



HUON VALLEY COUNCIL



LPS-HUO-TPS

Supporting Report for the *Huon Valley Draft Huon Valley Local Provisions Schedule*

November 2021

CONTENTS - LOCAL PROVISIONS SCHEDULE SUPPORTING REPORT

1.0 Introduction

1.1 Tasmanian Planning Scheme (TPS)

- 1.1.1 *State Planning Provisions (SPPs)*
- 1.1.2 *Local Provisions Schedule (LPS)*
- 1.1.3 *Preparation of the LPS*
- 1.1.4 *Commission post lodgement documentation*
- 1.1.5 *Appendices to the report*
- 1.1.6 *Summary of LPS implementation process*

2.0 Draft LPS Compliance Statement - LPS Criteria

Section 34

Section 34 of the *Land Use Planning and Approvals Act 1993* (LUPAA)

2.1 LPS Criteria: **Draft LPS provisions**

Section 34(2)(a)

2.2 LPS Criteria: **Draft LPS – Compliance with Section 32**

Section 34(2)(b)

- 2.2.1 *Huon Valley municipal area* Sections 32(1); 32(2)(a)
- 2.2.2 *Mandatory SPP provisions for the draft LPS* Section 32(2)(b)
- 2.2.3 *Spatial Application of the SPPs to land* Section 32(2)(c)
- 2.2.4 *Sections 11 and 12 of the LUPAA* Section 32(2)(d) and (f)
- 2.2.5 *Spatial Application of the SPPs* Section 32(2)(e)
- 2.2.6 *Land Reserved for Public Purposes* Section 32(2)(g)
- 2.2.7 *Application of SPP - particular place or matter* Section 32(2)(h)
- 2.2.8 *Overriding provisions* Section 32(2)(i)
- 2.2.9 *Modification of Application of the SPPs* Section 32(2)(j)
- 2.2.10 *LPS may include other provisions* Section 32(2)(k)
- 2.2.11 *Limitation on LPS provisions* Section 32(2)(l)

2.3 LPS Criteria: **Structure and Form of draft LPS**

Sections 32(3)-(6)

- 2.3.1 *Structure and Form of the Draft LPS*

2.4 LPS Criteria: **Content of the draft LPS**

Sections 32(5) and (6)

- 2.4.1 **Content of Draft LPS**
 - 2.4.1.1 Transitional arrangements and provisions
- 2.4.2 **Zones applicable under the draft LPS**
 - 8.0 General Residential Zone
 - 10.0 Low Density Residential Zone
 - 11.0 Rural Living Zone
 - 12.0 Village Zone
 - 14.0 Local Business Zone
 - 15.0 General Business Zone
 - 17.0 Commercial Zone
 - 18.0 Light Industrial Zone
 - 19.0 General Industrial Zone
 - 20.0 Rural Zone (a new SPPs zone)
 - 21.0 Agriculture Zone (a new SPPs zone)
 - 22.0 Landscape Conservation Zone (a new SPPs zone)
 - 23.0 Environmental Management Zone
 - 26.0 Utilities Zone
 - 27.0 Community Purpose Zone
 - 28.0 Recreation Zone
 - 29.0 Open Space Zone
 - 30.0 Future Urban Zone
 - P1.0 Particular Purpose Zone – Future Road Corridor

	P2.0 Particular Purpose Zone – Southwood Integrated Timber Processing Site	
	P3.0 Particular Purpose Zone – Franklin Marine and Tourism Precinct	
2.4.3	Application of Draft LPS Zones - comparison	Section 32(3) and (4)
2.4.4	Local Area Objectives (LAOs)	
	HUO-28.0 Recreational Zone	
	HUO-29.0 Open Space Zone	
2.4.5	Application of Zones	
	2.4.5.1 Particular Purpose Zones	
	2.4.5.2 Rural and Agriculture Zones	
	2.4.5.3 Landscape and Conservation Zone	
	2.4.5.4 Environmental Management Zone	
	2.4.5.5 Utilities Zone	
	2.4.5.6 Rural Living Zone	
	2.4.5.7 Community Purpose Zone	
2.4.6	Specific Area Plans	Section 32(3) and (4)
	2.4.6.1 S1.0 Franklin Heritage Specific Area Plan	
	2.4.6.2 S2.0 Eggs and Bacon Specific Area Plan	
	2.4.6.3 S3.0 Green Point Specific Area Plan	
2.4.7	Site Specific Qualifications	Section 32(3) and (4)
2.4.8	Codes, Code Overlays and Code Lists	
	2.4.8.1 C1.0 Signs Code	
	2.4.8.2 C2.0 Parking and Sustainable Transport Code	
	2.4.8.3 C3.0 Road and Railway Assets Code	
	2.4.8.4 C4.0 Electricity Transmission Infrastructure Protection Code	
	<ul style="list-style-type: none"> o Communications Station Buffer Area Overlay; o Electricity Transmission Corridor Overlay; o Inner Protection Area Overlay; o Substation Facility Overlay; o Substation Facility Buffer Area Overlay. 	
	2.4.8.5 C5.0 Telecommunications Code	
	2.4.8.6 C6.0 Local Historic Heritage Code	
	<ul style="list-style-type: none"> o Local Heritage Places Overlay 	
	2.4.8.7 C7.0 Natural Assets Code	
	<ul style="list-style-type: none"> o Future Coastal Refugia Area Overlay, o Waterway and Coastal Protection Area; o Priority Vegetation Area Overlay. 	
	2.4.8.8 C8.0 Scenic Protection Code	
	<ul style="list-style-type: none"> o Scenic Protection Areas Overlay; o Scenic Road Corridors Overlay. 	
	2.4.8.9 C9.0 Attenuation Code	
	2.4.8.10 C10.0 Coastal Erosion Hazard Code	
	<ul style="list-style-type: none"> o Coastal Erosion Hazard Bands Overlay. 	
	2.4.8.11 C11.0 Coastal Inundation Hazard Code	
	<ul style="list-style-type: none"> o Coastal Inundation Hazard Bands Overlay. 	
	2.4.8.12 C12.0 Flood-Prone Hazard Code.	
	2.4.8.13 C13.0 Bushfire-Prone Areas Code	
	<ul style="list-style-type: none"> o Bushfire-Prone Areas Overlay 	
	2.4.8.14 C14.0 Potentially Contaminated Land Code	
	2.4.8.15 C15.0 Landslip Hazard Code	
	<ul style="list-style-type: none"> o Landslip Areas Overlay 	

2.5	LPS Criteria: <i>Schedule 1 of the LUPAA</i>	Sections 34(2)(c)
2.5.1	<i>Schedule 1 Objectives - Part 1</i>	
2.5.2	<i>Schedule 1 Objectives - Part 2</i>	
2.6	LPS Criteria: <i>State Policies and NEPMs</i>	Section 34(2)(d)
2.6.1	<i>State Coastal Policy</i>	
2.6.2	<i>State Policy on Water Quality Management</i>	
2.6.3	<i>State Policy on the Protection of Agricultural Land</i>	
2.6.4	<i>National Environmental Protection Measures</i>	
2.7	LPS Criteria: <i>Tasmania State Policies</i>	Sections 34(2)(da); 34(2A)
2.8	LPS Criteria: <i>Regional Strategy (STRLUS)</i>	Sections 34(2)(e)
2.8.1	<i>Background</i>	
2.8.2	<i>Compliance Assessment - STRLUS</i>	
2.8.3	<i>Application to amend the STRLUS</i>	
2.9	LPS Criteria: <i>Huon Valley Council Strategic Plan</i>	Sections 34(2)(f)
2.9.1	<i>Huon Valley Council Strategic Plan</i>	
2.9.2	<i>Other Strategic Planning Documentation</i>	
2.9.2.1	<i>Huon Valley Land Use and Development Strategy</i>	
2.9.2.2	<i>Huonville-Ranelagh Master Plan</i>	
2.9.2.3	<i>Other Documentation</i>	
2.10	LPS Criteria: <i>Adjoining Municipal Areas</i>	Sections 34(2)(g)
2.11	LPS Criteria: <i>Gas Pipelines Act 2000</i>	Sections 34(2)(h)
3.0	Applied, Adopted or Incorporated Documents	
4.0	Amendments to the Interim Planning Scheme	Former LUPPA provisions
4.1	<i>Lot 1 Channel Highway, Cygnet (part of land)</i> PSA-2/2017; SUB-36/2017	An application under former Section 43A of the LUPPA to amend the Interim Planning Scheme, and for the issue of a permit for subdivision of part of Lot 1, Channel Highway, Cygnet was approved by the Commission in October 2021.
4.2	<i>Cygnet Treatment Plant, Cygnet</i> PSA-1/2020	An application initiated under former Section 34 of the LUPPA to amend the Attenuation Area Overlay of the Interim Planning Scheme applicable to the Cygnet Treatment Plant, Cygnet was approved by the Commission in May 2021.
4.3	<i>Bowls Club land, 15 Louisa Street, Cygnet (part of land)</i> PSA-2/2019	An application under former Section 33 of the LUPPA to amend the Interim Planning Scheme to rezone part of the property at 15 Louisa Street, Cygnet from <i>Recreation</i> to <i>General Residential</i> was considered by the Commission at a hearing in 2020.
5.0	Amendment to the STRLUS	
5	5.1 <i>Amendment to the STRLUS (Regional Strategy)</i> 5.2 <i>Proposal for additional Specific Area Plans</i>	
6.0	Glossary of Terms	
7.0	Appendices	

1.0 INTRODUCTION

In 2014 amendments were made to the *Land Use Planning and Approvals Act 1993* (LUPAA) that enabled the Council as a Planning Authority to commence the process of implementing the current planning scheme, the *Huon Valley Interim Planning Scheme 2015* (Interim Planning Scheme) which became effective on 31 August 2015.

Further information	Department of Justice website
	2014 Overview Fact Sheet

Further amendments were made to the LUPPA effective from [17 December 2015](#) for the introduction of a single planning scheme for the State – the *Tasmanian Planning Scheme* (TPS). These amendments enabled the State Planning Provisions to be implemented and commence in 2017.

Tasmanian Planning Scheme

The Tasmanian Planning Scheme comprises two parts:

- State Planning Provisions (SPPs); and
- Local Provisions Schedule (LPS).

Further information; FAQs	Planning Reform Tas website https://planningreform.tas.gov.au/planning/information/state-planning-provisions
Fact Sheets	https://planningreform.tas.gov.au/planning/information/tasmanian-planning-scheme

Huon Valley draft Local Provisions Schedule, maps and overlays

The Council (as planning authority) endorsed a revised version of the draft *Huon Valley Local Provisions Schedule* (draft LPS) at its meeting on 19 May 2021.

In May 2021 after the meeting, the following draft LPS and other documents referred to in part [7.0 Appendices](#) of this report were sent to the Tasmanian Planning Commission (Commission):

- Draft LPS: [Attachment 59](#) (version May 2021);
- Draft LPS maps and overlays: [Attachment 60](#) (version May 2021).

Modification of the draft LPS

Following a review of the draft LPS by the Commission of the draft LPS, maps and overlays, the Commission issued a draft Notice to Council in October 2021 under Section 35(5)(b) and Schedule 6, clauses 8C(5)(a) and 8D(9)(a) of the LUPPA that set out required amendments to be made to the draft LPS, maps and overlays prior to its exhibition. The amendments required by the Commission are set out in [Appendix 64](#).

64	2021	<i>Draft Notice under Section 35(5)(b) and Schedule 6, Clauses 8C(5)(a) and 8D(9)(a) of the LUPPA issued to the Planning Authority together with Attachment A and Attachment B to the draft Notice</i>
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Draft LPS including maps and overlays

The Draft LPS modified in accordance with the draft Notice is set out in [Appendices 65 and 66](#).

65	2021	<i>Draft Huon Valley LPS submitted to the Commission (version: November 2021)</i>
66	2021	<i>Draft LPS maps and overlays (version: November 2021)</i>

List of properties

A list of properties is set out in [Appendix 61](#) that show the:

- Current Planning Scheme Zones and any Planning Scheme Codes that apply to the property; and
- Draft LPS Zone that is proposed to apply to the property and any draft LPS Codes to apply.

61	2021	<i>Draft Huon Valley LPS – List of properties (version: November 2021)</i>
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Supporting Report - Huon Valley draft Local Provisions Schedule

This report for the draft LPS has been submitted to the Commission under section 35(1) of the LUPAA for assessment as to whether the draft LPS was suitable for approval by the Minister for exhibition, under section 35B(4) of the LUPAA. The report demonstrates that the draft LPS meets the LPS criteria as required by section 34(2) of the LUPAA.

1.1 TASMANIAN PLANNING SCHEME

1.1.1 State Planning Provisions

The SPPs that form part of the TPS are designed to provide a consistent set of planning provisions for Tasmania. The TPS includes 23 zones and 16 codes that apply State-wide making up a suite of planning controls that are applied by local councils in their role as planning authorities under the LUPAA. The use table for each zone provides for what use and development can be carried out in relevant zones such as residential use, business and professional services, agricultural use and recreational uses.

The codes provide requirements for dealing with the use and development of land and may apply across a range of zones, covering matters such as natural hazards, local heritage values, natural assets, parking requirements and the protection of road, railway and electricity infrastructure.

1.1.2 Local Provisions Schedule

The Council, as planning authority, is responsible for preparing the draft LPS for the Huon Valley municipal area. The draft LPS includes zone and code provisions and overlay maps, local area objectives, particular purpose zones, specific area plans, site-specific qualifications, and other planning provisions in accordance with the LUPAA, the SPPs, [Guideline No.1 - Local Provisions Schedule Zone and Code Application](#) and relevant [Practice Notes](#) issued by the Commission. Both current provisions of the LUPAA, and some former provisions of the LUPAA that applied before 17 December 2015, apply to the draft LPS and its preparation and its content as set out in the report. Further information: PPU [Fact Sheet](#).

STRUCTURE OF THE TASMANIAN PLANNING SCHEME

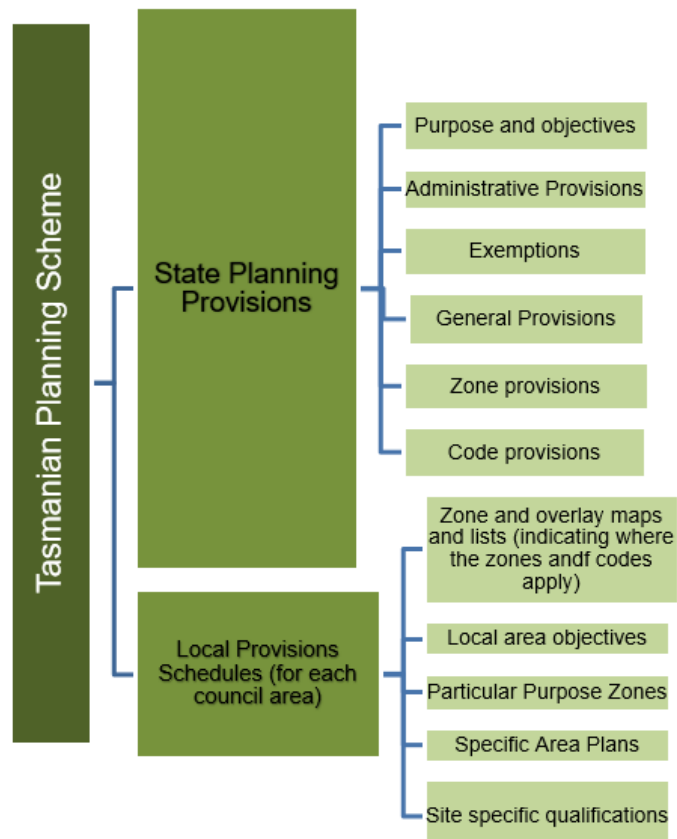


Figure 1. [Structure of Tasmanian Planning Scheme](#) (Source: Commission)

1.1.3 Structure and form of the LPS

The draft LPS is required to be in accordance with the structure and form set out in the *Local Provisions Schedule Requirements* (LP1.0) of the SPPs, *Guideline No.1 - Local Provisions Schedule Zone and Code Application* (Guideline No.1) and relevant Practice Notes issued by the Commission. Further information is set out in the report below and also on the Commission [website](#) about these requirements.

1.1.4 Commission post lodgement documentation

At its meeting on 22 May 2019 the Planning Authority endorsed a previous version of the draft LPS ([Appendix 54](#)). Following that decision, the former draft LPS was referred to the Commission for its consideration. The Commission then arranged for post lodgement conferences to be held in 2019 with Council officers to discuss the draft LPS documentation and maps submitted to the Commission. The agenda of these conferences are displayed on the Commission's website. The most recent conference was held in January 2021.

Following the post lodgement conferences the Commission provided the documentation below (*Post Lodgement Documentation*) to Council that referred to:

- Clarification of issues in the *Post lodgement conference – matters discussed, Zone Clarification Table, Overlay Clarification Table* and *Drafting Clarification Table*; and
- Recommended actions to be taken by the Planning Authority regarding draft LPS documentation and maps.

Table 1: Post Lodgement Documentation

- 1: *Post lodgement conference – matters discussed*
- 2: *Zone Clarification Table;*
- 3: *Overlay Clarification Table;*
- 4: Former version of the draft LPS considered by the Planning Authority at the meeting on 22 May 2019; Appendix 59
- 5: *Drafting Clarification Table.*

Section 32(4) of the LUPPA and advice referred to in Post Lodgement Documentation

The completed *Post Lodgement Documentation* provided by the Planning Authority in response to the requests from the Commission, is also included in Appendix 63. In addition to the advice provided by the Planning Authority in the documents, the documentation includes advice from consultants engaged by the Planning Authority as indicated in the documents.

Also, the advice in the *Post Lodgement Documentation* sets out further reasons for inclusion of some provisions (*overriding provisions*) in the draft LPS under Section 32(4) of the LUPPA as set out further below.

1.1.5 Appendices to the report

This report refers to documents listed in the Appendices section of the report. All documents referred to in the Appendices of this report are available on the Huon Valley Council website. Documentation relating to the draft LPS is also available on the Commission website (reference: *LPS-HUO-TPS*)

1.1.5 Summary of LPS implementation process

As summarised on the following [Commission flowchart](#), the next steps of the LPS process are:

- Consideration of the draft LPS by the Planning Authority in accordance with the LUPPA;
- Submission of the draft LPS to the Commission by the Planning Authority;
- Consideration of the draft LPS by the Commission in accordance with the LUPPA;
- When satisfied the draft LPS meets the LPS criteria, the Commission will direct the Planning Authority to publicly exhibit the draft LPS for 60 days;
- During the exhibition period, any person can make a representation (submission) on the draft LPS to the Planning Authority. The Planning Authority will then consider the representations it receives and then provide a report on them to the Commission;
- The Commission will then hold hearings into the representations and complete its review of the draft LPS in accordance with the LUPAA; and
- Following the completion of LPS implementation and approval processes, the LPS will be applied to the municipal area as part of the TPS.

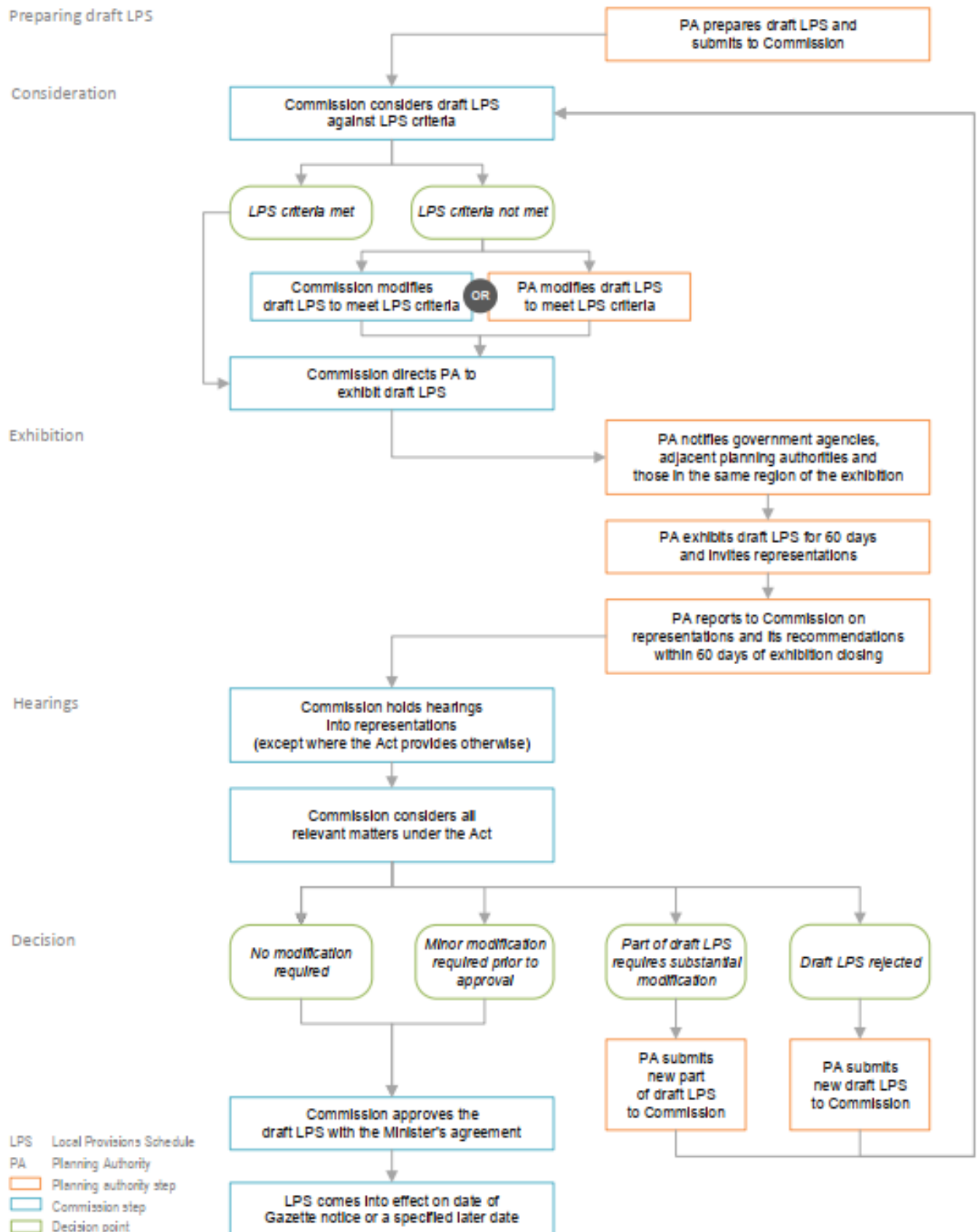


Figure 2: Commission Flowchart: [Draft LPS Approval Process](#) (Source: Commission)

2.0 DRAFT LPS COMPLIANCE STATEMENT (SECTION 34(2))

The draft LPS is required to meet requirements set out in Section 34 of the LUPPA. Section 34(2) provides that the **LPS criteria** to be met by the draft LPS are that the draft LPS:

- (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*
- (da) satisfies the relevant criteria in relation to the TPPs; and*
- (e) as far as practicable, 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) has regard to 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 Safety Act 2019](#) .*

The draft LPS meets the LPS criteria set out in Section 34(2) for the reasons set out in this report and relevant Appendices.

2.1 LPS CRITERIA: DRAFT LPS PROVISIONS

In accordance with Section 32(2)(a) of the LUPPA, the draft LPS contains all the provisions that the SPPs specify must be contained in the draft LPS.

2.2 LPS CRITERIA: DRAFT LPS – COMPLIANCE WITH SECTION 32

Under Section 32(2)(b) of the LUPPA, the draft LPS is required to be in accordance with Section 32 of that Act. Sections 32(1)-(6) provide:

- (1) An LPS is to consist of provisions that apply only to a single municipal area specified in the LPS.*
- (2) An LPS –*
 - (a) must specify the municipal area to which its provisions apply; and*
 - (b) must contain a provision that the SPPs require to be included in an LPS; and*
 - (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; and*
 - (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; and*
 - (e) may contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to particular land; and*
 - (f) must not contain a provision that is inconsistent with a provision of [section 11](#) or [12](#) ; and*
 - (g) may designate land as being reserved for public purposes; and*
 - (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; and*
 - (i) may, if permitted to do so by the SPPs, override a provision of the SPPs; and*
 - (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; and*

- (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; and
- (l) must not contain a provision that the SPPs specify must not be contained in an LPS.

2.2.1 Huon Valley municipal area

The draft LPS meets the LPS criteria set out in Sections 32(1) and Section 32(2)(a) of the LUPPA as it applies to the Huon Valley municipal area. The extent of the Huon Valley municipal area is set out in Section 16 of the *Local Government Act 1993*, Schedule 3 of that Act and Central Plan Register Plan 2469. A copy of this plan is Appendix 1 and also set out below. (Section 7 of LUPPA will be relevant to areas adjoining the municipal area in specific circumstances).

