>  <p>Red 254, Green 217,</p>	<p>The purpose of the Landslip Hazard Code is:</p> <p>C15.1.1 To ensure that a tolerable risk can be achieved and maintained for the type, scale and intensity and intended life of use or development on land within a landslip hazard area.</p>	<p><b><i>Overview</i></b></p> <p>The Landslip Hazard Code is applied by reference to the landslip hazard area overlay, which includes land within the four landslip hazard bands (low, medium, medium-active or high).</p> <p>The Department of Premier and Cabinet (DPAC), Office of Security and Emergency Management prepared the landslip hazard area overlay as part of the Mitigating Natural Hazards through Land Use Planning Project, which includes the four landslip hazard bands. This overlay is available as a layer on the LIST and is titled 'Landslide Planning Map – Hazard Bands 20131022'.</p> <p><b><i>Guidelines for applying the Landslip Hazard Area overlay</i></b></p> <p>LHC 1 The landslip hazard area overlay must include the four landslip hazard bands as depicted in the 'Landslide Planning Map – Hazard Bands 20131022' layer published on the LIST, unless modified:</p> <ul style="list-style-type: none"> <li>(a) to reflect the landslip hazard bands as depicted in an equivalent overlay contained in the interim planning scheme for that municipal area, if consistent with the thresholds specified in Table LHC 1 below; or</li> </ul>

Code	Code Purpose	Code Application Guidelines										
<div>Blue 142</div> <div>Medium-active landslip hazard band</div> <div></div> <div>Red 254, Green 153, Blue 41</div> <div>High landslip hazard band</div> <div></div> <div>Red 204, Green 76, Blue 2</div>		<div>(b) in accordance with a report prepared by a suitably qualified person which justifies a change to these areas to meet the thresholds specified in Table LHC 1 below.</div> <div>Table LHC 1: Landslip hazard area overlay thresholds</div> <table><tr><th>Hazard area</th><th>Thresholds</th></tr><tr><td>Low hazard band</td><td>This area has no known landslides; however it has been identified as being susceptible to landslide by Mineral Resources Tasmania (MRT).</td></tr><tr><td>Medium hazard band</td><td>The area has known landslide features, or is within a landslide susceptibility zone, or has legislated controls to limit disturbance of adjacent unstable areas.</td></tr><tr><td>Medium-active hazard band</td><td>The land is on an active landslip.</td></tr><tr><td>High hazard band</td><td>The component is within a declared “Landslip A” under the <i>Mineral Resources Development Act 2001</i>.</td></tr></table>	Hazard area	Thresholds	Low hazard band	This area has no known landslides; however it has been identified as being susceptible to landslide by Mineral Resources Tasmania (MRT).	Medium hazard band	The area has known landslide features, or is within a landslide susceptibility zone, or has legislated controls to limit disturbance of adjacent unstable areas.	Medium-active hazard band	The land is on an active landslip.	High hazard band	The component is within a declared “Landslip A” under the <i>Mineral Resources Development Act 2001</i> .
Hazard area	Thresholds											
Low hazard band	This area has no known landslides; however it has been identified as being susceptible to landslide by Mineral Resources Tasmania (MRT).											
Medium hazard band	The area has known landslide features, or is within a landslide susceptibility zone, or has legislated controls to limit disturbance of adjacent unstable areas.											
Medium-active hazard band	The land is on an active landslip.											
High hazard band	The component is within a declared “Landslip A” under the <i>Mineral Resources Development Act 2001</i> .											

Code	Code Purpose	Code Application Guidelines
<b>C16.0</b> <b>Safeguarding of Airports Code</b>  Airport noise exposure area  Red 217, Green 95, Blue 2  Airport obstacle limitation area (m above existing ground level)  Red 117, Green 112, Blue 179	<p>The purpose of the Safeguarding of Airports Code is:</p> <p>C16.1.1 To safeguard the operation of airports from incompatible use or development.</p> <p>C16.1.2 To provide for use and development that is compatible with the operation of airports in accordance with the appropriate future airport noise exposure patterns and with safe air navigation for aircraft approaching and departing an airport.</p>	<p><b>Overview</b></p> <p>The Safeguarding of Airports Code is applied by reference to two overlays:</p> <ul style="list-style-type: none"> <li>the airport noise exposure area overlay; and</li> <li>the airport obstacle limitation area overlay.</li> </ul> <p><b>Guidelines for applying the Safeguarding of Airports Code overlays</b></p> <p><i>Airport Noise Exposure Area overlay</i></p> <p>SAC 1 The airport noise exposure area overlay should be based on the relevant airport noise contours contained in the airport master plan or those otherwise adopted by the relevant airport owner or operator for the relevant airport in accordance with any accepted guidelines.</p> <p>SAC 2 The airport noise exposure area overlay should at least include the land within the 20 Australian Noise Exposure Forecast (ANEF) contour and all land within higher ANEF contours.</p> <p><i>Note:</i> Australian Standard AS 2021-2015 Acoustics – Aircraft noise intrusion – Building siting and construction <i>suggests areas outside the 20 ANEF are acceptable for all sensitive uses.</i></p> <p>SAC 3 The airport noise exposure area overlay may also take account of the N contours contained in the airport master plan or those otherwise adopted for the relevant airport.</p> <p><i>Note:</i> <i>N contours measure the number of aircraft noise events per day exceeding 60, 65 or 70 decibels. The National Airports Safeguarding Framework - Guideline A: Measures for Managing Impacts of Aircraft Noise identifies the following areas as potentially having impacts on residents around airports:</i></p>



Code	Code Purpose	Code Application Guidelines
		<ul style="list-style-type: none"> <li>• 20 or more daily events greater than 70 dB(A);</li> <li>• 50 or more daily events of greater than 65 dB(A);</li> <li>• 100 events or more daily events of greater than 60 dB(A); or</li> <li>• 6 or more events of greater than 60 dB(A) between the hours of 11pm and 6 am.</li> </ul> <p><i>Airport Obstacle Limitation Area overlay</i></p> <p>SAC 4 The airport obstacle limitation area overlay should be based on the Obstacle Limitation Surfaces (OLS) and Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) contained in the airport master plan or those otherwise adopted by the relevant airport owner or operator for the relevant airport in accordance with any accepted guidelines.</p> <p>SAC 5 The airport obstacle limitation area overlay must identify the specified height limit on the land within the overlay by reference to AHD. The specific height limit should be identified as the lower of the OLS or the PANS-OPS for the applicable airport if the two surfaces overlap. The overlay may address any anomalies in the OLS or PANS-OPS height limitations provided they are endorsed by the relevant airport operator.</p>

APPENDIX F

Reassignment of land to the General Residential Zone (where current zoning under the DIPS is something other than General Residential)

NOTES		ABBREVIATIONS	
<p>1. The attached table indicates properties that have a current zoning under the DIPS as something other than General Residential.</p> <p>2. The primary source of instruction for zone allocation is the LPS Zone and Code Application Guideline.</p> <p>3. Zoning reassignments also have regard to situations where the current zoning does not appropriately reflect the existing residential use and development of a site and where there is an established pattern/sequence of such use and development on adjacent properties.</p> <p><b>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</b></p> <p>A. The LPS Zone and Code Application Guideline for the General Residential Zone refers to the regional land use strategy for the inclusion of any land to the General Residential Zone which is not currently zoned General Residential under an existing interim planning scheme. Consideration of the proposed General Residential Zone reassignments against the <i>Cradle Coast Regional Land Use Strategy 2010-2030</i> is provided at the conclusion of the below table.</p>		<b>“1984 Planning Scheme”</b>	means the <i>Devonport &amp; Environs Planning Scheme 1984</i> . The planning scheme that existed before the commencement of the DIPS in October 2013.
		<b>“DIPS”</b>	means the <i>Devonport Interim Planning Scheme 2013</i>
		<b>“LPS”</b>	means Local Provisions Schedule
		<b>“LUPAA”</b>	means the <i>Land Use Planning and Approvals Act 1993</i>
		<b>“LPS Zone and Code Application Guideline”</b>	means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b> ).

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
1.	219996/14	6334618	3 Hillcrest Road	Devonport	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential	<p>Commentary on site numbers 1-16 is considered collectively below.</p> <p>The area has full access to reticulated water supply service and reticulated sewerage infrastructure.</p> <p>The existing Light Industrial zoning does not reflect the established residential use and development of the area. The site also forms part of a generally contiguous section of land (comprising at least two or more sites) under current residential use and development and which represents an established pattern/sequence of residential use.</p> <p>The collective of sites here represent an established residential area. Noting the presence and established nature of the residential use occurring at this location it is reasonable to assume these properties already enjoy a level of residential amenity - just because they have a light industrial zoning does not mean that such amenity does not exist or they have no reasonable entitlement to such amenity. Given the established nature of the existing residential use and development of the site and</p>	Deemed capable of meeting instruction GRZ 1 of the LPS Zone and Code Application Guideline.	Reassign to General Residential Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>adjacent Light Industrial zoned (being used for light industrial purposes) land it can also be reasonably assumed that there is already a level of co-existence and compatibility between light industrial type uses and residential use.</p> <p>The juxtaposition of the General Residential zone to adjoin land assigned to the Light Industrial is not considered incompatible or to unreasonably constrain the opportunity for use and development in either zone. Indeed, there are numerous other existing instances of the interface between these two zones in the municipal area.</p> <p>The LPS Zone and Code Application Guideline does not contain any instruction that the Light Industrial Zone should not directly adjoin the General Residential Zone. It is noted that the Guideline does provide such specific direction for the General Industrial Zone at instruction GIZ 2.</p> <p>The retention of a Light Industrial zoning means that the existing residential use maintains a prohibited use status within that zone and must rely on the discretion contemplated by the existing non-conforming use provisions at clause 7.1 of the State Planning Provisions.</p> <p>The residential use and development of this site is well established, and in combination with adjoining sites there is an existing pattern of residential use and development. This is not appropriately described or accommodated by the existing Light industrial zoning and the retention of that zone is deemed to be both unnecessary and undesirable.</p> <p>There is no light industrial land use occurring on these sites – nor is it generally vacant land that could be used for industrial use. Instead it is land occupied by long established residential use and development that is</p>		
2.	60040/15	6334626	5 Hillcrest Road	Devonport	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
3.	220479/17	6334634	9 Hillcrest Road	Devonport	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
4.	63840/24	7187437	25 Hillcrest Road	Devonport	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
5.	63840/25	6334650	27 Hillcrest Road	Devonport	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
6.	63840/26	6334669	29 Hillcrest Road	Devonport	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
7.	214508/1	6328461	3 Lapthorne Close	Don	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
8.	55304/2	6328453	5 Lapthorne Close	Don	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
9.	55304/3	6328445	7 Lapthorne Close	Don	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
10.	55304/4	6328437	9 Lapthorne Close	Don	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
11.	219352/5	6328429	11 Lapthorne Close	Don	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
12.	217406/6	6328410	13 Lapthorne Close	Don	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
13.	72347/7	7778819	15 Lapthorne Close	Don	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
14.	72347/8	6328373	17 Lapthorne Close	Don	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
15.	215560/1	6328365	19 Lapthorne Close	Don	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
16.	237128/1	6328357	21-23 Lapthorne Close	Don	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									inappropriately described by a light industrial zoning.  The application of the General Residential Zone appropriately recognizes the established residential use and development.		
17.	165390/1	3225897	25 Lapthorne Close	Don	Vacant undeveloped land.	Light Industrial	Light Industrial	General Residential	As above, and further noting that the retention of this site to the Light Industrial Zone is deemed both unnecessary and undesirable owing to:  (i) this lot represents vacant, undeveloped land;  (ii) adjacent residential use and development (including the General Residential Zone reassignments described with site numbers 1-16 above); and  (iii) the existing road conditions and typical types of traffic movements along Lapthorne Close (including movements associated with the nearby school in Jiloa Way).	As above.	Reassign to General Residential Zone.
18.	63840/27 138809/16	2914412	39 Don Road	Devonport	Generally described as vacant, undeveloped land.	Light Industrial	Light Industrial	General Residential	The two lots described by these certificate of title references are associated with the property address of 39 Don Road, Devonport (PID: 2914412).  There is no existing light industrial type use and development occurring at these sites which warrants the retention of the Light Industrial Zone. Given the reassignment of adjacent land to the General Residential Zone proposed with the draft LPS (and the rationale for that zone allocation), that same reassignment is deemed appropriate for this property and which provides a reasonable and consistent juxtaposition of zones at this location.	As above.	Reassign to General Residential Zone.
19.	29008/28	6381449	9 Durkins Road	Quoiba	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential	Commentary on site numbers 19-43 is considered collectively below.  The area has full access to reticulated water supply service and reticulated sewerage infrastructure.	As above.	Reassign to General Residential Zone.
20.	29008/29	6381457	11 Durkins Road	Quoiba	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
21.	29008/34	6381465	13 Durkins Road	Quoiba	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
22.	29008/30	6381473	15 Durkins Road	Quoiba	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
23.	29008/31 & 29008/32	6381481	19 Durkins Road	Quoiba	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential	The existing Light Industrial zoning does not reflect the established residential use and development of these sites which form part of a generally contiguous section of land (comprising at least two or more sites) under current residential use and development and which represent an established pattern/sequence of residential use.  The collective of sites here represent an established residential area. Noting the presence and established nature of the residential use occurring at this location it is reasonable to assume these properties already enjoy a level of residential amenity - just because they have a light industrial zoning does not mean that such amenity does not exist or they have no reasonable entitlement to such amenity. Given the established nature of the existing residential use and development of the site and adjacent Light Industrial zoned (being used for light industrial purposes) land it can also be reasonably assumed that there is already a level of co-existence and compatibility between light industrial type uses and residential use.	As above.	Reassign to General Residential Zone.
24.	29008/33	6381502	21 Durkins Road	Quoiba	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
25.	214482/1	6386362	1 Racecourse Road	Quoiba	Residential. Single dwelling.	Semi - Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
26.	59167/2	6386370	2 Racecourse Road	Quoiba	Residential. Single dwelling.	Semi - Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
27.	214481/3	6386389	3 Racecourse Road	Quoiba	Residential. Single dwelling.	Semi - Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
28.	214480/4	6386397	4 Racecourse Road	Quoiba	Residential. Single dwelling.	Semi - Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
29.	59167/5	6386418	5 Racecourse Road	Quoiba	Residential. Single dwelling.	Semi - Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
30.	59167/6	6386426	6 Racecourse Road	Quoiba	Residential. Single dwelling.	Semi - Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
31.	59167/7	6386434	7 Racecourse Road	Quoiba	Residential. Single dwelling.	Semi - Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
32.	59167/8	6386442	8 Racecourse Road	Quoiba	Residential. Single dwelling.	Semi - Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
33.	59167/9	6386450	9 Racecourse Road	Quoiba	Residential. Single dwelling.	Semi - Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
34.	59167/10	6386469	10 Racecourse Road	Quoiba	Residential. Single dwelling.	Semi - Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
35.	59167/11	6386477	11 Racecourse Road	Quoiba	Residential. Single dwelling.	Semi - Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
36.	59167/12	6386485	12 Racecourse Road	Quoiba	Residential. Single dwelling.	Semi - Residential	Light Industrial	General Residential	The juxtaposition of the General Residential zone to adjoin land assigned to the Light Industrial is not considered incompatible or to unreasonably constrain the opportunity for use and development in either zone. Indeed, there are numerous other existing instances of the interface between these two zones in the municipal area.  The LPS Zone and Code Application does not contain any instruction that the Light Industrial Zone should not directly adjoin the General Residential Zone. It is noted that the Guideline does provide such specific direction for the General Industrial Zone at instruction GLZ 2.  The retention of a Light Industrial zoning means that the existing	As above.	Reassign to General Residential Zone.
37.	72453/1	6388077	5 Stony Rise Road	Quoiba	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
38.	72453/2	6388085	7 Stony Rise Road	Quoiba	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
39.	220409/3	6388093	9 Stony Rise Road	Quoiba	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
40.	72453/4	6388106	11 Stony Rise Road	Quoiba	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
41.	220360/5	6388114	13 Stony Rise Road	Quoiba	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
42.	72453/6	6388122	15 Stony Rise Road	Quoiba	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
43.	220410/7	6388130	17 Stony Rise Road	Quoiba	Residential. Single dwelling.	Light Industrial	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>residential use maintains a prohibited use status within that zone and must rely on the discretion contemplated by the existing non-conforming use provisions at clause 7.1 of the State Planning Provisions.</p> <p>The residential use and development of this site is well established, and in combination with adjoining sites there is an existing pattern of residential use and development. This is not appropriately described or accommodated by the existing Light industrial zoning and the retention of that zone is deemed to be both unnecessary and undesirable.</p> <p>There is no light industrial land use occurring on these sites – nor is it generally vacant land that could be used for industrial use. Instead it is land occupied by long established residential use and development that it inappropriately described by a light industrial zoning.</p> <p>The application of the General Residential Zone appropriately recognizes the established residential use and development.</p>		
44.	105953/1	6289677	58 North Fenton St	Devonport	Residential. Single dwelling.	Business Commercial CBD Zone – Peripheral Retail Precinct	Urban Mixed Use	General Residential	<p>Commentary on site numbers 44-53 is considered collectively below.</p> <p>The area has full access to reticulated water supply service and reticulated sewerage infrastructure.</p>	Deemed capable of meeting instruction GRZ 1 of the LPS Zone and Code Application Guideline.	Reassign to General Residential Zone.
45.	105848/1	6289669	60 North Fenton St	Devonport	Residential. Single dwelling.	Business Commercial CBD Zone – Peripheral Retail Precinct	Urban Mixed Use	General Residential	<p>The LPS Zone and Application Guideline includes instruction for the application of the UMU Zone – and which has regard to the Zone being used to provide for a “mix of residential, community services, and commercial activities”.</p>	As above.	Reassign to General Residential Zone.
46.	46001/1	6289650	66 North Fenton St	Devonport	Residential. Single dwelling.	Office CBD Zone – Peripheral Retail Precinct	Urban Mixed Use	General Residential	<p>There is no genuine mixture of residential, retail, community services and commercial activities at this location along North Fenton/Parker Street – nor is there a strategic intention to create such a mix</p>	As above.	Reassign to General Residential Zone.
47.	220623/1 & 22261/1	6289642	68 North Fenton St	Devonport	Residential. Single dwelling.	Office CBD Zone – Peripheral Retail Precinct	Urban Mixed Use	General Residential		As above.	Reassign to General Residential Zone.
48.	80082/2	6289634	70 North Fenton St	Devonport	Residential. Single dwelling.	Office CBD Zone - Peripheral Retail Precinct	Urban Mixed Use	General Residential		As above.	Reassign to General Residential Zone.
49.	92814/1	6289626	72 North Fenton St	Devonport	Residential. Single dwelling.	Office CBD Zone –	Urban Mixed Use	General Residential		As above.	Reassign to General Residential Zone.



Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
						Peripheral Retail Precinct			Residential is the predominant use and the prevailing built form is that of single dwellings.		
50.	241630/1	6308452	3 Parker Street	Devonport	Residential. Single dwelling.	Business Commercial CBD Zone – Entertainment/ Tourism Precinct	Urban Mixed Use	General Residential	Retention of the Urban Mixed Use is therefore inconsistent with the instruction contemplated at UMUZ 1 (a) and (b).	As above.	Reassign to General Residential Zone.
51.	235806/1	6308444	5 Parker Street	Devonport	Residential. Single dwelling.	Business Commercial CBD Zone – Entertainment/ Tourism Precinct	Urban Mixed Use	General Residential	This location is an established residential area where residential use is already the dominant use and the intention is to retain it for such use.	As above.	Reassign to General Residential Zone.
52.	92814/4	6308436	9 Parker Street	Devonport	Residential. Single dwelling.	Business Commercial CBD Zone – Entertainment/ Tourism Precinct	Urban Mixed Use	General Residential	Retention of the UMU Zone is therefore inconsistent with the instruction contained at UMUZ 3 (b).	As above.	Reassign to General Residential Zone.
53.	231519/3	6308428	11 Parker Street	Devonport	Residential. Single dwelling.	Office CBD Zone – Peripheral Retail Precinct	Urban Mixed Use	General Residential	<p>The Use Table for the UMU Zone (as detailed by provision 13.2 of the State Planning Provisions) provides for a number of “business/retail” type uses to have a permitted status, including (but not necessarily limited to): Bulky Goods Sales, Business and Professional Services, General Retail and Hire.</p> <p>A key element of the Council's <i>Living City</i> initiative is to protect the primacy of the CBD and limit the further fragmentation of retail areas. This policy position is reinforced through the <i>Devonport City Council Strategic Plan 2009-2030</i>. The retention of the UMU Zone at this location is not consistent with these policy positions. It is not desirable to further enable retail expansion into this area which is made possible with the retention of the UMU Zone. It is not strategically desirable to further enable retail expansion into this area which is made possible with the retention of the UMU Zone.</p> <p>It follows that the designation of the General Residential zone is deemed the most appropriate for this location.</p> <p>The designation of the General Residential Zone does not mean that only residential use and development is allowable within that Zone. As detailed by the General Residential Zone Use Table, at provision 8.2 of the State</p>	As above.	Reassign to General Residential Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									Planning Provisions, there is opportunities for a range of uses other than residential to occur in this Zone.		
54.	128950/1	6373000	110 Tarleton Street	East Devonport	Site and existing buildings were previously used as a police station and ancillary station residence. A planning permit was issued in 2010 (PA2010.0188) for the two buildings to be used as dwellings (i.e. 2 x units).	Semi - Residential	Light Industrial	General Residential	<p>Commentary on site numbers 54-59 is considered collectively below.</p> <p>The area has full access to reticulated water supply service and reticulated sewerage infrastructure.</p> <p>The existing Light Industrial zoning does not reflect the established residential use and development of these sites which also form part of a generally contiguous section of land (comprising at least two or more adjoining sites) under current residential use and development and which represents an established pattern/sequence of residential use.</p>	Deemed capable of meeting instruction GRZ 1 of the LPS Zone and Code Application Guideline.	Reassign to General Residential Zone.
55.	21750/1	6371945	23 Stephen Street	East Devonport	Residential. Single dwelling.	Semi – Residential	Light Industrial	General Residential	<p>The collective of sites here represent an established residential area. Noting the presence and established nature of the residential use occurring at this location it is reasonable to assume these properties already enjoy a level of residential amenity - just because they have a light industrial zoning does not mean that such amenity does not exist or they have no reasonable entitlement to such amenity. Given the established nature of the existing residential use and development of the site and adjacent Light Industrial zoned (being used for light industrial purposes) land it can also be reasonably assumed that there is already a level of co-existence and compatibly between light industrial type uses and residential use.</p> <p>The juxtaposition of the General Residential zone to adjoin land assigned to the Light Industrial is not considered incompatible or to unreasonably constrain the opportunity for use and development in either zone. Indeed, there are numerous other existing instances of the interface between these two zones in the municipal area.</p>	As above.	Reassign to General Residential Zone.
56.	122268/1	6371937	21 Stephen Street	East Devonport	Residential. Single dwelling.	Semi – Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
57.	123698/1	6371929	19 Stephen Street	East Devonport	Residential. Single dwelling.	Semi – Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
58.	148419/1	6371910	17 Stephen Street	East Devonport	Residential. Single dwelling.	Semi – Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.
59.	60527/3	6371902	15 Stephen Street	East Devonport	Residential. Single dwelling.	Semi – Residential	Light Industrial	General Residential		As above.	Reassign to General Residential Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>The LPS Zone and Code Application Guideline does not contain any instruction that the Light Industrial Zone should not directly adjoin the General Residential Zone. It is noted that the Guideline does provide such specific direction for the General Industrial Zone at instruction GIZ 2.</p> <p>The retention of a Light Industrial zoning means that the existing residential use maintains a prohibited use status within that zone and must rely on the discretion contemplated by the existing non-conforming use provisions at clause 7.1 of the State Planning Provisions.</p> <p>The residential use and development of these sites is well established, and there is an existing pattern of residential use and development. This is not appropriately described or accommodated by the existing Light industrial zoning and the retention of that zone is deemed to be both unnecessary and undesirable.</p> <p>There is no light industrial land use occurring on these sites – nor is it generally vacant land that could be used for industrial use. Instead it is land occupied by long established residential use and development that it inappropriately described by a light industrial zoning.</p> <p>The application of the General Residential Zone appropriately recognizes the established residential use and development.</p>		
60.	17482/2 17482/1	6371881	13 Stephen Street	East Devonport	Business and Professional Services. East Devonport Medical Centre	Semi - Residential	Light Industrial	General Residential	<p>Site is occupied by the East Devonport Medical Centre. The existing Light Industrial zoning does not reflect this established use and development of the site.</p> <p>Following the justification for the application of the General Residential Zone (described for site numbers 54-59 above) that same logic has relevance to support the application of the General Residential Zone to this site.</p>	As above.	Reassign to General Residential Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>The existing use and development of the site as a medical centre is well established. This is not appropriately described or accommodated by the existing Light industrial zoning and the retention of that zone is deemed to be both unnecessary and undesirable.</p> <p>The site (including the existing use and development) is better described by the application of the General Residential Zone.</p>		
61.	54629/1	6328496	22 Forth Road	Don	Residential. Single dwelling.	Closed Residential	Environmental Management	General Residential	<p>The existing Environmental Management Zone (EMZ) does not appropriately reflect the existing residential use and development of the site.</p> <p>There are no known environmental values or prevailing considerations that justify the retention of the existing EMZ for this site. Furthermore, the LPS Zone and Code Application Guideline does not contain any instruction that is deemed to necessitate the application of the EMZ to this site.</p> <p>The residential use and development of this site is well established, and in combination with adjacent sites there is an existing pattern of residential use and development. This is not appropriately described or accommodated by the existing Environmental Management zoning and the retention of that zone is deemed to be both unnecessary and undesirable.</p> <p>The site (including the existing residential use and development) can be appropriately described by the application of the General Residential Zone.</p>	Deemed capable of meeting instruction GRZ 1 of the LPS Zone and Code Application Guideline.	Reassign to General Residential Zone.

## CONSIDERATIONS AGAINST THE CRADLE COAST REGIONAL LAND USE STRATEGY 2010-2030 (the Regional Strategy)

Notwithstanding the previous commentary made under section 2.3 of the supporting report on the nature of the Regional Strategy, as a broad strategic policy framework, the following general policy considerations are deemed relevant to the proposed reassignment of land to the General Residential Zone.

Regional Strategy Policy Statement (Part C)	Comment
<p>4.3 – Urban Settlement Areas</p> <p>This policy statement provides guidance for managing the growth of settlement areas.</p>	<p>The Regional Strategy contemplates a <i>contained</i> growth strategy for the Devonport local council area, which is further described as follows:</p> <p><i>“Contained Strategy promotes a mix of intensification and strategically planned expansion to retain compact urban form and provide a mix of development and growth opportunities. The mix does not need to occur in balanced proportion. The approach allows for optimum use of available and planned infrastructure in both established and new release areas.”</i></p> <p>The proposed reassignments of land to the General Residential Zone generally describe situations where the current zoning does not appropriately reflect the existing residential use and development of a site and where there is an established pattern/sequence of such use and development on adjacent properties.</p> <p>The majority of these sites were previously identified for rezoning as part of preparing the DIPS – before that opportunity was removed following the “like-for-like” instruction issued by the State in August 2012. Further commentary on the relationship of zones allocated under the DIPS to the Regional Strategy is provided under section 2.3 of this supporting report.</p> <p>These zone reassignments do not represent or propose an expansion of settlement boundaries – but rather the designation of a more appropriate planning scheme zone to better recognise established patterns of residential use and development within and around established urban settlement areas. The reassignments of land to the General Residential Zone generally represent the opportunity for in-fill development and focus growth within the existing urban boundary.</p> <p>On consideration of urban residential land supply, the Regional Strategy includes the following policy statement at 4.3.1 (d):</p> <p style="padding-left: 40px;"><i>Match land supply to need and provide sufficient land within the designated urban settlement boundaries of each centre to meet forecast need for a time horizon of not less than 10 years but not exceeding 20 years.</i></p> <p>The detail provided with Appendix 1 of the Regional Strategy – and in particular that detail provided relating to the Devonport municipal area - includes the following statements:</p> <ul style="list-style-type: none"> <li>- <i>“The urban land area within Devonport provides approximately 5 years forward residential supply, predominantly at Ambleside and East Devonport<sup>[1]</sup>”.</i></li> <li>- <i>“Internal housing growth will need to be accommodated through infill and consolidation<sup>[2]</sup>”.</i></li> </ul> <p>Notwithstanding the observation that the Regional Strategy was declared in 2011 and which is now due for review – since the Regional Strategy was adopted in 2011, there has not been a significant change in urban residential land supply that would substantially alter the general supply forecast for Devonport as currently described in Appendix 1 of the Regional Strategy.</p> <p>Following the above rationale, Council can say with a degree of certainty that the reassignment of land to the General Residential Zone proposed with the draft LPS does not result in an urban residential land supply that exceeds the 20-year forecast period contemplated at policy 4.3.1 (d) of the Regional Strategy.</p> <p>Following the above logic, the reassignments of land to the General Residential Zone are appropriately consistent with the “contained” growth management strategy contemplated by the Regional Strategy.</p>

<sup>[1]</sup> *Cradle Coast Regional Land Strategy 2010-2030* (Cradle Coast Regional Planning Initiative, 2011) – p.166.

<sup>[2]</sup> *Ibid.*

<p>4.4 – Protecting People and Property</p> <p>This policy statement provides guidance for the review of possible risks to people or property</p>	<p>This policy statement has relevance as the proposed reassignments include areas that are adjacent to land used for light industrial purposes.</p> <p>The juxtaposition of the Light Industrial Zone adjacent the General Residential Zone is not considered incompatible or to unreasonably constrain the opportunity for use and development in either zone. The LPS Zone and Code Application Guideline does not contain any instruction that the Light Industrial Zone should not directly adjoin the General Residential Zone. There are numerous instances of such zone interfaces both under the existing DIPS and what is proposed under the draft LPS – in areas such as parts of Elizabeth Street, Hillcrest Road, Stony Rise Road, Devonport Road, and Tarleton Street.</p> <p>Given the established nature of the existing residential use and development in these areas and adjacent Light Industrial zoned land (which is used for light industrial purposes) it can be reasonably assumed that there is already a level of co-existence and compatibly between light industrial type uses and residential use.</p> <p>Furthermore, the provisions for the Light Industrial Zone under the State Planning Provisions contain use standards relating to hours of operation, external lighting, and commercial vehicle movements with the aim to minimize the impact on adjacent residential use and development. These controls apply to new business activities operating within 50m of a residential zone.</p> <p>The proposed zone reassignments provide for the appropriate recognition of existing and well-established residential land use patterns in the Devonport municipal area. The allocation of an appropriate planning scheme zone provides surety for landowners and the interface of the Light Industrial Zone with adjacent residential zones can be managed by the protections offered by the State Planning Provisions.</p> <p>The proposed zone reassignments are deemed consistent with this policy.</p>
<p>4.7 – Land Use Policies for Housing Land – places to live</p>	<p>The reassignments of land to General Residential Zone identifies patterns of established residential use and development in around urban areas which is not appropriately described by the current zoning under the DIPS. The reassignment of land to the General Residential Zone provides for the appropriate identification of land to be recognised and utilised as “housing land”.</p> <p>The proposed zone reassignments are deemed consistent with this policy.</p>
<p>3.3.1 – Economic Activity</p> <p>Part (a) Identifies for land use planning processes for economic activity to “<i>facilitate supply of employment land in all settlement areas for industrial, business and institutional use including in residential areas</i>”.</p> <p>The term “employment land” is defined by the Regional Strategy as meaning “<i>areas designated in a planning scheme for clusters of industry, business and other economic activity; including but not limited to manufacturing and processing, transport and storage, business and retail, institutional, resource development and tourism</i>”.</p>	<p>This policy consideration is considered relevant to the reassignment of land out of the Light Industrial Zone and the Urban Mixed Use Zone.</p> <p>The majority of the Light Industrial zoned land identified here was previously identified to be re-zoned to General Residential as part of preparing the DIPS – before that opportunity was removed following the “like-for-like” instruction issued by the State in August 2012. Consequently, the previous zoning of Light Industrial under the 1984 planning scheme was translated across with the commencement of the DIPS in 2013. This land has not been utilized for light industrial purposes but is instead characterized by established residential use and development within urban areas. Therefore, the existing Light Industrial zoning is considered unnecessary and not a true reflection of what this land is used for or strategically desired to be used for. This does not constitute “employment land” for the purposes of the Regional Strategy.</p> <p>The land to be removed from the current Urban Mixed Use Zone around North Fenton and Parker Streets represents a location where there is no mix (or desired mix) of uses and where residential use and development prevails as the dominant land use. This does not constitute “employment land” for the purposes of the Regional Strategy.</p> <p>Consideration of the commentary detailed above, and also that this land is already identifiable as residential – lead towards a reasonable conclusion that this land is not “employment land” for the purposes of the Regional Strategy. The reassignment of land to the General Residential Zone included with the draft LPS accommodates a more appropriate zone to recognize existing land use patterns.</p> <p>The proposed zone reassignments are deemed appropriately consistent with this policy.</p>



APPENDIX G

Reassignment of land to the Inner Residential Zone (where current zoning under the DIPS is something other than Inner Residential)

NOTES								ABBREVIATIONS			
<p>1. The attached table indicates properties that have a current zoning under the DIPS as something other than Inner Residential.</p> <p>2. The Inner Residential Zone has a limited application under the draft LPS and is only applied to a particular site that has been specifically identified for higher density residential development. This site at 39A North Fenton Street, Devonport is the subject of a Housing Land Supply Order (the Order) issued by the State under the <i>Housing Land Supply Act 2018</i>. The effect of the Order will be to rezone the site to Inner Residential under the existing DIPS. The assignment of the Inner Residential Zone for this site under the draft LPS anticipates the imminent rezoning of site as effected by the Order.</p> <p><b>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</b></p> <p>A. The application of the Inner Residential Zone anticipates an imminent rezoning effected by a Housing Land Supply Order issued by the Minister for Planning which has been made with appropriate regard to the Regional Strategy.</p>								"1984 Planning Scheme"		means the <i>Devonport &amp; Environs Planning Scheme 1984</i> . The planning scheme that existed before the commencement of the DIPS in October 2013.	
								"DIPS"		means the <i>Devonport Interim Planning Scheme 2013</i>	
								"LPS"		means Local Provisions Schedule	
								"LUPAA"		means the <i>Land Use Planning and Approvals Act 1993</i>	
								"LPS Zone and Code Application Guideline"		means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b> ).	
Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
1.	126484/1	6289909	39A North Fenton Street	Devonport	Site previously occupied by Devonport Bowls and Croquet Club.	Private Open Space	Recreation (see also Notes above).	Inner Residential	<p>The assignment of the Inner Residential to this site will be made as an amendment to the DIPS. The amendment will be made effective as a "Housing Land Supply Order" under the <i>Housing Land Supply Act 2018</i>.</p> <p><b>Note:</b> This amendment to the <i>Devonport Interim Planning Scheme 2013</i> took effect on 10 July 2019.</p>	Capable of meeting instruction IRZ 1 of the LPS Zone and Code Application Guideline.	Draft LPS assumes the imminent rezoning of the site to Inner Residential as effected by the Housing Land Supply Order.

APPENDIX H

Reassignment of land to the Rural Living Zone (where current zoning under the DIPS is something other than Rural Living or Environmental Living)

NOTES	ABBREVIATIONS	
<p>1. The attached table indicates properties that have a current zoning under the DIPS as something other than Rural Living or Environmental Living.</p> <p>2. As instructed by the State Planning Provisions, the Rural Living Zone includes the option of four “sub-zones” according to existing or desired lot size/density. These are:</p> <div><div>Rural Living A (1ha)</div><div>Rural Living B (2ha)</div><div>Rural Living C (5ha)</div><div>Rural Living D (10ha)</div></div> <p>Where different sub-zones of the Rural Living Zone are included with a draft LPS these must be differentiated on the relevant zone map by a grey border for each and annotated with A, B, C or D in bold grey text.</p> <p>The above sub-zone designations do not form part of the Rural Living Zone as it appears under the current DIPS.</p> <p>3. The primary source of instruction for zone allocation is the LPS Zone and Code Application Guideline.</p> <p>4. Generally, all land currently zoned Rural Living or Environmental Living under the current DIPS will be translated to the Rural Living Zone under the draft LPS. The exception to this will be for some limited and specific circumstances where an alternative zone is considered more appropriate (for example a site containing major TasWater infrastructure and where the Utilities Zone has been nominated.</p> <p>5. Based on the existing pattern and density of rural living (or rural residential) development patterns in the Devonport municipal area, most of the land proposed to be included with the Rural Living Zone will be assigned to Rural Living Zone A. The exception to this will be specific circumstances where there the current DIPS prescribes a restriction to maintain an existing lot size and limit any further subdivision potential. In such instances the restriction is “carried over” through the prescription of a larger lot Rural Living sub-zone (such as “C”). These specific occurrences are detailed in the below table.</p> <p>6. The DIPS includes the Environmental Living Zone, a zone option which is no longer available under the State Planning Provisions. Accordingly, all land currently assigned to this Zone under the DIPS will need to be assigned to an alternative zone under the LPS. The Rural Living Zone under the State Planning Provisions is considered to provide a generally equivalent zoning alternative and the instruction provided at RLZ 2 (b) of the LPS Zone and Code Application Guideline does contemplate the translation of land assigned to the Environmental Living Zone under a current interim planning scheme over to the Rural Living Zone as part of preparing a draft LPS.</p> <p>7. The LPS Zone and Code Application Guideline also requires that the allocation of land to the Rural Living Zone should have regard to the “Land Potentially Suitable for Agriculture Zone” map layer as published on the Land Information System Tasmania (the LIST) database. Following this mapping, the properties listed in the below table are identified as being “constrained” against (or otherwise excluded from) potential inclusion in the Agriculture Zone. The conclusion of this, in conjunction with the further rationale provided in this document, is that the application of the Agriculture Zone is not appropriate or necessary.</p> <p><b>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</b></p> <p>A. The LPS Zone and Code Application Guideline for the Rural Living Zone refers to the regional land use strategy for the inclusion of any land to the Rural Living Zone which is not currently zoned Rural Living (or Environmental Living) under an existing interim planning scheme. Consideration of the proposed Rural Living Zone reassignments against the Cradle Coast Regional Land Use Strategy are provided at the conclusion of the below table.</p>	“1984 Planning Scheme”	means the <i>Devonport &amp; Environs Planning Scheme 1984</i> . The planning scheme that existed before the commencement of the DIPS in October 2013.
	“DIPS”	means the <i>Devonport Interim Planning Scheme 2013</i>
	“LPS”	means Local Provisions Schedule
	“LUPAA”	means the <i>Land Use Planning and Approvals Act 1993</i>
	“LPS Zone and Code Application Guideline”	means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b> ).
	LIST Layer Analysis (land potentially suitable for Agriculture Zone	means the “ <i>land potentially suitable for Agriculture Zone</i> ” guidance map layer published on the Land Information System Tasmania (LIST) database. This guidance mapping has been prepared as part of the State Government’s Agricultural Land Mapping Project. Further information on this is included with <b>Appendix S</b> .

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against Zone and Code Application Guideline	Recommendation
<b>RURAL LIVING ZONE "A"</b>												
1.	174747/12	3573592	7 Collins Way	Tugrah	Approved for residential use and development (Single dwelling).  Under construction.	Rural	Rural Resource	Rural Living (A)	Potentially constrained (Criteria 3)	<p>Commentary on site numbers 1-8 is considered collectively as below.</p> <p>This land was the balance land remaining from the original subdivision of Collins Way enabled under the planning permit issued in 2012 (SA2012.2008).</p> <p>This remnant land was previously identified to be re-zoned to Rural Living as part of preparing the DIPS – before that opportunity was removed following the “like-for-like” instruction issued by the State in August 2012. Consequently, the land was translated to the Rural Resource Zone with the commencement of the DIPS in 2013.</p> <p>A subsequent planning permit was issued in 2016 (PA2016.0053) approving the subdivision of this land into 8 new allotments – each approximately 1ha in area. This approval contemplated the use and development of this land for residential use and development consistent with the existing and established land use pattern at Collins Way. New dwelling development (both constructed and under construction) now occupies this area of Collins Way.</p> <p>Noting the existing residential land use pattern at this location (including prevailing lot size), this land can be appropriately described by the application of the Rural Living Zone (A) which is consistent with the rest of the land situated at Collins Way.</p> <p>The western boundary of this land is framed by the course of the Don River. This watercourse provides a natural boundary which also is also considered a logical point to demarcate the conclusion of the Rural Living Zone boundary at this particular location.</p> <p>The land is readily identifiable as “rural-residential” and forms part of an established settlement node in Tugrah. It follows that the reassignment of land to the Rural Living Zone (A) is both logical and appropriate.</p>	Deemed capable of meeting instruction RLZ 1 & RLZ 2 (a) of the LPS Zone and Code Application Guideline.	Reassign to the Rural Living Zone (A).
2.	174747/13	3573605	7A Collins Way	Tugrah	Vacant.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
3.	174747/14	3573613	8 Collins Way	Tugrah	Vacant.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
4.	174207/15	3547087	9 Collins Way	Tugrah	Vacant.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
5.	1742017/16	3547108	10 Collins Way	Tugrah	Approved for residential use and development (Single dwelling).  Under construction.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
6.	174572/17	3559790	11 Collins Way	Tugrah	Approved for residential use and development (Single dwelling).  Under construction.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
7.	174747/18	3573621	12 Collins Way	Tugrah	Approved for residential use and development (Single dwelling).  Under construction.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
8.	174207/19	3547116	13 Collins Way	Tugrah	Approved for residential use and development (Single dwelling).	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone	Comments	Assessment against Zone LPS and Code Application Guideline	Recommendation
9.	31214/3	7259736	6B Collins Way (also known as 50 Richardson Road)	Tugrah	Site not known to be under any existing use and development.	Rural	Rural Resource	Rural Living (A)	Potentially unconstrained	Site is located adjacent to the rural residential settlement off Collins Way and Richardson Road in Tugrah and similar circumstances present to those discussed above,  Notwithstanding that this site is not observed to have any existing residential uses, given the proposed reassignment of the adjacent land off Collins Way to Rural Living "A" - that same zone reassignment is deemed appropriate for this site.  It is considered that this land can be appropriately described by the application of the Rural Living Zone (A).	As above.	Reassign to the Rural Living Zone (A).
10.	49713/1	7809611	341 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	Potentially constrained (Criteria 3)	Commentary on site numbers 10-32 is considered collectively as below.	As above.	Reassign to the Rural Living Zone (A).
11.	49713/2	7809590	339 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	Potentially constrained (Criteria 3)	The existing zoning of Rural Resource made under the DIPS does not appropriately reflect the existing and well-established pattern of residential use and development (including lot size) in this area.	As above.	Reassign to the Rural Living Zone (A).
12.	129629/2	1857460	363 Melrose Road	Eugenana	Undeveloped land.	Rural	Rural Resource	Rural Living (A)	Potentially constrained (Criteria 2A)	This land was previously identified to be re-zoned to Rural Living as part of preparing the DIPS – before that opportunity was removed following the "like-for-like" instruction issued by the State in August 2012. Consequently, the land was translated to the Rural Resource Zone with the commencement of the DIPS in 2013.	As above.	Reassign to the Rural Living Zone (A).
13.	129629/1	1857452	365 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)		As above.	Reassign to the Rural Living Zone (A).	
14.	127825/2	1799221	375 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)		As above.	Reassign to the Rural Living Zone (A).	
15.	135139/12	2037237	383 Melrose Road	Eugenana	Approved for residential use and development (Single dwelling).	Rural	Rural Resource	Rural Living (A)		As above.	Reassign to the Rural Living Zone (A).	
16.	140092/14	2258961	385 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)		The land is readily identifiably as "rural-residential" and forms part of an established settlement node in Eugenana.	As above.	Reassign to the Rural Living Zone (A).
17.	140092/15	2258988	387 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)		This land can be suitably described by the application of the Rural Living Zone (A) which is considered both logical and appropriate.	As above.	Reassign to the Rural Living Zone (A).
18.	113261/3	7140700	389 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)		As above.	Reassign to the Rural Living Zone (A).	
19.	113261/2	1566022	391 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)		As above.	Reassign to the Rural Living Zone (A).	
20.	113261/1	1566030	393 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)		As above.	Reassign to the Rural Living Zone (A).	
21.	113261/4	6384113	395 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)		As above.	Reassign to the Rural Living Zone (A).	
22.	231214/1	6384121	397 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)		As above.	Reassign to the Rural Living Zone (A).	
23.	101676/3	7399640	398 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)		As above.	Reassign to the Rural Living Zone (A).	
24.	219176/1	6384156	405 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	As above.	Reassign to the Rural Living Zone (A).		
25.	13899/2	6384164	407 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	As above.	Reassign to the Rural Living Zone (A).		
26.	13899/1	6384172	411 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	As above.	Reassign to the Rural Living Zone (A).		
27.	224357/1	6384180	413 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	As above.	Reassign to the Rural Living Zone (A).		

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28.	76425/1	6384199	415 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
29.	138814/1 138814/2	7404227	412 Melrose Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
30.	101676/2	7399907	9 Lakeside Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
31.	38505/1	7395586	27 Lakeside Road	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
32.	197549/1	6384543	19 Nicholas Place	Eugenana	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
33.	237323/1 7941/1	6384084	327 Melrose Road	Eugenana	CT7941/1 - Residential. Single dwelling.  CT237323/1 – Orchard (size and scale deemed generally equivalent to a “hobby farm” type arrangement.	Rural	Rural Resource	Rural Living (A)	Potentially constrained (Criteria 3)	As above; and  Notwithstanding that this site is not observed to have any existing residential uses, given the proposed reassignment of the adjacent land to Rural Living “A” - that same zone reassignment is deemed appropriate for this site.  Resource development use is an allowable use within the Rural Living Zone under the State Planning Provisions. Instruction RLZ 1(a) of the LPS Zone and Code Application Guideline also provides for the application of the Rural Living Zone to:  <i>“residential areas with existing 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 residential amenity”.</i>  This is deemed to appropriately describe this circumstance, and the allocation of the Rural Living Zone (A) to this site is reasonable.	As above.	Reassign to the Rural Living Zone (A).
34.	122495/1	6383794	25 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	Potentially constrained (Criteria 2A)	Commentary on site numbers 34-51 is considered collectively as below.  The existing zoning of Rural Resource made under the DIPS does not appropriately reflect the existing and well-established pattern of residential use and development in this area. The varying lot sizes in this location have generally resulted from subdivisions permissible under the controls of previous planning schemes.  This land was previously identified to be re-zoned as part of preparing the DIPS – before that opportunity was removed following the “like-for-like” instruction issued by the State in August 2012. Consequently, the land was translated to the Rural Resource Zone with the commencement of the DIPS in 2013.  Notwithstanding that some of these sites have land areas well below the minimum permitted lot size of 1ha (as set for the Rural Living Zone “A” under the State Planning Provisions) – this is considered not necessarily inconsistent with the rural setting	As above.	Reassign to the Rural Living Zone (A).
35.	6627/4	6383807	27 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	Potentially constrained (Criteria 2A)		As above.	Reassign to the Rural Living Zone (A).
36.	25025/1	6383815	29 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	Potentially constrained (Criteria 2A)		As above.	Reassign to the Rural Living Zone (A).
37.	26135/1	6383823	35 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	Excluded from analysis.		As above.	Reassign to the Rural Living Zone (A).
38.	130161/1	1866092	37 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	Excluded from analysis.		As above.	Reassign to the Rural Living Zone (A).
39.	32977/5	6384885	38 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	Excluded from analysis.		As above.	Reassign to the Rural Living Zone (A).
40.	13882/2	2689403	39 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	Potentially constrained (Criteria 2A)		As above.	Reassign to the Rural Living Zone (A).
41.	32977/4	6384877	40 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)	Excluded from analysis		As above.	Reassign to the Rural Living Zone (A).
42.	13882/1	6383858	41 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).



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43.	32977/2 32977/3	6384869	42 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)		contemplated by the Rural Living Zone. The allocation of the Rural Living Zone "A" will control any further residential densification in this location.  It is deemed that this land can be appropriately described by the application of the Rural Living Zone (A).	As above.	Reassign to the Rural Living Zone (A).
44.	102973/1	3395052	43 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
45.	17630/4	3395060	45 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
46.	32977/1	6384850	46 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
47.	17630/5	6383874	47 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
48.	49801/3	6384842	48 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
49.	121982/7	6383882	49 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
50.	17630/8	6383890	51 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
51.	17630/9	6383903	53 Melrose Road	Aberdeen	Residential. Single dwelling.	Rural	Rural Resource	Rural Living (A)			As above.	Reassign to the Rural Living Zone (A).
52.	13289/1	2244754	5 Melrose Road	Aberdeen	Site contains residential use and development in the form of a single dwelling. The balance of the site can be generally described as being cleared for pasture and possibly used intermittently for limited grazing use where the size and scale is deemed generally equivalent to a "hobby farm" type arrangement.	Rural	Rural Resource	Rural Living (A)	Potentially constrained (Criteria 3)	<p>Adjacent land includes well established residential use and development which is proposed to be reassigned to the Rural Living Zone by the draft LPS. Furthermore, the zoning of adjoining land to the south (within the Latrobe municipal area) is also currently zoned Rural Living and is proposed to be retained to that zoning under that council's draft LPS. Therefore, this site would be almost surrounded by Rural Living zoned land and the potential for agricultural use would be constrained by that proximity to residential use and development. Given the size of the property and the surrounding zoning of Rural Living proposed by the draft LPS - that same zoning is deemed to be a logical and reasonable zone allocation to this site.</p> <p>Resource development use is an allowable use within the Rural Living Zone under the State Planning Provisions. Instruction RLZ 1(a) of the LPS Zone and Code Application Guideline also provides for the application of the Rural Living Zone to: <i>"residential areas with existing 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 residential amenity"</i>.</p> <p>This is deemed to appropriately describe this circumstance, and the allocation of the Rural Living Zone (A) to this site is reasonable. There is no existing agricultural use (or apparent potential for such use) occurring at a scale or intensity to otherwise warrant the application of the Agriculture Zone at this location.</p>	As above.	Assign to the Rural Living Zone (A)
53.	122287/1	6383882	49 Melrose Road	Aberdeen	Site represents land associated with CT121982/7 which is	Rural	Rural Resource	Rural Living (A)	Potentially constrained (Criteria 3)	As above.	As above.	Assign to the Rural Living Zone (A)



Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS and Code Application Guideline	Recommendation
					a smaller land parcel containing a single dwelling. The larger parcel identified here can generally be described as cleared for pasture and is understood to be used intermittently for limited grazing use where the size and scale is deemed generally equivalent to a "hobby farm" type arrangement.							
54.	138571/1	2208550	9 Laycock Road	Spreyton	Residential. Single dwelling.	Light Industrial	Light Industrial	Rural Living (A)	Excluded from analysis.	<p>The existing zoning of Light Industrial does not appropriately reflect the existing use and development of the site which is more identifiable as "rural-residential".</p> <p>This land was previously identified to be re-zoned to Rural Living as part of preparing the DIPS – before that opportunity was removed following the "like-for-like" instruction issued by the State in August 2012. Consequently, the previous zoning of Light Industrial under the 1984 planning scheme was translated across with the commencement of the DIPS in 2013.</p> <p>The site has no existing use and development that warrants the retention of the light industrial zone. The land has never been developed for light industrial use under the previous 1984 planning scheme, or since the commencement of the DIPS. There is adequate land available to the north of Bishops Road (to be retained under a Light Industrial Zoning) that can accommodate future need for light industrial use and development. Furthermore, it is considered that the alignment of Bishops Road also serves as a logical boundary to demarcate the conclusion of the Light Industrial Zone.</p> <p>The reassignment of this land to the Rural Living Zone "A" is consistent with the adjacent well-established residential land use and development to the west and south which is zoned Rural Living under the current DIPS and retained by the draft LPS.</p> <p>It is deemed that this land can be appropriately described by the application of the Rural Living Zone (A).</p>	As above.	Reassign to the Rural Living Zone (A).

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
55.	144418/1	3256693	70 Kelcey Tier Road	Spreyton	Residential. Single dwelling.  Site also observed to be utilized for some limited resource development use (orchard, etc.) where the size and scale deemed generally equivalent to a "hobby farm" type arrangement.	Light Industrial	Light Industrial	Rural Living (A)	Excluded from analysis.	As above; and  In addition to the residential use of the site, the property is observed to be used for some limited Resource Development type use. Resource development use is an allowable use within the Rural Living Zone under the State Planning Provisions. Instruction RLZ 1(a) of the LPS Zone and Code Application Guideline also provides for the application of the Rural Living Zone to:  <i>"residential areas with existing 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 residential amenity".</i>  This is deemed to appropriately describe this circumstance, and the allocation of the Rural Living Zone (A) to this site is reasonable.	As above.	Reassign to the Rural Living Zone (A).
56.	144418/2	3256706	29 Laycock Road	Spreyton	Undeveloped land. No existing use identified.	Light Industrial	Light Industrial	Rural Living (A)	Excluded from analysis.	In the absence of any existing use and the proposed reassignment of adjacent land to the Rural Living Zone "A" (CT138571/1 and CT144418/1) including the rationale detailed above in support of those changes, that same zone reassignment is deemed appropriate for this site.	As above.	Reassign to the Rural Living Zone (A).
<b>RURAL LIVING ZONE "C"</b>												
57.	101522/1	7904096	183 Beach Road	Leith	Residential. Single dwelling.	Rural Living	Environmental Living	Rural Living (C)	Excluded from analysis.	Site numbers 57 and 58 are currently zoned Environmental Living under the DIPS with approximate lot sizes of 3ha and 4ha respectively. Both properties are occupied by existing residential use and development in the form of single dwellings.  The DIPS (through the table to clause 14.4.1 A1) prevents any further subdivision of these lots. This restriction was imposed by the Tasmanian Planning Commission when it finalised its assessment of the DIPS – and is understood to have been influenced by matters such as proximity to the Bass High (and associated access considerations) and also the close proximity of the land to the coastline (including impacts associated with coastal inundation and coastal erosion).  It is proposed that these sites will transition to a Rural Living Zone under the draft LPS. This land can still be described by the "rural setting" contemplated at instruction RLZ 2 (b) of the LPS Zone and Code Application Guideline.  Given the limitations mentioned above the retention of some controls restricting the further subdivision of these sites are considered to be appropriate. That can be achieved by the assignment of the "C" level sub-zone which establishes a minimum permitted lot size of 5ha.	Deemed capable of meeting instruction RLZ 1 & RLZ 2 (b) of the LPS Zone and Code Application Guideline.	Reassign to the Rural Living Zone (C).
58.	108856/5	7904088	185 Beach Road	Leith	Residential. Single dwelling.	Rural Living	Environmental Living	Rural Living (C)			As above.	Reassign to the Rural Living Zone (C).

CONSIDERATIONS AGAINST THE CRADLE COAST REGIONAL LAND USE STRATEGY 2010-2030 (the Regional Strategy)	
Notwithstanding the previous commentary made under section 2.3 of the supporting report on the nature of the Regional Strategy as a broad strategic policy framework, the following general policy considerations are deemed relevant to the proposed reassignment of land to the Rural Living Zone.	
Regional Strategy Policy Statement (Part C)	Comment
<p>2.3 – Land Use Planning Policies for a Changing Climate</p> <p>This policy statement includes the commentary “...<i>minimise expansion at the urban fringe and creation of rural residential clusters in remote or poorly connected locations.</i>”</p>	<p>Proposed zone reassignments relate to land areas that have a readily identifiable “rural-residential” settings occupied by existing residential use and development in and around established settlement areas. The allocation of such land to the Rural Living Zone under the draft LPS is about providing for the appropriate recognition of such land use patterns.</p> <p>This is not inconsistent with the policy direction of the Regional Strategy.</p>
<p>4.3 – Urban Settlement Areas</p> <p>This policy statement provides guidance for managing the growth of settlement areas.</p>	<p>Notwithstanding that this policy relates to “urban” settlement areas and the properties identified for reassignment to Rural Living Zone perhaps don’t necessarily represent “urban” environments – the overarching policy consideration of managing the growth of settlements areas is relevant.</p> <p>The Regional Strategy contemplates a <i>contained</i> growth strategy for the Devonport local council area, which is further described as follows:</p> <p><i>“Contained Strategy promotes a mix of intensification and strategically planned expansion to retain compact urban form and provide a mix of development and growth opportunities. The mix does not need to occur in balanced proportion. The approach allows for optimum use of available and planned infrastructure in both established and new release areas.”</i></p> <p>The proposed reassignments of land to the Rural Living Zone relate to areas of land that already have a well-established pattern of use and development that is readily identifiable as “rural-residential”. The majority of these sites were previously identified for rezoning Rural Living as part of preparing the DIPS – before that opportunity was removed following the “like-for-like” instruction issued by the State in August 2012. Further commentary on the relationship of zones allocated under the DIPS to the Regional Strategy is provided under section 2.3 of this supporting report.</p> <p>These zone reassignments do not represent or propose an expansion of settlement boundaries – but rather the designation of a more appropriate planning scheme zone to better recognise established patterns of settlement.</p> <p>This is appropriately consistent with the “contained” growth management strategy contemplated by the Regional Strategy.</p>
<p>4.7 – Land Use Policies for Housing Land – places to live</p>	<p>The Regional Strategy recognizes “rural-residential” as a legitimate housing option. The proposed reassignment of land to the Rural Living zone represents land areas that have a readily identifiable “rural-residential” character occupied by existing and well-established residential use and development in and around established settlement areas. The allocation of such land to the Rural Living Zone under the draft LPS is about providing for the appropriate recognition of such land use patterns.</p> <p>The proposed zone reassignments are deemed consistent with this policy.</p>
<p>3.3.3 – Agricultural Production</p> <p>Policy statement 3.3.3(a) instructs the identification of “<i>land significant for agriculture</i>”.</p> <p>The term “<i>land significant for agriculture</i>” is defined by the Regional Strategy as meaning “<i>land not within a settlement or conservation area and which has State, regional and local importance for agricultural use</i>”.</p> <p>4.3.2 – Rural Land</p> <p>Policy statement provides guidance for the use of land in rural areas.</p>	<p>The majority of land proposed for reassignment of land to the Rural Living Zone under the draft LPS represents land currently zoned Rural Resource under the DIPS.</p> <p>Policy statement 3.3.3 (a) requires the identification of land within the Region which is land significant for agriculture. However, simply because the land is zoned Rural Resource under the Interim Planning Scheme does not automatically imply that the land is significant for agriculture. Such logic does not appropriately recognise the circumstances around the allocation of land zones made with under the Interim Planning Scheme and the connection of those zone allocations with the Regional Strategy. Nor does it recognise existing rural-residential land use and development patterns in and around established settlement areas.</p> <p>As further detailed under section 2.3 of this supporting report, the Regional Strategy was declared/approved in October 2011 by the then Minister for Planning.</p> <p>Contained within Part C of the Regional Strategy at section 1.6 (h) is the instruction around implementation which required that: “<i>each municipality of the Cradle Coast Region is to immediately revise or replace its existing local planning scheme to be consistent with the policies contained in the Cradle Coast Regional Land Use Strategy.</i>”</p>

	<p>This included the allocation of appropriate zones to reflect the intent of the strategy.</p> <p>When the Regional Strategy was approved in October 2011 it was understood that planning authorities had the opportunity to make new zone allocations based upon the Regional Strategy. However, the ability to consider such zone changes was removed with the “like-for-like” instruction on the translation of zones issued by the Solicitor General in August 2012. Following this instruction from the Solicitor General, the Tasmanian Planning Commission provided advice to local councils that, in relation to zoning changes, <i>“simply being consistent with the Regional Strategy is not a sufficient ‘test’ of compliance”</i>.</p> <p>A reasonable conclusion to the above observations seems to be that existing zone allocations made with the Interim Planning Scheme may not necessarily be consistent with the Regional Strategy. They exist because the opportunity to consider revised zone allocations based on the Regional Strategy was removed following the Solicitor General’s instruction in August 2012.</p> <p>Notwithstanding the definition of the term “land significant for agriculture” made with the Regional Strategy, the use of the word “significant” warrants some further examination.</p> <p>The term “significant” is utilized a number of times in the policy statement contained at 3.3.3 of the Regional Strategy. It is considered that inclusion of the word “significant” in this context, is a demonstration that the Regional Strategy intends to impart some higher level of satisfaction for land to be considered as “significant” for agriculture in a State, regional or local context.</p> <p>A definition of “agricultural land” is included at provision 4.1.3 of the Interim Planning Scheme (and which is replicated at Table 3.1 of the State Planning Provisions). Both of these are derived from the equivalent definition made with the <i>State Policy on the Protection of Agricultural Land 2009</i>. The definition is reproduced below.</p> <p><i>“Agricultural land” means all land that is in agricultural use or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.</i></p> <p>Whilst land may be assigned to the Rural Resource Zone under the Interim Planning Scheme, for it to be considered as “agricultural land” it must conform to the above definition. In other words, it is not automatically agricultural land simply because it is zoned Rural Resource. This same logic applies for the identification of “land significant for agriculture”. The interpretation in the alternative would seem to dilute the intended meaning of “significant”.</p> <p>The proposed reassignments of land to the Rural Living Zone included with the LPS relate to areas of land that already have a well-established pattern of use and development that is readily identifiable as “rural-residential”. The existing zoning of Rural Resource made under the Interim Planning Scheme does not appropriately reflect the existing and well-established patterns of residential use and development (including lot size). The majority of these sites were previously identified for rezoning Rural Living as part of preparing the DIPs and in accordance with the Regional Strategy – before that opportunity was removed following the “like-for-like” instruction in 2012.</p> <p>Proposed zoning reassignments represent areas where a pattern of residential use and development (including subdivision and dwelling development) is already established. The reassignment of these areas from a Rural Resource zoning under the interim Planning Scheme to a Rural Living zoning under the draft LPS does not represent a conversion of agricultural land.</p> <p>The land identified for reassignment to the Rural Living Zone with the draft LPS is not considered to be of State, regional or local significance for agriculture.</p> <p>Furthermore, the development standards included with the State Planning Provisions provide an absolute limit on the subdivision of new lots in the Rural Living Zone (A) of not less than 8000m<sup>2</sup>. Multiple dwelling development is also prohibited in the Rural Living Zone under the SPPs. The sum of these observations is that there is very limited potential for residential intensification beyond that which is already occurring.</p> <p>Another reasonably apparent observation with the Regional Strategy is that the policy considerations contained within Part C provide somewhat limited guidance to inform new allocations of land to the Rural Ling Zone. However this, in itself, should not be made as an interpretation that such reassignments are inconsistent with the Regional Strategy because “rural-residential” is recognized by the strategy as a <i>“legitimate housing option”</i><sup>1</sup>.</p> <p>The Regional Strategy further recognises that <i>“rural residential land requires formal designation in some municipal areas”</i><sup>2</sup>.</p>
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	<p>Proposed zone reassignments relate to land areas that have a readily identifiable “rural-residential” settings occupied by existing residential use and development in and around established settlement areas. The allocation of such land to the Rural Living Zone under the draft LPS is about providing for the appropriate recognition of such land use patterns. This is not inconsistent with protection of agricultural land policies contemplated by the Regional Strategy.</p> <p>The conclusion of the above rationale is that the proposed reassignments of land to Rural Living Zone are consistent, as far as is practicable, with the Regional Strategy.</p> <p><sup>1</sup> Cradle Coast Regional Land Use Strategy, Cradle Coast Regional Planning Initiative (2011) – p.87.</p> <p><sup>2</sup> Ibid – p.168.</p>
<p>3.3.1 – Economic Activity</p> <p>Part (a) Identifies for land use planning processes for economic activity to “<i>facilitate supply of employment land in all settlement areas for industrial, business and institutional use including in residential areas</i>”.</p> <p>The term “employment land” is defined by the Regional Strategy as meaning “<i>areas designated in a planning scheme for clusters of industry, business and other economic activity; including but not limited to manufacturing and processing, transport and storage, business and retail, institutional, resource development and tourism</i>”.</p>	<p>This policy consideration is considered relevant to the reassignment of land out of the Light Industrial Zone at Laycock Road and Kelcey Tier Road Spreyton (refer to site reference numbers 54, 55 and 56 in the above zone reassignment table).</p> <p>This land was previously identified to be re-zoned to Rural Living as part of preparing the DIPS – before that opportunity was removed following the “like-for-like” instruction issued by the State in August 2012. Consequently, the previous zoning of Light Industrial under the 1984 planning scheme was translated across with the commencement of the DIPS in 2013.</p> <p>The draft LPS applies the Rural Living Zone in accordance with the existing and desired land use for this location. With the exception of CT144418/2 these are not vacant lots but contain existing and well established rural-residential use and development. There is no industrial land use occurring at this location nor is there an anticipated demand or need for such use – especially with the availability of vacant light industrial zoned land located further north of Bishops Road (including the new light industrial subdivision areas around Luck Street and Horrie Court).</p> <p>This land has not been utilized for light industrial purposes, and with the availability of undeveloped Light Industrial zoned land to the north of Bishops Road (which can reasonably accommodate any moderate term need for light industrial growth/expansion) – the existing Light Industrial zoning is considered unnecessary and not a true reflection of what this land is used for (or desired to be used for).</p> <p>Consideration of the above observations, and also that the land is more identifiable as rural-residential than industrial – lead towards a reasonable conclusion that the land is not “employment land” for the purposes of the Regional Strategy. The allocation of this land to the Rural Living Zone accommodates a more appropriate zone to recognize existing land use patterns at this location. As mentioned previously in the above reassignment table, the proposed allocation of the Rural Living Zone to these properties also presents some spatial logic which provides for Bishops Road to serve as the boundary to demarcate the conclusion of the Light Industrial Zone.</p> <p>The proposed zone reassignments are deemed appropriately consistent with this policy consideration.</p>



APPENDIX I

Reassignment of land to the Urban Mixed Use Zone (where current zoning under the DIPS is something other than Urban Mixed Use)

NOTES	ABBREVIATIONS	
<p>1. The attached table indicates properties that have a current zoning under the DIPS as something other than Urban Mixed Use.</p> <p>2. The primary source of instruction for zone allocation is the LPS Zone and Code Application Guideline.</p> <p>3. The purpose of the Urban Mixed Use Zone under the State Planning Provisions is to provide for a mix of residential, retail community services and commercial activities in urban locations. As further detailed by instruction UMUZ 1 of the LPS Zone and Code Application Guideline, the Urban Mixed Use Zone can be applied to areas where there is an existing mix of such uses or where there is the strategic intention to deliver such a mix.</p> <p>4. The draft LPS generally applies the Urban Mixed Use Zone to locations periphery to the main CBD area and also periphery to the Fourways shopping precinct where there is an established mix of uses or to promote/encourage such a mix.</p> <p>5. The application of the Urban Mixed Use under the draft LPS also provides for an appropriate hierarchical identification of business/retail areas including a better alignment of the Central Business Zone to the main CBD area of Devonport. A key tenet of Council's Living City initiative is to protect and promote the primacy of the CBD area, a policy position which is reinforced in the <i>Devonport City Council Strategic Plan 2009 - 2030</i>. Consistent with this policy direction is the containment of the Central Business Zone to align with the main CBD area of Devonport.</p> <p>6. Zoning reassignments include areas that are identified by the "Area A overlay" as part of the Central Business Zone included with the current DIPS. The inclusion of this overlay with the DIPS was the result of the translation of previous planning controls forming part of the previous 1984 Planning Scheme where these areas were identified as part of a "fringe business precinct".</p> <p>7. The effect of the "Area A" overlay of the DIPS is generally to limit land use to a very specific range of uses and to also restrict building height to a permitted maximum height of 10m. The uses options currently allowed by the "Area A" overlay are:</p> <ul style="list-style-type: none"><li>- Business and Professional Services;</li><li>- Residential;</li><li>- Visitor Accommodation;</li><li>- Vehicle Parking; and</li><li>- Utilities (if for minor utilities).</li></ul> <p>There is no option to transfer the "Area A" overlay across to the draft LPS to sit atop one of the standard business zones included with the State Planning Provisions (SPPs). The reason for this is that the effect to prohibit retail and other business/commercial activities would be contrary to the intent and function of those business zones as described by the SPPs.</p> <p><b>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</b></p> <p>A. Consideration of the proposed Urban Mixed Use Zone reassignments against relevant policy matters of the <i>Cradle Coast Regional Land Use Strategy 2010-2030</i> is provided at the conclusion of the below table.</p>	"1984 Planning Scheme"	means the <i>Devonport &amp; Environs Planning Scheme 1984</i> . The planning scheme that existed before the commencement of the DIPS in October 2013.
	"DIPS"	means the <i>Devonport Interim Planning Scheme 2013</i>
	"LPS"	means Local Provisions Schedule
	"LUPAA"	means the <i>Land Use Planning and Approvals Act 1993</i>
	"LPS Zone and Code Application Guideline"	means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b> ).