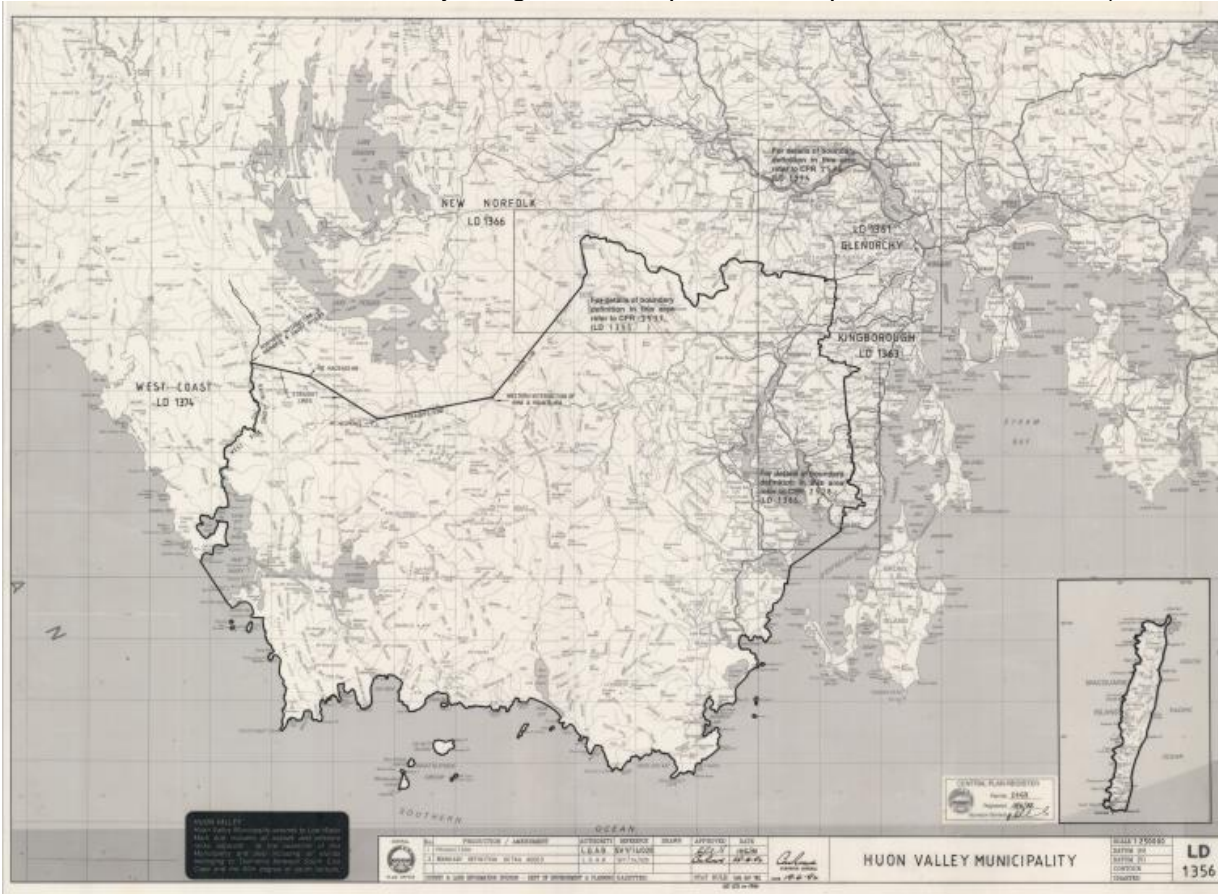


Figure 3: Map of municipal area - Central Plan Register Plan 2469

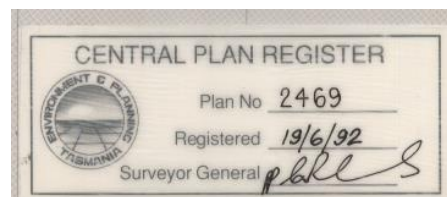
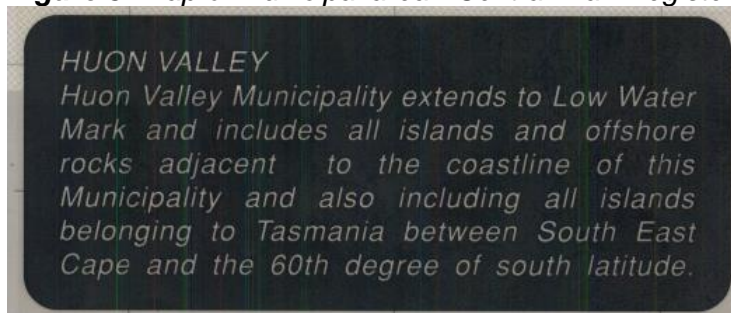


Figure 4: Extracts from Central Plan Register Plan 2469

2.2.2 Mandatory SPP for the draft LPS

The Draft LPS includes required mandatory SPPs and therefore complies with Section 32(2)(b).

2.2.3 Spatial Application of the SPPs to land

The draft LPS contains the required maps, overlays, lists and other provisions that provide for the spatial application of the SPPs to land in the municipal area. Therefore, the draft LPS complies with Section 32(2)(c).

2.2.4 Sections 11 and 12 of the LUPAA

The draft LPS is consistent with Section 11 and Section 12 of the LUPAA: Section 32(2)(d). In relation to Section 32(2)(f), the draft LPS does not contain any provision which is inconsistent with Section 11 or Section 12 of the LUPAA. The draft LPS does not include any provisions that refer to a code of practice (Section 11(6)) and there are no proclaimed wharf areas in the municipal area.

2.2.5 Spatial Application of the SPPs

Section 32(2)(e) of the LUPAA provides that the draft LPS may also contain maps, overlays or other provisions for the spatial application of the SPPs to particular land.

The draft LPS complies with *Guideline No.1 - Local Provisions Schedule Zone and Code Application* and relevant Practice Notes issued by the Commission in relation to spatial application of the SPPs and relevant provisions of the draft LPS. Further information on how the zones and codes have been applied is set out in the report.

2.2.6 Land Reserved for Public Purposes

Although the Community Purpose Zone and Open Space Zone are included in the SPPs, the draft LPS does not expressly reserve land for public purposes. The draft PS complies with Section 32(2)(g).

2.2.7 Application of the SPPs to a particular place or matter

The draft LPS is applied in a manner that is consistent with the SPPs and *Guideline No.1 - Local Provisions Schedule: zone and code application*. The draft LPS complies with Section 32(2)(h).

2.2.8 Overriding Provisions

As noted, in accordance with Sections 32(3) and (4) of the LUPAA set out below, and the SPPs, the draft LPS includes provisions that override some SPPs (*overriding provisions*).

Sections 32(3) and 32(4) of the LUPAA provide:

(3) *Without limiting subsection (2) but subject to subsection (4), an LPS may, if permitted to do so by the SPPs, include –*

- (a) a particular purpose zone, being a group of provisions consisting of –*
 - (i) a zone that is particular to an area of land; and*
 - (ii) the provisions that are to apply in relation to that zone; or*

- (b) a specific area plan, being a plan consisting of –*

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

Further information about the overriding provisions is included in section 2.4.1.1. The reasons to justify inclusion of the *overriding provisions* in accordance with Section 32(4) in the draft LPS are set out in the Supporting Report including **Appendix 63**. As the *overriding provisions* comply with Section 32(4), the draft LPS is in accordance with Section 32(2)(i) of the LUPPA.

2.2.9 Modification of Application of the SPPs

The draft LPS does not modify application of the SPPs: Section 32(2)(j). The draft LPS is applied to land use and development in the municipal area in accordance with Section LP1.0 of the SPPs and with *Guideline No. 1 - Local Provisions Schedule Zone and Code Application*.

2.2.10 LPS may include other provisions

The draft LPS complies with Sections 32(2)(k) of the LUPPA.

2.2.11 Limitation on LPS provisions

The draft LPS complies with Sections 32(2)(l) of the LUPPA.

2.3 LPS CRITERIA: STRUCTURE AND FORM OF THE DRAFT LPS

2.3.1 Structure and form of the Draft LPS

The structure and form of the draft LPS has been prepared in accordance with *Guideline No. 1 Local Provisions Schedule: zone and code application* issued under Part 8A of the LUPPA, with *LP1.0 Local Provisions Schedule Requirements* of the SPPs (Appendix A of LP1.0) and with relevant Practice Notes. The mapping complies with:

- LP1.2 as the draft LPS includes zone maps that apply to the municipal area; and
- LP1.7 as the draft LPS includes code overlay maps for the spatial application of local area objectives, specific area plans, codes and site-specific qualifications within the municipal area.

Therefore, the draft LPS meets the requirements of Sections 32(5) and (6) of the LUPPA which requires a draft LPS to be in accordance with the structure and form specified in the SPPs.

2.4 LPS CRITERIA: CONTENT OF DRAFT LPS

2.4.1 Content of Draft LPS

The zones including particular purpose zones, local area objectives, specific area plans, site-specific qualifications, codes, code overlays and lists and other provisions set out below are included in the draft LPS.

Table 2: List of Zones, Particular Purpose Zones and Specific Area Plans

Zones

- 8.0 General Residential Zone*
- 10.0 Low Density Residential Zone*
- 11.0 Rural Living Zone*
- 12.0 Village Zone*
- 14.0 Local Business Zone*
- 15.0 General Business Zone*
- 17.0 Commercial Zone*
- 18.0 Light Industrial Zone*
- 19.0 General Industrial Zone*
- 20.0 Rural Zone (a new SPPs zone)*
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- 28.0 Recreation Zone*
- 29.0 Open Space Zone*
- 30.0 Future Urban Zone*

Local Area Objectives

Particular Purpose Zones

- P1.0 Particular Purpose Zone - Future Road Corridor*
- P2.0 Particular Purpose Zone - Southwood Integrated Timber Processing Site*
- P3.0 Particular Purpose Zone - Franklin Marine and Tourism Precinct*

Specific Area Plans

- S1.0 Franklin Heritage Specific Area Plan*
- S2.0 Eggs and Bacon Specific Area Plan*
- S3.0 Green Point Specific Area Plan*

Site-Specific Qualifications

Table 3: List of Codes, Code Overlays and Code Lists

Codes and Code Overlays

C1.0 Signs Code

C2.0 Parking and Sustainable Transport Code

C3.0 Road and Railway Assets Code

C4.0 Electricity Transmission Infrastructure Protection Code

- *Communications Station Buffer Area Overlay;*
- *Electricity Transmission Corridor Overlay;*
- *Inner Protection Area Overlay;*
- *Substation Facility Overlay; and*
- *Substation Facility Buffer Area Overlay.*

C5.0 Telecommunications Code

C6.0 Local Historic Heritage Code

- *Local Heritage Places Overlay.*

C7.0 Natural Assets Code

- *Future Coastal Refugia Area Overlay;*
- *Waterway and Coastal Protection Area; and*
- *Priority Vegetation Area Overlay.*

C8.0 Scenic Protection Code

- *Scenic Protection Areas Overlay; and*
- *Scenic Road Corridors Overlay.*

C9.0 Attenuation Code

C10.0 Coastal Erosion Hazard Code

- *Coastal Erosion Hazard Bands Overlay.*

C11.0 Coastal Inundation Hazard Code

- *Coastal Inundation Hazard Bands Overlay.*

C12.0 Flood-Prone Hazard Code

C13.0 Bushfire-Prone Areas Code

- *Bushfire-Prone Areas Overlay.*

C14.0 Potentially Contaminated Land Code

C15.0 Landslip Hazard Code

- *Landslip Areas Overlay.*

Code Lists

Table C6.1 Local Heritage Places

Table C8.1 Scenic Protection Areas

Table C8.2 Scenic Road Corridors

Table C11.1 Coastal Inundation Hazard Bands AHD Levels

Applied, Adopted or Incorporated Documents

Appendix A

Table C6.1 Local Historic Heritage Places Datasheets: HUO-C6.1.1 - 6.1.12

2.4.1.1 Transitional arrangements and provisions

In addition to the conferences held with the Commission referred to above, consultation was undertaken with the Planning Policy Unit (PPU) from the Department of Justice regarding the transitional arrangements for the draft LPS.

Transitional provisions in Schedule 6 of the LUPAA enable some particular purpose zones, specific area plans, site-specific qualifications and code-applying provisions that existed immediately before 17 December 2015 to be transitioned and incorporated into the draft LPS.

Existing particular purpose zones, specific area plans and site-specific qualifications

Clause 8, Clause 8A and 8C of Schedule 6 set out transitional provisions that apply to some *existing* particular purpose zones, specific area plans and site-specific qualifications to be included in a draft LPS. This includes provisions that applied under the Interim Planning Scheme before 17 December 2015 (commencement day) and after the commencement day. Clause 8C of Schedule 6 provides for the modification of these provisions to conform to SPP requirements, where necessary.

New particular purpose zones, specific area plans and site-specific qualifications

The transitional provisions above do not apply to *new* particular purpose zones, specific area plans or site-specific qualifications proposed to be included in a draft LPS.

Instead new particular purpose zones, specific area plans or site-specific qualifications are required to meet the requirements of Section 32(4) of the LUPPA in order to be included.

Code-applying provisions

Schedule 6, Clause 8D of the LUPPA provides for *code-applying provisions* that applied under the Interim Planning Scheme immediately before the commencement day to be included in the draft LPS, and an approved LPS, unless otherwise declared by the Minister.

Code-applying provisions are those provisions that provide for the spatial application of a code such as a map or overlay, list (e.g. local heritage place list), or other relevant provision and that are substantially similar to those in an SPP code.

As with the transitional provisions for existing particular purpose zones, specific area plans and site-specific qualifications, the transitional provisions for *code-applying provisions* include any *urgent amendments* made to these provisions (under the former provisions of LUPPA) after the commencement day.

Further information

Further information is set out below about these provisions as follows.

Table 4: List of Codes and Code Overlays

Report	Transitioning and new PPZs, SAPs, SSQs and Code-applying provisions
Section 2.4.5.	<i>Particular purpose zones</i>
Section 2.4.6	<i>Specific area plans</i>
Section 2.4.7	<i>Site-specific qualifications</i>
Section 2.4.8	<i>Code-applying provisions</i>

Further information on transitional arrangements and provisions	<ul style="list-style-type: none">Practice Note No. 6 on the Commission's website
	<ul style="list-style-type: none">Minister's Advisory Statement on the Department of Justice, Tasmanian Planning Reform website: www.planningreform.tas.gov.au
	<ul style="list-style-type: none">Appendix 37

2.4.2 Zones Applicable Under The Draft LPS

The following draft LPS zones including local area objectives to be applied to the municipal area are in accordance with the LUPPA, SPPs, Guideline No. 1 and relevant Practice Notes.

Table 5: Draft LPS Zones

8.0 General Residential Zone

10.0 Low Density Residential Zone

11.0 Rural Living Zone

12.0 Village Zone

14.0 Local Business Zone

15.0 General Business Zone

17.0 Commercial Zone

18.0 Light Industrial Zone

19.0 General Industrial Zone

20.0 Rural Zone

21.0 Agriculture Zone

22.0 Landscape Conservation Zone

23.0 Environmental Management Zone

26.0 Utilities Zone

27.0 Community Purpose Zone

28.0 Recreation Zone

29.0 Open Space Zone

30.0 Future Urban Zone

Local Area Objectives

Particular Purpose Zones

P1.0 Particular Purpose Zone - Future Road Corridor

P2.0 Particular Purpose Zone - Southwood Integrated Timber Processing

P3.0 Particular Purpose Zone - Franklin Marine and Tourism Precinct

2.4.3 Application of the Draft LPS Zones - Comparison

As the draft LPS is required to incorporate the requirements of Guideline No. 1 and other statutory requirements as outlined, there are differences in how the provisions of the draft LPS will apply to the zoning of some properties in comparison to how existing Interim Planning Scheme provisions currently apply to the zoning of properties.

However, there are also similarities between how some properties are currently zoned and how they will be zoned under the draft LPS as outlined further below. This includes similarities in how some Interim Planning Scheme provisions currently apply, such as the *scenic landscape area overlay*, and how the *scenic protection areas overlay* of the draft LPS will be applied.

A comparison between the current Interim Planning Scheme zones and the proposed draft LPS zones is set out in the following table.

List of Properties

In addition to the draft LPS maps and code overlays, a *List of Properties* in [Appendix 61](#) is attached. This list of properties in the municipal area refers to property details of each property and the current zone(s) and any code overlays that apply under the Interim Planning Scheme, and to the proposed zone(s) and any code overlays to apply to each of the properties under the draft LPS.

Table 6: Comparison - Interim Planning Scheme zones and draft LPS zone provisions

See also the List of Properties in [Appendix 61](#).

Interim Planning Scheme	TPS Zone	Application
10.0 General Residential Zone	8.0 General Residential Zone	As displayed in the General Residential Zone map of the draft LPS.
12.0 Low Density Residential Zone	10.0 Low Density Residential Zone	As displayed in the Low Density Residential map of the draft LPS.
13.0 Rural Living Zone	11.0 Rural Living Zone	As displayed in Rural Living Zones A, B, C, and D maps of the draft LPS. See further section 2.4.5.6 of the report
16.0 Village	12.0 Village Zone	As displayed in the Village Zone map of the draft LPS.
20.0 Local Business Zone	14.0 Local Business Zone	As displayed in the Local Business Zone map for the draft LPS.
21.0 General Business Zone	15.0 General Business Zone	As displayed in the General Business Zone map of the draft LPS.
23.0 Commercial Zone	17.0 Commercial Zone	As displayed in the Commercial Zone of the map draft LPS.
24.0 Light Industrial Zone	18.0 Light Industrial Zone	As displayed in the Light Industrial Zone map of the draft LPS.
25.0 General Industrial Zone	19.0 General Industrial Zone	As displayed in the General Industrial Zone map of the draft LPS.
26.0 Rural Resource Zone	20.0 Rural Zone, or 21.0 Agriculture Zone, or 22.0 Landscape Conservation Zone, or 23.0 Environmental Management Zone	As displayed in the Rural, Agriculture, Landscape Conservation Zone map or Environmental Management Zone map of the draft LPS. See further sections 2.4.5.2 and 2.4.5.3 of the report.
27.0 Significant Agricultural Zone	20.0 Rural Zone, or 21.0 Agriculture Zone, or 22.0 Landscape Conservation Zone, or 23.0 Environmental Management Zone	As displayed in the maps for the Rural, Agriculture, Landscape Conservation or Environmental Management Zones of the draft LPS. See further sections 2.4.5.2 and 2.4.5.3 of the report.
14.0 Environmental Living Zone	22.0 Landscape Conservation Zone, or 11.0 Rural Living Zone	As displayed in the Landscape Conservation or Rural Living Zone maps of the draft LPS. See further sections 2.4.5.3 and 2.4.5.6 of the report.

29.0 Environmental Management Zone	23.0 Environmental Management Zone	As displayed in the Environmental Management Zone map of the draft LPS.
28.0 Utilities Zone	26.0 Utilities Zone	As displayed in the Utilities Zone map of the draft LPS.
17.0 Community Purpose Zone	27.0 Community Purpose Zone	As displayed in the Community Purpose Zone map of the draft LPS.
18.0 Recreation Zone	28.0 Recreation Zone	As displayed in the Recreation Zone map of the draft LPS.
19.0 Open Space Zone	29.0 Open Space Zone	As displayed in the Open Space Zone map of the draft LPS.
32.0 Particular Purpose Zone 1 – Urban Growth Zone	30.0 Future Urban Zone	As displayed in the Future Urban Zone map of the draft LPS.
33.0 Particular Purpose Zone 2 - Future Road Corridor	HUO-P1.0 Particular Purpose Zone - Future Road Corridor	As displayed in the Particular Purpose Zone - Future Road Corridor map of the draft LPS.
34.0 Particular Purpose Zone 3 - Southwood Integrated Timber Processing Site	HUO-P2.0 Particular Purpose Zone - Southwood Integrated Timber Processing Site	As displayed in the Particular Purpose Zone - Southwood Integrated Timber Processing Site Zone map of the draft LPS.
35.0 Particular Purpose Zone 4 - Franklin Marine and Tourism Precinct	HUO-P3.0 Particular Purpose Zone - Franklin Marine and Tourism Precinct	As displayed in the Particular Purpose Zone - Franklin Marine and Tourism Precinct map of the draft LPS.

Reasons for differences between the application of zones and codes

Some reasons for differences between the application of zones and codes under the Interim Planning Scheme and the draft LPS are set out in the table below.

Table 7: Reasons for differences between the application of zones and codes

	Draft LPS requirements and provisions	Comment on reasons for differences
1	Regulatory requirements	
	Application of the requirements of the LUPAA including Schedule 6, SPPs, Guideline No. 1, Practice Notes and draft Notice (Appendix 64) to the draft LPS.	<p>As the draft LPS and mapping are required to comply with these statutory requirements, and as the draft LPS zone and code provisions are not the same as the existing zone and code provisions, there are differences in how the draft LPS will apply to land in the municipal area.</p> <p>Some changes to the previous 2019 draft LPS have been made based on the <i>Post Lodgement Documentation</i>.</p> <p>These changes included changes to some draft LPS provisions, and to how some zone maps and code overlays have been applied to some properties based on reasons in the Post Lodgment</p>

		<p>Documentation and also reasons in the Supporting Report (refer also point 3 below).</p> <p>Changes have also been required based on the requirements of the draft Notice. (Appendix 64 and attachments)</p>
2	Local Area Objectives (LAOs)	
	<p>The draft LPS will include 2 LAOs. These are the Recreational Zone LAO (HUO-28.0) and the Open Space Zone LAO (HUO-29.0).</p>	<p>These 2 LAOs take into account recommendations in the <i>Huonville-Ranelagh Master Plan</i> and the nature of the Zone Purpose Statements that apply to zones under the SPPs.</p> <p>Further strategic planning work will be required to develop any further LAOs.</p>
3	Application of Zones	
	<p>Relevant considerations include:</p> <p>(a) The application of the Rural Zone, Agriculture Zone and Landscape Conservation Zone to land under the draft LPS in accordance with the <i>Zone Application Guidelines</i> (Guideline No. 1).</p> <p>(b) That the Environmental Living Zone is not included in the SPPs and therefore not able to be applied under the draft LPS.</p>	<p>Further analysis of land currently zoned Rural Resource and Significant Agriculture was undertaken for land to be rezoned either Rural, Agriculture, Landscape Conservation or Rural Living.</p> <p>In accordance with the <i>Zone Application Guidelines</i> (Guideline No. 1), the Landscape Conservation Zone has been applied to:</p> <ul style="list-style-type: none"> • most land currently zoned Environmental Living Zone under the Interim Planning Scheme; and • where appropriate, to some land previously zoned Rural Living, Rural Resource or Significant Agricultural under the Interim Planning Scheme and previous draft LPS. <p>Also, accordance with the <i>Zone Application Guidelines</i>, the application of these zones to some land has also required adjustments to some zones that are to apply, for example, to:</p> <p>(a) reduce potential 'spot zoned' areas;</p> <p>(b) incorporate the advice of Council's consultants as outlined in the Supporting Report, for example in:</p> <ul style="list-style-type: none"> • section 2.4.5.2 Application of the Rural Zone and the Agriculture Zone, and

		<ul style="list-style-type: none"> section 2.4.5.3 Application of the Landscape Conservation Zone. <p>(c) meet the justification requirements of Section 34(2) of the LUPAA in some cases; or</p> <p>(d) align further with other statutory requirements that apply.</p> <p>Changes have also been required based on the requirements of the draft Notice. (Appendix 64 and attachments)</p>
	Rural Living Zone	<p>The application of the Rural Living Zone requires mapped Rural Living areas to be designated Rural Living A, B, C or D zoned land in accordance with Guideline No. 1 and relevant Practice Notes.</p> <p>Some adjustments to the application of this zone were made to align further with Guideline No. 1 requirements.</p> <p>Changes have also been required based on the requirements of the draft Notice. (Appendix 64 and attachments)</p> <p>Therefore, in some cases the zoning of some properties under the draft LPS will not be a “like for like” change from the former zoning.</p>
	<p>Rezoning of land, Cygnet</p> <p>Part of 7368 Channel Highway (FR136624/1), Part of Lot 1 Channel Highway (FR 167891/1) and Part of 33 Esplanade Road (FR 167893/1), Cygnet</p> <p>See further Draft Notice (Appendix 64, Attachment A, paragraph 4.48).</p>	<p>Following a decision of the Commission in 2021 a change to the draft LPS was required to revise the zoning of land at Cygnet (parts of folios of the Register 136624/1, 167891/1 and 167893/1) that are zoned General Residential and Utilities as a result of approved amendment AP-HUO-PSA-2-2017 to the Interim Planning Scheme to General Residential and Utilities.</p> <p>See further Draft Notice (Appendix 64, Attachment A, paragraph 4.48).</p>
4	Application of Codes	
	C7.0 Natural Assets Code / Biodiversity Code	<p>The Biodiversity Code and associated <i>priority vegetation overlay</i> is now included in the draft LPS as it was approved by the Commission</p>

		separately as a planning scheme amendment to the Interim Planning Scheme in 2020 after the previous version of the draft LPS was endorsed in May 2019 by the Planning Authority.
	<p>C8.0 Scenic Protection Code and overlays</p> <p>Application of the <i>scenic protection areas overlay</i> and <i>scenic road corridor overlays</i>.</p>	<p>The draft LPS includes areas subject to the <i>scenic protection areas overlay</i> and <i>scenic road corridor overlay</i>.</p> <p>These overlays are consistent with the current <i>scenic landscape area overlay</i> and <i>landscape corridor overlay</i> that apply under the Interim Planning Scheme.</p> <p>Further strategic planning work will be required to be undertaken to support the application of these overlays to other areas in the municipal area that are suitable for the application of these overlays.</p> <p>Changes have also been required based on the requirements of the draft Notice. (Appendix 64 and attachments)</p>
	C13.0 Bushfire-Prone Areas Code	The draft LPS now includes this overlay that applies to the municipal area as it was approved by the Commission separately as a planning scheme amendment to the Interim Planning Scheme in 2020 after the previous version of the draft LPS was endorsed in May 2019 by the Planning Authority.

Section 32(4) of the LUPPA and overriding provisions

As the application of the SPPs and Guideline No. 1 result in some differences in the how the properties are to be zoned under the draft LPS in comparison to how they are currently zoned under the Interim Planning Scheme, this provides further reasons to justify, under Section 32(4), the inclusion of some specific *overriding provisions* in the draft LPS.

2.4.4 Local Area Objectives

The draft LPS includes the following Local Area Objectives (LAOs):

- HUO-28.0: Recreational Zone; and
- HUO-29.0: Open Space Zone

They have been included based on the advice and recommendations in the *Huonville-Ranelagh Master Plan* ([Appendix 51](#)) and in taking into account the nature of the *Zone Purpose Statements* that apply to each of the zones under the SPPs.