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development		Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
1.	55911/19	6284753	1 Barker Street	Devonport	Residential. dwelling.	Single	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use	Commentary on site numbers 1–73 is considered collectively as below.	Deemed capable of meeting instruction UMUZ 1 of the LPS Zone and Code Application Guideline.	Reassign to Urban Mixed Use Zone
2.	130384/1	1867992	1 A Barker Street	Devonport	Residential. dwelling.	Single	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use	These areas are generally located to the fringe/periphery of the main CBD area and also periphery to the Fourways shopping precinct. The current DIPS also identifies this land as subject to the "Area A" overlay	As above.	Reassign to Urban Mixed Use Zone



Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									(which is further explained in Notes 6 & 7 above). The effect of this existing overlay is such that whilst these properties are zoned Central Business, they do not enjoy the full range of use and development options ordinarily available under a Central Business zoning.		
3.	55911/14	6284673	2 Barker Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
4.	55911/20	6284745	3 Barker Street	Devonport	Business and Professional Services. Dentistry.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use	Although these areas are currently zoned Central Business – they are separated from the main central business district (CBD) area of Devonport to the extent that the Central Business Zone is not considered appropriate.	As above.	Reassign to Urban Mixed Use Zone
5.	55911/13	6284681	4 Barker Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
6.	216606/21	6284737	5 Barker Street	Devonport	Business and Professional Services. Denture clinic.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use	A key tenet of Council's Living City initiative is to protect and promote the primacy of the CBD area. This policy position is reinforced through the Devonport City Council Strategic Plan 2009-2030. The containment of the Central Business Zone to align with the main CBD area is consistent with this policy.	As above.	Reassign to Urban Mixed Use Zone
7.	55911/12	6284702	6 Barker Street	Devonport	Business and Professional Services. Mitchell Hodgetts Land Surveyors.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
8.	55911/22	6284729	7 Barker Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
9.	55911/11	6284710	8 Barker Street	Devonport	Residential. Multiple dwellings.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use	These areas contain a genuine mix of uses including residential, business and professional services, and community services. The built form is predominantly low profile, often characterised by house type structures including those that have been repurposed for another use apart from residential.	As above.	Reassign to Urban Mixed Use Zone
10.	41067/1	6286708	43 Best Street	Devonport	1. Business and Professional Services. Jeremy Rockliff MP electoral office. 2. Business and Professional Services. "CVGT Australia" employment agency.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use	The application of the Urban Mixed Use Zone to these areas provides for an appropriate recognition of the mix of uses occurring at these locations, and where there is the intention to facilitate such a mix. Whilst the Urban Mixed Use Zone does make allowances for Bulky Goods Sales and General Retail and Hire to occur, the zone does include standards to regulate the size and scale of such use and development to help ensure that such uses do not compromise or distort higher order business/retail activity centres such as those described by the Central Business Zone or the General Business Zone.	As above.	Reassign to Urban Mixed Use Zone
11.	121565/1	6286695	45 Best Street	Devonport	1. Business and Professional Services. Offices of the Advocate / Examiner newspapers. 2. Business and Professional Services. Office for the Cancer Council Tasmania.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
					3. Business and Professional Services. Office for Diabetes Tasmania.				The reassignment of this land to the Urban Mixed Use Zone enables a more appropriate hierarchy in the designation of planning scheme zones for the business/retail activity centres in the Devonport municipal area.		
12.	123038/1	6286679	47 Best Street	Devonport	1. Business and Professional Services. "VMAC Employment Solutions" employment agency.  2. Business and Professional Services. Office for Dementia Australia	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use	It further provides for appropriate recognition of locations where there is a genuine mix of uses (or intention to facilitate such uses) at locations to the periphery (or fringe) of the main CBD area and also to the periphery of the Fourways shopping precinct.	As above.	Reassign to Urban Mixed Use Zone
13.	57117/5	6286660	49 Best Street	Devonport	1. Business and Professional Services. Office for "Synectic" financial services.  2. Business and Professional Services. Office for "Neveco" business IT services.  3. Business and Professional Services. Office for "Clarke and Gee" lawyers.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use	In summary the application of the Urban Mixed Use Zone provides for a reasonable transition of those areas currently identified by the Area A overlay of the DIPS, and is appropriately consistent with the instruction contained with the LPS Zone and Code Application Guideline.	As above.	Reassign to Urban Mixed Use Zone
14.	251978/1	7342564	51 Best Street	Devonport	Business and Professional Services. Dentistry.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
15.	57117/3	6286644	53 Best Street	Devonport	1. Business and Professional Services. "MyState" bank.  2. Business and Professional Services. Office for Tasmanian Perpetual Trustees.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
16.	57117/2	6286636	55 Best Street	Devonport	Business and Professional Services. Consulting rooms.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
17.	58628/1	6286580	1/57 Best Street	Devonport	Business and Professional Services. Office for "6ty" consulting firm.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
18.	58628/2	6286599	2/57 Best Street	Devonport	Business and Professional Services. "National Job Link (NJL)" employment agency.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
19.	58628/3	6286601	3/57 Best Street	Devonport	As above.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
20.	234944/1	6286572	59 Best Street	Devonport	1. Business and Professional Services. "One Agency Collins Real Estate" real estate agency.  2. Business and Professional Services. "APM" employment agency.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
21.	12446/1	7277651	61A Best Street	Devonport	1. Business and Professional Services. "Beachwood" real estate agency.  2. Business and Professional Services. "Ian Frame" optometrist.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
22.	11476/1	7392844	63 Best Street	Devonport	Business and Professional Services. Offices for the Australian Education Union and the Australian Services Union.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
23.	71783	6286548	65 Best Street	Devonport	Business and Professional Services. Office for "Nevin & Brown Lawyers"	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
24.	Part of 67458/1	6286521	67 Best Street	Devonport	Residential. Multiple dwellings.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign front portion of the site to the Urban Mixed Use Zone.  Zone boundary to align with the existing zone boundary under the DIPS.
25.	160811/0	3068430 3068449 3068457	1/69 Best Street 2/69 Best Street 3/69 Best Street	Devonport	1. Business and Professional Services. Electoral office for Senator Anne Urquhart.  2. Business and Professional	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
					Services. "My Pathway" employment agency.						
26.	229134/1	6286505	71 Best Street	Devonport	Residential. Multiple dwellings.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
27.	40635/1 40635/2	6286492	73 Best Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
28.	22988/1	6286484	75 Best Street	Devonport	Currently vacant.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
29.	173871/1	3543748	77 Best Street	Devonport	Business and Professional Services. "Physio Tas" physiotherapy clinic.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
30.	170375/1	3404350	79-83 Best Street	Devonport	Bulky Goods Sales. "Mazda Devonport" vehicle sales.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
31.	125034/1	6286433	85 Best Street	Devonport	Business and Professional Services. Office for "Catholic Care Tasmania" support services.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
32.	125935/1	6286425	87 Best Street	Devonport	Business and Professional Services. "McCormack" financial services.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
33.	5398/1	1620674	98 Best Street	Devonport	Business and Professional Services. Telstra Business Centre.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
34.	5398/2 5398/3	6284956	100 Best Street	Devonport	1. Business and Professional Services. "Veris" consulting firm.  2. Business and Professional Services. "Shadforth" financial services.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
35.	203892/1	6284972	102 Best Street	Devonport	Business and Professional Services. Office for "Choose Life" support services.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
36.	228526/1	6284980	106 Best Street	Devonport	Business and Professional Services. Aboriginal Health Service centre.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
37.	130384/2	1868004	108 Best Street	Devonport	Business and Professional Services. Physiotherapy clinic.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
38.	219076/1	6285000	112 Best Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
39.	64104/8	6306203	53 Oldaker Street	Devonport	General Retail and Hire. "Tassie Pools and Spas".	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
40.	222107/7	6306190	55 Oldaker Street	Devonport	General Retail and Hire. "Lockworx Tas" / "Northwest Trophy House".	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
41.	54756/2 54756/3	7554815	56-58 Oldaker Street	Devonport	Business and Professional Services. "mas National" business and employment centre.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
42.	48814/1	7753347	57-59 Oldaker Street	Devonport	Business and Professional Services. Department of Justice community corrections centre.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
43.	228109/1	6304507	60 Oldaker Street	Devonport	Business and Professional Services. Office for a security firm.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
44.	64101/4	6306166	61 Oldaker Street	Devonport	Business and Professional Services. Dentistry.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
45.	8404/4	6304515	62 Oldaker Street	Devonport	Hospital Services. "Devonport Eye Hospital".	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
46.	64104/3	6306158	63 Oldaker Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
47.	223561/1	6304523	64 Oldaker Street	Devonport	Business and Professional Services. "Tasmanian Skin Clinic".	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
48.	222961/2	6306131	65 Oldaker Street	Devonport	Vehicle Parking. Site currently used for vehicle parking associated with the Devonport Eye Hospital at 62 Oldaker Street.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
49.	131889/1	6304531	66 Oldaker Street	Devonport	Residential. Single Dwelling. Also approved for Visitor	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
					Accommodation use (PA2019.0011).						
50.	64104/1	6306123	67 Oldaker Street	Devonport	Business and Professional Services. Dentistry.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
51.	60282/1	6304558	68 Oldaker Street	Devonport	Business and Professional Services. Psychologist practice.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
52.	221513/1	6304566	70 Oldaker Street	Devonport	Business and Professional Services. "Family Based Care Association NW".	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
53.	220146/4	6304574	70A Oldaker Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
54.	224130/1	6306115	73 Oldaker Street	Devonport	Vacant land. Previous dwelling structure recently demolished (PA2019.0001).	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
55.	158243/1	2989510	74 Oldaker Street	Devonport	Business and Professional Services. "Tasmanian Consulting Service".	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
56.	226617/1	6306107	75 Oldaker Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
57.	214487/7	6304603	76 Oldaker Street	Devonport	Business and Professional Services. "Paul Sullivan Lawyers" legal practice.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
58.	200392/1	6306094	77 Oldaker Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
59.	71668/8	7469469	78 Oldaker Street	Devonport	Business and Professional Services. Office space.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
60.	77430/2	6304638	78A Oldaker Street	Devonport	Business and Professional Services. Office for Lifeline "Chats embrace life" support services.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
61.	202303/1	6306086	79 Oldaker Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
62.	77430/1	6304646	80 Oldaker Street	Devonport	Business and Professional Services. Office of Health and Community Services Union (HACSU).	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone



Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
63.	228458/1	6306078	81 Oldaker Street	Devonport	Business and Professional Services. "Resolve" Physiotherapist.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
64.	63980/5	6304654	82 Oldaker Street	Devonport	Business and Professional Services. Tax consultancy / accounting firm.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
65.	55911/23	6306051	83 Oldaker Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
66.	55911/24	6306043	89 Oldaker Street	Devonport	Business and Professional Services. Conveyancing firm.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
67.	241808/1	6293027	69 Gunn Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
68.	18828/1	6293035	71 Gunn Street	Devonport	Residential. Multiple dwellings.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
69.	55911/4	6293043	73 Gunn Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
70.	55911/5	6293051	75 Gunn Street	Devonport	Residential. Single dwelling.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
71.	55911/6	6293078	77 Gunn Street	Devonport	Business and Professional Services. Financial services firm.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
72.	28990/1	7342978	81 Gunn Street	Devonport	Business and Professional Services. Conveyancing firm.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
73.	28990/2	7342951	81A Gunn Street	Devonport	Business and Professional Services. Office for "Southern Cross Care" aged care services.	CBD Zone (Fringe Business Precinct)	Central Business (with "Area A" overlay)	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
74.	63979/11	6306035	91 Oldaker	Devonport	Residential. Single dwelling.	CBD Zone (Fourways Precinct)	Central Business.	Urban Mixed Use	Commentary on site numbers 74-79 is considered collectively below.	As above.	
75.	173891/1	6286417	89 Best Street	Devonport	Service station. "United"	CBD Zone (Fourways Precinct)	Central Business	Urban Mixed Use	These areas are located to the periphery/fringe of the Fourways shopping precinct.	As above.	Reassign to Urban Mixed Use Zone
76.	15485/1	6321040	136 William Street		Business and Professional Services. "Sherwood business services".	CBD Zone (Fourways Precinct)	Central Business	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
77.	Part of 154884/0	N/A	134 William Street	Devonport	Access strip associated with the unit complex (common strata property)	CBD Zone (Fourways Precinct)	Central Business	Urban Mixed Use	business district (CBD) area of Devonport to the extent that the Central Business Zone is not considered appropriate.  A key tenet of Council's Living City initiative is to protect and promote the primacy of the CBD area. This policy position is reinforced through the Devonport City Council Strategic Plan 2009-2030. The containment of the Central Business Zone to better align with the main CBD area is consistent with this policy.	As above.	Reassign western portion of this access strip to Urban Mixed Use Zone.  Zone boundary to align with the existing zone boundary under the DIPS.
78.	224279/1	6321067	132 William Street	Devonport	Food Services. "Herbs Pizza" "Chippies - Fish & Chips" "Sky King restaurant"	CBD Zone (Fourways Precinct)	Central Business	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
79.	129832/1	1885701	126-130 William Street	Devonport	Community Meeting and Entertainment. Devonport Baptist Church centre.	Community Purposes / Semi-Residential	Central Business	Urban Mixed Use	The reassignment of this land to the Urban Mixed Use Zone enables a more appropriate hierarchy in the designation of planning scheme zones for the business/retail activity centres in the Devonport municipal area. The proposed zoning reassignment will also assist to ensure that business, commercial and other retail use and development in these locations does not compromise or distort higher order business/retail activity centres such as those described by the Central Business Zone or the General Business Zone.  There is some mix of uses occurring in this area and the application of the Urban Mixed Use Zone will further encourage the creation of that mix – including for residential use. This rationale is appropriately consistent with the instruction contained with the LPS Zone and Code Application Guideline.	As above.	Reassign to Urban Mixed Use Zone.  Exclude access strip to the southeast onto Stewart Street (which is to be retained to the General Residential Zone).
80.	162776/1	6321091	124 William Street	Devonport	Food Services. Zambrero restaurant.	Semi-Residential	Central Business	Urban Mixed Use	Commentary on site numbers 80-95 is considered collectively below.  These areas are located to the periphery/fringe of the Fourways shopping precinct.  Although these areas are currently zoned Central Business – they separated from the main central business district (CBD) area of Devonport to the extent that the Central Business Zone is not considered appropriate.	As above.	Reassign to Urban Mixed Use Zone
81.	67559/3	6321104	122 William Street	Devonport	Bulky Goods Sales/ General Retail and Hire. "Paint Right" paint supplies.	Semi-Residential	Central Business	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
82.	232817/1	6347187	118 William Street	Devonport	Vehicle Fuel Sales and Service. Caltex service station.	Semi-Residential	Central Business	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
83.	216837/2	6347195	83 Stewart Street	Devonport	Undeveloped land used in conjunction with 118 William St.	Closed Residential	Central Business	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
84.	149026/1	2744863	114-116 William Street	Devonport	Service Industry. Car wash facility.	Semi-Residential	Central Business	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
85.	140041/2	2504296	112 William Street	Devonport	Food Services. Hungry Jacks restaurant.	Semi-Residential	Central Business	Urban Mixed Use	A key tenet of Council's Living City initiative is to protect and promote the primacy of the CBD area. This policy position is reinforced through the Devonport City Council Strategic Plan 2009-2030. The containment of the Central Business Zone to better align with the main CBD area is consistent with this policy.	As above.	Reassign to Urban Mixed Use Zone
86.	125056/1 32661/1 28499/1	7703841	100 William Street	Devonport	Food Services. KFC restaurant.	Semi-Residential	Central Business	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
87.	28499/2 28499/3	7203740	115-117 Steele Street	Devonport	Business and Professional Services. Veterinary centre.	Semi-Residential	Central Business	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
88.	103553/1 103553/2 103553/3	6353501	98 William Street	Devonport	Currently vacant.	Semi-Residential	Central Business	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
89.	42391/1	6353528	92 William Street	Devonport	Service Industry. "Tyrepower".	Semi-Residential	Central Business	Urban Mixed Use	The reassignment of this land to the Urban Mixed Use Zone enables a more appropriate hierarchy in the designation of planning scheme zones for the business/retail activity centres in the Devonport municipal area. The proposed zoning reassignment will also assist to ensure that business, commercial and other retail use and development in these locations does not compromise or distort higher order business/retail activity centres such as those described by the Central Business Zone or the General Business Zone.  There is some mix of uses occurring in this area and the application of the Urban Mixed Use Zone will further encourage the creation of that mix – including for residential use. This rationale is appropriately consistent with the instruction contained with the LPS Zone and Code Application Guideline.	As above.	Reassign to Urban Mixed Use Zone
90.	12683/5	6353536	90 William Street	Devonport	1. Residential. Single dwelling located to the front of the site. 2. Service industry. Automotive repairs located to the shed structure to the rear (eastern side) of the property.	Semi-Residential	Central Business	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
91.	Part of 172016/1	3471588	97-101 William Street	Devonport	Community Meeting and Entertainment. Place of worship.	Semi-Residential	Central Business	Urban Mixed Use		As above.	Reassign western portion of the site (which is zoned Central Business under the DIPS) to Urban Mixed Use.  Zone boundary to align with the existing zone boundary under the DIPS.
92.	124407/1 124407/2	6353456	103-105 William Street	Devonport	Sports and Recreation. Devonport ten pin bowling centre.	Semi-Residential	Central Business	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone
93.	54390/1 39869/2	6346686	123-125 Steele Street	Devonport	1. Service Industry. "North West Appliance Service".  2. Storage. Site depot for a garden maintenance contractor.	Semi-Residential	Central Business	Urban Mixed Use	Furthermore, the assignment of the Central Business Zone to this area when the DIPS commenced in October 2013 can only be described as a poor translation. This land was previously zoned Semi-Residential under the previous 1984 planning scheme and under the State instructed "like for like" translation it should have translated to the closest equivalent zone – of which the Urban Mixed Use Zone offered some general equivalency.	As above.	Reassign to Urban Mixed Use Zone
94.	158957/2	3015734	127-129 Steele Street	Devonport	Site currently vacant.	Semi-Residential	Central Business	Urban Mixed Use	As to how or why the Tasmanian Planning Commission saw fit for this area to be reassigned to the Central Business Zone with the commencement of the interim	As above.	Reassign to Urban Mixed Use Zone
95.	158957/1	3015726	131 Steele Street	Devonport	Food services. Restaurant.	Semi-Residential	Central Business	Urban Mixed Use		As above.	Reassign to Urban Mixed Use Zone

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>planning scheme in 2013 is entirely perplexing.</p> <p>The previous zoning of Semi-Residential quite clearly contemplated a mix of uses at this location and it is Council's position that the draft LPS should adopt the Urban Mix Use Zone to facilitate and encourage such a mix.</p>		

CONSIDERATIONS AGAINST THE CRADLE COAST REGIONAL LAND USE STRATEGY 2010-2030 (the Regional Strategy)	
Notwithstanding the previous commentary made under section 2.3 of this supporting report on the nature of the Regional Strategy as a broad strategic policy framework, the following general policy considerations are deemed relevant to the proposed reassignment of land to the Urban Mixed Use Zone.	
Regional Strategy Policy Statement (Part C)	Comment
<p>3.3.1 – Economic Activity</p> <p>Part (a) Identifies for land use planning processes for economic activity to “<i>facilitate supply of employment land in all settlement areas for industrial, business and institutional use including in residential areas</i>”.</p> <p>The term “employment land” is defined by the Regional Strategy as meaning “<i>areas designated in a planning scheme for clusters of industry, business and other economic activity; including but not limited to manufacturing and processing, transport and storage, business and retail, institutional, resource development and tourism</i>”.</p>	<p>Further to the commentary provided in the above zone reassignment table, the purpose of the Urban Mixed Use Zone under the State Planning Provisions is to provide for a mix of residential, retail community services and commercial activities in urban locations. As further detailed by instruction UMUZ 1 of the LPS Zone and Code Application Guideline, the Urban Mixed Use Zone can be applied to areas where there is an existing mix of such uses or where there is the strategic intention to deliver such a mix.</p> <p>The draft LPS generally applies the Urban Mixed Use Zone to locations periphery to the main CBD area and also periphery to the Fourways shopping precinct where there is an established mix of uses or to promote/encourage such a mix.</p>
<p>3.3.9 – Business and Commercial Activity</p> <p>Including policy considerations for services and retail provisions to be focused into established business centres, and to manage the scale, scope and distribution of business and commercial activity.</p>	<p>Although the areas identified for reassignment are currently zoned Central Business under the DIPS – they are separated from the main central business district (CBD) area of Devonport to the extent that the Central Business Zone is not considered appropriate. A key tenet of Council's Living City initiative is to protect and promote the primacy of the CBD area, a policy position which is reinforced in the <i>Devonport City Council Strategic Plan 2009 - 2030</i>. Consistent with this policy direction is the containment of the Central Business Zone to align with the main CBD area of Devonport.</p>
<p>4.5 – Access to Business and Community Services</p> <p>Including policy considerations for settlement areas to provide and have access to a range of business and services to meet daily demands and specialist requirements.</p>	<p>The reassignment of this land to the Urban Mixed Use Zone enables a more appropriate hierarchy in the designation of planning scheme zones for the business/retail activity centres in the Devonport municipal area. The proposed zoning reassignment will also assist to ensure that business, commercial and other retail use and development in these locations does not compromise or distort higher order business/retail activity centres such as those described by the Central Business Zone or the General Business Zone. The application of the Urban Mixed Use proposed with the draft LPS also provides for a reasonable transition of those areas currently identified by the Area A overlay of the DIPS.</p> <p>The reassignment of land to the Urban Mixed Use Zone is appropriately consistent with the relevant policy considerations of the Regional Strategy.</p>

## APPENDIX J

### Reassignment of land to the Local Business Zone (where current zoning under the DIPS is something other than Local Business)

NOTES	ABBREVIATIONS
<p>1. The attached table indicates properties that have a current zoning under the DIPS as something other than Local Business.</p> <p>2. The primary source of instruction for zone allocation is the LPS Zone and Code Application Guideline.</p> <p>3. Zoning reassignments also have regard to situations where the current zoning does not appropriately reflect the existing use and development of a site and where there is an established pattern/sequence of such use and development on adjacent properties.</p> <p>4. The allocation of land to the “business zones” included with the draft LPS enables an appropriate hierarchy in the designation of planning scheme zones for the business/retail activity centres in the Devonport municipal area.</p> <p>5. Zoning reassignments also includes sites that were previously zoned Local Business under the 1984 Planning Scheme.</p> <p><b>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</b></p> <p>Consideration of the proposed Local Business Zone reassignments against the <i>Cradle Coast Regional Land Use Strategy 2010-2030</i> is provided at the conclusion of the below table.</p>	<p><b>“1984 Planning Scheme”</b></p> <p>means the <i>Devonport &amp; Environs Planning Scheme 1984</i>. The planning scheme that existed before the commencement of the DIPS in October 2013.</p>
	<p><b>“DIPS”</b></p> <p>means the <i>Devonport Interim Planning Scheme 2013</i></p>
	<p><b>“LPS”</b></p> <p>means Local Provisions Schedule</p>
	<p><b>“LUPAA”</b></p> <p>means the <i>Land Use Planning and Approvals Act 1993</i></p>
	<p><b>“LPS Zone and Code Application Guideline”</b></p> <p>means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b>).</p>

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
1.	11589/16	6353798	24 William Street	Devonport	General retail and hire. Butchery.	Local Business	General Residential	Local Business	In conjunction with the adjoining properties at 26-28 William Street and 24 William Street there is an established “cluster” of business/retail type uses. This linear sequence of use and development is deemed to be appropriately described by the application of a Local Business zoning.	Deemed capable of meeting instruction LBZ 3 of the LPS Zone and Code Application Guideline.	Reassign to Local Business Zone
2.	21731/1 21731/2	6353771	26 – 28 William Street	Devonport	Business and professional services. Podiatry Clinic	Local Business	General Residential	Local Business	As above.	As above.	Reassign to Local Business Zone
3.	158026/3	2981834	1/240 William Street	Devonport	General retail and hire. Milk bar	Local Business	General Residential	Local Business	The site forms one of three adjoining strata lots used for retail/business type purposes (milk bar/take-away store/hairdressing salon). The collective represents a cluster of local business type uses which is deemed to be appropriately described by the application of a Local Business zoning.	As above.	Reassign to Local Business Zone
4.	158026/2	2981826	2/240 William Street	Devonport	General retail and hire/Food Services. Take-away store	Local Business	General Residential	Local Business	As above.	As above.	Reassign to Local Business Zone
5.	158026/1	2981818	3/240 William Street	Devonport	General retail and hire. Hairdressing salon.	Local Business	General Residential	Local Business	As above.	As above.	Reassign to Local Business Zone
6.	120677/1	6350351	33 Valley Road	Devonport	General retail and hire. Supermarket	Local Business	General Residential	Local Business	Site is occupied by a supermarket (including associated parking facilities). In conjunction with the adjacent land at 35-37 Valley Road (CT171815/1) there is an established	As above.	Reassign to Local Business Zone



Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									cluster of business/retail type uses at this this location which is deemed to be appropriately described by the application of a Local Business zoning. The application of this Zone also appropriately reflects the existing built form of the site.		
7.	171915/1	3464038	35 - 37 Valley Road	Devonport	General retail and hire / business and professional services. Multiple "shops": - Supermarket - Bakery - Pharmacy - Medical Centre - Newsagent - Take-away store - Hairdresser	Local Business	General Residential	Local Business	As above.	As above.	Reassign to Local Business Zone
8.	55247/309	6323003	33 Berrigan Road	Miandetta	Food services. Café.	Local Business	General Residential	Local Business	The site forms one of two adjoining sites used for retail/business type purposes. The collective represents a cluster of local business type uses which is deemed to be appropriately described by the application of a Local Business zoning.	As above.	Reassign to Local Business Zone
9.	55247/308	6323011	35 Berrigan Road	Miandetta	General retail and hire. Corner-store.	Local Business	General Residential	Local Business	As above.	As above.	Reassign to Local Business Zone
10.	63516/1	6373465	14 Torquay Road	East Devonport	General Retail and Hire/Food Services. Bakery café/takeaway store and café.	Local Business	General Residential	Local Business	Site comprises two shop fronts featuring a bakery café and takeaway store/café. Site includes land specifically designated for parking facilities.  The site is immediately opposite existing Local Business zoning of land identified as 156 – 158 Tarleton Street. This is considered to represent a "cluster" of local business type uses which is appropriately described by the application of the Local Business zone.	As above.	Reassign to Local Business Zone



**CONSIDERATIONS AGAINST THE CRADLE COAST REGIONAL LAND USE STRATEGY 2010-2030 (the Regional Strategy)**

Notwithstanding the previous commentary made under section 2.3 of this supporting report on the nature of the Regional Strategy) as a broad strategic policy framework, the following general policy considerations are deemed relevant to the proposed reassignment of land to the General Business Zone.

Regional Strategy Policy Statement (Part C)	Comment
<p>3.3.1 – Economic Activity Part (a) Identifies for land use planning processes for economic activity to “<i>facilitate supply of employment land in all settlement areas for industrial, business and institutional use including in residential areas</i>”.</p> <p>The term “employment land” is defined by the Regional Strategy as meaning “<i>areas designated in a planning scheme for clusters of industry, business and other economic activity; including but not limited to manufacturing and processing, transport and storage, business and retail, institutional, resource development and tourism</i>”.</p>	<p>The Local Business Zone is generally applied on the same spatial as that existing with the DIPS. However, some additional land is assigned to the Local Business Zone to capture established “clusters” of business/retail type uses which are currently zoned General Residential under the DIPS. These established patterns of use and development are more appropriately described and recognized by the application of the Local Business Zone. Reassignments to the Local Business Zone proposed with the draft LPS are also made with appropriate regard to the instruction contained in the LPS Zone and Code Application Guideline. The proposal Local Business Zone reassignments do not compromise or distort business/retail activity centres in the Devonport municipal area</p> <p>A further consideration here is that the properties identified in the above table were previously zoned Local Business under the previous 1984 Planning Scheme. In the context of the “like for like” instruction on the translation of zones issued by the Solicitor General in August 2012, it is not clear as to how or why these sites where instead reassigned to the General Residential Zone when the DIPS commenced in 2013.</p> <p>The reassignment of land to the Local Business Zone included with the draft LPS is appropriately consistent with the policy considerations contemplated by the Regional Strategy.</p>
<p>3.3.9 – Business and Commercial Activity Including policy considerations for services and retail provisions to be focused into established business centres, and to manage the scale, scope and distribution of business and commercial activity.</p>	
<p>4.5 – Access to Business and Community Services Including policy considerations for settlement areas to provide and have access to a range of business and services to meet daily demands and specialist requirements.</p>	

APPENDIX K

Reassignment of land to the General Business Zone (where current zoning under the DIPS is something other than General Business)

NOTES					ABBREVIATIONS	
<p>1. The attached table indicates properties that have a current zoning under the DIPS as something other than General Business.</p> <p>2. The primary source of instruction for zone allocation is the LPS Zone and Code Application Guideline.</p> <p>3. The allocation of land to the "business zones" included with the draft LPS enables an appropriate hierarchy in the designation of planning scheme zones for the business/retail activity centres in the Devonport municipal area.</p> <p>4. A key tenet of Council's Living City initiative is to protect and promote the primacy of the CBD area, a policy position which is reinforced in the <i>Devonport City Council Strategic Plan 2009 - 2030</i>. Consistent with this policy direction is the containment of the Central Business Zone to align with the main CBD area of Devonport.</p> <p><b>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</b></p> <p>A. Consideration of the proposed General Business Zone reassignments against the <i>Cradle Coast Regional Land Use Strategy 2010-2030</i> is provided at the conclusion of the below table.</p>					"1984 Planning Scheme"	means the <i>Devonport &amp; Environs Planning Scheme 1984</i> . The planning scheme that existed before the commencement of the DIPS in October 2013.
					"DIPS"	means the <i>Devonport Interim Planning Scheme 2013</i>
					"LPS"	means Local Provisions Schedule
					"LUPAA"	means the <i>Land Use Planning and Approvals Act 1993</i>
					"LPS Zone and Code Application Guideline"	means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b> ).

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
1.	220080/1	6285019	116 Best Street	Devonport	Business and Professional Services. Audiologist.	CBD Zone (Fourways Precinct)	Central Business	General Business	Commentary on site numbers 1-53 is considered collectively as below.  The area identified here comprises the "Fourways" shopping precinct in Devonport.	Deemed capable of meeting instruction GBZ 1 of the LPS Zone and Code Application Guideline.	Reassign to General Business Zone.
2.	241841/1 18719/1	6321032	142 William Street	Devonport	1. Business and Professional Services. Hobart Hurricanes NW office.  2. Tenancy currently vacant.	CBD Zone (Fourways Precinct)	Central Business	General Business	Under the zone allocations made with the DIPS the Fourways precinct is currently zoned Central Business – however this location is separated from the main central business district (CBD) area of Devonport to the extent that the Central Business Zone is not considered appropriate.	As above.	Reassign to General Business Zone.
3.	239506/1 13321/1	6321024	144 William Street	Devonport	Business and Professional Services. Regional GP clinic.	CBD Zone (Fourways Precinct)	Central Business	General Business	A key tenet of Council's Living City initiative is to protect and promote the primacy of the CBD area. This policy position is reinforced through the Devonport City Council Strategic Plan 2009-2030. The containment of the Central Business Zone to align with the main CBD area is consistent with this policy.	As above.	Reassign to General Business Zone.
4.	204287/1 10740/1	6321016	146 William Street	Devonport	Currently vacant.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
5.	63979/6	6321008	148 William Street	Devonport	General Retail and Hire. "House of Cane" homewares and furniture.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
6.	75849/2	6320996	150 William Street	Devonport	1. Business and Professional Services. "National Hearing Care" clinic. 2. General Retail and Hire. "Natures	CBD Zone (Fourways Precinct)	Central Business	General Business	Although the application of the Central Business Zone is not deemed appropriate for the Fourways precinct - the size and scale of this activity centre (and the	As above.	Reassign to General Business Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
					Works" health food shop. 3. General Retail and Hire. "Freechoice" tobacconist and tattslooto.				business/retail services it provides) extend beyond that which is appropriate for inclusion with the Local Business Zone or the Urban Mixed Use Zone.		
7.	198594/1 10590/1	6320988	152 William Street	Devonport	1. General Retail and Hire. Chinese massage parlour. 2. General Retail and Hire. "unique body art" tattooist. 3. Food Services. "Nourish me" café.	CBD Zone (Fourways Precinct)	Central Business	General Business	There is a need for the allocation of a business zone that recognises the Fourways as a "higher order" business zone that is outside and separate to the main CBD area.  The allocation of this area to the General Business Zone is an appropriate option to address this matter.	As above.	Reassign to General Business Zone.
8.	224031/1 10439/1	6306027	93 Oldaker Street	Devonport	1. General Retail and Hire. "Chea Beau" hairdressing salon. salon. 2. Business and Professional Services. "Kudos Co-working" co-working facility. 3. General Retail and Hire. "The Professionals" hairdressing salon. 4. Business and Professional Services. "money3" finance/loans.	CBD Zone (Fourways Precinct)	Central Business	General Business	The instruction contained at GBZ 1 of the LPS Zone and Code Application Guideline provides:  <i>"The General Business Zone should be applied to land with urban settlements that provides, or is intended to provide, for the business, commercial and community functions with Tasmania's main suburban and rural town centres."</i>  It is further understood that the application of the General Business Zone is not limited to the activity centres referred to instruction GBZ 2 of the LPS Zone and Code Application Guideline (and with regard to the relevant regional strategy). Instead GBZ 2 provides guidance on where the General Business Zone may be appropriately applied.	As above.	Reassign to General Business Zone.
9.	63980/2 63980/1 63980/4	7781815	156 William Street	Devonport	1. General Retail and Hire. Giant Devonport (Derrico's cycles).  2. Vehicle Fuel Sales and Service. Service Station.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
10.	221549/3	6320953	158 William Street	Devonport	Residential. Single dwelling.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
11.	155448/1	6319952	167 William Street	Devonport	Business and Professional Services. Medicare and Centrelink offices.	CBD Zone (Fourways Precinct)	Central Business	General Business	The Fourways represents a suburban business and retail activity centre outside of and separate to the main CBD area of Devonport.	As above.	Reassign to General Business Zone.
12.	131847/1	6319944	165 William Street	Devonport	Business and Professional Services. Max Employment agency.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
13.	125132/1	6319936	163 William Street	Devonport	Business and Professional Services. Natural Health Centre.	CBD Zone (Fourways Precinct)	Central Business	General Business	The LPS Zone and Code Application Guideline does not preclude the use of both the Central Business Zone and the General Business Zone as part of the same LPS. Instead the inclusion of both zones allows for the appropriate hierarchical	As above.	Reassign to General Business Zone.
14.	125132/2	1731649	161 William Street	Devonport	1. Business and Professional Services. "Cash Loan Money	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
					Centre" finance/loans.  2. Other tenancy at this site is currently vacant.				identification of business/retail activity centres under the planning scheme.  The application of the General Business Zone to the Fourways shopping area identifies that this location is separate from the main CBD area of Devonport, whilst still enabling appropriate recognition as "higher order" business area than that which would be identifiable under a Local Business or Urban Mixed Use zoning.		
15.	125132/3	1731657	84 Oldaker Street	Devonport	Business and Professional Services. Office for "Prompt Care" aged care services.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
16.	125132/4	1731665	86 Oldaker Street	Devonport	General Retail and Hire. "Help Yourself Wholefoods".	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
17.	125132/5	1731673	88 Oldaker Street	Devonport	General Retail and Hire. "Tasmanian Printer Cartridge Company".	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
18.	125132/6	1731681	90 Oldaker Street	Devonport	General Retail and Hire. "Eminent" hairdressing salon.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
19.	55676/1	6305999	103 Oldaker Street	Devonport	1. General Retail and Hire. "RJ Print & Signs".  2. Food Services. "Taco Villa" restaurant.  3. Food Services. "Indian Curry Devonport" restaurant.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
20.	55676/2	6306000	101 Oldaker Street	Devonport	1. General Retail and Hire. "TAB" betting agency.  2. Business and Professional Services. "Hudson 365" real estate agency.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
21.	121642/1	6306019	99 Oldaker Street	Devonport	General Retail and Hire. IGA supermarket.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
22.	66016/3	6319928	159 William Street	Devonport	General Retail and Hire. "The Reject Shop".	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
23.	60078/1	6319901	157 William Street	Devonport	General Retail and Hire. "Devonport Picture Framing Service".	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
24.	60078/2	6319899	157A William Street	Devonport	Business and Professional Services/General Retail and Hire. "Air Liquide" healthcare clinic.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
25.	8090/1 8090/2 55676/7 8090/3 8090/4 8090/5 55676/9 8090/6 8090/10 8090/7 8090/8 8090/9 8692/1 8692/2 108927/1 8692/3 10362/1 8692/4	6295954	8-10 Kempling Street	Devonport	Vehicle Parking. Public car park.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
26.	237463/1	6295962	6 Kempling Street	Devonport	Food Services. "Charcoal Chicken" restaurant.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
27.	60054/2	7140460	2/4 Kempling Street	Devonport	General Retail and Hire. "Lifeline" store.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
28.	60054/4	7140487	4/4 Kempling Street	Devonport	Business and Professional Services. Accountant firm.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
29.	60054/1	6295970	1/4 Kempling Street	Devonport	General Retail and Hire. "Lifeline" store	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
30.	60054/3	7140479	3/4 Kempling	Devonport	General Retail and Hire. "Divine Hairdressing".	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
31.	108927/2	6295989	2 Kempling Street	Devonport	Vacant/undeveloped land.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
32.	172157/1	3471158	130 Best Street	Devonport	Sports and Recreation. "F45" gym/fitness centre.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
33.	172157/3	3471174	128A Best Street	Devonport	Recreation. "Fit 4 Life" gym/fitness centre.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
34.	172157/2	3471166	128 Best Street	Devonport	Currently vacant. Previously occupied as a bakery.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
35.	29097/1	6285027	126 Best Street	Devonport	1. Business and Professional Services. "St. John's Ambulance training office and sales." 2. General Retail and Hire. "Health Dynamics Tasmania"	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
36.	55676/22	6319784	139 William Street	Devonport	1. Food Services. "Dominos" pizza. 2. Business and Professional	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.



Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
					Services. "Century 21" real estate agency.						
37.	200457/1	6319792	141 William Street	Devonport	General Retail and Hire. "Canoe 'N' Surf".	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
38.	224898/1	6319805	143 William Street	Devonport	1. General Retail and Hire. "Tommascena Boutique". 2. General Retail and Hire. "Serenity Hair and Beauty".	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
39.	155386/3	2911393	1/145 William Street	Devonport	General Retail and Hire. Butchery.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
40.	155386/2	2911385	2/145 William Street	Devonport	General Retail and Hire. Newsagency.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
41.	155386/1	2911377	147 William Street	Devonport	General Retail and Hire. "Fourways Dry Cleaners".	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
42.	251567/1	3041676	149A William Street	Devonport	General Retail and Hire. "Front Row Fashions".	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
43.	251566/1	3067008	149B William Street	Devonport	Foods Services. "Fourways café and takeaway".	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
44.	251565/1	3066996	149C William Street	Devonport	General Retail and Hire. Barber.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
45.	156112/2	2942755	1/151 William Street	Devonport	General Retail and Hire. Gift shop.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
46.	156112/1	2942747	2/151 William Street	Devonport	General Retail and Hire. Florist.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
47.	240976/1	6319856	153A William Street	Devonport	Food services. Café/take away store.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
48.	251549/1	6319864	153 William Street	Devonport	Business and Professional Services. "Sushames" real estate agency.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
49.	152179/1	6319872	153B William Street	Devonport	General Retail and Hire. Tattooist.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
50.	104828/1	6319880	155 William Street	Devonport	General Retail and Hire. "Terry White" Chemist.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
51.	60807/13	6319979	171 William	Devonport	General Retail and Hire. Salvation Army Thrift Shop.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.
52.	60807/14	6319960	169 William	Devonport	Residential. Single dwelling.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.



Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
53.	229355/1	6304670	92 Oldaker	Devonport	Residential. Single dwelling.	CBD Zone (Fourways Precinct)	Central Business	General Business		As above.	Reassign to General Business Zone.

CONSIDERATIONS AGAINST THE CRADLE COAST REGIONAL LAND USE STRATEGY 2010-2030 (the Regional Strategy)	
Notwithstanding the previous commentary made under section 2.3 of this supporting report on the nature of the Regional Strategy) as a broad strategic policy framework, the following general policy considerations are deemed relevant to the proposed reassignment of land to the General Business Zone.	
Regional Strategy Policy Statement (Part C)	Comment
<p>3.3.1 – Economic Activity</p> <p>Part (a) Identifies for land use planning processes for economic activity to “<i>facilitate supply of employment land in all settlement areas for industrial, business and institutional use including in residential areas</i>”.</p> <p>The term “employment land” is defined by the Regional Strategy as meaning “<i>areas designated in a planning scheme for clusters of industry, business and other economic activity; including but not limited to manufacturing and processing, transport and storage, business and retail, institutional, resource development and tourism</i>”.</p>	<p>Although instruction GBZ 2 of the LPS Zone and Code Application Guideline contemplates the application of the General Business Zone with regard to the activity centre hierarchy indicated in the relevant regional strategy, the Cradle Coast Regional Strategy itself offers little guidance on this particular matter other than to broadly identify Devonport as a “regional activity centre”.</p> <p>Further to the commentary provided in the zone reassignment table above, the application of the General Business Zone to the Fourways shopping area identifies that this location is separate from the main CBD area of Devonport to the extent that Central Business Zone is not appropriate, whilst still providing adequate recognition of this as a “higher order” business area.</p> <p>The reassignment of land to the General Business Zone enables a more appropriate hierarchy in the designation of planning scheme zones for the business/retail activity centres in the Devonport municipal area. This is appropriately consistent with the policy considerations contemplated by the Regional Strategy.</p>
<p>3.3.9 – Business and Commercial Activity</p> <p>Including policy considerations for services and retail provisions to be focused into established business centres, and to manage the scale, scope and distribution of business and commercial activity.</p>	
<p>4.5 – Access to Business and Community Services</p> <p>Including policy considerations for settlement areas to provide and have access to a range of business and services to meet daily demands and specialist requirements.</p>	

APPENDIX L

Reassignment of land to the Light Industrial Zone (where current zoning under the DIPS is something other than Light Industrial)

NOTES		ABBREVIATIONS	
<p>1. The attached table indicates properties that have a current zoning under the DIPS as something other than Light Industrial.</p> <p>2. The primary source of instruction for zone allocation is the LPS Zone and Code Application Guideline.</p> <p>3. Zoning reassignments also have regard to situations where the current zoning does not appropriately reflect the existing use and development of a site and where there is an established pattern/sequence of such use and development on adjacent properties.</p> <p>4. Aerial imagery has been included only for those sites where further visual information assists with constructing the justification for a change to the zoning.</p> <p><b>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</b></p> <p>A. Given the number of sites identified for reassignment in the below table and the matters discussed, consideration of the proposed Light Industrial Zone reassignments against the <i>Cradle Coast Regional Land Use Strategy 2010-2030</i> is provided at the conclusion of the below table.</p>		<b>“1984 Planning Scheme”</b>	means the <i>Devonport &amp; Environs Planning Scheme 1984</i> . The planning scheme that existed before the commencement of the DIPS in October 2013.
		<b>“DIPS”</b>	means the <i>Devonport Interim Planning Scheme 2013</i>
		<b>“LPS”</b>	means Local Provisions Schedule
		<b>“LUPAA”</b>	means the <i>Land Use Planning and Approvals Act 1993</i>
		<b>“LPS Zone and Code Application Guideline”</b>	means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b> ).

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
1.	171104/1	3427413	2 Stony Rise Road	Quoiba	Service Industry. Drive-in car wash facility.	General Industrial	General Industrial	Light Industrial	<p>Commentary on site numbers 1-9 is considered collectively below.</p> <p>The existing use and development of this land is deemed to be more appropriately described by the application of the Light Industrial Zone rather than the retention of the General Industrial Zone.</p> <p>The prevailing use and development on this site and adjacent industrial land with frontage onto Stony Rise Road is best characterized by existing light industrial type uses.</p> <p>Existing use at this site is not considered to be the types of use and activity contemplated by instruction LIZ 3 of the LPS Zone and Code Application Guideline and which would warrant the retention of a General Industrial zoning.</p> <p>Heavier industrial activities are situated to the east on Devonport Road and which are proposed to be retained to a General Industrial zoning.</p> <p>Consideration of the existing and desired land use at this location is for off-site impacts that are minimal or can be appropriately managed to minimise conflict with, or unreasonable loss of amenity to</p>	Deemed capable of meeting instruction LIZ 1 & LIZ 2 of the LPS Zone and Code Application Guideline.	Reassign to Light Industrial Zone.


Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									other uses. This is consistent with the proposed application of the Light Industrial Zone. The application of the Light Industrial Zone to this area more appropriately meets the purpose of that zone, more so than the General Industrial Zone which contemplates greater off-site impacts.		
2.	171104/2	3427405	4 Stony Rise Road	Quoiba	Service Industry. "CMV Truck & Bus". Vehicle servicing and repairs.	General Industrial	General Industrial	Light Industrial		As above.	Reassign to Light Industrial Zone.
3.	221478/1	1993390	Stony Rise Road	Quoiba	Land identified as "reserved road" on land title documentation. Not under current use or development.	General Industrial	General Industrial	Light Industrial		As above.	Reassign to Light Industrial Zone.
4.	8459/4 29295/1 8459/3	7392975	6-8 Stony Rise Road	Quoiba	"Russell-Smith Electrical". Depot/office	General Industrial	General Industrial	Light Industrial	The allocation of the Light Industrial Zone appropriately describes the existing use and development of the site and better reflects established industrial land use patterns in this area. The proposed reassignments of land provide for a better recognition of existing and well established and existing light industrial uses by the application of a more appropriate zone. In that context these reassignments do not represent a loss of industrial land, but rather the allocation of a more appropriate zone to describe land where there is an existing pattern of light industrial type use and development.	As above.	Reassign to Light Industrial Zone.
5.	111981/1 8459/8	2622575	10-12 Stony Rise Road	Quoiba	"Fairbrother Construction Services Depot/office.	General Industrial	General Industrial	Light Industrial		As above.	Reassign to Light Industrial Zone.
6.	44775/1	2625792	12A Stony Rise	Quoiba	Land forms part of an unmade road reservation. Land generally forms part of the curtilage associated with the use and development of 10-12 Stony Rise Road.	General Industrial	General Industrial	Light Industrial		As above.	Reassign to Light Industrial Zone.
7.	136284/1	2057457	14-16 Stony Rise	Quoiba	"Tasmanian Heavy Haulage". Heavy equipment transportation. Depot/office.	General Industrial	General Industrial	Light Industrial		As above.	Reassign to Light Industrial Zone.
8.	169988/3	3378199	18 Stony Rise Road	Quoiba	Storage. Contractors yard.	General Industrial	General Industrial	Light Industrial		As above.	Reassign to Light Industrial Zone.
9.	127737/1	6347988	2-4 Durkins Road	Quoiba	Caltas (Caltex). Depot/office.	General Industrial	General Industrial	Light Industrial		As above.	Reassign to Light Industrial Zone.
10.	Part of 113718/1	64347953	26-70 Stony Rise Road	Quoiba	Undeveloped land.	General Industrial / Reserved Residential	General Industrial / General Residential (overlaid by Devonport Reserved Residential Land Code)	Light Industrial	Same as above commentary regarding removal of General Industrial Zone and the reassignment of this land to the Light Industrial Zone; and  The site is already characterized by a split zoning of General Residential and General Industrial under the DIPS.  The existing General Residential zoned portion of this site is overlaid by the Devonport Reserved Residential Land Code. This Code was introduced with the DIPS to identify land previously zoned Reserved Residential under the 1984 planning scheme because there was no equivalent zone option available under the DIPS. The draft LPS retains the existing General Residential zoning of this portion of the site, which is also overlaid by the Devonport Reserved Residential Land Specific Area Plan (also included with the draft LPS).  It is proposed to reassign that portion of the site currently zoned	As above	Reassign that portion of the site currently zoned General Industrial under the DIPS to Light Industrial.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>General Industrial under the DIPS to the Light Industrial Zone.</p> <p>In the absence of any existing use and development occurring on this land, together with the proposed reassignment of adjacent industrial land with frontage onto Stony Rise Road to the Light Industrial Zone, that same reassignment is deemed appropriate for this portion of the site.</p> <p>The reassignment of the Light Industrial Zone also better reflects established industrial land use patterns in this location with the heavier industrial activities located to the east along Devonport Road.</p> <p>Allocation of the Light Industrial Zone to this land also better aligns with the instruction contained at GlZ 2 of the Zone and Code Application Guideline which generally prescribes that the General Industrial Zone should not directly adjoin land zoned for residential purposes.</p>		
11.	163812/1	7838201	4 Westport Road	Miandetta	Service Industry. "Hydralink" Devonport.	Offensive Industrial	Port and Marine	Light Industrial	<p>The <i>Marine and Safety (Pilotage and Navigation) Regulations 2017</i> identify the defined port area of Devonport as comprising: "<i>all the waters bounded by an imaginary circle centred at Mersey Bluff Lighthouse having a radius of 3 nautical miles, including the waters of the River Mersey up to, but not including, the Victoria Bridge.</i>"</p> <p>This site is located outside of the defined port/wharf area and the northern edge of the Victoria Bridge seems the logical point to demarcate the boundary of the Port and Marine Zone. Why the Port and Marine Zone was extended south of the bridge with the commencement of the DIPS in 2013 is not clear.</p> <p>A reassignment to the Light Industrial Zone appropriately reflects the existing use and development of this site, provides for a better alignment of the Port and Marine Zone with the defined port area, and is consistent existing and adjacent Light Industrial zoned</p>	As above.	Reassign to Light Industrial Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>land to the west of Devonport Road/Westport Road.</p> <p>The existing use and development of the site is not considered to be the types of use and activity contemplated by instruction LIZ 3 of the LPS Zone and Code Application Guideline and which warrant the application of the General Industrial Zone.</p> <p>Consideration of the existing and desired land use at this location is for off-site impacts that are minimal or can be appropriately managed to minimise conflict with, or unreasonable loss of amenity to, any other uses which is consistent with the Light Industrial zoning proposed. The application of the Light Industrial Zone to this land more appropriately meets the purpose of that zone, more so than the General Industrial Zone which contemplates greater off-site impacts.</p> <p>The application of the Light Industrial Zone at this location also provides for a reasonable and consistent juxtaposition of zoning in this general area.</p>		
12.	216205/1	6354977	2 Westport Road	Miandetta	Vacant land. Previous planning permits issued for site remediation and demolition of buildings. (PA2017.0035 & PA2013.0146).	Offensive Industrial	Port and Marine	Light Industrial	<p>Same as above commentary regarding removal of Port and Marine Zone and the reassignment of this land to the Light Industrial Zone; and</p> <p>In the absence of any existing use and the reassignment of adjacent land to the Light Industrial Zone proposed with the draft LPS, that same zone reassignment is deemed appropriate for this site.</p>	As above.	Reassign to Light Industrial Zone.
13.	221742/1 221903/1 220790/1 219440/1	6355005	9 Devonport Road	Miandetta	Storage. Fuel storage depot.	Offensive Industrial	Port and Marine	Light Industrial	<p>Same as previous commentary regarding removal of Port and Marine Zone and the reassignment of this land to the Light Industrial Zone; and</p> <p>The existing use fuel depot located at this site c can be appropriately categorized by the "Storage" use classification described at clause 6.2 of the State Planning Provisions and which carries a permitted use status in the Light Industrial Zone.</p>	As above.	Reassign to Light Industrial Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>The existing and desired land use for this location can be appropriately described by the application of the Light Industrial Zone and more appropriately meets the purpose of that zone, more so than the General Industrial Zone which contemplates greater off-site impacts.</p> <p>The existing use and development of the site is not considered to be the types of use and activity contemplated by instruction LIZ 3 of the LPS Zone and Code Application Guideline and which warrants the application of the General Industrial Zone.</p>		
14.	220003/4 120735/1	6355013	11 Devonport Road Miandetta	Miandetta	No current known use. Previously used as a tannery. Industrial style shed structures.	Offensive Industrial	Port and Marine	Light Industrial	<p>Same as previous commentary regarding removal of Port and Marine Zone and the reassignment of this land to the Light Industrial Zone; and</p> <p>The level of remediation of this site following the previous tannery operations is not clear. However, any site contamination issues associated with these sites does not preclude the application of the Light Industrial Zone. In the absence of any existing use and the reassignment of adjacent land to the Light Industrial Zone proposed under the draft LPS, that same reassignment is deemed appropriate for this site.</p>	As above.	Reassign to Light Industrial Zone.
15.	73026/1	1670030	13 Devonport Road	Miandetta	Residential. Single dwelling.	Offensive Industrial	Port and Marine	Light Industrial	<p>Same as previous commentary regarding removal of Port and Marine Zone and the reassignment of this land to the Light Industrial Zone; and</p> <p>Notwithstanding that this property contains residential use and development (in the form of a single dwelling) – given the proposed reassignment of adjacent land to the north to the Light Industrial Zone, that same reassignment is deemed appropriate for this site.</p> <p>The introduction of a residential zone, such as General Residential, at this particular location, and further noting that such a zone option would only be applied to two adjoining and relatively small</p>	As above.	Reassign to Light Industrial Zone.




Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									sized properties (13 and 15 Devonport Road) - is not considered necessary or desirable.  The existing residential use at this location is lawfully established and the reassignment of this land to the Light Industrial Zone does not stop the continuation of that current use.		
16.	203345/1	1670057	15 Devonport Road	Miandetta	Residential. Single dwelling.	Offensive Industrial	Port and Marine	Light Industrial	As above.	As above.	Reassign to Light Industrial Zone.
17.	N/A	Part of Crown Land Reserve	Part of Crown Land Reserve immediately south of the Victoria Bridge	Miandetta	The portion of Crown Land to be identified here contains existing use and development associated with adjoining industrial activities on Devonport Road. This land is further shown by the yellow outline in the below aerial image.    (Source: <a href="http://www.thelist.tas.gov.au">www.thelist.tas.gov.au</a> )	Offensive Industrial	Port and Marine	Light Industrial	Same as previous commentary regarding removal of Port and Marine Zone and the reassignment of this land to the Light Industrial Zone; and  Notwithstanding that this land forms part of a Crown Land reserve, it does contain existing use and development associated with adjoining industrial activities on Devonport Road (e.g. fuel storage silos, etc.). This observation together with the proposed reassignment of adjacent land to the Light Industrial Zone, lends logic to that same zone reassignment being appropriate for this land.	As above.	Reassign to the Light Industrial Zone that portion of land shown within the yellow lines in the aerial image to the left.
18.	63064/2	6360103	14 North Caroline Street	East Devonport	Storage. Cold storage facility.	Closed Residential	General Residential	Light Industrial	Commentary on site numbers 18-26 is considered collectively as below.  With the exception of the two caravan parks located on CT138123/1 and CT250699/1 (which are proposed to be retained to the General Residential Zone under the draft LPS), the land comprising the area bound by Brooke Street, North Caroline Street, Neely Street and Tarleton Street in East Devonport is generally characterized by light industrial type use and development.	As above.	Reassign to Light Industrial Zone.
19.	63064/1	3261361	16 North Caroline Street	East Devonport	Storage. AJL Container Depot.	Closed Residential	General Residential	Light Industrial		As above.	Reassign to Light Industrial Zone.
20.	235799/1	3261353	18 North Caroline Street	East Devonport	Storage. AJL Container Depot.	Closed Residential	General Residential	Light Industrial		As above.	Reassign to Light Industrial Zone.
21.	123612/1	6360074	26 North Caroline Street	East Devonport	Transport Depot.	Closed Residential	General Residential	Light Industrial		As above.	Reassign to Light Industrial Zone.
22.	123612/2	1705168	30 North Caroline Street	East Devonport	Equipment and Machinery Sales and Hire. (Maxfield drilling services).	Closed Residential	General Residential	Light Industrial		As above.	Reassign to Light Industrial Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
23.	123612/3	1705176	31 Brooke Street	East Devonport	Service Industry. Pallet repair facility.	Closed Residential	General Residential	Light Industrial	Those sections of Brooke Street and North Caroline Street bordering this area are also recognized as an approved B-Double transport route by the Department of State Growth ( <a href="https://data.stategrowth.tas.gov.au/Networks/?mapName=bdbl">https://data.stategrowth.tas.gov.au/Networks/?mapName=bdbl</a> ).  The existing General Residential Zoning under the DIPS does not appropriately recognize these well-established light industrial type uses.  The current General Residential Zoning is the result of an amendment made to the previous 1984 planning scheme in 2006 to rezone this land to Closed Residential. This zoning was translated directly across to General Residential when the DIPS commenced in October 2013 (a translation influenced by the "like for like" instruction issued by the State in 2012).  When the DIPS was made available for public exhibition (circa October – December 2013) a number of landowners within the subject area made representations requesting the designation of an alternative zoning to better recognize the existing light industrial uses. This was generally supported by the Council, but ultimately was not resolved as part of the Tasmanian Planning Commission's assessment of the DIPS - owing in part to the limitation of the Commission's scope of powers available to it to under LUPAA to initiate a rezoning as part of assessing the DIPS.  The purpose of the amendment to rezone this land in 2006 was to make this land available for residential use and development. The amendment was made in accordance with the direction provided in a previous land use strategy adopted by Council known as the <i>Devonport Eastern Shore Project Urban Design Framework (2004)</i> .  It has now been more than 12 years since this land was rezoned. In this time the use and development of	As above.	Reassign to Light Industrial Zone.
24.	127085/2 120203/1	6358038	21-29 Brooke Street	East Devonport	Land generally described as undeveloped except for a small "site office" type structure on CT120203/1.	Closed Residential	General Residential	Light Industrial		As above.	Reassign to Light Industrial Zone.
25.	127085/1	6374150	23-61 Tarleton Street	East Devonport	Old TasCot carpet factory site. Current approved use as a potato washing facility. Existing	Closed Residential	General Residential	Light Industrial		As above.	Reassign to Light Industrial Zone.
26.	125941/1	1747552	21 Tarleton Street	East Devonport	No current known use. Existing industrial style shed structure.	Closed Residential	General Residential	Light Industrial		As above.	Reassign to Light Industrial Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>this land for residential purposes has not eventuated. Light industrial type use and development continues to be the prevailing use and development occurring at this location.</p> <p>The 2006 rezoning, and the land use strategy on which it was based, anticipated a need and demand for residential expansion into an established light industrial area that has not occurred. The strategic direction contemplated by the <i>Devonport Eastern Shore Project Urban Design Framework (2004)</i> is now considered outdated and no longer an appropriate reflection of anticipated need or demand for residential expansion into this area of East Devonport.</p> <p>The absence of a contemporary land use strategy for this area aside, there is a need to consider an appropriate zoning of this land as part of preparing the draft LPS. Furthermore, the allocation of zones must have regard to the LPS Zone and Code Application Guideline.</p> <p>The use and development of this area is generally characterized by well-established light industrial type use and development which is not appropriately described or accommodated by the General Residential Zone.</p> <p>Instead the allocation of the Light Industrial is deemed to be both logical, and suitably in accordance with the requirements of the LPS Zone and Code Application Guideline. The Light Industrial Zone contemplates off-site impacts that are minimal or can be appropriately managed to minimise conflict with, or unreasonable loss of amenity to other uses.</p> <p>The juxtaposition of the Light Industrial Zone next to the General Residential Zone is not considered incompatible or to unreasonably constrain the opportunity for use and development in either zone. Additionally, the provisions for the Light Industrial Zone under the</p>		

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>State Planning Provisions contain use standards relating to hours of operation, external lighting, and commercial vehicle movements with the aim to minimize the impact on adjacent residential use and development. These controls apply to new business activities operating within 50m of a residential zone.</p> <p>There are numerous instances of such zone interfaces both under the existing DIPS and what is proposed under the draft LPS – in areas such as parts of Elizabeth Street, Hillcrest Road, Stony Rise Road, Devonport Road, and Tarleton Street.</p> <p>The LPS Zone and Code Application Guideline does not contain any instruction that the Light Industrial Zone should not directly adjoin the General Residential Zone. It is noted that the Guideline does provide such specific direction for the General Industrial Zone at instruction GIZ 2.</p> <p>The existing or desired uses in this location at East Devonport are not considered to be the types of use and activity contemplated by instruction LIZ 3 of the LPS Zone and Code Application Guideline and which warrant the application of the General Industrial Zone.</p>		
27.	118935/1	6355435	62-78 Devonport Road	Quoiba	"VIP Packaging Australia". Industrial packaging supplies.	General Industrial	General Industrial	Light Industrial	Commentary on site numbers 27-33 is considered collectively as below.	As above.	Reassign to Light Industrial Zone.
28.	116452/1	1636078	52-60 Devonport Road	Quoiba	"Incitec Pivot" fertilizers. Distribution centre.	General Industrial	General Industrial	Light Industrial	<p>The existing use and development of this land is deemed to be more appropriately described by the application of the Light Industrial Zone rather than the retention of the General Industrial Zone.</p> <p>The prevailing use and development at this location is best characterized by existing light industrial type uses. Existing uses are not considered to be the types of use and activity contemplated by instruction LIZ 3 of the LPS Zone and Code Application Guideline and which would warrant the retention of a General Industrial zoning.</p> <p>Heavier industrial activities are situated to the eastern side of Devonport Road and which are</p>	As above.	Reassign to Light Industrial Zone.
29.	18650/7 124729/1 124729/2	2006908	46-50 Devonport Road	Quoiba	"Doric Engineering". Steel fabrication and manufacture.	General Industrial	General Industrial	Light Industrial		As above.	Reassign to Light Industrial Zone.
30.	10927/4	2006916	42-44 Devonport Road	Quoiba	Unknown.	General Industrial	General Industrial	Light Industrial		As above.	Reassign to Light Industrial Zone.
31.	18649/7	2006924	2 Doric Court	Quoiba	Unknown.	General Industrial	General Industrial	Light Industrial		As above.	Reassign to Light Industrial Zone.
32.	18649/11 18649/21 18649/22	3441098	4-6 Doric Court	Quoiba	"Wooton & Byrne" engineering. Steel fabrication and manufacture.	General Industrial	General Industrial	Light Industrial		As above.	Reassign to Light Industrial Zone.
33.	18649/23	Not specified	Doric Court	Quoiba	Land identified as road.	General Industrial	General Industrial	Light industrial		As above.	Reassign to Light Industrial Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>proposed to be retained to a General Industrial zoning.</p> <p>The allocation of the Light Industrial Zone appropriately describes the existing use and development of this area and better reflects established industrial land use patterns.</p> <p>The existing and desired land use for this location can be appropriately described by the application of the Light Industrial Zone and more appropriately meets the purpose of that zone, more so than the General Industrial Zone which contemplates greater off-site impacts.</p> <p>Consideration of the existing and desired land use at this location is for off-site impacts that are minimal or can be appropriately managed to minimise conflict with, or unreasonable loss of amenity to other uses. This is consistent with the application of the Light Industrial Zone. The reassignment of this land to the Light Industrial Zone also better aligns with the instruction contained at GLZ 2 of LPS Zone and Code Application Guideline that the General Industrial Zone generally should not directly adjoin land zoned for residential purposes.</p>		
34.	124354/1	1750938	90 Hiller Street	Devonport	General storage/workshop type uses. Existing shed structures.	Semi-Residential	General Residential	Light Industrial	<p>The site is an irregular shaped lot at the southern end of Hiller Street. This area of Hiller Street is generally characterised by well-established light industrial type use and development. The site is identified by the yellow outline in the below aerial image.</p>  <p>(Source: <a href="http://www.thelist.tas.gov.au">www.thelist.tas.gov.au</a>)</p>	As above.	Reassign to Light Industrial Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>The land immediately surrounding the site can be generally described as follows:</p> <ul style="list-style-type: none"> <li>• North – land under light industrial type use and development (Light Industrial zoning proposed with the draft LPS).</li> <li>• East – As above, and also the Bass Highway corridor (Bass Highway is designated to the Utilities Zone under the draft LPS).</li> <li>• South – Bass Highway (assigned to the Utilities Zone under the draft LPS)</li> <li>• West – Funeral parlour (117 Forbes Street, Devonport and designated to the Community Purpose Zone under the draft LPS).</li> </ul> <p>The subject site contains general shed type structures which are understood to be used for general storage/workshop type uses (and which appropriately conform to light industrial type uses). There are no Council records indicating any residential use and development occurring at this site.</p> <p>The application of the Light Industrial Zone to this site is considered logical and appropriately consistent with zoning of adjacent land proposed with the draft LPS. This proposed zoning is also deemed capable of meeting instruction LIZ 1 and LIZ 2 of the LPS Zone and Code Application Guideline.</p> <p>There is no existing or desired residential use that warrants the retention of the General Residential Zone to this site. Instead the Light Industrial Zone is the appropriate zoning option to be applied.</p>		



## CONSIDERATIONS AGAINST THE CRADLE COAST REGIONAL LAND USE STRATEGY 2010-2030 (the Regional Strategy)


Notwithstanding the previous commentary made under section 2.3 of this supporting report on the nature of the Regional Strategy) as a broad strategic policy framework, the following general policy considerations are deemed relevant to the proposed reassignment of land to the Light Industrial Zone.

Regional Strategy Policy Statement (Part C)	Comment
<p>3.3.1 – Economic Activity</p> <p>Part (a) Identifies for land use planning processes for economic activity to “<i>facilitate supply of employment land in all settlement areas for industrial, business and institutional use including in residential areas</i>”.</p> <p>The term “employment land” is defined by the Regional Strategy as meaning “<i>areas designated in a planning scheme for clusters of industry, business and other economic activity; including but not limited to manufacturing and processing, transport and storage, business and retail, institutional, resource development and tourism</i>”.</p>	<p>The proposed zone reassignments provide for the better recognition of existing and well established light industrial uses though application of an appropriate planning scheme zone. In that context these reassignments are not considered to represent an expansion of industrial land, only the allocation of a more appropriate zone to describe land where there is an existing pattern of light industrial type use and development and which can appropriately be described as “employment land” for the purposes of the Regional Strategy.</p> <p>The proposed zone reassignments are deemed appropriately consistent with this policy consideration.</p> <p>A further observation in relation to the proposed reassignment of the land comprising the area bound by Brooke Street, North Caroline Street, Neely Street and Tarleton Street in East Devonport into the Light Industrial Zone is that it does provide some offset for that land which is proposed to be removed from the Light Industrial Zone (e.g. the areas of established residential use and development at Hillcrest Road, Laphorne Close, Durkins Road, Stephen Street, etc.).</p>
<p>3.3.8 – Manufacturing and Processing</p> <p>Not necessarily limited to only “manufacturing and processing”, this policy statement provides consideration for a range of industrial land uses. Parts (b), (c), (e) and (f) are considered particularly relevant to the proposed zone assignments.</p> <p>(b) <i>cluster manufacturing, processing, and bulk storage and handling in locations where there is clear advantage for industry through –</i></p> <ol style="list-style-type: none"> <li>i. <i>availability of large suitable land sites;</i></li> <li>ii. <i>proximity to resource or workforce;</i></li> <li>iii. <i>secure access to available or planned transport and utility infrastructure</i></li> <li>iv. <i>established pattern of industrial use; and</i></li> <li>v. <i>reasonable ability to buffer against impact on other land uses</i></li> </ol> <p>(c) <i>promote transport and storage activities in locations with access to strategic transport infrastructure and high productivity vehicle access freight corridors, including sea and air ports, major road junctions and rail yards and avoid further dispersal onto new or under-developed networks.</i></p> <p>(e) <i>rationalize and reduce fragmentation of existing industrial land locations to increase efficiency of use and to reduce impact on adjoining lands.</i></p> <p>(f) <i>provide land for service and support industries, including trade, construction and fabrication, maintenance, repair, distribution and transport in all settlement areas.</i></p>	<p>Zone reassignments have been made with appropriate regard to land size, proximity to resources (including workforce), access to transport routes/linkages, and utility infrastructure.</p> <p>The proposed reassignments of land from the General Industrial Zone (of the Interim Planning Scheme) into the Light Industrial Zone under the draft LPS - provide for a better recognition of existing and well established light industrial uses by the application of a more appropriate zone. In that context these reassignments do not represent a loss of industrial land, but rather the allocation of a more appropriate zone to describe land where there is an existing pattern of light industrial type use and development and where there is the intention to retain that pattern of light industrial land use.</p> <p>The allocation of the Light Industrial Zone provides for land use and development where off-site impacts are minimal or can be appropriately managed to minimise conflict with, or unreasonable loss of amenity to other uses. This is consistent with the application of the Light Industrial Zone and more appropriately meet the purpose of that zone, more so than the General Industrial Zone which contemplates greater off-site impacts.</p> <p>The juxtaposition of the Light Industrial Zone next to the General Residential Zone is not considered incompatible or to unreasonably constrain the opportunity for use and development in either zone. The LPS Zone and Code Application Guideline does not contain any instruction that the Light Industrial Zone should not directly adjoin the General Residential Zone. There are numerous instances of such zone interfaces both under the existing DIPS and what is proposed under the draft LPS – in areas such as parts of Elizabeth Street, Hillcrest Road, Stony Rise Road, Devonport Road, and Tarleton Street.</p> <p>Furthermore, the provisions for the Light Industrial Zone under the State Planning Provisions contain use standards relating to hours of operation, external lighting, and commercial vehicle movements with the aim to minimize the impact on adjacent residential use and development. These controls apply to new business activities operating within 50m of a residential zone.</p> <p>The proposed zone reassignments provide for the appropriate recognition of existing and well-established light industrial land use patterns in the Devonport municipal area. The allocation of an appropriate planning scheme zone provides surety for landowners and the interface of the Light Industrial Zone with adjacent residential zones can be managed by the protections offered by the State Planning Provisions.</p> <p>The proposed zone reassignments are deemed consistent with this policy.</p>
<p>5.4.1 – Sea Transport</p> <p>Recognise the strategic significance to Tasmania of the Burnie and Devonport ports for freight movement and in import and export trade.</p>	<p>The proposed reassignment of that land south of the Victoria Bridge (currently zoned Port and Marine under the DIPS) to the Light Industrial Zone provides for a better alignment of the Port and Marine Zone with the defined port area of Devonport as defined by the <i>Marine and Safety (Pilotage and Navigation) Regulations 2017</i>.</p> <p>The northern edge of the Victoria Bridge seems the logical point to demarcate the boundary of the Port and Marine Zone, and the strategic significance of the port area is not diminished as a result of such action.</p> <p>The proposed zone reassignments are deemed consistent with this policy.</p>

APPENDIX M

Reassignment of land to the General Industrial Zone (where current zoning under the DIPS is something other than General Industrial)

NOTES	ABBREVIATIONS	
<p>1. The attached table indicates properties that have a current zoning under the DIPS as something other than General Industrial.</p> <p>2. The primary source of instruction for zone allocation is the LPS Zone and Code Application Guideline.</p> <p>3. Zoning reassignments also have regard to situations where the current zoning does not appropriately reflect the existing use and development, and to also correct any anomalies concerning zone boundaries.</p> <p>4. Aerial imagery has been included only for those sites where further visual information assists with constructing the justification for a change to the zoning or to clarify the demarcation of proposed zone boundaries.</p> <p><b>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</b></p> <p>A. The proposed reassignments of land to the General Industrial Zone addresses a specific few circumstances where the current zoning does not appropriately reflect the existing use and development, and to also correct anomalies concerning zone boundaries. These proposed reassignments are appropriately consistent with the Regional Strategy.</p>	"1984 Planning Scheme"	means the <i>Devonport &amp; Environs Planning Scheme 1984</i> . The planning scheme that existed before the commencement of the DIPS in October 2013.
	"DIPS"	means the <i>Devonport Interim Planning Scheme 2013</i>
	"LPS"	means Local Provisions Schedule
	"LUPAA"	means the <i>Land Use Planning and Approvals Act 1993</i>
	"LPS Zone and Code Application Guideline"	means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b> ).

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
1.	125958/2	6389715	155 Mersey Main Road	Spreyton	Resource processing. Site forms part of the land associated with the Fonterra dairy factory.	The land in question formed part of the Special Food Processing Buffer zone.	Environmental Management / General Industrial	General Industrial (Extension of General Industrial zone boundary to align with existing Fonterra factory and associated curtilage)	Essentially this a minor adjustment to an existing zone boundary. It extends the current General Industrial zone boundary to align with and follow the factory curtilage identifiable by the fence line in the aerial imagery (see below image with the existing fence line shown in yellow).  (Source: <a href="http://www.thelist.tas.gov.au">www.thelist.tas.gov.au</a> )	Deemed capable of meeting instruction GIZ 1 of the LPS Zone and Code Application Guideline.	Reassign General Industrial Zone boundary to align with factory and associated curtilage (identifiable via the compound fence line in the aerial imagery and as shown by the yellow line).
2.	132831/6	1946367	11 Turners Land	Quoiba	Resource processing. JBS rendering plant.	General Industrial	Environmental Management / General Industrial	General Industrial	The existing zoning arrangement under the DIPS designates the access strip forming part of CT132831/6 an Environmental Management zoning – which is different to the balance of the site which is zoned General Industrial. The reason for this current situation is not readily apparent, and it seems logical to assign the entirety of the site to a single zoning of General Industrial.	As above.	Reassign the access strip associated with CT132831/6 to General Industrial Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
3.	156911/2	3084924	81-83 Devonport Road	Quoiba	Resource processing. Site forms part of land associated with Simplot Australia factory.	Public Open Space	General Industrial / Utilities	General Industrial	The southernmost portion of CT156911/2 is currently zoned Utilities under the DIPS – for which there is no obvious reason. It is considered logical to realign the zone boundary with the cadastral boundary – that is to zone the entirety of the site General Industrial.	As above.	Extend General Industrial Zone boundary to align with cadastral boundary.

## APPENDIX N

### Assignment of land to the Rural Zone

NOTES	ABBREVIATIONS	
<p>1. The inclusion of the Rural Zone with the State Planning Provisions (SPPs) is the result of a recalibration of the existing standard Rural Resource Zone and Significant Agriculture Zone included with interim planning schemes around the State. Further information on the recalibration of the Rural Zone and Agricultural Zone made with the SPPs is included with <b>Appendix S</b>.</p> <p>2. The spatial application of the Rural Zone with the draft LPS does not propose any reassignments per se because land proposed for inclusion in this Zone is already zoned Rural Resource under the current Interim Planning Scheme (DIPS) which has some general zoning equivalence.</p> <p>3. The primary source of instruction for zone allocation is the LPS Zone and Code Application Guideline.</p> <p>4. The Rural Zone made with the SPPs is more focused towards non-urban land use which is otherwise compromised or significantly constrained for agricultural use (with the exception of plantation forestry). The Rural Zone does not preclude agricultural use, however such use would be considered to be occurring at a lesser intensity than on land included with the Agriculture Zone (again with the exception of plantation forestry). The Agricultural Zone includes some limitations on prime agricultural land being used for plantation forestry which is consistent with the principles contemplated by the <i>State Policy on the Protection of Agricultural Land 2009</i>.</p> <p>5. In accordance with the further instruction contained in the LPS Zone and Code Application Guideline, the draft LPS applies the Rural Zone 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.</p> <p>6. The instruction contained at RZ 2 of the LPS Zone and Code Application Guideline provides that the Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the “<i>Land Potentially Suitable for Agriculture Zone</i>” map layer as published on the Land Information System Tasmania (the LIST) database. Further information on this LIST guidance mapping is included with <b>Appendix S</b>.</p> <p>7. The further methodology engaged by the draft LPS for the application of the Rural Zone considers the following cumulative criteria:</p> <p>(a) Land that is zoned Rural Resource under the existing Interim Planning Scheme;</p> <p>(b) Land that is excluded from the “<i>land potentially suitable for Agriculture Zone</i>” guidance mapping published on the Land Information System Tasmania (LIST) database and is not otherwise considered suitable for inclusion with the Agriculture Zone, having regard to:</p> <p>i. the methodology set out for the application of the Agriculture Zone as prepared for the draft LPS;</p> <p>ii. the existing use and development and the land size of the site;</p> <p>iii. whether the land is significantly constrained for agricultural use due to topographical, environmental or other constraining factors (such as proximity to residential use and development including land zoned for such purposes); and</p> <p>iv. the extent of the land involved and how that land sits relative to the surrounding zoning (including the prevailing zoning in that location);</p> <p>(c) Land that is shown within the “<i>land potentially suitable for Agriculture Zone</i>” guidance mapping published on the LIST database and having regard to:</p> <p>i. whether that land is significantly constrained for agricultural use due to topographical, environmental or other constraining factors (such as proximity to residential use and development including land zoned for such purposes);</p> <p>ii. existing use and development of such land and whether this forms part of a pattern/sequence of similar use and development on adjacent sites in that location (including the suitability of such use and development to be described by the application of the Rural Zone); and</p> <p>iii. the extent of the land involved and how that land sits relative to the surrounding zoning (including the prevailing zoning in that location);</p> <p>(d) Land where there is a pattern (or cluster) of extractive industry or forestry operations (including mining leases and private timber reserves). Individual or isolated instances of such operations are not considered as specific justification for inclusion with the Rural Zone; and</p> <p>(e) Land that is not otherwise proposed for reassignment to an alternative zone under the draft LPS (i.e. to the Rural Living Zone, Agriculture Zone, or the Utilities Zone).</p> <p>8. Aerial imagery has been included only for those sites where further visual information assists with constructing the justification for zoning assignments.</p> <p><b>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</b></p> <p>A. Consideration of the proposed Rural Zone reassignments against the relevant policy matters of the <i>Cradle Coast Regional Land Use Strategy 2010-2030</i> is provided at the conclusion of the below table.</p>	“1984 Planning Scheme”	means the <i>Devonport &amp; Environs Planning Scheme 1984</i> . The planning scheme that existed before the commencement of the DIPS in October 2013.
	“DIPS”	means the <i>Devonport Interim Planning Scheme 2013</i>
	“LPS”	means Local Provisions Schedule
	“LUPAA”	means the <i>Land Use Planning and Approvals Act 1993</i>
	“LPS Zone and Code Application Guideline”	means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b> ).
	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	means the “ <i>land potentially suitable for Agriculture Zone</i> ” guidance map layer published on the Land Information System Tasmania (LIST) database. This guidance mapping has been prepared as part of the State Government’s Agricultural Land Mapping Project. Further information on this is included with <b>Appendix S</b> .

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
<b>PART A - EXISTING RURAL RESOURCE ZONE LAND THAT IS EXCLUDED FROM THE "LAND POTENTIALLY SUITABLE FOR AGRICULTURE ZONE" ANALYSIS LAYER SHOWN ON THE LIST MAP DATABASE AND NOT OTHERWISE CONSIDERED APPROPRIATE FOR INCLUSION WITH THE AGRICULTURE ZONE</b>												
1.	124413/1	6387779	36 Sheffield Road	Spreyton	Residential. Single dwelling.	Rural	Rural Resource	Rural	Excluded from analysis.	Commentary on site numbers 1-9 is considered collectively below.  These sites have been specifically excluded from "land potentially suitable for Agriculture Zone" guidance mapping published on the LIST database.	Deemed capable of meeting instruction RZ 1 & RZ 2 of the LPS Zone and Code Application Guideline.	Assign to the Rural Zone.
2.	34393/1	6387760	40 Sheffield Road	Spreyton	Residential. Single dwelling.	Rural	Rural Resource	Rural	As above.	There is a clear pattern of clusters of linear residential use and development located in the existing Rural Resource Zone fronting on to Sheffield Road. Setting aside the merits or otherwise of this pattern owing to historical planning policy and practice – the pattern is there and it is occupied by long established residential use and development.	As above.	Assign to the Rural Zone.
3.	13943/1	6387752	42 Sheffield Road	Spreyton	Residential. Single dwelling.	Rural	Rural Resource	Rural	As above.		As above.	Assign to the Rural Zone.
4.	17407/1 17407/2	6387744	44 Sheffield Road	Spreyton	Residential. Single dwelling.	Rural	Rural Resource	Rural	As above.		As above.	Assign to the Rural Zone.
5.	17407/3 17407/4	6387736	48 Sheffield Road	Spreyton	Residential Single dwelling	Rural	Rural Resource	Rural	As above.		As above.	Assign to the Rural Zone.
6.	123354/1	6387453	168 Sheffield Road	Spreyton	Residential. Single dwelling.	Rural	Rural Resource	Rural	As above.		As above.	Assign to the Rural Zone.
7.	30223/1	7366646	170 Sheffield Road	Spreyton	Residential. Single dwelling.	Rural	Rural Resource	Rural	As above.		As above.	Assign to the Rural Zone.
8.	129475/2	1854825	179 Sheffield Road	Spreyton	Residential. Single dwelling.	Rural	Rural Resource	Rural	As above.		As above.	Assign to the Rural Zone.
9.	15608/1	6387082	181 Sheffield Road	Spreyton	Residential. Single dwelling.	Rural	Rural Resource	Rural	As above.		As above.	Assign to the Rural Zone.
										In the absence of a suitable alternative zone identified as part of the draft LPS preparation process (and noting the existing Rural Resource zoning under the DIPS) the assignment of the Rural Zone is deemed reasonable for these sites and which appropriately conforms with the methodology for the Rural Zone (as detailed at Note 7 of this Table, and further described at Appendix S).  It is important to note that the application of the Rural Zone to these sites does not result in or enable an intensification of the residential use and development from that which is currently occurring. This is a relevant consideration given the proximity of adjacent land which is assigned to the Agriculture Zone under the draft LPS.		



Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
10.	159322/104	3029757	160B Sheffield Road	Spreyton	Undeveloped land.	Rural	Rural Resource	Rural	As above.	<p>This site has been specifically excluded from “<i>land potentially suitable for Agriculture Zone</i>” guidance mapping published on the LIST database.</p> <p>In the absence of a suitable alternative zone identified as part of the draft LPS preparation process, noting the existing Rural Resource zoning under the DIPS, and also the zoning of adjacent land to the Rural Zone proposed with the draft LPS – the assignment of the Rural Zone to this site is also deemed appropriate.</p> <p>The assignment of the Rural Zone appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).</p>	As above.	Assign to the Rural Zone.
11.	30223/5	7366638	172 Sheffield Road	Spreyton	Local shop/service station.	Rural	Rural Resource	Rural	As above.	As above.	As above.	Assign to the Rural Zone.
12.	166338/1	7204022	174 Sheffield Road	Spreyton	Transport depot and distribution.	Rural	Rural Resource	Rural	As above.	As above.	As above.	Assign to the Rural Zone.
13.	166308/202 65612/10	3269929	281 Clayton Drive	Spreyton	Undeveloped land.	Rural	Rural Resource	Rural	As above.	Commentary on site numbers 13-14 is considered collectively below.	As above.	Assign to the Rural Zone.
14.	166308/203	3254452	39A Clayton Drive	Spreyton	Undeveloped land. Thin portion of council owned land running parallel to the water course.	Rural	Rural Resource	Rural	As above.	<p>These two sites have been specifically excluded from “<i>land potentially suitable for Agriculture Zone</i>” guidance mapping published on the LIST database.</p> <p>There is no existing agricultural use of these sites and the prevailing surrounding zoning does not establish a logical or compelling reason as to why this land should be captured by the Agriculture Zone. In the absence of a suitable alternative zone identified as part of the draft LPS preparation process and the zoning of adjacent land to the Rural Zone proposed with the draft LPS – the assignment of the Rural Zone to these sites is also deemed appropriate.</p>	As above.	Assign to the Rural Zone.



Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
										The assignment of the Rural Zone appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).		
15.	13192/1	6386274	137 Pumping Station Road	Forth	Residential. Single dwelling.	Rural	Rural Resource	Rural	As above.	Commentary on site numbers 15-16 is considered collectively below.	As above.	Assign to the Rural Zone.
16.	Part of 118664/1	6386282	162 Pumping Station Road	Forth	The land forms the balance of the site containing the TasWater wastewater treatment plant (which is located on the portion of this site to the west of Pumping Station Road).	Rural	Rural Resource	Rural	As above.	<p>These two sites have been specifically excluded from "land potentially suitable for Agriculture Zone" guidance mapping published on the LIST database.</p> <p>The dense vegetation and steep topography of the area contribute significant constraints to agricultural use occurring on this land. In these circumstances the application of the Rural Zone is deemed appropriate and which suitably conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).</p> <p>These two sites are located adjacent to those sites described by site numbers 56-58 of this Table and which share very similar topographic and vegetation characteristics. The application of the Rural Zone allows for a reasonable and consistent juxtaposition of zoning at this location including the way that zoning responds to the extent of established vegetation in this area.</p> <p>These two sites can be observed in the aerial image provided in Part D of this Table which depicts the collective of site numbers 15, 16, 56, 57 &amp; 58 (shown in yellow outline). This aerial imagery is also shown with Australian Height Datum contour information to demonstrate the inherent topography of these sites.</p>	As above.	Assign that portion of the site located to the east of Pumping Station Road to the Rural Zone (i.e. that portion of the site currently zoned Rural Resource under the DIPS).

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
17.	233644/1	6386354	342 Pumping Station Road	Forth	"Forth Scout Camp"	Rural	Rural Resource	Rural	As above.	This site has been specifically excluded from "land potentially suitable for Agriculture Zone" guidance mapping published on the LIST database. The existing use and development of the site as a scout camp-ground can be appropriately described by the application of the Rural Zone. The assignment of the Rural Zone appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).	As above.	Assign to the Rural Zone.
18.	45678/1 154138/1 154138/2	3597340	124-130 Mersey Main Road	Spreyton	Storage yard	Rural	Rural Resource	Rural	As above.	This site has been specifically excluded from "land potentially suitable for Agriculture Zone" guidance mapping published on the LIST database. In the absence of a suitable alternative zone identified as part of the draft LPS preparation process (and noting the existing Rural Resource zoning under the DIPS) the assignment of the Rural Zone is deemed appropriate for this site. The assignment of the Rural Zone appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).	As above.	Assign to the Rural Zone.
19.	Not applicable	2515235 (all land parcels associated with this PID)	502 Forthside Road	Forthside	Forestry Tasmania operations	Rural	Rural Resource	Rural	As above.	This site has been specifically excluded from "land potentially suitable for Agriculture Zone" guidance mapping published on the LIST database. Land parcels associated with this property address are utilised for forestry operations. The assignment of the Rural Zone appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).	As above.	Assign to the Rural Zone.
20.	Not applicable	2515286 (all land parcels associated with this PID)	109 Ahernes Road	Forthside	Forestry Tasmania operations	Rural	Rural Resource	Rural	As above.	As above.	As above.	Assign to the Rural Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
21.	157649/1	7126378	63 Duncans Road	Melrose	Land under Council ownership. Used for passive recreational purposes.	Rural	Rural Resource	Rural	As above.	<p>This site has been specifically excluded from “<i>land potentially suitable for Agriculture Zone</i>” guidance mapping published on the LIST database.</p> <p>There is no existing agricultural use of the site and the prevailing surrounding zoning does not establish a logical or compelling reason as to why this land should be captured by the Agriculture Zone. The dense vegetation and topography of the area contribute significant constraints to agricultural use occurring on this land.</p> <p>Given the above circumstances and noting the assignment of adjacent land to the Rural Zone proposed with the draft LPS – the assignment of the Rural Zone to this site is also deemed appropriate.</p> <p>Furthermore, the application of the Rural Zone allows for a reasonable and consistent juxtaposition of zoning at this location including the way that zoning responds to the extent of established vegetation in this area.</p> <p>The assignment of the Rural Zone appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).</p>	As above.	Assign to the Rural Zone.


Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
<b>PART B - LAND THAT IS OTHERWISE DEEMED AS APPROPRIATE FOR INCLUSION WITH THE RURAL ZONE</b>												
22.	120737/2	6380569	315A Forth Road	Don	No known current use or development. Site comprises dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained	Commentary on site numbers 22-45 is considered collectively as below. In support of this commentary an aerial image is provided at Part C of this Table detailing these sites with Australian Height Datum contour information also shown to demonstrate the inherent topography of these locations.	Deemed capable of meeting instruction RZ 1 & RZ 3 (a) and (b) of the LPS Zone and Code Application Guideline.	Assign to the Rural Zone.
23.	147663/1	6380550	232 Bellamy Road	Forthside	Site contains residential use and development. Further characterised by dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained	Land areas identified here are generally characterised by a contiguous pattern of dense vegetation across an undulating topographical profile. The area also contains a number of mining leases and forestry operations (including private timber reserves).	As above.	Assign to the Rural Zone.
24.	250876/1	7259699	234 Bellamy Road	Forthside	No known current use or development. Site previously used for quarrying operations. Site further characterised by dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained.	Single dwellings on what can generally be described as large "bush blocks" are also located intermittently within this area.	As above.	Assign to the Rural Zone.
25.	132882/4	1972936	59 Nielsens Road	Tugrah	Site contains an existing single dwelling and is further characterised by dense vegetation. A planning permit (PA2017.0076) has been issued for the excision (subdivision) of the existing dwelling on the site.	Rural	Rural Resource	Rural	Potentially unconstrained.	The dense vegetation and steep topography of the area contribute significant constraints to agricultural use occurring on this land. In these circumstances the application of the Rural Zone is considered appropriate and there is no existing agricultural use occurring at an intensity or scale (or apparent potential for such use) to otherwise warrant the application of the Agriculture Zone.	As above.	Assign to the Rural Zone.
26.	132279/3	1941021	56 Nielsens Road	Tugrah	Site contains an existing single dwelling and is further characterised by dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained.	The assignment of the Rural Zone to these sites appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).	As above.	Assign to the Rural Zone.
27.	132882/5	1972944	80 Nielsens Road	Tugrah	Site contains an existing single dwelling and is further characterised by dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained		As above.	Assign to the Rural Zone.
28.	132882/2	1972928	82 Nielsens Road	Tugrah	No known current use or development. Site is characterised by dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained	Furthermore, the land capability layer published on the Land Information System	As above.	Assign to the Rural Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
29.	101377/1	7740554	203 Wrenswood Drive	Quoiba	Site contains a single dwelling and is also characterised by dense vegetation. Further particulars for this site include: - contains a private timber reserve (PTR); - there is a planning permit in place for a three lot subdivision (PA2017.0031) to occur.	Rural	Rural Resource	Rural	Potentially unconstrained	Tasmania (LIST) indicates that this area does not contain any prime agricultural land.  A further consideration with the application of the Rural Zone at these locations regards the Priority Vegetation Area (PVA) overlay forming part of the Natural Assets Code. As instructed by the State Planning Provisions and the LPS Zone and Code Application Guideline, the PVA overlay is applicable to land within the Rural Zone but not the Agriculture Zone. Heavily vegetated land areas such as those identified here would not be covered by the protections of the PVA overlay if they are assigned to the Agriculture Zone.	As above.	Assign to the Rural Zone.
30.	174264/1	3549875	349 Tugrah Road	Tugrah	No known current use or development. Site comprises dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained	Notwithstanding the above point, it is important here to make the distinction that the PVA consideration is not the sole justification for the application of the Rural Zone at these locations. In addition to the heavy vegetation cover, and as described above, there are a number of contributing factors that influence the application of the Rural Zone. The natural values associated with the established vegetation at these locations are not so significant to justify or necessitate the application of an alternative zone such as the Landscape Conservation Zone or the Environmental Management Zone. Instead these areas have a collection of contributing factors that significantly constrain the land for agricultural use and accordingly the application of the Rural Zone is deemed appropriate.  With further regard to 70 and 78 Nielsens Road, Tugrah (as described by site numbers 44	As above.	Assign to the Rural Zone.
31.	174264/2	3549867	351 Tugrah Road	Tugrah	Site contains a single dwelling and is also characterised by dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained		As above.	Assign to the Rural Zone.
32.	24577/1	7204073	437 Forthside Road	Forthside	As above.	Rural	Rural Resource	Rural	Potentially unconstrained		As above.	Assign to the Rural Zone.
33.	245344/1	7204065	448 Forthside Road	Forthside	No known current use or development. Site comprises dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained		As above.	Assign to the Rural Zone.
34.	118566/1 212199/1	6380593	477 Forthside Road	Forthside	Site contains a single dwelling located on CT212199/1. A mining lease (1717P/M) is also located on parts of both titles comprising this site. Property is further characterised by dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained		As above.	Assign to the Rural Zone.
35.	242032/1	6382521	547 Forthside Road	Forthside	Site occupied by a gravel quarry (mining lease 1704P/M).	Rural	Rural Resource	Rural	Potentially constrained (Criteria 2B)		As above.	Assign to the Rural Zone.
36.	12787/1 239287/1	6382548	557 Forthside Road	Forthside	No known current use or development. Site comprises dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained		As above.	Assign to the Rural Zone.
37.	207919/1	6380585	101 Bellamy Road	Melrose	Site contains a single dwelling and is also characterised by dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained		As above.	Assign to the Rural Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
38.	137030/4; and associated land not described by Certificate of Title	6380526	149 Bellamy Road	Forthside	Crown land. No known current use or development. Site comprises dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained	and 45), upon which some clearing of the vegetation has occurred, given the proposed Rural Zone assignments entirely surrounding these properties that same Rural zoning is also considered appropriate for these two sites. There remains some topographical constraints for these sites and there is no known existing agricultural use occurring at an intensity or scale that otherwise warrants the application of the Agriculture Zone. This rationale is appropriately consistent with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).	As above.	Assign to the Rural Zone.
39.	233592/1	6380577	162 Bellamy Road	Forthside	Site contains a single dwelling and is also characterised by dense, well established vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained		As above.	Assign to the Rural Zone.
40.	137030/3; and associated land not described by Certificate of title	7740802	210 Bellamy Road	Forthside	Crown land. Site contains a mining lease (42M/1982). Further characterised by dense vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained		As above.	Assign to the Rural Zone.
41.	239173/1	6385941	110 Duncans Road	Melrose	No known current use or development. Site comprises dense vegetation.	Rural	Rural Resource	Rural	Potentially constrained (Criteria 2B)		As above.	Assign to the Rural Zone.
42.	234465/1	2027012	Paloona Road	Melrose	No known current use or development. Site comprises dense vegetation.	Rural	Rural Resource	Rural	Potentially constrained (Criteria 2B)		As above.	Assign to the Rural Zone.
43.	129536/2	1879184	65 Webberleys Road	Forthside	Site contains a single dwelling and is also characterised by dense, well established vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained		As above.	Assign to the Rural Zone.
44.	83435/1	6388800	70 Nielsens Road	Tugrah	Site contains an existing single dwelling. This site has been generally cleared of vegetation and is understood to be used for some grazing purposes.	Rural	Rural Resource	Rural	Potentially constrained (Criteria 2A)		As above.	Assign to the Rural Zone.
45.	132712/1	7740546	78 Nielsens Road	Tugrah	This site has been generally cleared of vegetation and is understood to be used for some grazing purposes.	Rural	Rural Resource	Rural	Potentially unconstrained		As above.	Assign to the Rural Zone.
46.	8271/1	7204145	55 Lakeside Road	Melrose	Site of former BHP limestone quarry. Now occupied by Melrose Quarry Lake.	Rural	Rural Resource	Rural	Potentially constrained (Criteria 2B).	Site is predominantly occupied by a lake environment which significantly constrains the use (or potential use) of the site for agriculture. The assignment of the Rural Zone appropriately	As above.	Assign to the Rural Zone.



Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
										conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).		
47.	120415/1	7204137	76 Lakeside Road	Eugenana	Visitor Accommodation. Caravan Park.	Rural	Rural Resource	Rural	Potentially constrained (Criteria 2A).	Site is occupied by and utilised as a caravan park. The existing and well established use and development significantly constrain the potential for agricultural use. The assignment of the Rural Zone appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).	As above.	Assign to the Rural Zone.
48.	36383/3	7404200	17 Nicholas Place	Eugenana	Current use and development unknown	Rural	Rural Resource	Rural	Potentially constrained (Criteria 2B).	<p>The site is located adjacent to land that is proposed for reassignment to the Rural Living Zone. The site is not understood to be used for any agricultural use that would warrant the application of the Agriculture Zone. Any potential agricultural use would be significantly constrained by reason of its size and proximity to residential use and development.</p> <p>In the absence of any existing use, and the reassignment of adjacent land to the Rural Living Zone proposed with the draft LPS, the Rural Zone is deemed appropriate to apply to this site.</p> <p>The assignment of the Rural Zone appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).</p>	As above.	Assign to the Rural Zone.
49.	36383/1	7404219	426 Melrose Road	Eugenana	Site contains residential use and development in the form of a single dwelling. The balance of the site can be generally described as being cleared for pasture and possibly used intermittently for limited grazing use.	Rural	Rural Resource	Rural	Potentially constrained (Criteria 2A).	The site is located adjacent to land that is proposed for reassignment to the Rural Living Zone. The site is not understood to be used for any agricultural use that would warrant the application of the Agriculture Zone. The size and proximity of the site to adjacent residential use and development are considered to constrain the potential for agricultural use.		Assign to the Rural Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
										Considering the above circumstances, the application of the Rural Zone is deemed reasonable and which appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).		
50.	Part of 172382/5	3485699	211 Brooke Street	East Devonport	Costa Group distribution centre.	Rural	Rural Resource / Environmental Management	Rural	Potentially constrained (Criteria 2A)	<p>The LIST layer analysis (land potentially suitable for Agriculture Zone) seems to have been based on previous aerial imagery which does not give a proper account of the scale of the existing use and development occurring on the site. An updated aerial image (February 2019) of the site is shown below.</p>  <p>(Source: DCC – Geocortex 2019)</p> <p>The existing use and development of the site together significantly constraint the potential for agricultural use and the application of the Rural Zone is an appropriate option.</p> <p>The assignment of the Rural Zone appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).</p>	As above.	Assign to the Rural Zone that portion of the site currently zoned Rural Resource under the DIPS.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
51.	Part of 172453/4	3494333	213 Brooke Street	East Devonport	Approved use is for a packaging facility (PA2015.0116)	Rural	Rural Resource / Environmental Management	Rural	Potentially unconstrained	The site has an active planning permit for the use and development of a warehouse facility on this site. The warehouse will accommodate the receiving, storage and distribution of packaging materials for agricultural products, with the adjoining Costa Group Exchange facility representing the principal customer for such packaging materials. Given the proposed assignment of the adjoining land at 211 Brooke Street (which contains the Costa Group facility) to the Rural Zone, that same zone (and for the same reasons) is also deemed appropriate for this site.  The assignment of the Rural Zone appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).	As above.	Assign to the Rural Zone that portion of the site currently zoned Rural Resource under the DIPS.
52.	125960/5	1465125	Woodrising Avenue	Spreyton	Undeveloped land.	Rural	Rural Resource (small portion of this land comprising the access strip is zoned General Residential)	Rural	Potentially constrained (Criteria 3)	Commentary on site numbers 52-54 is considered collectively as below.  Land is owned by Fonterra and is generally utilised as a "buffer" area between the Fonterra facility and adjacent residential use and development. The site is not currently used for agricultural purposes and the land is significantly constrained for agricultural use by reason of its close proximity to residential use and development (including land assigned to the General Residential Zone).	As above.	Assign to the Rural Zone that portion of the site currently zoned Rural Resource under the DIPS.
53.	113548/65 Part of 125960/6	6389715	155 Mersey Main Road	Spreyton	Undeveloped land.	Rural	Rural Resource	Rural	Potentially constrained (Criteria 3)	The assignment of the Rural Zone appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).	As above.	Assign CT113548/65 to the Rural Zone.  Assign to the Rural Zone that portion of CT125960/6 currently zoned Rural Resource under the DIPS.
54.	113548/66	1540914	37 Fraser Street	Spreyton	Undeveloped land.	Rural	Rural Resource	Rural	Potentially constrained (Criteria 3)	The site is not currently used for agricultural purposes and has limited potential for such use. The potential for agricultural use is constrained by reason of	As above.	Assign to the Rural Zone.
55.	113548/67	1540906	20 Fraser Street	Spreyton	Site can be broadly described as generally cleared for pasture and possibly used intermittently for	Rural	Rural Resource	Rural	Potentially constrained (Criteria 3)		As above.	Assign to the Rural Zone.

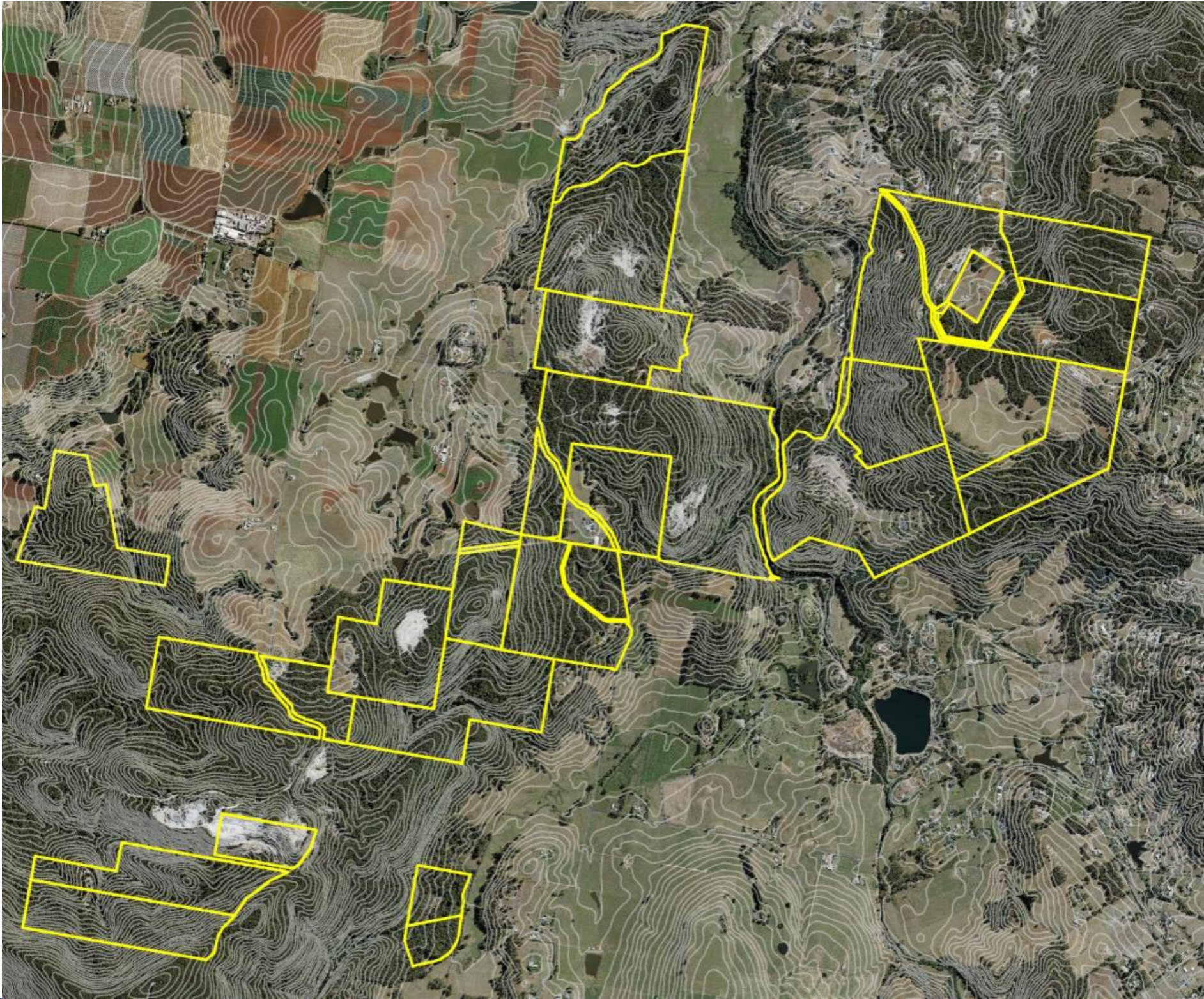
Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
					limited grazing use being of a "hobby farm" type of scale and intensity.					proximity to residential use and development (including land assigned to the General Residential Zone). The assignment of the Rural Zone appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).		
56.	48177/1	6386231	109 Pumping Station Road	Forth	Site contains a single dwelling and is also characterised by dense, well established vegetation.	Rural	Rural Resource	Rural	Potentially constrained (Criteria 2A)	<p>Commentary on site numbers 56-58 is considered collectively as below.</p> <p>This area shares similar topographic and vegetation characteristics to that land described by site numbers 22-45 of this Table. The same logic that was applied to support the application of the Rural Zone at that location can similarly be applied here and the assignment of the Rural Zone to these sites appropriately conforms with the Rural Zone methodology described in Note 7 to this Table (and further detailed at Appendix S).</p> <p>In support of this commentary an aerial image is provided at Part D of this Table detailing these sites with Australian Height Datum contour information also shown to demonstrate the inherent topography of these sites.</p>	As above.	Assign to the Rural Zone.
57.	49676/1	1959838	167 Pumping Station Road	Forth	Site contains a single dwelling and is also characterised by dense, well established vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained		As above.	Assign to the Rural Zone.
58.	49774/1	6386290	269 Pumping Station Road	Forth	Site contains a single dwelling and is also characterised by dense, well established vegetation.	Rural	Rural Resource	Rural	Potentially unconstrained		As above.	Assign to the Rural Zone.



Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
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PART C – SUPPORTING AERIAL IMAGERY FOR SITE NUMBERS 22-45

The below aerial imagery (from February 2019) is sourced from Council's Geocortex GIS system and further shows AHD contour information at 5 metre increments. The properties identified by site numbers 22-45 in Part B above are depicted by yellow outline in the below image.

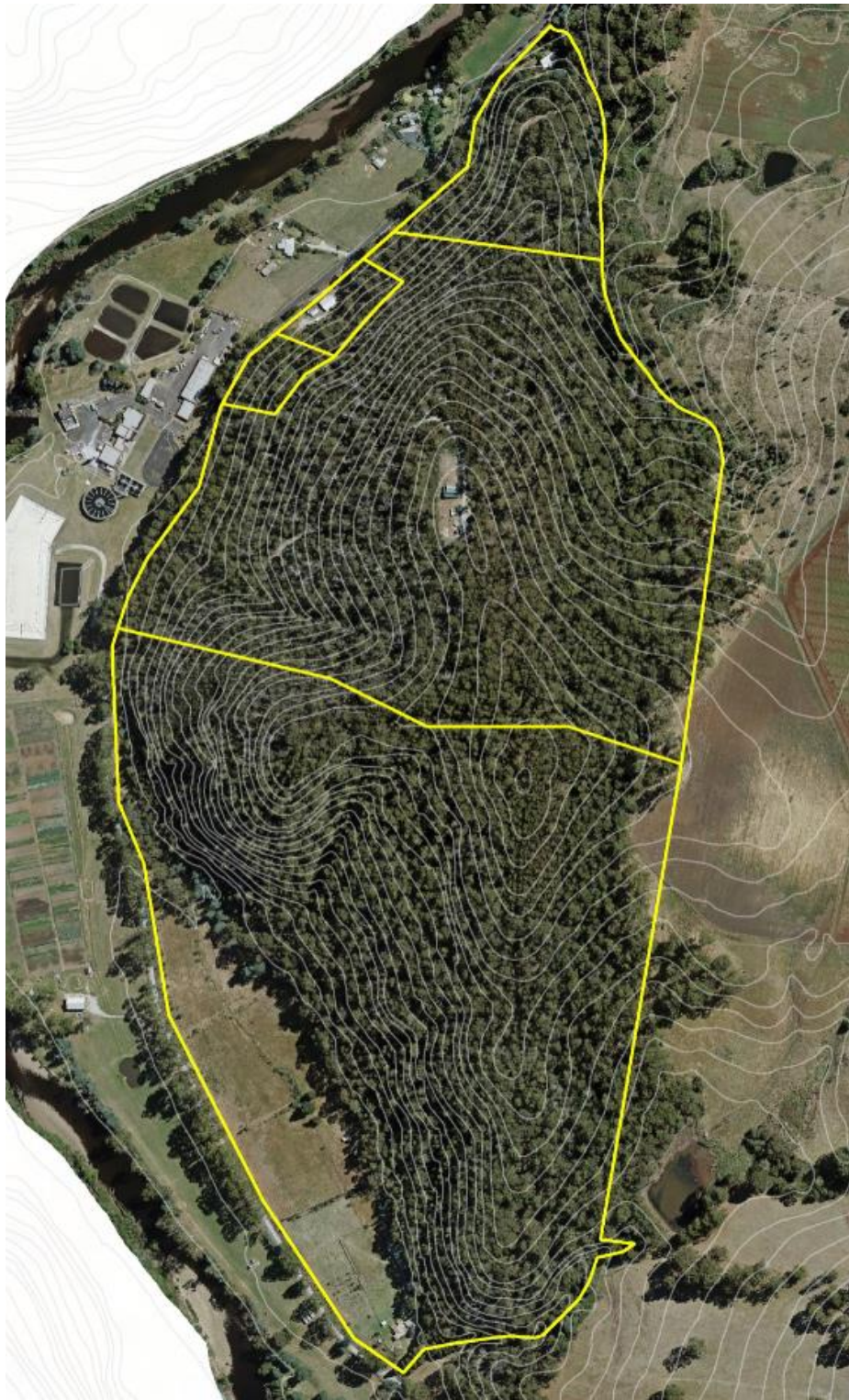




Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	LIST Layer Analysis (land potentially suitable for Agriculture Zone)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
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PART D – SUPPORTING AERIAL IMAGERY FOR SITE NUMBERS 15-16 AND 56-58

The below aerial imagery (from February 2019) is sourced from Council's Geocortex GIS system and further shows AHD contour information at 5 metre increments. The properties identified by site numbers 15, 16, 56, 57 & 58 in Part B above are depicted by yellow outline in the below image.





CONSIDERATIONS AGAINST THE CRADLE COAST REGIONAL LAND USE STRATEGY 2010-2030 (the Regional Strategy)

Notwithstanding the previous commentary made under section 2.3 of the supporting report on the nature of the Regional Strategy as a broad strategic policy framework, the following general policy considerations are deemed relevant to the proposed assignment of land to the Rural Zone.


Regional Strategy Policy Statement (Part C)	Comment
<p>3.3.3 – Agricultural Production</p> <p>Policy statement 3.3.3(a) instructs the identification of “<i>land significant for agriculture</i>”.</p> <p>The term “<i>land significant for agriculture</i>” is defined by the Regional Strategy as meaning “<i>land not within a settlement or conservation area and which has State, regional and local importance for agricultural use</i>”.</p> <p>4.3.2 – Rural Land</p> <p>Policy statement provides guidance for the use of land in rural areas.</p>	<p>All land proposed for assignment to the Rural Zone with the draft LPS is made from land currently zoned Rural Resource under the DIPS.</p> <p>Policy statement 3.3.3 (a) of the Regional Strategy requires the identification of land within the Region which is land significant for agriculture. However, simply because the land is zoned Rural Resource under the DIPS does not automatically imply that the land is significant for agriculture.</p> <p>The existing Rural Resource Zone is used to broadly describe land used for a wide range of rural type uses including agriculture, mining, forestry and other primary industry activity as well as other non-urban use that is not directly related to agriculture or other primary industry use. This existing Zone is used to account for a diverse range of rural locations from areas of fertile agricultural soils through to areas with very limited potential for agricultural use.</p> <p>Notwithstanding the definition of the term “land significant for agriculture” made with the Regional Strategy, the use of the word “significant” warrants some further examination. The term “significant” is utilized a number of times in the policy statement contained at 3.3.3 of the Regional Strategy. It is considered that inclusion of the word “significant” in this context, is a demonstration that the Regional Strategy intends to impart some higher level of satisfaction for land to be considered as “significant” for agriculture in a State, regional or local context.</p> <p>The land identified for assignment to the Rural Zone with the draft LPS is not considered to be of State, regional or local significance for agriculture. As detailed in the above Rural Zone assignment table, this land represents rural areas that are constrained for agricultural use by a number of contributing factors. These areas are more appropriately described by the application of the Rural Zone.</p> <p>Land identified as significant for agriculture is instead identified by the application of the Agriculture Zone made with the draft LPS.</p> <p>The draft LPS applies the Rural Zone in a manner consistent with the relevant policy considerations of the Regional Strategy.</p>

APPENDIX O

Reassignment of land to the Utilities Zone (where current zoning under the DIPS is something other than Utilities)

NOTES		ABBREVIATIONS	
<div>1. The attached table indicates properties that have a current zoning under the DIPS as something other than Utilities.</div> <div>2. The primary source of instruction for zone allocation is the LPS Zone and Code Application Guideline.</div> <div>3. By its nature the Utilities Zone can exhibit “spot zone” characteristics.</div> <div>4. Zoning reassignments also have regard to situations where the current zoning does not appropriately reflect the existing use and development, and to also correct any anomalies concerning zone boundaries.</div> <div>5. Advice has been sought from TasWater as to the appropriate zoning of land containing major TasWater infrastructure (such as water and sewerage treatment plants and water storage reservoirs). TasWater has provided a list of properties containing such infrastructure and where the Utilities Zone is nominated as the appropriate zone under the draft LPS. These properties have been incorporated into the below reassignment table (excepting those properties where the existing zoning under the DIPS is already Utilities and there is no proposed change to that zoning under the draft LPS (for example the sewage treatment plant at 287 Brooke Street, East Devonport.).</div> <div>6. Aerial imagery has been included only for those sites where further visual information assists with constructing the justification for a change to the zoning or to clarify the demarcation of proposed zone boundaries.</div> <div>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</div> <div>A. The proposed reassignments of land to the Utilities Zone provide for the appropriate recognition of key utility infrastructure, and include reassignments based on consultation with TasWater. These proposed reassignments are appropriately consistent with the Regional Strategy.</div>		“1984 Planning Scheme”	means the <i>Devonport &amp; Environs Planning Scheme 1984</i> . The planning scheme that existed before the commencement of the DIPS in October 2013.
		“DIPS”	means the <i>Devonport Interim Planning Scheme 2013</i>
		“LPS”	means Local Provisions Schedule
		“LUPAA”	means the <i>Land Use Planning and Approvals Act 1993</i>
		“LPS Zone and Code Application Guideline”	means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b> ).

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
1.	232536/1	6348219	16 Surrey Street	Devonport	TasWater water storage facility (reservoir).	Public Purposes	General Residential	Utilities	Advice has been sought from TasWater as to the appropriate/preferred zoning for land containing such infrastructure. TasWater has nominated the Utilities Zone as the preferred option. The application of the Utilities Zone does provide for the appropriate recognition of the major TasWater infrastructure located on the site.	Deemed capable of meeting instruction UZ 4 of the LPS Zone and Code Application Guideline.	Reassign to the Utilities Zone.
2.	145120/1 199944/1	7278224	27 Cameray Street	East Devonport	TasWater water storage facility (reservoir).	Public Purposes	General Residential	Utilities	As above.	As above.	Reassign to the Utilities Zone.
3.	80680/1 143109/1	2057000	135B Stony Rise Road	Stony Rise	'Williams Reservoir' TasWater water storage facility.	Public Purposes	Environmental Management	Utilities	As above	As above.	Reassign to the Utilities Zone.
4.	106654/1	6386207	16 Paloona Reservoir Road	Paloona	'Paloona Reservoir' TasWater water storage facility.	Public Purposes	Rural Resource	Utilities	As above.	As above.	Reassign to the Utilities Zone.
5.	159350/1	3055445	243 Forthside Road	Forthside	'Little Forthside Reservoir'	Rural	Rural Resource	Utilities	As above.	As above.	Reassign to the Utilities Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
					TasWater water storage facility.						
6.	25751/30	7205252	230 Wrenswood Drive	Quoiba	TasWater water storage facility.	Rural Residential	Environmental Living	Utilities	As above.	As above.	Reassign to the Utilities Zone.
7.	26003/1 26003/2 123238/1	1870147 1870139	53A, 55A Squibbs Road	Spreyton	'Kelcey Tier Reservoir' TasWater water storage facility.	Public Purposes	Rural Living	Utilities	As above.  Application of the Utilities Zone not to include access strips associated with CT 123238/1. Zone boundaries to be indicated as shown in the below aerial image.    (Source: <a href="http://www.thelist.tas.gov.au">www.thelist.tas.gov.au</a> )	As above.	Reassign to the Utilities Zone for land shown within the yellow lines in the aerial image to the left.
8.	132831/4	1946340	17 Merseyside Street	Quoiba	TasWater sewage treatment plant.	Light Industrial/Special Industrial	General Industrial	Utilities	Advice has been sought from TasWater as to the appropriate/preferred zoning for land containing such infrastructure. TasWater has nominated the Utilities Zone as the preferred option. The application of the Utilities Zone does provide for the appropriate recognition of the major TasWater infrastructure located on the site.	Deemed capable of meeting instruction UZ 1 of the LPS Zone and Code Application Guideline.	Reassign to the Utilities Zone.
9.	14749/1 14749/3	2055320	20 Girdlestone Reservoir Road	Forth	'Part Girdlestons Reservoir' TasWater water storage facility.	Public Purposes	Rural Resource	Utilities	As above.	Deemed capable of meeting instruction UZ 4 of the LPS Zone and Code Application Guideline.	Reassign to the Utilities Zone.

**AND:**

- As directed by instruction UZ 1 (a) of the LPS Zone and Code Application Guideline, the Utilities Zone should be assigned to all category 1, 2, 3, 4 and 5 roads as defined in the *Tasmanian State Road Hierarchy* published by the Department of State Growth. The application of the Utilities Zone to these roads should be based on the "State Road Casement" layer available on the Land Information System Tasmania (LIST) database ([www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)).

APPENDIX P

Reassignment of land to the Community Purpose Zone (where current zoning under the DIPS is something other than Community Purpose)

NOTES					ABBREVIATIONS	
<p>1. The attached table indicates properties that have a current zoning under the DIPS as something other than Community Purpose.</p> <p>2. The primary source of instruction for zone allocation is the LPS Zone and Code Application Guideline.</p> <p>3. Zoning reassignments also have regard to situations where existing use and development (such as schools, etc.) can be better described by the application of the Community Purpose Zone.</p> <p>4. By its nature the Community Purpose zone can exhibit "spot zone" characteristics.</p> <p>5. The below table includes properties that were previously zoned Public Purposes under the <i>Devonport &amp; Environs Planning Scheme 1984</i>.</p> <p>6. Whilst it is recognized that residential care facilities (such as aged care homes and the like) could be identified by the application of the Community Purpose Zone, these uses are essentially residential in nature and are also generally located in well established residential areas. Such use and development is suitably accommodated by the application of the General Residential Zone (which they are currently zoned under the DIPS).</p> <p>7. Noting the size and scale of places of religious worship (churches, etc.) within the Devonport municipal area, and the areas such facilities are located in, it is considered that these can be appropriately described by the surrounding zone (such as a residential or business zone) and that the specific application of the Community Purpose Zone is not necessary. This approach also provides for situations where a church (or similar place of worship) building may cease to operate for that purpose and enables for the adaptive re-use of the building for another purpose which might be appropriate for that surrounding zone. The exception to this is where a church (or similar) place of worship might have a cemetery associated with it on that same site. In this instance the application of the Community Purpose Zone is deemed to be the appropriate zone to apply.</p> <p><b>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</b></p> <p>A. The proposed reassignments of land to the Community Purpose Zone provide for the appropriate recognition of existing community orientated land use and development in the municipal area. These proposed reassignments are appropriately consistent with the Regional Strategy.</p>					"1984 Planning Scheme"	means the <i>Devonport &amp; Environs Planning Scheme 1984</i> . The planning scheme that existed before the commencement of the DIPS in October 2013.
					"DIPS"	means the <i>Devonport Interim Planning Scheme 2013</i>
					"LPS"	means Local Provisions Schedule
					"LUPAA"	means the <i>Land Use Planning and Approvals Act 1993</i>
					"LPS Zone and Code Application Guideline"	means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b> ).

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
1.	Not specified	6319776	121 – 137 William Street	Devonport	Devonport High School	Public Purposes	General Residential	Community Purpose	The application of the Community Purpose Zone provides appropriate recognition of an existing and well-established school. The zone application is consistent with the purpose, intent and function of the Community Purpose Zone.	Deemed capable of meeting instruction CPZ 1 of the LPS Zone and Code Application Guideline.	Reassign to Community Purpose Zone.
2.	24749/1 32/9846 & other land not specified by a CT reference.	7173895	41 – 43 Middle Road	Devonport	Reece High School	Public Purposes/ General Residential. The land comprising CT24749/1 was previously zoned Closed Residential	General Residential	Community Purpose	As above.	As above.	Reassign to Community Purpose Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
3.	Not specified	2625020	57A Stewart Street	Devonport	Devonport Primary School	Public Purposes	General Residential	Community Purpose	As above.	As above.	Reassign to Community Purpose Zone.
4.	Not specified	7778763	60 Nixon Street	Devonport	Nixon Street Primary School	Public Purposes	General Residential	Community Purpose	As above.	As above.	Reassign to Community Purpose Zone.
5.	148098/2	2755239	3 – 11 Jiloa Way	Don	Devonport Christian School	Closed Residential	General Residential	Community Purpose	As above.	As above.	Reassign to Community Purpose Zone.
6.	224421/1 224548/1 205984/1	6323679	86 Berrigan Road	Miandetta	Miandetta Primary School	Public Purposes	General Residential	Community Purpose	As above.	As above.	Reassign to Community Purpose Zone.
7.	66443/1	6337034	5 Lawrence Drive	Devonport	Hillcrest Primary School	Public Purposes	General Residential	Community Purpose	As above.	As above.	Reassign to Community Purpose Zone.
8.	Not specified	6374265	19 – 21 Thomas Street	East Devonport	East Devonport Primary School	Public Purposes	General Residential	Community Purpose	As above.	As above.	Reassign to Community Purpose Zone.
9.	23412/1 75613/1 & other land not specified by CT	7173705	1 Mersey Main Road	Spreyton	Spreyton Primary School	Public Purposes	General Residential	Community Purpose	As above.	As above	Reassign to Community Purpose Zone.
10.	130467/1 204830/1 215009/1 202199/1 8983/1 8983/3 8983/4 8983/5	7789956 6347291 1775481	59-61, 63, 65 Stewart Street	Devonport	Our Lady of Lourdes Primary School	Public Purposes/Closed Residential  The land comprising CT202199/1 and CT215009/1 was previously zoned Closed Residential.	General Residential	Community Purpose	As above.  Further noting that the previous dwelling located on CT202199/1 has now been demolished (in accordance with planning permit PA2018.0073) and this land now incorporated into the school playground area.	As above.	Reassign to Community Purpose Zone.
11.	235514/1	6341404	113 Middle Road	Devonport	School of Special Education	Public Purposes	General Residential	Community Purpose	The application of the Community Purpose Zone provides appropriate recognition of an existing and well-established school. The application of this zone is consistent with the purpose, intent and function of the Community Purpose Zone.  Also noted that this site adjoins existing Community Purpose zoned land under the DIPS, and which are proposed to be retained to that zone under the draft LPS.	As above.	Reassign to Community Purpose Zone.
12.	142649/1	2577380	52 Steele Street	Devonport	1912 Childcare & Early Learning Centre	Public Purposes	General Residential	Community Purpose	This site is bound by the land occupied by the Our Lady of Lourdes Primary School and the Devonport Primary School. This occurrence, together with the well-established use and development on the subject site are deemed appropriate for the application of Community Purpose Zone.  Zone application is consistent with the purpose, intent and function of the Community Purpose Zone.	As above.	Reassign to Community Purpose Zone.


Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
13.	163007/2	6347515	200 Stony Rise Road	Stony Rise	St. Olaves Anglican Church and cemetery	Public Purposes	General Residential	Community Purpose	<p>The church building located on CT163007/2 is listed on the Tasmanian Heritage Register. There is also a cemetery associated with this church land.</p> <p>The combination of the church and the cemetery is deemed to establish appropriate rationale for the application of the Community Purpose Zone to this site. This zoning is also consistent with that for the adjacent cemetery located at 207 Stony Rise Road (CT211091/1).</p>	As above.	Reassign to Community Purpose Zone.
14.	124354/2	2037157	117 Forbes Street	Devonport	Vincent Funeral Services (funeral parlour)	Semi Residential	General Residential	Community Purpose	<p>The existing use and development of this site as a funeral home is deemed to be more appropriately described by the application of the Community Purpose Zone.</p> <p>The reassignment of this site to the Community Purpose Zone is also consistent with the existing zoning of other funeral homes under the DIPS (e.g. the funeral home at 163 Steele Street, Devonport) and which are proposed to be retained to that zone under the draft LPS.</p>	As above.	Reassign to Community Purpose Zone.




APPENDIX Q


Reassignment of land to the Recreation Zone (where current zoning under the DIPS is something other than Recreation)

NOTES	ABBREVIATIONS	
<p>1. The attached table indicates properties that have a current zoning under the DIPS as something other than Recreation.</p> <p>2. The primary source of instruction for zone allocation is the LPS Zone and Code Application Guideline.</p> <p>3. By its nature the Recreation Zone can exhibit "spot zone" characteristics.</p> <p>4. Zoning reassignments also have regard to situations where the current zoning does not appropriately reflect the existing use and development, and to also correct any anomalies concerning zone boundaries.</p> <p>5. Aerial imagery has been included only for those sites where further visual information assists with constructing the justification for a change to the zoning.</p> <p><b>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</b></p> <p>A. The proposed reassignments of land to the Recreation Zone provides for the appropriate recognition of existing recreational land use and development in the municipal area. These proposed reassignments are appropriately consistent with the Regional Strategy.</p>	"1984 Planning Scheme"	means the <i>Devonport &amp; Environs Planning Scheme 1984</i> . The planning scheme that existed before the commencement of the DIPS in October 2013.
	"DIPS"	means the <i>Devonport Interim Planning Scheme 2013</i>
	"LPS"	means Local Provisions Schedule
	"LUPAA"	means the <i>Land Use Planning and Approvals Act 1993</i>
	"LPS Zone and Code Application Guideline"	means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b> ).

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
1.	Not specified	7797294	17A Thomas Street (or 48-50 Wright Street)	East Devonport	Sports and Recreation. East Devonport Tennis Club.	Private Open Space	Open Space	Recreation	<p>Site is further identified as Crown Land and by the below Crown Licence particulars:</p> <ul style="list-style-type: none"><li>- Cadastral ID: 1188777</li><li>- Agreement ID: 3884</li><li>- Property ID: 1520286</li></ul> <p>Further identified by the yellow outline in the below aerial image.</p> <p>Site is occupied by the East Devonport Tennis Club. This existing use and development is deemed to be best described by the allocation of the Recreation Zone and further noting the proposed allocation o this Zone to the adjacent land to the north occupied by the East Devonport Bowls Club.</p>  <p>(Source: <a href="http://www.thelist.tas.gov.au">www.thelist.tas.gov.au</a>)</p>	Deemed capable of meeting instruction RecZ 1 & RecZ 2 of the LPS Zone and Code Application Guideline.	Reassign to Recreation zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
2.	105004/1	1520251	40-46 Wright Street	East Devonport	Sports and Recreation. East Devonport Bowls Club.	Private Open Space	Open Space	Recreation	Site is occupied by the East Devonport Bowls Club. The bowls club utilizes this site operates in conjunction with the adjacent land at 38 Wright Street (CT107008/1) which is currently zoned Recreation under the DIPS. The two sites are used for the same purpose which can be appropriately described by the application of the Recreation Zone. A consistent assignment of zoning for both properties is logical.	As above.	Reassign to Recreation zone
3.	Currently part of 205427/1	6389715	155 Mersey Main Road	Spreyton	Land is currently utilized as practice range associated with the adjacent Devonport Golf Club.	Special Food Processing Buffer Zone	Environmental Management	Recreation	<p>Essentially this an adjustment to an existing zone boundary. It extends the current Recreation Zone boundary to include that portion of adjoining land which is incorporated into the redevelopment of the Devonport Golf Club site and which can be appropriately described by the application of the Recreation Zone. The redevelopment of the site has been approved by previous permits issued by Council.</p> <p>The redevelopment includes a new clubhouse (including new facilities for functions and events), an indoor bowling green, an outdoor bowling green and croquet lawn, and associated car parking facilities.</p> <p>The redevelopment of the site remains appropriately consistent with intent and function of the Recreation Zone and the use of the land for sporting/recreation activity remains the primary use.</p> <p>It is noted that the zone purpose statement at clause 28.1.2 of the State Planning Provisions (SPPs) also prescribes: "To provide for complementary uses that do not impact adversely on the recreational use of the land". The Use Table for the Recreation Zone (as made with the SPPs) also provides for a range of use options beyond sport and recreation/type activities.</p> <p>Following the above rationale, the allocation of the Recreation Zone is deemed appropriate.</p> <p>The new zone boundary will align with the existing fence line which demarcates the separation of the</p>	As above.	Reassign to the Recreation Zone that portion of land shown within the yellow lines in the aerial image to the left.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>land used as part of the golf club facilities and the adjoining Fonterra site (see below image with the existing fence line shown in yellow).</p>  <p>(Source: <a href="http://www.thelist.tas.gov.au">www.thelist.tas.gov.au</a>)</p> <p>Planning permit (PA2017.0154) includes approval for a boundary adjustment to reconfigure these lot boundaries so that the abovementioned portion of land is consolidated with that land owned and occupied by the Devonport Golf Club. Notwithstanding that this final plan of subdivision is yet to be received, it can be reasonably assumed that the new title boundaries will follow the existing fence line depicted in the above aerial image.</p>		
4.	<p>Not specified</p> <p>Thin portion of land immediately adjoining the western boundary of CT88614/2 &amp; CT233583/1</p>	N/A	Off Richardson Drive	Don	Forms part of Richardson Drive including the unmade section of that road.	No zone allocated (land identified as an unformed road)	Environmental Management	Recreation	Essentially this a minor adjustment to an existing zone boundary.	As above.	Reassign to the Recreation Zone that portion of land shown within the yellow lines in the aerial image to the left.


Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<p>The portion of land shown in the yellow outline in the below image can be broadly described as a driveway/parking area and curtilage area associated with the existing clubrooms and the use of the site more generally as sporting recreation ground. The retention of the Environmental Management Zone to this land is considered unnecessary and does not appropriately reflect what this strip of land is used for.</p>  <p>(Source: <a href="http://www.thelist.tas.gov.au">www.thelist.tas.gov.au</a>)</p> <p>This land identified within the yellow outline above can be included with the Recreation Zone which is applied to the Don Recreation Ground.</p>		

APPENDIX R

Reassignment of land to the Open Space Zone (where current zoning under the DIPS is something other than Open Space)

NOTES		ABBREVIATIONS	
<div>1. The attached table indicates properties that have a current zoning under the DIPS as something other than Open Space.</div> <div>2. The primary source of instruction for zone allocation is the LPS Zone and Code Application Guideline.</div> <div>3. Zoning reassignments also have regard to situations where the current zoning does not appropriately reflect the existing use and development, and to also correct any anomalies concerning zone boundaries.</div> <div>4. Aerial imagery has been included only for those sites where further visual information assists with constructing the justification for a change to the zoning or to clarify the demarcation of proposed zone boundaries.</div> <div>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</div> <div>A. The proposed reassignments of land to the Open Space Zone provides for the appropriate recognition of existing public reserve/open space type environments in the municipal area. These proposed reassignments are appropriately consistent with the Regional Strategy.</div>		"1984 Planning Scheme"	means the <i>Devonport &amp; Environs Planning Scheme 1984</i> . The planning scheme that existed before the commencement of the DIPS in October 2013.
		"DIPS"	means the <i>Devonport Interim Planning Scheme 2013</i>
		"LPS"	means <i>Local Provisions Schedule</i>
		"LUPAA"	means the <i>Land Use Planning and Approvals Act 1993</i>
		"LPS Zone and Code Application Guideline"	means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b> ).

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
1.	145993/1001	2676370	"Lot 1001" Leary Avenue	Stony Rise	Park land – open space	Closed Residential	General Residential	Open Space	<div>This land is owned by the Council and is also "public land" for the purposes of section 177A of the <i>Local Government Act 1993</i>.The Certificate of Title further identifies this land as "public open space".</div> <div>The site can be generally described as a small parkland type of setting with a public walkway and various landscaping treatments. The site also serves as a stormwater detention basin and provides a buffer between the light industrial zoned land (and established industries) to the north.</div> <div>The site can be appropriately described by the application of the Open Space zone.</div>	Deemed capable of meeting instruction OSZ 1 of the LPS Zone and Code Application Guideline.	Reassign to the Open Space Zone.
2.	105780/21	6344218	"Miandetta Park East" – Beaumont Drive	Miandetta	Park land – open space	Public Open Space	Utilities	Open Space	<div>This land is owned by the Council and is also "public land" for the purposes of section 177A of the <i>Local Government Act 1993</i>. Notation provided on the Certificate of Title documentation also details</div>	As above.	Reassign to the Open Space Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									that this lot is "set apart for public recreation space". In conjunction with the land identified by CT63804/48, the site forms part of an established public parkland. These two properties share the same property identification number and were previously zoned Public Open Space under the previous 1984 Planning Scheme. It is not clear why the land occupied by CT105780/21 was translated to a Utilities zoning at the commencement of the DIPS under 2013. The retention of a Utilities zoning does not appropriately reflect the existing use and development of the site, nor its intended purpose as a parkland. Instead the allocation of an Open Space zoning is deemed both logical and appropriate.		
3.	238284/3; 249292/1; & Not specified	7585988; & 7585961	258 Best Street 260 Best Street	Devonport	<p>The land to be identified here comprises a number of land parcels (including parts of land parcels). This land is further shown by the yellow outline in the below aerial image.</p>  <p>(Source: <a href="http://www.thelist.tas.gov.au">www.thelist.tas.gov.au</a>)</p> <p>The land shown above is occupied by a number of uses including:</p> <ul style="list-style-type: none"> <li>- Land set aside for general public park/reserve type purposes;</li> <li>- A dog exercise park;</li> <li>- Vehicle parking associated with the adjoining aquatic centre, dog park, and walking track areas;</li> <li>- Small scale facilities associated with the use of part of the land for a "SPACE" learning program run by the Department of Education.</li> </ul>	Public Open Space	Environmental Management	Open Space	<p>This land can be appropriately described by the application of the Open Space Zone.</p> <p>Crown land areas at this location are understood to be identified as "public reserves" for the purposes of the Crown Lands Act 1976.</p> <p>The environmental value of this land is not considered to be of such significance to warrant the retention of the Environmental Management Zone. Furthermore, it is deemed that this land does not meet the criteria included with instruction for the application of the Environmental Management Zone under EMZ 1 of the LPS Zone and Code Application Guideline.</p> <p>Instead the allocation of an Open Space zoning is deemed both logical and appropriate.</p>	As above.	<p>Reassign to the Open Space Zone that portion of land shown within the yellow lines in the aerial image to the left.</p> <p>The western zone boundary for this land (which does not follow a cadastral boundary) shall follow the sealed walking track (identifiable in the aerial imagery) and then align with the Recreation Zone boundary demarcating the aquatic centre complex.</p>



## **APPENDIX S**

### **Supporting information on the application of the Rural Zone and Agriculture Zone –**

- (i) Council's rationale for application of zones;**
- (ii) State Government issued “fact sheets”; and**
- (iii) Agricultural Land Mapping Project – Background Report**

### **Council's rationale for application of the Rural Zone and Agricultural Zone**

#### **1. General information**

- The State Planning Provisions (SPPs) include two standardised zones for the management of rural and agricultural areas – the Rural Zone and the Agricultural Zone. These zones have been created as a result of a recalibration of the existing Rural Resource Zone and Significant Agriculture Zone included in current interim planning schemes around the State.
- It is the State Government's position that the current use of the Rural Resource Zone and Significant Agriculture Zone with interim planning schemes has been applied inconsistently (with only the councils of the Southern Region adopting the Significant Agriculture Zone), and that the recalibration will better reflect the characteristics of rural and agricultural areas.
- As detailed above, the current *Devonport Interim Planning Scheme 2013* (the Interim Planning Scheme) as with all the other interim planning schemes of the local councils in the Cradle Coast region, does not include the Significant Agriculture Zone. Instead the Rural Resource Zone is used to broadly describe land used for a wide range of rural type uses including agriculture, mining, forestry and other primary industry activity as well as other non-urban use that is not directly related to agriculture or other primary industry use. The existing Rural Resource Zone is used to describe a diverse range of rural locations from areas of fertile agricultural soils through to areas with very limited potential for agricultural use<sup>1</sup>.
- With the existing Rural Resource Zone of the Interim Planning Scheme made redundant by the introduction of the SPPs, there is a need to consider the inclusion of this land with the recalibrated Rural Zone and Agricultural Zone options enabled by the SPPs.
- It is important to understand that this is not a policy change devised by Council. It is a change made necessary by the introduction of the SPPs which all local councils are required to apply as part of preparing a Local Provisions Schedule and to implement the Tasmanian Planning Scheme.
- The State Government has prepared two “fact sheets” in relation to the inclusion of the Rural Zone and Agriculture Zone with the SPPs. This detail is included with this Appendix.

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<sup>1</sup> The State Planning Provisions, at Table 3.1, provide a definition for agricultural use follows:

“Agricultural use” means use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding domestic animals and pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture and plantation forestry.”

## **2. Methodology used in draft LPS zone allocations**

- The assignment of land to either the Rural Zone or Agriculture Zone proposed with the draft LPS only makes inclusions of land which is currently zoned Rural Resource under the Interim Planning Scheme (which as detailed previously has some general zoning equivalence).

### **2.1 State Guidance Mapping**

- To support local councils with of the application the Agriculture Zone in preparing a draft LPS, the State has produced a guidance mapping layer published on the Land Information System Tasmania (LIST) database – titled *“Land Potentially Suitable for Agriculture Zone”*.
- The methodology behind the preparation of this mapping is based on the Agricultural Land Mapping Project (the Mapping Project) commissioned by the Tasmanian State Government. The mapping produced with this Project has focused on land currently zoned Rural Resource or Significant Agriculture under existing interim planning schemes and provides guidance on how land currently zoned Rural Resource can be reassigned to either the Rural Zone or Agriculture Zone as part of preparing the draft LPS.
- The State's Mapping Project employs a relatively complex methodology to identify land as potentially suitable for inclusion with the Agriculture Zone. This includes a constraints analysis to recognise that whilst land may have some general attributes consistent with agricultural use and production, such use may be limited or constrained by matters such as land size, existing capital value, and proximity to residential use and development (including land zoned for such use).
- The application (and criteria) of the constraints analysis is explained further in the Background Report to the Agricultural Land Mapping Project which is attached to this Appendix. This Background Report sets out the full methodology engaged in the preparation of the *“Land Potentially Suitable for Agriculture Zone”* map layer published on the LIST.

### **2.2 Rural Zone assignments**

- The draft LPS applies the Rural Zone generally to those areas currently zoned Rural Resource under the Interim Planning Scheme which have been identified as unsuitable for inclusion with the Agriculture Zone.
- In accordance with the further instruction contained in the LPS Zone and Code Application Guideline, the draft LPS applies the Rural Zone to land in non-urban areas with limited or no potential for agriculture as a consequence of topographical, environmental or other constraining characteristics. Land areas containing a pattern of extractive industry (e.g. mining/quarrying) and forestry operations have also generally been included with the Rural Zone owing largely to the effect of the SPPs which generally establish these as discretionary uses within the Agricultural Zone. The Agricultural Zone includes some limitations on prime agricultural land being used for plantation forestry which is consistent with the principles contemplated by the *State Policy on the Protection of Agricultural Land 2009*.
- The following information sets out the methodology for how the Rural Zone of the State Planning Provisions has been applied by the draft LPS

Rural Zone	
<p>In addition to the instruction contained in the LPS Zone and Code Application Guideline for the application of the Rural Zone, the draft LPS has applied the Rural Zone upon consideration of the following cumulative criteria:</p> <ol style="list-style-type: none"> <li>1. Land that is zoned Rural Resource under the existing Interim Planning Scheme;</li> <li>2. Land that is excluded from the “<i>land potentially suitable for Agriculture Zone</i>” guidance mapping published on the Land Information System Tasmania (LIST) database and is not otherwise considered suitable for inclusion with the Agriculture Zone, having regard to: <ol style="list-style-type: none"> <li>i. the methodology set out for the application of the Agriculture Zone as prepared for the draft LPS;</li> <li>ii. the existing use and development and the land size of the site;</li> <li>iii. whether the land is significantly constrained for agricultural use due to topographical, environmental or other constraining factors (such as proximity to residential use and development including land zoned for such purposes); and</li> <li>iv. the extent of the land involved and how that land sits relative to the surrounding zoning (including the prevailing zoning in that location);</li> </ol> </li> <li>3. Land that is shown within the “<i>land potentially suitable for Agriculture Zone</i>” guidance mapping published on the LIST database and having regard to: <ol style="list-style-type: none"> <li>i. whether that land is significantly constrained for agricultural use due to topographical, environmental or other constraining factors (such as proximity to residential use and development including land zoned for such purposes);</li> <li>ii. existing use and development of such land and whether this forms part of a pattern/sequence of similar use and development on adjacent sites in that location (including the suitability of such use and development to be described by the application of the Rural Zone); and</li> <li>iii. the extent of the land involved and how that land sits relative to the surrounding zoning (including the prevailing zoning in that location);</li> </ol> </li> <li>4. Land where there is a pattern (or cluster) of extractive industry or forestry operations (including mining leases and private timber reserves). Individual or isolated instances of such operations are not considered as specific justification for inclusion with the Rural Zone; and</li> <li>5. Land that is not otherwise proposed for reassignment to an alternative zone under the draft LPS (i.e. to the Rural Living Zone, Agriculture Zone, or the Utilities Zone).</li> </ol>	

- A further consideration with the application of the Rural Zone regards the Priority Vegetation Area (PVA) overlay forming part of the Natural Assets Code. As instructed by the SPPs and the LPS Zone and Code Application Guideline, the PVA overlay is applicable to land within the Rural Zone but not the Agriculture Zone. Heavily vegetated land areas (and where there is contiguous pattern of such vegetation) which are currently zoned Rural Resource by the current Interim Planning Scheme, such those in and around localities such as Forth, Forthside, Melrose and Tugrah, have generally been assigned to the Rural Zone.
- Notwithstanding the above point, it is important here to make the distinction that the PVA consideration is not the sole justification for the application of the Rural Zone at these locations. In addition to the heavy vegetation cover, these areas also contain a number of mining leases and are generally characterised by undulating topography containing no prime agricultural land. The natural values associated with the established vegetation at these locations are not so significant to justify or necessitate the application of an alternative zone such as the Landscape Conservation Zone or the Environmental Management Zone. Instead these areas have a collection of contributing factors that significantly constrain the land for agricultural use and accordingly the application of the Rural Zone is appropriate.
- The assignment of land to the Rural Zone proposed with the draft LPS is supported by the further commentary and justification set out under **Appendix N**.