2.4.5 Application of Zones

2.4.5.1 Particular Purpose Zones

Guideline No.1 states:

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. (page 26)

The particular purpose zones in the Interim Planning Scheme that existed immediately before 17 December 2015 are proposed to transition to the draft LPS where they are subject to the transitional provisions in Schedule 6.

However, the existing *Particular Purpose Zone – Urban Growth Zone* is not subject to the transitional provisions as the SPPs provide for a *Future Urban Zone*. Therefore, the areas within the municipal area currently zoned *Particular Purpose Zone – Urban Growth Zone* will be zoned *Future Urban Zone* under the draft LPS.

The particular purpose zones included in the draft LPS comply with *Guideline No. 1 Local Provisions Schedule: zone and code application*, with the *Local Provisions Schedule Requirements* of the SPPs (LP1.4 of Appendix A of LP1.0) and with relevant Practice Notes.

Particular Purpose Zone not transitioning to the draft LPS

Interim Planning Scheme Provision	Reason for not transferring
32.0 Particular Purpose Zone 1 – Urban Growth Zone	The Particular Purpose Zone 1 – Urban Growth Zone is superseded by the SPP Future Urban Zone

Particular Purpose Zones transitioning to the draft LPS

Interim Planning Scheme Provision	Application under Draft LPS
33.0 Particular Purpose Zone – Future Road Corridor	HUO-P1.0 Particular Purpose Zone – Future Road Corridor
34.0 Particular Purpose Zone – Southwood Integrated Timber Processing Site	HUO-P2.0 Particular Purpose Zone – Southwood Integrated Timber Processing Site
35.0 Particular Purpose Zone 4 – Franklin Marine and Tourism Precinct	HUO-P3.0 Particular Purpose Zone – Franklin Marine and Tourism Precinct Note: <u>Appendix 64</u> applies to HUO-P3.0 (Draft Notice under Section 35(5)(b) and Schedule 6, Clauses 8C(5)(a) and 8D(9)(a) of the LUPPA issued to the Planning Authority together with Attachment A and B to the draft Notice)

These transitioning PPZs have been modified to the extent necessary to ensure consistency with the prescribed SPP structure and format, drafting instructions and the LUPAA. Schedule 6 of LUPAA provides the Commission with discretion to determine whether alterations to transitioning PPZs, SAPs and SSQs are *permitted alterations*. Permitted alterations to PPZs, SAPs and SSQs must be for a purpose specified in Schedule 6, Clause 8C(3)(a), (b), (c)(i), (c)(ii) or (d) of the LUPAA.

The table below identifies how the alterations to the transitioning PPZs comply with the requirements of Schedule 6 in order to be classified as *permitted alterations* under that schedule.

Table 8: Permitted alterations and modifications to particular purpose zones

HUO-P1.0 Particular Purpose Zone – Future Road Corridor		
Clause No.	Clause Title	Permitted alteration description and purpose
HUO-P1.0	Particular Purpose Zone – Future Road Corridor clause numbering	Altered clause numbering to conform with the requirements of the SPPs. [Schedule 6, Clause 8C(3)(a)]
HUO-P1.2	Local Area Objectives	This clause is not used in this particular purpose zone.
HUO-P1.4	Use Table	Altered the qualifications for the Permitted and Discretionary Use Classes to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)]
HUO-P1.5	Use Standards	This clause is not used in this particular purpose zone.
HUO-P1.6	Development Standards for Building and Works	Alterations to clause HUO-P1.6.1 Buildings and Works, applying the drafting conventions in Practice Note 5 to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)]
HUO-P1.7	Development Standards for Subdivision	Alterations to clauses HUO-P1.7.1 Subdivision, applying the drafting conventions in Practice Note 5 to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)]

HUO-P2.0 Particular Purpose Zone – Southwood Integrated Timber Processing Site		
Clause No.	Clause Title	Permitted alteration description and purpose
HUO-P2.0	Particular Purpose Zone – Southwood Integrated Timber Processing Site clause numbering	Altered clause numbering to conform with the requirements of the SPPs. [Schedule 6, Clause 8C(3)(a)]
HUO-P2.2	Local Area Objectives	This clause is not used in this particular purpose zone.
HUO-P2.4	Use Table	Altered the qualifications for the Permitted and Discretionary

		Use Classes to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)]
HUO-P2.5	Use Standards	Alterations to clauses HUO-P2.5.1 Discretionary Uses, HUO-P2.5.2 Location of Use, applying the drafting conventions in Practice Note 5 to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)]
HUO-P2.6	Development Standards for Building and Works	Alterations to clause HUO-P2.6.1 Setback, applying the drafting conventions in Practice Note 5 to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)]
HUO-P2.7	Development Standards for Subdivision	This clause is not used in this particular purpose zone.

HUO-P3.0 Particular Purpose Zone – Franklin Marine and Tourism Precinct

Changes have also been required based on the requirements of the draft Notice: [Appendix 64](#) including Attachments A and B.

Clause No.	Clause Title	Permitted alteration description and purpose
HUO-P3.0	Particular Purpose Zone – Franklin Marine and Tourism Precinct clause numbering	Altered clause numbering to conform with the requirements of the SPPs. [Schedule 6, Clause 8C(3)(a)]
HUO-P3.2	Local Area Objectives	Alterations to clauses HUO-P3.2 Local Area Objectives to reflect the change in format and terminology used in the SPPs from the Local Area Objectives and Desired Future Character Statements in the Interim Planning Scheme. [Schedule 6, Clause 8C(3)(b)]
HUO-P3.4	Use Table	Altered the qualifications for the Permitted and Discretionary Use Classes to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)] Altered the qualifications for the Discretionary Use Classes of Hotel Industry and Visitor Accommodation to reflect the correct CT reference. [Schedule 6, Clause 8C(3)(b)]
HUO-P3.5	Use Standards	This clause is not used in this particular purpose zone.
HUO-P3.6	Development Standards for Building and Works	Alterations to clauses HUO-P3.6.1 Building Height, HUO-P3.6.2 Design, HUO-P3.6.3 No build areas, HUO-P3.6.4 Public access, applying the drafting conventions in Practice Note 5 to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)]
HUO-P3.7	Development	Alterations to clauses HUO-P3.7.1 Maximum Number of New

	Standards for Subdivision	Lots off Main Street / Huon Highway, HUO-P3.7.2 Subdivision, applying the drafting conventions in Practice Note 5 to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)b)]
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2.4.5.2 Application of the Rural Zone and the Agriculture Zone

Background

The State Government commissioned a State-wide [Agricultural Land Mapping Project](#) (Appendix 35) with the primary aim of identifying Tasmania's existing and potential agricultural land, and to provide guidance to local planning authorities on the spatial application of the Agriculture Zone within their respective municipal areas.

Fact Sheets	https://planningreform.tas.gov.au/planning/information/tasmanian-planning-scheme
<u>Appendix 15</u>	<i>State Policy - Protection of Agricultural Land (PAL Policy)</i>
<u>Appendix 24</u>	<i>STRLUS - Background Report No. 7: Productive Resources</i>
<u>Appendix 35</u>	<i>Agricultural Land Mapping Project -Background Report</i>
<u>Appendix 39</u>	<i>Decision Tree and Guidelines - Agriculture & Rural Zones</i>
<u>Appendix 40</u>	<i>Guidelines for Identifying Areas of Interest</i>

Whilst the draft LPS includes the Agriculture Zone and Rural Zone, the application of the draft LPS provisions is not a 'like for like' translation of the current Significant Agricultural Zone provisions to the Agriculture Zone, or a 'like for like' translation of the current Rural Resource Zone provisions to the Rural Zone under the TPS, LPS. This was, in part, because of new zones being created to recalibrate the current Significant Agricultural Zone and Rural Resource Zone which were inconsistently used and applied in interim schemes across the State.

The project identified that the Significant Agricultural and Rural Resource zones were not fit for purpose. The Significant Agricultural Zone was considered too narrow in its scope in that it was limited to "land for higher productivity value agriculture dependent on soils as a growth medium".

The Rural Resource Zone then had to apply to all other agricultural land that was not deemed as having 'higher productivity value'. The new Agriculture Zone is intended to provide a much broader scope for the identification and protection of agricultural land in Tasmania, with priority given to agricultural uses.

The Rural Zone provides for the remaining rural land where there is limited or reduced potential for agriculture, consistent with the *State Policy on the Protection of Agricultural Land* and the Regional Strategy (STRLUS). The Rural Zone provides for all agricultural uses to occur in conjunction with a range of other rural based uses consistent with the zone purpose statements for the zone.

It should be noted that the *Agricultural Land Mapping Project* (Appendix 35) excluded certain land uses such as forestry in their analysis which was considered better suited to be undertaken within the Rural Zone.

Agricultural Land Mapping Project

The Project produced two mapping layers that are available on the LIST website:

1. *Potential Agricultural Land Initial Analysis*
2. *Land Potentially Suitable for Agriculture*

The *Land Potentially Suitable for Agriculture* layer includes a constraints analysis for land that is:

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

The constraints analysis is set out in the table below:

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

Zone Application

As outlined above, by the application of Guideline No. 1 and other statutory requirements there are differences in how the provisions of the draft LPS will apply to the zoning of some properties in comparison to how existing planning scheme provisions currently apply to the zoning of other properties. However, there will also be similarities between the current zoning of some properties with their proposed zoning under the draft LPS.

This has meant that numerous properties that were zoned Rural Resource or Significant Agricultural under the Interim Planning Scheme, have been rezoned to the Rural, Agriculture, Landscape Conservation or Environmental Management Zones in accordance with the Guidelines.

The Guidelines required the application of the Agriculture Zone to be based on the land identified in the *Land Potentially Suitable for Agriculture* layer that also takes into account:

- Any recent or detailed relevant analysis or mapping;
- Better aligns with on-ground features; or
- Addresses any anomalies or inaccuracies in the layer.

Guideline No. 1 also provides for alternative zoning of land identified in the *Land Potentially Suitable for Agriculture* layer if further analysis is done and identifies the following:

- Strategically important naturally occurring resources;
- Protection of significant natural values, such as priority vegetation areas;
- Strategically important uses; and
- The land has limited or no potential for agricultural use.

Land capability classification

The following is a description of the *Tasmanian Land Capability Classification System* in the *Background Report No.7: Productive Resources*, 2011 of the STRLUS ([Appendix 24](#)):

Prime Agricultural Land is recognised within PAL as being land classified as Class 1, 2 or 3 under the Tasmanian Land Capability Classification System (TLCCS). It is capable of supporting a wide range of intensive cropping and grazing activities. However, all land identified as Class 1 to 5 under the TLCCS is considered suitable for a range of both cropping and/or grazing pursuits. Class 6 is considered marginally suitable for grazing but unsuitable for cultivation with Class 7 being considered unsuitable for agriculture. (page 1)

Further information about the *Land Capability Classification System* that has been considered is set out in the Appendices, on the [LIST](#) (thelist.tas.gov.au) and the DPIPWE website on this [link](#).

A summary of the land classification descriptions is set out below based on these sources.

Table 9: Relevant Land Capability Classification Descriptions, Tasmania

3	<i>Land suited to cropping and intensive grazing with moderate limitations to use</i>
4	<i>Land well suited to grazing but which is limited to occasional cropping or a very restricted range of crops</i>
4+5	<i>At least 60% Land well suited to grazing but which is limited to occasional cropping or a very restricted range of crops, up to 40% land unsuited to cropping and with slight to moderate limitations to pastoral use</i>
5	<i>Land unsuited to cropping and with slight to moderate limitations to pastoral use</i>
5+6	<i>At least 60% Land unsuited to cropping and with slight to moderate limitations to pastoral use and up to 40% Land well suited to grazing but which is limited to occasional cropping or a very restricted range of crops</i>
6	<i>Land marginally suited to grazing due to severe limitations</i>
6+7	<i>At least 60% Land marginally suited to grazing due to severe limitations up to 40% Land with very severe to extreme limitations that make it unsuitable for agricultural use</i>
7	<i>Land with very severe to extreme limitations that make it unsuitable for agricultural use</i>
7+6	<i>At least 60% Land with very severe to extreme limitations that make it unsuitable for agricultural use up to 40% Land marginally suited to grazing due to severe limitations</i>
E	<i>Land that is not private freehold or leased crown land and has therefore not been classified</i>
W	<i>Waterbody</i>

Tasmanian Land Use 2015 Data (source: [LIST](#)):

The Tasmanian Land Use 2015 spatial data set is produced at catchment scale which is undertaken through the Australian Collaborative Land Use and Management Program (ACLUMP) using standards set out in the 'Guidelines for land use mapping in Australia: principals, procedures and definitions, 4th edition 2011' and 'Addendum to the Guidelines for land use mapping in Australia: principles, procedures and definition, 4th Edition'.

Land use is classified by its prime use using a hierarchical structure, Australian Land Use and Management Classification (ALUMC) v8, which allows attribution as broad

classes to individual commodities.

This produces nationally consistent land use mapping to plan for and achieve productive agriculture and prosperous regional communities. Land use information shows how we use the landscape, whether that is for food production, forestry, nature conservation, water storage or urban development.

The data set has been derived through spatial analysis of ancillary data sets, interpretation from imagery (Google Earth, State Orthophoto and Landsat composite) and expert knowledge through stakeholder engagements. The development of a modelling process to create the data set allows a repeatable process for future iterations of land use mapping. The land use mapping coverage is available for mixed dates at a scale that varies according to the intensity of land use activities and landscape context.

This iteration of land use mapping is for improved biosecurity outcomes to improve biosecurity risk management and emergency disease preparedness through updated land use mapping of horticulture and intensive animal production. Land use mapping is completed to the secondary and tertiary level with commodity information for priority land use classes focusing on dairy grazing, sheds and yards, vineyards, stock aggregation points and nurseries.

Australian Land Use and Management Classification (ALUMC) v8 comprises of five primary classes, identified in order of increasing levels of intervention or potential impact on the natural landscape. Water is included separately as a sixth primary class. Primary and secondary levels relate to the principal land use. Tertiary classes may include additional information on commodity groups, specific commodities, land management practices or vegetation information.

The primary, secondary and tertiary codes work together to provide increasing levels of detail about the land use. Land may be subject to a number of concurrent land uses. For example, while the main management objective of a multiple-use production forest may be timber production, it may also provide conservation, recreation, grazing and water catchment land uses. In these cases, production forestry is commonly identified in the ALUM code as the prime land use. The Land Use 2015 layer from the LIST (thelist.tas.gov.au) assisted in determining the application of zones.

The primary classes of land use in the ALUM Classification are:

- 1. Conservation and natural environments - land used primarily for conservation purposes, based on maintaining the essentially natural ecosystems present.*
- 2. Production from relatively natural environments - land used mainly for primary production with limited change to the native vegetation.*
- 3. Production from dryland agriculture and plantations - land used mainly for primary production based on dryland farming systems.*
- 4. Production from irrigated agriculture and plantations - land used mostly for primary production based on irrigated farming.*
- 5. Intensive uses - land subject to extensive modification, generally in association with closer residential settlement, commercial or industrial uses.*
- 6. Water - water features (water is regarded as an essential aspect of the classification, even though it is primarily a land cover type, not a land use). (thelist.tas.gov.au)*

AK Consultants

As set out further below, AK Consultants provided advice to the Planning Authority that has been applied to assist in determining whether parcels of land in the municipal area should be zoned, in particular, either Agriculture or Rural under the draft LPS.

In addition to the advice provided, AK Consultants provided methodology to apply set out in the *Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones* (Decision Tree: Appendix 39).

This methodology together with Guideline 1 requirements, have been applied, where necessary, as part of the process of rezoning land zoned Rural Resource and Significant Agricultural under the Interim Planning Scheme to an alternative zone under the draft LPS.

Criterion within the *Decision Tree* included, but is not limited to, the *Land Potentially Suitable for Agriculture* layer, the existing land use, (agriculture, forestry activities, extractive industries, resource processing), land capability, irrigation resources, surrounding zoning, surrounding land use, native vegetation, public reserves, and private reserves.

Report - Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones

The report sets out:

- A methodology to assist with the application of the zones to land to be considered for zoning land as Agriculture or Rural (Guideline No. 1– page 9); and
- Other methodologies to assist with the application of both zones to land by providing guidance on Enterprise Scale, Land Capability, Native Vegetation, Constraints Mapping, Irrigation Resources and Reserves (*Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones*; methodology – page 9, Appendix 3 and Table 5).

The methodology in the *Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones* report has therefore been applied, as necessary, to assist in delineating between land suitable to be zoned Agriculture and land suitable to be zoned Rural under the draft LPS. The methodology sets out a process to consider land constraints, land capability and lot size, existing uses, connectivity, irrigation, the STRLUS and other relevant matters.

In its report, AK Consultants state:

The Southern Tasmanian Regional Land Use Strategy - Background Report No. 7: Productive Resources 2011, identified the main agricultural activities conducted across the Region as a whole.

These are livestock grazing (meat, dairy, wool), broad acre crops (crops for hay), horticultural crops (vegetables), orchard fruit berries and vines, nurseries & cut flowers and plantation forestry. For each of these activities the attributes to be able to conduct these enterprises have been broadly defined. (see Table 6 in Appendix 1)

...Appendix 3 provides the background rationale for the development of the Enterprise Scale Analysis Tool.

Discussion around enterprise 'viability' is for context but does not specifically relate to the Decision Tree/Guidelines process....

...Table 6 can be used to analyse existing and potential land use based on the characteristics described. There are many other factors (site specific and broader regional factors) which

determine the potential land use of any given parcel, however, Table 6 can be used as guide to establish the potential for the most intensive land use in any given area based on easily assessable and relatively permanent characteristics.

Once the potential land use has been established based on the characteristics in Table 6, the minimum separation distance between the most likely potential agricultural activity and residential land use can be considered.

The ALMP Land Potentially Suitable for Agriculture GIS Layer (discussed above) identifies titles that are potentially constrained based on title size, capital value and connectivity/fettering.

This provides a first pass of constrained titles. Current agricultural activities and potential future activities on these identified titles should consider the resource requirements as identified in Table 6. There are also six subsequent tables that list potential conflict issues for each identified enterprise with adjacent residential amenity (Tables 712). Table 13, in Appendix 1 provides a comprehensive list of potential conflict issues described by Learmonth et al 2006. This more detailed information provides the basis for considering the agricultural potential for titles at the local scale.

Areas of interest

AK Consultants also provided advice set out in a further report, *Guidelines for Identifying Areas of Interest* (2018) ([Appendix 40](#)). These guidelines have also been considered, as necessary, when assessing areas of interest in the municipal area. The report indicated that clearing of priority vegetation will be covered under the Forest Practices Code.

However, the Forest Practices Code does not consider vegetation clearing for non-agriculture use such as Visitor Accommodation. Accordingly, the Rural Zone has been applied to lots where it is necessary and appropriate for the *priority vegetation area overlay* to be applied. Its application has been undertaken in consultation with Council's NRM officer.

The decision to not enable the *priority vegetation area overlay* to be applied to the Agriculture Zone is particularly problematic for allocating the Agriculture Zone to land in the municipal area.

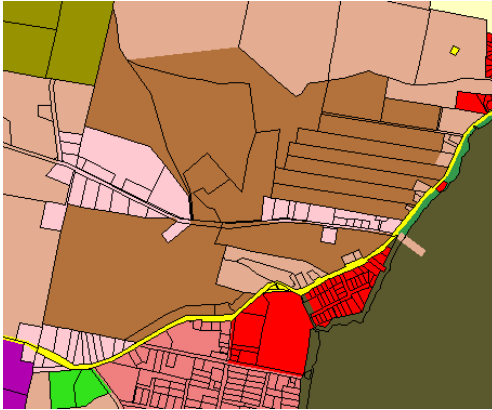
Therefore, the advice and methodology provided by AK Consultants has been applied together with other information and advice referred to in this report, as necessary, to assist in decisions to rezone land currently zoned Rural Resource or Significant Agricultural under the Interim Planning Scheme to the Agriculture or Rural zone in the draft LPS in accordance with the requirements of Guideline No. 1 and other requirements referred to in this report.

Application of methodology

The following are example of how the above methodology has been applied.

- (a) The *Post Lodgement Documentation* in section 1.1.4 of this report sets out in Attachment 2 of that documentation how the above methodology has been applied to land in the examples referred to in that attachment.
- (b) The following table, Table 10, includes details about a significant area of land that was rezoned from Rural Resource under the Interim Planning Scheme to the Agriculture Zone in the draft LPS and includes a summary of advice provided by AK Consultants.

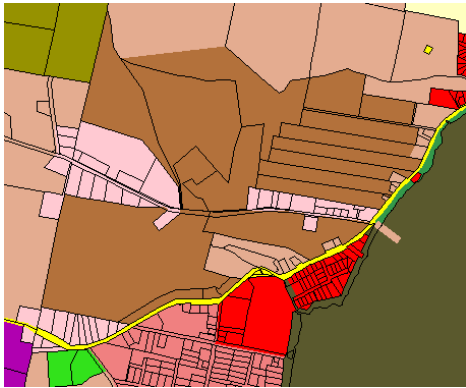
Table 10

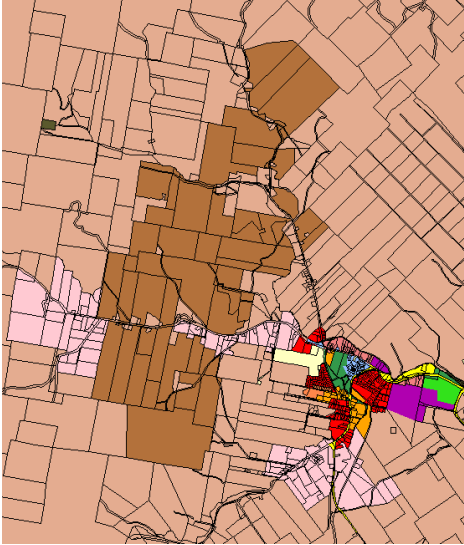
Area of Interest	Zoning & Titles (Folio/Plan)	Comments	Proposed zoning in the LPS
Dover	<p>Rural Resource under the Interim Planning Scheme.</p> <p>CT 212502/1, 104499/3, 104499/1, 104499/2, 83161/1, 123849/1, 21382/1, 19925/1, 123849/2, 123849/3, 53980/3, 53980/1, 40582/1, 212502/1, 100571/1</p>	 <p>Summary of text sent from HVC to AK Consultants on 17 May 2018</p> <p>Several lots currently:</p> <ul style="list-style-type: none"> • zoned Rural Resource; • used for agriculture (orchards); • identified as potentially constrained under the <i>Land Potentially Suitable for Agriculture</i> layer; • varying in size, with some under 10ha, but several of which are owned by the same landholder. <p><i>“Several lots (CT 123849/2, 123849/3, 19925/1) zoned Rural Resource under the Interim Planning Scheme have been identified to be rezoned Agriculture under the TPS, LPS... Adjacent lots have not been picked up for inclusion in the Agriculture zone, for a variety of reasons. However, we are considering overriding the decision tree in these instances such as:</i></p> <ul style="list-style-type: none"> • <i>CT 83161/1 is owned by the adjacent landholder, but is proposed to be zoned Rural because it has an industrial land use code as it contains a cool-store, however it also contains orchards, considered appropriate to zone Agriculture.</i> • <i>CT 104499/3 is owned by the adjacent landholder, but is zoned Rural because it contains a small amount of priority vegetation. However, it also contains orchards,</i> 	<p>Proposed to be zoned Agriculture CT 212502/1, 104499/1, 104499/2, 104499/3, 83161/1, 123849/1, 21382/1, 19925/1, 123849/2, 123849/3, 53980/1, 53980/3, 40582/1</p> <p>Lots proposed to be split zoned CT 212502/1 and 100571/1.</p>

		<p><i>and is considered appropriate to zone Agriculture.</i></p> <ul style="list-style-type: none"> • <i>CT 212502/1 is owned by the adjacent landholder, but is proposed to be zoned Rural because it contains priority vegetation, as this is a larger area of priority vegetation it is considered appropriate to split zone this site, the land capability in this part of the site is 6."</i> 	
		<p>AK Consultants response to HVC sent on 29 May 2018</p> <p>CT 83161/1 – “Agree” CT 104499/3 – “Agree” CT 212502/1 - “For the third point, this would be dependent on whether adjacent land to north is also going to be zoned Rural, which I’m assuming it is.</p> <p><i>CT 40582/1 should also be retained [sic] in the Ag Zone. This title is 9ha in area, has existing horticultural use and water resources. The 2015 Land Use Mapping shows the horticultural crop as residual vegetation, suggesting this is a fairly recent development.</i></p> <p><i>CT 123849/1, while mapped as constrained, is under same ownership as adjacent orchards and appears to have a small area of orchard located on it, should be retained [sic] in Ag Zone.</i></p> <p><i>Also appears to be a number of titles mapped unconstrained around edge that have been mapped as Rural, it would be interesting to see what the justification was for not zoning these Ag."</i></p>	


Table 11

The table below summarises several of the significant areas of rezoning from the Rural Resource zone under the Interim Planning Scheme to the Agriculture zone in the LPS.