## 2.3 Agriculture Zone assignments

- The above-mentioned State guidance mapping published on the LIST map database, in conjunction with the instruction contained in the LPS Zone and Code Application Guideline, has served to inform the assignment of land to the Agriculture Zone proposed with the draft LPS.
- As described in the Background Report for the Agricultural Land Mapping Project, the “Agriculture Zone aims to broadly capture and protect Tasmania’s agricultural land – or Tasmania’s ‘agricultural estate’.”
- The application of the Agriculture Zone will primarily facilitate the principles contemplated by the *State Policy on the Protection of Agricultural Land 2009*.
- Whilst the majority land currently zoned Rural Resource under the Interim Scheme will transition to the Agriculture Zone (in line with the guidance mapping layer published on the LIST), the draft LPS does propose the assignment of some areas to an alternative zone such as Rural or Rural Living where there are existing factors that significantly constrain the use of such land for agricultural purposes.
- Given the majority of land currently zoned Rural Resource under the Interim Scheme will transition to the Agriculture Zone, and the significantly large number of properties involved, a zone assignment table has not been produced for this particular Zone. Instead the draft LPS zone maps are relied upon to express the spatial application of the Agriculture Zone.
- The below information sets out the methodology for how the Agriculture Zone of the State Planning Provisions has been applied by the draft LPS

Agriculture Zone
<p>In addition to the instruction contained in the LPS Zone and Code Application Guideline for the application of the Agriculture Zone, the draft LPS has applied the Agriculture Zone upon consideration of the following cumulative criteria:</p> <ol style="list-style-type: none"><li>1. Land that is zoned Rural Resource under the existing Interim Planning Scheme;</li><li>2. Land that is shown within the “<i>land potentially suitable for Agriculture Zone</i>” guidance mapping published on the LIST database and having regard to:<ol style="list-style-type: none"><li>i. whether that land is significantly constrained for agricultural use due to topographical, environmental or other constraining factors (such as proximity to residential use and development including land zoned for such purposes); and</li><li>ii. the extent of the land involved and how that land sits relative to the surrounding zoning (including the prevailing zoning in that location);</li></ol></li><li>3. Land that is excluded from the “<i>land potentially suitable for Agriculture Zone</i>” guidance mapping published on the Land Information System Tasmania (LIST) database, will only be considered for inclusion with the Agriculture Zone where there is a readily apparent or logically compelling justification and having regard to:<ol style="list-style-type: none"><li>i. the instruction and matters contemplated at AZ 7 of the LPS Zone and Code Application Guideline;</li><li>ii. the existing use and development of such land and whether this forms part of a pattern/sequence of similar use and development on adjacent sites in that location (including the suitability of such use and development to be described by the application of the Agriculture Zone); and</li><li>iii. the extent of the land involved and how that land sits relative to the surrounding zoning (and the prevailing zoning in that location); and</li></ol></li><li>4. Land that is not otherwise proposed for reassignment to an alternative zone under the draft LPS (i.e. to the Rural Living Zone, Rural Zone, or the Utilities Zone).</li></ol>

# New Rural and Agriculture Zones



As part of developing the Tasmania Planning Scheme, the Rural Resource Zone and the Significant Agriculture Zone in the current interim planning schemes were recalibrated to the Rural Zone and Agriculture Zone in order to better reflect the characteristics of Tasmania's agricultural land and improve protection of our valuable agricultural land resource. It also ensures that the zones are applied consistently across the State.

Most land currently within the Significant Agriculture Zone will be changed to the new Agriculture Zone. A significant proportion of the Rural Resource Zone is likely to be rezoned to the Agriculture Zone.

Where the agricultural potential of the land is limited, some areas within the Rural Resource Zone will be reallocated to the new Rural Zone.

## How will the rezoning affect land use?

The purpose of the new Agriculture Zone is the same as the existing Rural Resource Zone in that it primarily provides for agricultural use and development and other supporting uses.

The requirements for use and development which restrict the building of a house not directly related to farming purposes, are largely the same. However, houses can be approved if located on a site that is not capable of

supporting agriculture and where the residential use will not constrain agricultural use on adjoining land.

The new Rural Zone, provides for a broader range of land uses and developments to occur on land with limited agricultural potential.

## Why is the protection of agricultural land important?

Agricultural land is an extremely valuable resource for Tasmania. Agriculture is a major employer and amongst the largest contributors to the State's economy. The total gross value of agriculture was \$1.60 billion in 2017-18 and the Tasmanian Government has a goal of increasing the value of the sector to \$10 billion by 2050.

Significant investment has been made to support our agricultural enterprises and provide for future growth. Planning schemes play a very important role in ensuring agricultural land is protected for agricultural enterprises, including providing protections from constraints such as conflict with neighbouring land uses.

More information on the new Rural and Agriculture Zones can be found in [Fact Sheet 4 – Tasmanian Planning Scheme – Rural and Agriculture](#).



## TASMANIAN PLANNING SCHEME – RURAL AND AGRICULTURE

The Tasmanian Planning Scheme includes two zones for managing our rural and agricultural areas, the Rural Zone and the Agriculture Zone. These zones are a recalibration of the Planning Directive No. 1 (PDI) Rural Resource Zone and the Significant Agriculture Zone inconsistently used in interim planning schemes and will better reflect the characteristics of Tasmania's rural and agricultural areas.

The Rural and Agriculture Zones also provide significant improvements through enhanced protection of our important agricultural areas and the removal of unnecessary barriers to agricultural industries and diversification.

### Why were the interim planning scheme rural zones recalibrated?

It is clear from resultant interim planning schemes that the Rural Resource Zone and Significant Agriculture Zone were not fit for purpose.

The Significant Agriculture Zone was too narrow in its scope in that it was limited to "land for higher productivity value agriculture dependent on soil as a growth medium".

The Rural Resource Zone then had to capture all other agricultural land that was

not deemed as having 'higher productivity value'.

The Rural Resource Zone and the Significant Agriculture Zone were unable to be applied in a manner that reflected the complexities of Tasmania's agricultural land. What resulted through interim planning schemes was the inconsistent application of the two rural zones across the State.

The Significant Agricultural Zone is only used in the Southern region. The North and Cradle Coast regions only applied the Rural Resource Zone and covered a broad range of rural locations ranging from the rich soils of the north-west coast to areas of limited agricultural potential on the west coast.

The resultant interim planning schemes demonstrated a need to more broadly identify and protect agricultural land. The need for two different rural zones was clearly demonstrated by the characteristics of rural and agricultural land in Tasmania.

### What improvements have been made through the Rural and Agriculture Zones?

The Agriculture Zone provides a much broader scope for the identification and protection of agricultural land in Tasmania.



Priority is given to agricultural uses in this zone.

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

The Rural Zone importantly acknowledges that significant areas of Tasmania's rural land provide a variety of other activities beyond agriculture, all of which significantly contribute to Tasmania's economic growth.

Both the Rural and Agriculture Zones remove barriers to agricultural industries by:

- providing consistent planning requirements for agriculture across Tasmania avoiding the confusion and significant variation that currently exists under interim planning schemes;
- providing significant exemptions from the need to gain planning approval for agricultural buildings and works;
- reducing setbacks for agricultural buildings such as sheds to ensure that land is not sterilised by the need to put a shed in the middle of a paddock.
- providing a consistent application of these zones to protect our key agricultural areas through the Agriculture Zone and removing significant barriers to other activities in other rural areas through the Rural Zone;
- implementing the *State Policy on the Protection of Agricultural Land* in a clear and consistent manner;
- protecting the right to farm in Tasmania's key agricultural areas and avoiding conflicts with other uses such as housing;
- providing a clear delineation between the Rural and Agricultural Zones and the Rural Living Zone ensuring rural lifestyle developments avoid conflict with farming activities;
- supporting Tasmania's rural entrepreneurs by providing for diversification and value adding of agricultural uses and supporting Tasmania's renowned 'paddock to plate' and 'paddock to gate' experiences;
- not restricting processing facilities such as wineries by dictating where produce can be sourced for processing thereby making businesses more sustainable into the future;
- providing contemporary and practical planning rules, in particular the recognition that land size is not the key to success of agricultural industries;
- providing a clear pathway for the construction of polytunnels on prime agricultural land ensuring that important industries that require a controlled environment for growth are not fettered;
- not dictating what farmers grow and how they grow it;

- achieving a balance between development control and allowing industry, business and communities to flourish with minimal regulation
- providing clear exemptions from planning codes such as the Natural Assets Code and the Scenic Protection Code to allow existing industries to continue to operate.

The Agriculture Zone will also be supported by the Agricultural Land Mapping Project providing mapping guidance for local councils to improve consistency in the application of the rural zones under the Tasmanian Planning Scheme. This is a first for Tasmania.

The Agricultural Land Mapping Project establishes the broader state-wide strategic basis for spatially applying the Agriculture Zone based on common objective criteria and analysis. It utilises the most contemporary and sophisticated state-wide analysis on the suitability of land for a range of agricultural enterprises.

### What are the requirements in the Rural and Agriculture Zones?

Both the Rural and Agriculture Zones provide a clear pathway for agricultural uses, with uses largely being No Permit Required.

The Agriculture Zone includes some limitations on prime agricultural land for plantation forestry and agricultural uses that do not use the soil as a growth medium if conducted in a manner that prevents the soil being used in the future. This is

necessary to implement the requirements of the State Policy on the Protection of Agricultural Land.

The Rural Zone provides for a range of other uses, in addition to agricultural uses, that may require a rural location for operation purposes. These include Domestic Animal Breeding, Boarding and Training, Extractive Industry, Resource Processing and a limited range of Manufacturing and Processing, Storage and other uses that are associated with agricultural uses or Resource Processing.

The Agriculture Zone applies limitations on non-agricultural uses to protect agricultural land from unnecessary conversion.

However, opportunities are provided for uses that:

- require access to specific naturally occurring resources in the zone;
- require access to infrastructure only located in that area;
- require access to a particular product or material related to an agricultural use;
- service or provide support to an agricultural use;
- provide for the diversification or value adding to an agricultural use; or
- provide essential emergency services of utility infrastructure.

Residential use in the Agriculture Zone must either be required as part of an agricultural use or located on land not capable of supporting agricultural use and not confine or restrain any adjoining agricultural use.

The Rural Zone also provides for the protection of agricultural land and agricultural uses by ensuring that discretionary uses, including Residential use, minimise the conversion of agricultural land and are compatible with agricultural use.

Subdivision in the Agriculture Zone is limited to the creation of lots for public use, utilities and irrigation infrastructure, the consolidation of lots, and for a variety of outcomes which support agricultural use.

No minimum lot size is specified for the Agriculture Zone. This recognises that the amount of land required is dependent on the agricultural use and the circumstances under which it operates.

Similarly, subdivision in the Rural Zone provides for the creation of lots for public use, utilities and irrigation infrastructure, the consolidation of lots. The Rural Zone provides additional opportunities for subdivision by providing a permitted minimum lot size of 40ha and for a variety of outcomes which support activities that require a rural location, such as agriculture, Resource Processing and Extractive Industries.

This is a summary of the key numerical standards in the Rural and Agriculture Zones:

Standard	Rural Zone	Agriculture Zone
Building Height	12m	12m
Setback (all	5m	5m

boundaries)		
Buffers for Residential Use	200m from Agriculture Zone	200m from lot boundary
Min. Lot Size	40ha	nil

## Where can I get more information about the Tasmanian Planning Scheme?

General information about the Tasmanian Planning Scheme and the preparation of Local Provisions Schedules can be found on the [Tasmanian Planning Reform website](#).

General enquiries about the preparation of the Tasmanian Planning Scheme should be directed to:

Planning Policy Unit, Department of Justice  
GPO Box 825 HOBART TAS 7001  
Ph (03) 6166 1429  
email [planning.unit@justice.tas.gov.au](mailto:planning.unit@justice.tas.gov.au)

Enquiries on the public exhibition and assessment process should be directed to:

The Tasmanian Planning Commission  
Level 3, 144 Macquarie Street, Hobart  
GPO Box 1691 HOBART TAS 7001  
Ph (03) 6165 6828  
email [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

September 2017

# **Agricultural Land Mapping Project**

**Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone**

**Background Report**

**May 2017**

Agricultural Land Mapping Project - Identifying land suitable for inclusion within the Tasmanian  
Planning Scheme's Agriculture Zone

Background Report

Prepared and published by Department of Justice, Planning Policy Unit  
in conjunction with Macquarie Franklin and Esk Mapping and GIS.

GPO Box 825  
Hobart Tasmania 7001

Email address: [planning.unit@justice.tas.gov.au](mailto:planning.unit@justice.tas.gov.au)



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## **1.0 Background**

### **1.1 *What is the purpose of the agricultural land mapping project?***

The agricultural land mapping project was commissioned and project managed by the Department of Justice, Planning Policy Unit on behalf of the Minister for Planning and Local Government in support of the State Planning Provisions, which form part of the Tasmanian Planning Scheme.

The State Planning Provisions represent the consistent statewide provisions of the Tasmanian Planning Scheme. The local component of the Tasmanian Planning Scheme are the Local Provisions Schedules, which will apply to each municipal area and include zoning and code overlay mapping, as well as other provisions to deal with local issues.

The Rural Zone and Agriculture Zone in the State Planning Provisions reflect a recalibration of the Rural Resource Zone and Significant Agriculture Zone (the rural zones) that are currently applied in Interim Planning Schemes.

The primary aim of the project is to identify Tasmania's existing and potential agricultural land, and to provide guidance to local planning authorities on the spatial application of the Agriculture Zone within their municipal area. This will avoid a repeat of the inconsistent use and application of the zones that occurred in the preparation of the Interim Planning Schemes.

The project scope focuses on land currently within the Rural Resource Zone and Significant Agriculture Zone in Interim Planning Schemes and the Rural Zone in the *Flinders Planning Scheme 2000*, or in other words, land that has already been strategically identified and protected for rural or agricultural purposes.

The project provides guidance as to how land currently zoned as Rural Resource or Significant Agriculture can be reassigned to either the Rural Zone or Agriculture Zone. Assignment of land to either the Rural Zone or Agriculture Zone does not affect existing or future agricultural activity occurring. The key difference between the two zones is how non-agricultural activity is managed.

The mapping is intended as a strategic land use planning tool to assist local planning authorities in mapping the recalibrated rural zones in the Tasmanian Planning Scheme, specifically by identifying and mapping land that is potentially suitable for inclusion within the Agriculture Zone.

### **1.2 *What are the parameters of the agricultural land mapping project?***

The project provides the broad statewide strategic basis for spatially identifying the Agriculture Zone based on common objective criteria and analysis. The analysis of potential agricultural land does not incorporate some of the more finer-grain information based on local circumstances. It is appropriate that local planning authorities perform this local assessment and verification exercise, as part of the preparation of their Local Provisions Schedules, as is the case with the application of all other zones.

The project has not focussed on the spatial application of the Rural Zone as the characteristics of this land are not so readily defined. The Rural Zone will largely be applied to the remaining rural land following the identification of the Agriculture Zone.

The extent of native vegetation cover, including the presence of threatened native vegetation communities or threatened species, was not considered in the analysis of potential agricultural land. It was considered problematic to consistently and objectively incorporate such analysis into the project at a statewide scale. Any resultant mapping would also not provide an accurate reflection of the potential agricultural land in the State.

It is also important to acknowledge that the presence of native vegetation cover should not always be seen as a hindrance to agricultural use or routinely considered for alternate zoning. Agricultural use comes in many forms and there are many alternatives for land to be used in creating a balance between agriculture and conservation. Areas of native vegetation cover are often maintained as part of operating farms, providing many ecological and economic benefits.

The project focussed on land currently zoned for rural and agriculture purposes, and therefore did not examine land outside the rural zones. Strategic decisions have already been made to zone such land for other purposes and the analysis did not seek to re-examine past decisions. Land outside the rural zones also falls outside the scope of 'agricultural land' as defined under the *State Policy on the Protection of Agricultural Land 2009* (the PAL Policy), as the land has been zoned for other purposes.

### **1.3 Why were the rural zones in Interim Planning Schemes recalibrated?**

The Rural Resource Zone and the Significant Agriculture Zone formed part of the suite of zones under *Planning Directive No. 1 – The Format and Structure of Planning Schemes* (PD1), which specified the template for all Interim Planning Schemes.

It is clear from the resultant Interim Planning Schemes that the Rural Resource Zone and Significant Agriculture Zone were not fit for purpose. They were unable to be applied in a manner that reflected the character, complexity and diversity of Tasmania's agricultural land, covering the broad range and mix of enterprises, along with variables associated with soils, water and climate. As a result, the two rural zones were inconsistently applied across the three regions in part because both zones attempted to cover the State's agricultural land.

The Significant Agriculture Zone was very narrow in its scope, with the Zone Purpose limiting it to "land for higher productivity value agriculture dependent on soil as a growth medium". The Rural Resource Zone was then required to capture all other agricultural land that was not deemed as having 'higher productivity value'.

The Cradle Coast and Northern regions determined that it was not appropriate to use the Significant Agriculture Zone, instead opting to apply the Rural Resource Zone to an array of rural land. Both regions considered the two zones created an artificial split and that it was not possible to separate the 'higher productivity value' land from the other agricultural land based on the actual farming operations and complex matrix of land capability.

The Southern region applied both zones, but effectively used similar provisions across both zones in order to implement the PAL Policy. The two zones were also applied inconsistently across municipal areas in the Southern region.

The resultant Interim Planning Schemes demonstrated a need to more broadly identify and protect agricultural land in accurately implementing the PAL Policy.

Opportunities for implementing a single rural zone were considered in the drafting of the State Planning Provisions. A single rural zone would need to provide for competing demands, absorb a range of non-agricultural uses, and cover broad land characteristics. The result would be a complex zone with inadequate identification and protection of agricultural land.

Initial regional mapping produced as part of the regional land use strategies demonstrated that significant areas of land assigned to existing rural zones had limited or no potential for agricultural use. Variances were evident between municipal areas however, at a statewide level there was a clear need for two rural zones.

The recalibrated rural zones in the State Planning Provisions aim to address these issues directly by creating two zones which:

- provide a broader scope for identification and protection of agricultural land (the Agriculture Zone); and
- allows the zoning land with limited potential for agricultural use and which is not otherwise identified for the protection of specific values (the Rural Zone).

#### **1.4 *What is the intent of the Rural and Agriculture Zones?***

The aim of the rural zone recalibration is to strategically zone agricultural land much in the same way as urban land is strategically zoned for particular purposes, such as the identification of industrial land. This ensures that agricultural land is adequately protected and reduces reliance on a case-by-case assessment of individual development applications in determining the importance of the land for agriculture.

The rural zone recalibration aims to accurately deliver the intent of the PAL Policy as well as implementing Principle 7 of the PAL Policy through consideration of the local and regional significance of the land for agricultural use. Principle 7 of the PAL Policy provides for decisions to be made on the significance of the land at a strategic planning level in determining the level of protection afforded to the non-prime agricultural land.

The key difference between the Agriculture Zone and Rural Zone is how they deal with non-agricultural uses. Non-agricultural uses are largely discretionary in the Agriculture Zone to protect the primacy of agricultural uses consistent with the zone purpose. The Rural Zone provides for a broader range of Permitted uses that may require a rural location for operational reasons, such as Extractive Industry, Resource Processing and certain types of Manufacturing and Processing and Storage.

#### **Agriculture Zone**

The Agriculture Zone aims to broadly capture and protect Tasmania's agricultural land, or Tasmania's 'agricultural estate'. In broad terms the 'agricultural estate' refers to land currently supporting existing agriculture or with the potential to support agriculture, taking into account the significance of the land for agriculture at a local, regional and State level.

Tasmania's 'agricultural estate' encompasses more than prime agricultural land or land within irrigation districts. It captures land with varying soil and climatic characteristics and provides for a broad range of agricultural enterprises.

The Agriculture Zone provisions provide a clear pathway for all agricultural uses. Agricultural uses are largely No Permit Required under the Agriculture Zone Use Table. Some limitations are imposed on plantation forestry and agricultural uses that do not utilise the soil as a growth medium, if on prime agricultural land. These requirements aim to address Principles 2 and 10 of the PAL Policy for the protection of prime agricultural land. However, agricultural uses that do not use the soil as a growth medium maintain a No Permit Required status if they are conducted in manner that does not preclude the soil from being used in the future.

The Agriculture Zone applies tight controls on non-agricultural use as required by the PAL Policy to protect agricultural land from unnecessary conversion to non-agricultural uses. Non-agricultural uses, other than residential use, must be required to locate on the site for operational or security reasons or to minimise impacts on other uses. This includes uses that:

- require access to specific naturally occurring resources in the zone;
- require access to infrastructure only located in that area;
- require access to a particular product or material related to an agricultural use;
- service or provide support to an agricultural use;
- provide for the diversification or value adding to an agricultural use; or
- provide essential emergency services or utility infrastructure.

Residential use must be either required as part of an agriculture use or located on land not capable of supporting agricultural use and not confine or restrain any adjoining agricultural use.

There are also specific requirements for non-agricultural uses on prime agricultural land in accordance with the requirements of the PAL Policy.

No minimum lot size is specified for the Agriculture Zone. This recognises that the amount of land required is dependent on the agricultural use and the circumstance under which it operates. All subdivision, beyond minor subdivision for public use, utilities or irrigation infrastructure, or the consolidation of lots, must be considered through the Performance Criteria as a Discretionary development. This provides for an appropriate assessment of the subdivision having regard to the impact this may have the agricultural productivity of the land and the capacity of the new lots for agricultural use.

The Agriculture Zone provides for subdivision where it can be demonstrated as necessary for the operation of an agricultural use if for the:

- creation of additional lots for agricultural use;
- reorganisation of lot boundaries without creating any additional lots; and
- the excision of an existing use or development, such as a dwelling.

A summary comparison between the Agriculture Zone and Rural Zone provisions is contained in Table 1 below.

## **Rural Zone**

The Rural Zone is aimed at the remaining rural land (or non-urban land) with limited or, no potential, for agriculture, and which has not been identified for the protection of specific values, such as landscape conservation or environmental management.

The provisions of the Rural Zone acknowledge that the land may be able to support some agriculture, but the land is of lower significance as compared to the Agriculture Zone. The Rural Zone also provides for the protection of agricultural land and agricultural uses in accordance with the PAL Policy by ensuring that Discretionary uses, including Residential use, minimise the conversion of agricultural land and are compatible with agricultural use. While the Rural Zone provides for a range of other Permitted uses that may require a rural location for operational purposes, it still provides for agricultural uses as No Permit Required through the use table.

Non-agricultural uses provided for in the Rural Zone include Domestic Animal Breeding, Boarding and Training, Extractive Industry, Resource Processing and a limited range of Manufacturing and Processing, Storage and other uses that are associated with agricultural uses or Resource Processing.

As with the Agriculture Zone, the *Primary Industry Activities Protection Act 1995* (the PIAP Act) also applies to protect the rights of farmers to conduct their farming activities in an appropriate manner. The PIAP Act applies to land characterised as a farm on land “within a zone, designated to the land under the *Land Use Planning and Approvals Act 1993*, that enables the land to be used for the purposes of primary industry”. The Rural Zone is such a zone. The allocation of land to either the Agriculture Zone or Rural Zone also has no impact any exemptions for Land Tax for land classified as Primary Production Land under the *Land Tax Act 2000*.

Discretionary uses in the Rural Zone must demonstrate they are appropriate for a rural location and must not confine or restrain existing use on adjoining properties.

The Rural Zone provides a Permitted minimum lot size of 40ha for subdivision and, like the Agriculture Zone, provides a Permitted pathway for subdivision associated with public use, Utilities, irrigation infrastructure and the consolidation of existing lots.

The 40ha minimum lot size in the Rural Zone reflects a common minimum lot size for rural zones that has appeared in planning schemes in Tasmania for many years. It aims to provide reasonable opportunities for subdivision without creating additional opportunities for rural living development. A lot of 40ha is considered large enough to discourage rural living type development and provide buffers to rural industries and adjoining areas within the Agriculture Zone.

The Performance Criteria provides the opportunities for the subdivision lots less than 40ha, but only for:

- a use, other Residential use or Visitor Accommodation, that requires a rural location for operational reasons and minimises the conversion of agricultural land; or

- the excision of a dwelling or Visitor Accommodation if necessary for the operation of a agricultural use.

Table 1 Summary comparison of provisions in the Agriculture and Rural Zones

Provision	Agriculture Zone	Rural Zone
<b>Agricultural use</b>	<p>Generally No Permit Required.</p> <p>Discretionary if plantation forestry on prime agricultural land.</p> <p>Discretionary if on prime agricultural land and not using soil as growth medium and precludes future use of soil.</p>	<p>No Permit Required.</p>
<b>Non-agricultural uses</b>	<p>Generally Discretionary if required to access or provide resources/infrastructure or support/value add to agricultural use.</p> <p>Permitted if for Food Services or General Retail and Hire associated with agricultural use or Resource Processing.</p>	<p>Permitted for Domestic Animal Breeding, Boarding and Training, Emergency Services, Extractive Industry, Resource Processing and a range of other uses that are associated with agricultural use or Resource Processing or require a rural location of operational reasons.</p> <p>Discretionary for a range of other uses if demonstrated they require a rural location for operation reasons. Discretionary uses must minimise conversion of agricultural land.</p>
<b>Residential use</b>	<p>Generally Discretionary, required as part of agricultural use or on land not capable of supporting agriculture and not confine or restrain agricultural use on adjoining properties.</p>	<p>Generally Discretionary and must minimise conversion of agricultural land.</p>
<b>Building height</b>	<p>12m Permitted, otherwise Discretionary.</p>	<p>12m Permitted, otherwise Discretionary.</p>
<b>Setbacks</b>	<p>5m; or</p> <p>200m or not less than existing for sensitive uses, otherwise Discretionary</p>	<p>5m; or</p> <p>200m or not less than existing for sensitive uses from Agriculture Zone, otherwise Discretionary</p>
<b>Subdivision</b>	<p>Permitted if lots for public use, utilities, irrigation infrastructure or consolidation of lots.</p> <p>Discretionary if provides for agricultural use, including creation of additional lots, reorganisation of existing lots, excision of existing use or development.</p>	<p>Permitted if for lot not less than 40ha, public use, utilities, irrigation infrastructure or consolidation of lots.</p> <p>Discretionary if provides for a use that requires a rural location for operation reasons (other than Residential or Visitor Accommodation), or if provides for agricultural use and for excision of existing dwelling or Visitor Accommodation.</p>

## 2.0 Methodology

### 2.1 Who has been involved in the mapping project?

The mapping project has been undertaken by an expert consultant team comprising a consortium between Macquarie Franklin and Esk Mapping and GIS.



An Advisory Committee was established to provide guidance to the mapping project and ensure the mapping produced was fit for purpose. The Advisory Committee membership consisted of representatives from:

- Department of Primary Industries, Parks, Water and the Environment's (DPIPWE) Agricultural Policy Branch and Sustainable Land Use and Information Management Unit;
- Tasmanian Farmers and Graziers Association;
- Local Government Association of Tasmania; and
- three local councils, one from each of the three regions.

Targeted consultation was also undertaken with a number of key stakeholders prior to the finalisation of the mapping. This included local government, the Tasmanian Farmers and Graziers Association, key forestry stakeholders, and other key rural stakeholders consulted during the drafting of the State Planning Provisions.

## **2.2     *What analysis has been undertaken for the mapping project?***

The methodology for the agricultural land mapping project has been developed and workshopped with the Advisory Committee. It was further tested and refined by the consultants through the mapping analysis to ensure the desired outcomes were being achieved.

The finalised methodology and draft mapping was then further workshopped with the Advisory Committee.

The mapping has adopted a very conservative approach to ensure that land with any reasonable level of agricultural potential was considered for inclusion in the Agriculture Zone.

In broad terms, the land that is considered suitable for the Agriculture Zone is that defined as:

- having all of the requirements for agriculture to be sustainable;
- part of a critical mass of land with similar characteristics; and
- is strategically important from a local, regional or State perspective.

The mapping exercise was undertaken through the following steps.

### **2.2.1   *Step 1 – Definition of study area***

The study area (shown in Figure 1) was limited to land currently within the Rural Resource Zone and Significant Agriculture Zone in Interim Planning Schemes and the Rural Zone in the *Flinders Planning Scheme 2000*. The analysis did not seek to review land not currently zoned for rural or agricultural purposes.

Land within the Tasmanian Reserve Estate, such as national parks, conservation areas and other public reserves, and Future Potential Production Forest, was also removed from the study area, even if within a current rural zoning. Land under conservation covenants and variable term private reserves, such as management agreements, were retained within the study area as these are often managed in conjunction with working farms.

The total area within the Agricultural Land Mapping Project study area is 38,334 square km.

### **2.2.2 Step 2 – Mapping land potentially suited to agricultural production**

Agriculture in Tasmania is complex due to the broad range and mix of enterprises, along with variables and complexities associated with soils, water and climate. The Department of Primary Industries, Parks, Water and the Environment (DPIPWE) Enterprise Suitability Mapping (DPIPWE 2015) was a key dataset used in the mapping of potential agriculture land and formed the basis for most of the initial analysis and mapping for this project.

The project has utilised the Enterprise Suitability Mapping as the basis for most of the analysis in determining the suitability of land for agriculture. Land capability classification data as in the Land Capability Handbook (Grose, 1999) along with the DPIPWE's TASVEG 3.0 mapping was utilised in determining areas potentially suitable for broadacre dryland pastoral areas.

The Enterprise Suitability Mapping was used as it provides the most contemporary and sophisticated statewide analysis on the suitability of land for a range of agricultural enterprises. The production of the Enterprise Suitability Mapping involved analysis of a number of different agricultural enterprises and includes a number of important climatic, topographical and soil parameters. The Enterprise Suitability Maps are derived from a combination of new digital soil mapping, localised climate data, and complex crop rules and detailed modelling is completed at a scale of 1:50,000. With this data, climate and soil information has been used to match the known soil and climate requirements of a range of crops to a given area.

While land capability classification data has historically been used for mapping potential agricultural land in Tasmania, it has many limitations. There is only partial coverage of the State and large portioned modelling has been used with limited ground-truthing. The land capability classification mapping is at a broad scale of 1:100,000 and does not reflect the potential agricultural enterprise value. For example, land capability class 5 indicates the land is only really suited to dryland grazing with low economic return, but such areas may have soils ideally suited to viticultural production with a high economic return.

To reflect 'typical' farming enterprises found within Tasmanian agriculture, five broad Enterprise Suitability Clusters (ES Clusters) were compiled by grouping Enterprise Suitability Mapping and other key datasets, as listed in Table 2 below.

Table 2 Enterprise Suitability Clusters

Enterprise Suitability Cluster	Dataset Used	Data and Assumptions	Access to Irrigation Water Required
(ES1) Irrigated Perennial Horticulture	Enterprise Suitability Mapping, DPIPWE	Example crops include: table wine grapes, sparkling wine grapes and cherries	Y
(ES2) Vegetable Production		Example crops include: carrots, onions, poppies, potatoes and pyrethrum	Y
(ES3) Irrigated Grazing – Dairy		Rye Grass only	Y
(ES4) Broadacre – Cropping and Livestock		Example crops include: wheat, barley, poppies, lucerne and ryegrass	N
(ES5) Broadacre – Dryland Pastoral	TASVEG 3.0, DPIPWE	Remaining cleared agricultural land (identified as FAG – Agricultural land in TASVEG 3.0), including native grasslands	N
	Land Capability data, 1:100,000, DPIPWE	Remaining land with a land capability class of between 1-6	

### 2.2.3 Step 3 – Potential access to water for irrigation

The Enterprise Suitability Mapping used to compile the ES Clusters outlined in Step 2 assumes ready access to water for irrigation. This is not practically possible for all areas in Tasmania. Land with current or future potential access to irrigation water required identification to further refine the Enterprise Suitability Mapping for the purposes of this project. It was important identified areas of potential access to irrigation water to adequately reflect the possible future potential of the land.

The area within Tasmania that has current or future potential access to irrigation water was mapped, as outlined in Table 3. This included the analysis of a number of datasets for existing irrigation or storage allocations, bores, and major watercourses, including:

- DPIPWE Water Information Management System data (WIMS);
- DPIPWE Hydrogeological Bore data;
- Tasmanian Irrigation – existing and planned irrigation schemes;
- DPIPWE Conservation of Freshwater Ecosystem Values (CFEV) data; and
- TasWater infrastructure data.

In general, there are three main limitations for land being able to access irrigation water. These are distance from the water source, elevation difference between the land and the water source, and the quantity of water available and that needed by the agricultural enterprise.

A conservative buffer of 3km was identified around existing allocations, functioning bores with a flow rate of 10L/sec, and major watercourses, taking into account the topography, to reflect maximum distances that may be economically viable to pump irrigation water. Existing and planned irrigation schemes as identified by Tasmanian Irrigation were also included as part of this analysis. TasWater infrastructure data was also acquired to ensure the mapped area included existing farm irrigation off-takes. The applied buffer area adequately covered all existing TasWater infrastructure currently in rural zones.

All areas currently within a rural zone on Flinders Island and King Island were mapped as potentially having access to irrigation water. Irrigation water is currently limited on both islands. However, their coastal climate, latitude and relatively small distances and elevation changes means there are potential opportunities for low water use irrigated agricultural enterprises across the breadth of the islands in the future.

The output area identified with potential access to irrigation water (Figure 2) was applied as a filter to the ES Clusters mapped in Step 2. Where an ES1, ES2 or ES3 Cluster fell outside the mapped potential irrigation area, the land was allocated a suitable lesser ES Cluster which is not reliant on access to irrigation water (e.g. ES4 or ES5).

Table 3 Potential Access to Irrigation Water Methodology

<i>Dataset Used</i>	<i>Data and Assumptions</i>
<b>Water Information Management System (WIMS), DPIPWE</b>	Current direct take and storage allocations for irrigation mapped. 3km buffer created as a conservative maximum distance deemed as economically viable to pump.
<b>Hydrogeological Bore Data, DPIPWE</b>	Functioning bores mapped with a flow rate of 10 L/s or higher (suitable for irrigation). 3km buffer created as a conservative maximum distance deemed as economically viable to pump.
<b>Irrigation Schemes – Existing &amp; Planned, Tasmanian Irrigation</b>	Area included.
<b>Conservation of Freshwater Ecosystem Values (CFEV)</b>	Major Watercourses mapped. 3km buffer created as a conservative maximum distance deemed as economically viable to pump.
<b>Contour (10m), the LIST</b>	Elevation data used in assessment of potential access to water
<b>TasWater infrastructure data</b>	Current TasWater infrastructure data used to take into account of current farm irrigation off-takes.
<i>Data combined, reviewed and edited by Senior Macquarie Franklin Water Resource consultants to practically reflect land that has potential access to water for irrigation now and in the future.</i>	

#### 2.2.4 Step 4 – Consideration of existing forestry land

Step 4 involved the analysis of existing forestry land to identify areas of broad-scale forestry production. The aim was to identify existing forestry land that may be of higher value for agriculture as a consequence of it being potentially suited to a greater range of agricultural enterprises. Such land is potentially suitable for the Agriculture Zone.

Broad-scale forestry production often occurs on land with limited potential for other agricultural uses. Forestry production generally has a longer lifespan than most other agricultural enterprises meaning the land is likely to remain under forestry use for at least the short to medium term.

The Rural Zone is considered appropriate for most land under broad-scale forestry production given many areas have limited suitability for a broader range of other agricultural uses. The Rural Zone provides for agricultural use, including plantation forestry, as a No Permit Required use and includes appropriate protection from land use conflicts. The Agriculture Zone is considered more appropriate for forestry land with potential for a range of other agricultural uses.

The identification of any existing forestry land within the Agriculture Zone does not suggest the land should be transferred to other agricultural enterprises. It instead identifies land that may be of higher value to agriculture due to its potential to support a greater range of agricultural enterprises.

A large proportion of forestry operations also fall outside the planning system. Forestry operations within State forests and on land declared as private timber reserves are not subject to the requirements of a planning scheme.

For the purposes of Step 4, the ES Cluster mapping was overlaid with land mapped as:

- plantation hardwood or plantation softwood in the 'Forest Group' mapping layer on the LIST; and
- under the authority of Forestry Tasmania in the 'Authority Land' mapping layer on the LIST, which included all land within the Permanent Timber Production Zone.

Areas where the ES Cluster mapping overlapped with any of the above mapped forestry land were further analysed. Forestry land was identified as potentially suitable for the Agriculture Zone if it overlapped with:

- areas mapped as either ES1, ES2 or ES3 Clusters; or
- the ES Cluster mapping and the land capability classification was in the range of 1 to 4.

No land currently within the Permanent Timber Production Zone was included in the final mapping data.

*Table 4 Consideration of existing forestry land*

<i>Dataset Used</i>	<i>Data and Assumptions</i>
<b>Forest Group dataset, the LIST</b>	Existing hardwood and softwood plantations mapped
<b>Authority Land dataset, the LIST</b>	Existing land under the authority of Forestry Tasmania, which includes all land within the Permanent Timber Production Zone.
<b>Enterprise Suitability Clusters, Agricultural Land Mapping Project</b>	Where overlap occurred with 'high value' Enterprise Suitability Clusters ES1-3, land included as potentially suitable for the Agriculture Zone.
<b>Land Capability, 1:100,000, DPIWWE</b>	Where overlap occurred with land capability Class 1-4, land included as potentially suitable for the Agriculture Zone.

The mapping produced through Steps 1 to 4 created the Potential Agricultural Land Initial Analysis mapping layer (Mapping Layer 1) in Figure 3.

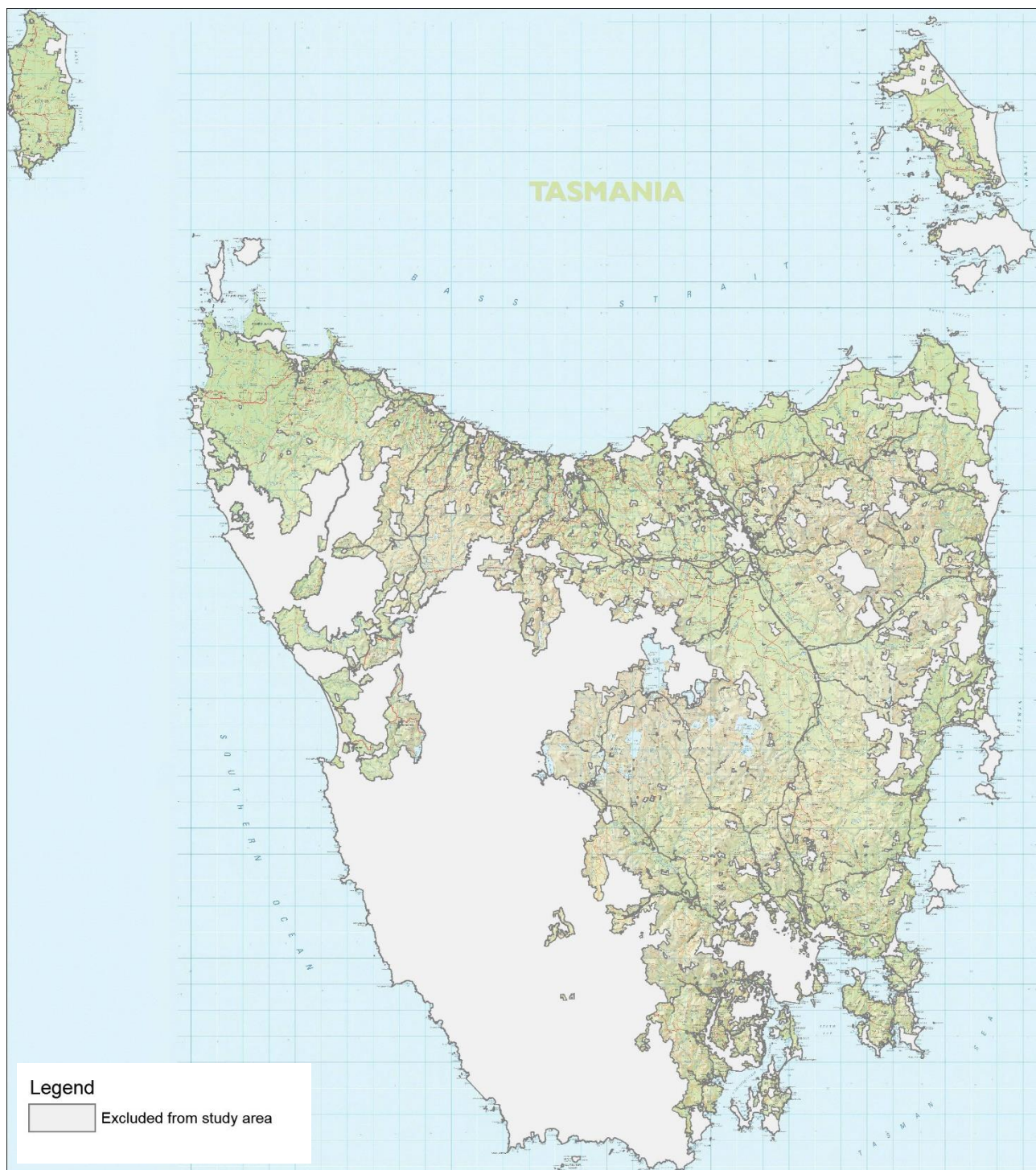


Figure 1 Agricultural land mapping project study area



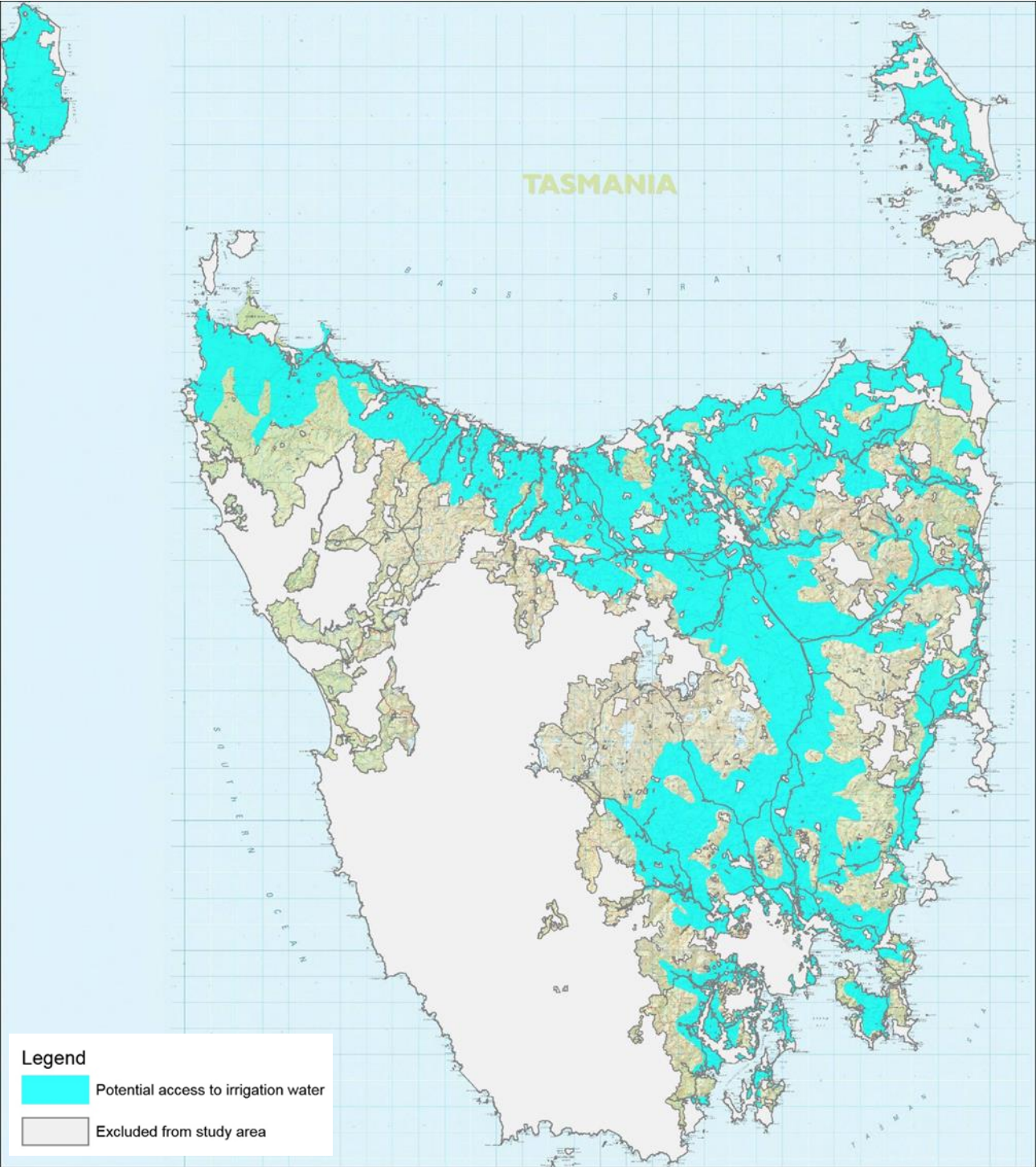


Figure 2 Potential access to irrigation water

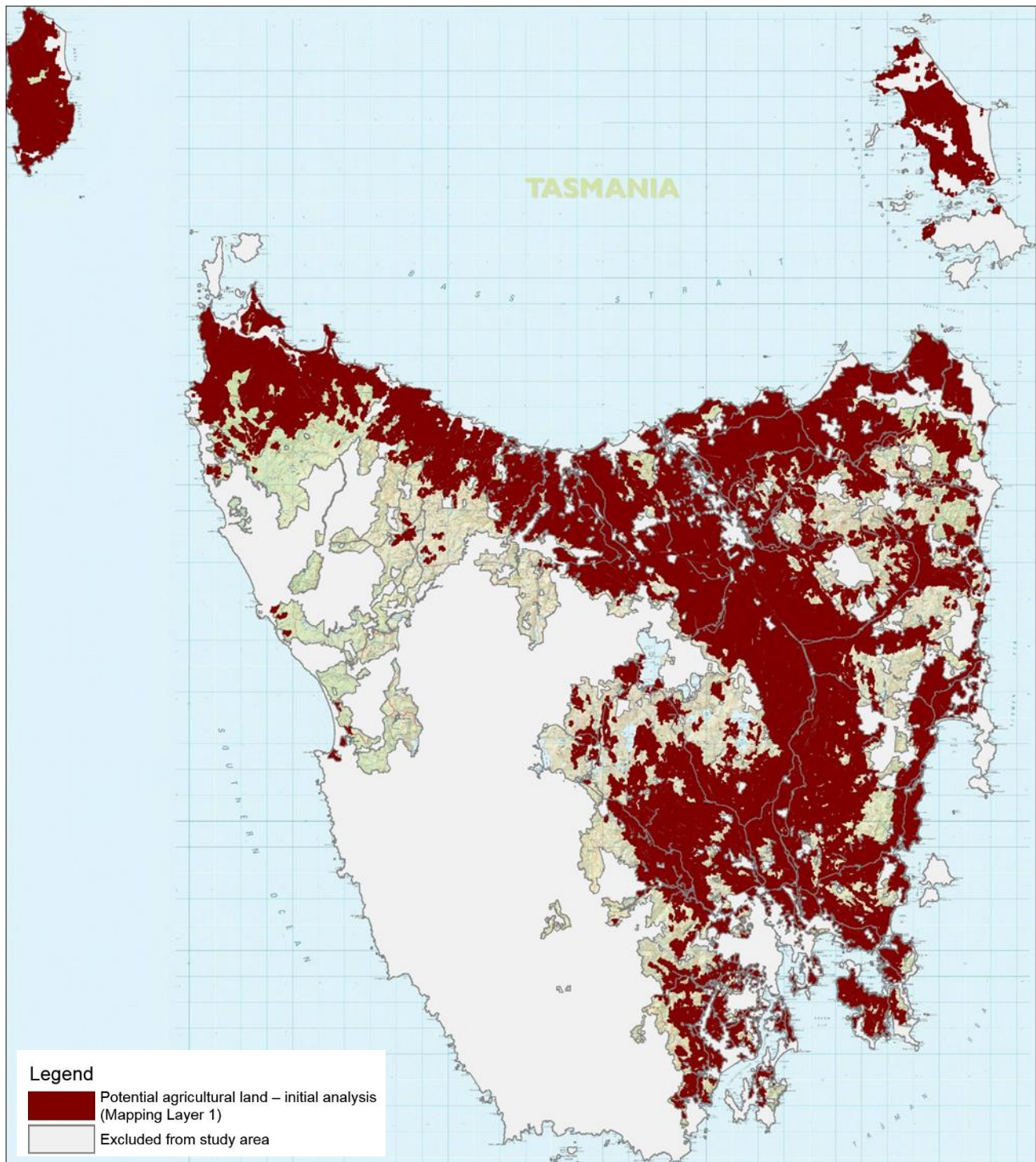


Figure 3 Potential agricultural land – initial analysis (Mapping Layer 1)

### **2.2.5 Step 5 – Allocation of potential agricultural land to cadastre**

The initial analysis of potential agricultural land was allocated to cadastre data. Smoothing of the mapping was undertaken in an effort to refine data into a more user friendly planning tool by aligning the mapping to cadastre boundaries where appropriate. Where a title contained greater than 50% of land mapped in Mapping Layer 1, the entire title was mapped as potentially suitable for the Agriculture Zone. Titles with areas less than 50% mapped in Mapping Layer 1 were further analysed by Senior Agricultural Consultants for potential inclusion, taking into consideration the areas of mapped ES Clusters.

### **2.2.6 Step 6 – Potential constraints analysis**

Step 6 involved an analysis of potential constraints for agricultural use on the titles mapped under Step 5. The analysis was undertaken to identify titles where agricultural use may be constrained due to the high capital value of the title, impact of isolation from other agricultural land, and the proximity of conflicting land use.

The potential constraints analysis was not meant to provide a comprehensive analysis of all factors that may contribute to constraining agricultural uses from occurring on the land. It is not possible to achieve this at a statewide level and many factors would be dependent on the agricultural enterprise, the characteristics of the operations, and the locational circumstances. It was also considered unnecessary to analyse all potential constraints for the purposes of developing a strategic planning mapping tool for the identification of the future agricultural potential of the land.

The potential constraints analysis did not exclude any titles from the mapping data. Instead the analysis aimed to highlight titles or areas that may require further investigation by local planning authorities in strategically applying the Agriculture Zone.

The constraints analysis may be useful for local planning authorities in identifying individual titles or clusters of titles where agricultural use may be significantly constrained. This aims to provide additional guidance on whether the land is suitable for the Agriculture Zone.

The mapping of titles as 'potentially constrained' does not in itself indicate or justify an alternate zoning to the Agriculture Zone for that title. Further investigation should be undertaken to determine its suitability.

The constraints analysis involved assessment against three criteria as outlined below and in Figure 4, with the approach of criteria 1 providing the first filter, criteria 2 the next and criteria 3 providing the final filter in identifying titles that may be constrained for agricultural use.

#### **Criteria 1 – Is the title size a potential constraint for agricultural use?**

A conservative approach was taken to identify minimum threshold title sizes that could potentially sustain a standalone agricultural enterprise. These were identified for each ES Cluster as shown in Figure 4.

The thresholds identified for Criteria 1 were determined by utilising models based on Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES), DPIPWE gross margins,

DairyTas, and Holmes & Sackett data, and determining typical values for estimated value of agricultural operations (EVAO).

It is acknowledged there is a high degree of disagreement amongst experts on determining potential minimum areas that are able to sustain the various agricultural enterprises. The minimum areas will depend on a number of factors including the efficiencies of the operator, the type of agricultural enterprises, technology and markets. These factors will also change overtime. Farmers are also likely to incorporate a number of different agricultural or other enterprises in order to maintain a sustainable business. Nevertheless, it was considered important to establish a suitable indicator for titles requiring further analysis of potential constraints.

A title that is below the specified size threshold does not necessarily mean there are constraints to agriculture occurring on the title. Smaller titles are, and can be, used in a variety of ways for viable agricultural uses. The purpose of Criteria 1 is to narrow down the analysis to those titles that may be more susceptible to constraints.

Smaller titles have a greater potential to become unviable for agricultural use as a consequence of being more susceptible to constraints caused by isolation from other agricultural land or fettering by conflicting land uses. The agricultural use of some smaller titles may also be cost prohibitive if its capital value is excessive.

Criteria 1 provided the first filter in identifying titles that may be constrained for agricultural use. These titles were then considered against additional criteria to identify those that may be constrained by:

- economic barriers, in that the title is of higher capital value which may inhibit the land being purchased or used for agricultural purposes (Criteria 2A);
- physical barriers, in that the surrounding land is potentially unsuitable or unviable for agriculture (Criteria 2B); or
- land use conflicts created by proximity to residential development of adjoining land which causes agricultural use on the title to be confined or restrained (Criteria 3).

***Criteria 2 – Are there potential constraints for the title being used or amalgamated with adjoining agricultural land?***

Criteria 2 consisted of two components to further analyse the smaller titles identified in Criteria 1. Criteria 2A considered the capital value of the title and Criteria 2B considered the land surrounding the title.

For Criteria 2A, capital value data from the Valuer General was applied to the titles and a capital value per hectare was determined. Titles with a capital value greater than a conservative value of \$50,000/ha was identified as a potential economic constraint for purchasing and amalgamating the land with neighbouring agricultural land.

Small titles with a high capital value per hectare can indicate that a high proportion of the value of the title relates to physical improvements such as buildings, structures and other fixtures. The high capital values can often indicate the presence of a dwelling on the title. The identification of such

titles can also indicate the presence of 'residential nodes', or clusters of smaller titles that are largely residential in nature with the current rural zones.

Titles with a capital value of greater than \$50,000/ha were further considered against Criteria 3. Those with a capital value of less than \$50,000/ha were considered against Criteria 2B.

For Criteria 2B, land surrounding the title was considered to determine whether the title was adjoining other agricultural land. Small titles may be compromised by having limited connectivity with other unconstrained agricultural land. Titles that were not adjoining a title above the Criteria 1 size thresholds or with a capital value of less than \$50,000/ha were identified and considered against Criteria 3.

### ***Criteria 3 – Is residential development potentially constraining agriculture land?***

Criteria 3 identified whether any of the titles were adjoining:

- a current Interim Planning Scheme General Residential Zone, Low Density Residential Zone, Rural Living Zone or Village Zone; or
- a Residential Zone, Low Density Residential Zone, Rural Residential Zone or Village Zone under the *Flinders Planning Scheme 2000*.

This analysis further aimed to identify any potential constraints due to potential land use conflicts from adjoining residential development in designated residential zones in addition to any potential constraints identified in Criteria 2A or 2B. A 25m buffer was applied around the titles to compensate for any zoning anomalies, such as a zone boundary being aligned to the centre line of a road instead of the cadastre boundary. This was a common occurrence in Interim Planning Schemes where the zone boundary corresponded with a road.

The analysis against Criteria 3 did not include the consideration of any constraints caused by clusters of smaller titles (or 'residential nodes') within current rural zones. While such clusters may create land use conflicts, their impact can be difficult to analyse. Some of these titles may be owned or occupied in conjunction with surrounding farms. The potential impact differs to that potentially caused by proximity to a residential zone, as this land has been identified strategically for residential use and development and therefore has greater potential to impact on adjoining agricultural operations.

Analysis against all three criteria allocated the titles into four categories as per Table 5.



Table 5 Results on the constraints analysis

<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>

The constraints analysis, in conjunction with the mapping produced in the preceding steps, produced the Land Potentially Suitable for Agriculture Zone mapping layer (Mapping Layer 2) (Figure 5 and Figure 6).



Figure 4 Constraints analysis flow chart

**CRITERIA 1**  
*Is the title size a potential constraint for agricultural use?*

Is title area greater than minimum area for the identified Enterprise Suitability (ES) Cluster?

ES1 – 10 ha  
ES2 – 25 ha  
ES3 – 40 ha  
ES4 – 133 ha  
ES5 – 333 ha

**YES**

**UNCONSTRAINED**

**NO**

**CRITERIA 2**  
*Are there potential constraints for the title being used or amalgamated with adjoining agricultural land?*

**CRITERIA 2A**

Is the capital value of the title less than \$50,000/ha

**YES**

**CRITERIA 2B**

Is the title adjoining another title with an area greater than that specified in Criteria 1 and with capital value of less than \$50,000/ha?

**YES**

**UNCONSTRAINED**

**NO**

**CRITERIA 3**  
*Is residential development potentially constraining agricultural land?*

Is title adjoining General Residential, Residential, Low Density Residential, Rural Living, Rural Residential or Village Zone?

**YES**

Is title adjoining General Residential, Residential, Low Density Residential, Rural Living, Rural Residential or Village Zone?

**YES**

**POTENTIALLY CONSTRAINED (Criteria 3)**

- not adjoining unconstrained land
- adjoining residential development

**NO**

**POTENTIALLY CONSTRAINED (Criteria 2A)**

- high capital value
- not adjoining residential development
- may or may not adjoin unconstrained land

**POTENTIALLY CONSTRAINED (Criteria 3)**

- high capital value
- adjoining residential development
- may or may not adjoin unconstrained land

**NO**

**POTENTIALLY CONSTRAINED (Criteria 2B)**

- not adjoining unconstrained land
- not adjoining residential development

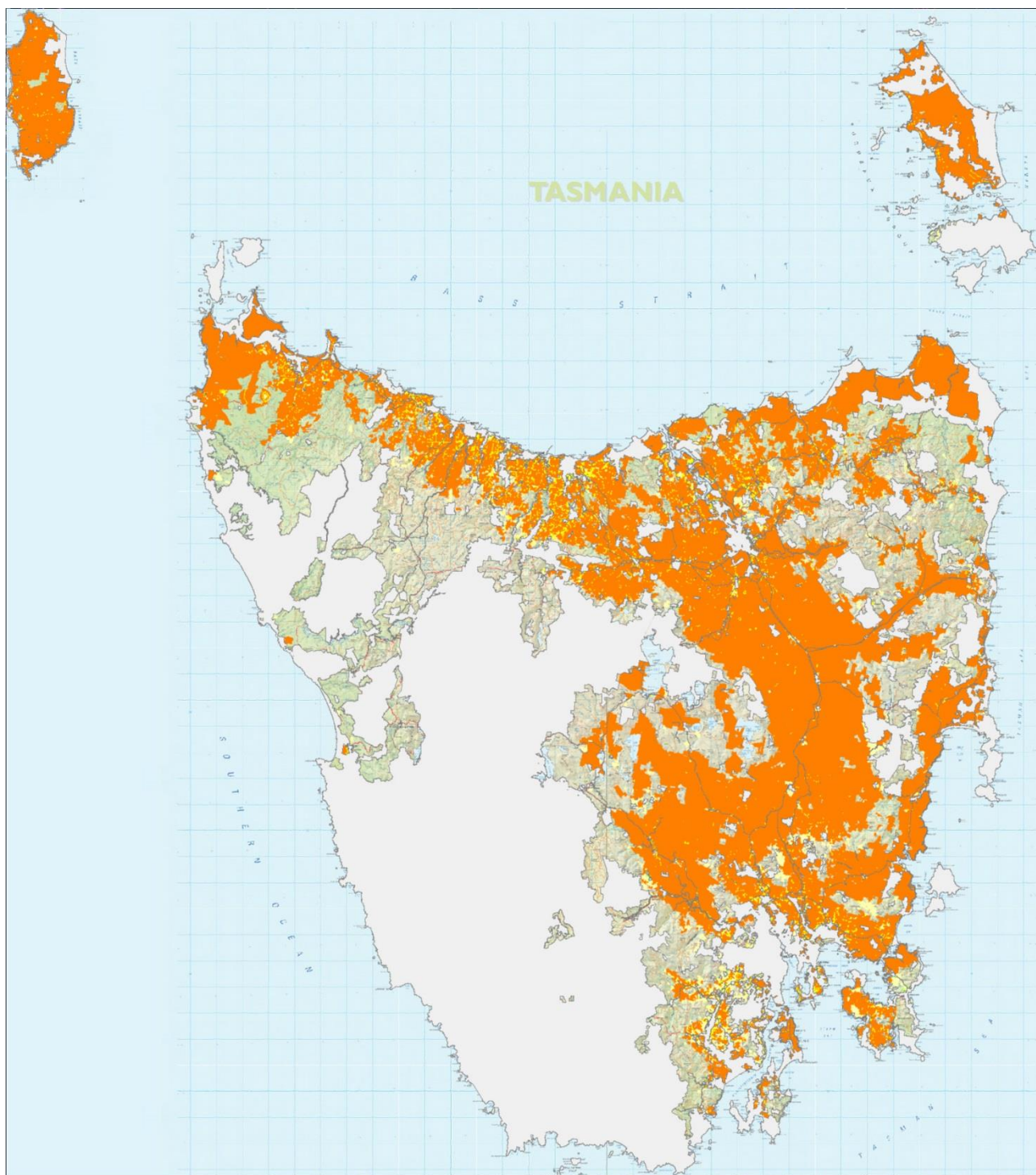


Figure 5 Land potentially suitable for the Agriculture Zone (Mapping Layer 2)

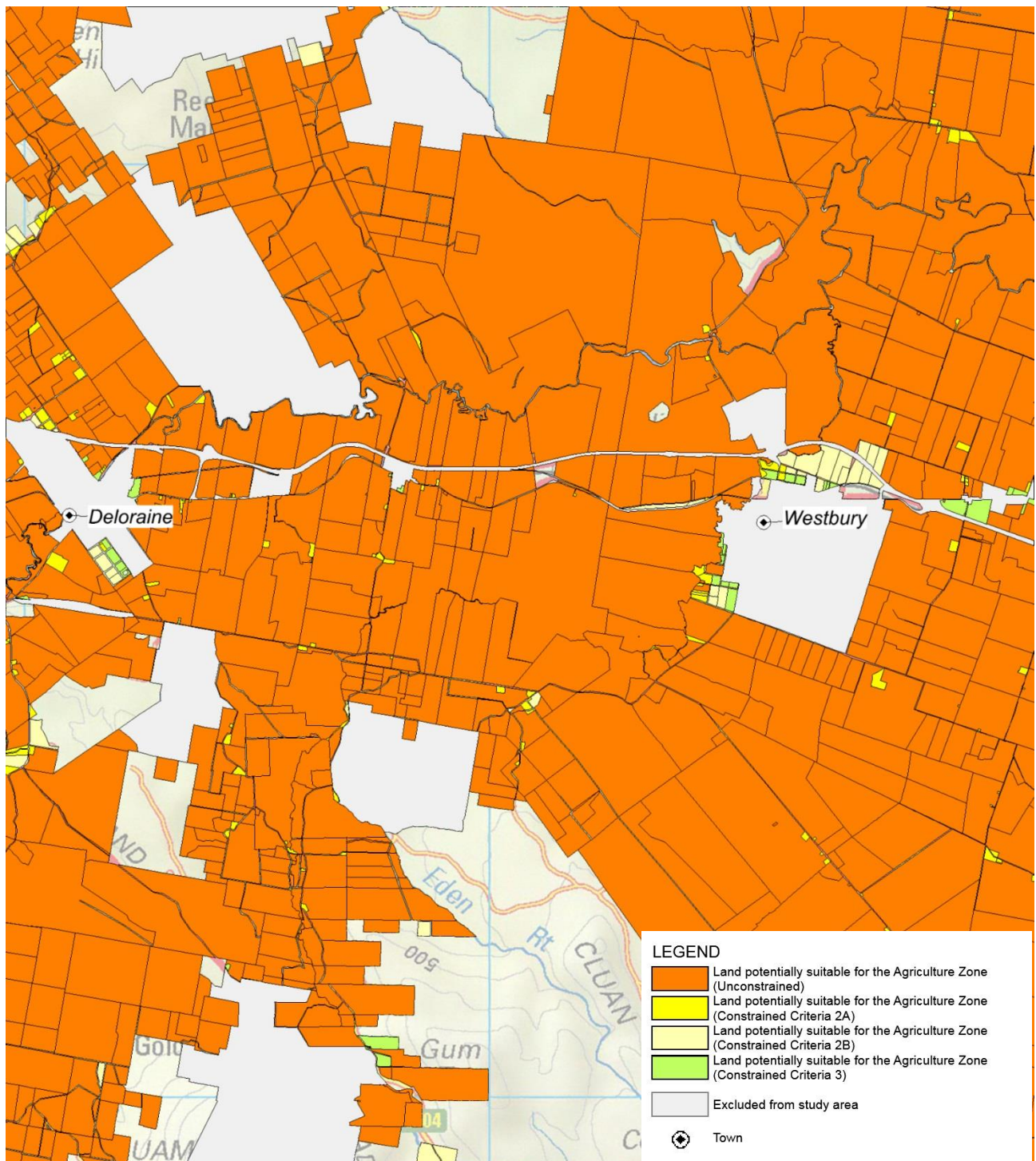


Figure 6 Distribution of land potentially suitable for the Agriculture Zone (Mapping Layer 2) within northern region between Deloraine and Westbury



### **3.0 Agricultural Land Mapping Data**

#### **3.1 *What mapping has been produced from the project?***

The Agricultural Land Mapping Project has produced two mapping layers that are available on the Land Information System Tasmania's website (the LIST). These mapping layers are:

##### **1. Potential Agricultural Land Initial Analysis (Mapping Layer 1)**

This represents the land identified and mapped through the initial analysis up to Step 4 in the above methodology. A total of 21,781 square km has been mapped as potential agricultural land as part of the initial analysis.

##### **2. Land Potentially Suitable for Agriculture Zone (Mapping Layer 2)**

This represents the refined mapping produced through all steps in the methodology and includes the titles mapped as part of the constraints analysis in Step 6. This layer includes:

- Unconstrained agricultural land - 20,164 square km
- Potentially Constrained agricultural land (Criteria 2A) - 245 square km
- Potentially Constrained agricultural land (Criteria 2B) – 689 square km
- Potentially Constrained (Criteria 3) - 107 square km

#### **3.2 *How should the mapping be used?***

The mapping is to be used by local planning authorities as a guide for the spatial application of the Agriculture Zone through their Local Provisions Schedules. The mapping may also provide guidance to the Tasmanian Planning Commission in assessing the spatial application of the Agriculture Zone in the draft Local Provisions Schedules prepared by planning authorities.

Despite the sophisticated methodology, the mapping is not intended to be a definitive strategic land use planning tool as it is predominantly a desktop analysis and has only focussed on assessing the agricultural potential of the land. Local planning authorities will need to utilise this data in conjunction with a range of other data sets and information sources in making strategic land use planning decisions about some of the areas identified.

The following guidelines should be considered in using the mapping to apply the Agriculture Zone in the Local Provisions Schedules:

1. The spatial application of the Agriculture Zone should be based on the land identified in the Land Potentially Suitable for Agriculture Zone mapping layer 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 mapping 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 published on the LIST; 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.
2. Land within an interim planning scheme Significant Agriculture Zone should be included in the Agriculture Zone considered for an alternate zoning under 6.
3. Titles highlighted as Potentially Constrained Criteria 2A, 2B or 3 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.
4. The Potential Agricultural Land Initial Analysis mapping 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 mapping layer, including titles that are surrounded by land mapped as part of the 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 mapping layer; and
  - (d) larger titles or those with extensive areas of native vegetation cover.
5. Titles may be split-zoned to align with areas potentially suitable for agriculture or where agriculture is constrained. This may be appropriate for some larger titles.

6. Land identified in the Land Potentially Suitable for Agriculture Zone mapping layer may be considered for alternate zoning if:
  - (a) local or regional strategic analysis has identified or justifies the need for an alternate zoning 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 require an alternate zoning;
  - (c) for the identification and protection of significant natural values which require an alternate zoning;
  - (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.
7. Land not identified in the Land Potentially Suitable for Agriculture Zone mapping 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 mapping layer, andhaving regard to the extent of the land identified in the Potential Agricultural Land Initial Analysis mapping layer.



## APPENDIX T

### Local Historic Heritage Code - Modifications to Code Applying Provisions

#### 1. Exclusions to Ministerial declaration for code apply applying provisions (section 87C & Schedule 6, clause 8D(3) – Land Use Planning and Approvals Act 1993)

As shown in the below table, nine of the places listed in E5.1 Table to the Local Heritage Code (Buildings and Places) of the Interim Planning Scheme have been legally demolished in accordance with a planning permit. These are not proposed to be transitioned across to the list of local heritage places under the Local Historic Heritage Code of the draft LPS and are excluded via the Minister's declaration.

No.	Folio of the Register	Property Address	Locality	Planning permit reference	Status (as at February 2019)
1.	203386/7	9 Cross Street	East Devonport	PA2012.0076	Demolished.
2.	19069/1	7 Douglas Street	East Devonport	PA2001.0068.	Demolished.
3.	217004/7	13-15 Drew Street	East Devonport	PA2014.0076	Demolished.
4.	9354/1	33-35 Elizabeth Street	Devonport	PA2007.0110	Demolished.
5.	124200/1	67-71 Mersey Main Road	Spreyton	PA2015.0048	Demolished.
6.	100074/1	8 Middle Road	Devonport	PA2014.0125	Demolished.
7.	172473/1	4 Oldaker Street	Devonport	PA2016.0120	Demolished.
8.	161466/1	66 Wright Street (now identified as part of 110 Wright Street)	East Devonport	PA2002.0166	Demolished.
9.	110578/1	107 Wright Street	East Devonport	PA2001.0067	Demolished.

#### 2. Correction of minor errors in code applying provision (Schedule 6, clause 8D(8)(b) - Land Use Planning and Approvals Act 1993)

The below table shows those places listed in E5.1 Table to the Local Heritage Code (Buildings and Places) of the Interim Planning Scheme, where an incorrect property address is shown. A revised property address is included with the listings in the Table C6.1 of the draft LPS.

No.	Folio of the Register	Shown Property Address	Correct Property Address	Locality	Comment on modification
1.	197464/1	150 David Street	148-150 David Street	East Devonport	Street number adjustment – this property contains the relevant heritage listed item.
2.	Not Applicable	1 Devonport Road	Formby Road	Devonport	The Interim Planning Scheme describes this local heritage item as a "railway platform – remnant of railway infrastructure."

No.	Folio of the Register	Shown Property Address	Correct Property Address	Locality	Comment on modification
					<p>The inclusion of this item in the DIPS followed the entry under the 1984 Planning scheme for a "stone railway platform" – however the item was listed as being located on Formby Road. No further property address details or Certificate of Title reference were provided suggesting that there were none to be identified.</p> <p>The description of the heritage item matches that contained under the <i>Devonport &amp; Environs Heritage Study 2001</i> (which forms the basis for the local heritage code listings under the Interim Planning Scheme).</p> <p>A visual inspection confirms that the stone platform described by the heritage listing is located further north along Formby Road – which aligns with the location identified in the previous <i>Devonport and Environs Planning Scheme 1984</i>.</p> <p>A further description of the location is provided in Table C6.1 (see DEV-C6.1.22).</p>
3.	47452/1 70436/1	2 Forth Road	2-4 Forth Road	Don	Street number adjustment – this property contains the relevant heritage listed item.
4.	136967/1	4 Forth Road	2 Lapthorne Close	Don	As above
5.	122278/1	21 Forth Road	19-21 Forth Road	Don	As above.
6.	143276/1	29 Forth Road	27-29 Forth Road	Don	As above.
7.	223223/1	28 Pardoe Street	26 Pardoe Street	East Devonport	<p>There is no existing property address of 28 Pardoe Street.</p> <p>The DIPS listing for 28 Pardoe St describes a "1857 commercial building". It appears as though at some point 26 &amp; 28 were consolidated together and are now identified as 26 Pardoe St (CT223223/1 &amp; CT203647/1).</p> <p>Original heritage building still retained on CT223223/1.</p>
8.	237128/1	21 Lapthorne Close	21-23 Lapthorne Close	Don	Street number adjustment – this property contains the relevant heritage listed item.
9.	251625/1	24 Mersey Road	22-24 Mersey Main Road	Spreyton	Street number adjustment and insertion of correct road name. "Mersey Main Road" is the correct road name.
10.	148920/1	119 Mersey Road	119-121 Mersey Main Road	Spreyton	As above.
11.	153687/1	46 Old Tram Road	46 Old Tramway Road	Eugenana	Insertion of the correct road name. "Old Tramway Road" is the correct road name.

No.	Folio of the Register	Shown Property Address	Correct Property Address	Locality	Comment on modification
12.	250760/1	3 Percy Street	5 Percy Street	Devonport	Street number adjustment. Current Interim Planning Scheme listing identifies a "1910 Federation house". This building is located at 5 Percy Street.
13.	121378/1	134 Racecourse Road	13 Racecourse Road	Spreyton	Property address carried over from the previous 1984 planning scheme. The property address of 134 Racecourse Road does not exist. The CT reference (121378/1) made under the previous <i>Devonport and Environs Planning Scheme 1984</i> aligns with the property identified as 13 Racecourse Road and which contains the heritage listed item ("grandstand – original racetrack building").
14.	113610/1 124730/2 138363/1 106149/1	7-23 Rooke Street	17-23 Rooke Street	Devonport	The address of 17-23 Rooke Street is the correct property address for this listing. This heritage item is described by the Interim Planning Scheme as a "1900 Commercial Building" – this building is located over the four properties at 17-23 Rooke Street, Devonport. A site inspection and comparison to photographs held by Council confirms that the revised property address contains the heritage item.
15.	117691/1	56-58 Rooke Street	56-60 Rooke Street	Devonport	Street number adjustment – this property contains the relevant heritage listed item.
16.	114907/1	59-63 Rooke Street	57-59 Rooke Street	Devonport	The current Interim Planning Scheme listing identifies a "1925 late Federation Commercial Building". This matches the description made under the <i>Devonport &amp; Environs Heritage Study 2001</i> which forms the basis for the local heritage code listings under the Interim Planning Scheme. The previous <i>Devonport and Environs Planning Scheme 1984</i> included two title reference numbers for this listing: i. CT114907/1 - which corresponds to 59-63 Rooke Street; and ii. CT24225/1 – which identifies 62-66 Rooke Street (a completely separate building on the other side of the mall). A visual inspection, and comparison to photographs held by Council, confirms that the revised property address of 57-59 Rooke Street contains the relevant heritage item.
17.	198082/1	69-71 Rooke Street	69 Rooke Street	Devonport	Street number adjustment. The CT reference made with the 1984 Planning Scheme heritage item listing aligns with the property address of 69 Rooke Street.

No.	Folio of the Register	Shown Property Address	Correct Property Address	Locality	Comment on modification
					Current Interim Planning Scheme listing describes a "1900 American Romanesque building". This matches the description made under the <i>Devonport &amp; Environs Heritage Study 2001</i> which forms the basis for the local heritage code listings under the Interim Planning Scheme. It is also noted that the <i>Devonport &amp; Environs Heritage Study 2001</i> study identifies the property address as 69 Rooke Street.
18.	197128/1	169 Rooke Street	153-159 Rooke Street	Devonport	Property address carried over from the previous 1984 planning scheme. The property address of 169 Rooke Street does not exist. The previous <i>Devonport and Environs Planning Scheme 1984</i> included a CT number of 221999/1 – however this relates to the property address of 1-3 Rooke Street. The comment for this entry under the previous 1984 planning scheme identified the heritage item as the "Rialto Restaurant". This building is located at 153-159 Rooke Street and with the corresponding CT 197128/1.
19.	252506/1	127 Rooke Street	121-127 Rooke Street	Devonport	Street number adjustment.
20.	116059/3	130 Steele Street	Unit 3 130 Steele Street	Devonport	Street number adjustment to reflect that local heritage item is located on land divided by strata title.
21.	6119/1	5 Stewart Street	5-9 Stewart Street	Devonport	Street number adjustment.
22.	158228/2	44-48 Stewart Street	44 Stewart Street	Devonport	As above.
23.	230130/1	54 Stewart Street	54-56 Stewart Street	Devonport	As above.
24.	109801/1	75 Stony Rise Road	73-75 Stony Rise Road	Stony Rise	As above.
25.	103917/5	4 Thomas Street	2-4 Thomas Street	East Devonport	As above.

### 3. Correction of minor errors in code applying provision (Schedule 6, clauses 8D(8)(b) and 8D(8)(c) - *Land Use Planning and Approvals Act 1993*)

The below table shows those places listed in E5.1 Table to the Local Heritage Code (Buildings and Places) of the Interim Planning Scheme, where a minor modification is proposed for the description of the local heritage interests – such modifications are for the purposes of correcting minor errors. A revised description of the local heritage interest is included with the listings in Table C6.1 of the draft LPS.

No.	Folio of the Register	Property Address	Locality	Statement of architectural or historic interest or special cultural value (Interim Planning Scheme)	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values (Draft LPS – DEV-Table C6.1 Local Heritage Places)	Comment on modification
1.	34712/1	769 Melrose Road	Melrose	"1890 Victorian farm"	"1890 Victorian farm house"	The <i>Devonport and Environs Heritage Study 2001</i> describes the item type as a "house" with a further description and statement of significance identifying a "Victorian farm house". The equivalent local heritage listing under the previous 1984 Planning Scheme also identifies the item type as a "house".  On the basis appears reasonable to conclude the description included with Table E5.1 of the Interim Planning Scheme is an error and should in fact describe an "1890 Victorian farm house".
2.	251625/1	22-24 Mersey Main Road	Spreyton	"1885 Victorian school"	"1885 Victorian house (former school)"	Minor adjustment to include the term "former" in recognition that this building is no longer used as a school.
3.	72453/4	11 Stony Rise Road	Quoiba	"Coach house"	"Former coach house"	Minor adjustment to include the term "former" in recognition that this building is no longer used as a "coach house".

#### 4. Modification of statements of local heritage significance in code applying provision (Schedule 6, clauses 8D(8)(b) & (c) - Land Use Planning and Approvals Act 1993)

The below table shows those areas listed in E5.1 Table to the Local Heritage Code (Conservation Areas) of the Interim Planning Scheme where modifications have been made to the statements of local heritage significance.

Statements of local heritage significance included with Code E5 of the existing Interim Planning Scheme are based on local heritage interests described by the previous *Devonport and Environs Planning Scheme 1984* which incorporated statements made with a local heritage study commissioned by the Council in 2001 (the *Devonport & Environs Heritage Study 2001*).

INTERIM PLANNING SCHEME		DRAFT LPS		Comment on modification (including LUPAA reference)
Clause Reference (Table E5.1)	Description/Character Statement	Clause Reference	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy	
<b>Stewart Street Conservation Area</b>	<p>Area bordered by Steele and Fenton Streets and incorporates parts of Stewart Street, Renison Court and Gunn Street.</p> <p>The buildings demonstrate the earliest development of the city. The extensive use of timber in residential development is a key theme that provides part of Devonport's character and reflects the importance of timber in the early development of the area.</p>	<b>DEV-C.6.2.1 Stewart Street Local Heritage Precinct</b>	<p><b>Description</b> This precinct is bordered by Steele, Newton and Fenton streets and incorporates parts of Stewart Street, Renison Court and Gunn Street.</p> <p><b>Statement of Local Historic Heritage Significance</b> Of particular local heritage value are the surviving fine residential houses and civic buildings in Stewart Street. These buildings demonstrate the earliest development of the city and their conservation as a group is of importance. The extensive use of timber in the residential development is a key theme that provides part of Devonport's character and reflects the importance of timber in the early development of the area.</p> <p><b>Design Criteria / Conservation Policy</b> There are no design criteria or conservation policies for this precinct.</p>	<p>Minor modifications to align with the definition for statements of "local historic heritage significance" contained at clause C6.3.1 of the SPPs.</p> <p>Modification provides for the effective operation of the code applying provision. [Schedule 6, clause 8D(8)(c)]</p>



INTERIM PLANNING SCHEME		DRAFT LPS		Comment on modification (including LUPAA reference)
Clause Reference (Table E5.1)	Description/Character Statement	Clause Reference	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy	
<b>Wenvoe and Hiller Street Conservation Area</b>	<p>The area contains a mixture of residential homes, schools and a church.</p> <p>The area is the major surviving heritage housing area of Devonport and is of very high heritage significance. Wenvoe Street is the main street through the area. The street rises to the west from Steele Street through an industrial area with the first residential buildings near Turton Street. As the street steeply rises a group of very fine houses are located on the slopes with good views and aspect to the northeast. At the southern end of the street are a group of houses and cottages extending into Elizabeth Street, a number of which were relocated from Zeehan. The street contains a wide range of buildings of value and a number of major properties.</p> <p>Macfie Street has also been impacted by industrial development at its northern end. As the street rises steeply heading west to Turton Street a group of two storey timber buildings are located on the high side with an early house at No 27. The hill is topped by No 44, a substantial two storey brick house. It is distinctive, as it is the most imposing building in the area with extensive views to the river and Bass Strait. Another significant house is at No 47 again taking advantage of the extensive views.</p>	<b>DEV-C.6.2.2</b> <b>Wenvoe and Hiller Street Local Heritage Precinct</b>	<p><b>Description</b> The precinct contains a mixture of residential homes, schools and a church.</p> <p><b>Statement of Local Historic Heritage Significance</b> This precinct is the major surviving heritage housing area of Devonport and is of very high heritage significance. Wenvoe Street is the main street through the area. The street rises to the west from Steele Street through an industrial area with the first residential buildings near Turton Street. As the street steeply rises a group of very fine houses are located on the slopes with good views and aspect to the north-east. At the southern end of the street are a group of houses and cottages extending into Elizabeth Street, a number of which were relocated from Zeehan. The street contains a wide range of buildings of value and a number of major properties.</p> <p>Macfie Street has also been impacted by industrial development at its northern end. As the street rises steeply heading west to Turton Street a group of two storey timber buildings are located on the high side with an early house at No. 27. The hill is topped by No. 44, a substantial two storey brick house. It is distinctive, as it is the most imposing building in the area with extensive views to the river and Bass Strait. Another significant house is at No. 47 again taking advantage of the extensive views.</p> <p>Hiller Street is located on the ridge and is comparatively level. However, houses on the eastern side are set down with the western houses</p>	<p>Minor modifications to align with the definition for statements of "local historic heritage significance" contained at clause C6.3.1 of the SPPs.</p> <p>Modification provides for the effective operation of the code applying provision.</p> <p>[Schedule 6, clause 8D(8)(c)]</p>

INTERIM PLANNING SCHEME		DRAFT LPS		Comment on modification (including LUPAA reference)
Clause Reference (Table E5.1)	Description/Character Statement	Clause Reference	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy	
	<p>Hiller Street is located on the ridge and is comparatively level. However houses on the eastern side are set down with the western houses set slightly above street level. The block between Steele and Turton Streets contains the finest group of buildings in the Heritage Area with examples of various styles and fine decorative treatments. This area forms the core of the Wenvoe and Hiller Street Conservation Area.</p> <p>As noted the streets oriented east-west generally have smaller scale buildings. Harold Street was a late subdivision from the lands around Pebble Lodge and contains a high consistency of buildings, a number of which are now altered and have non-characteristic fencing styles. While the street is wider than the other cross streets, the buildings are modest and representative of the wider development of early Devonport.</p> <p>Archer Street contains several unusual and fine buildings from several periods and a good collection of contributory buildings. It is a narrower street that typifies the pattern of early sub-division and development of the ridge area.</p> <p>Turton Street has a very high consistency of contributory buildings that make up the basic housing stock of the area.</p>		<p>set slightly above street level. The block between Steele and Turton Streets contains the finest group of buildings in the precinct with examples of various styles and fine decorative treatments. This area forms the core of the Wenvoe and Hiller Street Local Heritage Precinct.</p> <p>The streets oriented east-west generally have smaller scale buildings. Harold Street was a late subdivision from the lands around Pebble Lodge and contains a high consistency of buildings, a number of which are now altered and have non-characteristic fencing styles. While the street is wider than the other cross streets, the buildings are modest and representative of the wider development of early Devonport.</p> <p>Archer Street contains several unusual and fine buildings from several periods and a good collection of buildings of local heritage interest. It is a narrower street that typifies the pattern of early subdivision and development of the ridge area.</p> <p>Turton Street has a very high consistency of local heritage interest buildings that make up the basic housing stock of the area.</p> <p>Henry Street is an example of a more modest subdivision with small lot sizes and good consistent housing stock.</p> <p>Smith Street is the least coherent street containing a small number of contributory buildings. The other houses are however good examples of later</p>	

INTERIM PLANNING SCHEME		DRAFT LPS		Comment on modification (including LUPAA reference)
Clause Reference (Table E5.1)	Description/Character Statement	Clause Reference	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy	
	<p>Henry Street is an example of a more modest sub-division with small lot sizes and good consistent housing stock.</p> <p>Smith Street is the least coherent street containing a small number of contributory buildings. The other houses are however good examples of later development and provide a good setting for the more significant buildings.</p> <p>The key characteristics of the Conservation Area are –</p> <ul style="list-style-type: none"> <li>(a) Its consistent building form and scale;</li> <li>(b) the contrasts between larger properties in the north-south streets and the more regular rows of smaller houses in the east-west cross streets;</li> <li>(c) the regular relationship of most houses to the street frontage; and</li> <li>(d) the predominant late 19th Century and early 20th Century style of the buildings.</li> </ul>		<p>development and provide a good setting for the more significant buildings.</p> <p>The key characteristics of this Local Heritage Precinct are:</p> <ul style="list-style-type: none"> <li>(a) its consistent building form and scale;</li> <li>(b) the contrasts between larger properties in the north-south streets and the more regular rows of smaller houses in the east-west cross streets;</li> <li>(c) the regular relationship of most houses to the street frontage; and</li> <li>(d) the predominant late 19th century and early 20th century style of the buildings.</li> </ul> <p><b>Design Criteria / Conservation Policy</b> There are no design criteria or conservation policies for this precinct.</p>	
<b>Formby Road Conservation Area</b>	<p>A linear collection of commercial and industrial buildings fronting Formby Road that originally fronted the docks.</p> <p>The blocks approaching the business centre retain a tightly integrated collection of buildings ranging from the 1880's to the 1960's.</p>	<b>DEV-C6.2.3</b> <b>Formby Road Local Heritage Precinct</b>	<p><b>Description</b> The precinct includes a linear collection of commercial and industrial buildings fronting Formby Road that originally fronted the docks.</p> <p><b>Statement of Local Historic Heritage Significance</b> The blocks approaching the business centre retain a tightly integrated collection of buildings ranging from the 1880's to the 1960's. The buildings include</p>	Minor modifications to align with the definition for statements of "local historic heritage significance" contained at clause C6.3.1 of the SPPs.

INTERIM PLANNING SCHEME		DRAFT LPS		Comment on modification (including LUPAA reference)
Clause Reference (Table E5.1)	Description/Character Statement	Clause Reference	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy	
	The relationship of the buildings to the wharves, silos and sheds opposite is a reminder of the working part and the historical foundation of Devonport. The buildings include some of the finest examples of commercial building in Devonport and provide a continuous streetscape.		some of the finest examples of commercial building in Devonport. The relationship of the buildings to the wharves, silos and sheds opposite is a reminder of the working part and the historical foundation of Devonport.  <b>Design Criteria / Conservation Policy</b> There are no design criteria or conservation policies for this precinct.	Modification provides for the effective operation of the code applying provision. [Schedule 6, clause 8D(8)(c)]
<b>Victoria Parade Conservation Area</b>	<p>The area contains a number of houses ranging from the 1880 period through to the post war period and a number of heritage items such as the cenotaph and former ship yards.</p> <p>The good design, use of materials, time settings and overall harmony of the area distinguish the heritage area.</p> <p>The area behind Victoria Parade also includes good quality housing stock but not as distinguished as the houses fronting the water.</p>	<b>DEV-C6.2.4</b>  <b>Victoria Parade Local Heritage Precinct</b>	<p><b>Description</b> The precinct contains a number of houses ranging from the 1880 period through to the post war period and a number of heritage items such as the cenotaph and former ship yards.</p> <p><b>Statement of Local Historic Heritage Significance</b> Victoria Parade is the most prestigious residential district in Devonport. The overall quality, design and setting of houses along the waterfront clearly demarks this group from all other housing areas in the City. While there are many individual fine houses and several small precincts of fine houses in Devonport, Victoria Parade historically and today provides a snapshot of the height of Devonport's development and style. The precinct includes a number of exceptionally fine houses ranging from the 1880 period through to the post war period. Their good design, use of materials, fine settings and the overall harmony of the area distinguish the precinct. The area behind Victoria Parade also includes good quality housing stock but not as distinguished as the houses fronting the water.</p> <p>Also, part of the precinct is the waterfront reserve and parkland in which are located the Cenotaph</p>	<p>Minor modifications to align with the definition for statements of "local historic heritage significance" contained at clause C6.3.1 of the SPPs.</p> <p>Further description is included to elaborate the local heritage significance of the precinct which is adapted from "character statement" for the "Victoria Parade Heritage Area" which was made with the previous <i>Devonport and Environs Planning Scheme 1984</i> and based on the <i>Devonport &amp; Environs Heritage Study 2001</i>.</p> <p>Modification provides for the effective operation of the code applying provision. [Schedule 6, clause 8D(8)(c)]</p>

INTERIM PLANNING SCHEME		DRAFT LPS		Comment on modification (including LUPAA reference)
Clause Reference (Table E5.1)	Description/Character Statement	Clause Reference	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy	
			<p>and the archaeological sites of the former shipyards. The waterfront parkland provides a fine setting for the precinct.</p> <p>The collective setting of the fine houses, gardens, waterfront reserve and the general intactness of the precinct provide the heritage value of the area.</p> <p><b>Design Criteria / Conservation Policy</b> There are no design criteria or conservation policies for this precinct.</p>	
<b>Nicholls Street Conservation Area</b>	<p>The area contains a group of dwellings with heritage items and a number of contributory buildings. There is a predominance of timber buildings.</p> <p>An enclave of small-scale workers cottage that appear to relate to the adjacent railway and show ground. The cottages are distinctive for their simplicity and scale that contrast with the established larger houses across the railway line.</p> <p>There are only two heritage items in the area. One a former railway house on the corner immediately adjacent to the tracks, which are an excellent and rare example of railway building in Devonport. Most of the group are contributory buildings that complete the area.</p>	<b>DEV-C6.2.5 Nicholls Street Local Heritage Precinct</b>	<p><b>Description</b> The precinct abuts the back of the Victoria Parade local heritage precinct and extends into North Fenton Street.</p> <p><b>Statement of Local Historic Heritage Significance</b> The precinct contains a good collection of dwellings of local heritage interest where there is a predominance of timber buildings.</p> <p>Of particular interest is the mix of housing styles from a group of larger houses in North Fenton Street sitting on a slight rise with a mix of smaller cottages and larger houses in Nicholls Street.</p> <p><b>Design Criteria / Conservation Policy</b> There are no design criteria or conservation policies for this precinct.</p>	<p>Modification corrects an error for this local heritage statement made with the existing Interim Planning Scheme. The Interim Planning Scheme (at Table E5.1) incorrectly duplicates the local heritage statements for the Nicholls Street Conservation Area and the North Fenton/Arthur Street Conservation Area – with the Nicholls Street area being the incorrectly duplicated statement.</p> <p>The draft LPS corrects this error by including the correct local heritage statement as adapted from the previous <i>Devonport and Environs Planning Scheme 1984</i>.</p>

INTERIM PLANNING SCHEME		DRAFT LPS		Comment on modification (including LUPAA reference)
Clause Reference (Table E5.1)	Description/Character Statement	Clause Reference	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy	
				Modification corrects the minor error and provides for the effective operation of the code applying provision.  [Schedule 6, clause 8D(8)(b)&(c)]
<b>North Fenton and Arthur Street Conservation Area</b>	<p>A small group of houses centred on the very narrow Arthur Street.</p> <p>An enclave of small-scale workers cottage that appear to relate to the adjacent railway and show ground. The cottages are distinctive for their simplicity and scale that contrast with the established larger houses across the railway line.</p> <p>There are only two heritage items in the area. One a former railway house on the corner immediately adjacent to the tracks, which are an excellent and rare example of railway building in Devonport.</p> <p>Most of the group are contributory buildings that complete the area.</p>	<b>DEV-C6.2.6 North Fenton and Arthur Street Local Heritage Precinct</b>	<p><b>Description</b> This heritage precinct is located adjacent to the Nicholls Street Local Heritage Precinct but varies from it considerably in scale and form of housing.</p> <p><b>Statement of Local Historic Heritage Significance</b> Of particular interest is an enclave of small-scale workers cottages centred on the very narrow Arthur Street. While narrow streets are seen in some parts of Devonport this group of cottages is unusual and appears to relate to the railway and showground adjacent. The cottages are distinctive for their simplicity and scale that contrast with the established larger housing across the railway line. Included within the precinct is a former railway house on a corner lot immediately adjacent to the tracks, which is an excellent and rare example of railway building in Devonport.</p> <p><b>Design Criteria / Conservation Policy</b> There are no design criteria or conservation policies for this precinct.</p>	<p>Minor modifications to align with the definition for statements of "local historic heritage significance" contained at clause C6.3.1 of the SPPs.</p> <p>Modification provides for the effective operation of the code applying provision.  [Schedule 6, clause 8D(8)(c)]</p>
<b>Steele Street Conservation Area</b>	The principal streetscape is Steele Street which contains a number of fine early residences. Sumberg Street which includes examples of typical early twentieth century development is also	<b>DEV-C6.2.7 Steele Street Local Heritage Precinct</b>	<p><b>Description</b> This precinct is located close to the Wenvoe and Hiller Street Local Heritage Precinct and in many respects is similar in character.</p>	Modification corrects an error for this local heritage statement made with the existing Interim Planning Scheme. The Interim Planning Scheme (at Table E5.1)



INTERIM PLANNING SCHEME		DRAFT LPS		Comment on modification (including LUPAA reference)
Clause Reference (Table E5.1)	Description/Character Statement	Clause Reference	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy	
	<p>included.</p> <p>This conservation area contains a number of fine residences that epitomise the development of Devonport around 1900 through to the 1920's with a number of 1960 period homes. The area was obviously developed because of its elevated status. The unifying feature is the quality of development along the spine of the ridge as seen in the location of the listed buildings.</p> <p>The area also demonstrates later patterns of sub-division to form Cocker Place in the 1950s and 1960s breaking the pattern of development and introducing two well-designed post war houses into the group.</p> <p>The street features mature and well-designed gardens, buildings oriented to the view and away from the street on the east side of the street and a well planted streetscape.</p> <p>The houses in Best Street, while not of individual heritage value, are included in the heritage area as they are a very consistent group of later houses demonstrating a post-world war two sub-division with well laid out gardens and grounds</p>		<p><b>Statement of Local Historic Heritage Significance</b> The principal streetscape is Steele Street which contains a number of fine early residences. The area extends into Gunn Street, which also contains a fine group of buildings from a range of periods on its western side.</p> <p>The area also includes Sumberg Street. This is an unpretentious streetscape with several good examples on the corners of Tasman and Symbister Streets and the balance of the street providing a typical intact early twentieth century development. While the balance of housing in this area is not highly distinctive, collectively it provides a very fine streetscape of consistent elements.</p> <p><b>Design Criteria / Conservation Policy</b> There are no design criteria or conservation policies for this precinct.</p>	<p>incorrectly duplicates the local heritage statements for the Steele Street Conservation Area and the Best and Ronald Street Conservation Area – with the Steele Street area being the incorrectly duplicated statement.</p> <p>The draft LPS corrects this error by including the correct local heritage statement as adapted from the previous <i>Devonport and Environs Planning Scheme 1984</i>.</p> <p>Modification corrects the minor error and provides for the effective operation of the code applying provision.</p> <p>[Schedule 6, clause 8D(8)(b) &amp;(c)]</p>

INTERIM PLANNING SCHEME		DRAFT LPS		Comment on modification (including LUPAA reference)
Clause Reference (Table E5.1)	Description/Character Statement	Clause Reference	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy	
<b>Ronald and Best Street Conservation Area</b>	<p>Ronald Street is located on a small rise above the flatter land towards the city centre providing views over the city and lower suburbs toward the river and sea.</p> <p>This conservation area contains a number of fine residences that epitomise the development of Devonport around 1900 through to the 1920's with a number of 1960 period homes. The area was obviously developed because of its elevated status. The unifying feature is the quality of development along the spine of the ridge as seen in the location of the listed buildings.</p> <p>The area also demonstrates later patterns of sub-division to form Cocker Place in the 1950s and 1960s breaking the pattern of development and introducing two well-designed post war houses into the group.</p> <p>The street features mature and well-designed gardens, buildings oriented to the view and away from the street on the east side of the street and a well planted streetscape.</p> <p>The houses in Best Street, while not of individual heritage value, are included in the heritage area as they are a very consistent group of later houses demonstrating a post-world war two</p>	<b>DEV-C6.2.8</b> <b>Ronald and Best Street Local Heritage Precinct</b>	<p><b>Description</b> The precinct contains parts of Ronald Street, Best Street, and Steele Street. Ronald Street is located on a small rise above the flatter land towards the city centre providing views over the city and lower suburbs toward the river and sea.</p> <p><b>Statement of Local Historic Heritage Significance</b> The Ronald Street area contains a number of very fine residences that epitomise the development of Devonport around 1900 through to the 1920s with a number of 1960 period homes adding to the interest of the street. Ronald Street is located on a small rise above the flatter land towards the city centre providing views over the city and lower suburbs to the river and sea. The area was obviously developed because of its elevated status. The unifying feature is the quality of development along the spine of the ridge.</p> <p>The area also demonstrates later patterns of subdivision with the early large lot boundaries clearly evident and subdivision to form Cocker Place in the 1950s and 1960s breaking the pattern of development and introducing two well designed post-war houses into the group.</p> <p>The street features mature and well-designed gardens, buildings oriented to the view and away from the street on the east side of the street and a well planted streetscape.</p> <p>The precinct extends into Best Street in recognition of a consistent grouping of later houses</p>	<p>Minor modifications to align with the definition for statements of "local historic heritage significance" contained at clause C6.3.1 of the SPPs.</p> <p>Modification provides for the effective operation of the code applying provision.</p> <p>[Schedule 6, clause 8D(8)(c)]</p>

INTERIM PLANNING SCHEME		DRAFT LPS		Comment on modification (including LUPAA reference)
Clause Reference (Table E5.1)	Description/Character Statement	Clause Reference	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy	
	sub-division with well laid out gardens and grounds.		demonstrating a post- World War II subdivision with well laid out gardens and grounds.  <b>Design Criteria / Conservation Policy</b> There are no design criteria or conservation policies for this precinct.	
<b>David Street Conservation Area</b>	<p>This area is based around five major houses on the ridge overlooking East Devonport and across the river to Devonport. The key properties are Cliffden (100 David Street), Fairmount (104 David Street), Mt Pleasant (107 David Street) and 112 David Street.</p> <p>The key properties, especially Mt Pleasant are some of the most significant houses in Devonport. Fairmount in particular is a landmark building on the hillside. Other more modest heritage buildings are also in the precinct. The remaining residential buildings provide a good contextual setting with the group on the former of Tarleton Street and Stephen Street being contributory buildings. The streetscape of Stephen Street is of particular value for its mix of small timber workers cottages and large established properties. This section of the street demonstrates the range of housing development in East Devonport.</p>	<b>DEV-C6.2.9</b> <b>David Street Local Heritage Precinct</b>	<p><b>Description</b> This precinct is based around a grouping of major houses located on the ridge overlooking East Devonport and across the river to Devonport. The development of East Devonport saw smaller modest housing developed along the waterfront (much now demolished with port development and river widening) with more substantial housing on larger lots on the hillside and hilltop. The corner of David and Stephen streets is the centre of this development and the top of the ridge.</p> <p><b>Statement of Local Historic Heritage Significance</b> The key properties are "Cliffden" (100 David Street), "Fairmount" (104 David Street), "Mt Pleasant" (107 David Street) and 112 David Street. They are amongst the finest houses in Devonport with Mt Pleasant being the most significant residence in Devonport. Despite subdivision of several of these key properties they retain their prominence and overall setting and are a key visual element in the landscape viewed from central Devonport. In particular Fairmount is a landmark building on the hillside. The area also contains a number of more modest but very good residential buildings which are of local heritage interest. The other buildings in the area provide a good contextual setting with the group on the</p>	<p>Minor modifications to align with the definition for statements of "local historic heritage significance" contained at clause C6.3.1 of the SPPs.</p> <p>Further description is included to elaborate the local heritage significance of the precinct which is adapted from "character statement" for the "David Street Heritage Area" which was made with the previous <i>Devonport and Environs Planning Scheme 1984</i> and based on the <i>Devonport &amp; Environs Heritage Study 2001</i>.</p> <p>Modification provides for the effective operation of the code applying provision.</p> <p>[Schedule 6, clause 8D(8)(c)]</p>

INTERIM PLANNING SCHEME		DRAFT LPS		Comment on modification (including LUPAA reference)
Clause Reference (Table E5.1)	Description/Character Statement	Clause Reference	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy	
			<p>corner of Tarleton Street and Stephen Street contributing to the local heritage value of the area.</p> <p>The streetscape of Stephen Street is of particular value for its mix of small timber workers cottages and large established properties. This section of the street demonstrates the range of housing developed in East Devonport and its historic status as a desirable place to live.</p> <p><b>Design Criteria / Conservation Policy</b> There are no design criteria or conservation policies for this precinct.</p>	
<b>Thomas Street Conservation Area</b>	<p>The area contains a collection of residential buildings grouped around and along Thomas and Wright Streets. The focus of the area is the park, St Pauls Church and Pioneers Cemetery.</p> <p>The area contains the most intact surviving group of early buildings in East Devonport. It is of particular value as the whole streetscape of Thomas Street and the park enhances the Heritage Items that are located there.</p> <p>The consistent setting and form of the residential buildings with the strongly defined corners with commercial, civic and early, very significant, residential building gives the area a completeness and integrity not found elsewhere in East Devonport. The buildings also represent a range of building styles and periods from early development to the later</p>	<b>DEV-C6.2.10</b> <b>Thomas Street Local Heritage Precinct</b>	<p><b>Description</b> The precinct contains a collection of residential buildings grouped around and along Thomas and Wright Streets. The focus of the area is the park, St Paul's Church and Pioneers Cemetery. The precinct contains the most intact surviving group of early buildings in East Devonport.</p> <p><b>Statement of Local Historic Heritage Significance</b> The consistent setting and form of the residential buildings with the strongly defined corners with commercial, civic and early, very significant, residential building gives the area a completeness and integrity not found elsewhere in East Devonport. The buildings also represent a range of building styles and periods from early development to the later more typical brick residence/shop on the corner of Wright and Thomas Streets.</p> <p>The area is also of interest for the mix of residential and commercial buildings and the adaptation of</p>	<p>Minor modifications to align with the definition for statements of "local historic heritage significance" contained at clause C6.3.1 of the SPPs.</p> <p>Modification provides for the effective operation of the code applying provision. [Schedule 6, clause 8D(8)(c)]</p>

INTERIM PLANNING SCHEME		DRAFT LPS		Comment on modification (including LUPAA reference)
Clause Reference (Table E5.1)	Description/Character Statement	Clause Reference	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy	
	<p>more typical brick residence/shop on the corner of Wright and Thomas Streets.</p> <p>The area is also of interest for the mix of residential and commercial buildings and the adaptation of residences to allow commercial use. Thomas Street falls to the river, running east west and provides a strong vista across the river to Devonport. The key features of the street are the park, the church and the residence on the corner of Thomas and Church Streets.</p> <p>The two buildings in the Esplanade on the former of Thomas Street are very significant early structures that typify the early development of East Devonport and with No 13, the former Torquay Post Office, form one of the best corner groups to survive.</p> <p>Wright Street also contains a collection of fine houses. The group near the corner of Brooke Street, Nos 22, 26 and 32 are amongst the best examples of late Victorian timber residential buildings in Devonport. On the large original lots they make a high contribution to the area. No 64 is a good representation of the later, more modest, housing that typifies development in the area.</p>		<p>residences to allow commercial use. Thomas Street falls to the river, running east west and provides a strong vista across the river to Devonport. The key features of the street are the park, the church and the residence on the corner of Thomas and Church Streets.</p> <p>The two buildings in the Esplanade on the former of Thomas Street are very significant early structures that typify the early development of East Devonport and with No. 13, the former Torquay Post Office, form one of the best corner groups to survive.</p> <p>Wright Street also contains a collection of fine houses. The group near the corner of Brooke Street, Numbers 22, 26 and 32 are amongst the best examples of late Victorian timber residential buildings in Devonport and, located on the large original lots, they make a high contribution to the area. No. 64 is a good representation of the later, more modest, housing that typifies development in the area.</p> <p><b>Design Criteria / Conservation Policy</b> There are no design criteria or conservation policies for this precinct.</p>	

INTERIM PLANNING SCHEME		DRAFT LPS		Comment on modification (including LUPAA reference)
Clause Reference (Table E5.1)	Description/Character Statement	Clause Reference	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy	
<b>Don/Lillico Straight Conservation Area</b>	<p>The area around the westernside of the Don River and including the Don Heads.</p> <p>Rural landscape, including the Don Heads. The area includes various plantings and is a landmark landscape within the region. It is also overviewed from parts of Devonport's residential areas.</p>	<b>DEV-C6.3.1 Don/Lillico Local Historic Landscape Precinct</b>	<p><b>Description</b> This precinct includes the rural landscape (including various plantings) around the western side of the Don River and including Don Heads.</p> <p><b>Statement of Local Historic Heritage Significance</b> The Don Heads are viewed from many parts of Devonport, from the highway both descending to Lillico Beach from the east and approaching Devonport from the west. It is also overviewed from parts of Devonport's residential areas. It is a landmark landscape within the region.</p> <p><b>Design Criteria / Conservation Policy</b> There are no design criteria or conservation policies for this precinct.</p>	<p>Minor modifications to align with the definition for statements of "local historic heritage significance" contained at clause C6.3.1 of the SPPs.</p> <p>Further description is included to elaborate the local heritage significance of the precinct which is adapted from "character statement" for the "Don/Lillico Straight Heritage Area" which was made with the previous <i>Devonport and Environs Planning Scheme 1984</i> and based on the <i>Devonport &amp; Environs Heritage Study 2001</i>.</p> <p>Modification provides for the effective operation of the code applying provision.</p> <p>[Schedule 6, clause 8D(8)(c)]</p>



## APPENDIX U

### Natural Assets Code - Modifications to State guidance mapping

#### 1. Modifications to the State guidance mapping for the Waterway and Coastal Protection Area Guidance Map





The following table summarises the modifications to the “Waterway and Coastal Protection Area Guidance Map” (the Guidance Map) published on the Land Information System Tasmania (LIST) database which have been done in the preparation of the draft LPS overlay map for the Waterway and Coastal Protection Area (WCPA) component of the Natural Assets Code. The below table includes aerial imagery obtained via the LIST map database.





Modifications to produce the draft LPS WCPA overlay map have been made in accordance with the instruction contained within the State Planning Provisions and also *Guideline No.1 – Local Provisions Schedule (LPS): zone and code application* (the LPS Zone and Code Application Guideline).

No.	Location	Comment	LPS Zone and Code Application Guideline reference
<b>General modifications</b>			
1.	Buffer area adjustments - various locations	<p>The instruction provided with Table C7.3 of the State Planning Provisions (SPPs) specifies that any watercourse (including tidal waters) within or adjoining a listed urban zone is deemed to be a Class 4 watercourse for the purpose of the provisions of the Natural Assets Code. This means that a default 10m buffer width applies unless the draft LPS overlay map specifies a greater distance.</p> <p>The WCPA Guidance Map published by the State on the LIST map database includes reference to the CFEV (Conservation of Freshwater Ecosystem Values) mapping for watercourses. Consistent with the instruction contained in Table C7.3 of the SPPs and also NAC 2 of the LPS Zone and Code Application Guideline - the buffer widths of watercourses are either based on the top of the bank of</p>	Modified in accordance with instruction NAC 2 and NAC 3 (c).




No.	Location	Comment	LPS Zone and Code Application Guideline reference
		<p>the watercourse, or otherwise the centreline of the "CFEV Rivers – Integrated Conservation Value" layer (which is also made available on the LIST map database).</p> <p>The Statewide WCPA Guidance Map on the LIST database has not altered the buffer width for the urban zones as it was not possible to do so without knowing the zoning that would be applied by the draft LPS. The overlay map prepared with the draft LPS reflects the buffer manipulations contemplated by Table C7.3 of the SPPs.</p> <p>The buffer width for tidal waters identified in the WCPA overlay prevails over the distance specified in Table C7.3 of the SPPs. This allows for smaller or greater distances to be applied where necessary, e.g. a smaller distance may be necessary to avoid impacting on urban zoning along the coast. This methodology has been applied to areas such as where the Guidance Map overlapped areas of urban zones on either side of the Mersey River.</p> <p>Following the above rationale, modifications to the State Guidance Map have made as part of preparing the draft LPS overlay map to align with the definition of</p>	

No.	Location	Comment	LPS Zone and Code Application Guideline reference
		<p>WCPA included with the SPPs, the instruction contained at NAC 1-4 of the LPS Zone and Code Application Guideline, and to deliver the intended outcomes of the Natural Assets Code.</p>	
2.	Waterway and coastal area "infills" – various locations	<p>The detail contained at clause C7.3 of the SPPs specifies that the waterway and coastal protection area (WCPA) includes the waterway or wetland itself (i.e. the waterbody itself or the area between the banks of a waterway or wetland).</p> <p>The WCPA Guidance Map does not map all waterbodies (the area between the banks), particularly where the watercourse is wide and it does not map the tidal waters. In a similar way the guidance mapping does not map all coastal areas between the mapped area and the local government area boundary adjoining the coastline.</p> <p>Mapping has been modified to "infill" sections of coastal areas, and of waterways and wetlands (such as the Mersey River, Don River) to align with the definition of WCPA made with the SPPs and enable the application of the Natural Assets Code to these areas.</p>	Modified in accordance with instruction NAC 3 (c).




No.	Location	Comment	LPS Zone and Code Application Guideline reference
<b>Specific adjustments to particular locations</b>			
3.	10363 Bass Highway, Lillico (CT148697/3) 	Aerial imagery indicates that this is a farm access road not a waterway.  Removed from draft LPS overlay map.	Modified in accordance with instruction NAC 3 (a).
4.	CT102679/169 - Lapthorne Close, Don 	Corrected mapping to align with the watercourse contained in the Council reserve identified by CT102679/1 as shown by the red outline.	Modified in accordance with instruction NAC 3 (a).
5.	Land around Clare Court, Devonport 	General Residential zoned land under established residential use and development. Removed guidance mapping from land parcels containing residential use and development. Conclude overlay map boundary at the northern boundary of these residential lots.	Modified in accordance with instruction NAC 3 (d).
6.	Land around Percy Street and Eugene Street, Devonport 	As above.	Modified in accordance with instruction NAC 3 (d).



No.	Location	Comment	LPS Zone and Code Application Guideline reference
7.	287 Brooke Street, East Devonport (CT131586/1) 	Site contains TasWater wastewater treatment plant (WWTP). The watercourse at this location has been modified and is entirely man-made. Removed guidance mapping from where it overlaps the WWTP.	Modified in accordance with instruction NAC 3 (d).
8.	Land adjacent to Mersey Main Road, Spreyton (e.g. CT39640/1 and surrounds) 	Area contains the Spreyton Netball Centre (including associated parking facilities). There is no evidence of watercourses in this location and the detail on the Guidance map is assumed to be a mapping error/anomaly. Removed from draft LPS overlay map.	Modified in accordance with instruction NAC 3 (a).
9.	Land surrounding 80-82 River Road, Ambleside 	Guidance mapping extends on adjoining General Residential zoned land which is under established residential use and development. Removed guidance mapping from land parcels containing residential use and development.	Modified in accordance with instruction NAC 3 (d).
10.	Land generally around 278 Tugrah Road, Tugrah (CT142028/7) 	There is no evidence of a wetland environment at this location. Removed wetland "bulge" and ran the overlay generally in the same alignment as the buffer corridor shown in the guidance mapping.	Modified in accordance with instruction NAC 3 (a).



No.	Location	Comment	LPS Zone and Code Application Guideline reference
11.	<p>Port areas and other built up areas to the north of the Victoria Bridge</p> 	<p>Removed guidance mapping where it overlaps with development associated with port areas including land within the defined port area of Devonport as established by the <i>Marine and Safety (Pilotage and Navigation) Regulations 2017</i>) and other areas occupied by existing development.</p>	<p>Modified in accordance with instruction NAC 3 (d).</p>
12.	<p>Land immediately to the south of the Victoria Bridge on the western side of the Mersey River.</p> 	<p>Modified guidance mapping to remove it from the area containing the fuel storage silos, and where it overlaps the adjoining land parcels to the west which are under established use and development. This area will be assigned to the Light Industrial Zone under the draft LPS.</p>	<p>Modified in accordance with instruction NAC 3 (d).</p>
13.	<p>74 Sheffield Road and surrounds, Spreyton</p> 	<p>Area contains existing forms of development. The watercourse at this location has been modified. Removed guidance mapping from where it overlaps with existing development and further adjustments to align with the actual watercourse observed in the aerial imagery.</p>	<p>Modified in accordance with instruction NAC 3 (d).</p>



No.	Location	Comment	LPS Zone and Code Application Guideline reference
14.	36 Sheffield Road and surrounds, Spreyton 	Area contains existing use and development (including residential). Removed guidance mapping from land parcels containing established development.	Modified in accordance with instruction NAC 3 (d).
15.	1, 2 and 11 Marconi Court and surrounds, Stony Rise 	The Guidance Map published on the LIST is not an accurate representation of the watercourse at this location which can be readily observed in the aerial imagery. Modification made to align the overlay with the actual route of the watercourse at this location.	Modified in accordance with instruction NAC 3 (a).
16.	81-83 Devonport Road and surrounds, Quoiba 	Aerial imagery shows clear evidence of a waterway at this location and it is unclear why there is a "gap" in the guidance mapping other than being an error/anomaly. Correction made to "join" the two sections shown in the below screen grab. Mapped area included with the LPS overlay follows the general alignment of the watercourse shown in the aerial imagery.	Modified in accordance with instruction NAC 3 (a).

No.	Location	Comment	LPS Zone and Code Application Guideline reference
17.	1 Brooke Street and surrounds, East Devonport 	General Residential zoned land under established residential use and development. Removed guidance mapping from land parcels containing residential use and development. Conclude overlay map boundary at the northern boundary of these residential lots.	Modified in accordance with instruction NAC 3 (d).
18.	Part of 'Bay View Holiday Village' 2-12 North Caroline Street, East Devonport 	Land is zoned General Residential and is occupied by dwellings/visitor accommodation development that is used for both long term residential use and also short-term visitor accommodation use. Land is under a strata title plan.  The draft LPS has been modified from the Stage guidance map to remove a small portion of the guidance mapping from the north west corner of the site where it overlays existing and established development. Conclude overlay map boundary at the northern boundary of these strata lots.	Modified in accordance with instruction NAC 3 (d).

## 2. Modifications to the Future Coastal Refugia Area Guidance Map

The following table summarises how the draft LPS overlay map has been prepared from the "Future Coastal Refugia Area Guidance Map" (the Guidance Map) published on the Land Information System Tasmania (LIST) database. The Guidance Map categorises areas based on the zoning under current interim planning schemes and provides for the identification of "compatible zones", "special consideration zones", "case by case consideration zones" and "incompatible zones".

Modifications to produce the draft LPS overlay map have been made in accordance with the instruction contained within the State Planning Provisions and also *Guideline No.1 – Local Provisions Schedule (LPS): zone and code application* (the LPS Zone and Code Application Guideline).

Zone category (as shown on the LIST Guidance Map)	Comment	LPS Zone and Code Application Guideline reference
Compatible zone	The "compatible zone" mapping shown on the LIST Guidance Map forms the basis for the Future Coastal Refugia overlay map. The only modification made to the compatible zone mapping component is to exclude the overlay from applying to the land occupied by the Devonport Yacht Club.	Mapping applied in accordance with instruction NAC 4 (c) and NAC 6 (d).
Special consideration zone	Not incorporated into the draft LPS Future Coastal Refugia overlay map.  There is only a very limited instance of this mapping component in the municipal area. Council has no information and no further work has been undertaken to verify this mapping. Furthermore, the relevant land to which the guidance mapping applies is identified for inclusion with the Rural Living Zone under the draft LPS. The application of this zoning is not considered compatible with the Future Coastal Refugia Area overlay and may significantly constrain future use and development on the land for which it is zoned. It is therefore excluded from the Future Coastal Refugia Area overlay map.	Excluded from the draft LPS overlay map in accordance with instruction NAC 6 (b)(ii).
Case by case consideration zone	Not incorporated into the draft LPS Future Coastal Refugia overlay map.  There is only limited instance of this mapping component in the municipal area. Council has no information and no further work has been undertaken to verify this mapping. The Guidance Map predominantly identifies these areas on land assigned to the Utilities Zone (such as around the Victoria Bridge or within the rail corridor adjacent to Formby Road) or the Recreation Zone where it is identified on parts of the land occupied by the Devonport Golf Club at Spreyton. Each of these instances is not considered compatible with the Future Coastal Refugia Area overlay and may significantly constrain the existing and future use and development on the land. It is therefore excluded from the Future Coastal Refugia Area overlay map.	Excluded from the draft LPS overlay map in accordance with instruction NAC 6 (c)(ii).
Incompatible zone	The "incompatible zones" shown on the Guidance Map are based on zone allocations made with the current Interim Planning Scheme. The LPS Zone and Code Application Guideline identifies the following relevant incompatible zones: <ul style="list-style-type: none"> <li>- General Residential</li> <li>- Inner Residential</li> <li>- Low Density Residential</li> <li>- Village</li> <li>- Urban Mixed Use</li> <li>- Local Business</li> <li>- General Business</li> <li>- Central Business</li> <li>- Commercial</li> <li>- Light Industrial</li> <li>- General Industrial</li> <li>- Port and Marine</li> </ul> With regard to the zone allocations proposed with the draft LPS, the areas identified on the Guidance Map remain as "incompatible zones" and are therefore excluded from the Future Coastal Refugia Area overlay map.	Excluded from the draft LPS overlay map in accordance with instruction NAC 6 (a).

## **APPENDIX V**

Supporting information to the application of the Natural Assets Code –

- (i) State Government issued “fact sheet”;
- (ii) Methodology information on the preparation of the Priority Vegetation Area overlay; and
- (iii) Priority Vegetation Area mapping (for information purposes only – full mapping version shown without modification to exclude non-compatible zones)

## TASMANIAN PLANNING SCHEME – NATURAL ASSETS

The Natural Assets Code provides consistency across the State regarding the protection of important natural values and recognises the significant role that other State and Commonwealth legislation has in biodiversity conservation.

The protection of natural values through the Natural Assets Code aims to provide a balance and clarify under what circumstances development can take place.

The Natural Assets Code avoids duplication of other regulatory processes and instead focuses on providing an adjunct to existing State legislation. For example, the code exempts works in accordance with a forest practices plan certified under the *Forest Practices Act 1985*.

The Natural Assets Code provides:

- consistent statewide provisions and scope for the assessment of development within identified:
  - ‘waterway and coastal protection areas’;
  - ‘future coastal refugia areas’; or
  - ‘priority vegetation areas’; and

- consistent guidance for the mapping of the overlays with appropriate flexibility to address local circumstances.

The ‘waterway and coastal protection area’ applies to land in proximity to Class 1-4 watercourses and wetlands and includes the State’s coastal areas.

The ‘future coastal refugia area’ provides for the protection of land for the landward retreat of coastal habitats that have been identified at risk from predicted sea level rise. These areas specifically aim to address outcomes of the:

- *State Coastal Policy 1996*, namely the management and protection of the natural assets and processes associated with coastal areas; and
- *State Policy on Water Quality Management*, namely the protection of water quality through control on point source stormwater discharges.

The ‘priority vegetation area’ provides for the protection of:

- threatened native vegetation communities listed under the *Nature Conservation Act 2002*;
- threatened flora species;



- significant habitat for threatened fauna species; and
- other locally important native vegetation,

in conjunction with other State legislation such as the *Nature Conservation Act 2002*, *Threatened Species Protection Act 1995* and the *Forest Practices Act 1995*. The application of priority vegetation areas is limited to “non-urban” type zones to ensure the Code does not undermine the purpose of “urban” type zones.

### How are the Code overlays to be mapped?

Base mapping for the ‘waterway and coastal protection areas’ and ‘future coastal refugia areas’ will be provided to planning authorities as part of future guidance material to assist with the preparation of the two overlays and provide for statewide consistency in their application.

The ‘priority vegetation area’ overlay is to be prepared based on the Department of Primary Industries, Parks, Water and Environment’s (DPIPWE) TASVEG mapping for threatened native vegetation communities and the DPIPWE’s Natural Values Atlas for threatened flora and fauna species. Planning authorities have the ability to prepare alternate overlay mapping to:

- addresses any anomalies or inaccuracies in DPIPWE’s mapping and data;
- provides more recent or detailed local assessment of the mapping and data; or

- identify native vegetation of local importance, including habitat for native fauna.

### How does the Natural Assets Code differ to current Interim Planning Schemes?

Existing interim planning schemes across the three regions currently include various and differing standards to manage values associated with waterways and coastal areas and native vegetation, where relevant.

Consequently, there is limited consistency in how interim planning schemes identify and manage such values. In most instances these values are managed through the operation of separate codes in interim planning schemes.

In contrast, some interim planning schemes include limited provisions for the protection of native vegetation.

The Natural Assets Code in the State Planning Provisions consolidate the requirements for the assessment of impacts of development on natural values associated with coastal areas, waterways and native vegetation into a single code.

### What zones does the Natural Assets Code apply in?

The provisions relating to ‘waterway and coastal protection areas’ and ‘future coastal refugia areas’ apply to all zones. There are however reduced buffer distances for the main urban zones when applying the requirements for ‘waterway and coastal protection areas’.



Guidance material is available to assist local councils with the appropriate application of 'future coastal refugia area' overlays, and to ensure the provisions of the code provide adequate scope for development within urban areas and do not unintentionally undermine the purpose of these zones.

The code differs to most interim planning schemes in that it intentionally limits the application of 'priority vegetation areas' to certain zones to avoid undermining the purpose of those zones intended for more intensive development.

This mainly includes the zones that provide for urban development and the Agriculture Zone. These urban zones are a limited and valuable resource that should be protected for their main purpose.

'Priority vegetation areas' may be included over land within the General Residential Zone or Low Density Residential Zone however, the provisions of the code will only be considered for the subdivision of the land.

It should be noted that while the code may not apply to certain zones, the requirements under other State legislation remain applicable, such as the need to have a forest practices plan certified for the clearance of vegetation under the *Forest Practices Act 1985*.

## Where can I get more information about the Tasmanian Planning Scheme?

General information about the Tasmanian Planning Scheme and the preparation of

Local Provisions Schedules can be found on the [Tasmanian Planning Reform website](#).

General enquiries about the preparation of the Tasmanian Planning Scheme should be directed to:

Planning Policy Unit, Department of Justice  
GPO Box 825 HOBART TAS 7001  
Ph (03) 6166 1429  
email [planning.unit@justice.tas.gov.au](mailto:planning.unit@justice.tas.gov.au)

Enquiries on the public exhibition and assessment process should be directed to:

The Tasmanian Planning Commission  
Level 3, 144 Macquarie Street, Hobart  
GPO Box 1691 HOBART TAS 7001  
Ph (03) 6165 6828  
email [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

September 2017



## Summary of the Regional Ecosystem Model of Tasmanian biodiversity

The Regional Ecosystem Model (REM) is a comprehensive spatial modelling system of Tasmanian biodiversity. It:

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

The REM was developed by Natural Resource Planning Pty Ltd using funds from the Australian Government's Caring for Our Country program. The following briefly summarises the REM, which is described in more detail in Knight and Cullen 2009<sup>1</sup>, 2010<sup>2</sup>.

The REM is based on a comprehensive 'Strategy Review' of both the strategic framework for biodiversity management in Tasmania and of the major themes in the relevant scientific literature. Issues identified from the Strategy Review are examined against a range of criteria to determine their suitability for incorporation into the REM, including:

- The ability of each Issue to be stored spatially and analysed in a GIS;
- Whether Issues are confounded, i.e. in combining multiple Issues into one and thus compromising objective assessment of more fundamental Issues; and
- Whether Issues are logically consistent and supported by scientific opinion.

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<sup>1</sup> Knight, R.I. & Cullen, P.J. (2009). A review of strategies for planning & management of the natural resources of biodiversity, freshwater, land & soils in the Tasmanian midlands. A report of the Caring for Our Country project 'Using landscape ecology to prioritise property management actions in Tasmania'. Natural Resource Planning, Hobart, Tasmania.

<sup>2</sup> Knight, R.I. & Cullen, P.J. (2010). Specifications for a Regional Ecosystem Model of natural resources in the Tasmanian Midlands. A report of the Caring for Our Country Project 'Using landscape ecology to prioritise property management actions in Tasmania'. Natural Resource Planning, Hobart, Tasmania.

The resulting list of biodiversity Issues are placed in a conceptual framework which separately considers the biological significance of the components of biodiversity and their landscape-scale ecological context. Figure 1 shows this conceptual structure.

Issues identified as appropriate for inclusion in the REM are assessed to identify:

- Indicators that represent important ways of viewing each Issue;
- Classes within each Issue that indicate relevant ranges of variation and suitable thresholds for categories; and
- A 'Level of Concern' to be assigned to each class to be used as a guide in determining management priorities.

'Level of Concern' is considered to vary according to the management context and is defined in two ways:

- Immediate – an estimate of the relative priority for immediate management action to address current risk to the natural resource; and
- Potential – an estimate of the relative priority to protect and manage the natural resource from risks which may arise in the future.

The two types of Level of Concern are designed to be consistent with the definitions of Conservation Management Priority in the Conservation of Freshwater Ecosystems Values project (DPIWE 2008<sup>3</sup>), which also uses the Immediate and Potential perspectives.

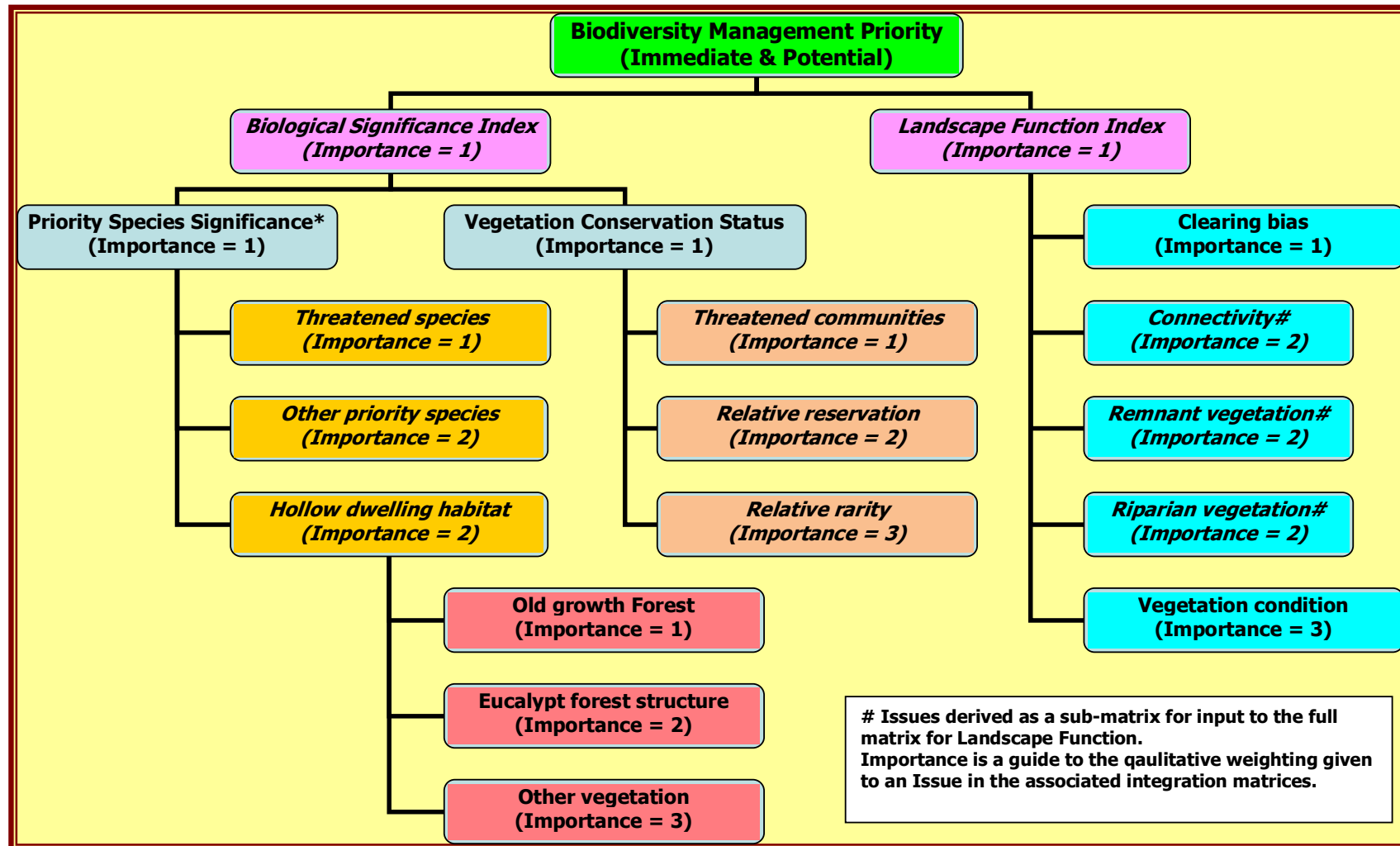
Use of Immediate Level of Concern is generally most appropriate where past management may have created a need to improve the condition of an Issue, or where there is continuing landuse which may place the resource at risk if not managed appropriately. For example, native vegetation whose condition has been degraded may need to be improved to help address biodiversity conservation needs.

Potential Level of Concern is generally appropriate in circumstances where a change in management could be detrimental. An example for native vegetation might be an area where its condition is considered important to maintain to address biodiversity needs, or whose loss would compromise those needs.

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<sup>3</sup> Department of Primary Industries & Water (2008). Conservation of Freshwater Ecosystems Values (CFEV) project technical report. CFEV program, Department of Primary Industries & Water, Hobart.

Figure 1. Assets and Issues in the Biodiversity Asset Class



Where possible, classes in each Issue were chosen to reflect thresholds which have been applied elsewhere or identified in the scientific literature. An example of classes within an Issue, and their associated Level of Concern, is shown below.

**Example classification: Remnant vegetation (patch size)**

<b>Native vegetation patch size (ha)</b>	<b>Concern – Immediate</b>	<b>Concern – Potential</b>
<2ha	M	L
2-20ha	VH	VH
20-200ha	H	VH
>200ha	L	M

The ranges of patch size classes within the indicator reflect first the range of 2-200ha for remnants nominated by Kirkpatrick *et al.* (2007), with patches >2ha generally retaining much higher conservation values than smaller patches. Remnant <2ha are considered to be of little importance to landscape function, while those >200ha are subject to the processes which affect remnants at a significantly diminished intensity and effect. The split in the middle size class in the indicator is based on the RFA assessment of remnant vegetation, which considered patches <20ha, though potentially locally important, as below the threshold for importance in maintaining existing processes or natural systems at the regional scale (Tasmanian Public Land Use Commission 1997).

Source: Knight and Cullen (2010), p14.

Not all Issues have Level of Concern which diverges according to whether they are Immediate or Potential. Threatened species, for example, have statutory recognition that they are likely to become extinct. Thus both Immediate and Potential Level of Concern are considered identical, as the species status applies to the entire taxon. However, for any given species the management response at a given site may be different to that elsewhere.

Each Issue in the REM has Level of Concern classes assigned in a classification matrix (see remnant vegetation example above). Each matrix is designed to transparently illustrate how the Issue is treated in the REM, to assist interpretation, and to provide a simple method by which the REM parameters can be altered if required (e.g. where new research indicates thresholds in a matrix may need alteration).

The REM separately assesses each Issue within the Biodiversity Asset Class, but also places them in a hierarchically structured matrix that integrates related issues. This provides an overall indicator of Biodiversity Management Priority, but also means that the important issues for managing biodiversity at any one location can be readily identified. Attachment 1 summaries the terms used in the REM. Attachment 2 provides a full illustration of the prioritisation process and relationships in the REM.

The highest level in the REM classification is Biodiversity Management Priority. It is derived through integrating the prioritisation matrices of two contributing themes in biodiversity conservation:

- Biological Significance - the relative importance of the elements of biodiversity and hence their priority to be protected through appropriate management regimes; and
- Landscape Ecological Function - an assessment at multiple scales of the characteristics of the landscape and its ability to maintain the elements of biodiversity it contains.

The matrix which integrates Biological Significance and Landscape Ecological Function is shown below. An important feature of the matrix structure is that it does not dilute a high level of concern for one if the other is low. This approach addresses a known limitation that arises when using additive or averaging indices for conservation purposes and has the further advantage of being simple, transparent and flexible for use in testing different approaches.

<b>Integration matrix for Biodiversity Management Priority</b>				
<b>Biological Significance Index</b>	<b>Landscape Function Index</b>			
	<b>VH</b>	<b>H</b>	<b>M</b>	<b>L</b>
<b>VH</b>	VH	VH	VH	VH
<b>H</b>	VH	VH	H	H
<b>M</b>	VH	H	M	M
<b>L</b>	VH	H	M	L

Similar forms of integration matrices are used at each level of the REM, with some variation according to the issues being addressed and the relative importance of each Issue to the overall index being derived. The full set of REM matrices is shown in Attachment 2.

Within the Biological Significance component of the REM are two Assets (see Figure 1) towards which management goals are likely to be directed:

- Native vegetation - composed of vegetation communities with Level of Concern a function of each community's conservation status, bioregional extent and percentage level of reservation; and
- Priority species - the subset of species and species groups identified as requiring consideration in management as a result of them being listed as threatened,



otherwise identified as priorities (e.g. Regional Forest Agreement priorities, poorly reserved flora species), or as the habitat for the group of 29 species identified in Tasmania as hollow dwelling (Koch et al. 2009<sup>4</sup>).

A unique feature of the REM is its system for generating spatial habitat modelling for all threatened and priority species. This is based on a two stage process that:

- Models habitat of all species from known locations, based on a simple model that considers factors such record accuracy and data, the distributional characteristics of each species (e.g. do they occur in highly restricted locations or more generally in an area), and the types of vegetation they occur in; and
- More detailed models of about 100 threatened fauna species, whose habitat is generated from within the REM data based on a model developed for the particular species (see Knight 2014<sup>5</sup> for details).

The Landscape Ecological Function component of the REM is designed to account for the factors that can affect biodiversity through the presence/absence of critical characteristics of the environment at multiple scales. The REM addresses Landscape Ecological Function by considering Issues at three scales:

- Broad scale habitat loss is a major threat to biodiversity and cause of biodiversity decline, which can continue after habitat loss has ceased due to ecological inertia associated with extinction debt. Habitat loss is characterised by patterns in the types of land from which habitat has been removed. The Issue of Clearing Bias measures these patterns at the landscape scale by assessing the percentage of each land component (land facet is also sometimes used) within Tasmania land systems that exist as native and cleared vegetation. More heavily cleared land components have higher Clearing Bias.
- Medium scale landscape patterns are addressed through the examination of the configuration of three landscape variables. Connectivity characteristics of the landscape are assessed by measuring the relative of isolation of remnants and the permeability of cleared land to species movements. The size of patches of native vegetation is assessed against thresholds for identifying Remnant Vegetation. The proportion of native Riparian Vegetation within each river section catchment provides an indicator of the health of the aquatic environment within each catchment, and its distal effects on biodiversity.

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<sup>4</sup> Koch, A.J., Munks, S.A. & Woehler, E.J. (2009). Hollow-using vertebrate fauna of Tasmania: distribution, hollow requirements & conservation status. *Australian Journal of Zoology*, 56(5):323-349.

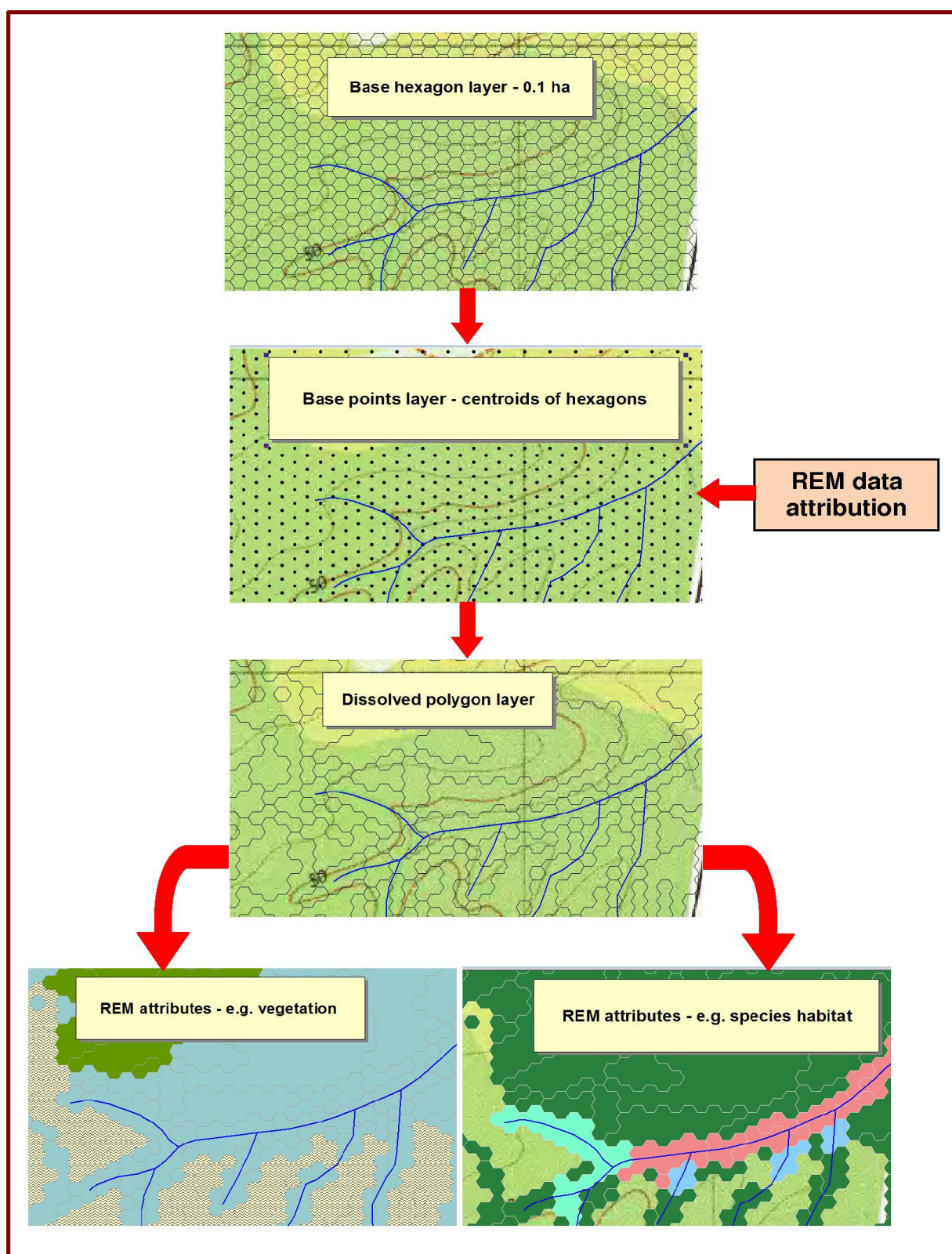
<sup>5</sup> Attachment 7 in Knight, R.I. (2014). Biodiversity data, models & indicators for Forestry Tasmania's Forest Management Unit. A report to Forestry Tasmania, March 2014. Natural Resource Planning, Hobart, Tasmania.

- Local scale landscape processes are assessed through assessing vegetation condition, which is expressed in the REM as Biophysical Naturalness. This assesses the characteristics of native vegetation for perturbation in structure and composition within each patch of native vegetation.

Each element of the REM is underpinned by Statewide spatial data layers. Each data layer has clear rule sets for its use in building the REM. The integrated REM spatial layers contain all the input data from the base layers, including multiple inputs for the same Issue where available (e.g. desktop and field vegetation mapping), and all the derived Level of Concern indicators.

The REM is built on a novel spatial architecture designed to store and process large amounts of spatial data efficiently and at fine scales. It is based on a non-overlapping layer of hexagonal polygons of 0.1 ha size, which approximates to a spacing of about 30 m. The centroids of the polygons are extracted and are used to process the REM and its data. The point format significantly reduces complexity of the spatial geometry and hence increases processing speed. The REM generated in the points layer is then re-attributed to the parent hexagons. A subset of the combination of primary inputs to the REM is then used to dissolve the hexagon layer to a more manageable number of polygons. Derived attributes are then re-attached to the data and the polygon layer used for multiple purposes. Figure 2 summarises the REM architecture.

Figure 2. Simplified REM spatial architecture and process



The core components of the REM described above are common to all applications. A spreadsheet version of the REM is also available<sup>6</sup> which can be used in the absence of spatial data to generate the full range of REM indicators. This can be used, for example, to determine REM indicators where the input data is wrong or to model the changes in indicators resulting from management actions. A standard output is also a summary REM profile, which displays all the indicators as a percentage of the area of interest, as shown in Figures 3 and 4. These tools can also serve as a useful tool for modelling change, whether planned or actual, arising from conservation investments and from development.