Location and CT	PID	Interim Planning Scheme Zone/s	Draft LPS Zone/s	Notes
Dover CT 40582/1, 104499/1, 104499/3, 104499/2, 83161/1, 212502/1, 53980/1, 53980/3, 123849/3, 123849/2, 100571/1, 19925/1, 21382/1, 123849/1	7570540, 1455904, 1455891, 5262333, 5262325, 5262114, 1884119, 1884119, 5265382, 5265382, 7497259, 2163794, 7142546, 5262106.	Rural Resource and 1 lot split zoned Village and Rural Resource.	Agriculture and 2 lots split zoned Agriculture and Rural.	 <p>Dover</p> <p>The area comprises of 14 properties currently zoned Rural Resource, with one lot split zoned Village, under the Interim Planning Scheme.</p> <p>The lots are located on the western side of the Huon Highway in Dover. Several have direct frontage to the Huon Highway while others are accessed from Francistown Road. Some lots contain an established dwelling and/or associated improvements.</p> <p>The lots proposed for rezoning to Agriculture:</p> <ul style="list-style-type: none"> • are largely used for agriculture (orchards) including land identified on the LIST layer 'Land Use 2015' as 'irrigated perennial horticulture'; • have a land capability of 5; • are identified as 'potentially unconstrained', or 'Potentially Constrained 2A, or 3' under the States 'Land Potentially Suitable for Agriculture Zone' shown on the LIST; • multiple lots owned by the same landholder with a total area over 10ha. <p>The proposed zone is consistent with Guideline No. 1 AZ1, AZ3, AZ4, AZ5.</p>

<p>Geeveston</p> <p>CT 84369/1, 165917/1, 45506/1, 232692/1, 104585/8, 245463/1, 223969/1, 23390/1, 245462/1, 250637/1, 26882/3, 45016/1, 221114/1, 229740/1, 213694/1, 120229/1, 114860/2, 114860/1, 143803/1, 252168/1, 143803/2, 120228/1, 37338/1, 69395/1, 69071/1, 139092/2, 139092/1, 149136/1, 14546/1, 103306/1, 40740/5, 159817/2, 220917/1, 128634/2, 228922/1, 129204/2, 114861/1, 114861/2.</p>		<p>Rural Resource</p>	<p>Agriculture</p>	 <p>Geeveston</p> <p>The area comprises 36 properties currently zoned Rural Resource under the Interim Planning Scheme, as well as an area of land to the south already zoned Significant Agricultural Zone under the Interim Planning Scheme.</p> <p>All lots, except for two, are located on the northern side of the Arve Road and Old Arve Road in Geeveston. Several have direct frontage to these roads while others are accessed from Wilsons Road, and Fourfoot Road. Some lots contain a dwelling and/or associated improvements.</p> <p>The lots proposed for rezoning to Agriculture:</p> <ul style="list-style-type: none"> • are largely used for agriculture including land identified on the LIST layer 'Land Use 2015' as 'Grazing modified pastures'; • have a land capability of 5, with some small areas of 4 and 6; • are largely identified as 'potentially unconstrained' under the States 'Land Potentially Suitable for Agriculture Zone' shown on the LIST; • multiple lots owned by the same landholder with a total area over 10ha. <p>The proposed zone is consistent with Guideline No. 1 AZ1, AZ3, and AZ4.</p>
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<p>Franklin</p> <p>CT 143801/2, 166349/1, 166349/2, 166350/1.</p>	<p>2635317, 3258250, 3258242, 3258269.</p>	<p>Rural Resource</p>	<p>Agriculture</p>	<div data-bbox="903 217 1422 598" data-label="Image"> </div> <p>Franklin</p> <p>The area is comprised of four properties currently zoned Rural Resource under the Interim Planning Scheme.</p> <p>The lots are located on the western side of the Huon Highway in Franklin. The lots within the smaller area to the north have frontage to Kay Street, Cracroft Street and Jacksons Road.</p> <p>Some lots contain an established dwelling and/or associated improvements.</p> <p>The lots in the smaller area to the north that are proposed for rezoning to Agriculture:</p> <ul style="list-style-type: none"> • are largely used for agriculture including land identified on the LIST layer 'Land Use 2015' as 'Irrigated perennial horticulture'; • have a land capability of 5, with some areas of 4 and 6; • are identified as 'potentially constrained 2A and 2B' under the States 'Land Potentially Suitable for Agriculture Zone' shown on the LIST; and • are largely owned by the same landholder with a total area over 10ha. <p>The proposed zone is consistent with Guideline No. 1 AZ1, AZ3, and AZ4.</p>
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Franklin CT 31016/4, 22099/3, 22099/2, 114811/28, 159196/1, 153611/3, 130029/3, 114811/18, 164715/4, 159201/1, 132098/1.	3602285, 3307374, 1929591, 5707443, 1846657.	Rural Resource	Agriculture	 <p>Franklin</p> <p>The area is comprised of 12 properties currently zoned Rural Resource under the Interim Planning Scheme.</p> <p>The lots are located on the western side of the Huon Highway in Franklin. The lots within the larger area to the south are accessed from Chittys Road, Braeside Road, Flakemore Road and Fleurtys Road.</p> <p>The lots in the larger area to the south that are proposed for rezoning to Agriculture:</p> <ul style="list-style-type: none"> • are largely used for agriculture including land identified on the LIST layer 'Land Use 2015' as 'Irrigated perennial horticulture' and Grazing modified pastures'; • have a land capability of 5, with a small area along the boundary with a land capability of 6; • are identified as 'potentially unconstrained', and 'potentially constrained 2A and 2B' under the States 'Land Potentially Suitable for Agriculture Zone' shown on the LIST; and • are largely owned by the same landholder with a total area over 10ha. <p>The proposed zone is consistent with Guideline No. 1 AZ1, AZ3, and AZ4.</p>
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<p>Judbury</p> <p>(Western area) CT 55162/1, 6770/1, 247588/1, 216299/1.</p> <p>(Eastern area) 12913/1, 12913/2, 115014/1.</p>	<p>(Western area) 7709805, 3400798.</p> <p>(Eastern area) 7336105, 1640755.</p>	<p>Rural Resource</p>	<p>Agriculture</p>	<div data-bbox="903 219 1361 551"> </div> <p>Judbury</p> <p>The area comprises of 7 properties currently zoned Rural Resource under the Interim Planning Scheme.</p> <p>The lots are located to the east of Judbury, on the northern side of the Lonnvale Road in Judbury. The lots in the area to the west that are proposed for rezoning to Agriculture:</p> <ul style="list-style-type: none"> • are identified on the LIST layer 'Land Use 2015' as 'Rural residential without agriculture'; • have a land capability of 5, • are identified as 'potentially unconstrained', and 'potentially constrained 2A, 2B' under the States 'Land Potentially Suitable for Agriculture Zone' shown on the LIST; and • largely owned by the same landholder with a total area over 10ha. • The lots in the area to the east that are proposed for rezoning to Agriculture: • are largely used for agriculture including land identified on the LIST layer 'Land Use 2015' as 'Grazing modified pastures'; • have a land capability of 5, • are identified as 'potentially constrained 2B and 3' under the States 'Land Potentially Suitable for Agriculture Zone' shown on the LIST; and • are largely owned by the same landholder with a total area over 10ha. <p>The proposed zone is consistent with Guideline No. 1 AZ1, AZ3, and AZ4.</p>
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2.4.5.3 Application of the Landscape Conservation Zone

Historically scenic values of vegetated hills and prominent ridgelines in certain areas have been prioritised, and development managed, to minimise the visual impact on the landscape, most recently through the application of the Environmental Living Zone or the Scenic Protection Code under the Interim Planning Scheme.

Under the Interim Planning Scheme, the Environmental Living Zone was used to provide for the management and protection of the natural and landscape values of these areas.

When the Interim Planning Scheme was being drafted, the Environmental Living Zone was the best translation for land that was located within the Hill Top Preservation Zone in the *Huon Planning Scheme 1979*. This resulted in the rezoning of the Cannells Hill area in Huonville to the Environmental Living Zone. Additional areas were zoned Environmental Living, instead of Rural Living in the transition to the Interim Planning Scheme because it was identified that there were significant landscape values in these areas.

The Environmental Living Zone has not been carried over to the SPPs. However, the most similar zone and therefore appropriate translation is, in most circumstances, the Landscape Conservation Zone.

A key difference between the current Environmental Living Zone and the Landscape Conservation Zone is that a single residential dwelling will go from a permitted use class to a discretionary use class. Other than this change in use class, most of the use and development/subdivision standards are similar with the same overall intent of minimising loss of natural and landscape values.

The Landscape Conservation Zone has been applied to most land currently zoned Environmental Living Zone in the Interim Planning Scheme and where appropriate some additional land previously zoned Rural Living, Rural Resources and Significant Agricultural under the Interim Planning Scheme, in accordance with the Zone Application Guidelines.

The following summary was provided by Council's NRM officer in the application of the Landscape Conservation Zone:

Section 8A Guidelines No 1 and the SPPs outline the LCZ purpose as follows:

- To provide for the protection, conservation and management of landscape values.*
- To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.*

The intended planning outcome of the application of the landscape conservation zone, coupled with the Natural Assets Code and Agriculture Zone, in the Huon Valley LPS is (a) to preserve the 'character' of the Huon Valley by preserving low land agriculture areas and the vegetated hills and mountains that frame it, (b) contribute to the conservation of flora, fauna and ecological communities found in the Valley, particularly those that are rare or threatened, and (c) where appropriate, allow for small scale low impact development that compliments the natural environment it is contained within.

The zone application guidelines focus primarily on conservation of scenic and natural values, with considerations on the extent of native vegetation, potential scenic values (LCZ 1), the reservation status of these landscape values (LCZ 2a), constraints to development from the presence of complimentary planning codes (LCZ 2b), and the

minimum lot size and priority use (LCZ 3 and LCZ 4). The Huon Valley Council's approach to the application of LCZ land in the draft LPS was to translate these guidelines into objective selection criteria. These criteria are detailed below and are directly attributed to the relevant LCZ guidelines.

Datasets, and programs used:

- Spatial datasets used:*
- TasVeg 4.0*
- List Parcels Huon Valley*
- Private Timber Reserves*
- Future Potential Production Forests*
- Draft LPS zones*

All spatial analysis was carried out in QGIS v3.16.2 between the 4th March 2021 and the 15th April 2021.

Selection criteria and process followed:

- The first step was determining which properties were predominantly covered by native vegetation and formed part of a large area of native vegetation (LCZ 1). All natural vegetation features were extracted from the TasVeg 4.0 layer and intersected with the parcels layer to determine a percentage cover of native vegetation for each lot. 80% native vegetation cover was used as the minimum coverage for selection as potential LCZ properties.*
- Properties which had 80% native vegetation cover but which were under Sustainable Timbers Tasmania ownership, were mapped as a Private Timber Reserve, or which were listed as Future Potential Production Forests were all removed from the layer to align with the State Planning Provisions and Local Provision Schedule Guidelines.*
- All shared boundaries in the TasVeg 4.0 natural features layer were dissolved and the area calculated for the resultant polygons to assess which properties were part of native vegetation areas greater than 20 ha. Those located in areas of native vegetation less than 20 ha were removed.*
- All state owned, formally reserved land, and proposed Environmental Management Zone properties were removed.*
- The resultant layer was then intersected with the Natural Assets Code and Scenic Landscape Code. Any properties falling outside of these were inspected to determine compliance with the LCZ application guidelines.*
- Properties with registered conservation covenants were included in the LCZ layer.*
- The layer was then manually inspected to remove any processing artefacts and to re-confirm property alignment with LCZ application guidelines.*

Table 12

Zone Application Guidelines	Comments
<p>LCZ 1 <i>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.</i></p>	<p>The application of 80% native vegetation coverage coupled with the presence of either the Natural Assets or Scenic Landscape Code overlay as the first level of selection meets the intent of this guideline in that most of the property is constrained but there may be some potential for small scale use or development.</p> <p>A significant portion of the properties selected are located on the vegetated scenic hill slopes that characterise the Huon Valley. These areas have been spared from historical clearing due to being considered suboptimal for agriculture.</p> <p>The analysis of 'large areas of native vegetation' was attributed to a minimum native vegetation patch size of 20 ha. This links directly with the LCZ use standard 22.5.1 P1 minimum lot size of 20 ha.</p>
<p>LCZ 2 <i>The Landscape Conservation Zone may be applied to:</i></p> <ul style="list-style-type: none"> <i>(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;</i> <i>(b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or</i> <i>(c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.</i> 	<p>Addressed by ensuring properties contain the Natural Assets Code overlay. The Huon Valley Natural Assets code is based on the 'Regional Ecosystem Model' which selected priority vegetation patches based on a range of criteria including, threat status, threatened species habitat, relative reservation, local scale fragmentation, and relative rarity.</p> <p>It is important to note that modelling is based on best available data. Portions of the Huon Valley, especially those with limited road access or in remote areas, have had limited sampling and are somewhat data deficient.</p> <p>The Huon Valley is privileged to have a high diversity and abundance of threatened species, placing additional importance on protecting not only core habitat areas but natural ecological corridors between them that allow for species dispersion.</p>
<p>LCZ 3 <i>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.</i></p>	<p>This was addressed by using the following selection criteria to select LCZ suitability:</p> <ul style="list-style-type: none"> • Three or more adjoining properties • Borders existing Environmental

	Management or Environmental Living properties intended to transfer to LCZ. <ul style="list-style-type: none"> If less than three adjoining properties, the total area of these properties is at least 20 ha.
LCZ 4 <i>The Landscape Conservation Zone should not be applied to:</i> (a) land where the priority is for residential use and development (see Rural Living Zone); or (b) State-reserved land (see Environmental Management Zone).	Formally reserved state land was removed from the property selection.

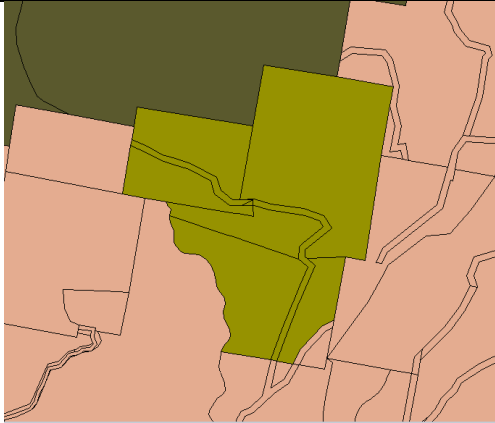
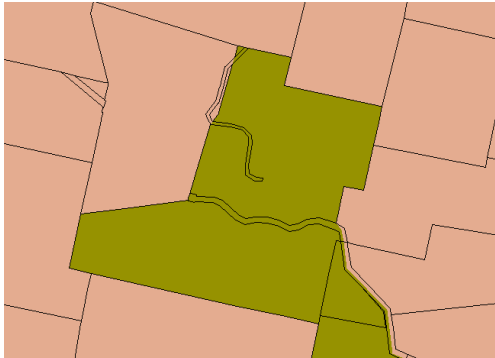
Endorsed Council documents

The following endorsed Council documents have been taken into account in relation to preparation of the draft LPS.

<u>Appendix 33</u>	2016	<i>Huon Valley NRM Strategy (17.058.16)</i>
<u>Appendix 48</u>	2018	<i>Huon Valley Weed Management Strategy (2018-2023)</i>

Table 13

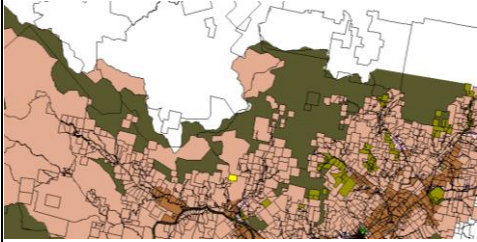
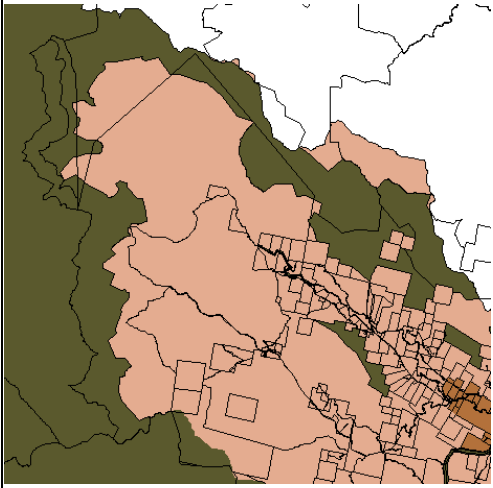
The table below provides examples of areas proposed for rezoning from the Rural Resource zone under the Interim Planning Scheme to the Landscape Conservation Zone in the LPS.

Location and CT	PID	Interim Planning Scheme Zone/s	Draft LPS Zone/s	Notes
125, 170, and 200 Liddells Rd Crabtree CT 138988/2, 220965/1, 138988/1.	2186048 5696844 2186021	Rural Resource Zone	Landscape Conservation Zone	 <p>These lots have a Conservation Covenant under the <i>Nature Conservation Act 2002</i> (NCA). Natural Assets Code overlays for priority vegetation and waterway and coastal protection areas. Threatened flora and fauna species mapped by the REM model. The proposed zone is consistent with Guideline No. 1 LCZ1 and/or LCZ2 (a) and (b). (See further Appendix 34)</p>
358, 361 Cloverside Rd, Lucaston. 139274/1, 139274/2	2196342, 2196350	Rural Resource Zone	Landscape Conservation Zone	 <p>Conservation Covenant under the <i>Nature Conservation Act</i> (NCA). Natural Assets Code overlays for priority vegetation and waterway and coastal protection areas. Threatened flora and fauna species and threatened native vegetation community mapped by Rod Knight's model. The proposed zone is consistent with Guideline No. 1 LCZ1 and/or LCZ2 (a) and (b). (See further Appendix 34)</p>

2.4.5.4 Application of the Environmental Management Zone

The spatial application of the Environmental Management Zone has been undertaken in accordance with Guideline No. 1. The table below provides some examples of areas proposed for rezoning from the Rural Resource zone under the Interim Planning Scheme to the Environmental Management Zone in the draft LPS:

Table 14

Location and CT	PID	Interim Planning Scheme Zone/s	Draft LPS Zone/s	Notes
Russell Ridge Conservation Area. 136917/1, 210313/1, 120059/1.	5695550	Rural Resource Zone	Environmental Management Zone	 <p>Russell Ridge Conservation Area. Land managed by the Parks and Wildlife Service.</p> <p>The proposed zone is consistent with Guideline No. 1 EMZ1.</p>
Southwest National Park		Rural Resource Zone	Environmental Management Zone	 <p>Southwest National Park. Land managed by the Parks and Wildlife Service. The proposed zone is consistent with Guideline No. 1 EMZ1.</p>

2.4.5.5 Application of the Utilities Zone

The spatial application of the Utilities Zone has been undertaken in accordance with Guideline No. 1 including the use of the *State Road Casement layer* (available on The LIST).

2.4.5.6 Application of the Rural Living Zone

The spatial application of the Rural Living Zone has been undertaken in accordance with Guideline No. 1.

The draft LPS uses Rural Living Zone A, B, C and D with densities of 1ha, 2ha, 5ha and 10ha respectively. Land currently zoned Rural Living under the Interim Planning Scheme has been proposed for zoning to Rural Living to the closest equivalent density in the SPPs.

This classification is consistent with Guideline No. 1 in that the Rural Living classification reflects the existing pattern and density of development within the rural living area.

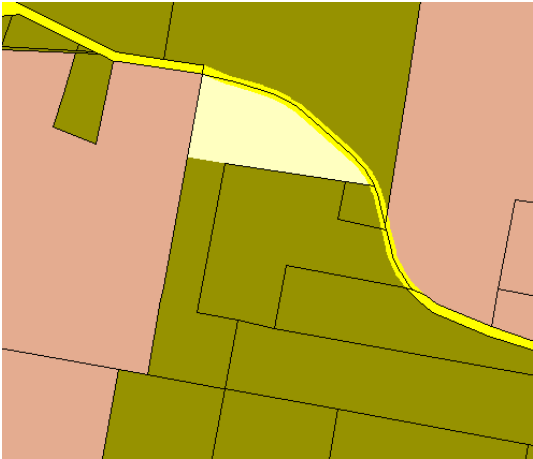
It is highlighted that the exception to this is the Rural Living Areas within proximity to Huonville.

It was considered that Huonville being a Rural Services Centre providing a range of goods and services to meet the daily and weekly needs of the Huon Valley community, could absorb Rural Living at a higher density (1 ha per dwelling) without undermining Huonville becoming a compact service centre. Accordingly, the Rural Living areas within proximity to Huonville and Ranelagh were classified as Rural Living A which is consistent with the STRLUS.

2.4.5.7 Application of the Community Purpose Zone

The spatial application of the Community Purpose Zone has been undertaken in accordance with Guideline No. 1. The table below provides an example of an area proposed for rezoning from the Environmental Living Zone to a split zone of Landscape Conservation and Landscape Conservation.

Table 15

Location and CT	PID	Interim Planning Scheme Zone/s	Draft LPS Zone/s	Notes
8606 Huon Highway, Southport 230839/1	5271280	Environmental Living Zone	Split zoned Community Purpose and Landscape Conservation Zone	 <p>This land contains a sportsground and community centre. The land is public land owned by Council and managed by the Southport Community Centre Management Committee.</p> <p>The land proposed as Community Purpose Zone is consistent with Guideline No. 1 CPZ1 (c) as it is intended to provide for a fire station, which is an emergency services facility.</p> <p>In addition, the Natural Assets Code, priority vegetation and Waterway and coastal protection code overlays have been applied to this land, including threatened fauna species habitat and a threatened vegetation community.</p> <p>The land proposed Landscape Conservation Zone is consistent with Guideline No. 1 LCZ1 and/or LCZ2. The size of this lot is approximately 9.76ha.</p>

2.4.6 Specific Area Plans

The draft LPS contains three (3) specific area plans (SAPs).

The SPPs outline the requirements for specific area plans for inclusion in the draft LPS. The specific area plans are required to comply with Schedule 6 of LUPPA, Local Provisions Schedule Requirements of the SPPs (LP1.5 of Appendix A of LP1.0) and with relevant Practice Notes. All transitioning specific area plans included in the draft LPS meet these requirements.

Proposed SAPs

In the former version of the draft LPS ([Appendix 59 and 60](#)) the following SAPs were proposed.

- *Grove to Cockle Creek Potential Acid Sulfate Soils Specific Area Plan;*
- *Grove to Cockle Creek Potential Dispersive Soils Specific Area Plan.*

The draft Notice ([Appendix 64](#)) required the deletion of these proposed SAPs included with the version of the draft LPS considered by the Planning Authority in May 2021 to be deleted from the current draft LPS for the reasons set out in the draft Notice. This was required notwithstanding the intent of MRH 5.1 and MRH 5.2 of the Regional Strategy.

During the next stage of the LPS implementation process (exhibition period) consideration will be given for a representation be submitted for these proposed SAPs to be considered again for inclusion in the LPS.

HUO-S2.0 – Eggs and Bacon Bay Specific Area Plan

The draft Notice required *HUO-S2.0 – Eggs and Bacon Bay Specific Area Plan* to be amended. The changes required by the Commission are set out in [Appendix 64](#) including Attachments A and B.

Specific Area Plans not transitioning to the draft LPS

Interim Planning Scheme SAPs	Reason
F4.0 Wellington Park Specific Area Plan	This specific area plan is included in the draft LPS as a site-specific qualification which is consistent with application of this provision in the Hobart LPS and Glenorchy LPS.

Specific Area Plans transitioning to the draft LPS

	Interim Planning Scheme Provision	Application – transition under Schedule 6 of the LUPAA
2.4.6.1	F1.0 Franklin Heritage Specific Area Plan	HUO-S1.0 Franklin Heritage Specific Area Plan
2.4.6.2	F2.0 Eggs and Bacon Bay Specific Area Plan	HUO-S2.0 Eggs and Bacon Specific Area Plan
2.4.6.3	F3.0 Green Point Specific Area Plan	HUO-S3.0 Green Point Specific Area Plan

The transitioning specific area plans have been altered to the extent necessary to ensure consistency with the prescribed SPP format and drafting instructions and the LUPAA.

The LUPAA provides the Commission with the discretion to determine whether alterations to transitioning SAPs are *permitted alterations*.

Permitted alterations for SAPs must be for a purpose specified in Schedule 6, Clause 8C(3)(a), (b), (c)(i), (c)(ii) or (d) of the Act. The table below identifies how the alterations to the transitioning SAPs are *permitted alterations*.

Table 16: Specific Area Plans - Permitted alterations

HUO -S1.0 HUO-S1.0 Franklin Heritage Specific Area Plan		
Clause No.	Clause Title	Permitted alteration description and purpose
	Exemptions	The exemptions clause 'F1.3 Development Exempt from this Specific Area Plan', was removed as it was an unnecessary duplication of the SSP exemptions.
HUO-S1.0	Franklin Heritage Specific Area Plan clause numbering	Altered clause numbering to conform with the requirements of the SPPs. [Schedule 6, Clause 8C(3)(a)]
HUO-S1.3	Local Area Objectives	This clause is not used in this specific area plan.
HUO-S1.5	Use Table	This clause is not used in this specific area plan.
HUO-S1.6	Use Standards	This clause is not used in this specific area plan.
HUO-S1.7	Development Standards for Building and Works	Alterations to clauses HUO-S1.7.1 Building Height, HUO-S1.7.2 Setback, HUO-S1.7.3 Design, HUO-S1.7.4 Landscaping, HUO-S1.7.5 Outdoor Storage Areas, HUO-S1.7.6 Fencing, HUO-S1.7.7 Outbuildings, HUO-S1.7.8 Siting of car parking, HUO-S1.7.9 Demolition, HUO-S1.7.10 Standards for Signs, HUO-S1.7.11 No build areas, and HUO-S1.7.12 Multiple Dwelling Density, applying the drafting conventions in Practice Note 5 to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)]
HUO-S1.8.1	Subdivision	Alterations to clauses HUO-S1.8.1 Maximum Number of New Lots off Main Street / Huon Highway, and HUO-S1.8.2 Subdivision applying the drafting conventions in Practice Note 5 to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)]

HUO-S2.0 Eggs and Bacon Specific Area Plan		
Changes have also been required based on the requirements of the draft Notice: Appendix 64 including Attachments A and B.		
Clause No.	Clause Title	Permitted alteration description and purpose
HUO-S2.0	Eggs and Bacon Specific Area Plan clause numbering	Altered clause numbering to conform with the requirements of the SPPs. [Schedule 6, Clause 8C(3)(a)]
HUO-S2.3	Local Area Objectives	This clause is not used in this specific area plan.
HUO-S2.5	Use Table	Altered the qualifications for the Permitted Use Classes of Residential and Utilities, and Discretionary Use

		<p>Classes of Visitor accommodation for the Low Density Residential Zone to reflect the correct CT reference.</p> <p>Altered the qualifications for the Permitted Use Classes of Utilities, and Discretionary Use Classes of Utilities for the Utilities Zone to reflect the correct CT reference. [Schedule 6, Clause 8C(3)(b)]</p> <p>Altered the use class for Visitor Accommodation from 'Discretionary - Except if located on CT 138460/11 and CT 138460/21' to 'Permitted', as required by the Planning Directive No. 6.</p>
HUO-S2.6	Use Standards	This clause is not used in this specific area plan.
HUO-S2.7	Development Standards for Building and Works	<p>Alterations to clauses HUO-S2.7.1 Building Height, HUO-S2.7.2 Setback, HUO-S2.7.3 Maximum gross floor area per lot, applying the drafting conventions in Practice Note 5 to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)]</p>
HUO-S2.8.1	Subdivision	<p>Alterations to clauses HUO-S2.8.1 Subdivision applying the drafting conventions in Practice Note 5 to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)]</p>

HUO-S3.0 Green Point Specific Area Plan

Clause No.	Clause Title	Permitted alteration description and purpose
HUO-S3.0	Green Point Specific Area Plan clause numbering	Altered clause numbering to conform with the requirements of the SPPs. [Schedule 6, Clause 8C(3)(a)]
HUO-S3.3	Local Area Objectives	This clause is not used in this specific area plan.
HUO-S3.5	Use Table	<p>Altered the qualifications for the Permitted Use Classes of Visitor accommodation to reflect the terminology used in the SPPs.[Schedule 6, Clause 8C(3)(b)]</p> <p>Altered the use class for Visitor Accommodation from 'Permitted - Only if for bed and breakfast establishment, holiday cabin, holiday unit or serviced apartment.' to 'Permitted', as required by the Planning Directive No. 6.</p>
HUO-S3.6	Use Standards	This clause is not used in this specific area plan.
HUO-S3.7	Development Standards for Building and Works	<p>Alterations to Clause HUO-S3.7.1 Maximum number of buildings for residential and visitor accommodation use, applying the drafting conventions in Practice Note 5 to reflect the terminology used in the SPPs. [Schedule 6, clause 8C(3)(b)]</p>
HUO-S3.8.1	Subdivision	<p>Alterations to Clause HUO-S3.8.1 Subdivision applying the drafting conventions in Practice Note 5 to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)]</p>

2.4.7 Site-Specific Qualifications

Some site-specific qualifications contained in the Interim Planning Scheme are able to be transitioned to the draft LPS under Schedule 6 of LUPAA as set out below. Also, changes have also been required based on the requirements of the draft Notice: [Appendix 64](#) including Attachments A and B.

Table 17 SSQs

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
HUO-10.1	3494 Huon Highway, Franklin	170363/2	Additional Discretionary Use Classes for this site are: (a) Resource Development with the following qualification: <i>'If for agriculture';</i> (b) Tourist Operation; and (c) Vehicle Parking.	Low Density Residential Zone – clause 10.2 Use Table
HUO-10.2	3300 Huon Highway, Franklin	169799/1	An additional Discretionary Use Class for this site is: Resource Processing with the following qualification: <i>'Only if for the treating, processing and packing of produce (plant resources) from the area, for a brewery, cidery, distillery, winery, or similar, located not less than 100m from the Huon Highway frontage.'</i>	Low Density Residential Zone – clause 10.2 Use Table
HUO-19.1	85 Whale Point Road, and Whale Point Port, Huon	Land at Whale Point Road, Port Huon contained Within 142071/4; and land, including any accretion to the sea, adjoining	An additional Discretionary Use Class for this site is: Resource Development with the following qualification: <i>'Only for aquaculture or a</i>	General Industrial Zone – clause 19.2 Use Table

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
		the Huon River identified as HUO-19.1 on the Site Specific Qualifications Map.	<i>marine farming shore facility</i> .	
HUO-22.1	1118 Nicholls Rivulet Road, Nicholls Rivulet	143492/1	An additional Discretionary Use Class for this site is: Education and occasional care with the following qualification: <i>'Only if for a childcare centre, kindergarten, primary school, and/or secondary school.'</i>	Landscape Conservation Zone – clause 22.2 Use Table
HUO-23.1	Wellington Park as defined in the <i>Wellington Park Act 1993</i> ¹	Not applicable	An additional standard for the Environmental Management Zone is: Notwithstanding any other provision of this planning scheme, use or development of land in Wellington Park must be undertaken in accordance with the provisions of the management plan approved under section 23 of the <i>Wellington Park Act 1993</i>	Environmental Management Zone – Clause 23.2
¹ Wellington Park means: (a) the area of land indicated as bounded by a heavy black line on Plan No. 2789 in the Central Plan Register, a reduced copy of which is set out, by way of illustration only, in Schedule 1 (<i>Wellington Park Act 1993</i>); or (b) that area of land as varied under sections 6, 7 and 8 of the <i>Wellington Park Act 1993</i> .				

The transitioning SSQs have been modified to the extent necessary to ensure consistency with the prescribed SPP format and with drafting instructions and requirements of relevant Practice Notes.

The LUPAA provides the Commission with the discretion to determine whether alterations to transitioning SSQs are permitted alterations.

Permitted alterations for SSQs, must be for a purpose specified in Schedule 6, Clause 8C(3)(a), (b), (c)(i), (c)(ii) or (d) of the Act.

Table 18

The table below identifies how the alterations and modifications to the transitioning SSQs are permitted.

HUO-Site-specific Qualifications		
Changes have also been required based on the requirements of the draft Notice: Appendix 64 including Attachments A and B.		
Clause No.	Clause Title	Permitted alteration description and purpose
HUO-10.1, HUO-10.2, HUO-14.1, HUO-19.1, HUO-22.1.	Use Table	Altered clause numbering to conform with the requirements of the SPPs. [Schedule 6, Clause 8C(3)(a)]
HUO-23.1.	Clause 23.2	Drafting conventions in Practice Note 5 applied to reflect the terminology used in the SPPs. [Schedule 6, Clause 8C(3)(b)]

Table 19

The table below lists SSQs from the Interim Planning Scheme that are not being transitioned due to the uses in the SSQ being made allowable in the Use Tables of the relevant zones in the SPPs. Alternatively, some SSQs are not transitioning because they do not meet the definition of a SSQ.

Interim Planning Scheme SSQ	PPU declaration and reason	Draft LPS SSQ
Low Density Residential Zone – Use Table. Business and Professional Services discretionary ‘ <i>Only if a consulting room or medical at 3494 Huon Highway, Franklin (folio of the Register volume 170363 folio 2).</i> ’	Declare that it is not subject to the transitional provisions under Schedule 6, Clause 8(1) of the LUPPA. Reason: The SSQ is provided for by the SPP Low Density Residential Zone which provides for Business and Professional Services use as discretionary ‘ <i>If for a consulting room, medical centre, veterinary centre, child health clinic or for the provision of residential support services.</i> ’	Proceeding on the basis that as the property is proposed to be zoned Low Density Residential the SSQ will no longer be required. No SSQ, SAP or PPZ is proposed to replace this SSQ.
Rural Resource Zone – Use Table. Discretionary:	Declare that it is not subject to the transitional provisions under Schedule 6, Clause 8(1) of the LUPPA.	<i>Food Services</i> is a <i>Permitted</i> use (If associated with <i>Resource Development</i> or <i>Resource Processing</i>) or a

Interim Planning Scheme SSQ	PPU declaration and reason	Draft LPS SSQ
<ul style="list-style-type: none"> Food Services General Retail and Hire Visitor Accommodation <p><i>'Only at 859 Esperance Coast Road, Police Point (folio of the Register volume 52299 folio 1).'</i></p>	<p>Reason: The SSQ is provided for by the Rural Zone.</p>	<p><i>Discretionary</i> use (If not listed as <i>Permitted</i>) in the Rural Zone and Agriculture Zone under the TPS.</p> <p>Proceeding on the basis that as the property is proposed to be zoned Rural the SSQ will no longer be required.</p>
<p>Significant Agricultural Zone – Use Table</p> <p><i>Resource processing discretionary - 'Only on land at 7 Crabtree Road, Grove (folio of the Register volume 205497 folio 1).'</i></p>	<p>Declare that it is not subject to the transitional provisions under Schedule 6, Clause 8(1) of the LUPPA.</p> <p>Reason: The SSQ is provided for by the Rural Zone.</p>	<p><i>Resource Processing</i> is a Discretionary use in the Agriculture Zone under the TPS.</p> <p>Proceeding on the basis that as the property is proposed to be zoned Agriculture the SSQ will no longer be required.</p>
<p>Significant Agricultural Zone – Use Table.</p> <p><i>Manufacturing and Processing</i> is discretionary – <i>'Only if located at 37 Maxfields Road, Franklin (CT 131689/1; CT 131690/2; and adjoining reserved road regardless of tenure).'</i></p>	<p>Declare that it is not subject to the transitional provisions under Schedule 6, Clause 8(1) of the LUPPA.</p> <p>Reason: The SSQ is provided for by the Rural Zone.</p>	<p><i>Manufacturing and Processing</i> is a Permitted use in the Rural Zone <i>'If for the processing of materials from Extractive Industry'</i>.</p> <p><i>Manufacturing and Processing</i> is a Discretionary use in the Rural Zone <i>'If not listed as Permitted'</i>.</p> <p>Proceeding on the basis that as the property is proposed to be zoned Rural the SSQ is no longer required.</p>
<p>Utilities Zone – Use Table.</p> <p><i>General Retail and Hire</i> is discretionary – <i>'Only if at Southbridge Waste Transfer Station (CT 134806/1).'</i></p>	<p>Declare that it is not subject to the transitional provisions under Schedule 6, Clause 8(1) of the LUPPA.</p> <p>Reason: The description for the Recycling and Waste Disposal use class in Table 6.2 of the SPPs includes the selling of used or scrap material.</p>	<p>Proceeding on the basis that the property is proposed to be zoned Utilities Zone.</p> <p><i>Recycling and Waste Disposal</i> is a permitted use class in the Utilities Zone and is defined as follows.</p> <p><i>Recycling and Waste Disposal - use of land to collect, dismantle, store, dispose of, recycle or sell used or scrap material.</i></p>

Interim Planning Scheme SSQ	PPU declaration and reason	Draft LPS SSQ
	Recycling and Waste Disposal is a permitted use in the Utilities Zone.	
<p>Rural Living – Table 13.1. Permitted minimum lot size of:</p> <ul style="list-style-type: none"> Rural Living Zone Area A - 0.25ha if no additional lot created, 0.5ha otherwise Rural Living Zone Area B – 0.5ha if no new lot created, 1.0ha otherwise. Rural Living Zone Area C – 1.0ha if no new lot created, 2ha otherwise. Rural Living Zone Area D – 1.0ha if no new lot created, 4ha otherwise. 	<p>Does not meet the definition of a SSQ under Schedule 6, Clause 1 of the LUPPA as the provision simply establishes minimum lot sizes for different areas.</p> <p>Does not meet the definition of a SAP under Schedule 6, Clause 1 of the LUPPA as the provision simply establishes minimum lot sizes for different areas.</p> <p><i>Note: The SPP Rural Living Zone provides for four minimum lot sizes of 1ha, 2ha, 5ha and 10ha.</i></p>	No SSQ, SAP or PPZ is proposed to replace this SSQ.
<p>Environmental Living Zone – 14.5.1 A1.</p> <p>Permitted minimum lot size 20ha if located within the Cannells Hill Area.</p>	<p>Does not meet the definition of a SSQ under Schedule 6, Clause 1 of the LUPPA as the provision does not clearly specify a particular area of land to which it applies.</p> <p>It applies generally to all land within the <i>Environmental Living Zone</i> in a nominated locality (i.e. there is no reference to specific lots or any spatial delineation, such as an overlay).</p>	<p>Proceeding on the basis that the property is proposed to be zoned Landscape Conservation.</p> <p>The Landscape Conservation Zone provides for a minimum lot size of 50ha under the acceptable solution, and 20ha under the performance criteria.</p>
<p>Village Zone – Use Table. Permitted:</p> <ul style="list-style-type: none"> Business and Professional Services - <i>‘Only if fronting Main Road /Huon Highway, Franklin or not located within Franklin’.</i> Food Services - <i>‘Only if fronting Main Road /Huon Highway,</i> 	<p>Does not meet the definition of a SSQ under Schedule 6, Clause 1 of the LUPPA 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 provisions are</i></p>	Proceeding on the basis <i>Business and Professional Services, Food Services, and General Retail and Hire</i> are all permitted uses in the Village Zone.

Interim Planning Scheme SSQ	PPU declaration and reason	Draft LPS SSQ
<p><i>Franklin or not located within Franklin’.</i></p> <ul style="list-style-type: none"> General Retail and Hire - ‘Only if fronting Main Road /Huon Highway, Franklin or not located within Franklin’. 	<p><i>inconsistent with the:</i></p> <ul style="list-style-type: none"> <i>Purpose of the Village Zone which is to provide for a mix of residential, community services and commercial activities; and</i> <i>Village Zone use table as it down grades the status of the Business and Professional Services, Food Services and General Retail and Hire use classes in the zone.</i> 	
<p>Village Zone – Use Table.</p> <p>Hotel Industry discretionary – ‘Only if located at Southport Tavern (CT 103811/10), Dover Hotel (CT 100571/1)’</p>	<p>Does not meet the definition of a SSQ under Schedule 6, Clause 1 of the LUPPA as the provision applies to multiple areas.</p> <p><i>Note: The provision is inconsistent with the SPP Village Zone use table as it down grades the status of the Hotel Industry use class in the zone.</i></p>	<p><i>Hotel Industry is a Discretionary use in the Village Zone under the TPS.</i></p> <p>The Southport Tavern (CT 103811/1) is proposed to be zoned Village.</p> <p>The Dover Hotel (CT 100571/1) site is proposed to be partly rezoned Rural Zone without an SSQ. Therefore, the property is proposed to be split zoned Rural / Agriculture.</p>
<p>Village Zone – 16.4.2 A1.</p> <p>Permitted building setback from frontage must be:</p> <ul style="list-style-type: none"> parallel to the primary frontage; no less than 6m if fronting the Huon Highway, Main Street in all localities or Mary Street, Cygnet; no less than 3m in all other localities. 	<p>Does not meet the definition of a SSQ under Schedule 6, Clause 1 of the LUPAA 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>No SSQ is proposed as this property is to be zoned Village.</p>

Interim Planning Scheme SSQ	PPU declaration and reason	Draft LPS SSQ
<p>General Business Zone – 21.4.2 A1.</p> <p>Permitted building setback from frontage must be parallel to the frontage and must be no more than:</p> <ul style="list-style-type: none"> 0.5 m if fronting Main Street, Huonville’ 3m, otherwise. 	<p>Does not meet the definition of a SSQ under Schedule 6, Clause 1 of the LUPAA 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 SPP General Business Zone includes a similar requirement for buildings to be built to the frontage at ground level or have a setback not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</i></p>	<p>No SSQ, SAP or PPZ is proposed to replace this SSQ.</p>
<p>Significant Agricultural Zone – Use Table.</p> <p><i>Resource Processing</i> is permitted – ‘Only if located at</p> <p>20 Glen Road, Huonville (CT 113587/3; 113587/2)</p> <p>2364 Huon Highway, Huonville (CT 168022/2),</p> <p>68 North Glen Road, Huonville (CT 8797/1).</p>	<p>Does not meet the definition of a SSQ under Schedule 6, Clause 1 of the LUPAA as the provision applies to multiple areas.</p> <p><i>Note: Resource Processing is permitted in the SPP Rural Zone use table and discretionary in the SPP Agriculture Zone use table.</i></p>	<p><i>Resource processing</i> is a permitted use in the Rural Zone.</p> <p>Proceeding on the basis that 20 Glen Road, Huonville (CT 113587/3; 113587/2) is to be zoned Rural the SSQ is no longer required.</p> <p>Proceeding on the basis that as 2364 Huon Highway, Huonville (CT 168022/2) is to be zoned Rural the SSQ is no longer required.</p> <p>Proceeding on the basis that as 68 North Glen Road, Huonville (CT 8797/1) is to be zoned Rural the SSQ is no longer required.</p>

2.4.8 Application of Codes and Code Overlays

Codes, code overlays and code lists are required to be applied in accordance with the LUPPA, SPPs, Local Provisions Schedule Requirements of the SPPs (Appendix A of LP1.0), Guideline No. 1 and relevant Practice Notes, as applicable. Clause LP1.7 sets out code overlay mapping requirements. Clause LP1.8 sets out how code lists are to be set out in tables to apply the Road and Railway Assets Code, Local Historic Heritage Code, Scenic Protection Code and Coastal Inundation Hazard Code. The draft LPS complies with these requirements.

2.4.8.1 Application of the C1.0 Signs Code

Whilst the Signs Code will apply, this code is not required to be mapped.

2.4.8.2 Application of the C2.0 Parking and Sustainable Transport Code

Parking Precinct Plan

This Code allows for a parking precinct plan overlay which can be applied to land where the intention is to reduce the amount of parking. It can be applied to activity centres and activity sites. The draft LPS does not include any parking precinct plans, however as part of the transport study referred to in the *Huonville - Ranelagh Master Plan*, recommendations may be made regarding parking precinct plans.

Pedestrian Priority Street

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 vehicular access to facilitate active street frontages. These may apply to a specific area such as key streets within the main business or retail areas. The draft LPS does not include any pedestrian priority streets, noting that as part of the transport study referred to in the *Huonville - Ranelagh Master Plan*, recommendations could be made regarding the identification of pedestrian priority streets as part of that study. Similarly, the Planning Authority may, as an outcome of a future project, apply the use of parking precinct plans or pedestrian priority streets in other Activity Centres such as Franklin, Geeveston and Cygnet.

2.4.8.3 Application of the C3.0 Road and Railway Assets Code

Future road or railway

This Code allows for an overlay map to be provided over areas which are reserved for a future major road or a future railway. It is not proposed to include in the draft LPS any future major road or a future railway overlay notwithstanding the HUO-P1.0 Particular Purpose Zone – Future Road Corridor has been applied to an area east of Huonville.

Road and railway attenuation

Each LPS may contain an overlay map showing a road or railway attenuation area for the application of the Road and Railway Assets Code. The draft LPS does not include any future major road or a future railway attenuation area overlay.

2.4.8.4 Application of the C4.0 Electricity Transmission Infrastructure Protection Code

The Code provides for the protection of transmission infrastructure including transmission lines. The draft LPS includes a mapped overlay based on data supplied by TasNetworks as required by the *Guidelines for Applying Electricity Infrastructure Protection Code Overlays* (ETIPC 1). The specific areas provide a buffer area around transmission lines and substations and any use or development within that area must satisfy the Code requirements, where applicable.

2.4.8.5 Application of the C5.0 Telecommunications Code

Whilst the Telecommunications Code will apply, this code is not required to be mapped.

2.4.8.6 Application of the C6.0 Local Historic Heritage Code

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

Local heritage places

The Interim Planning Scheme has an existing list of twelve (12) Heritage Places which includes only locally listed places. It has been identified that Table E13.1 of Interim Planning Scheme can be transitioned in accordance with the *code-applying provisions* that are subject to Schedule 6, Clause 8D(2) of the LUPAA. The transitioning Local Heritage Places have been modified to the extent necessary to ensure consistency with the prescribed SPP format and drafting instructions and relevant Practice Notes.

In order to complete the content required for Table C6.1, a *Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values* has been prepared for each of the twelve existing local heritage places.

The LUPAA provides the Commission with discretion to determine whether alterations to code-applying provisions are modifications under the Act. Modifications to *code-applying provisions* must be for a purpose specified in Schedule 6, Clause 8D(8)(a), (b) or (c) of the Act.

Changes have also been required based on the requirements of the draft Notice: [Appendix 64](#) including Attachments A and B. The tables below identify how the modifications to the transitioning Local Heritage Places, are modifications under the Act.

Table 20: Permitted alterations and modifications

HUO - Table C6.1 Local Heritage Places		
Changes have also been required based on the requirements of the draft Notice: Appendix 64 including Attachments A and B.		
Clause No.	Clause Title	Permitted alteration or modification description and purpose
HUO-Table C6.1	Local Heritage Places	Modified the format and drafting, consistent with Practice Notes 5 and 8 of all listed matters to ensure the effective operation of the provision. [Schedule 6, Clause 8D(8)(c)] Additional data provided to complete table in accordance with SPP requirements.

Additional heritage work

The *Local Heritage Review, Methodology for Statements of Significance*, 2018 prepared by Gray Planning has been used to assist the Planning Authority in preparing the Statements of

Significance for the *local heritage places* in the Local Historic Heritage Code ([Appendix 49](#)).

The methodology can also be applied to undertake a Local Historic Heritage Review Project in the Huon Valley municipal area, so that in turn there are more listed properties to provide greater protection for locally significant places, precincts and significant trees.

This work will be undertaken in consultation with the Huon Valley community. The heritage places identified in the *Franklin Heritage Study, 2003* ([Appendix 8](#)) will also be able to be considered further.

Once this review has occurred the use of local heritage precincts or the identification of areas that have archaeological potential may be required.

2.4.8.7 Application of the C7.0 Natural Assets Code

The Natural Assets Code is comprised of three mapped overlays:

- *waterway and coastal protection area overlay;*
- *future coastal refugia area overlay; and*
- *priority vegetation area overlay.*

The LPS requirements at Clause LP1.7.5 of the SPPs, specifies the requirements for the Natural Assets Code and each of the respective overlays. Changes have also been required based on the requirements of the draft Notice: [Appendix 64](#) including Attachments A and B. The draft LPS complies with these requirements.

An [Information Sheet](#) has also been issued: Clarification on Future Coastal Refugia Area Guidance Map. (PPU-January 2018)

Waterway and coastal protection area

The waterway and coastal protection overlay was applied to land identified in the 'Waterway and Coastal Protection Area Guidance Map' published on the LIST with minor modifications in accordance with Guideline NAC 3 which provide for:

- Correction of any identified mapping inaccuracies;
- Recognition of piped water courses; and
- Potentially the removal of the overlay from established urban environments.

Future coastal refugia area

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

The '[Future Coastal Refugia Area Guidance Map](#)' has been prepared and published on the LIST provides guidance for preparing the future coastal refugia area overlay. The overlay was applied to land identified in the 'Future Coastal Refugia Area Guidance Map' published on the LIST with minor modifications made based on advice from Council's NRM officer and the removal of the overlay in zones identified by Guideline No. 1 that are incompatible.

The guidance map identifies 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.

Where the future coastal refugia area overlay has been applied or removed in terms of broad zoning application is outlined below.

Table 21

Zone Category & Associated Zones: (as categorised in the Guidelines)	Refugia included in LPS	Comment/Rationale
Compatible Zones: <ul style="list-style-type: none"> • Rural Resource Zone • Significant Agriculture Zone • Open Space Zone • Environmental Management Zone 	Yes	<p>The refugia identified on the <i>Future Refugia Guidance Map</i> has been included in circumstances where the land is zoned with one of the 'Compatible Zones'.</p> <p>These zones provide for less intensive development than alternative zones. The presence of future refugia on these typically large lots is unlikely to prevent the land from being used and developed in a way that is consistent with the identified zone purposes.</p>
Special Consideration Zones: <ul style="list-style-type: none"> • Rural Living Zone • Environmental Living Zone 	Yes	<p>The refugia identified on the <i>Future Refugia Guidance Map</i> has been included on land proposed to be zoned Rural Living and on land that is proposed to be zoned Landscape Conservation, that was zoned Environmental Living.</p> <p>The inclusion of the future refugia on the typically large lots found in these zones is unlikely to constrain the land from being used and developed at an intensity consistent with the zone purpose.</p>
Case by Case Consideration Zones <ul style="list-style-type: none"> • Utilities Zone • Major Tourism Zone • Community Purpose Zone • Recreation Zone • Particular Purpose Zone 	Yes	<p>The refugia identified on the <i>Future Refugia Guidance Map</i> has been applied to land along the foreshore, proposed to be zoned Recreation. Much of this land is used for walking trails and other recreation purposes. The mapped future refugia area will improve the ability of land managers to consider future impacts on recreational assets.</p> <p>The future refugia area has been applied to land within the Utilities Zone, including the Huon River foreshore area (adjacent to the Channel Highway), which is used for walking trails and other recreation purposes. The future refugia area has also been applied to land within the Community Purpose Zone.</p>
Incompatible Zones: <ul style="list-style-type: none"> • General Residential Zone • Inner Residential Zone • Low Density Residential Zone • Village Zone • Urban Mixed Use Zone 	No	<p>The refugia identified on the <i>Future Refugia Guidance Map</i> has not been included in circumstances where the land is zoned with one of the 'Incompatible Zones'.</p> <p>The inclusion of the future coastal refugia on land subject to these zones is likely to</p>

<ul style="list-style-type: none"> • Local Business Zone • General Business Zone • Central Business Zone • Commercial Zone • Light Industrial Zone • General Industrial Zone • Port and Marine Zone 		constrain the land, preventing it from being used and developed consistently with respective zone purposes.
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Priority vegetation areas

Guideline No. 1, NAC 7, 8, and 9, and Clause LP1.7.5(c) of the SPPs, LP1.0 Local Provisions Schedule Requirements, requires that each LPS must contain an overlay map showing priority vegetation areas that:

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

Both *Guideline No. 1, NAC 11 and 12, and Clause LP1.7.5(d) of the SPPs LP1.0 Local Provisions Schedule Requirements*, allows a planning authority to modify the priority vegetation area derived from the above listed datasets, if field verification, analysis or mapping undertaken at a local or regional level by the planning authority, or a suitably qualified person on behalf of the planning authority:

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

Regional Ecosystem Model

Natural Resource Management Pty. Ltd has undertaken an analysis based on the *Regional Ecosystem Model* and prepared *priority vegetation areas* to be mapped for the municipal area.