Attachment 3 provides a simple guide giving examples of how to interpret REM indicators for particular issues and circumstances.

The REM can further be customised for each project and users to deliver outputs and tools that assist meeting their specific needs. Customised add-ons that have been developed include tools to cross tabulate priority species with vegetation types, generate REM summary tables of the characteristics of multiple areas, and additional layers to assist in use of the REM. For example, a urban threat index spatial layer has been developed to assist in local government application, and for property planning the REM can be linked to data on issues such as salinity and erosion risk.

Use of the REM is licensed by NRP to clients for approved purposes, in accordance with the commercialisation provisions of the Australian Government's funding for its development. NRP wishes to establish ongoing partnerships with a wide range of potential users of the REM. Access to the REM is provided under a data license agreement and subject to a license fee negotiated on a case by case basis. License fees are designed to be cost effective – to encourage use – while also reflecting the reasonable costs to NRP of development, maintenance and support.

Clients who have used the REM or its components since completion of the original project include:

- Australian Government Biodiversity Fund;
- Clarence Council;
- Forestry Tasmania;
- Gunns Limited;
- Kingborough Council;
- NRM South;
- Norske-Skog;
- PF Olsen Pty Ltd;
- Southern Midlands Council and
- The Understorey Network.

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<sup>6</sup> <http://www.naturalresourceplanning.com.au/landscape-ecology-tools/>

Figure 3. Sample REM profile – Immediate Level of Concern

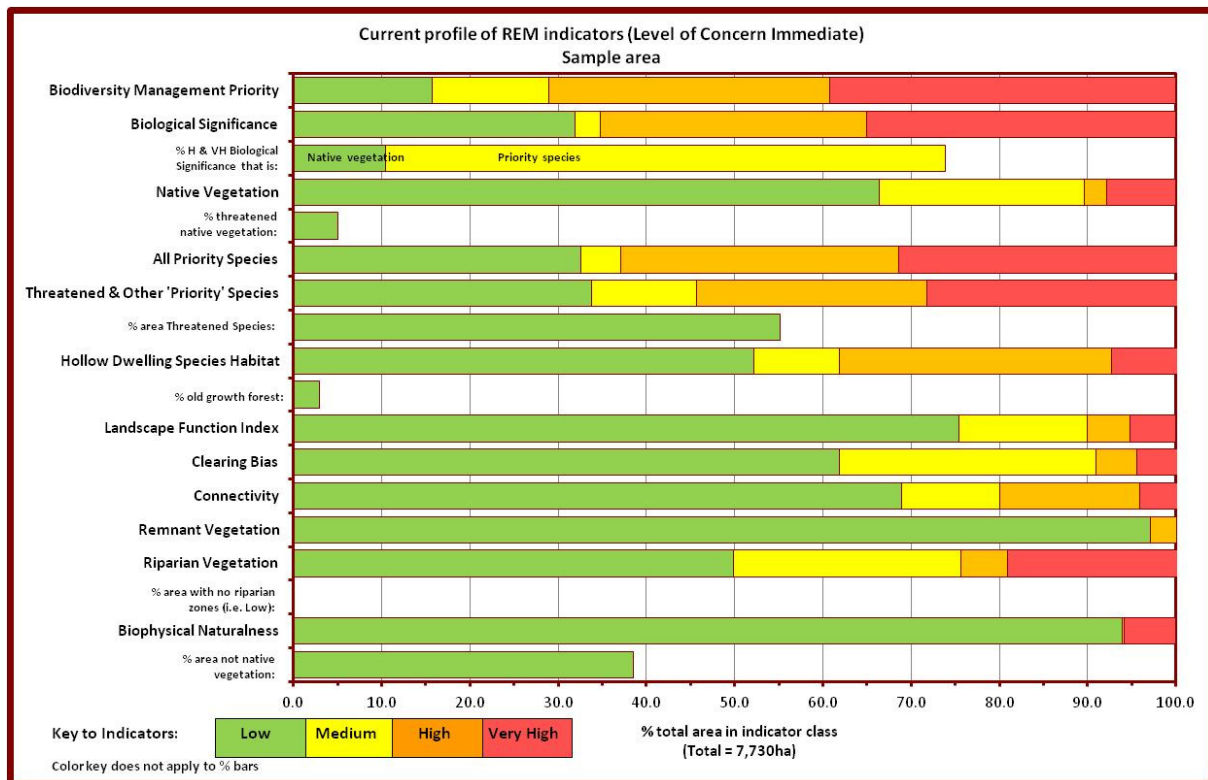
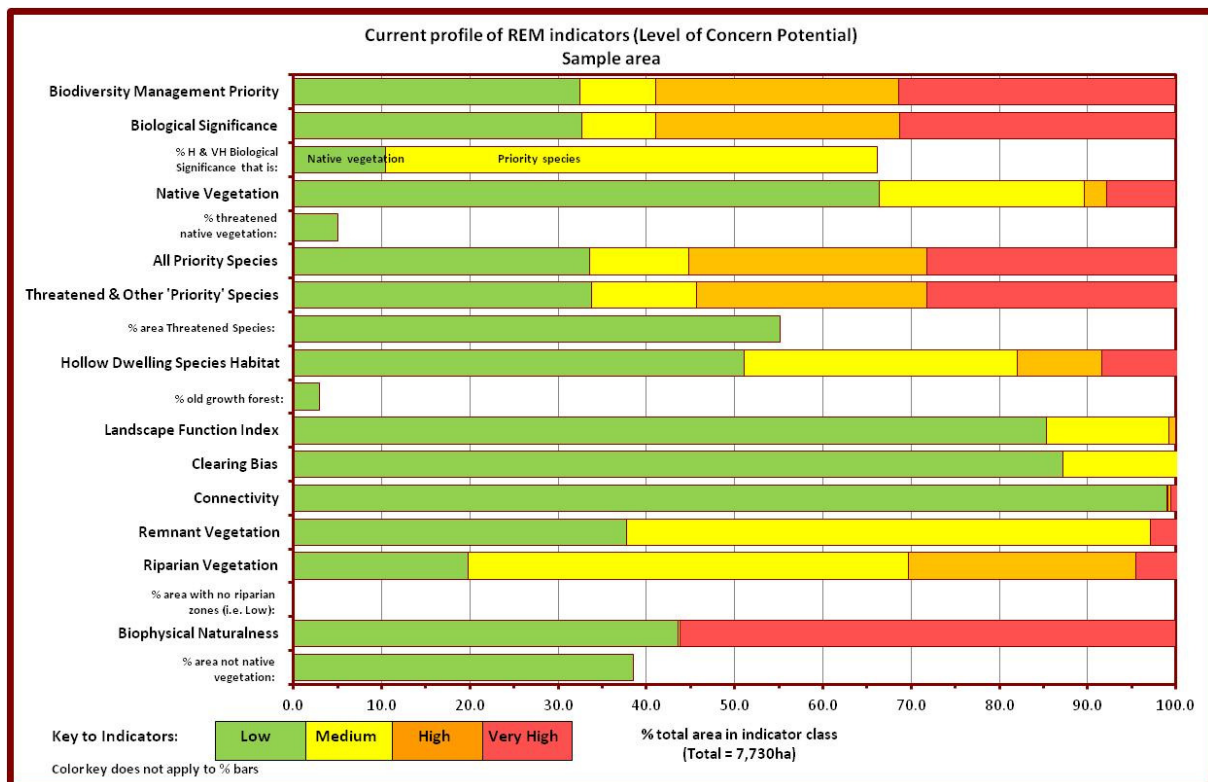


Figure 4. Sample REM profile – Potential Level of Concern





**Attachment 1. Summary of REM assets, indicators and Issues**

Issue	Definition	Summary	Indicator
Biological Significance	Biological significance measures the relative priority for management of the elements of biodiversity contained within a given area.	Biological significance is one of two arms of the REM and represents a structured classification of biodiversity. It is comprise of Native Vegetation and priority species (see below).	Classes ranked from Low-Very high derived from a matrix of Level of Concern classes for Native Vegetation and Priority Species.
Native Vegetation	Native vegetation communities based on the classification used in Tasveg.	Native vegetation comprises all areas mapped to the Tasveg classification, except for cleared land types ("F" codes), water, (OAQ"), sand and mud (OSM) and rock (ORO). An additional native vegetation mapping unit has been introduced to the REM for areas comprised of native vegetation plantings (DEP).	The REM contains a grouped classification for native vegetation which is used in various parts of its application.
Vegetation conservation status	Native vegetation communities with legislative recognition of being threatened.	na	Vegetation communities listed as threatened under the Tasmanian Nature Conservation Act 2002 or Commonwealth Environment Protection and Biodiversity Conservation Act 1999.
Relative reservation	Reservation status is a measure of the degree to which vegetation communities are included in the Comprehensive, Adequate and Representative (CAR) reserve system	Higher levels of reservation give greater confidence that the species for which vegetation communities are surrogates are likely to be protected, subject to appropriate geographic and biophysical distribution in the landscape.	Percentage bands of reservation of the vegetation communities, utilising the lesser of the Statewide or relevant bioregional reservation level.
Relative rarity	The extent of a native vegetation community in the bioregion being assessed.	Relative rarity is scale to reflect increased importance for vegetation types which are more restricted, and less importance for those which are relatively extensive.	The REM stratifies the extent of each community in each bioregion into bands, which are then form part of the matrix for deriving Level of Concern for native vegetation.
Priority species	Priority species are those that are recognised as threatened and certain classes of other species that are identified as priorities for conservation.	Classification within the group is structured around species listed as threatened and other priority species.	Level of Concern for priority species is classified from Low-Very High through a matrix combining threatened species status, number of threatened species, other priority species and hollow dwelling species habitat.

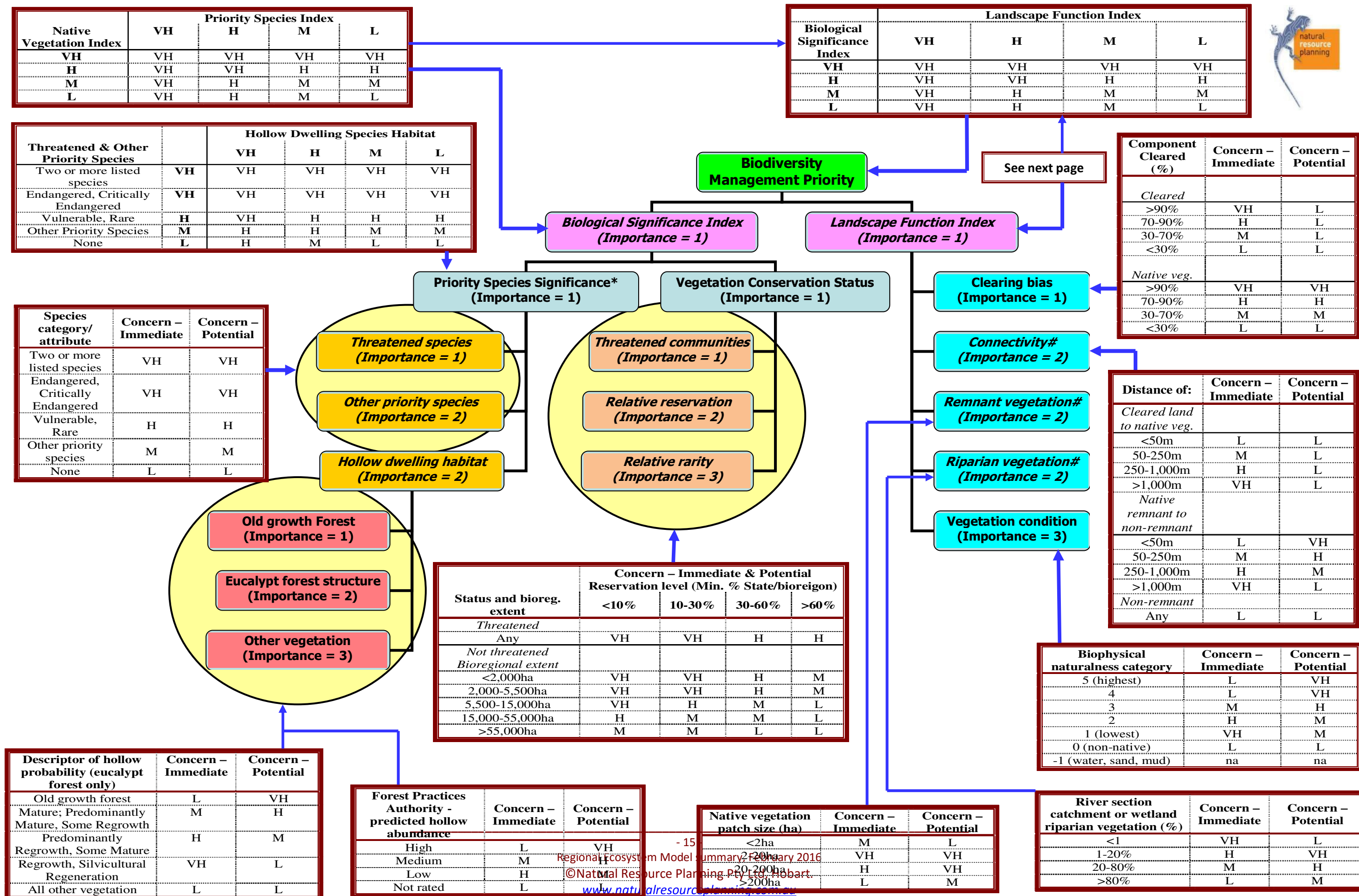


Issue	Definition	Summary	Indicator
Listed threatened species	Species listed as threatened under the Tasmanian Threatened Species Protection Act (1975) or Commonwealth Environment Protection and Biodiversity Conservation Act (1999)	na	Threat status and number of co-occurring threatened species in an area.
Other priority species	Non-threatened species identified as priorities for attention to conservation and management.	Other priority species comprises non-threatened species identified in the Regional Forest Agreement as Priority Species, including species groups such as hollow dwelling species, and flora species identified as inadequately reserved at the State or bioregional level.	The presence of other priority species (excluding hollow dwelling species habitat) is assigned a single ranking the REM (Medium), above that for no priority species and below that for threatened species.
Hollow dwelling species	Habitat for hollow dwelling species.	Hollow dwelling species comprise a group of 29 species listed in the Regional Forest Agreement as a priority species group.	Hollow dwelling species habitat is classed from Low-Very High depending on the type of vegetation present, eucalypt forest structure, predicted hollow abundance and presence/absence of old growth forest.
Old growth forest	Old growth forest is ecologically mature forest demonstrating the characteristics found in older and/or minimally disturbed forests	na	Old growth forest is classed as Very High Level of Concern (Potential) and as low Level of Concern (Immediate) in the Hollow Dwelling Species component of the REM.
Eucalypt forest structure	Forest structure classes derived from air-photo interpreted vegetation mapping.	Eucalypt forest structure is derived from the published RFA map depicting standard classes as Silviculturally Regeneration, Regrowth, Predominantly Regrowth/Some Mature, Predominantly Mature/Some Regrowth and Mature. This is supplemented with more up to date data where available.	Classes ranked from Low-Very High reflecting higher Immediate Level of Concern where structure is likely to contain fewer hollows and higher Potential Level of Concern where hollows are likely to be more abundant.
Non-eucalypt vegetation.	Vegetation communities in the Tasveg classification that are not recognised as eucalypt forest.	Eucalypt forest classes are identified in Tasveg by the prefixes "W" and "D".	Non-eucalypt vegetation is ranked Low in the schema for hollow dwelling species habitat due to the absence of eucalypts.

Issue	Definition	Summary	Indicator
Landscape Function	The ability of the landscape to sustain the elements of biodiversity it contains.	Landscape function integrates five indicators representing successively finer partitioning of the landscape.	Classes ranked from Low-Very High using a 3 way matrix combining the same classes of Clearing Bias, a submatrix combining Connectivity, Remnant Vegetation and Riparian Vegetation, and Biophysical Naturalness.
Clearing bias	Clearing bias is a measure of the patterns of habitat loss in a region.	There is potential for ecological collapse at a regional level where >70% of a region has been cleared, and potential localised collapse and stress within the region where lower levels of clearing have occurred due to preferential clearing of certain land types.	The percentage of each land component that has been cleared, stratified spatially into areas now cleared or with extant native vegetation.
Connectivity	Connectivity is the degree to which patches of native vegetation are inter-connected and the extent to which species can move between patches,	Remnant vegetation may suffer loss of species in some taxonomic groups, and loss of ecosystem function, if the distance between remnants and the impermeability of the interstice (e.g. through absence of paddock trees) exceeds that which each organism is capable of crossing.	For remnant vegetation patches, the distance to the nearest non-remnant patch. For cleared land, the distance to the nearest patch of native vegetation.
Remnant vegetation	Remnant vegetation is defined as islands of native vegetation, below a specified size, that are surrounded by cleared land.	In heavily cleared landscapes, patches of remnant vegetation can contribute significantly to the maintenance of ecosystem function, while their loss and decline is a major factor in ecosystem collapse. Their smaller size makes them vulnerable to ongoing degradation through various combinations of anthropogenic and natural ecological processes	The indicator for remnant vegetation is the contiguous extent of each patch of native vegetation communities, stratified into size classes.
Riparian vegetation	Riparian vegetation is the vegetation that adjoins freshwater features (e.g. rivers wetlands) and has ecological characteristics which are influenced by the freshwater environment.	Riparian vegetation has been found to have consistently high biodiversity values relative to its extent and therefore contribute disproportionately to landscape function. Its values are also multi-faceted, providing protection for terrestrial biodiversity, land and soils resources, and freshwater ecosystems, and multi-scale in extending beyond the immediate riparian zone.	The percentage of the local catchment of each of river section and wetland which is under native riparian vegetation, stratified into bands as described for the CFEV project. The indicator applies equally to both the cleared and native vegetation components of the catchment.

Issue	Definition	Summary	Indicator
Vegetation condition	Vegetation condition is the composition and structure of native vegetation relative to a reference framework for the particular type of vegetation.	Vegetation condition is an indicator of the ability of native vegetation at the local physical and near-temporal scale to maintain and sustain the elements of biodiversity it contains.	Modified biophysical naturalness classes derived from RFA mapping and application of logical consistency rules to Tasveg community attributions and limited condition descriptors.

## Attachment 2. Tasmanian Regional Ecosystem Model - Indicators, Content & Prioritisation Matrices



## Attachment 2 (cont). Derivation of Landscape Function Index

Sub-matrix of Connectivity, Remnant Vegetation & Riparian Vegetation (CRR)

Connectivity	Remnant Vegetation	Riparian Vegetation	CRR Index	Rank (1 = highest)
VH	VH	VH	VH	1
H	VH	VH	VH	2
VH	VH	H	VH	3
VH	H	VH	VH	4
M	VH	VH	VH	5
H	VH	H	VH	6
VH	VH	M	VH	7
H	H	VH	VH	8
VH	H	H	VH	9
VH	M	VH	VH	10
L	VH	VH	H	11
M	VH	H	H	12
H	VH	M	H	13
VH	VH	L	H	14
M	H	VH	H	15
VH	H	M	H	16
H	M	VH	H	17
VH	M	H	H	18
VH	L	VH	H	19
L	VH	H	H	20
M	VH	M	H	21
H	VH	L	H	22
L	H	VH	H	23
VH	H	L	H	24
M	M	VH	H	25
VH	M	M	H	26
H	L	VH	H	27
VH	L	H	H	28
L	VH	M	H	29
M	VH	L	H	30
L	M	VH	H	31
VH	M	L	H	32
M	L	VH	H	33

Connectivity	Remnant Vegetation	Riparian Vegetation	CRR Index	Rank (1 = highest)
VH	L	M	H	34
H	H	H	H	35
M	H	H	M	36
H	H	M	M	37
H	M	H	M	38
L	VH	L	M	39
L	L	VH	M	40
VH	L	L	M	41
L	H	H	M	42
M	H	M	M	43
H	H	L	M	44
M	M	H	M	45
H	M	M	M	46
H	L	H	M	47
L	H	M	M	48
M	H	L	M	49
L	M	H	M	50
H	M	L	M	51
M	L	H	M	52
H	L	M	M	53
L	H	L	M	54
L	L	H	M	55
H	L	L	M	56
M	M	M	L	57
L	M	M	L	58
M	M	L	L	59
M	L	M	L	60
L	M	L	L	61
L	L	M	L	62
M	L	L	L	63
L	L	L	L	64

Full Landscape Function Index matrix

Clearing Bias	CRR sub-matrix	Condition	Landscape Function Index	Rank (1 = highest)
VH	VH	VH	VH	1
VH	VH	H	VH	2
VH	H	VH	VH	3
VH	VH	M	VH	4
VH	H	H	VH	5
VH	VH	L	VH	6
H	VH	VH	VH	7
VH	M	VH	VH	8
VH	H	M	VH	9
H	VH	H	VH	10
VH	M	H	VH	11
VH	H	L	VH	12
H	H	VH	VH	13
H	VH	M	VH	14
VH	L	VH	VH	15
VH	M	M	VH	16
H	H	H	H	17
H	VH	L	H	18
M	VH	VH	H	19
VH	L	H	H	20
VH	M	L	H	21
H	M	VH	H	22
H	H	M	H	23
M	VH	H	H	24
VH	L	M	H	25
H	M	H	H	26
H	H	L	H	27
M	H	VH	H	28
M	VH	M	H	29
VH	L	L	M	30
H	L	VH	H	31
H	M	M	H	32
M	H	H	M	33

Clearing Bias	CRR sub-matrix	Condition	Landscape Function Index	Rank (1 = highest)
L	VH	VH	M	34
M	VH	L	M	35
H	L	H	M	36
H	M	L	M	37
M	M	VH	M	38
M	H	M	M	39
L	VH	H	M	40
H	L	M	M	41
M	M	H	M	42
M	H	L	M	43
L	H	VH	M	44
L	VH	M	M	45
H	L	L	M	46
M	L	VH	M	47
M	M	M	M	48
L	H	H	L	49
L	VH	L	M	50
M	L	H	L	51
M	M	L	M	52
L	M	VH	L	53
L	H	M	L	54
M	L	M	L	55
L	M	H	L	56
L	H	L	L	57
M	L	L	L	58
L	L	VH	L	59
L	M	M	L	60
L	L	H	L	61
L	M	L	L	62
L	L	M	L	63
L	L	L	L	64

**Attachment 3:**  
***A simple guide to using the***  
***Regional Ecosystem Model for biodiversity planning***

The REM contains assessments of four attributes of biodiversity that may need to be considered for conservation:

- Native vegetation (Tasveg-based units assessed Statewide and bioregionally);
- Priority species (threatened and other important species);
- Hollow dwelling species habitat; and
- Landscape ecological function – the ability of the landscape to maintain the elements of biodiversity it contains.

Actions may range from retention in an existing state, rehabilitation to a better state or restoration of native vegetation. Actions can be guided by the REM classification of attributes from two prioritisation perspectives:

- Immediate – importance for intervention to restore or rehabilitate; and
- Potential – important to protect from further loss or degradation.

In the REM these are termed ‘Level of Concern’. All REM Level of Concern attributes are rated on a scale of Low, Medium, High or Very High. Immediate and Potential priorities are identical for native vegetation and priority species, but are different for hollow dwelling species habitat and landscape ecological function.

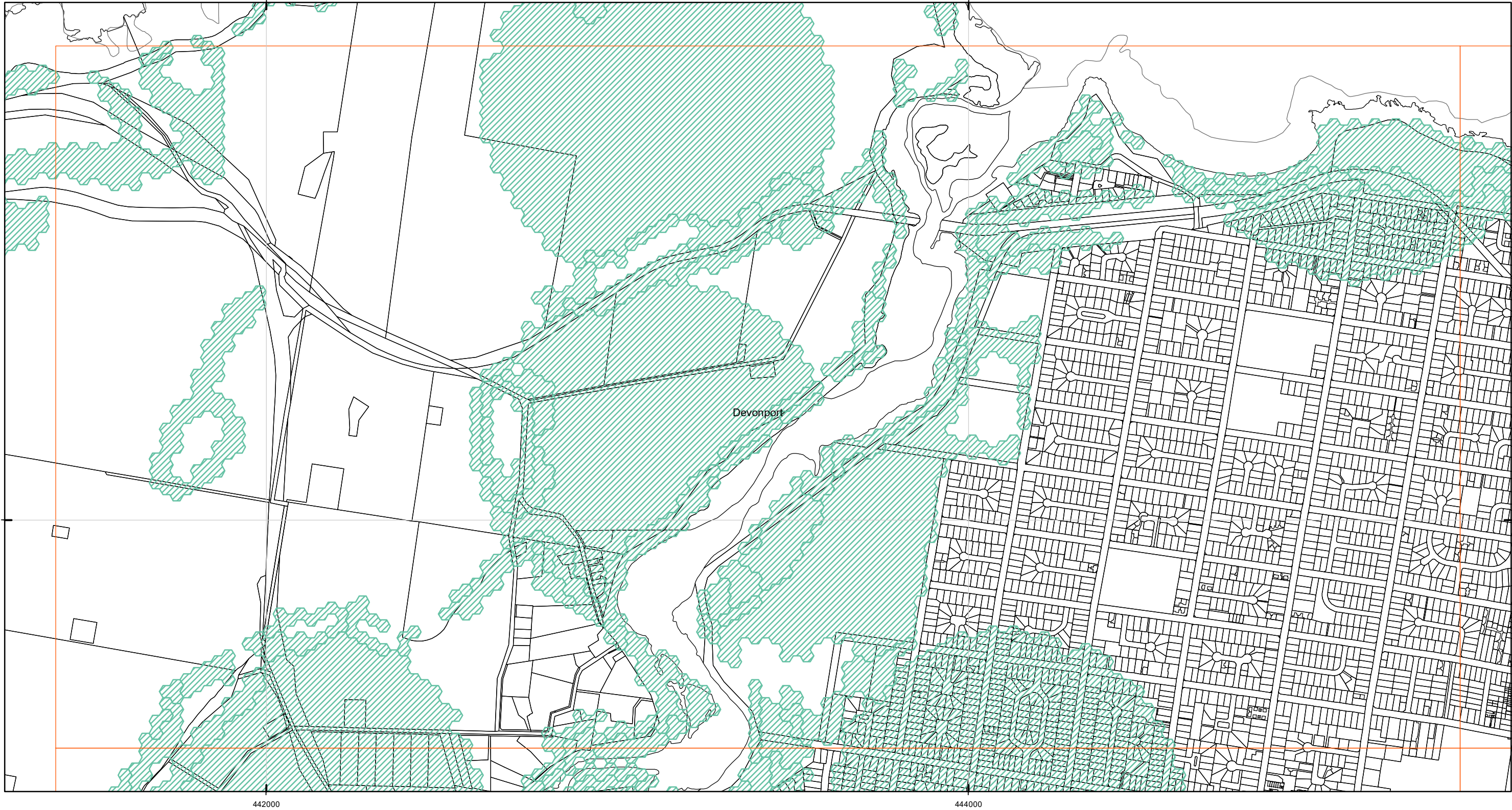
Priorities to be assigned to any of the REM attributes will be heavily influence by the purpose and objectives being considered and the adequacy of resources to effect desired outcomes. REM priorities can also be considered on an entirely objective basis, and used to judge whether objectives and resources are appropriately targeted, adequate to achieve outcomes. Monitoring over time can also be facilitated by the REM.

Prioritising areas or actions may require consideration of any of the four key attributes either singly or in combination. The potential range of combinations is large. However, for regions which are relatively intensively developed a fairly consistent set of combinations can be identified, particularly through focusing on priorities classified as either High or Very High. These are identified in the table that follows.



REM attribute (High or Very High)	Co-occurring attributes	Key considerations
Native vegetation	Priority species	Actions will depend on individual species' conservation needs.
	Landscape function – Potential	Landscape has some sensitivity to further loss or degradation. Action to protect the vegetation should be considered.
	Landscape function – Immediate	Landscape function is degraded. Consider whether actions to protect or enhance the native vegetation can make a difference.
	None	Consider if there are potential threats or other benefits that would arise from intervention. Also consider if there is a residual reservation target for the vegetation community and whether a good example of the community would be secured.
Priority species	None	Consider the conservation needs of each individual species individually.
	Landscape function – Potential	Landscape is sensitive to further loss or degradation. Consider whether this might have negative effects on each species.
	Landscape function – Immediate	Landscape function is degraded. Consider if landscape characteristics are contributing to the species status or likely persistence.
Hollow dwelling species habitat – Immediate	None	Vegetation is lacking in hollows. Look at the landscape context to determine if there is a likely benefit from taking actions which would improve long term prospects to have adequate mature eucalypt abundance, e.g. is the area a gap in distribution. The primary attribute field [Vstr_clasZ] should be used for this.
Hollow dwelling species habitat – Potential	None	Mature eucalypt abundance is likely to be relatively high. Act to protect and enhance, especially if either Immediate or Potential landscape ecological function classes are high.
Landscape function – Immediate	None	Landscape function is degraded. Consider what aspects of can be improved – condition, patch size, riparian vegetation or connectivity – within the available resources. The spreadsheet version of the REM can be used to explore scenarios.
Landscape function - Potential	None	Landscape function is sensitive to further loss or degradation. Consider what action can be take to secure landscape attributes.
Landscape function – Immediate	Landscape function - Potential	These are generally more important remnants. Consider whether resources are sufficient to both secure and improve landscape attributes.

Natural Assets Code - Priority Vegetation Area Overlay (Devonport municipal area)  
(Full mapping version without modification to exclude non-compatible zones)  
FOR INFORMATION ONLY



**Legend**

Priority Vegetation Area

Parcels - 4 December 2018

**Map 1 of 10**

0100200300400500

Metres

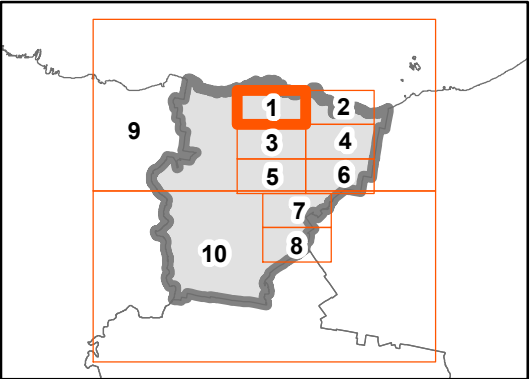
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Zone Data from Devonport City Council

Base topographic data from the LIST (c) State of Tasmania

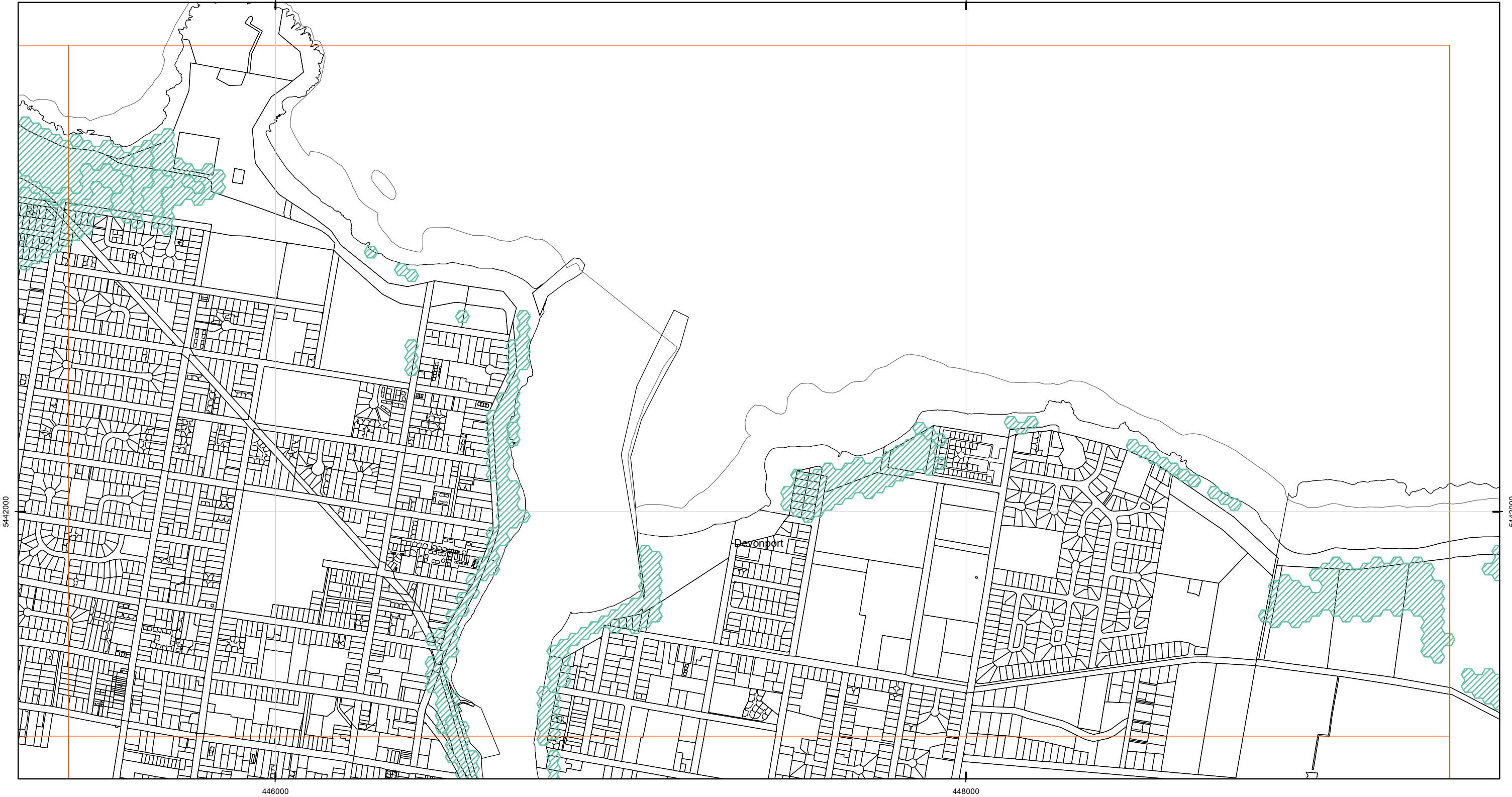
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**Print Date: 20/12/2018**

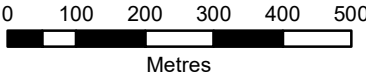




**Natural Assets Code - Priority Vegetation Area Overlay (Devonport municipal area)**  
(Full mapping version without modification to exclude non-compatible zones)  
**FOR INFORMATION ONLY**



**Map 2 of 10**



Coordinate System: GDA 94 MGA Zone 55

Zone Data from Devonport City Council  
Base topographic data from the LIST (c) State of Tasmania

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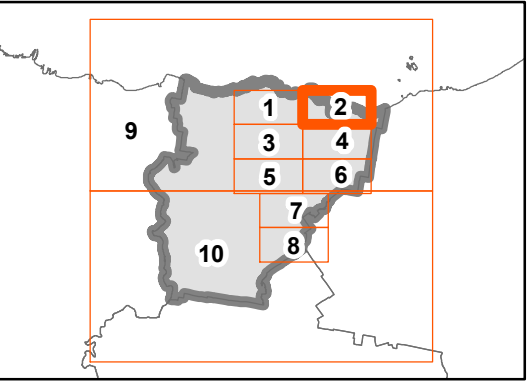
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**Legend**

 Priority Vegetation Area

 Parcels - 4 December 2018

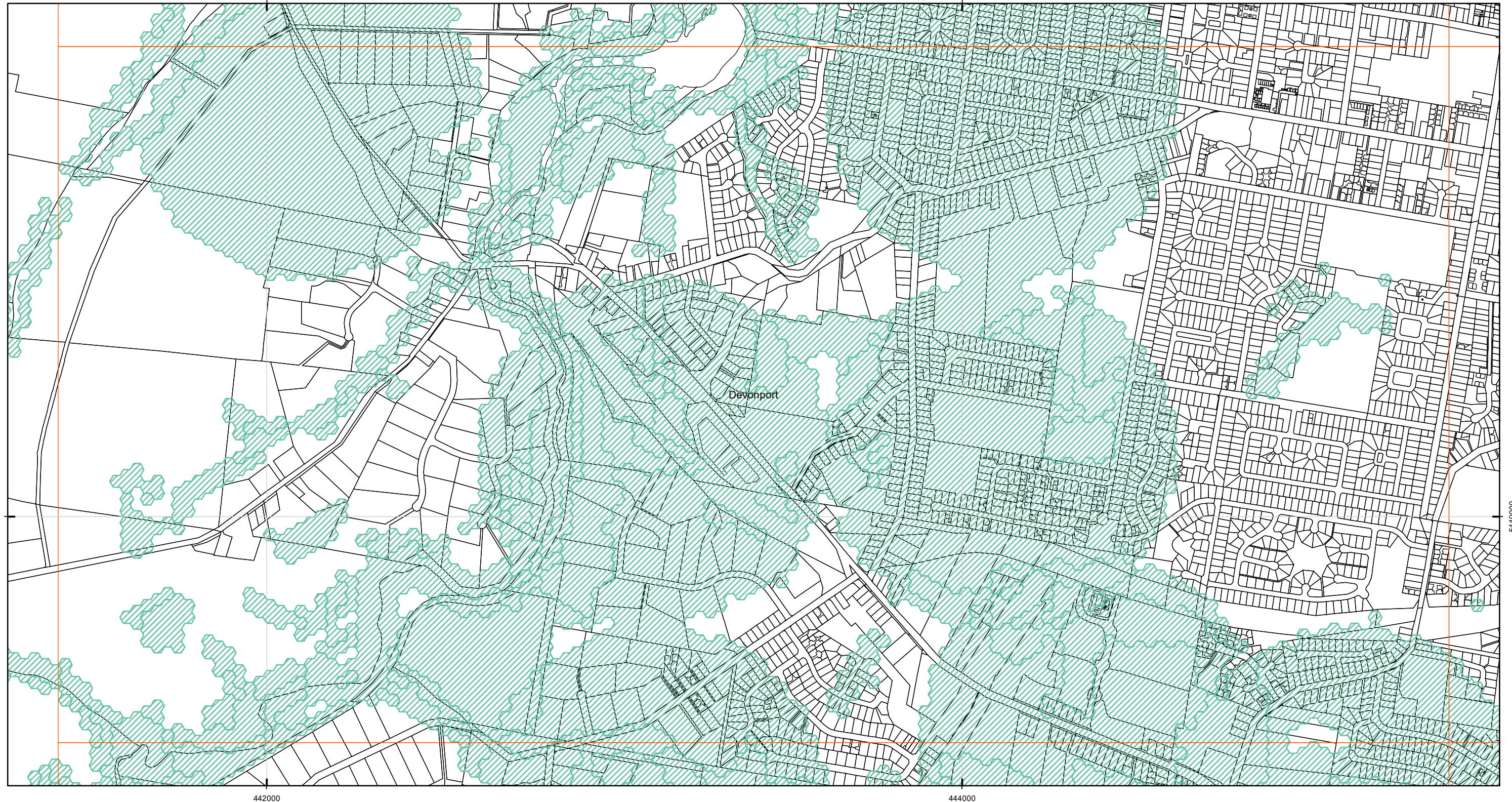




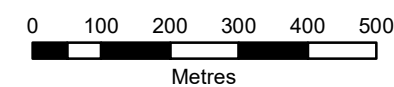
# Natural Assets Code - Priority Vegetation Area Overlay (Devonport municipal area)

(Full mapping version without modification to exclude non-compatible zones)

FOR INFORMATION ONLY



Map 3 of 10

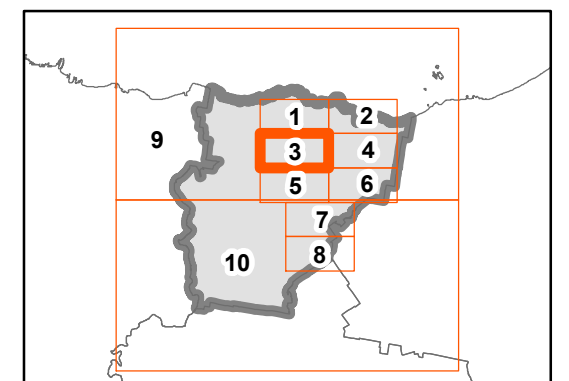


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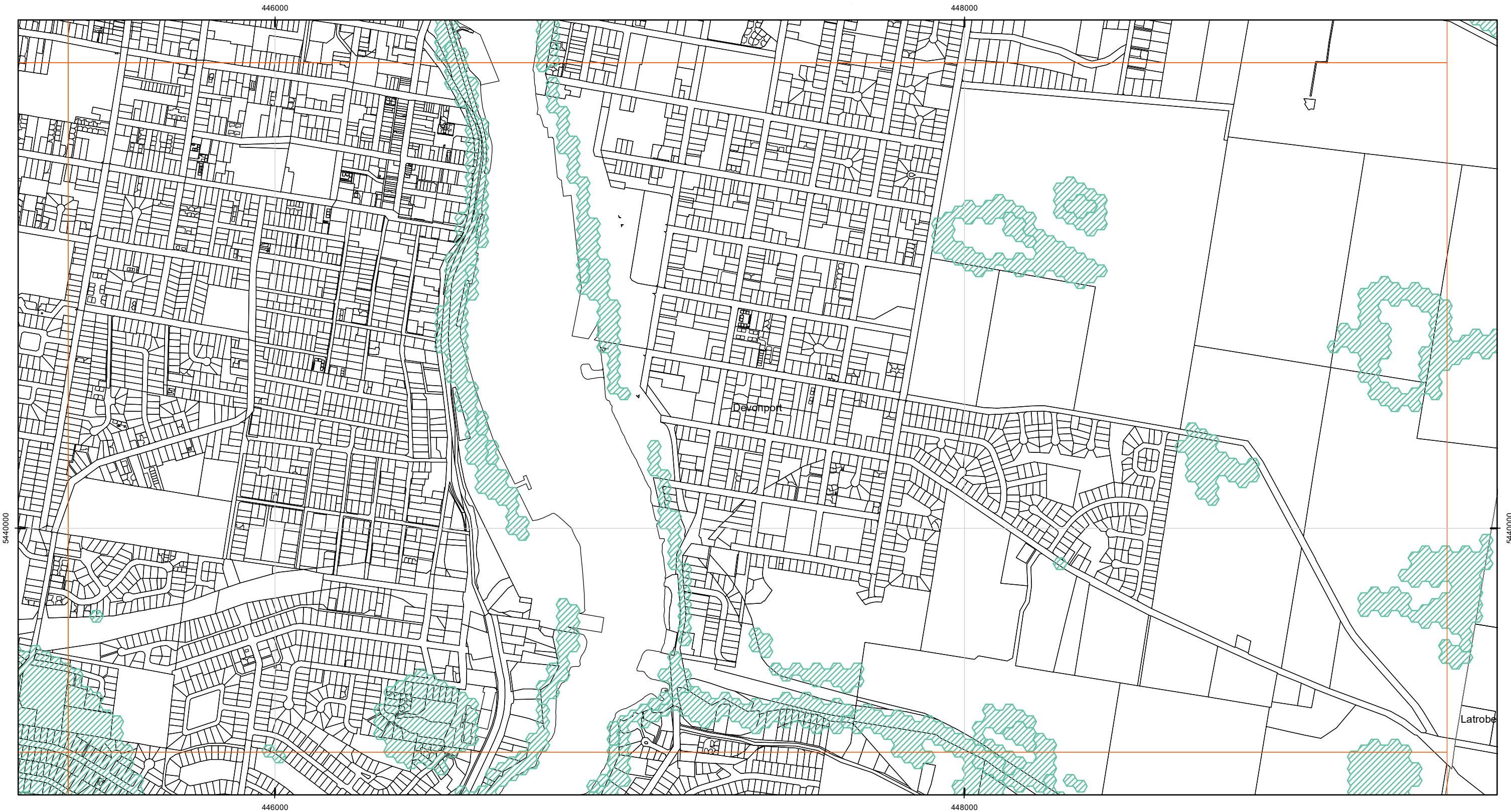
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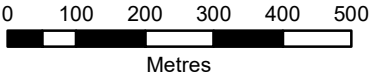




**Natural Assets Code - Priority Vegetation Area Overlay (Devonport municipal area)**  
(Full mapping version without modification to exclude non-compatible zones)  
**FOR INFORMATION ONLY**



**Map 4 of 10**



Coordinate System: GDA 94 MGA Zone 55

Zone Data from Devonport City Council  
Base topographic data from the LIST (c) State of Tasmania

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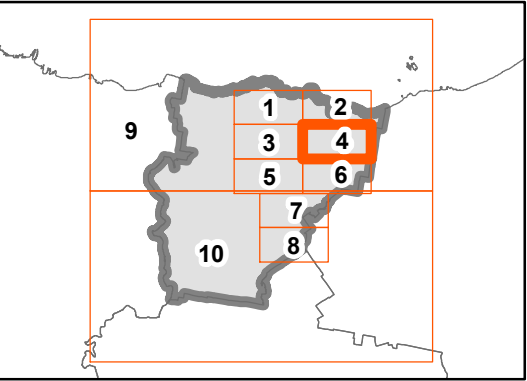
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**Legend**

 Priority Vegetation Area

 Parcels - 4 December 2018

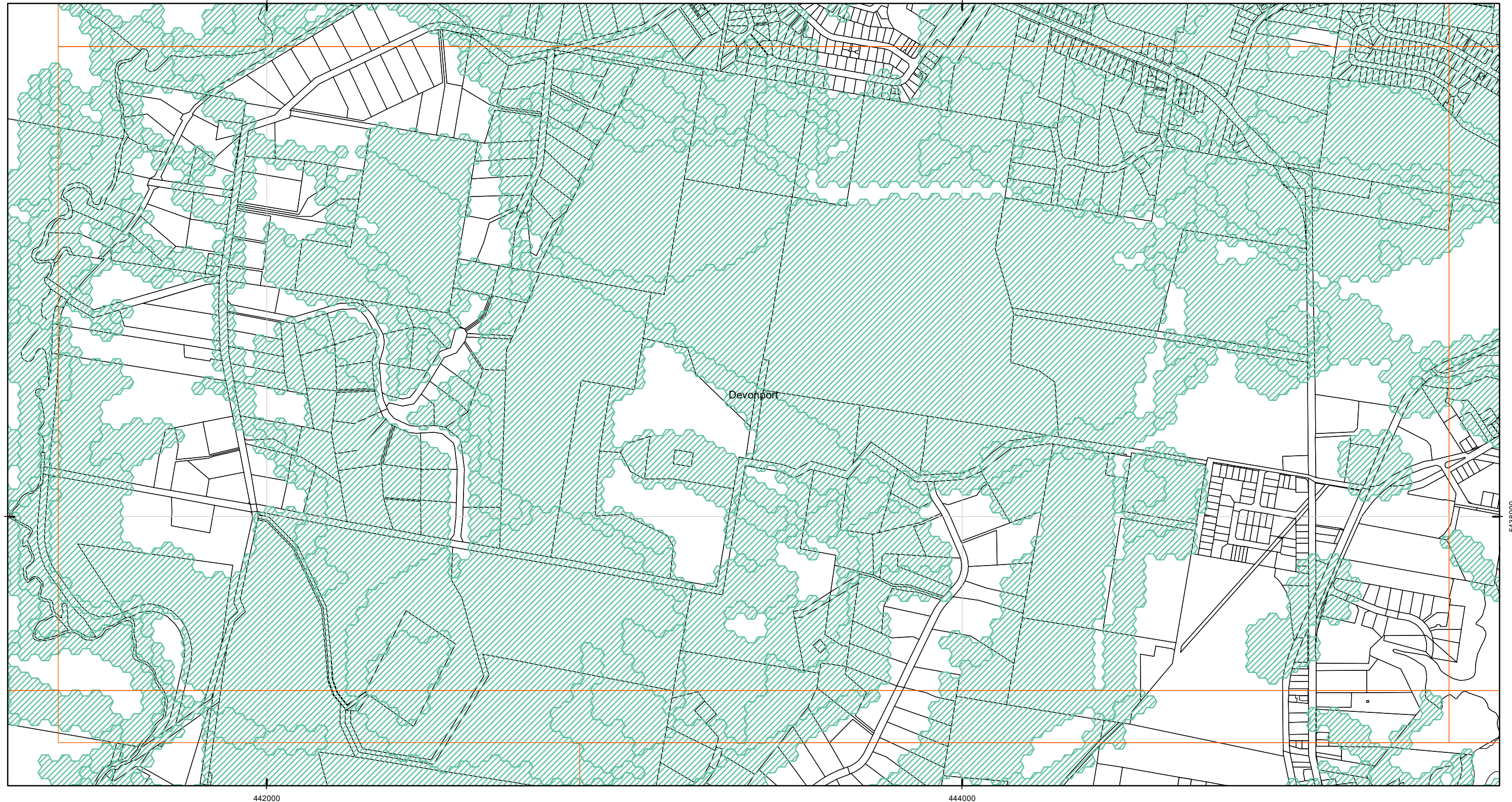




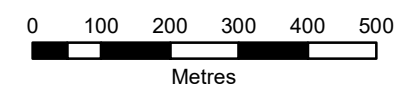
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(Full mapping version without modification to exclude non-compatible zones)

FOR INFORMATION ONLY



Map 5 of 10

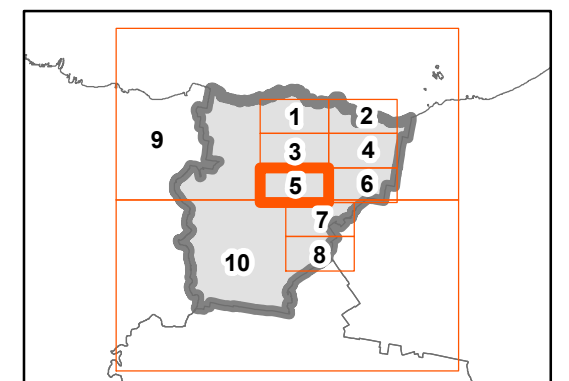
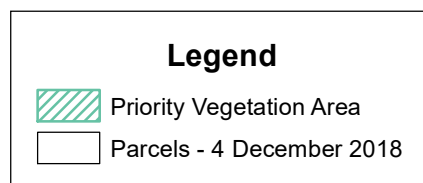


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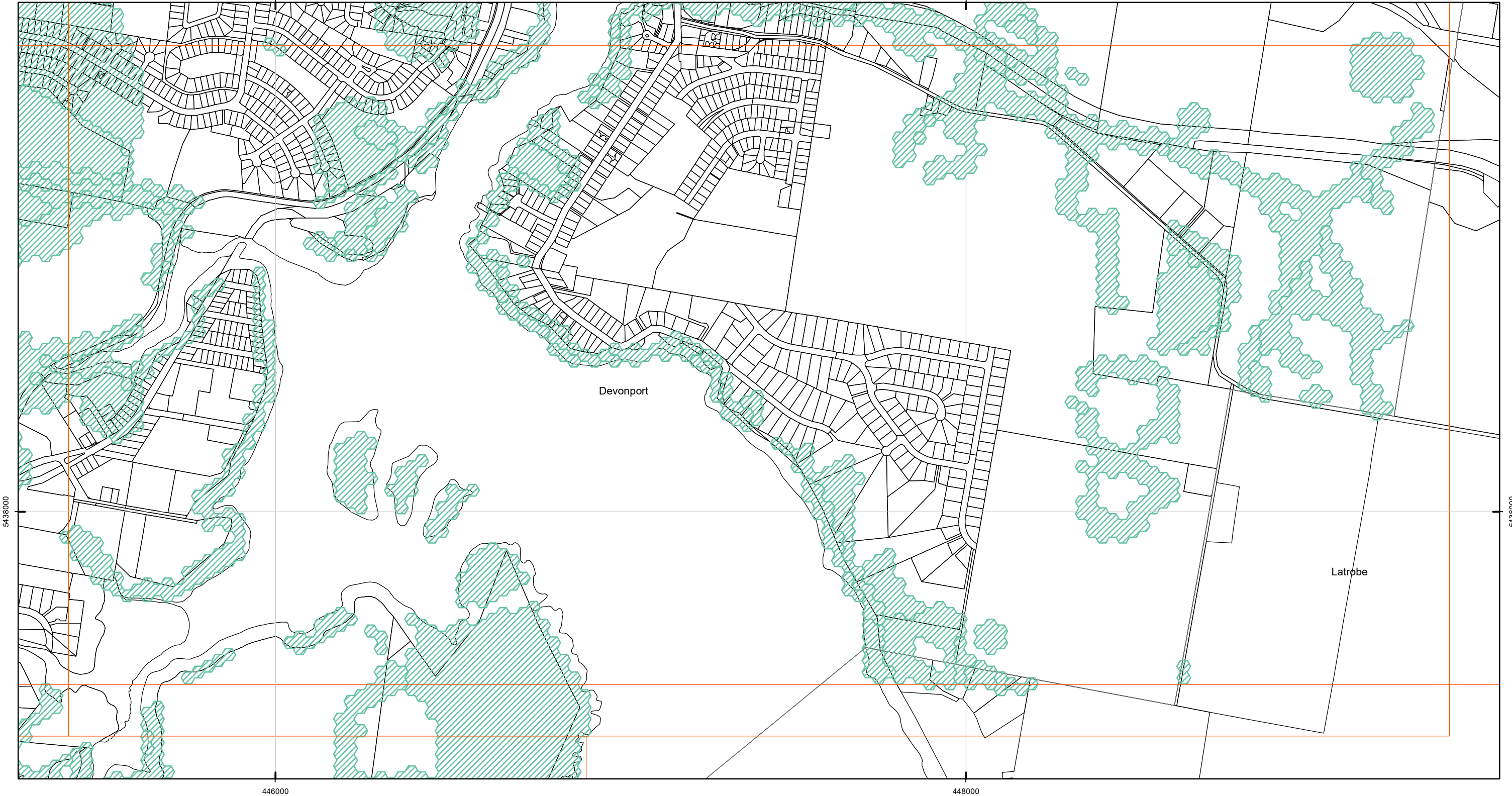
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Print Date: 20/12/2018





**Natural Assets Code - Priority Vegetation Area Overlay (Devonport municipal area)**  
(Full mapping version without modification to exclude non-compatible zones)  
**FOR INFORMATION ONLY**



**Legend**

 Priority Vegetation Area

 Parcels - 4 December 2018

**Map 6 of 10**

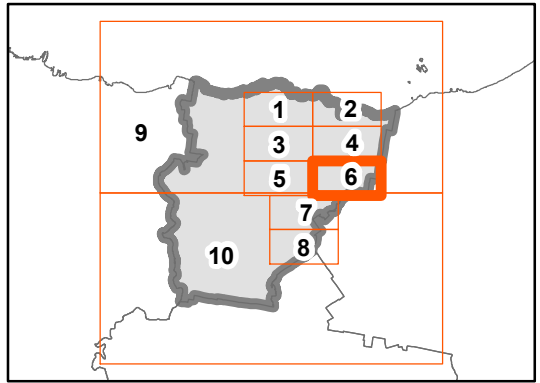
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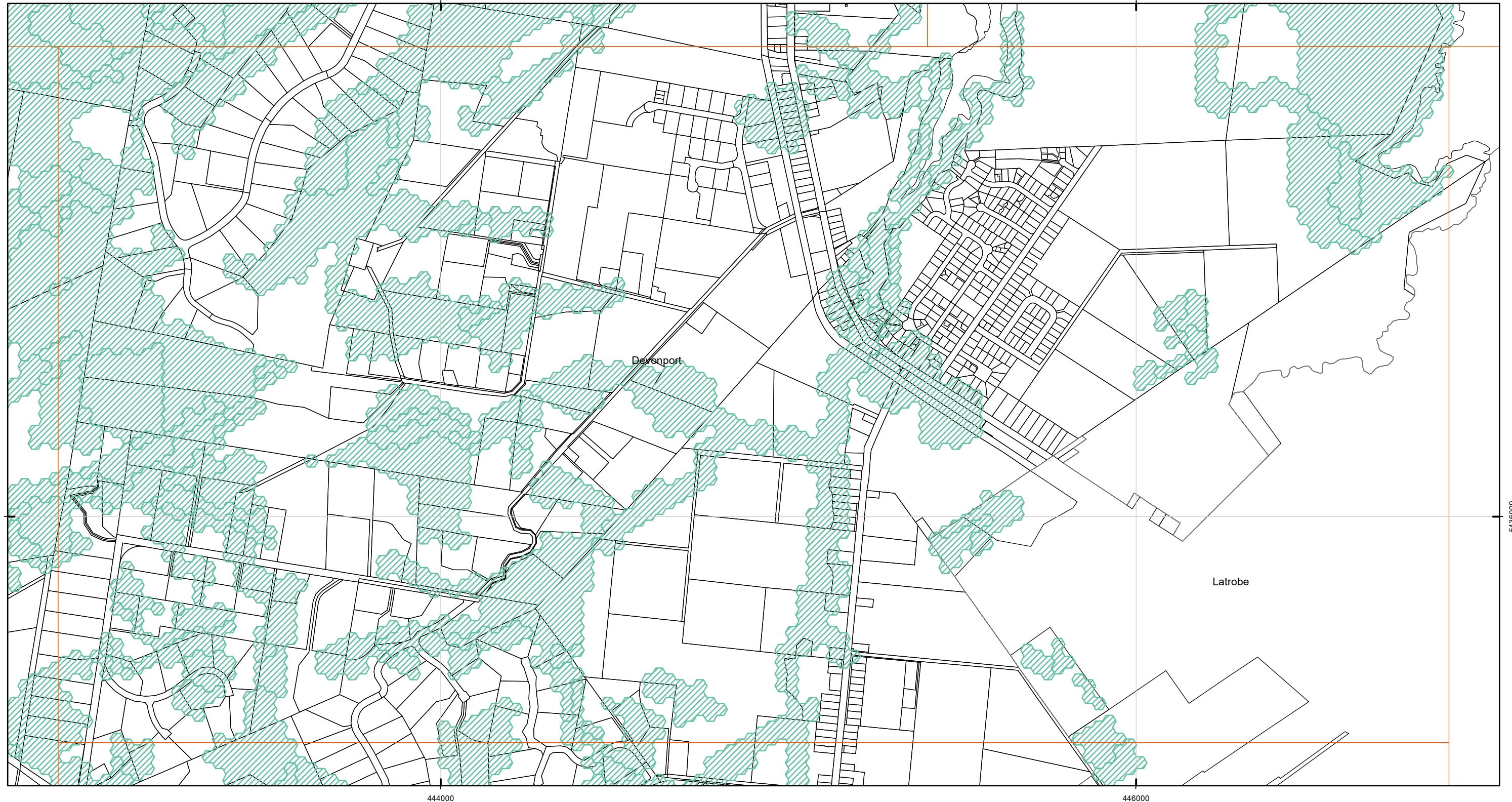
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Cadastre date: 4/12/2018



**Print Date: 20/12/2018**



**Natural Assets Code - Priority Vegetation Area Overlay (Devonport municipal area)**  
(Full mapping version without modification to exclude non-compatible zones)  
**FOR INFORMATION ONLY**



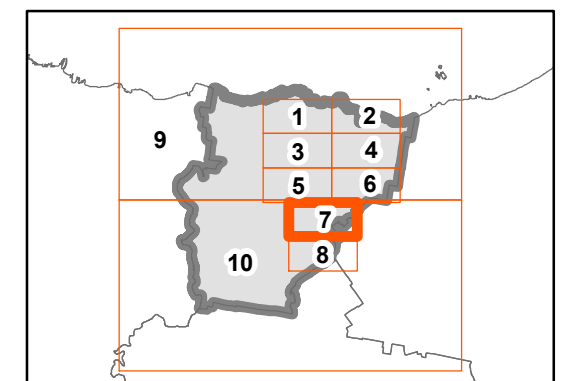
**Legend**

-  Priority Vegetation Area
-  Parcels - 4 December 2018

**Map 7 of 10**

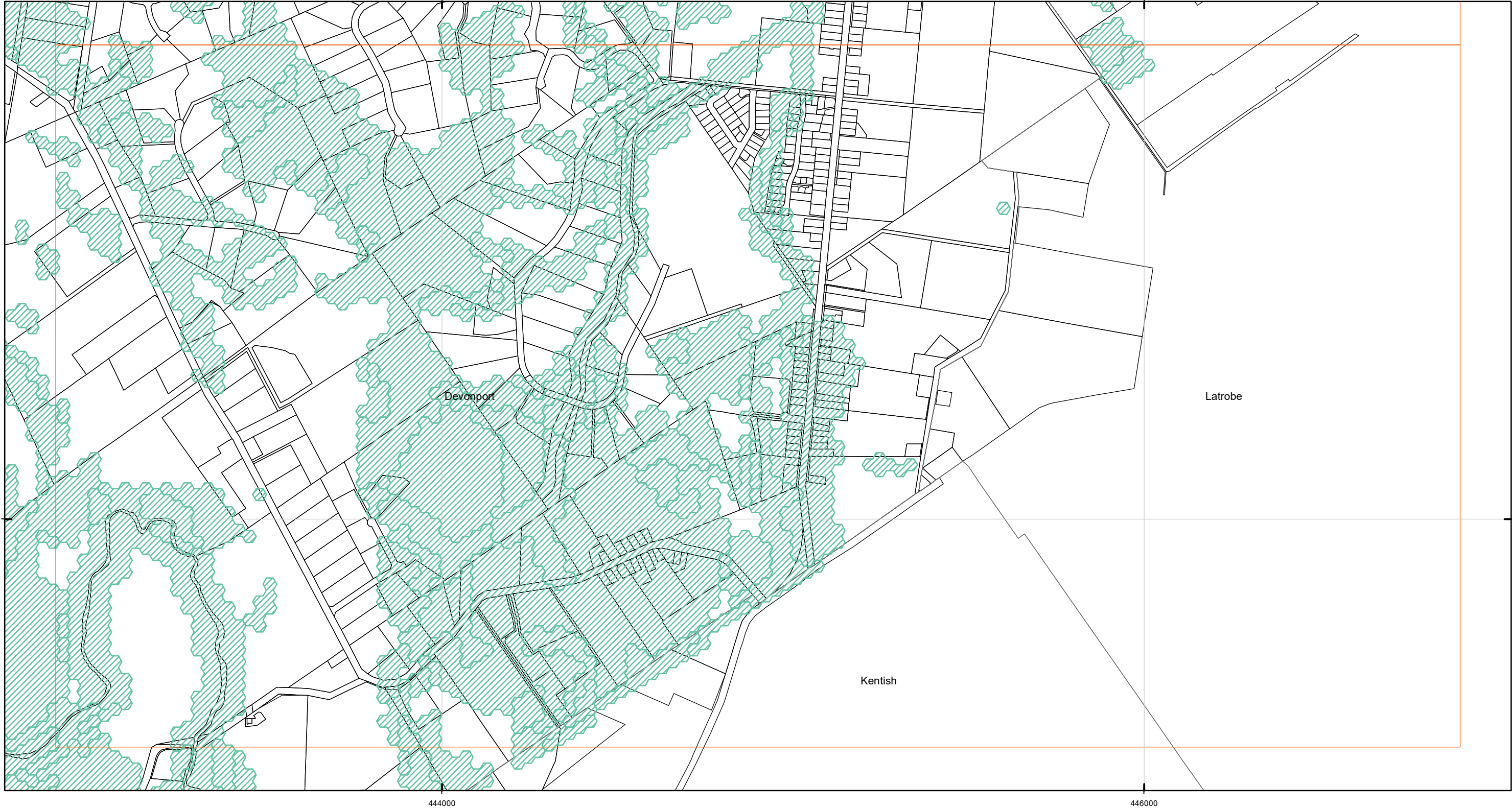
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Cadastre date: 4/12/2018  
**Print Date: 10/12/2019**





Natural Assets Code - Priority Vegetation Area Overlay (Devonport municipal area)  
(Full mapping version without modification to exclude non-compatible zones)  
FOR INFORMATION ONLY



**Legend**

Priority Vegetation Area

Parcels - 4 December 2018

**Map 8 of 10**

0

100

200

300

400

500

Metres

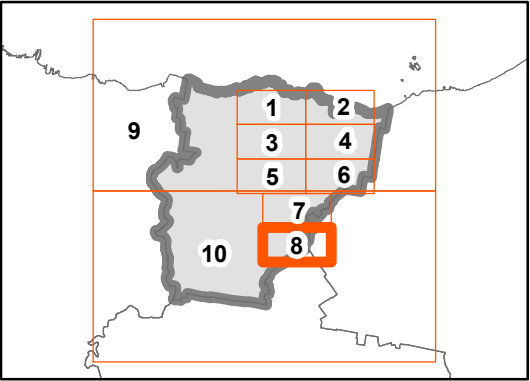
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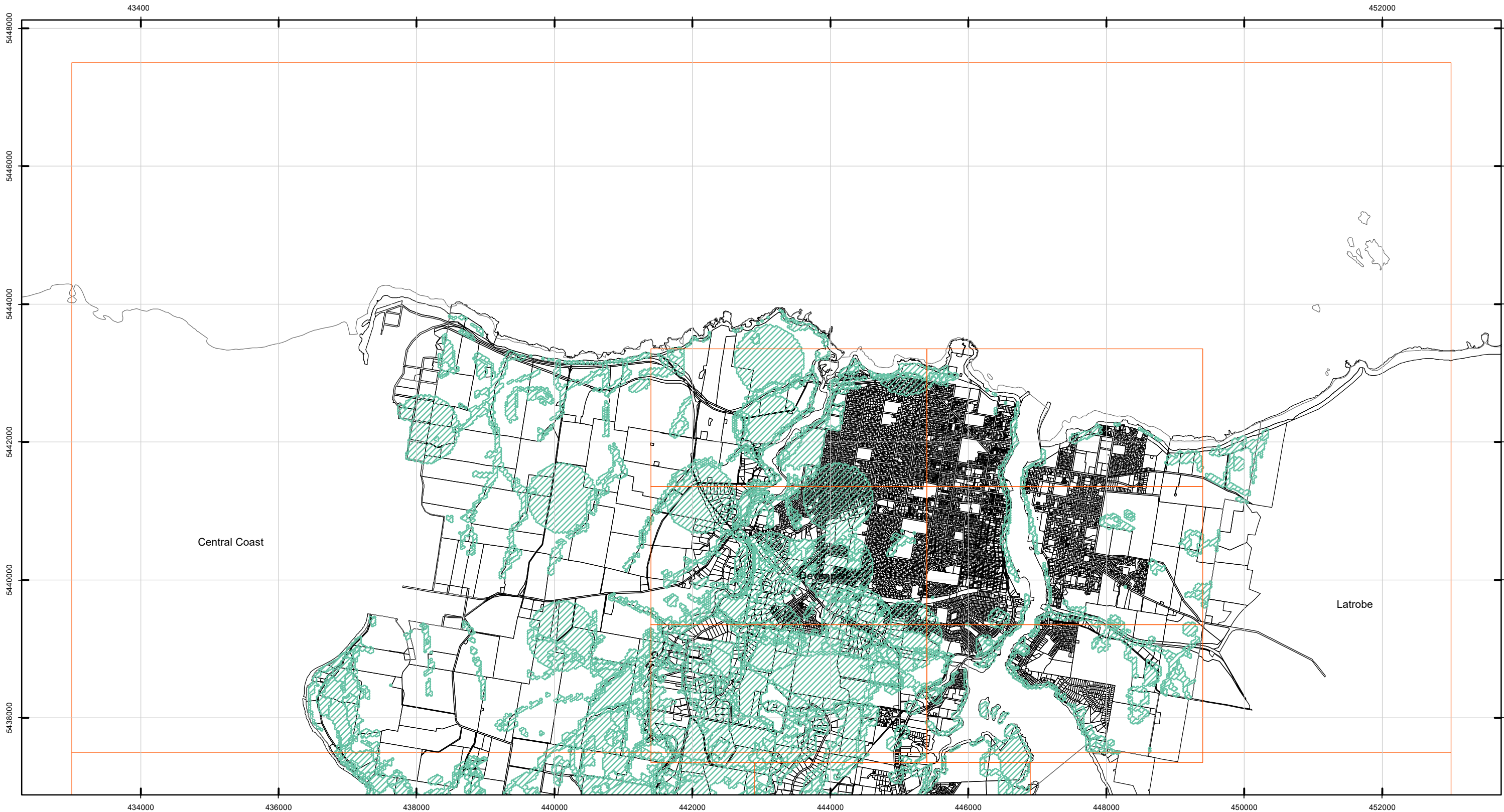
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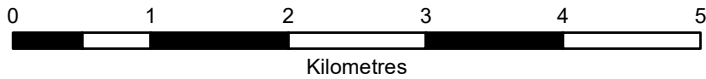
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Natural Assets Code - Priority Vegetation Area Overlay (Devonport municipal area)  
(Full mapping version without modification to exclude non-compatible zones)  
FOR INFORMATION ONLY



Map 9 of 10

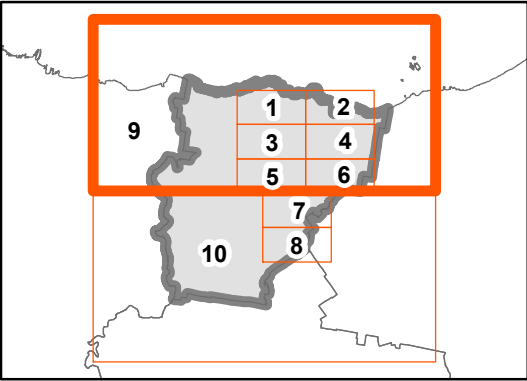


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Print Date: 20/12/2018

**Legend**

-  Priority Vegetation Area
-  Parcels - 4 December 2018

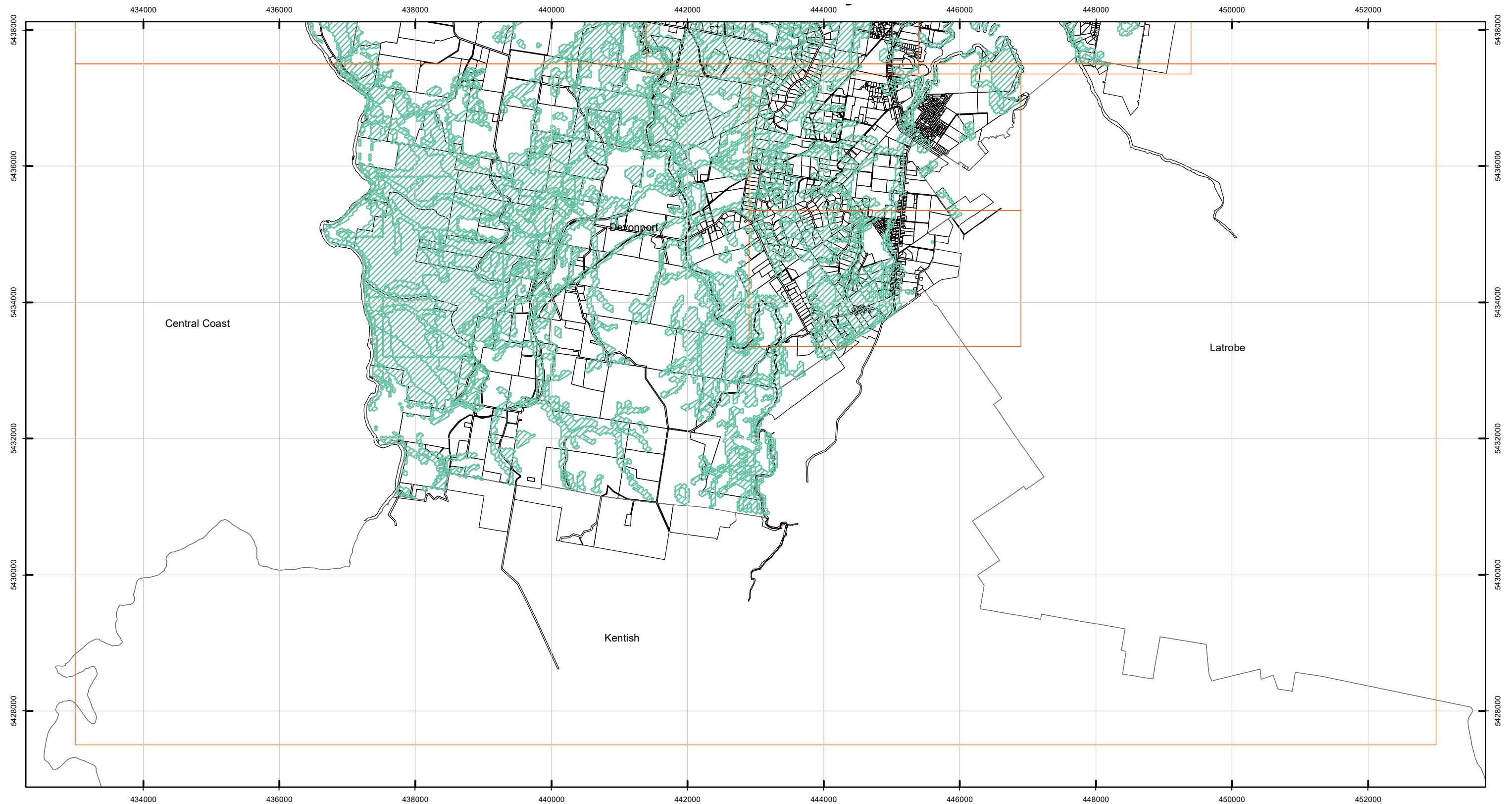




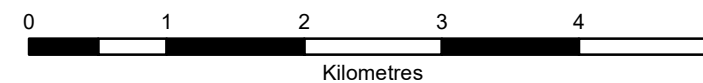
# Natural Assets Code - Priority Vegetation Area Overlay (Devonport municipal area)

(Full mapping version without modification to exclude non-compatible zones)

FOR INFORMATION ONLY



Map 10 of 10



Coordinate System: GDA 94 MGA Zone 55

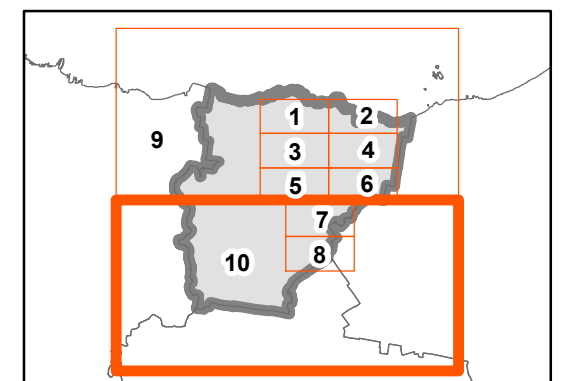
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Base topographic data from the LIST (c) State of Tasmania

Cadastre date: 4/12/2018

Print Date: 20/12/2018

## Legend

-  Priority Vegetation Area
-  Parcels - 4 December 2018



## **APPENDIX W**

**Further information as supplied by TasFire on the preparation of the overlay map to the Bushfire-Prone Areas Code**



# PLANNING REPORT



Tasmania Fire Service

## **Bushfire-Prone Areas Overlay Devonport LGA**

March 2019



**Tasmania Fire Service  
Bushfire Risk Unit**

GPO Box 1526  
HOBART TAS 7001  
PH: (03) 6230 8600  
Fax: (03) 6234 6647  
Email: [planning@fire.tas.gov.au](mailto:planning@fire.tas.gov.au)  
Web: [www.fire.tas.gov.au](http://www.fire.tas.gov.au)

Document Control					
Version	Date	Description	Author	Reviewed	Approved
1.0	20/03/19	Draft	TO'C	CC	CC
1.1	29/03/19	Correct typo	TO'C		TO'C

**Disclaimer**

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## Appendix A – Bushfire-Prone Areas Overlay

## Executive Summary

The Tasmania Fire Service ('TFS') is working with Local Government to prepare and implement the bushfire-prone areas overlay for Tasmanian Local Government Areas ('LGA'). Mapping for the Devonport LGA has now been completed following collaborative work between TFS and Devonport Council officers.