A detailed explanation of the REM and how it relates to the *priority vegetation areas overlay* is set out in [Appendix 34](#).

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

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

It was recognised in the application of the *priority vegetation area overlay* that the modelling was based on best available data. Portions of the Huon Valley municipal area, especially those with limited road access or in remote areas, have had limited sampling and are therefore likely to be data deficient.

The Huon Valley is privileged to have a high diversity and abundance of threatened species, placing additional importance on protecting not only core habitat areas but natural ecological corridors between them that allow for species dispersion. Accordingly, some areas have had the *priority vegetation area* overlay applied where it was not triggered by the REM.

All priority vegetation is equally important under the SPPs framework. Therefore, it is not required to expressively prioritise or preference higher biodiversity values over others.

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

Generally, the priority vegetation mapping generated through the REM has been accepted for use in the LPS, except for in the zones required by Guideline NAC 13, (the mapping will be altered once the zoning has been finalised).

The constraint of not being able to apply the priority vegetation area overlay to the Agriculture Zone has been somewhat problematic and has required prioritisation of protection of agricultural land over natural assets or vice versa, even where it may be possible for the two to co-exist.

The best available information has been used in decisions to split zone some land to allow the priority vegetation areas to exist where less intensive agricultural use may also be possible.

2.4.8.8 Application of the C8.0 Scenic Protection Code

The Scenic Protection Code aims to recognise and protect landscapes that are identified as important for their scenic values, by regulating development that may impact on their values, features and characteristics.

The Interim Planning Scheme has existing *scenic landscape areas overlay* and *scenic landscape corridors overlay*. The *scenic landscape areas overlay* and *scenic landscape corridors overlay* are subject to the transitional provisions under Schedule 6, Clause 8D(2) of the LUPAA, excluding any land that is not in a zone listed in clause C8.2.1 of the SPPs.

Schedule 6, Clause 8D of the LUPAA provides for *code-applying provisions* that applied under the Interim Planning Scheme immediately before the commencement day to be included in the draft LPS unless otherwise declared by the Minister.

In order to complete the content required for Table C8.1, the *Scenic Protection Area Name, Description, Scenic Value, and Management Objectives* have been prepared for the *scenic protection areas overlay*, and for Table C8.2, the *Scenic Road Corridor Description, Scenic Value, and Management Objectives* have been prepared for the *scenic landscape corridors overlay*.

The LUPAA provides the Commission with discretion to determine whether alterations to code-applying provisions are modifications under the Act. Modifications to *code-applying provisions* must be for a purpose specified in Schedule 6, Clause 8D(8)(a), (b) or (c) of the Act.

The transitioning *scenic protection areas overlay* and *scenic road corridors overlay* have been modified to the extent necessary to ensure consistency with the prescribed SPP format and Guideline No. 1. Changes have also been required based on the requirements of the draft Notice: [Appendix 64](#) including Attachments A and B.

The tables below identify how the modifications to the transitioning *scenic protection areas overlay* and *scenic road corridors overlay*, are modifications under the LUPPA.

Table 22

HUO -Table C8.1 Scenic Protection Areas		
Changes have also been required based on the requirements of the draft Notice: Appendix 64 including Attachments A and B.		
Clause No.	Clause Title	Permitted alteration or modification description and purpose
HUO-Table C8.1	Scenic Protection Areas	<p>Modified the format and drafting, consistent with Practice Notes 5 and 8 of all listed matters to ensure the effective operation of the provision. [Schedule 6, Clause 8D(8)(c)]</p> <p>Additional data provided to complete table in accordance with SPP requirements.</p>

HUO -Table C8.2 Scenic Road Corridors		
Changes have also been required based on the requirements of the draft Notice: Appendix 64 including Attachments A and B.		
Clause No.	Clause Title	Permitted alteration or modification description and purpose
HUO-Table C8.2	Scenic Road Corridors	<p>Modified the format and drafting, consistent with Practice Notes 5 and 8 of all listed matters to ensure the effective operation of the provision. [Schedule 6, Clause 8D(8)(c)]</p> <p>Additional data provided to complete table in accordance with SPP requirements.</p>

Scenic Protection Code - study example

During the development of the draft LPS, consultants, Scenic Spectrums Pty Ltd and Inspiring Place (Landscape Architects) provided the Planning Authority methodology that can be used for the application of the Scenic Protection Code.

The consultants prepared the *Guidelines for Scenic Values Assessment* ([Appendix 41](#)) to assist in the preparation of *Scenic Values* and *Management Objectives* for Table C8.1, and to use to identify new scenic areas and corridors, and/or reassess existing areas and corridors in accordance with the Scenic Protection Code as necessary.

Table 23

An example prepared by the consultants in the preparation of *Scenic Values and Management Objectives* for Table C8.1 is shown in the following table.

Reference Number	Scenic Corridor Road Description	Scenic Value	Management Objectives
EXAMPLE	<ul style="list-style-type: none"> • Provide a brief visual description of the key landscape features of the Scenic Protection Area. • Include a reference to the locations where the SPA is viewed from including the distances (e.g. foreground, middle-ground, background) • Include information as to the significance of the viewing locations for both the local and visitor market. • Include information as to the status of the land within the SPA (e.g. land tenure of national, state, regional or local significance) • Include any further qualifying statements regarding the relative importance of views to the SPA or of the viewpoints from which the SPA is seen. 	<ul style="list-style-type: none"> • Provide a statement as to what are the dominant and distinctive scenic values of the SPA. This may refer to scale, extent, landscape character features, changing nature of the scenic views and diversity within the seen area. • Indicate the assessed visual significance (e.g. high, moderate, low). 	<p>The construction of buildings and works within the Scenic Protection Area will be assessed as causing an unreasonable loss of scenic value if the following measures are not adopted:</p> <ul style="list-style-type: none"> • avoiding locating visually dominant landscape alterations on or near major, visually significant and notable local landform, waterform, vegetation or cultural features that have visual prominence or are focal points, especially those within the central viewing focus of the valued natural or cultural features; • using materials, colours and finishes that reduce the visual impact of the building and works including the avoidance of any reflectance external finishes; and • reducing the earthworks for cut and fill. <p>The destruction of</p>

			<p>vegetation within the Scenic Protection Area will be assessed as causing an unreasonable loss of scenic value if the following measures are not adopted:</p> <ul style="list-style-type: none"> • retaining or reinstating vegetation on or near major, visually significant and notable local landform, waterform, vegetation or cultural features that have visual prominence or are focal points, especially those within the central viewing focus of the valued natural or cultural features; and • retaining or establishing of vegetation to help screen the building and works.
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In their report the consultants stated:

“These [generic examples] have been written to best suit the statutory requirements of Local and State Government under the Scenic Protection Code as it is currently defined by the Tasmanian Planning Commission. These have been written simply with a minimum of specialist visual assessment terminology, providing a broad indication of the relative level of landscape alteration or visual dominance level desired or allowed, along with a summary description of the designated Scenic Protection Area or Scenic Road Corridor.”

Guidelines for Scenic Values Assessment – Southern Tasmania Councils, 3.5.4 Step 4, (page 48).

The above methodology can therefore be utilised to undertake further investigation and analysis of new *scenic protection areas* and *scenic road corridors* that are identified.

2.4.8.9 Application of the C9.0 Attenuation Code

The Attenuation Code provides for an *attenuation area overlay* to be applied around existing activities. Activities are listed in *Table 9.1 Attenuation Distances*.

The Interim Planning Scheme has an existing attenuation area overlay. The *attenuation area overlay* is subject to the transitional provisions under Schedule 6, Clause 8D(2) of the LUPAA for application through the draft LPS, as the *attenuation area overlay* for the SPPs Attenuation Code.

However, whilst the Attenuation Code will apply, it is not proposed the *attenuation area overlay* is intended to transition to the draft LPS. Accordingly, The Code will apply to activities through the application of the attenuation distances specified in the SPPs.

2.4.8.10 Application of the C10.0 Coastal Erosion Hazard Code

The draft LPS incorporates the C10.0 Coastal Erosion Hazard Code. The overlay mapping is based on the map produced by the Department of Premier and Cabinet, showing:

- (i) *coastal erosion hazard areas*; and
- (ii) *coastal erosion investigation areas*, for the application of the Coastal Erosion Hazard Code.

Guideline No. 1, CEHC 1 requires the *coastal erosion hazard area overlay* to include three coastal erosion hazard bands and the coastal erosion investigation area as depicted in the 'Coastal Erosion Hazard Area Bands 20161201' layer published on the LIST.

The *coastal erosion hazard area overlay* in the draft LPS has not been modified from the layer published on the LIST.

2.4.8.11 Use of the C11.0 Coastal Inundation Hazard Code

The draft LPS incorporates the C11.0 Coastal Inundation Hazard Code. The overlay mapping is based on the map produced by the Department of Premier and Cabinet, showing:

- (i) *coastal inundation hazard areas*; and
- (ii) *coastal inundation investigation areas*, for the application of the Coastal Inundation Hazard Code.

Guideline No. 1, CIHC 1 requires the *coastal inundation hazard area overlay* to include three coastal inundation hazard bands and the coastal inundation investigation area as depicted in the 'Coastal Erosion Hazard Area Bands 20161201' layer published on the LIST. Changes have also been required based on the requirements of the draft Notice: [Appendix 64](#) including Attachments A and B.

The *coastal inundation hazard area overlay* in the draft LPS has not been modified from the layer published on the LIST.

Guideline CIHC 2 requires the LPS to include the AHD levels for the coastal inundation hazard bands and the defined flood level for the relevant localities as a list for the Coastal Inundation Hazard Code in accordance with the AHD levels published on the DPAC website. The AHD levels have been included in the Coastal Inundation Hazard Bands AHD Levels Table in the draft LPS without modification.

2.4.8.12 Flood-Prone Hazard Code

The draft LPS incorporates the C12.0 Flood Prone Hazard Code. However, the draft Notice: [Appendix 64](#) including Attachment A required deletion of the Flood Prone Areas Overlay.

The following flood studies by Entura (Hydro Tasmania) are included in the Appendices:

Appendix 36	Huon Valley Flood Resilience 2017
Appendix 43	Kermandie River Flood Study 2018
Appendix 44	Mountain River Flood Study 2018
Appendix 46	Skidders Creek Flood Study 2018

A report was also completed by the Bureau of Meteorology in 2016: [Report on the Major flooding in Huonville](#), July 2016. ([Appendix 31](#))

2.4.8.13 Application of the C13.0 Bushfire-Prone Areas Code

The draft LPS incorporates a *bushfire-prone areas code overlay* for the municipal area provided by the Tasmanian Fire Service. The report from the Tas Fire Service (TFS) for the application of the overlay under the Bushfire-Prone Areas Code is [Appendix 38](#).

2.4.8.14 Application of the C14.0 Potentially Contaminated Land Code

Whilst the Potentially Contaminated Land Code will apply it does not include an overlay of contaminated sites in the municipal area.

2.4.8.15 Application of the C15.0 Landslip Hazard Code

The draft LPS incorporates a Landslip Hazard Code and includes an overlay map produced by the Department of Premier and Cabinet, showing landslip hazard areas for the application of the Code in the municipal area.

Guideline LHC 1 requires the landslip hazard area overlay to include four landslip hazard bands as depicted in the '[Landslide Planning Map – Hazard Bands 20131022](#)' layer published on the LIST, unless modified.

The landslip hazard area overlay in the draft LPS has not been modified from the layer published on the LIST. Further information: [Mineral Resources Tasmania](#).

2.5 LPS CRITERIA – SCHEDULE 1 OF THE LUPPA

2.5.1 Schedule 1 Objectives (Part 1)

Schedule 1 of the LUPAA prescribes the Objectives of the Resource Management and Planning System of Tasmania (Part 1) and the Objectives of the Planning Process (Part 2).

Together they emphasise ‘sustainable development’. The Schedule defines ‘sustainable development’ as:

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

- (a) *Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and*
- (b) *Safeguarding the life supporting capacity of air, water, soil and ecosystems; and*
- (c) *Avoiding, remedying or mitigating any adverse effects of activities on the environment.*

The LUPAA contains competing obligations in that a LPS is required to spatially apply the SPPs through the zoning of land and the application of codes, along with associated operative provisions, yet it must also demonstrate that it promotes sustainable use and development in accordance with the Schedule 1 Objectives. In some cases the PPZs, SAPs and SSQs of the draft LPS are required to ensure that the draft LPS meets these requirements.

As far as practicable, the draft LPS is consistent with the Objectives set out in Part 1 and Part 2 of Schedule 1 and therefore complies with Section 34(2) of the LUPPA.

Table 24: Schedule 1 Objectives - Part 1

The table below provides an analysis of the draft LPS against the Schedule 1 Objectives which includes further reasons in relation to Section 32(4) of the LUPPA in support of including the overriding provisions that are proposed to be included in the draft LPS referred to in this report.

The objectives of the Resource Management and Planning System of Tasmania are set out below.

(a) <i>To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.</i>
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Comment:

The methodology that has been developed to assist in preparing the mapping of agricultural and rural based land in the municipal area and takes priority vegetation into account where it has been identified on parcels of land. This approach is intended to facilitate sustainable outcomes.

The draft LPS includes a map overlay (priority vegetation overlay) that identifies the spatial location of potentially important vegetation, species, communities and habitat for protection. The priority vegetation area in the draft LPS is based on the Regional Ecosystem Model ([Appendix 34](#)) as well as analysis undertaken by Council’s NRM officer in some cases. The map overlay applies the Natural Assets Code provisions to areas.

The Natural Assets Code C7.2.1(c) prescribes zones over which a priority vegetation layer can apply. Importantly the provisions cannot be applied to the Agriculture Zone and represent a significant shift from the Interim Planning Scheme.

Ground-truthing the application of the map overlay for vegetation protection across the Huon Valley has been undertaken only to the extent possible or necessary together with desktop analysis undertaken where information has been available including TASVEG 4.0 and aerial imaging or other sources.

The SPPs exemption of agricultural land from assessment against the standards of the Natural Assets Code, priority vegetation area, has regard to other legislation within Tasmania. This includes the Forest Practices System, which applies to land clearing for agriculture, and the *Threatened Species Protection Act 1995* which applies to any threatened species. However, the operational effect of the SPPs will be that vegetation removal in the Agriculture Zone for visitor accommodation, dwellings or other buildings will be exempt from planning assessment regardless of any conservation value.

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

- protection of natural watercourses and wetlands;
- applying the Environmental Management Zone;
- applying the Landscape Conservation Zone;
- taking into account potential coastal refugia;
- using the best available data and method to prepare the priority vegetation area overlay through the Regional Ecosystem Model and localised desktop analysis; and
- containing settlements to existing settlement footprints.

For the above reasons the draft LPS furthers this Objective.

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

Comment:

The draft LPS seeks to ensure that the implementation of the SPPs results in fair, orderly and sustainable outcomes for the municipality. To facilitate this objective some provisions will override SPPs. This approach is provided for in Section 32(4) of the LUPPA which enables overriding provisions to be included in a draft LPS, where necessary and adequately justified in accordance with that section.

Through the application of the SPPs and the provisions proposed to apply in the draft LPS, there will be differences in terms of allowable use and development under the TPS to the existing provisions that currently apply to properties under the Interim Planning Scheme.

This is because in rural areas, the Rural Zone, Agriculture Zone and Landscape Conservation Zone are essentially new zones. Use and development controls within each zone are established by the SPPs and the application of these zones has been undertaken in accordance with the Guidelines.

In addition to the Guidelines, the application of these zones is consistent with the key strategic documents including the STRLUS and the *Huon Valley Land Use and Development Strategy (2007)* (Appendix 11) thereby furthering this objective.

For the above reasons, the draft LPS furthers this Objective.

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

Comment:

The LUPPA provides for the involvement of the public in the implementation process for the draft LPS. The planning authority will publicly exhibit the draft LPS for 60 days following a direction from the Commission: Section 35B and 35C of the LUPPA.

The draft LPS will then be available for the community to view and for comments (representations) on the LPS to be submitted during the public exhibition period. A person may choose to prepare their own representation or engage a consultant to prepare a representation on their behalf.

The Commission will also hold a public hearing regarding the draft LPS as part of the process.

For the above reasons the draft LPS furthers this Objective.

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

Comment:

The application of the draft LPS zone mapping is strategic and is consistent with the Guidelines, STRLUS and local strategies. In this way the zones will facilitate a range of economic development opportunities consistent with the zone purpose of relevant zones, with the application of the codes largely ensuring the use and development is undertaken in a sustainable manner.

The SPPs and relevant overriding local provisions will provide for further economic development through use, development and subdivision of land and associated works, residential, recreation and tourism development, and significantly for the Huon Valley, by providing opportunities for further agricultural use, tourism and recreational development, resource development and processing and other uses and development consistent with the strategic planning outcomes of the Planning Authority.

Southwood Integrated Timber Processing Site

An example in the draft LPS that have planning controls designed to facilitate economic development include the PPZ for the Southwood Integrated Timber Processing Site, which is to be transitioned across from the Interim Planning Scheme to the draft LPS under the transitional provisions (Schedule 6, Clause 8(1)).

The zone purpose of the Southwood Integrated Timber Processing Site is:

- To recognise the regional economic importance of Southwood and its strategic location for timber, mineral and rural resources;
- To ensure the integration of infrastructure and use within the site; and
- To provide for the protection of water resources.

Franklin Marine and Tourism Precinct PPZ

Another example is the Franklin Marine and Tourism Precinct PPZ designed to facilitate economic development within the tourism sector. The purpose of the Franklin Marine and Tourism Precinct PPZ is:

- To provide for boat and ship building activities alongside education, recreation and tourism activities; and
- To retain and enhance access to the Huon River.

For the above reasons the draft LPS furthers this Objective.

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

The implementation of the SPPs and draft LPS requires cooperative planning and sharing of responsibility between all stakeholders such as the Commission, State and Commonwealth agencies, TasWater, councils and the community with the planning authority.

Cooperative planning and sharing of responsibility may also in some cases be relevant to other assessment processes concerning development approved under the SPPs such as processes under the *Local Government (Building and Miscellaneous Provisions) Act 1993* (LGBMP) for sealing of plans regarding subdivisions or for sealing of strata scheme plans or under the *Building Act 2016* regarding building, plumbing and demolition works.

For the above reasons the draft LPS furthers this Objective.

2.5.2 Schedule 1 Objectives (Part 2)

Table 25: Schedule 1 Objectives - Part 2

The objectives of the planning process established by the LUPAA are in support of the objectives set out in Part 1 of this Schedule. The objectives of Part 2 are set out below.

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

The Resource Management and Planning System of Tasmania provides the framework and context for the application of the STRLUS, State Policies, the LUPPA and the other main elements of the RMPS for strategic planning and co-ordinated action by State and local government in Tasmania. It is within this context the strategic planning outcomes of the RMPS apply to the draft LPS. The State Policies are:

- *State Coastal Policy 1996;*
- *State Policy on Water Quality Management 1997; and*
- *State Policy on the Protection of Agricultural Land 2009.*

Also, the draft LPS takes into account a number of relevant specific strategic planning documents that set out plans, mapping, strategies or outcomes referred to in the Appendices to the report that apply to the municipal area. This includes documentation such as the *Huon Valley Land Use and Development Strategy (2007)*, *Huonville - Ranelagh Master Plan (2019)*, *Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones*, *Regional Ecosystem Model (2018)*, *Bushfire-Prone Areas*, *Huon Valley LGA Planning Report (TFS, 2019)*, *Cygnnet Residential Demand and Supply Analysis report by SGS Economics and Planning (2020)* ([Appendix 57](#)) and township strategic plans.

Through the allocation of zones, development of code mapping and utilisation of local overriding provisions (PPZs, SAPs and SSQs) the draft LPS is consistent with this Objective and therefore represents sound strategic planning.

Some co-ordination of planning related issues associated with the requirements for an LPS that applies in the Southern region has occurred through the technical reference group (Southern TRG) to date as necessary such as in relation to technical planning related issues.

For the above reasons the draft LPS furthers this Objective.
<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>
Consistent with this Objective, the TPS establishes a new system of planning instruments that will deliver consistency in the objectives, policies and controls for use and development and protection of land by setting out consistent State-wide planning provisions that incorporate local <i>overriding provisions</i> through the draft LPS which are to be justified against the criterion of Section 32(4) of the LUPAA.
For the above reasons the draft LPS furthers this Objective.
<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>
The draft LPS enables consideration and assessment of environmental impacts in relation to the use and development of land within the municipal area including consideration of specific environmental issues that are required to be considered when an assessment is carried out of an application.
Importantly where the application of an overlay map could not be applied in some cases (such as the <i>priority vegetation area overlay</i>), specific site analysis work was undertaken by Council's NRM officer, where possible, that assisted in determining whether some land should be zoned within the Rural Zone, Agriculture Zone or Landscape Conservation Zone. Another example was the application of the <i>waterway and coastal protection area overlay</i> and its coverage being reduced within existing urban environments such as Huonville.
For the above reasons the draft LPS furthers this Objective.
<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>
The requirements of the LUPPA Act, SPPs and Guidelines provide for more consistent State-wide planning and thereby facilitate land use and development planning and policy to be more easily integrated with environmental, social, economic, conservation and resource management policies across all levels of government.
Accordingly, the draft LPS demonstrates consistency with State Policies, the policies of the STRLUS, and includes local <i>overriding provisions</i> where the need is justified under the criterion of Section 32(4).
For the above reasons the draft LPS furthers this Objective.
<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>
The LUPAA and Interim Planning Scheme set out the requirements for the assessment and approval of land use development applications, and this will continue to be the case under the draft LPS once implemented.
For the above reasons the draft LPS furthers this Objective.
<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>

The SPPs through the available zones, SAPs, PPZs, SSQs and codes has had regard to this Objective.

The draft LPS is considered to furthers this Objective in the municipal area through:

- Providing for use and development to be carried out suitably zoned land including for visitor accommodation use in the municipal area.
- Providing opportunities for commercial use in settlements and for industrial development through appropriate zoning.
- Providing for land zoned Recreation Zone and Open Space where appropriate including provisions to consider walkability in new subdivisions or developments.
- Applying appropriate zones such as the Community Purpose Zone, Utilities Zone and Recreation Zone;
- Identifying areas for the application of the Utilities Zone.
- Including Statements of Significance for the Local Historic Heritage Code.
- Applying the Natural Assets Code.
- Applying Scenic Protection Code provisions to significant scenic values by mapping scenic areas and scenic road corridors.
- Application of the Landscape Conservation Zone for landholdings that contain large areas of native vegetation.
- Application of the following codes overlays:
 - Coastal Erosion Hazard Bands Overlay;
 - Coastal Inundation Hazard Bands Overlay;
 - Bushfire Prone Areas Overlay;
 - Landslip Hazard Overlay.

For the above reasons the draft LPS furthers this Objective.

(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

Conservation of historic built heritage is managed through the Tasmanian Heritage Council (THC) and the TPS. Development associated with places listed on the Tasmanian Heritage Register (THR) has a statutory referral process for assessment by the THC.

The Local Historic Heritage Code provides protection for individual properties (places) and identified heritage precincts with local significance. This code will enable retention of all existing Local Heritage Places. Statements of Significance have been prepared for each Local Heritage Place proposed for inclusion in the draft LPS.

Additionally, the use of local *overriding provisions* in the draft LPS furthers this objective, most notably through the Franklin Heritage SAP. The methodology in the *Local Heritage Review, Methodology for Statements of Significance* ([Appendix 49](#)) has been used in the preparation of the Statements of Significance for the Local Heritage Places.

The above methodology can also be applied for further heritage work undertaken in the Huon Valley, so that in turn there are more listed properties to provide greater protection for locally significant places, precincts, potential archaeological sites and significant trees. Further heritage research needs to be undertaken in consultation with the community for new listings within the Huon Valley municipal area.

Aboriginal heritage is not considered in the SPPs. The *Aboriginal Heritage Act 1975* is administered through the Department of Primary Industries, Parks, Water and Environment. It is the primary legislation for the protection of Aboriginal cultural heritage in Tasmania.

For the above reasons the draft LPS furthers this Objective.

(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

Public infrastructure is protected through application of the Utilities, Open Space, Recreation and Community Purpose zones and the Road and Rail Assets Code and Electricity Transmission Infrastructure Protection Code under the draft LPS. The draft LPS includes a Future Road Corridor PPZ.

As there will not be a Stormwater Code under the TPS, Clause 6.11.2(g) of the SPPs may be able to be used to apply conditions to approved development for the management of stormwater as necessary. Other measures within the *Building Act 2016* will also need to be relied upon given there is no current consideration being given to a Stormwater Code being included in the TPS. See also: *Stormwater System Management Plan* ([Appendix 53](#)).

For the above reasons the draft LPS furthers this Objective.

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

Guideline No. 1 - Local Provisions Schedule Zone and Code Application requires that land to be included in the Agriculture Zone is to be based on the land identified in the *Land Potentially Suitable for Agriculture Zone* layer published on the LIST.

Further local analysis of the results of this mapping layer was undertaken for the draft LPS to determine the land that should be included in the Agriculture Zone. See further Application of the Rural Zone and the Agriculture Zone (section 2.4.5.2).

The methodology outlined in the report for the application of these requirements has provided a suitable framework for the consideration and assessment of land capability within the municipal area in order for appropriate zones to be allocated under the draft LPS. See further section 2.4.5.2 regarding Application of the Rural Zone and the Agriculture Zone and also documentation in the Appendices.

The draft LPS also incorporates a range of zones and codes (including hazard based codes) such as the Natural Asset Code, the Coastal Erosion Hazard Code, Coastal Inundation Hazard Code, Bushfire-Prone Areas Code and the Landslip Hazard Code. Where these codes apply they assist in establishing land suitability and capability.

For the above reasons the draft LPS furthers this Objective.

2.6 LPS CRITERIA - STATE POLICIES AND NEPMS

Section 34(2)(d) of the LUPAA requires that a LPS is consistent with each of the following State policies created under the *State Policies and Projects Act 1993* and with the National Environment Protection Measures (NEPMS):

- *State Coastal Policy 1996*;
- *State Policy on Water Quality Management 1997*; and
- *State Policy on the Protection of Agricultural Land 2009*.

The draft LPS is consistent with Section 34(2)(d) of the LUPAA for the following reasons.

2.6.1 State Coastal Policy 1996

The *State Coastal Policy* applies to land within 1km of the high-water mark (i.e. the 'Coastal Zone') within the municipal area.

The three main principles guide the State Coastal Policy:

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

The Policy outlines Outcomes under the following four headings below:

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

The SPPs provide for the protection of major ecosystems and natural processes through the following Zones and Codes:

- Environmental Management Zone
- Landscape and Conservation Zone
- Natural Asset Code
- Coastal Erosion Hazard Code
- Coastal Inundation Hazard Code.

The Environmental Management Zone has been applied to much of the coastline to the low water mark and in accordance with the Central Plan Register map for the Huon Valley municipal area thereby providing for the protection of important areas such as areas that have significant ecological value.

The Natural Asset Code recognises and protects important biodiversity values and applies to land within the following overlays:

- Waterway and coastal protection areas;
- Future coastal refugia areas; and
- Priority vegetation areas.

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.

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.

The *priority vegetation area overlay* is intended for native vegetation that:

- Forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the *Nature Conservation Act 2002*;
- Contains threatened flora species;
- Forms a significant habitat for a threatened fauna species;
- Has been identified as native vegetation of local importance.

The State Coastal Policy requires that areas subject to significant risk of coastal hazards be identified and managed to protect life and property. The Coastal Inundation Hazard Code deals with coastal inundation risk from current day through to 2100 taking into account anticipated sea level rise. The Coastal Erosion Hazard Code specifically deals with risk from and to the coast by erosion. Again, this code manages current day risk through to 2100 recognising increased erosion risk caused by sea level rise.

The Coastal Erosion Hazard Code, which recognises areas at risk of coastal erosion, has been applied in accordance with Guideline No. 1 and includes land within three coastal erosion hazard bands (low, medium, or high) and the coastal erosion investigation area. This overlay is available as a layer on the LIST and is titled 'Coastal Erosion Hazard Bands 20161201'.

The Coastal Inundation Hazard Code, which recognises areas at risk of Coastal Inundation, has been applied in accordance with Guideline No. 1 and includes land within 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'.

The Coastal Erosion Hazard Code and Coastal Inundation Hazard Code overlays were 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](#).

The *State Coastal Policy* requires that areas of Aboriginal heritage significance be identified protected. Aboriginal heritage is specifically regulated under the *Aboriginal Heritage Act 1975* not under the LUPAA.

Aboriginal Heritage Tasmania is responsible for administering this regulation and for maintaining the Tasmanian Aboriginal Site Index. In some cases it will be necessary for developers to obtain a separate permit under the *Aboriginal Heritage Act 1975*, in addition to a permit.

For these reasons, the draft LPS is consistent with the *State Coastal Policy*.

2.6.2 State Policy on Water Quality Management 1997

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

“To achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System.” (Schedule 1 of the State Policies and Projects Act 1993).

“The objectives of this policy are to:

- a) focus water quality management on the achievement of water quality objectives which will maintain or enhance water quality and further the objectives of Tasmania's Resource Management and Planning System;*
- b) ensure that diffuse source and point source pollution does not prejudice the achievement of water quality objectives and that pollutants discharged to waterways are reduced as far as is reasonable and practical by the use of best practice environmental management;*
- c) ensure that efficient and effective water quality monitoring programs are carried out and that the responsibility for monitoring is shared by those who use and benefit from the resource, including polluters, who should bear an appropriate share of the costs arising from their activities, water resource managers and the community;*
- d) facilitate and promote integrated catchment management through the achievement of objectives (a) to (c) above; and*
- e) apply the precautionary principle to Part 4 of this Policy.”*

A ['Waterway and Coastal Protection Area Guidance Map'](#) has been prepared 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. This overlay is available as a layer on the LIST.

The draft LPS applies the State mapped [waterway and coastal protection area overlay](#) through the Natural Assets Code. The prescribed buffer distances contained in the definition (and shown in the overlay map) draw from those of the Forest Practices System and trigger assessment of development that occurs within those mapped areas.

The SPPs assume compliance with this State Policy in applying the overlay map with associated assessment provisions.

Part 4 of the Policy specifies outcomes to achieve water quality objectives under the following divisions:

- Division 1 – Measures to Achieve Policy Objectives
- Division 2 – Management of Point Sources of Pollution
- Division 3 – Management of Diffuse Sources of Pollution.

Under the current Interim Planning Scheme, the Policy is implemented through the:

- The Stormwater Management Code which provides standards for discharges.
- The Acid Sulfate Soils Code which requires a performance based assessment in accordance with relevant DPIWE Guidelines.
- The Dispersive Soils Code in relation to potential waterway contamination.

As there will not be a Stormwater Code under the TPS, Clause 6.11.2(g) of the SPPs may be able to be used to apply conditions to approved development for the management of stormwater as necessary. Other measures within the *Building Act 2016* will also need to be relied upon given there is no current consideration being given to a Stormwater Code being included in the TPS. See also: *Stormwater System Management Plan (Appendix 53)*.

Additionally, most zones incorporate provisions that require connection to reticulated services where they exist or require wastewater to be retained on-site.

For these reasons, the draft LPS is consistent with the *State Policy on Water Quality Management*.

2.6.3 State Policy on the Protection of Agricultural Land 2009

The purpose of the *State Policy on the Protection of Agricultural Land (PAL)* is:

“To conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land”.

The stated objectives are:

“To enable the sustainable development of agriculture by minimising:

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

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

The SPPs were examined against the principles of the PAL Policy in the development of the Rural and Agriculture Zone provisions. The requirement to apply the Rural and Agriculture Zones to land necessitates an analysis of land resources to determine which zone is most appropriate.

Guideline No.1 - Local Provisions Schedule Zone and Code Application requires that land to be included in the Agriculture Zone should be based on the land identified in the *Land Potentially Suitable for Agriculture Zone* layer published on the LIST.

The Guideline provides that in applying the Agriculture Zone, a planning authority may also have regard under AZ.1 to:

“(a) any agricultural land analysis or mapping undertaken at a local or regional level for part of the municipal area which:

- (i) incorporates more recent or detailed analysis or mapping;*
- (ii) better aligns with on-ground features; or*
- (iii) addresses any anomalies or inaccuracies in the ‘Land Potentially Suitable for Agriculture Zone’ layer, and...”*

Further local analysis of the results of this mapping layer was undertaken for the draft LPS to determine the land that should be included in the Agriculture Zone. See further: section 2.4.5.2 regarding *Application of the Rural Zone and the Agriculture Zone* and also documentation in the Appendices (Appendices: 34, 35, 39, 40, and 45).

For these reasons, the draft LPS is consistent with the *State Policy on the Protection of Agricultural Land*.

2.6.4 National Environmental Protection Measures

The *State Policies and Projects Act 1993* provide for the application of National Environment Protection Measures (NEPMs) created under the *National Environment Protection Acts*, and which can apply to, for example:

- air quality;
- marine, estuarine, and freshwater quality;
- noise emissions;
- site contamination;
- hazardous wastes;
- re-use and recycling of used materials.

The current NEPM include the following:

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

The SPPs are consistent with some of these measures such as those relating to water quality, noise emissions and site contamination.

2.7 LPS CRITERIA - TASMANIAN STATE POLICIES

The LUPAA enables Tasmanian Planning Policies to be created. However, there are no policies that yet apply to the draft LPS under Section 34(2)(da) and Section 34(2A) of the LUPAA.

2.8 LPS CRITERIA - SOUTHERN TASMANIAN REGIONAL LAND USE STRATEGY

2.8.1 Background

The STRLUS was declared in October 2011 and following commencement has been amended several times with the most recent amendment commencing on 19 February 2020.

2.8.2 Compliance Assessment - STRLUS

The draft LPS is, as far as practicable, consistent with relevant STRLUS policies, and therefore is in accordance with Section 34(2)(e) of the LUPAA for the reasons set out in the table below.

Table 26

5 Biodiversity and Geodiversity Policy		
Policy Reference	Policy	Comments
BNV 1	Maintain and manage the region's biodiversity and ecosystems and their resilience to the impacts of climate change.	See sub-clauses below.
BNV 1.1	<p>Manage and protect significant native vegetation at the earliest possible stage of the land use planning process.</p> <p>Where possible, avoid applying zones that provide for intensive use or development to areas that retain biodiversity values that are to be recognised and protected by the planning scheme.</p>	<p>Protection of land with the highest environmental values has occurred through the application of the Environmental Management Zone and the Landscape Conservation Zone.</p> <p>New urban zones to land outside of the established towns and settlements has not occurred.</p> <p>Additionally, a key consideration of the application of the Agriculture and Rural zone was the presence of native vegetation.</p>
BNV 1.2	<p>Recognise and protect biodiversity values deemed significant at the local level and in the planning scheme:</p> <p>a) specify the spatial area in which biodiversity values are to be recognised and protected; and</p> <p>b) implement an 'avoid, minimise, mitigate' hierarchy of actions with respect to development that may impact on recognised and protected biodiversity values.</p>	<p>Biodiversity has been recognised and protected at a local level through the application of the Natural Assets Code and the following code overlays:</p> <ul style="list-style-type: none"> • waterway and coastal protection area; • future coastal refugia area; and • priority vegetation area. <p>The priority vegetation area has been applied in accordance with the Regional Ecosystem Model (Appendix 34). Also Council's NRM officer has undertaken a review of some areas that were not captured by this model but are significant had the <i>priority vegetation area overlay</i> applied. Examples of these areas include the top of Garden Island Creek and areas both within and in proximity to, the Russell Ridge Conservation area.</p> <p>In terms of an 'avoid, minimise, mitigate hierarchy', any impact on native vegetation within a priority vegetation area will generally require to be assessed against clause C7.6.2 of the SPP.</p>
BNV 1.3	Provide for the use of biodiversity offsets if, at the local level, it is	The Natural Assets Code provides for biodiversity offsets to be considered.

	<p>considered appropriate to compensate for the loss of biodiversity values where that loss is unable to be avoided, minimised or mitigated.</p> <p>Biodiversity offsets:</p> <ol style="list-style-type: none"> are to be used only as a 'last resort'; should provide for a net conservation benefit and security of the offset in perpetuity; are to be based upon 'like for like' wherever possible. 	<p>(Strategic planning work is being currently undertaken on a proposed Planning Authority biodiversity offset policy).</p>
BNV 1.4	<p>Manage clearance of native vegetation arising from use and development in a manner that is generally consistent across the region but allowing for variances in local values.</p>	<p>There is potential for regional inconsistencies in how some aspects of the Natural Assets Code is applied in Southern Tasmania given the use of the REM methodology.</p> <p>Council's NRM officer has provided specific advice in relation to the draft LPS in relation to local variations in accordance with Guideline No. 1 (NAC 11 and NAC 12).</p>
BNV 1.5	<p>Where vegetation clearance and/or soil disturbance is undertaken, provide for construction management plans that minimise further loss of values and encourages rehabilitation of native vegetation.</p>	<p>To facilitate these policy outcomes being achieved by minimising further loss of values and encouraging rehabilitation of native vegetation, Clause 6.11.2(g) of the SPPs may be able to be used to apply conditions to approved development for the management of stormwater as necessary. Other measures within the <i>Building Act 2016</i> will also need to be relied upon given there is no current consideration being given to a Stormwater Code being included in the TPS.</p> <p>See also: <i>Stormwater System Management Plan (Appendix 53)</i>.</p>
BNV 1.6	<p>Include in the planning scheme, preserving climate refugia where there is scientifically accepted spatial data.</p>	<p>The draft LPS contains the future <i>coastal refugia area overlay</i> as published on the LIST, except where Guideline No. 1 requires its removal from incompatible zones and through specific advice by Council's NRM officer in accordance with NAC 4 – 6.</p>
BNV 2	<p>Protect threatened native vegetation communities, threatened flora and fauna</p>	<p>See sub-clauses below.</p>

	species, significant habitat for threatened fauna species, and other native vegetation identified as being of local importance and places important for building resilience and adaptation to climate change for these.	
BNV 2.1	<p>Avoid the clearance of threatened native vegetation communities except:</p> <ul style="list-style-type: none"> a. where the long-term social and economic benefit arising from the use and development facilitated by the clearance outweigh the environmental benefit of retention; and a. where the clearance will not significantly detract from the conservation of that threatened native vegetation community. 	<p>The priority vegetation area includes all areas of threatened native vegetation communities.</p> <p>Economic benefit issues may have some relevance when assessments are made of land <i>potentially suitable for agriculture</i> to the extent it is provided for as part of the methodology referred to in Appendix 39.</p> <p>The draft LPS is consistent with this policy to the extent required under the Guidelines.</p>
BNV 2.2	Minimise clearance of native vegetation communities that provide habitat for threatened species.	<p>The Regional Ecosystem Model used for preparing the <i>priority vegetation area overlay</i> of the Natural Assets Code incorporates:</p> <ul style="list-style-type: none"> • threatened vegetation communities; • threatened flora species; • significant habitat for a threatened fauna species; • potential threatened fauna habitat; • remnant reservation; and • relative rarity. <p>The draft LPS is consistent with this policy to the extent required under the Guidelines.</p>
BNV 2.3	Advise potential applicants of the requirements of the <i>Threatened Species Protection Act 1995</i> and their responsibilities under the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> .	This is not a relevant consideration for the preparation of the draft LPS.
BNV 3	Protect the biodiversity and conservation values of the Reserve Estate.	The draft LPS contains the Reserve Estate in the Environmental Management Zone as required by Guideline No. 1 as well as the application of the <i>priority vegetation area overlay</i> .
BNV 4	Recognise the importance of non-land use planning based	This is not a relevant consideration for the preparation of the draft LPS.

	organisations and their strategies and policies in managing, protecting and enhancing natural values.	
BNV 4.1	Consult NRM-based organisations as part of the review and monitoring of the Regional Land Use Strategy.	This is not a relevant consideration for the preparation of the draft LPS.
BNV 5	Restrict the spread of declared weeds under the <i>Weed Management Act 1999</i> and assist in their removal.	Conditions can on approved development can include restrictions regarding the spread of weeds such as a requirement for wash down of vehicles entering a sensitive site.
BNV 5.1	Provide for construction management plans where vegetation clearance or soil disturbance is undertaken that include weed management actions where the site is known, or suspected, to contain declared weeds.	Clause 6.11.2(g) of the SPPs will be used to apply conditions to approved development regarding construction management and weed control during construction.
BNV 6	Geodiversity:	See sub-clauses below.
BNV 6.1	Improve knowledge of sites and landscapes with geological, geomorphological, soil or karst features and the value they hold at state or local level.	<p>Karst areas within the municipality include:</p> <ul style="list-style-type: none"> • Hastings • Duckhole Valley - Adamson • Lune Plains (North Lune, Mesa-Gleichenia) • Marble Hill - D'Entrecasteaux • South Cape Rivulet • Catamaran River • Roberts River (South Boomerang) • Vanishing Falls • Precipitous Bluff • Forest Hills • Lake Sydney • Cracroft • Picton River • Cook Creek (Abrotonella) • Lower Cracroft • Manuka Creek - Blakes Opening • Riveaux
BNV 6.2	Progress appropriate actions to recognise and protect those values, through means commensurate with their level of significance (state or local).	The <i>Conservation of Freshwater Ecosystem Values (CFEV) Karst - Integrated Conservation Value</i> layer in <i>thelist</i> identifies several karst areas within the Huon Valley municipal area, the data

		<p>in this layer includes a classification, condition assessment and rankings of conservation value and conservation management priority from medium to very high.</p> <p>It is noted that the Natural Assets Code provides no protection for karst areas.</p> <p>Notwithstanding this is the case, the majority of the areas identified as karst in the municipal area are located within the Environmental Management zone which provides for limited development opportunity. Furthermore these sites are on land that is within a National Park and therefore are afforded additional protections through the relevant management plan such as the <i>Tasmanian Wilderness World Heritage Area Management Plan 2016</i>.</p> <p>There is one high conservation value area that is within the Hastings karst area and is zoned Rural. This area is on land owned by Forestry Tasmania; and it is understood that a Forest Practices Plan takes karst systems into consideration in this location.</p> <p>Whilst currently there is not adequate information available to apply a specific area plan that protects karst systems, the development potential and therefore risk of impacts is considered low given the ownership of the land, the limited development potential and other government agency approval requirements.</p> <p>As a project in the future the Planning Authority could work with the State government to better understand the karst values within the municipal area and apply a SAP if considered appropriate.</p>
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6 Water Resources		
WR 1	Protect and manage the ecological health, environmental values and water quality of surface and groundwater, including waterways, wetlands and estuaries.	Protecting environmental values of waterways is generally being undertaken through the application of the <i>waterway and coastal protection area overlay</i> and the Natural Assets Code. See also: <i>Stormwater System Management Plan (Appendix 53)</i>
WR 1.1	Use and development is to be undertaken in accordance with the <i>State Policy on Water Quality Management</i> .	See section 2.6 of this report for matters relating to State Policies.
WR 1.2 I	Incorporate total water cycle management and water sensitive urban design principles in land use and infrastructure planning to minimise stormwater discharge to rivers.	<p>The Planning Authority needs to have an ability to apply conditions to approved development regarding erosion, stormwater volume and stormwater quality controls to minimise stormwater discharge.</p> <p>To facilitate these policy outcomes being achieved (water cycle management and water sensitive urban design principles), Clause 6.11.2(g) of the SPPs may be able to be used to apply conditions to approved development for the management of stormwater as necessary. Other measures within the <i>Building Act 2016</i> will also need to be relied upon given there is no current consideration being given to a Stormwater Code being included in the TPS.</p> <p>It is noted, the Local Government Association Tasmania and other stakeholders are in the process of preparing a <i>Tasmanian Stormwater Policy for New Developments (dated March 2021)</i>. The purpose of the policy is to provide a clear framework for stormwater conditions to be included on planning permits or approvals, and to inform development proponents of stormwater management design requirements prior to lodging a development application (DA).</p> <p>This framework is intended to provide a consistent state-wide approach to managing stormwater (under the Tasmanian Planning Scheme).</p>

		See also: <i>Stormwater System Management Plan (Appendix 53)</i> .
WR 1.3	Include buffer requirements in the planning scheme to protect riparian areas relevant to their classification under the Forest Practices System.	<p>The draft LPS protects riparian areas by minimising loss of riparian native vegetation through application of the following zones and codes to relevant areas:</p> <ul style="list-style-type: none"> • Environmental Management Zone • Landscape Conservation Zone • Open Space Zone • Natural Assets Code • Coastal Inundation Hazard Code • Coastal Erosion Hazard Code. <p>The draft LPS is consistent with this policy to the extent required under the Guidelines.</p>
WR 1.4	Where development that includes vegetation clearance and/or soil disturbance is undertaken, provide for construction management plans to minimise soil loss and associated sedimentation of waterways and wetlands.	<p>The Planning Authority needs to have an ability to apply conditions to approved development regarding vegetation clearance and/or soil disturbance.</p> <p>To facilitate these policy outcomes being achieved, Clause 6.11.2(g) of the SPPs may be able to be used to apply conditions to approved development for the management of stormwater as necessary. Other measures within the <i>Building Act 2016</i> will also need to be relied upon given there is no current consideration being given to a Stormwater Code being included in the TPS.</p> <p>It is noted, the Local Government Association Tasmania and other stakeholders are in the process of preparing a <i>Tasmanian Stormwater Policy for New Developments (dated March 2021)</i>. The purpose of the policy is to provide a clear framework for stormwater conditions to be included on planning permits or approvals, and to inform development proponents of stormwater management design requirements prior to lodging a development application (DA).</p> <p>This framework is intended to provide a consistent state-wide approach to managing stormwater (under the Tasmanian Planning Scheme).</p>

		See also: <i>Stormwater System Management Plan (Appendix 53)</i> .
WR 2	Manage wetlands and waterways for their water quality, scenic, biodiversity, tourism and recreational values.	See sub-clauses below.
WR 2.1	Manage use and development adjacent to Hydro Lakes in accordance with their classification: Remote Wilderness Lake, Recreational Activity Lake or Multiple Use Lakes.	There are no Hydro Lakes in the Huon Valley municipal area.
WR 2.2	Provide public access along waterways via tracks and trails where land tenure allows, where there is management capacity and where impacts on biodiversity, native vegetation and geology can be kept to acceptable levels.	Where possible, land adjacent to larger waterways is zoned to provide for tracks and trails through application of the: <ul style="list-style-type: none"> • Environmental Management Zone • Landscape Conservation Zone • Open Space Zone. Passive Recreation in each of these zones is a no permit required use.
WR 2.3	Minimise clearance of native riparian vegetation.	Retention of vegetation in riparian areas is encouraged through application of the following zones and code overlays to relevant areas: <ul style="list-style-type: none"> • Environmental Management Zone • Landscape Conservation Zone • Open Space Zone. • Natural Assets Code (waterway and coastal protection area overlay) • Coastal Inundation Hazard Code • Coastal Erosion Hazard Code. The draft LPS is consistent with this policy to the extent required under the Guidelines.
WR 2.4	Allow recreation and tourism developments adjacent to waterways where impacts on biodiversity and native vegetation can be kept to acceptable levels.	The SPPs generally allow for consideration of recreation and tourism development adjacent to waterways noting that majority of zones, including the Environmental Management and Landscape Conservation Zone allow for uses such as <i>food services, tourism operations, outdoor recreation facilities and visitor accommodation</i> . Impacts on the adjacent waterways, biodiversity and native vegetation will be managed through the application of the appropriate zones and codes.

WR 3	Encourage the sustainable use of water to decrease pressure on water supplies and reduce long term cost of infrastructure provision.	See sub-clauses below.
WR 3.1	Reduce barriers in the planning system for the use of rainwater tanks in residential areas.	The SPPs provides some exemptions for rainwater tanks unless the Local Historic Heritage Code applies and requires a permit for the use or development.

7 The Coast		
C 1	Maintain, protect and enhance the biodiversity, landscape, scenic and cultural values of the region's coast.	See sub-clauses below.
C 1.1	Use and development is to avoid or minimise clearance of coastal native vegetation.	<p>Clearance of coastal native vegetation is minimised through application of the following zones and code overlays to relevant areas:</p> <ul style="list-style-type: none"> • Environmental Management Zone • Landscape Conservation Zone • Open Space Zone. • Natural Assets Code (future coastal refugia area, waterway and coastal protection area overlay) • Coastal Inundation Hazard Code • Coastal Erosion Hazard Code. <p>The draft LPS is consistent with this policy to the extent required under the Guidelines.</p>
C 1.2	Maximise growth within existing settlement boundaries through local area or structure planning for settlements in coastal areas.	<p>The draft LPS provides for compact urban settlements within existing settlement boundaries to minimise the encroachment of urban land into natural landscapes.</p> <p>The <i>Huon Valley Land Use and Development Strategy</i>, <i>Huonville-Ranelagh Structure Plan</i> (Appendix 21) and the <i>Huonville – Ranelagh Master Plan</i> have been taken into account in relation to the preparation of the draft LPS in this regard.</p> <p>Background strategies and plans taken into account that relate to this policy issue included:</p> <ul style="list-style-type: none"> • <i>Town Structure Plans for Townships (TBA Planners & Others)</i>, 1997 (Appendix 4); • <i>Franklin Township Plan - Inspiring Place</i>, 2003 (Appendix 9); • <i>Cygnet Township Plan</i>, 2010 (<i>Inspiring Place</i>) (Appendix 16); • <i>Background Reports to the STRULS</i>, 2010-2035 (Appendix 22); • <i>Heritage Park Geeveston Site Development Plan</i> (Appendix 32); and • <i>Climate Change Strategy</i> (Appendix 58).