The purpose of the bushfire-prone area mapping is to spatially define land where potential exposure to bushfire hazard is sufficient to warrant a building and/or planning response to achieve a tolerable level of residual risk. The mapping does not imply that there is nil risk to use and development outside of the overlay, rather that residual risk to use and development outside of the overlay is deemed to be tolerable through reliance on other external measures, such as firefighter intervention.

The starting point for the map preparation was the production of a 'modelled overlay' that was generated by applying a 100m buffer to existing vegetation map data. The overlay was then progressively refined based on assessment of local conditions including bushfire behaviour and fuel management regimes. The local knowledge provided by Council officers was critical to this process.

By spatially defining bushfire-prone areas the mapping will provide clarity for permit authorities, landowners, developers, consultants and the broader community with respect to the application of existing statutory requirements for bushfire protection. The process of reviewing local conditions has also allowed for some areas that would currently trigger bushfire requirements to be 'mapped-out', thereby reducing compliance and development costs for the local community.

For the mapping to serve its intended function it needs to be incorporated within the relevant planning instrument established under the *Land Use Planning and Approvals Act 1993* ('LUPAA'). It is anticipated that the overlay will ultimately be included as part of Council's Local Provision Schedules under the Tasmanian Planning Scheme.

Depending on the timing of the Tasmanian Planning Scheme, Council may wish to consider initiating a draft amendment to the Devonport Interim Planning Scheme 2013. In this transitional period before the Tasmanian Planning Scheme is enacted, Schedule 6 of LUPAA provides the statutory basis for amending interim planning schemes under the 'former provisions'.

Adoption of the bushfire-prone areas overlay is consistent with the Schedule 1 Objectives of the *Land Use Planning and Approvals Act 1993*, the State Policies created under the *State Policies and Projects Act 1993* and the relevant regional land use strategy.

# 1 Introduction

## 1.1 Purpose of this Report

This report has been prepared in support of the draft bushfire-prone areas overlay for Devonport. This report provides the following information:

- The background and context of the mapping;
- Description of the mapping process;
- Options for implementation; and
- Consideration of the applicable statutory and strategic planning framework.

The information in this report is provided to inform the Planning Authority and general public on the proposed draft overlay.

## 1.1 Background

The Tasmania Fire Service is working with Local Government to produce and deliver the bushfire-prone area mapping for Tasmania. Once completed for each municipality the mapping is intended to be integrated within the relevant planning instrument to formally identify 'bushfire-prone areas' for the purpose of planning and building control.

Bushfire has been a constant, natural phenomenon in Australia for thousands of years and south-eastern Australia is one of the most bushfire-prone regions in the world. Whilst fire has important ecological functions in the Australian context, its effects on human life, built assets and economic resources can be catastrophic if risk is not adequately managed. Not surprisingly, bushfire is identified in the Tasmanian Emergency Management Plan as Tasmania's most prominent natural hazard due to its prevalence and historical impacts on communities<sup>1</sup>. Recent analysis of climate data confirms that this is unlikely to change with fire danger in some parts of Tasmania expected to progressively increase over the course of this century<sup>2</sup>.

Managing bushfire risk to communities requires a multifaceted approach that considers all aspects of the potential emergency (i.e. Prevention, Preparedness, Response and Recovery). Government interventions accordingly include a combination of measures including land use and development control, community education, fuel reduction, firefighter response and emergency management. Regulation of land use and development is a 'preparedness' strategy in this context as it aims to improve the resilience of communities and their built assets when exposed to a bushfire hazard.

Planning and building controls are now recognised in Australia as an important tool that can be used to facilitate more resilient and sustainable communities. Bushfire protection requirements are applied to use and development for the purpose of ensuring a tolerable level of residual risk is achieved. It is essentially a form of market intervention that seeks to achieve a better outcome for society than the market would otherwise deliver. Numerous public enquiries have recognised the importance of planning and building as a means for supporting

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<sup>1</sup> Department of Police and Emergency Management 2015, *Tasmanian Emergency Management Plan - Issue 8*, DPEM, Hobart.

<sup>2</sup> Fox-Hughes P, Harris RMB, Lee G, Jabour J, Grose MR, Remenyi TA & Bindoff NL (2015) *Climate Futures for Tasmania future fire danger: the summary and the technical report*, Antarctic Climate & Ecosystems Cooperative Research Centre, Hobart, Tasmania

community fire safety, most notably the 2004 National Enquiry on Bushfire Mitigation and Management and the 2009 Victorian Bushfires Royal Commission.

The Tasmanian Government responded to the 2009 Victorian Bushfires Royal Commission by initiating significant planning and building reforms, including the introduction of Planning Directive No.5 Bushfire-Prone Areas Code within planning schemes in 2012 and state variations to the Building Code of Australia. This provided – for the first time – state-wide consistency in relation to use and development standards for bushfire protection. The importance of these reforms was confirmed by the 2013 Tasmanian Bushfires Inquiry, which recommended that the Tasmanian Government make land use planning and building construction for bushfire a high priority and that it progress improvements in this area<sup>3</sup>.

The planning and building regulatory system in Tasmania includes bushfire protection requirements to mitigate risk to communities and assets in bushfire-prone areas. The existing framework includes:

- The Bushfire-Prone Areas Code, which applies through local planning schemes under the *Land Use Planning and Approvals Act 1993*; and
- The Director's Determination – Requirements for Building in Bushfire-Prone Areas, which applies through the *Building Regulations 2016* and *Building Act 2016*.

This framework is structured in a way that enables application of bushfire controls through the planning approvals process for proposals involving land subdivision, vulnerable and hazardous uses. Bushfire requirements for other types of use and development are applied through the building approvals process.

For the purposes of both planning and building permit approvals it is necessary to determine whether proposed works are located within a 'bushfire-prone area'. This term is currently defined as follows:

***Bushfire-prone area***

*Means:*

- (a) *Land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; or*
- (b) *Where there is no overlay on a planning scheme map, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1 hectare.*

In the absence of mapping, planning authorities, permit authorities, landowners and developers are reliant on interpretation of subclause (b).

Incorporation of the mapping within the relevant local planning scheme overlay map will enable the use of subclause (a) of the abovementioned definition, thereby reducing the amount of assessment required to determine applicability.

The 100m rule that forms the basis of the abovementioned definition has historically been accepted as a benchmark for the application of development control for bushfire and is the maximum distance considered in Australian Standard 3959-2009. Post-fire investigations have indicated that 85% of building loss resulting from major bushfires has historically occurred at distances within 100m of the urban interface<sup>4</sup>. Notwithstanding this, bushfire

<sup>3</sup> Department of Premier and Cabinet, 2013 Tasmanian Bushfires Inquiry, DPAC, Hobart.

<sup>4</sup> Ahern, A., and M. Chladil (1999), *How far do bushfires penetrate urban areas?* paper presented at 1999 Australian Disaster Conference, Emergency Manage. of Aust., Canberra, A. C. T.



behaviour is not uniform across all situations some circumstances application of a 'blanket' 100m buffer is considered unnecessarily conservative.

## 2 Study Area

The study area for the purpose of this mapping project is the Devonport Local Government Area ('LGA') as shown in Figure 1. The Devonport LGA is located in north-western Tasmania and adjoins Central Coast, Latrobe and Kentish. The northern edge of Devonport LGA adjoins the Bass Strait.

The landscape within the Devonport LGA is dominated by 'Agricultural, urban and exotic vegetation' with smaller areas of 'Dry eucalypt forest and woodland' and 'Wet eucalypt forest and woodland'. Prevailing winds during peak bushfire conditions will typically originate from the north and west.

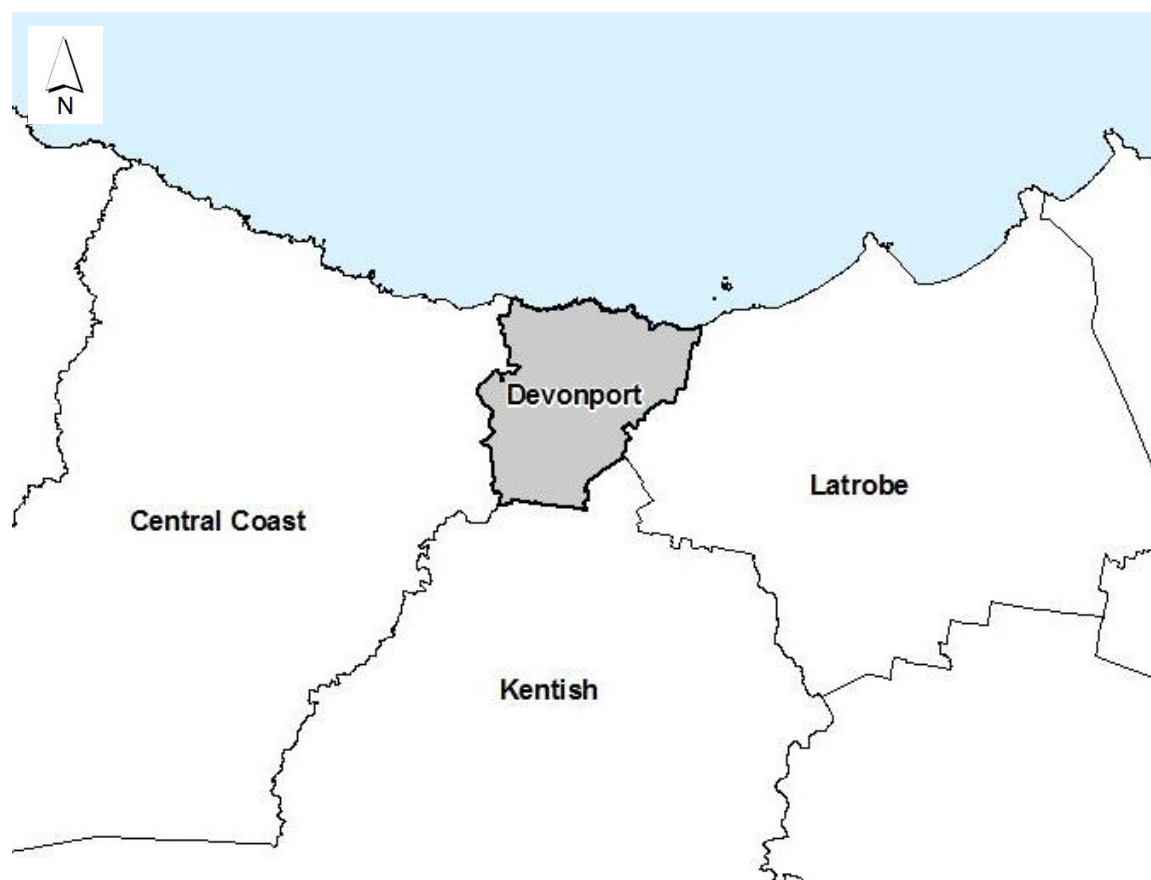


Figure 1 - Location map

### 3 Bushfire-Prone Area Overlay

Bushfire-prone area mapping for the Devonport LGA has been completed following collaborative work between the Tasmania Fire Service and Council officers. The draft maps are enclosed as **Appendix A** to this report.

#### 3.1 Purpose of Overlay

The bushfire-prone area overlay primarily relates to use and development control. Its purpose is to spatially define areas where risk is sufficient to require specific bushfire protection measures in order to achieve a tolerable level of residual risk. The mapping will provide a definitive trigger for assessment under the existing planning and building requirements for bushfire protection. Spatially defining bushfire-prone areas is consistent with the approach adopted for other natural hazards within Tasmanian planning schemes (inundation, landslip hazard).

The mapping is not intended to identify all land that may be impacted by bushfire hazard, nor does it imply that there is nil residual risk to use and development outside of the overlay. Rather, residual risk to use and development outside of the mapped areas is deemed to be tolerable through reliance on other external measures, such as firefighter intervention.

By removing the need to evaluate whether vegetation is 'bushfire-prone' before confirming whether a site is within a 'bushfire-prone area', the mapping will remove ambiguity and improve the development assessment process to the benefit of permit authorities, land owners and developers.

The mapping also provides a more sophisticated mechanism than the standard 100m rule trigger that is currently relied upon. Evaluation of local conditions and likely bushfire behaviour has informed the mapping process and has allowed for some reductions to the standard 100m buffer in situations where it has been determined that the risk does not warrant application of planning or building standards to achieve a tolerable level of residual risk. In doing so, the mapping will refine application of bushfire requirements and reduce circumstances whereby a bushfire report is required for low-risk development.

The overlay can also have other uses. It can be used to support community education in support of bushfire safety as people will be able to view the map on multiple sites such as the LIST, iplan, and the TFS website. Additionally, TFS will use the map as the basis for issuing fire permits and in advising the community about using fire and burning off. TFS will not issue Fire Permits outside bushfire-prone areas and will advise the community to not use fire for fire hazard removal outside bushfire-prone areas. Council staff will be able to use the mapped areas when dealing with hazard complaints and abatement issues.

#### 3.2 Mapping Process

The process that has been followed in preparing the bushfire prone areas mapping is summarised conceptually in Figure 2. The mapping has been prepared by the TFS in collaboration with Council's planning and environmental management officers.

The starting point for the mapping was the generation of a 'modelled overlay', which was created by applying a 100m buffer to all TASVEG 3.0 vegetation communities, excluding those types deemed to be 'low threat' and exclusions as specified under AS 3959-2009.

The mapping provided in TASVEG 3.0 provides high-level guidance with respect to vegetation distribution and as such, its accuracy is limited when applying it to individual properties. The modelled overlay was therefore based on imperfect spatial data and it was important to verify

the boundaries that were produced and adjust accordingly. An initial desktop assessment was undertaken to identify obvious discrepancies and ascertain key sites and areas that required closer examination.

Verification of the condition of specific sites was completed through physical inspection and/or enquiries into the development status and management regime of particular properties where necessary. As discussed previously, bushfire impact is not uniform across all situations and in some cases, relaxation of the standard 100m buffer has been adopted where site characteristics will effectively limit fire intensity, spread and subsequent impact on surrounding development. Relevant factors include the total area, type and location of vegetation, fire run potential, effective slope, prevailing wind and the use, development or land management status of the property.

The overlay was then aligned with cadastral title boundaries. This was necessary to ensure that application of the overlay to specific properties and future developments can be easily determined. For urban lots in particular there is little merit in mapping a property as partially bushfire-prone, hence this has been avoided as far as possible. For lots 2,000sqm (or lesser) in area the overlay was aligned to include the entire title if an area of 15% (or greater) was affected. For these lots, it is considered increasingly unlikely that a future development on the site would be able to wholly avoid the overlay and - as vegetation communities are not static - the actual separations from hazardous vegetation should be verified at the time a development is proposed. Where the overlay covered less than 15% of an urban title, the title was generally excluded entirely from the overlay, as it is considered increasingly likely that future development will be 100m or further from the hazard source.

The approach used is consistent with that used for the existing bushfire-prone areas overlays within the Clarence Interim Planning Scheme 2015 and the Hobart Interim Planning Scheme 2015. Furthermore, in preparing the overlay TFS has sought to ensure consistency with Tasmanian Planning Commission's *Practice Note 7: Draft LPS Mapping Technical Advice*.

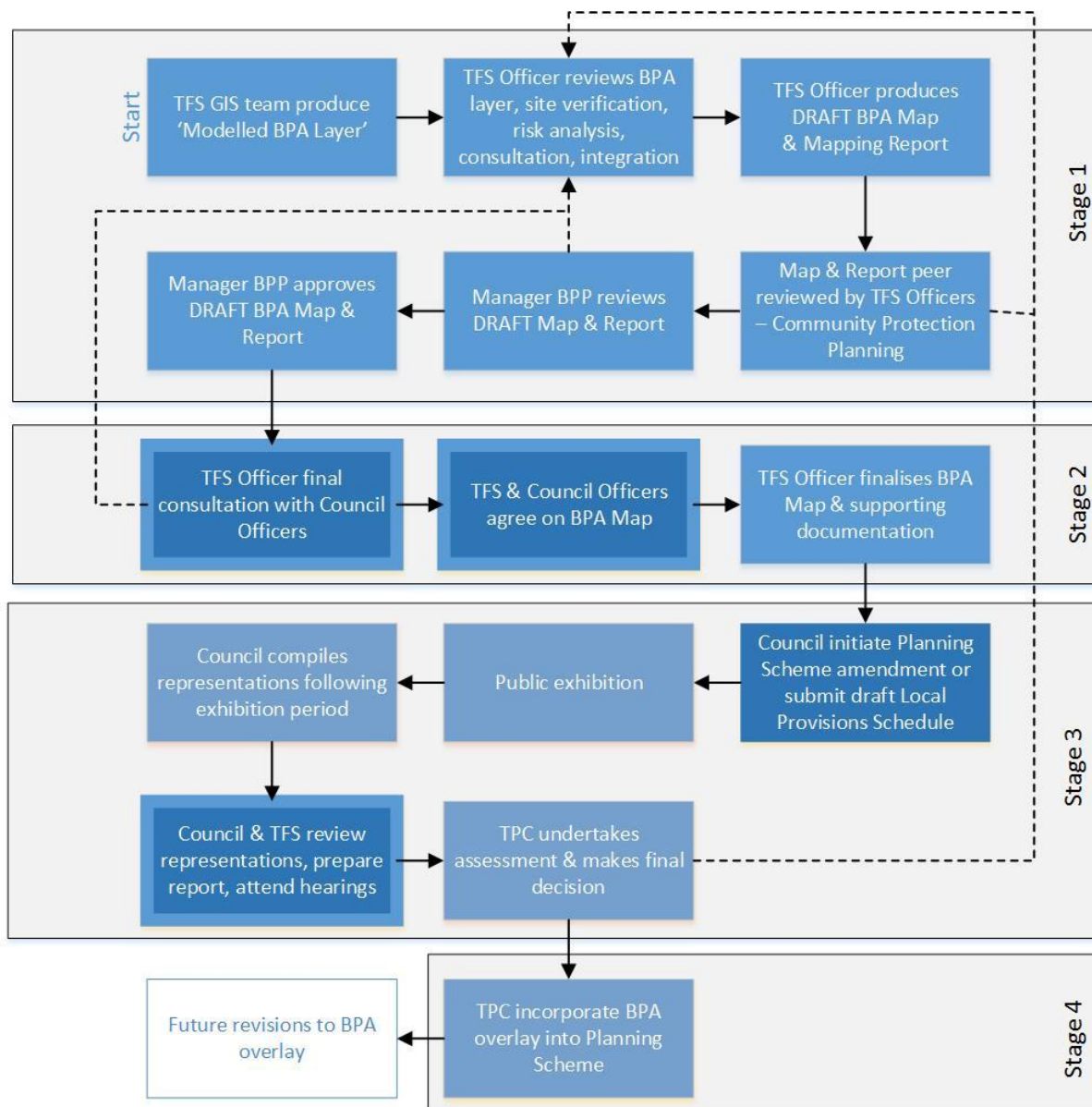


Figure 2 – Overview of mapping preparation and implementation

### 3.3 Overlay Refinement

As discussed previously, refinement of the original 'modelled overlay' into the final draft overlay has been informed by evaluation of local conditions.

The prevailing winds during peak bushfire conditions in Devonport typically originate from the north and west. This has implications in terms of potential exposure to head-fires and ember penetration into urban areas. A higher level of conservatism was accordingly adopted when refining the overlay as it applies to sections of the urban interface exposed to the north and west.

#### Grasslands

Where Grassland fuels were found to be predominant the overlay has been limited to include properties within a maximum of 50m (a relaxation from the standard 100m). This relaxation

reflects the reduced ember potential associated with Grassland fuels and is consistent with the minimum distance required for a BAL-LOW rating under AS 3959-2009.

### **Reserve management**

Devonport City Council owns a range of open space and recreational assets within and adjacent to existing urban areas. The condition and ongoing maintenance of reserves was considered in drafting the overlay.

A number of reserve areas have been treated as 'low threat vegetation' as described in clause 2.2.3.2(f) of AS 3959-2009. This includes:

- East Devonport headland (multiple titles)

This area comprises a number of titles, some of which are owned by Council and some of which are Crown Land (DPIPWE) that is leased by Council. Council has advised that a condition of lease is to keep the land free from fire hazards and weed infestation. To achieve this, Council maintains grass cover to under 100mm height during bushfire season throughout the headland.

- Miandetta Park East (CT 63804/48)

The reserve comprises appropriately 5ha in size and is located to the south and east of existing residential land. Council has confirmed that it maintains grass cover within the reserve to under 100mm height during bushfire season. The park contains some mature eucalypt trees and a small amount of shrub layer fuels (<1ha). Vegetation within the site is separated from vegetation further south by Devonport Road and a railway track.

- Existing Council-owned sporting fields (multiple sites).

### **Spreyton**

The township of Spreyton has developed in a linear pattern along Sheffield Road. The northern part of the township is bordered by established orchards to the north, east and west.

Maintained vineyards and orchards are classes as 'low threat vegetation' under clause 2.2.3.2(f) of AS 3959-2009. This is because the moisture content of vegetation and management of grass fuels is not considered to be conducive to the spread of fire in the landscape. Disused orchards by comparison will typically accommodate unmanaged grass fuels and are not considered 'low threat vegetation'.

The extent of established orchards in the area has meant that a significant portion of Spreyton has been mapped-out of the draft overlay. It is noted that if the orchards ceased to operate in the future or the land is converted for other land uses there may be a need for Council to monitor regrowth grass fuels and manage risk using its hazard abatement powers.

### **Subdivisions**

There were no large subdivisions underway at the time of writing that warranted modification of the overlay.

### 3.4 Outcomes of Mapping

It is clear that the majority of the land within the Devonport LGA is designated as bushfire-prone as a result of the mapping process.

Table 1 provides a comparison of the number of lots that intersect with the computer generated modelled overlay versus the final draft overlay. The modelled overlay more closely reflects the number of lots that would currently be subject to bushfire requirements under the current 100m rule that operates in the absence of the overlay, as it is based on a 100m buffer from TASVEG mapping. The statistics show that the overall number of properties affected has been reduced as the overlay has been refined.

Table 1 - Comparison of cadastral parcels affected by modelled overlay versus final draft overlay

Cadastral type	Modelled overlay	Final draft Overlay	Difference
Authority Land	504	280	-224
Local Government Reserve	36	26	-10
Private Parcel	4,351	2,743	-1,606
Public Land Classification	49	38	-11
<b>Total cadastral titles intersected</b>	<b>4,942</b>	<b>3,089</b>	<b>1,853</b>

Of most significance in Table 1 are the statistics for private parcels. The mapping process has enabled the identification of approximately 1,606 private properties that will no longer require further bushfire assessment, should they be developed or redeveloped in future.

To illustrate the significance of this - if each of these residential properties were developed at some stage in the future, the mapping would provide a total community benefit in the range of \$0.64M - \$1.53M from the avoided cost of bushfire assessment alone. Further economic benefit would be derived from the reduced time required for building work to be designed, documented and approved and the avoided constructions costs (if an exemption were not obtained).

## 4 Implementation Options

For the mapping to serve its intended statutory function it is necessary to incorporate it within the relevant planning instrument established under the *Land Use Planning and Approvals Act 1993* ('LUPAA').

### 4.1 Tasmanian Planning Scheme

All Tasmanian Councils are required to transition into the Tasmanian Planning Scheme ('TPS') as part of the Government's reform agenda.

The TPS will be comprised of the State Planning Provisions ('SPP') and Local Planning Schedules ('LPS'), the latter of which is to be prepared by Local Government.

It is anticipated that Devonport City Council will submit its draft LPS to the Tasmanian Planning Commission for assessment by mid-2019. Once approved, the Tasmanian Planning Scheme will become active and will supersede Council's interim planning scheme. It is anticipated that the bushfire-prone areas overlay will be included in Council's LPS as a planning scheme overlay.



## 4.2 Devonport Interim Planning Scheme 2013

The timing of the Tasmanian Planning Scheme's introduction is unclear at present and may not occur for some time. To introduce the overlay sooner and avoid this delay, there is provision to amend the Devonport Interim Planning Scheme 2013 via LUPAA's Savings and Transitional Provisions.

Schedule 6 of the *Land Use Planning and Approvals Act 1993* provides the statutory mechanisms to amend interim planning schemes under the former provisions. Council may initiate a Draft Amendment of its own motion under s.34(1)(b) of the former provisions.

## 5 Statutory Planning Requirements

### 5.1 Requirements for TPS Local Provision Schedules

It is anticipated that the overlay will be included as part of Council's Local Provision Schedules. At that time, the overlay will need to be considered in the context of s.34(2) of the *Land Use Planning & Approvals Act 1993* (current provisions).

S.34(2) states:

#### **34. LPS criteria**

(1) ...

(2) *The LPS criteria to be met by a relevant planning instrument are that the instrument –*

*(a) contains all the provisions that the SPPs specify must be contained in an LPS; and*

*(b) is in accordance with section 32 ; and*

*(c) furthers the objectives set out in Schedule 1 ; and*

*(d) is consistent with each State policy; and*

*(e) is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*

*(f) is consistent with the strategic plan, prepared under section 66 of the Local Government Act 1993 , that applies in relation to the land to which the relevant planning instrument relates; and*

*(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*

*(h) has regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000 .*

(3) ...

Incorporating the mapping as an overlay is consistent with the relevant provisions of the State Planning Provisions (specifically clause 1.2.3 and the definition of 'bushfire-prone area' in clause C13.3.1). The overlay is therefore consistent with s.34(2)(a).

Relevant to s.32, the map overlay will provide for the spatial application of the State Planning Provisions to particular land and is accordingly consistent with s.34(2)(b).

With respect to the strategic considerations referred to in s.34(2)(c),(d),(e) and (f):

- The Schedule 1 Objectives of LUPAA are considered in section 6.2.1 of this report;
- The State policies are considered in section 6.2.2 of this report;
- The Regional Land Use Strategy is considered in section 6.2.3 of this report; and
- Council's Strategic Plan is considered in section 6.2.4 of this report.

The overlay has been designed to integrate with the draft mapping completed for adjoining LGAs. The overlay accordingly satisfies s.34(2)(g).

The overlay will not introduce any new development standards, rather it will support the application of an existing Code. As such, it is not considered to be in conflict with the *Gas Pipelines Act 2000* and therefore satisfies s.34(2)(h).

The overlay will not introduce any new development standards, rather it will support the application of an existing Code. As such, it is not considered to be in conflict with the *Gas Pipelines Act 2000* and therefore satisfies s.34(2)(h).

## 5.2 Requirements for IPS Draft Amendments

Section 34 (1) of the former provisions of the *Land Use Planning & Approvals Act 1993* is relevant to an amendment of an interim planning scheme and allows a planning authority to initiate such an amendment of its own motion.

Prior to certifying a draft amendment, s.35 of the former provisions requires that the planning authority be satisfied that it meets the requirements of s.32, which states:

### **32. Requirements for preparation of amendments**

*(1) A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A) –*

*(a) – (d) ...*

*(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*

*(ea) must not conflict with the requirements of section 300 ; and*

*(f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.*

The introduction of the proposed overlay will clarify the application of existing planning and building requirements – no new requirements will be introduced. Accordingly, a draft amendment that introduces the overlay will not create any new land use conflict issues and is considered to satisfy (e).

With regards to (ea):

- s.300(1) requires consistency with the relevant regional land use strategy. As is discussed further in this report, the overlay is consistent with the relevant regional land use strategy;
- s.300(2)-(5) relates to conflict between local and common provisions. No changes to any development standards are proposed.

The draft amendment will therefore satisfy (ea).

Introduction of the overlay will provide a range of social and economic benefits, as discussed previously in this report. As it relates to existing development standards, it will have no significant environmental effects. The draft amendment will therefore satisfy (f).

## 6 Strategic Considerations

### 6.1 LUPAA Schedule 1 Objectives

Schedule 1 of the *Land Use Planning and Approvals Act 1993* specifies the strategic objectives for the Resource Management and Planning System and for the planning process established by the Act.

The Schedule 1 Objectives are considered in Table 2 and Table 3.

Table 2 - Schedule 1, Part 1 Objectives

Objective	Response
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i>	<p>The proposed overlay will support the application of an existing Code. It will not facilitate any loss of natural values, nor any development of physical resources.</p> <p>Implementation of the overlay is accordingly consistent with (a).</p>
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and</i>	<p>The proposed overlay will improve clarity for the community, for developers and for regulatory authorities responsible for assessing planning and building permit applications.</p> <p>In developing the overlay, some areas that could currently be considered as being within a 'bushfire-prone area' but which have been deemed to be suitably low threat. This was based on expert judgement in bushfire behaviour and evaluation of local conditions. By refining the application of the bushfire requirements in this way, the overlay will facilitate fairer outcomes for landowners.</p> <p>Implementation of the overlay is accordingly consistent with (b).</p>
<i>(c) to encourage public involvement in resource management and planning; and</i>	<p>In developing the bushfire-prone areas overlay the Tasmania Fire Service has sought and considered input from Council's officers. This dialogue has provided important local knowledge into the project, in relation to land use practices and management of specific sites.</p> <p>Whether the overlay is introduced via an amendment to the Interim Planning Scheme or via the Tasmanian Planning Scheme, the general public will have an opportunity to review the overlay and submit a representation on any aspect they wish the Planning Authority to consider.</p> <p>Implementation of the overlay is accordingly consistent with (c).</p>
<i>(d) to facilitate economic development in accordance</i>	<p>The overlay will improve clarity with respect to whether a site is within a 'bushfire-prone area' for the purposes of planning and</p>

with the objectives set out in paragraphs (a), (b) and (c); and	<p>building approval. This will support property development in the following ways:</p> <ul style="list-style-type: none"> <li>It will ensure landowners and developers can easily determine whether their site is in a bushfire-prone area early in the development process and therefore factor this into concept design and feasibility assessments;</li> <li>By removing areas from the mapping that have been deemed to be suitably low threat by the Tasmania Fire Service, the planning scheme amendment will reduce costs and delays from the approvals process for applicants (e.g. costs of engaging a bushfire hazard practitioner to certify an exemption, delays associated with s.54 requests).</li> </ul> <p>The overlay will not facilitate any loss of natural values, nor any development of physical resources.</p> <p>Implementation of the overlay is accordingly consistent with (d).</p>
(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.	<p>The Tasmania Fire Service has collaborated with Council officers in preparing the mapping to ensure that it is technically sound and appropriate to local circumstances.</p> <p>By incorporating the mapping within local planning provisions it will support the application of the Bushfire-Prone Areas Code (Planning Directive 5.1), which Local Government is obliged to enforce.</p> <p>The approvals process requires the support of both Council and the Tasmanian Planning Commission for the mapping to become effective.</p> <p>Implementation of the overlay is accordingly consistent with (e).</p>

Table 3 - Schedule 1, Part 2 Objectives

Objective	Response
(a) to require sound strategic planning and co-ordinated action by State and local government; and	<p>The introduction of the Bushfire-Prone Areas Code as a state-wide Planning Directive was a strategic response by the Tasmanian Government to the recommendations produced by the Victorian Bushfires Royal Commission. Incorporating the proposed overlay as part of Council's planning instrument will support the application of the Bushfire-Prone Areas Code.</p> <p>The approach used in developing the mapping is consistent with that used for the Clarence and Hobart interim planning schemes. Tasmania Fire Service seeks to maintain a consistent approach as it progresses mapping for all remaining Local Government Areas.</p> <p>As is discussed further in this report, the overlay is consistent with current State Policies and the relevant regional land use strategy.</p> <p>Implementation of the overlay is accordingly consistent with (a).</p>

<p><i>(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</i></p>	<p>As discussed previously in this report, the proposed scheme amendment will support the efficient application of the Bushfire-Prone Areas Code (and building regulations) by clearly identifying which land is subject to its provisions.</p> <p>Implementation of the overlay is accordingly consistent with (b).</p>
<p><i>(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</i></p>	<p>The overlay will not facilitate any loss of biodiversity or any other impacts on natural values.</p> <p>The social and economic benefit of the overlay will be to improve clarity with respect to what land is considered bushfire-prone and to avoid application of the planning/building regulations to land that has been deemed to be suitably low threat.</p> <p>Implementation of the overlay is accordingly consistent with (c).</p>
<p><i>(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</i></p>	<p>As occurs at present, future development in bushfire-prone areas will be required to comply with all other applicable planning and environmental requirements. Introduction of the overlay is not considered to be in conflict with any environmental, social, economic, conservation or resource management policies.</p> <p>Implementation of the overlay is accordingly consistent with (d).</p>
<p><i>(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</i></p>	<p>At present, bushfire requirements are triggered either at the planning approval or building approval stage, depending on the type of development proposed. Under each process the definition of 'bushfire-prone area' refers to planning scheme overlay mapping (where available). The completion of the overlay will ensure that assessments as to whether a site is bushfire-prone will be consistent throughout the entire process.</p> <p>Single dwellings, visitor accommodation and some other types of buildings are triggered through the building approvals process and not at planning. This can give rise to situations whereby a development may receive planning approval that does not account for the vegetation removal required to comply with the bushfire requirements at the building approvals stage. Inclusion of the overlay will ensure that assessing planning officers and developers consider - at the development application stage - any requirement to consider vegetation removal.</p> <p>Implementation of the overlay is accordingly consistent with (e).</p>
<p><i>(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and</i></p>	<p>The overlay will support the application of planning and building requirements for bushfire protection, the key purpose of which are to reduce risk to life and property. Furthermore, as it will be a publically accessible layer it will support community awareness of bushfire risk.</p> <p>The overlay will therefore support the aim of securing a safe environment for working, living and recreation.</p> <p>Implementation of the overlay is accordingly consistent with (f).</p>

<i>(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</i>	As no new development standards are proposed to be introduced, the overlay is not considered to be in conflict with the conservation of any places identified as holding heritage, aesthetic, architectural or other cultural value.  Implementation of the overlay is accordingly consistent with (g).
<i>(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</i>	The overlay will not affect the requirements of the Bushfire-Prone Areas Code – it will simply clarify its application. The overlay is therefore not considered to be in conflict with public infrastructure and will not compromise the orderly provision and co-ordination of public utilities.  Implementation of the overlay is accordingly consistent with (h).
<i>(i) to provide a planning framework which fully considers land capability.</i>	As the overlay relates only to existing use and development controls its implementation will have no significant effect on the ability of land within the municipality to be sustainably used or developed for its intended purpose.  Implementation of the overlay is accordingly consistent with (i).

## 6.2 State Policies

Current State Policies created under the *State Policies and Projects Act 1993* include:

- State Policy on the Protection of Agricultural Land 2009;
- State Coastal Policy 1996; and
- State Policy on Water Quality Management 1997.

The proposed amendment to the Planning Scheme does not introduce any new development standards, rather, it will improve the application of the Bushfire-Prone Areas Code. The amendment will accordingly not facilitate the loss of productive agricultural land, nor the degradation of coastal land or water resources. The scheme amendment is accordingly not considered to be in conflict with any of the existing State Policies.

## 6.3 Cradle Coast Regional Land Use Planning Framework

Local Provision Schedules must be consistent with the relevant regional land use strategy for the area. The relevant document is the Cradle Coast Regional Land Use Planning Framework.

The Framework recognises the need to mitigate risk to life and property from natural hazards through appropriate land use planning. The specific policies relevant to bushfire risk are addressed below.

It also noted that the Framework promotes a strategy of urban containment (as opposed to linear urban growth), primarily with the aim of improving liveability, reducing car dependence, protecting agricultural land and protecting ridgelines. This strategy indirectly supports community fire safety by limiting the growth of the urban-rural interface and further development in high-risk locations.



#### **4.4 Land use policies for protecting people and property**

*Land use planning processes for risk management –*

- a. Recognise land exposed to future or enhanced risk is a valuable and strategic resource that should not be sterilised by unnecessarily excluding use or development*
- b. Establish the priority for risk management is to protect the lives of people, the economic value of buildings, the functional capacity of infrastructure, and the integrity of natural systems*
- c. Avoid new essential service, sensitive or inappropriately located use or development on undeveloped land exposed to or affected by a high level of an existing, likely future or enhanced risk, including from inundation and erosion by the sea, flooding, bush fire or landslide.*
- d. Limit opportunity for expansion of existing essential service, sensitive or inappropriately located use and development onto land exposed to or affected by an existing, likely future or enhanced level of risk*
- e. Limit opportunity for redevelopment and intensification of existing essential service, sensitive or inappropriately located use or development on land exposed to or affected by an existing, likely future or enhanced level of risk unless the impact can be managed to be no greater or less than the existing situation*
- f. Promote guidelines and technical measures that which will assist to reduce impact of an existing, likely future or enhanced level of risk and make existing strategically significant places, uses, development and infrastructure assets less vulnerable, including provision for protection, accommodation and abatement, or retreat*
- g. Require a hazard risk assessment for new or intensified use or development on land exposed to an existing, likely future or enhanced risk, such assessment to address the nature and severity of the hazard, the specific risk factors for the proposed use or development, and the measures required to mitigate any risk having exceedance probability of greater than 1% at any time over the life of the development*
- h. Ensure current and future landowners and occupiers are put on notice of the likelihood for a future or enhanced level of risk*

The existing '100m from 1ha' trigger for determining application of bushfire requirements is a simplistic approach that is used in the absence of mapping. The proposed mapping will provide a more refined mechanism for determining application of bushfire requirements as the spatial extent of the overlay has been adjusted based on expert judgement. This process has allowed for some properties to be 'mapped out' on the basis of insufficient risk. This is considered to be consistent with 4.4(a).

The overlay will support application of existing requirements that apply to proposed use and development with the aim of protecting life and property from the effects of bushfire, consistent with 4.4(b),(c),(d) and (e).

Paragraph (f) is less relevant to the proposed overlay, however it is noted that the overlay will provide a useful resource when planning risk mitigation measures for existing settlements.

The overlay will directly relate to the existing planning and building controls that require a bushfire hazard assessment be completed for new or intensified use or development and is thereby consistent with (g).

Provision of a publicly-accessible and property-based layer that identifies designated bushfire-prone areas will increase the opportunity for landowners to inform themselves with respect to potential exposure to fire risk, consistent with (h).

## 6.4 Devonport City Council Strategic Plan 2009-2030

The Strategic Plan 2009-2030 is the relevant strategic plan prepared under s.66 of the *Local Government Act 1993*. The Strategic Plan provides five goals with supporting outcomes and strategies.

The relevant strategies are addressed in Table 4.

Table 4 – Relevant strategies

Strategies	Response
<i>2.1.1 Apply and review the Devonport Interim Planning Scheme as required, to ensure it delivers local community character and appropriate land use</i>	Should Council decide to implement the draft overlay through the Devonport Interim Planning Scheme, the required Draft Amendment would clarify and improve application of existing development standards.
<i>2.1.2 Provide high quality, consistent and responsive development assessment and compliance processes</i>	The overlay will spatially define areas that are subject to existing planning and building requirements. In doing so, it will remove ambiguity and unnecessary delays from the process and will enhance consistency in decision-making.
<i>2.1.3 Work in partnership with neighbouring councils, State Government and other key stakeholders on regional planning and development issues</i>	Preparation of the draft overlay has been a collaborative exercise between Council and State Government (TFS).
<i>2.3.4 Provide accessible and sustainable parks, gardens and open spaces to appropriate standards</i>	Council's commitment to maintaining certain areas for public amenity purposes has been considered with respect to bushfire fuels. This has enabled a number of areas to be mapped out of the overlay on the basis of insufficient risk.
<i>4.4.1 Support the community in emergency management response and recovery</i>	<p>Subdivision, land use and development that conforms to contemporary requirements for bushfire protection will be safer buildings to defend and will have suitable access and water supplies to assist emergency response.</p> <p>Vulnerable and hazardous uses that conform to bushfire requirements for emergency planning will also be better placed to minimise risk to occupants.</p> <p>Whilst the bushfire-prone areas overlay does not introduce any new requirements, it will support the application of existing standards that are designed to mitigate risk to the community from bushfire hazards.</p>
<i>4.4.4 Facilitate and support a collaborative approach to community safety</i>	<p>Community fire safety is a responsibility shared by individuals, communities and government.</p> <p>The overlay will likely increase awareness of bushfire risks in some parts of the community. This is a benefit of the overlay as an informed community is more likely to consider how they can mitigate risk to their property and its occupants.</p>

<p><i>5.4.1 Provide timely, efficient, consistent and quality services which are aligned with, and meet, customer needs</i></p>	<p>The draft overlay is property based and clearly identifies land that is subject to planning/building requirements for bushfire. It removes ambiguity about application of these requirements, thereby supporting Council's strategy of providing timely and efficient service to customers of the planning and building sections of Council.</p>
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## 7 Future Revisions

The bushfire-prone areas overlay will need to be reviewed and updated periodically to ensure it remains accurate. This will logically form part of Council's five-year review process for their Local Provision Schedules under the Tasmanian Planning Scheme.

The *Land Use Planning and Approvals Act 1993* allows Council to initiate amendments to their Local Planning Provisions at any time. It may be appropriate at times to review and amend parts of the overlay due to new development, land use change or new management regimes being introduced.

In the situation where a scheme amendment is required to facilitate a new development (e.g. a combined rezoning and green-field subdivision proposal) it may be appropriate that the overlay also be amended as part of the amendment process.

It is anticipated that TFS will be consulted as part of any future review or amendment process involving the bushfire-prone areas overlay.

## 8 Conclusion

The Tasmania Fire Service in collaboration with Council officers have completed a draft bushfire-prone areas overlay for Devonport.

The overlay identifies land where potential exposure to bushfire hazard is considered sufficient to warrant a planning or building response to reduce risk to life and property. It will greatly improve clarity in relation to the application of existing requirements, thereby improving the efficiency and consistency of planning and building approvals processes.

In the process of developing the overlay, a significant number of properties have been able to be mapped out on the basis of insufficient risk to warrant a built response. Introduction of the overlay thereby presents an economic benefit to those landowners.

The overlay will also support community education on community fire safety and will provide a useful resource for the administration of the fire permit system and hazard abatement programs.

For the overlay to serve its statutory purpose it must be incorporated into Council's planning provisions. This can be achieved through an amendment to the Devonport Interim Planning Scheme 2013 or through the Tasmanian Planning Scheme process. Either option is considered to be consistent with the relevant strategic planning considerations.

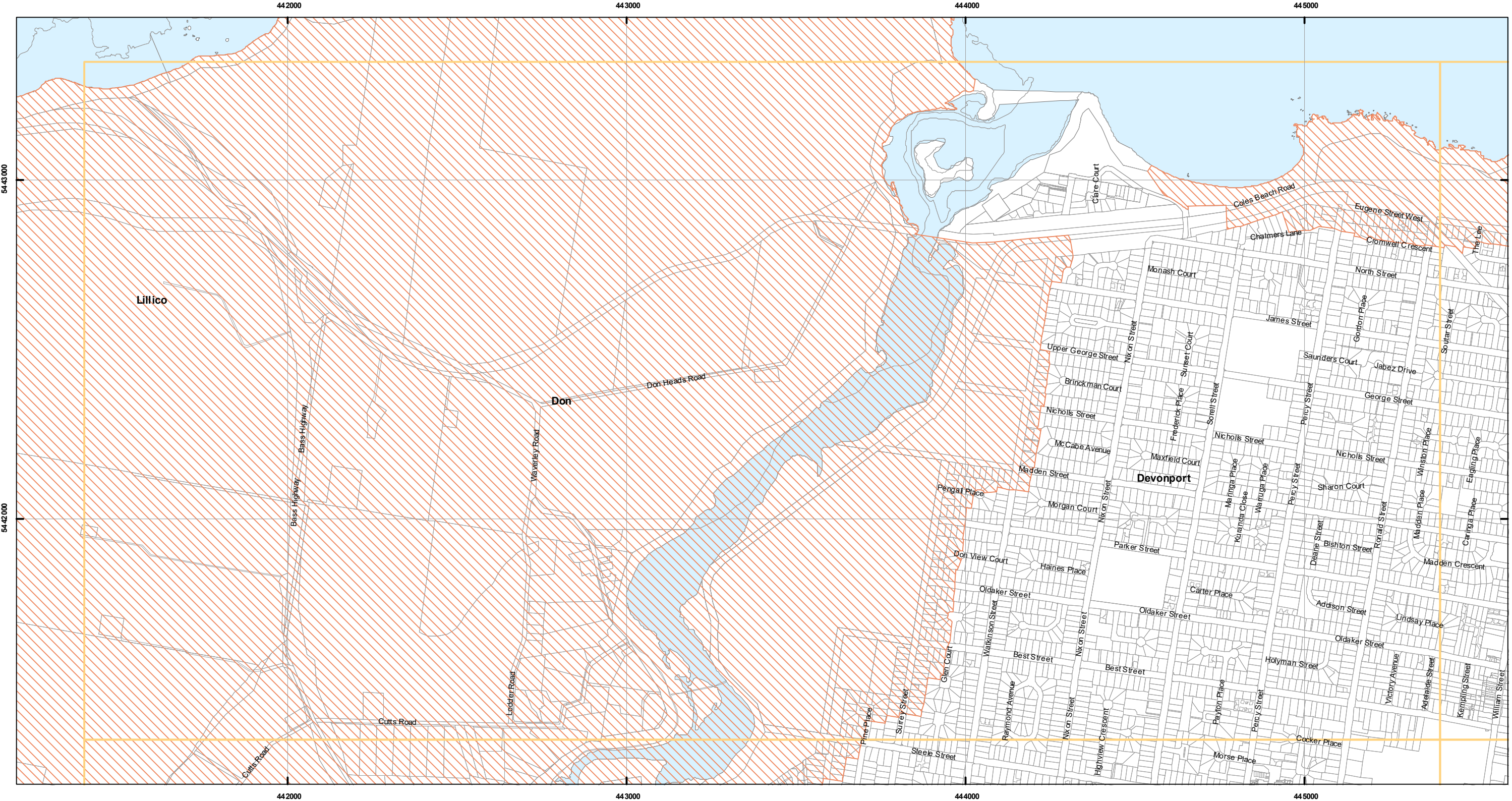
## **APPENDIX A**

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### **Bushfire-Prone Areas Overlay**

# Tasmanian Planning Scheme - Devonport Local Provisions Schedule:

## Bushfire-Prone Areas Overlay

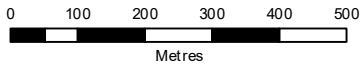


**Legend**

Bushfire Prone Area

Parcels

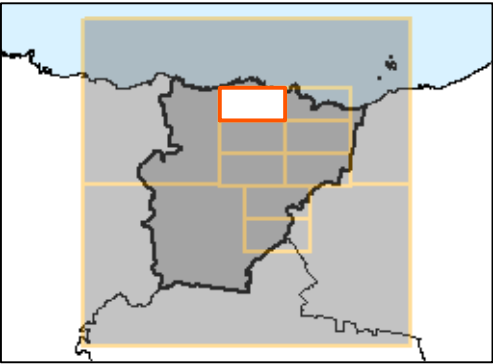
Map 1 of 10



Coordinate System: GDA 94 MGA Zone 55

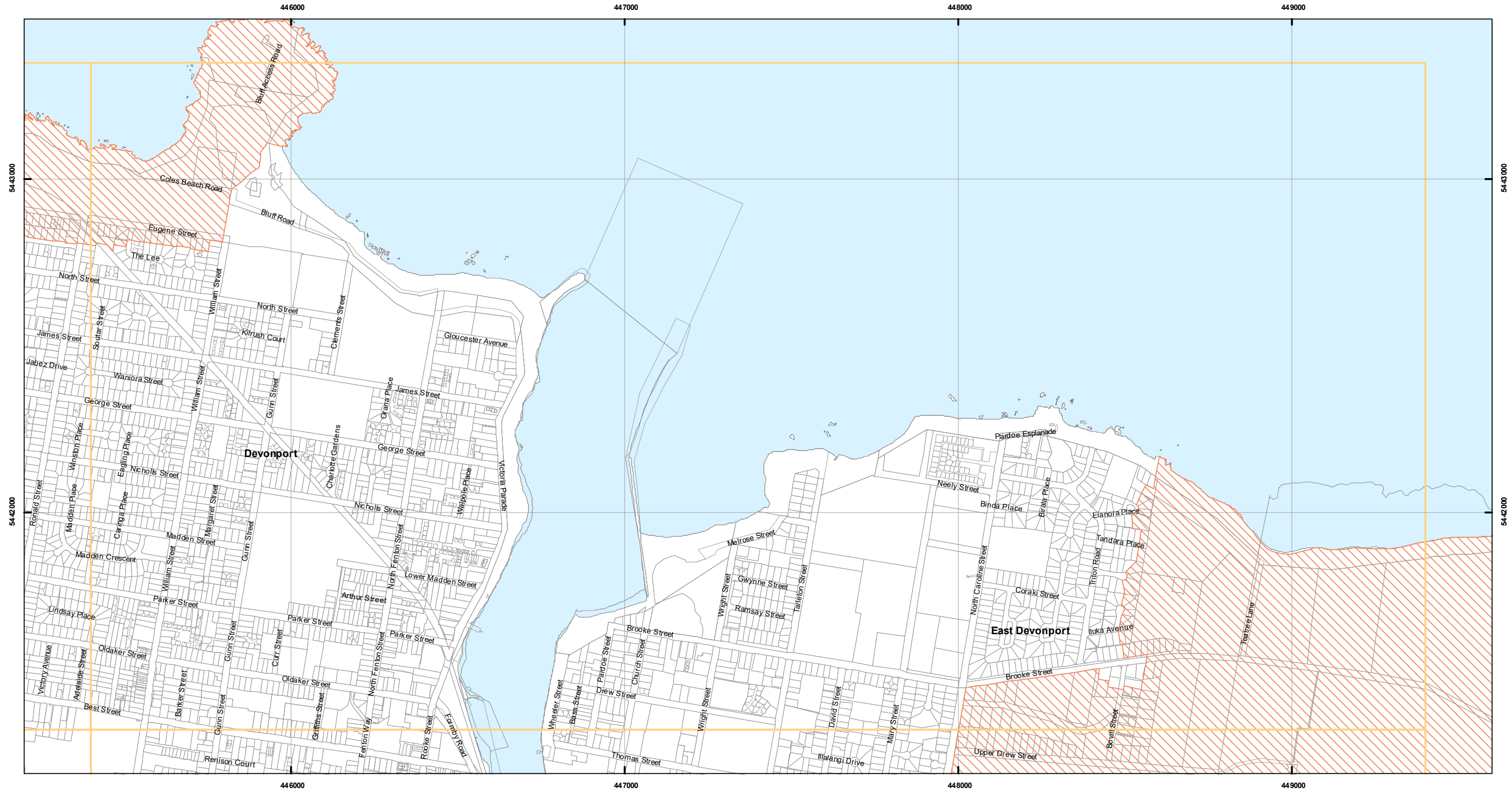
Overlay data from Devonport Council and Tasmania Fire Service  
Base topographic data from the LIST © State of Tasmania

Print Date: 21/03/2019







# Tasmanian Planning Scheme - Devonport Local Provisions Schedule: Bushfire-Prone Areas Overlay

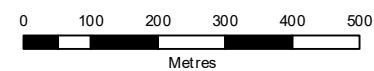


**Legend**

 Bushfire Prone Area

 Parcels

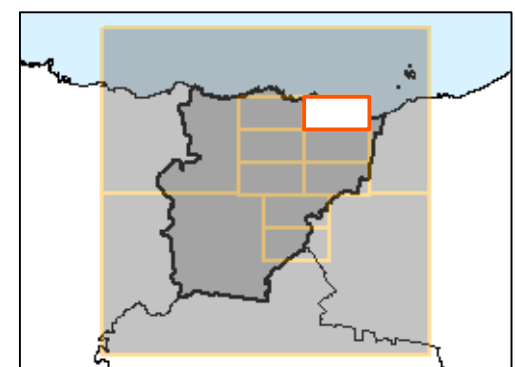
Map 2 of 10



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Devonport Council and Tasmania Fire Service  
Base topographic data from the LIST © State of Tasmania

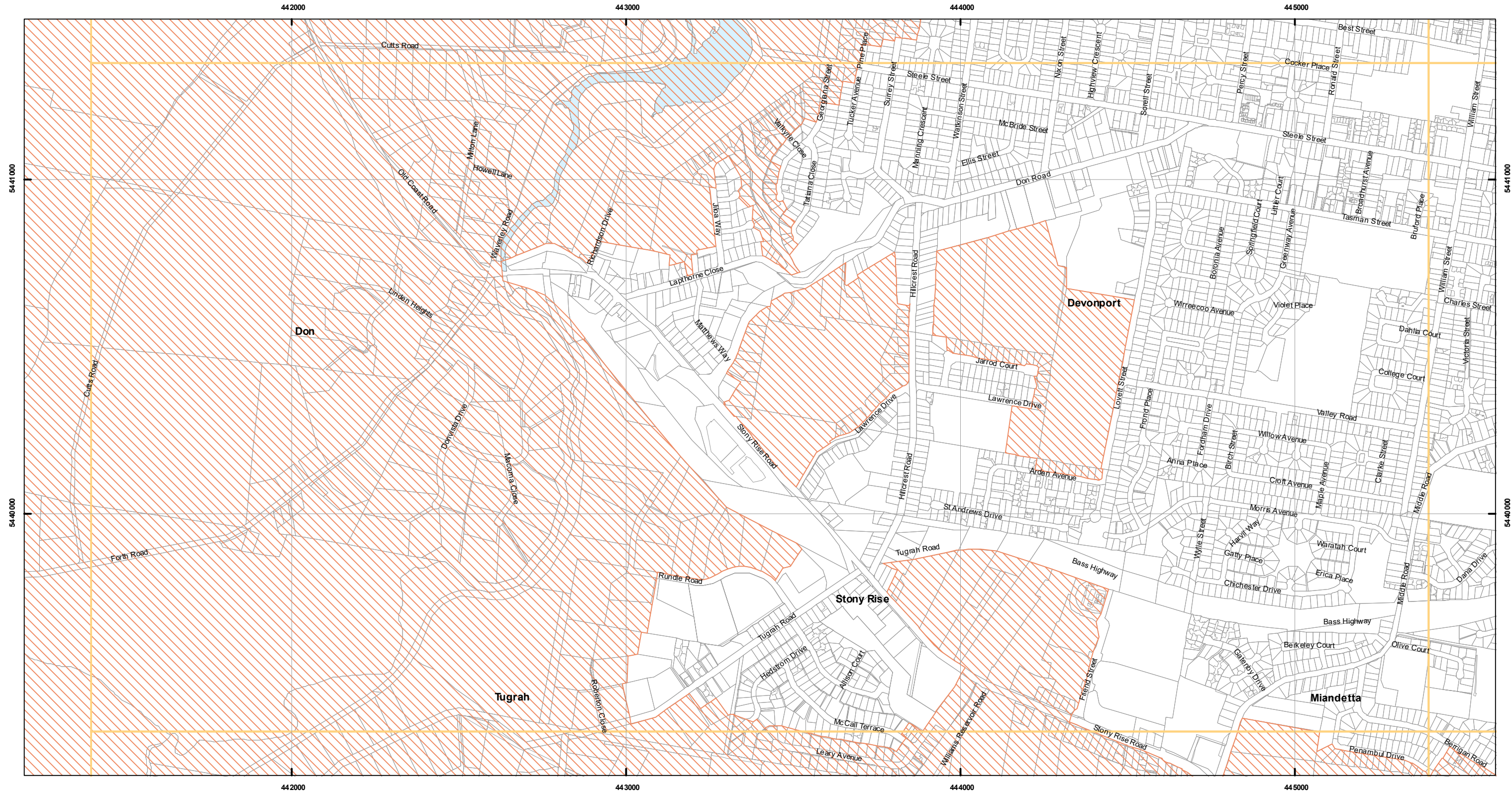
Print Date: 21/03/2019





# Tasmanian Planning Scheme - Devonport Local Provisions Schedule:

## Bushfire-Prone Areas Overlay

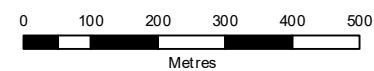


**Legend**

Bushfire Prone Area

Parcels

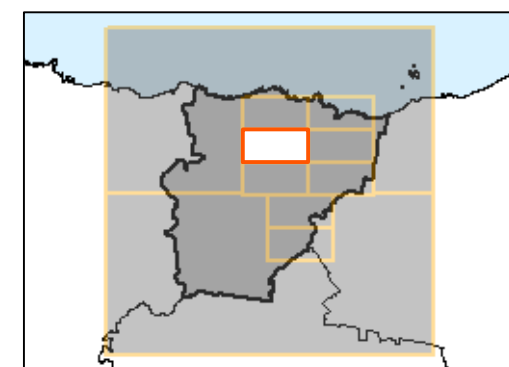
Map 3 of 10



Coordinate System: GDA 94 MGA Zone 55

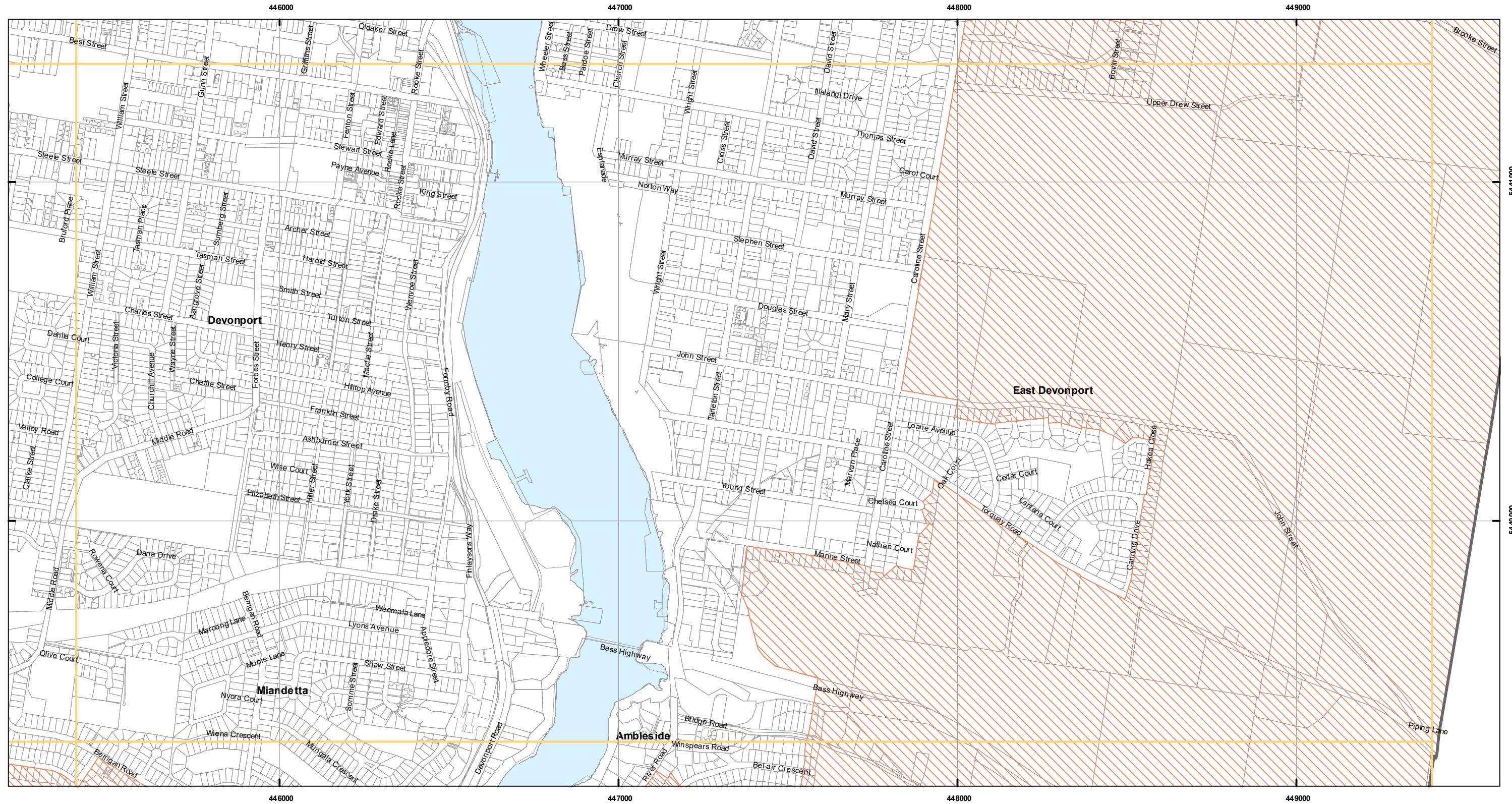
Overlay data from Devonport Council and Tasmania Fire Service  
Base topographic data from the LIST © State of Tasmania

Print Date: 21/03/2019





# Tasmanian Planning Scheme - Devonport Local Provisions Schedule: Bushfire-Prone Areas Overlay

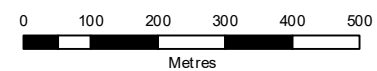


**Legend**

Bushfire Prone Area

Parcels

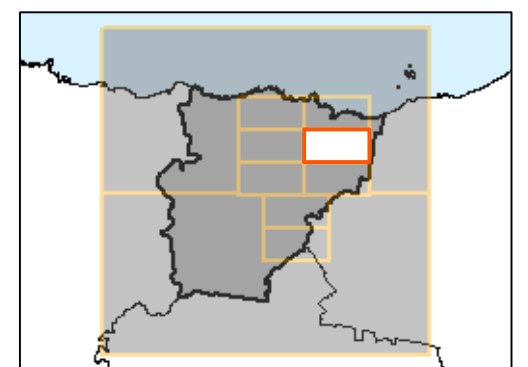
Map 4 of 10



Coordinate System: GDA 94 MGA Zone 55

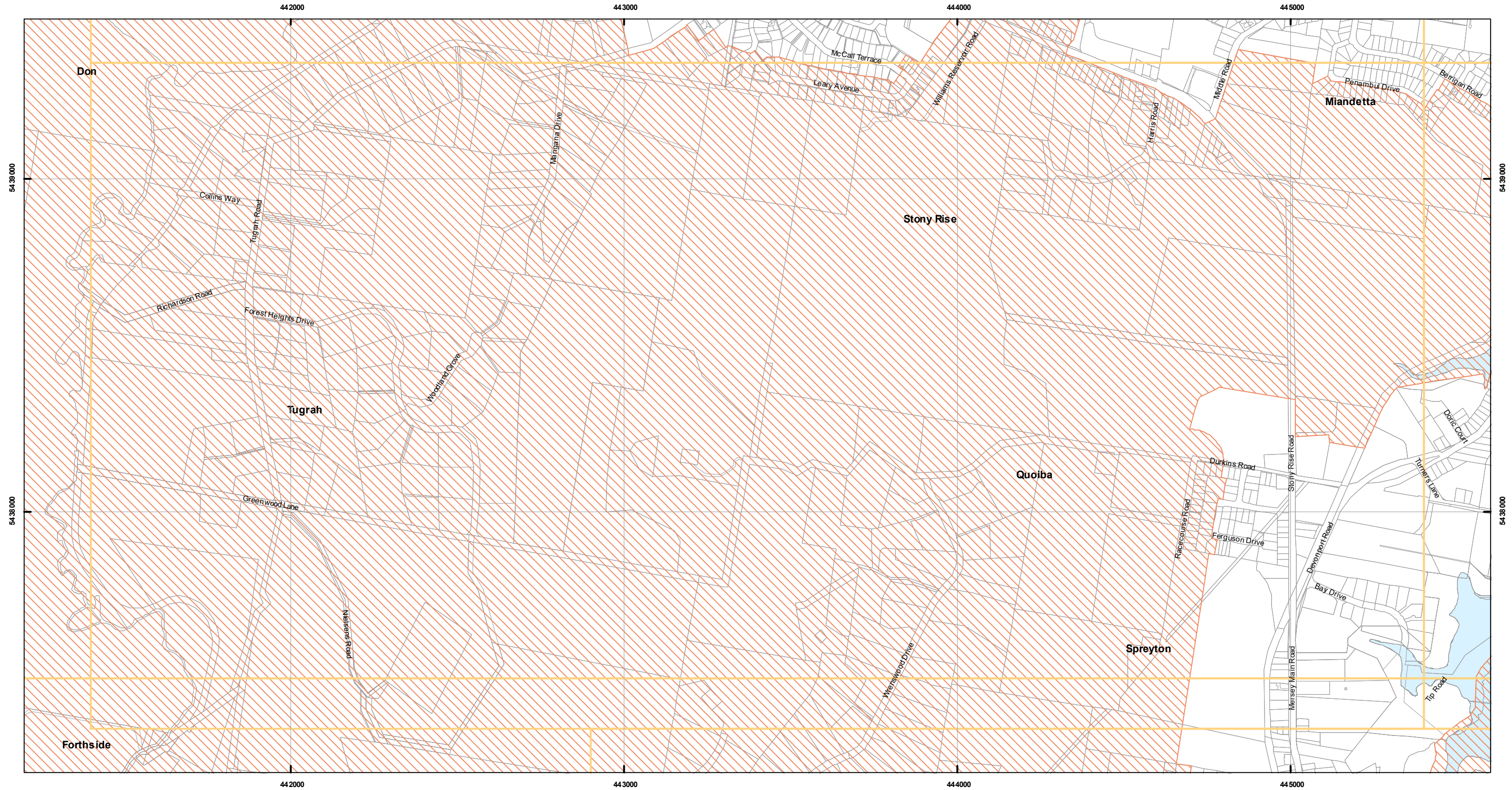
Overlay data from Devonport Council and Tasmania Fire Service  
Base topographic data from the LIST © State of Tasmania

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# Tasmanian Planning Scheme - Devonport Local Provisions Schedule: Bushfire-Prone Areas Overlay

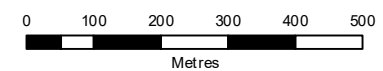


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Bushfire Prone Area

Parcels

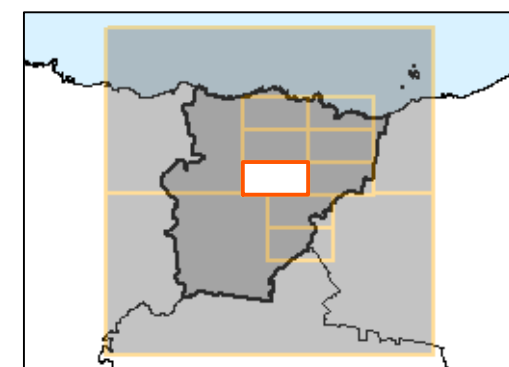
Map 5 of 10



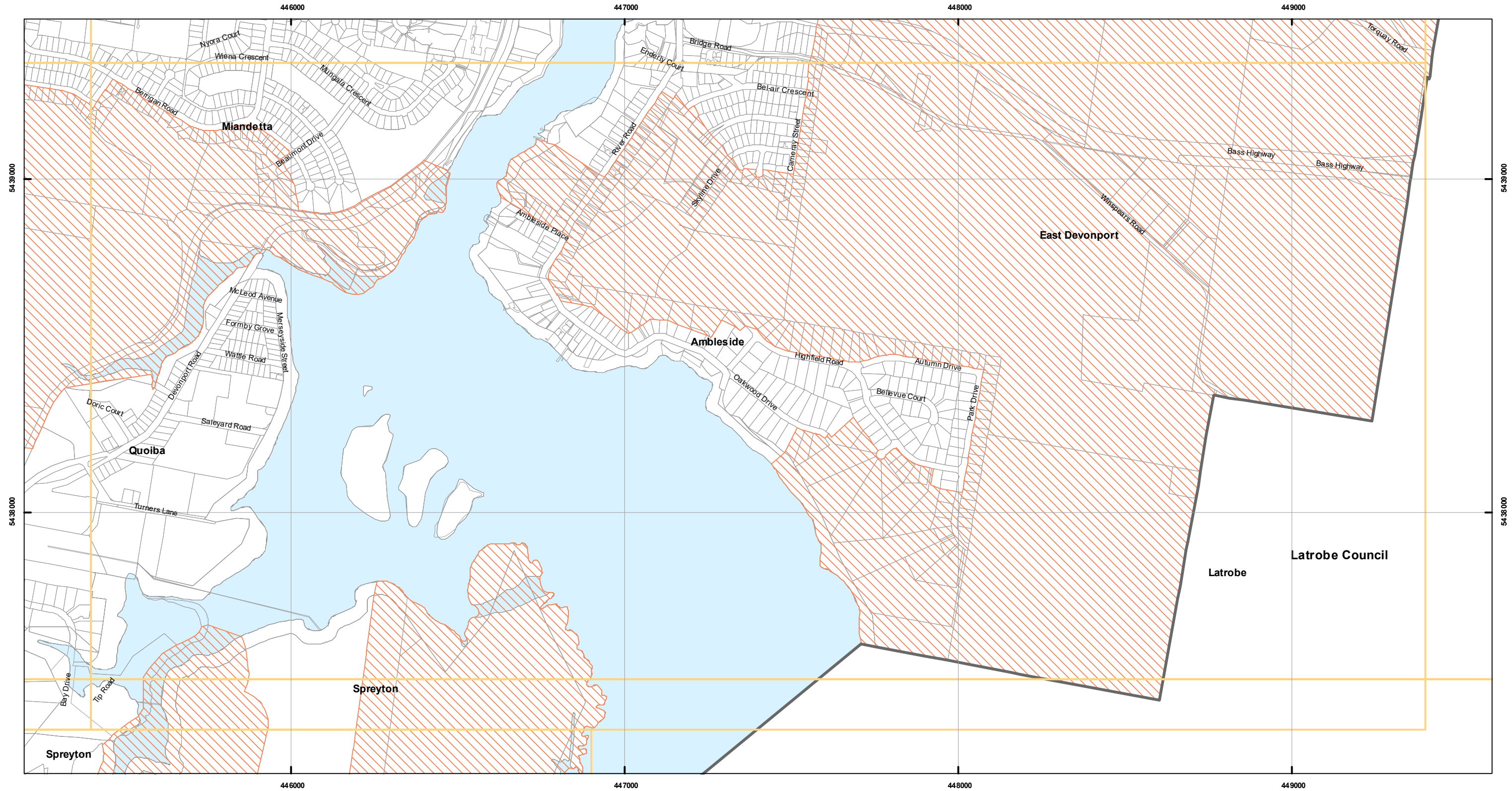
Coordinate System: GDA 94 MGA Zone 55

Overlay data from Devonport Council and Tasmania Fire Service  
Base topographic data from the LIST © State of Tasmania


Print Date: 21/03/2019




# Tasmanian Planning Scheme - Devonport Local Provisions Schedule: Bushfire-Prone Areas Overlay

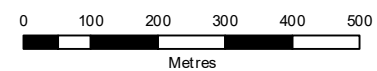


**Legend**

 Bushfire Prone Area

 Parcels

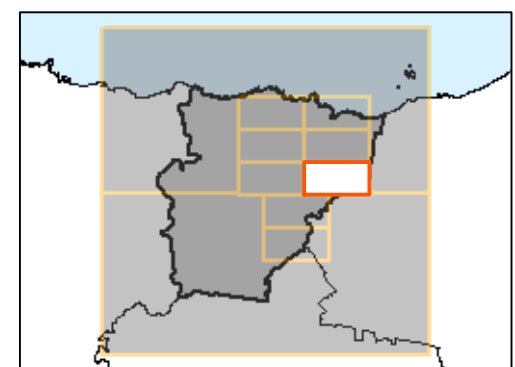
Map 6 of 10



Coordinate System: GDA 94 MGA Zone 55

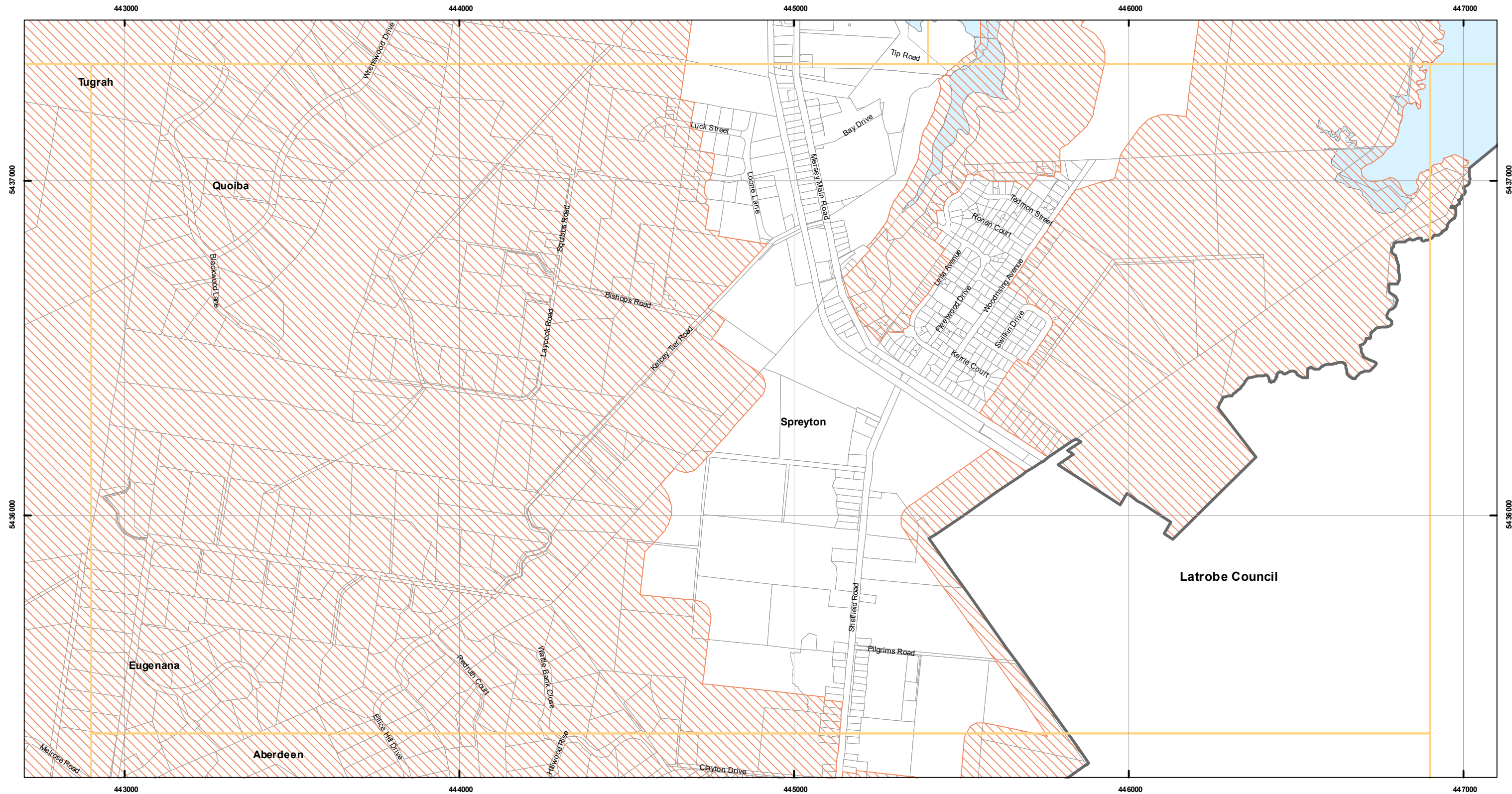
Overlay data from Devonport Council and Tasmania Fire Service  
Base topographic data from the LIST © State of Tasmania

Print Date: 21/03/2019







# Tasmanian Planning Scheme - Devonport Local Provisions Schedule: Bushfire-Prone Areas Overlay

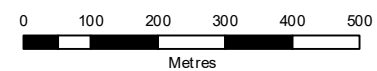


**Legend**

 Bushfire Prone Area

 Parcels

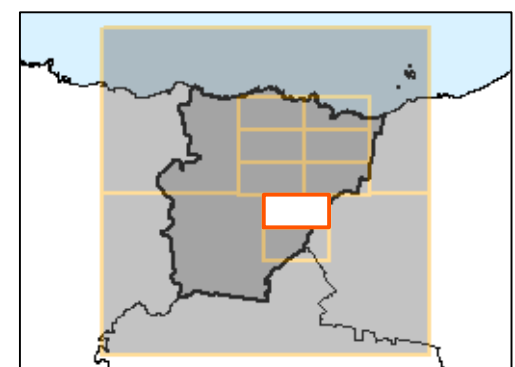
Map 7 of 10



Coordinate System: GDA 94 MGA Zone 55

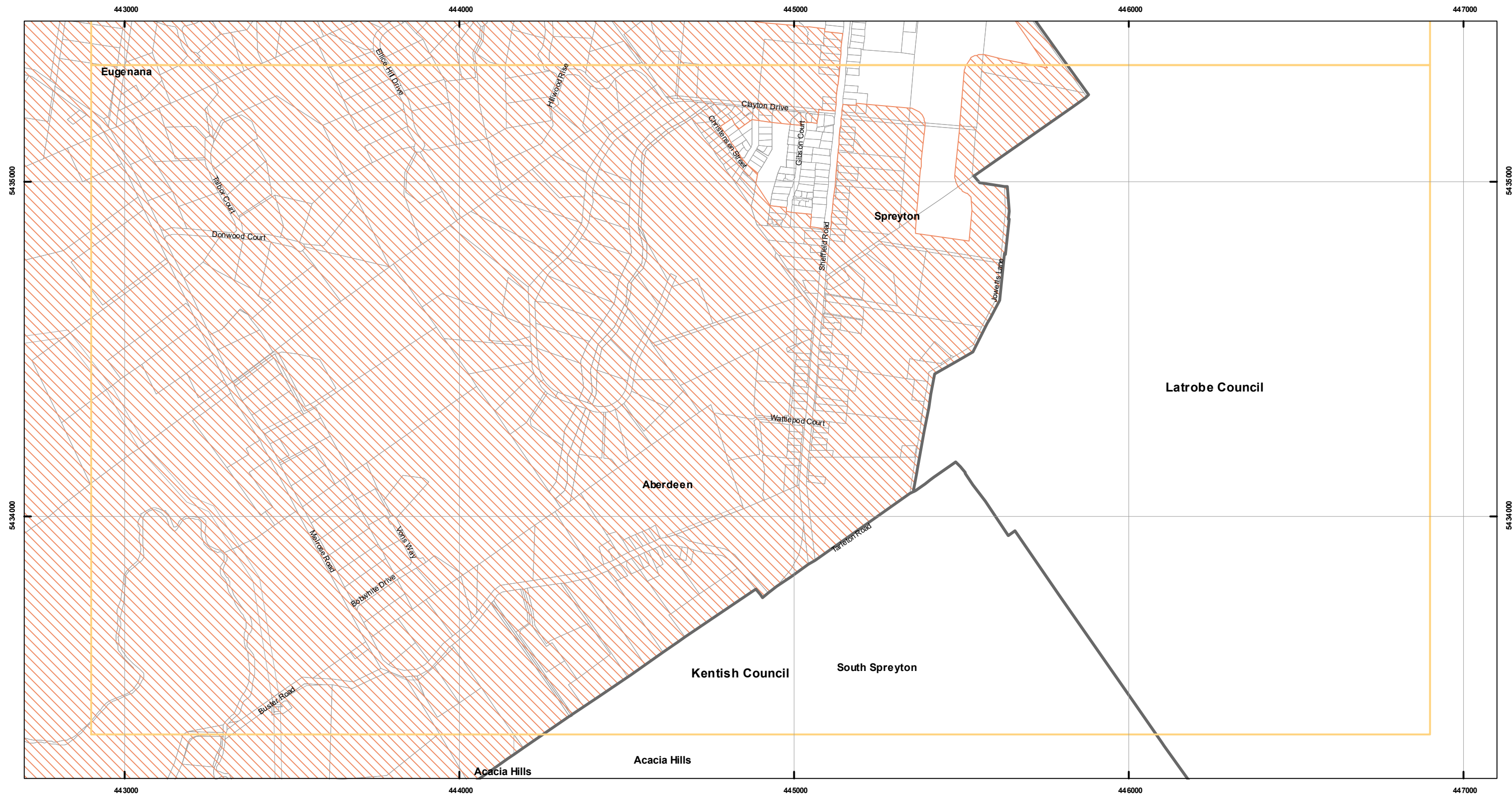
Overlay data from Devonport Council and Tasmania Fire Service  
Base topographic data from the LIST © State of Tasmania

Print Date: 21/03/2019







# Tasmanian Planning Scheme - Devonport Local Provisions Schedule: Bushfire-Prone Areas Overlay

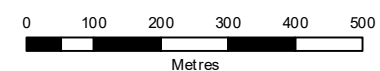


**Legend**

 Bushfire Prone Area

 Parcels

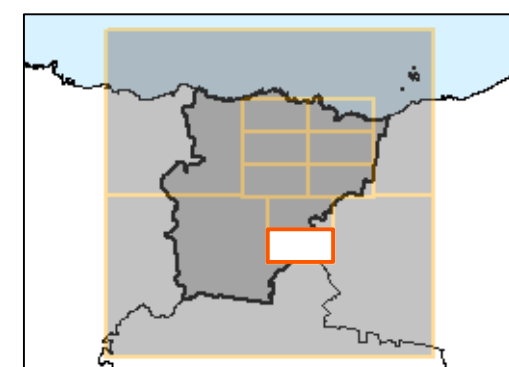
Map 8 of 10



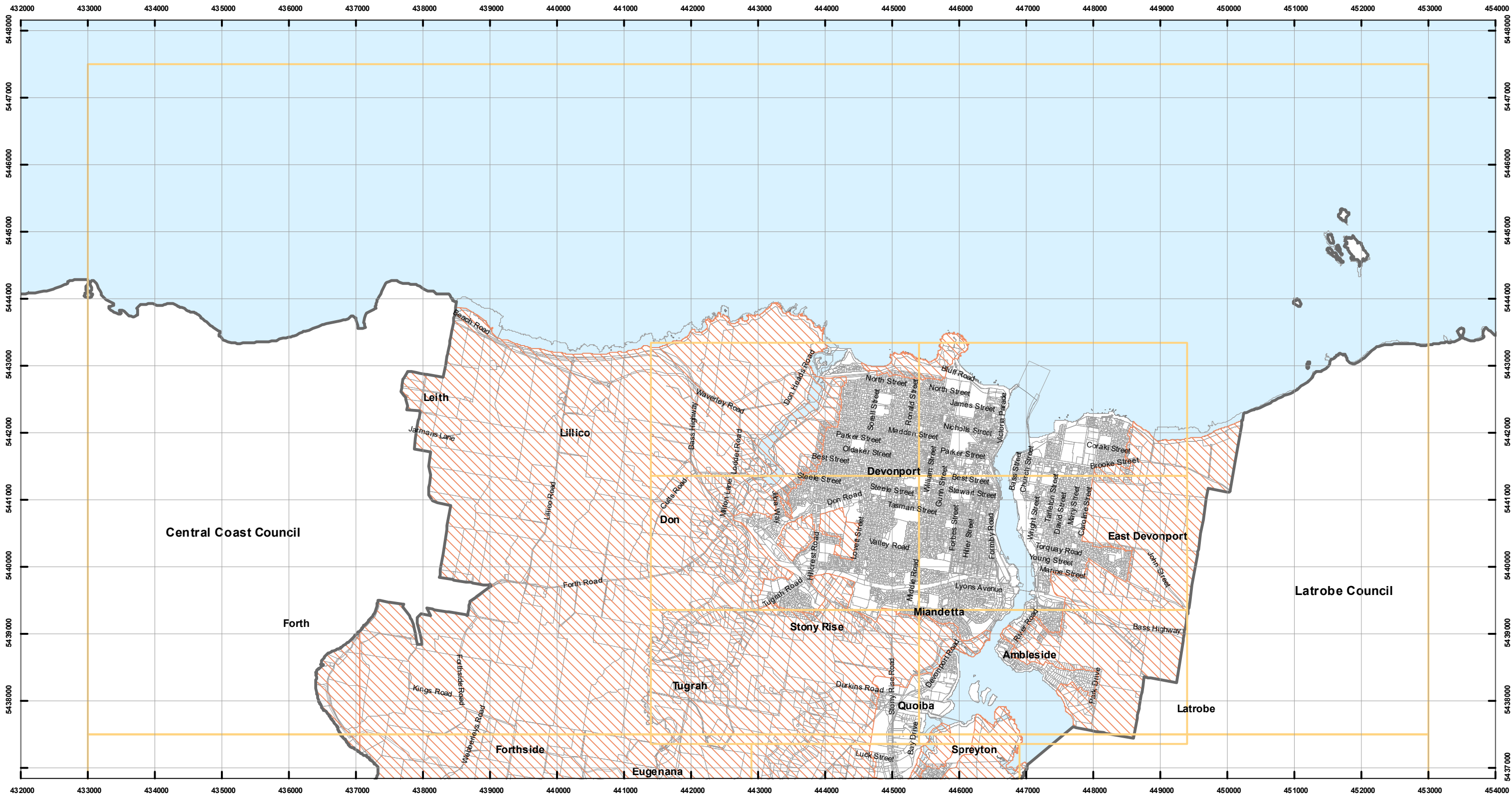
Coordinate System: GDA 94 MGA Zone 55

Overlay data from Devonport Council and Tasmania Fire Service  
Base topographic data from the LIST © State of Tasmania


Print Date: 21/03/2019




# Tasmanian Planning Scheme - Devonport Local Provisions Schedule: Bushfire-Prone Areas Overlay

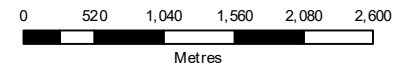


**Legend**

 Bushfire Prone Area

 Parcels

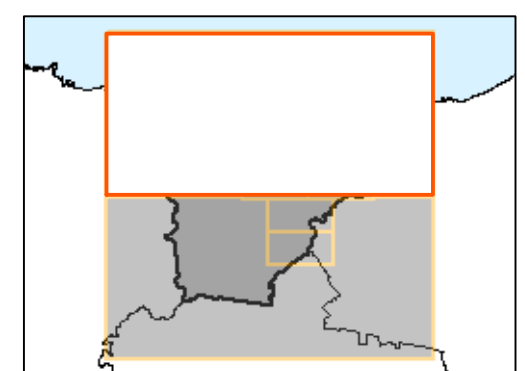
Map 9 of 10



Coordinate System: GDA 94 MGA Zone 55

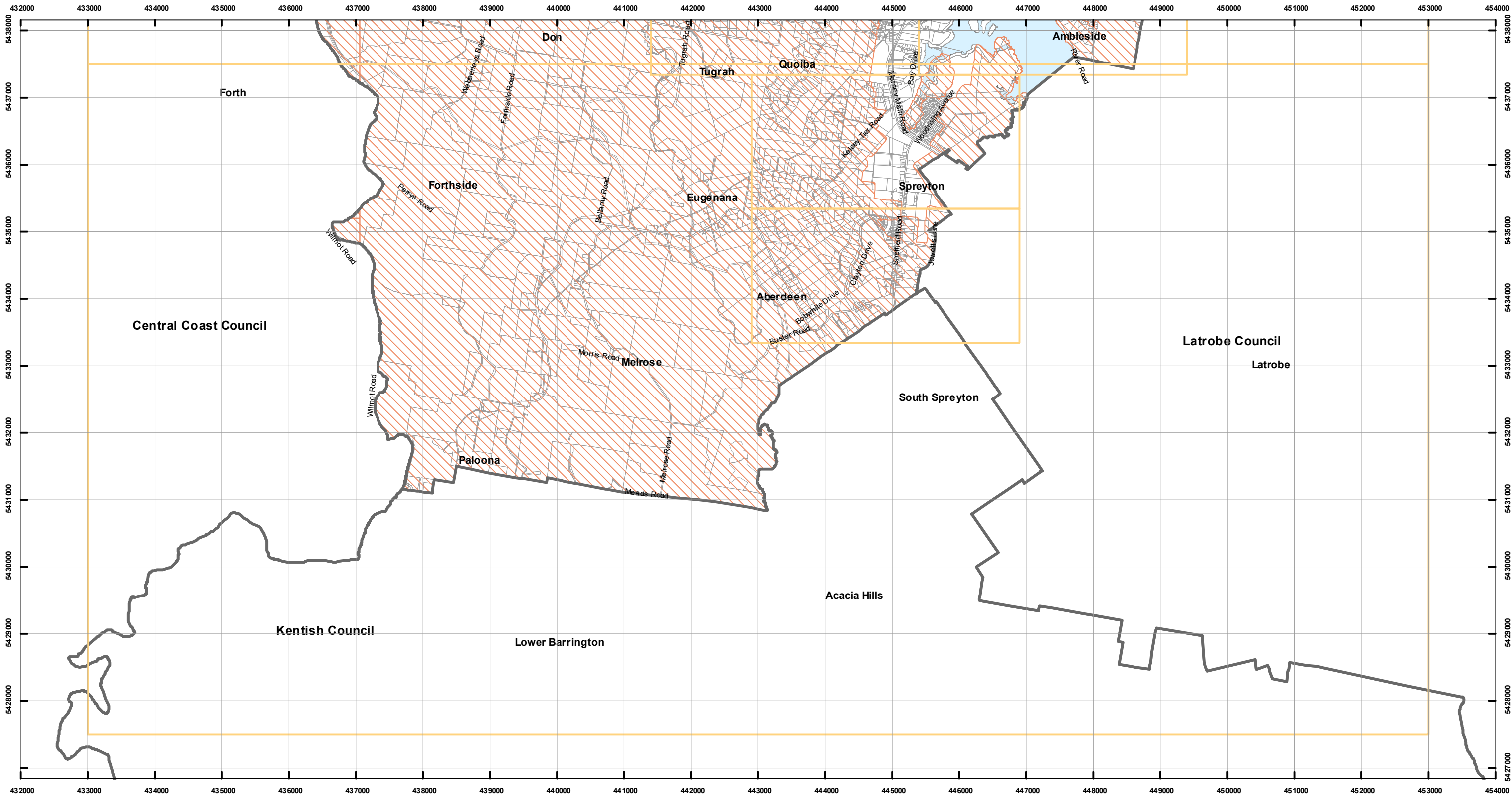
Overlay data from Devonport Council and Tasmania Fire Service  
Base topographic data from the LIST © State of Tasmania

Print Date: 21/03/2019







# Tasmanian Planning Scheme - Devonport Local Provisions Schedule: Bushfire-Prone Areas Overlay



**Legend**

 Bushfire Prone Area

 Parcels

**Map 10 of 10**

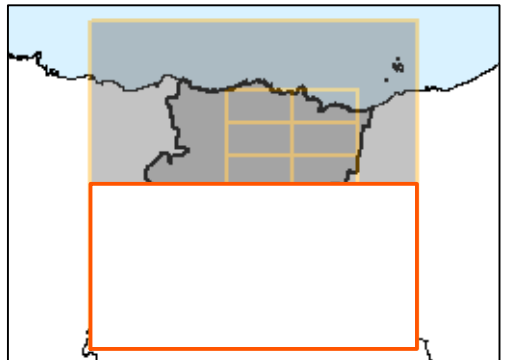
05201,0401,5602,0802,600

Metres

Coordinate System: GDA 94 MGA Zone 55

Overlay data from Devonport Council and Tasmania Fire Service  
Base topographic data from the LIST © State of Tasmania

Print Date: 21/03/2019





Tasmania Fire Service

# BUSHFIRE-PRONE AREAS OVERLAY

## Frequently Asked Questions

### **1. *Why do we need a bushfire-prone areas overlay?***

The key function of the overlay is to spatially define areas that are considered 'bushfire-prone' for planning and building compliance purposes.

Since 2012 Tasmanian planning and building legislation has required certain land uses, subdivision and building work within a 'bushfire-prone area' to satisfy minimum safety standards. In the absence of an overlay however, there is sometimes ambiguity in relation to what is or isn't considered to be a 'bushfire-prone area'. The overlay will provide landowners, regulators, developers and designers with much needed certainty with regards to application of these requirements.

It is noted that stakeholders including the Housing Industry Association and the Master Builders Association actively participated in the development of the current regulatory system and have strongly urged government to have suitable mapping of bushfire-prone areas provided as soon as possible.

All Tasmanian Councils will be required eventually to have a bushfire-prone areas overlay as part of the Tasmanian Planning Scheme. To avoid unnecessary delay, TFS recommends that Councils introduce their overlays sooner by amending their existing planning scheme where it is feasible to do so. In doing so, the benefits of the overlay can be delivered sooner rather than later.

### **2. *Can the overlay be amended?***

As with any planning scheme overlay, Council may initiate an amendment at any time if there is good reason to do so. Also the overlay may be amended in conjunction with future combined rezoning and subdivision proposals.

It is anticipated that the overlay will also be periodically reviewed and updated as part of Local Government's routine review of its Local Provision Schedules once the transition to the Tasmanian Planning Scheme is complete.

### **3. *Will the overlay affect insurance premiums for property owners?***

The insurance industry has its own long standing risk mapping products which inform their premiums.

If insurance providers choose to base their premiums on whether or not land is classed as 'bushfire-prone' within the planning scheme, this still would be of no real significance given the overlay will not result in any additional properties being classed as 'bushfire-prone' that aren't already .

To the contrary, the overlay will actually reduce the number of properties that are classified as 'bushfire-prone' for the purposes of planning and building compliance.

It is noted that Clarence introduced their bushfire-prone areas overlay in 2015 and Hobart in 2017. TFS is not aware of any evidence of resultant effects on insurance premiums in either local government area.

#### **4. *Will the overlay negatively affect property values?***

All properties that are mapped within a draft overlay are already 'bushfire-prone' under existing planning and building legislation. The overlay does not introduce any new development standards - it simply clarifies the application of existing requirements. Therefore, it is highly unlikely that the overlay has any effect on property value. Given that so much of Tasmania is identified as bushfire-prone any effect would be widespread and have minimal effect between similar properties.

It is noted that Clarence introduced their bushfire-prone areas overlay in 2015 and Hobart in 2017. TFS is not aware of any evidence of resultant effects on property values in either local government area.

#### **5. *Will the overlay increase the cost of land development?***

Complying with the existing planning and building requirements for bushfire protection inevitably adds cost to development. There are two cost elements, firstly the costs of assessment and secondly the costs of the bushfire mitigation measures. The extensive consultation that occurred when the Bushfire-Prone Areas Code was introduced concluded that the compliance costs are outweighed by the benefit of increased community safety.

All properties that are within the draft overlay are already considered 'bushfire-prone' under existing planning and building legislation. As such, introduction of the overlay will have no effect on the cost of land development. The introduction of the overlay will actually reduce the number of properties that are classified as 'bushfire-prone' for the purposes of planning and building compliance. These properties will no longer require the expenditure of the costs of the assessment and the overlay will therefore actually reduce compliance costs to the Tasmanian community as a whole.

#### **6. *My property is in a residential area and adjoins farmland – why is it within the bushfire overlay?***

Grasslands are a commonly underestimated fire hazard but present a significant risk to Tasmanian communities. Furthermore, living in a suburban street is not a guarantee that nearby fuels are being adequately managed and that the suburban home is appropriately prepared for a bushfire event.

Clearly risk profiles will vary across the landscape depending on a range of factors, as does the perception of risk perception within affected communities. In some areas



and to some people being located within a bushfire-prone area may not be consistent with their own perceptions, in other areas it will confirm existing perceptions. It is worth noting that the overlay does not delineate between 'high', 'medium' and 'low' risk.

**7. *Will Council be exposed to litigation if it approves building work on land outside the overlay area that is subsequently damaged in a bushfire?***

The overlay is not intended to comprehensively identify all land that may be subject to bushfire attack in all scenarios. It identifies land where the risk is considered high enough during a 'design bushfire' scenario to warrant a built response.

The overlay is similar in some ways to other hazard maps used in planning schemes, such as those for flood-prone areas and landslip. These overlays are also applied to land where risk exposure is considered sufficient to warrant a built response but none imply that there is no risk to properties in rarer events that are outside of the overlays.

The bushfire-prone areas overlay does not apply to properties further than 100m from a potential fire front. This reflects the maximum distance considered in Australian Standard 3959 Construction of buildings in bushfire-prone areas. History has shown that ember attack can impact properties several hundred metres from a fire front although the probability of loss of life and built assets decreases with increased distance. There always will be some level of risk to properties outside of the overlay however it is considered tolerable without requiring landowners to go to the added expense of building for bushfire protection.

The overlay has been prepared in good faith and informed by expert judgement and it is highly unlikely that Council would be subject to successful litigation as a result of property loss outside of the overlay area.

**8. *Being on a town water supply means there is no bushfire risk doesn't it?***

The greatest component of bushfire risk is the location of the property in relation to bushfire fuels. Having water available for firefighting is an important protection measure but it does not mean the threat from the fuels is removed.

**9. *We have had our block for years and there's never been a fire so why worry now?***

Tasmania is well known for very infrequent but very severe fires. If bushfire protection measures only have to be tested once every few decades it is still a good investment in community safety to have development on the urban fringe and in rural areas resilient to bushfires.

## **APPENDIX X**

**Ministerial Notices and Declarations for transitional arrangements made under  
Schedule 6 of the *Land Use Planning and Approvals Act 1993***

# Devonport Interim Planning Scheme 2013

## *Land Use Planning and Approvals Act 1993*

### Section 87C & Schedule 6, Clause 8(4)

#### DECLARATION

I, ROGER CHARLES JAENSCH, Minister for Planning, acting in accordance with Schedule 6, Clause 8(4) of the *Land Use Planning and Approvals Act 1993* ("the Act") after having consulted with the Tasmanian Planning Commission, declare the specific area plans, particular purpose zones and site specific qualifications identified in the Schedule to this declaration to be plans zones and qualifications to which Schedule 6, Clause 8 of the Act does not apply.

Dated this 19 day of December, 2019



ROGER CHARLES JAENSCH

Minister for Planning

#### The Schedule

#### **Specific Area Plans, Particular Purpose Zones and Site-specific Qualifications declared not subject to Schedule 6, Clause 8 of the Act**

Provision	Reason
Central Business Zone – 22.2 Use Table Permitted – If not in Area "A": <ul style="list-style-type: none"><li>• Bulky Goods Sales</li><li>• Community Meeting and Entertainment</li><li>• Educational and Occasional Care</li><li>• Emergency Services</li><li>• Food Services</li><li>• General Retail and Hire</li><li>• Hospital Services</li><li>• Hotel Industry</li><li>• Pleasure Boat Facility</li><li>• Research and Development</li><li>• Service Industry</li><li>• Sports and Recreation</li><li>• Storage</li></ul>	<p>Some of the provisions are provided for by the State Planning Provision Central Business Zone Use Table 16.2 which includes:</p> <ul style="list-style-type: none"><li>• Hospital Services as a discretionary use;</li><li>• Service Industry as a discretionary use if for alterations or extensions to an existing use;</li><li>• Storage as a discretionary use if not for a liquid, solid or gas fuel depot; and</li><li>• Pleasure Boat Facility as a prohibited use.</li></ul> <p>The remaining provisions are inconsistent with the:</p> <ul style="list-style-type: none"><li>• purpose of the State Planning Provision Central Business Zone which aims to provide for the concentration of the higher order business, retail, administrative, professional, community, and entertainment functions within Tasmania's primary centres; and</li><li>• State Planning Provision Central Business Zone use table as it downgrades the status of various uses listed.</li></ul>

Provision	Reason
<ul style="list-style-type: none"> <li>• Tourist Operation</li> </ul> Discretionary – If not in Area "A": <ul style="list-style-type: none"> <li>• Bulky Goods Sales</li> <li>• Passive Recreation</li> <li>• Natural and Cultural Values Management</li> <li>• Service Industry</li> <li>• Sports and Recreation</li> <li>• Storage</li> <li>• Transport Depot and Distribution</li> <li>• Vehicle Fuel Sales and Service</li> </ul>	
Central Business Zone – 22.4.2 A1 Location and configuration of development Building height must – <ul style="list-style-type: none"> <li>• not be more than 25m; or</li> <li>• not be more than 10m on land within Area "A"</li> </ul>	Devonport City Council have advised that the provision is no longer required.
F3.0 Stony Rise Road Network Plan	Devonport City Council have advised that the provision is no longer required.
E2.0 Airport Impact Management Code	The provision is provided for by the State Planning Provisions Safeguarding of Airports Code
E5.0 Local Heritage Code	The provisions is provided for by the State Planning Provisions Local Historic Heritage Code
E6.0 Hazard Management Code	The provision is provided for by the State Planning Provisions Landslip Code
E9.0 Traffic Generating Use and Parking Code	The provision is provided for by the State Planning Provisions Parking and Sustainable Transport Code
Environmental Living Zone – 14.4.1 A1(a)(ii) Suitability of a site or lot for use or development No further subdivision permitted at CT 101522/1 (183 Beach Rd, Leith) and CT 108856/5 (185 Beach Rd, Leith).	Devonport City Council have advised that the provision is no longer required.
Environmental Living Zone - 14.4.2 Dwelling density Only single dwelling permitted per lot at CT 101522/1 (183 Beach Rd, Leith) and CT 108856/5 (185 Beach Rd, Leith).	Devonport City Council have advised that the provision is no longer required.

# Devonport Interim Planning Scheme 2013

## *Land Use Planning and Approvals Act 1993*

### Section 87C & Schedule 6, clause 8A(1)

#### NOTICE OF DECLARATION

To: Devonport City Council

Take notice that in accordance with Schedule 6, Clause 8A(1) of the *Land Use Planning and Approvals Act 1993* ("the Act") I, ROGER CHARLES JAENSCH, Minister for Planning, after having consulted with the Tasmanian Planning Commission, declare that the draft Devonport City Local Provisions Schedule prepared and the Devonport City Local Provisions Schedule made in relation to the municipal area of Devonport City under Part 3A of the Act must contain the specific area plans, particular purpose zones and site-specific qualifications provisions identified in the Schedule to this Notice.

Dated this  day of December, 2019

ROGER CHARLES JAENSCH

Minister for Planning

#### The Schedule

**Specific Area Plans, Particular Purpose Zones and Site-specific Qualifications  
declared subject to Schedule 6, Clause 8A(1) of the Act**

Provision
32.0 Particular Purpose Zone 1 – Elimatta Hotel



# Devonport Interim Planning Scheme 2013

## *Land Use Planning and Approvals Act 1993*

### Section 87C & Schedule 6, clause 8D(3)

#### DECLARATION

I, ROGER CHARLES JAENSCH, Minister for Planning, acting in accordance with Schedule 6, Clause 8D(3) of the *Land Use Planning and Approvals Act 1993* ("the Act") after having consulted with the Tasmanian Planning Commission, declare that Schedule 6, clause 8D(2) of the Act does not apply in relation to the code-applying provisions identified in the Schedule to this declaration in relation to the municipal area of Devonport City.

Dated this  day of December, 2019

ROGER CHARLES JAENSCH

Minister for Planning

#### The Schedule

#### Code-applying Provisions declared not subject to Schedule 6, Clause 8D(2) of the Act

Code	Reason
E1.0 Bushfire-Prone Areas Code	The code contains no relevant Code-applying Provisions.
E2.0 Airport Impact Management Code	The Local Provisions Schedule requirements at clause LP1.7.14(a) of the State Planning Provisions and guidelines SAC 1 to SAC 5 in Guideline No. 1 specify how the Airport Noise Exposure Area and the Airport Obstacle Limitation Area overlays are to be created for the State Planning Provisions Safeguarding of Airports Code.
E3.0 Clearing and Conversion of Vegetation Code	The code contains no relevant Code-applying Provisions.
E4.0 Change in Ground Level Code	The code does not relate to an equivalent State Planning Provisions Code.

Code	Reason
<p>E5.0 Local Heritage Code, excluding:</p> <ul style="list-style-type: none"> <li>• E5.1 Table to the Local Heritage Code (Buildings and Places);</li> <li>• E5.1 Table to the Local Heritage Code (Conservation Area); and</li> <li>• the Conservation Areas overlay,</li> </ul> <p>unless the place or precinct has been inserted or removed by amendment after the commencement day, or the place has been demolished in accordance with a planning permit.</p>	<p>The only relevant Code-applying Provisions are:</p> <ul style="list-style-type: none"> <li>• E5.1 Table to the Local Heritage Code (Buildings and Places);</li> <li>• E5.1 Table to the Local Heritage Code (Conservation Area); and</li> <li>• the Conservation Areas overlay.</li> </ul> <p>Nine of the places listed in E5.1 Table to the Local Heritage Code (Buildings and Places) have now been demolished in accordance with a planning permit.</p>
E6.0 Hazard Management Code	<p>The Local Provisions Schedule requirements at clause LP1.7.12 of the State Planning Provisions specify the mapping to be used to create the Landslip Hazard Area overlay for the State Planning Provisions Landslip Hazard Code.</p>
E7.0 Signs Code	The code contains no relevant Code-applying Provisions.
E8.0 Telecommunications Code	The code contains no relevant Code-applying Provisions.
<p>E9.0 Traffic Generating Use and Parking Code, excluding:</p> <ul style="list-style-type: none"> <li>• the Devonport Local Area Parking Scheme overlay</li> </ul>	The Devonport Local Area Parking Scheme overlays is the only relevant Code-applying Provision.
E10.0 Water and Waterways Code	The code contains no relevant Code-applying Provisions.
E11.0 Devonport Reserved Residential Land Code	The code does not relate to an equivalent State Planning Provisions Code.

# Devonport Interim Planning Scheme 2013

## *Land Use Planning and Approvals Act 1993*

### Section 87C, Schedule 6, clause 8D(5)

#### DECLARATION

I, ROGER CHARLES JAENSCH, Minister for Planning, acting in accordance with Schedule 6, Clause 8D(5) of the *Land Use Planning and Approvals Act 1993* ("the Act") after having consulted with the Tasmanian Planning Commission, declare that the requirement in Clause LP1.8.1 of the State Planning Provisions (SPPs), specifically the statement "all information requirements are to be completed in the tables", as it relates to the code applying provisions identified in the Schedule to this declaration when they are included in the draft Devonport City Local Provisions Schedule and Devonport City Local Provisions Schedule in accordance with Schedule 6, clause 8(2) of the Act does not apply in relation to the draft Devonport City Local Provisions Schedule and Devonport City Local Provisions Schedule.

Dated this 19<sup>th</sup> day of December, 2019



ROGER CHARLES JAENSCH

Minister for Planning

#### The Schedule

Code-applying Provision
E5.0 Local Heritage Code
E5.1 Table to the Local Heritage Code (Buildings and Places)

# **Devonport Interim Planning Scheme 2013**

## ***Land Use Planning and Approvals Act 1993***

### **Section 87C and Schedule 6, Clauses 1, 8, 8A(1), 8D(2)**

This document has been prepared by the Department of Justice, Planning Policy Unit to clarify the operation of the of the Minister's declarations made in accordance with Schedule 6, Clauses 8(4), 8A(1), and 8D(3) of the *Land Use Planning and Approvals Act 1993* ("the Act"). This document identifies the provisions to which the Minister's declarations do not apply, specifically:

- particular purpose zones, specific area plans and site-specific qualifications that are subject to Schedule 6, Clause 8(1) of the Act (refer to Schedule 1);
- particular purpose zones, specific area plans and site-specific qualifications that are not subject to Schedule 6, Clause 8A(1) of the Act (refer to Schedule 2); and
- code-applying provisions that are subject to Schedule 6, Clause 8D(2) (refer to Schedule 3).

This document also provides information on specific provisions in the Devonport Interim Planning Scheme 2013 that do not meet the definition of site-specific qualification or specific area plan under Schedule 6, Clause 1 of the Act.

#### **Schedule 1**

##### **Particular Purpose Zones, Specific Area Plans and Site-specific Qualifications subject to Schedule 6, Clause 8 of the Act**

<b>Provision</b>	<b>Application</b>
E11.0 Devonport Reserved Residential Land Code	Specific Area Plan
F1.0 Devonport Regional Homemaker Centre	Specific Area Plan
F2.0 Devonport Homemaker Service Industrial Centre	Specific Area Plan

#### **Schedule 2**

##### **Particular Purpose Zones, Specific Area Plans and Site-specific Qualifications not subject to Schedule 6, Clause 8A(1) of the Act**

Provision	Reason
Nil	

### Schedule 3

#### Code-applying Provisions subject to Schedule 6, Clause 8D(2) of the Act

Code-applying Provision	Application
<p>E5.0 Local Heritage Code</p> <ul style="list-style-type: none"> <li>E5.1 Table to the Local Heritage Code (Buildings and Places);</li> <li>E5.1 Table to the Local Heritage Code (Conservation Areas); and</li> <li>Conservation Areas overlay,</li> </ul> <p>unless the place, precinct, figure or overlay has been inserted or removed by amendment after the commencement day, or the place has been demolished in accordance with a planning permit.</p>	<p>E5.1 Table to the Local Heritage Code (Buildings and Places) is for application through the Local Provisions Schedule as the Local Heritage Places list for the State Planning Provisions Local Historic Heritage Code</p> <p>E5.1 Table to the Local Heritage Code (Conservation Areas) is for application through the Local Provisions Schedule as the Local Heritage Precinct list or the Local Historic Landscapes Precinct list for the State Planning Provisions Local Historic Heritage Code.</p> <p>The Conservation Areas overlay is for application through the Local Provisions Schedule as the Local Heritage Precinct overlay or the Local Historic Landscapes Precinct overlay for the State Planning Provisions Local Historic Heritage Code.</p>
<p>E9.0 Traffic Generating Use and Parking Code</p> <ul style="list-style-type: none"> <li>the Devonport Local Area Parking Scheme</li> </ul>	<p>For application through the Local Provisions Schedule as the Parking Precinct Plan overlay for the State Planning Provisions Parking and Sustainable Transport Code.</p>



## Schedule 4

### Provisions that do not meet the definition of a Specific Area Plan or Site-specific Qualification under Schedule 6, Clause 1 of the Act

Provision	Advice
<p>General Residential Zone – 10.4.2 A1(d) Setbacks and building envelope for all dwellings, Table 10.4.2</p> <p>Permitted minimum frontage setback of 50m for dwellings on lots fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p> <p><i>Note: The State Planning Provision Road and Railway Assets Code provides for a 50m separation for sensitive uses from major roads and railways.</i></p>
<p>General Residential Zone – 10.4.11.1 A1(f) Location and configuration of development</p> <p>Permitted minimum frontage setback of 50m for buildings on lots fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p>
<p>General Residential Zone – 10.4.12 A2(a) Setback of development for sensitive use</p> <p>Permitted minimum frontage setback of 50m for buildings for sensitive uses on lots fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p> <p><i>Note: The State Planning Provision Road and Railway Assets Code provides for a 50m separation for sensitive uses from major roads and railways.</i></p>
<p>Rural Living Zone - 13.4.3 A1(e) Location and configuration of development</p> <p>Permitted minimum frontage setback of 50m for buildings fronting Devonport Road.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p>
<p>Rural Living Zone – 13.4.6 A2(a) Setback of development for sensitive use</p> <p>Permitted minimum frontage setback of 50m for buildings for sensitive uses fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p> <p><i>Note: The State Planning Provision Road and Railway Assets Code provides for a 50m separation for sensitive uses from major roads and railways.</i></p>
<p>Environmental Living Zone - 14.4.3 A1(e) Location and configuration of development</p> <p>Permitted minimum frontage setback of 50m for buildings fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p>
<p>Environmental Living Zone – 14.4.6 A2(a) Setback of development for sensitive use</p> <p>Permitted minimum frontage setback of 50m for buildings for sensitive uses fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p> <p><i>Note: The State Planning Provision Road and Railway Assets Code provides for a 50m separation for sensitive uses from major roads and railways.</i></p>

Provision	Advice
<p>Urban Mixed Use Zone – 15.4.3 A1(d) Location and configuration of development</p> <p>Permitted minimum frontage setback of 50m for buildings fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p> <p><i>Note: The provision is redundant as the Urban Mixed Use Zone in the Devonport Interim Planning Scheme does not front onto the Bass Highway.</i></p>
<p>Community Purpose Zone - 17.4.2 A1(f) Location and configuration of development</p> <p>Permitted minimum frontage setback of 50m for buildings fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p>
<p>Community Purpose Zone – 17.4.4 A2(a) Setback of development for sensitive use</p> <p>Permitted minimum frontage setback of 50m for buildings for sensitive uses fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p> <p><i>Note: The State Planning Provision Road and Railway Assets Code provides for a 50m separation for sensitive uses from major roads and railways.</i></p>
<p>Recreation Zone - 18.4.2 A1(f) Location and configuration of development</p> <p>Permitted minimum frontage setback of 50m for buildings fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p> <p><i>Note: The provision is redundant as the Recreation Zone in the Devonport Interim Planning Scheme does not front onto the Bass Highway.</i></p>
<p>Open Space Zone - 19.4.2 A2(f) Location and configuration of development</p> <p>Permitted minimum frontage setback of 50m for buildings fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p> <p><i>Note: The provision is redundant as the Open Space Zone in the Devonport Interim Planning Scheme does not front onto the Bass Highway.</i></p>
<p>Light Industrial Zone - 24.4.2 A1(a) Location and configuration of development</p> <p>Permitted minimum frontage setback of 20m for buildings fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p>
<p>General Industrial Zone - 25.4.2 A1.1(a) Location and configuration of development</p> <p>Permitted minimum frontage setback of 20m for buildings fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p> <p><i>Reason: The provision is redundant as the General Industrial Zone in the Devonport Interim Planning Scheme does not front onto the Bass Highway.</i></p>
<p>Rural Resource Zone - 26.4.2 A1(b) Location and configuration of development</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies</p>

Provision	Advice
Permitted minimum frontage setback of 50m for buildings fronting Bass Highway.	(only identifies a general class of land that abuts a particular road).
<p>Rural Resource Zone – 26.4.3 A1(a)(viii) Location of development for sensitive uses</p> <p>Permitted minimum frontage setback of 50m for buildings for sensitive uses fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p> <p><i>Note: The State Planning Provision Road and Railway Assets Code provides for a 50m separation for sensitive uses from major roads and railways.</i></p>
<p>Environmental Management Zone - 29.4.3 A1(b) Location and configuration of development</p> <p>Permitted minimum frontage setback of 50m for buildings fronting Bass Highway.</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision does not specify a particular area of land to which it applies (only identifies a general class of land that abuts a particular road).</p>
<p>Dispensation</p> <p>Set aside provisions of General Residential Zone and apply provisions of Light Industrial Zone to allow for a potato packing and distribution facility at 23-61 Tarleton Street, Devonport (CT 127085/1).</p>	<p>Does not form part of the existing planning scheme as it was not formally incorporated into the interim planning scheme.</p>

## **APPENDIX Y**

**Draft Devonport Local Provisions Schedule - Permitted Alterations to Particular Purpose Zones (PPZs) and Specific Area Plans (SAPs) subject to the transitional provisions of the *Land Use Planning and Approvals Act 1993* (Schedule 6).**

Clause No.	Clause Title	Description and purpose of permitted alteration or modification
<b>DEV-P1.0 Particular Purpose Zone – Elimatta Hotel</b>		
DEV-P1.0	Particular Purpose Zone – Elimatta Hotel	Altered clause numbering to conform with the requirements of the SPPs.  [Schedule 6, clauses 8C(3)(a) and 8C(3)(c)]
DEV-P1.0	Particular Purpose Zone – Elimatta Hotel	Inserted operational provision to clarify that certain provisions of the PPZ operate in addition to the provisions of the Signs Code. This clarifies the application and achieves the effect intended by the relevant provision before it contained the alteration.  [Schedule 6, clauses 8C(3)(a) and 8C(3)(d)]
DEV-P1.1.3	Zone Purpose	Removed reference to 'ensure' for consistency with the terminology used in the SPPs and the drafting conventions in Practice Note 5.  [Schedule 6, clauses 8C(3)(a) clause 8C(3)(b)]
DEV-P1.2	Local Area Objectives (LAOs)	Included Local Area Objectives DEV-P1.2.1(a) and (b) as transitioning LAOs from the Interim Planning Scheme.  Removed Desired Future Character Statements (DFCS) as these are not required by the SPPs and the matters contemplated by the DFCS are captured by the relevant use and development standards of the PPZ.  The above alterations are to better conform with the requirements of the SPPS and achieves the effect intended by the relevant provision before it contained the alteration.  [Schedule 6, clauses 8C(3)(a) and 8C(3)(d)]
DEV-P1.4	Use Table	Corrected references to clause numbers and altered qualifications for the Food Services and Visitor Accommodation use classes for consistency with terminology used in the SPPs.  [Schedule 6, clauses 8C(3)(b) and 8C(3)(c)]
DEV-P1.5.1	Amenity	Removed reference to 'ensure' from the Objective statement for consistency with the terminology used in the SPPs and the drafting conventions in Practice Note 5  Altered Acceptable Solutions and Performance Criteria for consistency with the terminology used in the SPPs and the drafting conventions in Practice Note 5.  [Schedule 6, clauses 8C(3)(a) and 8C(3)(b)]

Clause No.	Clause Title	Description and purpose of permitted alteration or modification
DEV-P1.6.1	Location and configuration of development	<p>Altered objective, Acceptable Solutions and Performance Criteria for consistency with the terminology used in the SPPs and the drafting conventions in Practice Note 5 and to correct references to clause numbers.</p> <p>Inserted at A7/P7 standard relating to outdoor storage areas. This is included as a use standard under the Interim Planning Scheme but is more appropriately identified as a development standard. Further drafting alterations for consistency with the terminology used in the SPPs and the drafting conventions in Practice Note 5.</p> <p>Altered the wording of A2 to enable a better interpretation of the clause.</p> <p>[Schedule 6, clauses 8C(3)(a), 8C(3)(b) and 8C(3)(c)]</p>
Figure DEV-P1.6.1	Building envelope as required by subclause DEV-P1.6.1 A1	<p>Corrected references to clause numbers.</p> <p>[Schedule 6, clause 8C(3)(c)]</p>
DEV-P1.6.2	Setback from zone boundaries	<p>Corrected references to clause numbers, inserted operational clause, and altered objective and Acceptable Solution for consistency with the terminology used in the SPPs and the drafting conventions in Practice Note 5.</p> <p>Removed reference to Table in A1 and included the General Residential Zone setback requirement within A1.</p> <p>[Schedule 6, clauses 8C(3)(a), 8C(3)(b), 8C(3)(c) and 8C(3)(d)]</p>
<b>DEV-S1.0 Devonport Regional Homemaker Centre Specific Area Plan</b>		
DEV-S1.0	Devonport Regional Homemaker Centre Specific Area Plan	<p>Altered clause numbering to conform with the requirements of the SPPs.</p> <p>[Schedule 6, clauses 8C(3)(a) and 8C(3)(c)]</p>
DEV-S1.2.2	Application of this Plan	<p>Inserted operational clause to clarify that certain provisions of the SAP operate in addition to, or substitution for, the provisions of the Commercial Zone, the Signs Code and the Parking and Sustainable Transport Code of the SPPs. This clarifies the application and achieves the effect intended by the relevant provision before it contained the alteration.</p> <p>[Schedule 6, clauses 8C(3)(a) and 8C(3)(d)]</p>
DEV-S1.3	Local Area Objectives (LAOs)	<p>Included Local Area Objective DEV-S1.3.1 as a transitioning LAO from the Interim Planning Scheme. Removed Desired Future Character Statements (DFCS) as these are not required by the SPPs.</p> <p>The above alterations are to better conform with the requirements of the SPPs and achieves the effect intended by the relevant provision before it contained the alteration.</p> <p>[Schedule 6, clauses 8C(3)(a) and 8C(3)(d)]</p>
DEV-S1.5	Use Table	<p>Inserted operational clause to clarify that the use table operates in substitution of the Commercial Zone use table</p>



Clause No.	Clause Title	Description and purpose of permitted alteration or modification
		and altered the qualifications for consistency with the terminology used in the SPPs. [Schedule 6, clauses 8C(3)(a), 8C(3)(b) and 8C(3)(d)]
DEV-S1.6.1	Floor areas	Relocated standard to the use standards to conform with the requirements of the SPPs and inserted an operational clause to clarify that it operates in substitution for clause 17.3.3 in the Commercial Zone.  Replaced the term "total floor area" in A1 and A2 with the Term "gross floor area" to be consistent with the terminology used in the SPPs.  [Schedule 6, clauses 8C(3)(a), 8C(3)(b), 8C(3)(c) and 8C(3)(d)]
DEV-S1.7.1	Building height	Inserted operational clause to clarify that it operates in substitution for clause 17.4.1 in the Commercial Zone, and altered the objective and P1 for consistency with the terminology used in the SPPs, and to achieve the effect intended by the relevant provision before it contained the alteration.  [Schedule 6, clauses 8C(3)(a), 8C(3)(b) and 8C(3)(d)]
DEV-S1.7.2	Setbacks	Inserted operational clause to clarify that it operates in substitution for clause 17.4.2 in the Commercial Zone and altered A1 and A2 for consistency with the terminology used in the SPPs, and to achieve the effect intended by the relevant provision before it contained the alteration.  [Schedule 6, clauses 8C(3)(a), 8C(3)(b) and 8C(3)(d)]
DEV-S1.7.3	Signs	Inserted operational clause to clarify that it operates in addition to clause C1.6.1 of the Signs Code and altered A1 to conform with the terminology used in the SPPs and the draft conventions in Practice Note 5.  Re-order the location of the signs clause within the SAP to be consistent with the order of provisions generally in the SPPs (and consequential re-numbering of other clauses under DEV-S1.7).  [Schedule 6, clauses 8C(3)(a), 8C(3)(b), 8C(3)(c) and 8C(3)(d)]
DEV-S1.7.4	Access	Inserted operational clause to clarify that it operates:  i. in addition to clause 17.4 in the Commercial Zone; ii. in substitution of clause C2.6.3 of the Parking and Sustainable Transport Code; and iii. in addition to clause C2.6.5 of the Parking and Sustainable Transport Code.  Altered A1 and A2 for consistency with the terminology used in the SPPs, and to achieve the effect intended by the relevant provision before it contained the alteration.  [Schedule 6, clauses 8C(3)(a), 8C(3)(b) and 8C(3)(d)]

Clause No.	Clause Title	Description and purpose of permitted alteration or modification
<b>DEV-S2.0 Devonport Homemaker Service Industrial Centre Specific Area Plan</b>		
DEV-S2.0	Devonport Homemaker Service Industrial Centre Specific Area Plan	Altered clause numbering to conform with the requirements of the SPPs. [Schedule 6, clauses 8C(3)(a) and 8C(3)(c)]
DEV-S2.2.2	Application of this Plan	Inserted operational clause to clarify that certain provisions of the SAP operate in addition to, or substitution for, the provisions of the Commercial Zone and the Signs Code. This clarifies the application and achieves the effect intended by the relevant provision before it contained the alteration. [Schedule 6, clauses 8C(3)(a) and 8C(3)(d)]
DEV-S2.3	Local Area Objectives (LAOs)	Included Local Area Objective DEV-S2.3.1 as a transitioning LAO from the Interim Planning Scheme. Removed Desired Future Character Statements (DFCS) as these are not required by the SPPs.  The above alterations are to better conform with the requirements of the SPPS and achieves the effect intended by the relevant provision before it contained the alteration. [Schedule 6, clauses 8C(3)(a) and 8C(3)(d)]
DEV-S2.5	Use Table	Inserted operational clause to clarify that the use table operates in substitution of the Commercial Zone use table. [Schedule 6, clauses 8C(3)(a) and 8C(3)(d)]
DEV-S2.7.1	Building height	Inserted operational clause to clarify that it operates in substitution for clause 17.4.1 in the Commercial Zone, altered the objective for consistency with the terminology used in the SPPs, and to achieve the effect intended by the relevant provision before it contained the alteration. [Schedule 6, clauses 8C(3)(a), 8C(3)(b) and 8C(3)(d)]
DEV-S2.7.2	Setbacks	Inserted operational clause to clarify that it operates in substitution for clause 17.4.2 in the Commercial Zone and altered A1 and A2 for consistency with the terminology used in the SPPs, and to achieve the effect intended by the relevant provision before it contained the alteration.  Alteration to objective statement to reference the correct Specific Area Plan. [Schedule 6, clauses 8C(3)(a), 8C(3)(b), 8C(3)(c) and 8C(3)(d)]
DEV-S2.7.3	Signs	Inserted operational clause to clarify that it operates in addition to clause C1.6.1 of the Signs Code.  Re-order the location of the signs clause within the SAP to be consistent with the order of provisions generally in the SPPs (and consequential re-numbering of other clauses under DEV-S2.7). [Schedule 6, clauses 8C(3)(a), 8C(3)(b) and 8C(3)(c)]

Clause No.	Clause Title	Description and purpose of permitted alteration or modification
<b>DEV-S3.0 Devonport Reserved Residential Land Specific Area Plan</b>		
DEV-S3.0	Devonport Reserved Residential Land Specific Area Plan	Altered clause numbering to conform with the requirements of the SPPs. [Schedule 6, clauses 8C(3)(a) and 8C(3)(c)]
DEV-S3.1.1	Plan Purpose	Removed reference to 'ensure' for consistency with the terminology used in the SPPs and the drafting conventions in Practice Note 5.  Altered purpose statement by removing part (b) which relates to contaminated land. Removal is to achieve the intended effect of the provision before it contained the alteration. The SPP Potentially Contaminated Land Code will apply where relevant to address this issue. [Schedule 6, clauses 8C(3)(b) and 8C(3)(d)]
DEV-S3.2.1	Application of this Plan	Deleted the table shown at clause E11.2 of the Interim Planning (detailing the relevant land areas). This table is redundant because the application of the SAP is described by the relevant overlay maps as instructed by clause DEV-S3.2.1. [Schedule 6, clause 8C(3)(a) and 8C(3)(d)]
DEV-S3.2.2	Application of this Plan	Inserted operational clause to clarify that certain provisions of the SAP operate in addition to provisions of the General Residential Zone and Natural Assets Code of the SPPs. This clarifies the application and achieves the effect intended by the relevant provision before it contained the alteration. [Schedule 6, clauses 8C(3)(a) and 8C(3)(d)]
DEV-S3.8.1	Subdivision	Inserted operational clause to clarify that it operates: i. in addition to clause 8.6 of the General Residential Zone; and ii. in addition to clause C7.7.2 of the Natural Assets Code.  Altered objective statement by removing part (d) which relates to contaminated land. Removal is to achieve the intended effect of the provision before it contained the alteration. The Potentially Contaminated Land Code of the SPPs will apply where relevant to address this issue. [Schedule 6, clauses 8C(3)(a) and 8C(3)(d)]
DEV-S3.8.1	Subdivision	Altered P1 by removal of sub-clause (a) which relates to the requirements of the Hazard Management Code of the Interim Planning Scheme. Removal is to achieve the intended effect of the provision before it contained the alteration. The various SPP hazard codes will apply where relevant to address this issue. [Schedule 6, clause 8C(3)(d)]

## **APPENDIX Z**

Flowchart prepared by the Tasmanian Planning Commission showing the approval process for a draft Local Provisions Schedule.

## Draft Local Provisions Schedule Approval Process

Preparing draft LPS

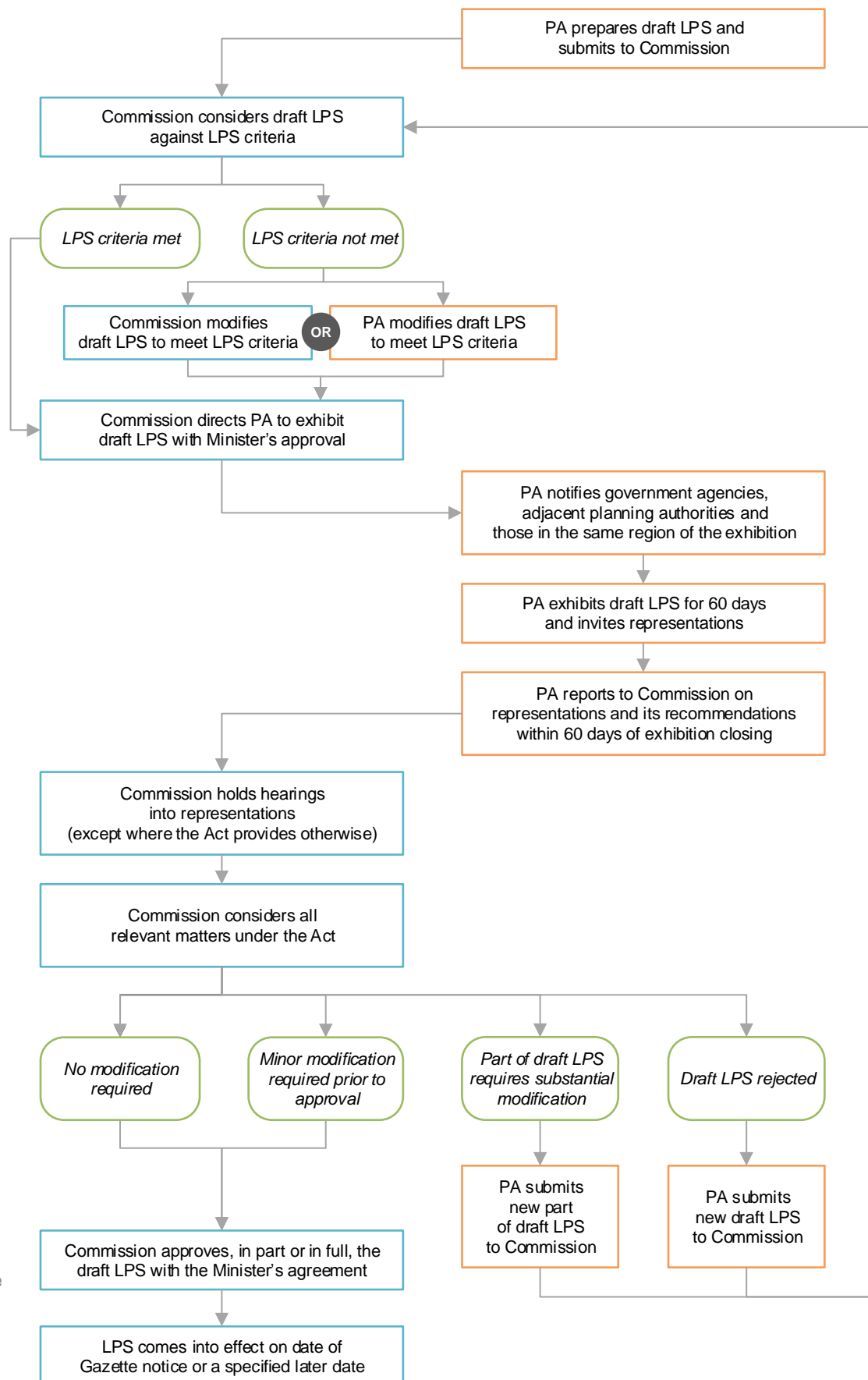
Consideration

Exhibition

Hearings

Decision

LPS Local Provisions Schedule  
PA Planning Authority  
Planning authority step  
Commission step  
Decision point







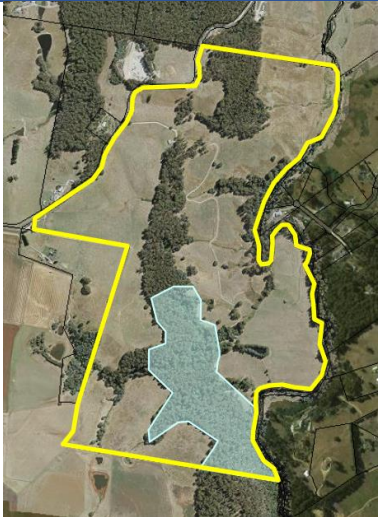
APPENDIX AA

Reassignment of land to the Environmental Management Zone (where current zoning under the DIPS is something other than Environmental Management)

NOTES	ABBREVIATIONS	
<p>1. The attached table indicates properties that have a current zoning under the DIPS as something other than Environmental Management.</p> <p>2. The primary source of instruction for zone allocation is the LPS Zone and Code Application Guideline.</p> <p>3. By its nature the Environmental Management Zone can exhibit “spot zone” characteristics.</p> <p>4. The three specific sites described in this table for reassignment to the Environmental Management Zone represent land that is reserved under the <i>Nature Conservation Act 2002</i>.</p> <p><b>Cradle Coast Regional Land Use Strategy 2010 - 2030 (the Regional Strategy)</b></p> <p>A. The proposed reassignments of land to the Environmental Management Zone comprises three specific sites where that land is reserved under the <i>Nature Conservation Act 2002</i>. The application of the Environmental Management Zone provides for the appropriate recognition of the environmental values associated with these land areas and is appropriately consistent with the policy considerations of the Regional Strategy.</p>	“1984 Planning Scheme”	means the <i>Devonport &amp; Environs Planning Scheme 1984</i> . The planning scheme that existed before the commencement of the DIPS in October 2013.
	“DIPS”	means the <i>Devonport Interim Planning Scheme 2013</i>
	“LPS”	means Local Provisions Schedule
	“LUPAA”	means the <i>Land Use Planning and Approvals Act 1993</i>
	“LPS Zone and Code Application Guideline”	means <i>Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (June 2018)</i> as issued by the Tasmanian Planning Commission under section 8A of LUPAA (attached as <b>Appendix E</b> ).

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
1.	196990/1	6386346	313 Pumping Station Road	Forth	“Champion Park” public reserve	Rural	Rural Resource	Environmental Management	<p>This site is a public reserve identified under the <i>Nature Conservation Act 2002</i> (NCA).</p> <p>The reservation of this land under the NCA recognises that this land is of significant environmental value. In accordance with instruction EMZ 1(a) of the LPS Zone and Code Application Guideline it should be assigned to the Environmental Management Zone.</p>  <p>(Source: <a href="http://www.thelist.tas.gov.au">www.thelist.tas.gov.au</a>)</p>	Deemed capable of meeting instruction EMZ 1(a) of the LPS Zone and Code Application Guideline.	Reassign to Environmental Management Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
2.	196943/1	6386354	342 Pumping Station Road	Forth	"Forth Scout Camp"	Rural	Rural Resource	Environmental Management	<p>This site represents land reserved as a "private sanctuary" under the <i>Nature Conservation Act 2002</i> (NCA). The reservation of this land under the NCA recognises that this land is of significant environmental value.</p> <p>Consistent with the instruction contained at EMZ 1(a) and (f) of the LPS Zone and Code Application Guideline, it is appropriate that this site should be assigned to the Environmental Management Zone.</p>  <p>(Source: <a href="http://www.thelist.tas.gov.au">www.thelist.tas.gov.au</a>)</p> <p>In conjunction with the adjoining land at 313 Pumping Station Road (CT196990/1), as described at site number 1 of this table, – this represents a reasonable and consistent zoning juxtaposition at this location.</p>	As above.	Reassign to Environmental Management Zone.
3.	Part of 170935/2	3440191	189 Buster Road	Melrose	Land generally used for resource development (farming) purposes.	Rural	Rural Resource	Environmental Management	<p>The site contains a conservation covenant made under the <i>Nature Conservation Act 2002</i> (NCA). The full extent of the site is shown by the yellow outline in the below image, whilst that part of the site identified by the conservation covenant made under the NCA is depicted by the light blue shading.</p>	As above.	Reassign that portion of the site demarcated by the conservation covenant made under the <i>Nature Conservation Act 2002</i> (plan reference CPR6207) to the Environmental Management Zone.

Site No.	Certificate of Title Reference	Council Property Identification (PID) No.	Property address	Locality	Existing use and development	Zoning pre-DIPS (1984 Planning Scheme)	Existing zoning (DIPS)	Proposed zoning (LPS)	Comments	Assessment against LPS Zone and Code Application Guideline	Recommendation
									<div></div> <p>(Source: <a href="http://www.thelist.tas.gov.au">www.thelist.tas.gov.au</a>)</p> <p>The conservation covenant recognises that this portion of the site contains significant environmental values. In accordance with instruction EMZ 1 (a) and (f) of the LPS Zone and Code Application Guideline there seems to be reasonable logic that this land should be assigned to the Environmental Management Zone (EMZ). It seems further logical that the assignment of the EMZ should follow the same alignment as the covenant boundaries (plan reference CPR6207) shown on the LIST map database with the balance of the site retained to the Agriculture Zone.</p>		