C 1.3	Prevent development on coastal mudflats, unless for the purposes of public access or facilities or for minor infrastructure that requires access to the coast. Prevent development on actively mobile landforms in accordance with the State Coastal Policy 1996.	<p>The draft LPS prevents inappropriate development and use through the application of the following zones and code overlays to relevant areas:</p> <ul style="list-style-type: none"> • Environmental Management Zone • Landscape Conservation Zone • Open Space Zone. • Natural Assets Code <ul style="list-style-type: none"> - waterway and coastal protection area - future coastal refugia area - priority vegetation area • Coastal Inundation Hazard Code • Coastal Erosion Hazard Code. <p>The draft LPS is consistent with this policy to the extent required under the Guidelines.</p>
C 1.4	Zone existing undeveloped land within the coastal area, Environmental Management, Recreation or Open Space unless: <p>a. The land is utilised for rural resource purposes; or</p> <p>b. It is land identified for urban expansion through a strategic planning exercise consistent with this Regional Land Use Strategy.</p>	The following zones are proposed in the draft LPS for application to undeveloped land coastal areas within the municipal area: Environmental Management, Recreation, Open Space, Landscape Conservation, Rural or Agriculture Zone unless the land is within an existing settlement boundary.
C 2	Use and development in coastal areas is to be responsive to the effects of climate change including sea level rise, coastal inundation and shoreline recession.	<p>See sub-clauses below.</p> <p>See also Council's <i>Climate Change Strategy</i>, Appendix 58.</p>
C 2.1	Include provisions in the planning scheme relating to minimising risk from sea level rise, storm surge inundation and shoreline recession and identify those areas at high risk through the use of overlays.	<p>The draft LPS is responsive to the effects of climate change through the inclusion of the:</p> <ul style="list-style-type: none"> • Natural Assets Code <ul style="list-style-type: none"> - waterway and coastal protection area - future coastal refugia area - priority vegetation area. • Coastal Inundation Hazard Code • Coastal Erosion Hazard Code. <p>See also Council's <i>Climate Change Strategy</i>, Appendix 58.</p> <p>The draft LPS is consistent with this policy.</p>
C 2.2	Growth is to be located in areas that avoid exacerbating current	The draft LPS is responsive to the effects of coastal hazards through the inclusion of

	<p>risk to the community through local area or structure planning for settlements and the Urban Growth Boundary for metropolitan area of Greater Hobart.</p>	<p>codes which manage development within existing settlements including the:</p> <ul style="list-style-type: none"> • Natural Assets Code; • Coastal Inundation Hazard Code; and • Coastal Erosion Hazard Code. <p>The municipal area is outside the Urban Growth Boundary for metropolitan area of Greater Hobart.</p>
C 2.3	<p>Identify and protect areas that are likely to provide for the landward retreat of coastal habitats at risk from predicted sea level rise.</p>	<p>The <i>future coastal refugia area overlay</i> of the Natural Assets Code is used in the draft LPS to implement this policy.</p> <p>The draft LPS is consistent with this policy.</p>

8 Managing Risks And Hazards		
MRH 1	Minimise the risk of loss of life and property from bushfires.	See sub-clauses below.
MRH 1.1	Provide for the management and mitigation of bushfire risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by the identification and protection (in perpetuity) of buffer distances or through the design and layout of lots.	<p>The draft LPS recognises areas at potentially risk from bushfire through the Bushfire-Prone Areas Code.</p> <p>The draft LPS applies the <i>bushfire prone area overlay</i> prepared by the Tasmanian Fire Service (TFS) that identifies land at risk from bushfire.</p> <p>The draft LPS is consistent with this policy.</p> <p>See further: <i>Bushfire-prone Areas Mapping-Planning Report-Huon Valley LGA-TFS (Appendix 38)</i>.</p>
MRH 1.2	Subdivision road layout designs are to provide for safe exit points in areas subject to bushfire hazard.	See MRH 1.1.
MRH 1.3	Allow clearance of vegetation in areas adjacent to dwellings existing at the time that the planning scheme based on this Strategy come into effect, in order to implement bushfire management plans. Where such vegetation is subject to vegetation management provisions, the extent of clearing allowable is to be the minimum necessary to provide adequate bushfire hazard protection.	See MRH 1.1.
MRH 1.4	Include provisions in the planning scheme for use and development in bushfire prone areas based upon best practice bushfire risk mitigation and management.	See MRH 1.1.
MRH 1.5	Allow new development (at either the rezoning or development application stage) in bushfire prone areas only where any necessary vegetation clearance for bushfire risk reduction is in	See MRH 1.1.

	accordance with the policies on biodiversity and native vegetation.	
MRH 1.6	Develop and fund a program for regular compliance checks on the maintenance of bushfire management plans by individual landowners.	This is not a relevant consideration for the preparation of the draft LPS.
MRH 2	Minimise the risk of loss of life and property from flooding.	See sub-clauses below.
MRH 2.1	Provide for the mitigation of flooding risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by avoiding locating sensitive uses in flood prone areas.	<p>The draft LPS is consistent with this policy. The zoning of land at risk from coastal inundation hazards and coastal erosion hazards and rising sea levels will be avoided under the TFS.</p> <p>Assessment of development applications will, as currently the case, take into account areas that are potentially at risk from rising sea levels through the application of relevant Codes such as the Coastal Inundation Hazard and Coastal Erosion hazard Codes.</p> <p>Flood prone hazard assessment analysis undertaken by Entura, (Hydro Tasmania) for the Council/Planning Authority has been included in the following reports to increase awareness of potential flood impacts:</p> <ul style="list-style-type: none"> • Appendix 36: Huon Valley Flood Resilience 2017 • Appendix 43: Kermadie River Flood Study 2018 • Appendix 44: Mountain River Flood Study 2018 • Appendix 46: Skinners Creek Flood Study 2018 <p>A report was also completed by the Bureau of Meteorology in 2016: Report on the Major flooding in Huonville, July 2016. (Appendix 31)</p>
MRH 2.2	Include provisions in the planning scheme for use and development in flood prone areas based upon best practice in order to manage residual risk.	See comment in MRH 2.1.
MRH 3	Protect life and property from possible effects of land instability.	See sub-clauses below.
MRH 3.1	Prevent further development in declared landslip zones.	The draft LPS has taken into account areas at risk from land instability and regulates use and development

		accordingly through the application of the Landslip Hazard Code and overlay.
MRH 3.2	Require the design and layout of development to be responsive to the underlying risk of land instability.	The draft LPS adopts the landslip hazard area mapping provided on the LIST. The draft LPS is consistent with this policy.
MRH 3.3	Allow use and development in areas at risk of land instability only where risk is managed so that it does not cause an undue risk to occupants or users of the site, their property or to the public.	See MRH 3.2. The draft LPS is consistent with this policy.
MRH 4	Protect land and groundwater from site contamination and require progressive remediation of contaminated land where a risk to human health or the environment exists.	See sub-clauses below.
MRH 4.1	Include provisions in the planning scheme requiring the consideration of site contamination issues.	The draft LPS is consistent with this policy by applying the Potentially Contaminated Land Code provisions. The draft LPS does not include an overlay for this Code.
MRH 5	Respond to the risk of soil erosion and dispersive and acid sulfate soils.	See sub-clauses above and below.
MRH 5.1	Prevent further subdivision or development in areas containing sodic soils unless it does not create undue risk to the occupants or users of the site, their property or to the public.	<p>Conditions will be applied to approved development in areas subject to dispersive soils or acid sulphate soils in the municipal area.</p> <p>Proposed SAPs In the former version of the draft LPS (<u>Appendix 59 and 60</u>) the following SAPs were proposed.</p> <ul style="list-style-type: none"> • Grove to Cockle Creek Potential Dispersive Soils Specific Area Plan; • Grove to Cockle Creek Potential Acid Sulfate Soils Specific Area Plan. <p>The draft Notice (<u>Appendix 64</u>) required the deletion of these proposed SAPs for the reasons set out in the draft Notice. During the next stage of the LPS implementation process (exhibition period) consideration will be given for a representation be submitted for these proposed SAPs to be considered again for inclusion in the LPS.</p> <p>Therefore, notwithstanding the intent of MRH 5.1 and 5.2, the draft Notice required the above 2 proposed SAPs included with the version of the draft LPS</p>

		considered by the Planning Authority in May 2021 to be deleted from the current draft LPS.
MRH 5.2	Wherever possible, development is to avoid disturbance of soils identified as containing acid sulfate soils. If disturbance is unavoidable then require management to be undertaken in accordance with the Acid Sulfate Soils Management Guidelines prepared by the Department of Primary Industries, Parks, Water and the Environment.	See MRH 5.1.

9 Cultural Values		
CV 1	Recognise, retain and protect Aboriginal heritage values within the region for their character, culture, sense of place, contribution to our understanding history and contribution to the region's competitive advantage.	See sub-clauses below.
CV 1.1	Support the completion of the review of the <i>Aboriginal Relics Act 1975</i> including the assimilation of new Aboriginal heritage legislation with the RMPS.	Not a relevant consideration to the preparation of the LPS.
CV 1.2	Improve our knowledge of Aboriginal heritage places to a level equal to that for European cultural heritage, in partnership with the Aboriginal community.	Not a relevant consideration to the preparation of the LPS.
CV 1.3	Avoid the allocation of land use growth opportunities in areas where Aboriginal cultural heritage values are known to exist.	<p>Aboriginal heritage values are not considered in the TPS, SPPs or draft LPS. Rather, they are managed through the <i>Aboriginal Heritage Act 1975</i>.</p> <p>The <i>Aboriginal Heritage Act 1975</i> is administered by the Department of Primary Industries, Parks, Water and Environment. It is the primary legislation for the protection of Aboriginal cultural heritage in Tasmania.</p> <p>The draft LPS will not affect to operation of the <i>Aboriginal Heritage Act 1975</i>.</p>
CV 1.4	Support the use of predictive modelling to assist in identifying the likely presence of Aboriginal heritage values that can then be taken into account in specific strategic land use planning processes.	No modelling of Aboriginal heritage values has been undertaken for the TPS, SPP or draft LPS for the reasons in CV 1.3.
CV 2	Recognise, retain and protect historic cultural heritage values within the region for their character, culture, sense of place, contribution to our understanding history and contribution to the region's competitive advantage.	See sub-clauses below.

CV 2.1	Support the completion of the review of the <i>Historic Cultural Heritage Act 1995</i> .	Not a relevant consideration to the preparation of the draft LPS.
CV 2.2	<p>Promulgate the nationally adopted tiered approach to the recognition of heritage values and progress towards the relative categorisation of listed places as follows:</p> <ol style="list-style-type: none"> places of local significance are to be listed within the Local Historic Heritage Code, as determined by the local Council. places of state significance are to be listed within the Tasmanian Heritage Register, as determined by the Tasmanian Heritage Council. places of national or international significance are listed through national mechanisms as determined by the Australian Government. 	<p>The draft LPS provides for places of local historic heritage significance through their inclusion in the draft LPS Local Heritage Places Table.</p> <p>Further strategic planning work to identify new local heritage place listings within the Huon Valley municipal area will be ongoing. The methodology set out in <u>Appendix 49, Local Heritage Review, Methodology for Statements of Significance</u> can be applied for this purpose to undertake further heritage reviews within the Huon Valley to identify locally significant heritage place places, precincts and significant trees.</p> <p>Planning scheme amendments to list locally significant places, precincts and significant trees will be proposed once the appropriate research has been undertaken.</p> <p>The draft LPS is consistent with this policy.</p>
CV 2.3	<p>Provide for a system wherein the assessment and determination of applications for development affecting places of significance is undertaken at the level of government appropriate to the level of significance:</p> <ol style="list-style-type: none"> Heritage places of local significance: by the local Council acting as a Planning Authority. Heritage places of state significance: by the Tasmanian Heritage Council on behalf of the State Government with respect to heritage values, and by the local Council with respect to other land use planning considerations, with coordination and integration between the two. 	<p>Assessment of heritage places with local significance will continue to be undertaken by the Planning Authority under the draft LPS and completed LPS.</p>

CV 2.4	Recognise and list heritage precincts within the Local Historic Heritage Code and spatially define them by associated overlays.	<p>The draft LPS does not include any heritage precincts.</p> <p>The draft LPS provides for places of local historic heritage significance through their inclusion in the draft LPS Local Heritage Places Table.</p> <p>Further strategic planning work to identify new local heritage place listings within the Huon Valley municipal area will be ongoing. The methodology set out in Appendix 49, Local Heritage Review, Methodology for Statements of Significance can be applied for this purpose to undertake further heritage reviews within the Huon Valley to identify locally significant heritage place places, precincts and significant trees.</p> <p>Planning scheme amendments to list locally significant places, precincts and significant trees will be proposed once the appropriate research has been undertaken.</p> <p>The draft LPS is consistent with this policy.</p>
CV 2.5	Base heritage management upon the Burra Charter and the HERCON Criteria, with the Local Historic Heritage Code provisions in the planning scheme drafted to be consistent with relevant principles therein.	<p>This is relevant to the SPPs which provide the criteria to evaluate works to heritage places. The proposed Local Historic Heritage Code retains all existing Local Heritage Places.</p> <p>Statements of Significance have been prepared for the existing Local Heritage Places in accordance with the <i>Local Heritage Review, Methodology for Statements of Significance</i>, and are proposed for inclusion in the draft LPS. This methodology is based upon the Burra Charter, and the HERCON Criteria (National Heritage Convention, 1998).</p> <p>See further: Appendix 49. The draft LPS is consistent with this policy.</p>

CV 2.6	<p>Standardise statutory heritage management.</p> <ol style="list-style-type: none"> Listings in the planning scheme should be based on a common inventory template, (recognising that not all listings will include all details due to knowledge gaps). The Local Historic Heritage Code provisions in the planning scheme should be consistent in structure and expression, whilst providing for individual statements in regard to heritage values and associated tailored development control. 	<p>The proposed Local Historic Heritage Code retains all existing Local Heritage Places.</p> <p>Statements of Significance have been prepared for the existing Local Heritage Places in accordance with the <i>Local Heritage Review, Methodology for Statements of Significance</i>, and are proposed for inclusion in the draft LPS.</p> <p>See further: Appendix 49.</p>
CV 2.7	<p>Provide a degree of flexibility to enable consideration of development applications involving the adaptive reuse of heritage buildings that might otherwise be prohibited.</p>	<p>Clause 7.4.1 of the SPPs provides for: <i>an application for a use of a site listed on the Tasmanian Heritage Register or as a Local Heritage Place subject to the Local Historic Heritage Code that would otherwise be Prohibited is Discretionary</i>.</p>
CV 3	<p>Undertake the statutory recognition (listing) and management of heritage values in an open and transparent fashion in which the views of the community are taken into consideration.</p>	<p>Further strategic planning work to identify new local heritage place listings within the Huon Valley municipal area will be ongoing. The methodology set out in Appendix 49, Local Heritage Review, Methodology for Statements of Significance can be applied for this purpose to undertake further heritage reviews within the Huon Valley municipal area to identify locally significant heritage place places, precincts and significant trees.</p> <p>This methodology includes community consultation as part of the process.</p> <p>The heritage tables in the draft LPS transition from Interim Planning Scheme. Any future amendments will be open to public comment through the planning scheme amendment process.</p> <p>The draft LPS is consistent with this policy.</p>
CV 3.1	<p>Heritage Studies or Inventories should be open to public comment</p>	<p>Further strategic planning work to identify new local heritage place listings within the</p>

	and consultation prior to their finalisation.	<p>Huon Valley municipal area will be ongoing. The methodology set out in <u>Appendix 49, Local Heritage Review, Methodology for Statements of Significance</u> can be applied for this purpose to undertake further heritage reviews within the Huon Valley municipal area to identify locally significant heritage place places, precincts and significant trees.</p> <p>This methodology includes community consultation as part of the process.</p>
CV 4	Recognise and manage significant local historic and scenic landscapes throughout the region to protect their key values.	See sub-clauses below.
CV 4.1	State and local government, in consultation with the community, to determine an agreed set of criteria for determining the relative significance of important landscapes and key landscape values.	<p>A methodology to adopt or use in relation to the preparation of a revised <i>scenic areas overlay</i> for the Scenic Protection Code is set out in <i>Guidelines for Scenic Values Assessment Methodology</i> (<u>Appendix 41</u>).</p> <p>These guidelines are available to use for preparing Scenic Values and Management Objectives for Table C8.1 of the draft LPS to identify and classify new scenic areas and scenic corridors in the municipal area. Also this methodology can be applied to reassess existing scenic areas and scenic corridors in accordance with the methodology provided in Appendix 41.</p> <p>The draft LPS is consistent with this policy.</p>
CV 4.2	The key values of regionally significant landscapes are not to be significantly compromised by new development through appropriate provisions within the planning scheme.	<p>Significant landscapes such as key skylines and ridgelines are protected by the application of the Environmental Management Zone, Landscape Conservation Zone, Scenic Protection Code and the application of the <i>scenic protection areas overlay</i> and <i>scenic road corridors overlay</i>.</p> <p>It is noted that the current <i>scenic landscapes overlay</i> and <i>scenic road corridors overlay</i> correlate to the draft LPS. Further strategic planning work to</p>

		<p>identify new areas requiring protection under the Scenic Protection Code will be ongoing which will require an amendment to the LPS for the inclusion of new areas after they are identified.</p> <p>The draft LPS is consistent with this policy.</p>
CV 4.3	Protect existing identified key skylines and ridgelines around Greater Hobart by limited development potential and therefore clearance through the zones in the planning scheme.	The Huon Valley municipal area is located outside of the Greater Hobart area.
CV 5	Recognise and manage archaeological values throughout the region to preserve their key values.	See sub-clauses above and below.
CV 5.1	Known sites of archaeological potential to be considered for listing as places of either local or state significance within the Local Historic Heritage Code or on the State Heritage Register respectively, as appropriate.	<p>The draft LPS does not list any places of archaeological potential.</p> <p>Any broader consideration of identifying places of archaeological potential would require expert advice to be provided to the Planning Authority for consideration which has not been sought as part of the preparation of the draft LPS. The methodology for the identification of sites with archaeological potential is included in <u>Appendix 49</u> (Gray Planning Methodology) and would be subject to further strategic planning work being undertaken.</p>
CV 5.2	Development that includes soil disturbance within an area of archaeological potential is to be undertaken in accordance with archaeological management plans to avoid values being lost, or provide for the values to be recorded, conserved and appropriately stored if no reasonable alternative to their removal exists.	See response to CV 5.1.

10 Recreation and Open Space		
ROS 1	Plan for an integrated open space and recreation system that responds to existing and emerging needs in the community and contributes to social inclusion, community connectivity, community health and wellbeing, amenity, environmental sustainability and the economy.	See sub-clauses below.
ROS 1.1	<p>Adopt an open space hierarchy consistent with the <i>Tasmanian Open Space Policy and Planning Framework 2010</i>, as follows;</p> <ul style="list-style-type: none"> a. Local b. District c. Sub-regional d. Regional e. State f. National 	<p>In 2018 the Planning Authority approved its <i>Huon Valley Health and Wellbeing Strategy</i> that includes provision for links between townships, supports shared amenity suitable for all users and considers community health and wellbeing (Appendix 42).</p> <p>Also relevant is the <i>Huon Valley Recreation Plan 2020</i> endorsed by Council on 26 August 2020 (Appendix 56).</p> <p>The draft LPS includes land zoned Recreation and Open Space to accommodate active sporting facilities and passive recreation respectively. Local Area Objectives for these zones are included in the draft LPS based on the recommendations in the <i>Huonville-Ranelagh Master Plan</i> (Appendix 51).</p> <p>The draft LPS is consistent with this policy.</p>
ROS 1.2	<p>Adopt an open space classification system consistent with the <i>Tasmanian Open Space Policy and Planning Framework 2010</i>, as follows;</p> <ul style="list-style-type: none"> a. Parks; b. Outdoor Sports Venues; c. Landscape and Amenity; d. Linear and Linkage; e. Foreshore and waterway; f. Conservation and Heritage; g. Utilities and Services; and h. Proposed Open Space. 	See response to ROS 1.1 above.
ROS 1.3	Undertake a regional open space study, including a gap analysis, to establish a regional hierarchy	This is a regional matter beyond the scope of the LPS.

	within a classification system for open space in accordance with the Tasmanian Open Space Policy and Planning Framework 2010.	
ROS 1.4	Undertake local open space planning projects through processes consistent with those outlined in the <i>Tasmanian Open Space Policy and Planning Framework 2010</i> (Appendix 20).	See response ROS 1.1 above.
ROS 1.5	Provide for residential areas, open spaces and other community destinations that are well connected with a network of high-quality walking and cycling routes	The draft LPS applies relevant standards in the SPPs for this policy outcome. Therefore, where for example, in the General Residential Zone, new subdivisions are proposed, the standards require new roads to be arranged and constructed within the subdivision such that appropriate levels of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists are provided. The draft LPS is therefore consistent with this policy.
ROS 1.6	Subdivision and development is to have regard to the principles outlined in 'Healthy by Design: A Guide to Planning and Designing Environments for Active Living in Tasmania'.	See response to ROS 1.5.
ROS 2	Maintain a regional approach to the planning, construction, management, and maintenance of major sporting facilities to protect the viability of existing and future facilities and minimise overall costs to the community.	This is a regional matter beyond the scope of the LPS.
ROS 2.1	Avoid unnecessary duplication of recreational facilities across the region.	This is a regional matter beyond the scope of the LPS.

11 Social Infrastructure		
SI 1	Provide high quality social and community facilities to meet the education, health and care needs of the community and facilitate healthy, happy and productive lives.	See sub-clauses below.
SI 1.1	Recognise the significance of the Royal Hobart Hospital and support, through planning scheme provisions, its ongoing function and redevelopment in its current location.	Not applicable.
SI 1.2	Match location and delivery of social infrastructure with the needs of the community and, where relevant, in sequence with residential land release.	Land for social infrastructure is zoned in accordance with demand and in accordance with strategic documents such as the <i>Huonville – Ranelagh Master Plan</i> .
SI 1.3	Provide social infrastructure that is well located and accessible in relation to residential development, public transport services, employment and education opportunities.	<p>Sporting facilities are zoned Recreation and schools, and other services are generally located in the Community Purpose Zone.</p> <p>In some instances, where the zone is appropriate for the nature and scale of the intended use, community facilities are zoned the same as the surrounding zone including in the General Business, Local Business and Village Zones.</p>
SI 1.4	Identify and protect sites for social infrastructure, particularly in high social dependency areas, targeted urban growth areas (both infill and greenfield) and in identified Activity Centres.	<p>The draft LPS recognises and protects key sites for community facilities by applying the Community Purpose Zone.</p> <p>Within Huonville, State and Local Government services such as The LINC and Council Chambers are zoned Community Purpose, as are the Huonville Primary and High School. Noting that some social infrastructure, such as the childcare centre and medical centre are zoned Village, and other services zoned General Business. The use of the Village and General Business zone are not considered to affect the protection of those uses.</p> <p>The draft LPS is consistent with this policy.</p>
SI 1.5	Provide multi-purpose, flexible and adaptable social	This can be provided through the LPS zones in the appropriate areas, noting that

	infrastructure that can respond to changing and emerging community needs over time.	the use of zones such as the Village and General Business zones provide for greater flexibility in terms of use and meeting community needs.
SI 1.6	Co-locate and integrate community facilities and services to improve service delivery, and form accessible hubs and focus points for community activity, in a manner consistent with the Activity Centre hierarchy.	The draft LPS applies the Community Purpose Zone to provide a small hub which includes Council Chambers and Council offices, State Government services such as the DHHS Huon Valley Health and Community Centre, The LINC including the Library, Magistrates Court, Service Tasmania and Centrelink, and the Police Department.
SI 1.7	Provide flexibility in the planning scheme for the development of aged care and nursing home facilities in areas close to an Activity Centre and with access to public transport.	Aged care facilities are a residential use and can be considered in most zones. Huon Eldercare in Franklin is zoned Community Purpose in the draft LPS.
SI 1.8	Provide for the aged to continue living within their communities, and with their families, for as long as possible by providing appropriate options and flexibility within the planning scheme.	The SPPs provide flexibility within the residential zones for a variety of housing types including ancillary dwellings, as well as the development of aged care and nursing homes. The draft LPS is consistent with this policy.
SI 1.9	Provide for the inclusion of Crime Prevention through Environmental Design principles in the planning scheme.	Crime prevention is provided for in the SPPs.
SI 1.10	Recognise the role of the building approvals processes in providing access for people with disabilities.	Not applicable.
SI 2	Provide for the broad distribution and variety of social housing in areas with good public transport accessibility or in proximity to employment, education and other community services.	<p>The SPPs provides a framework that enables social and affordable housing to be provided.</p> <p>The draft LPS provides for compact urban settlements to minimise the encroachment of urban land into areas without good public transport accessibility, or in proximity to employment, education and other community services.</p> <p>Similarly, the application of the Agriculture and Rural zone surrounding these settlements, together with the Rural Living zones are generally maintaining their</p>

		existing boundaries and existing density of development and will therefore further restrict urban expansion. Residential growth will be provided through a combination of subdivision of larger titles within existing urban growth boundaries and infill development.
SI 2.1	Provide flexibility in the planning scheme for a variety of housing types (including alternative housing models) in residential areas.	The SPPs provide flexibility for a range of housing types in residential zones including a permitted pathway for multiple dwellings, and assisted housing in the General Residential Zone.
SI 2.2	The planning scheme is not to prevent the establishment of social housing in residential areas.	See response to SI 2.1.

12 Physical Infrastructure		
PI 1	Maximise the efficiency of existing physical infrastructure.	See responses below.
PI 1.1	Preference growth that utilises under-capacity of existing infrastructure through the regional settlement strategy and Urban Growth Boundary for metropolitan area of Greater Hobart.	<p>The Huon Valley municipal area is located outside of Greater Hobart.</p> <p>The draft LPS provides for compact urban settlements to utilise areas with existing infrastructure. Urban growth will be provided through a combination of subdivision of larger titles and infill development within existing urban growth boundaries.</p> <p>The General Residential Zone in the (SPPs) provides for a range of housing solutions, as well as increased densification, within existing urban areas which are in proximity to the larger activity centres.</p>
PI 1.2	Provide for small residential scale energy generation facilities in the planning scheme.	Small scale solar and wind energy facilities are provided for in SPPs exemptions at Clause 4.0 – Table 4.5 (renewable energy exemptions).
PI 2	Plan, coordinate and deliver physical infrastructure and servicing in a timely manner to support the regional settlement pattern and specific growth management strategies.	The policy outcome is achieved by the draft LPS recognising and protecting major utilities through the application of the Utilities Zone.
PI 2.1	Use the provision of infrastructure to support desired regional growth, cohesive urban and rural communities, more compact and sustainable urban form and economic development.	<p>The draft LPS provides for compact urban settlements to minimise the encroachment of urban land into areas without sufficient infrastructure, in proximity to the larger activity centres.</p> <p>The policy outcome is achieved through the draft LPS by urban and residential growth capacity provided through a combination of subdivision of larger titles and infill development within the existing urban growth boundaries.</p>
PI 2.2	Coordinate, prioritise and sequence the supply of infrastructure throughout the region at regional, sub-regional and local levels, including matching reticulated services with the settlement network.	Not applicable.

PI 2.3	Identify, protect and manage existing and future infrastructure corridors and sites.	<p>The draft LPS protects the function and safety of transport infrastructure through the application of the Road and Railway Assets Code.</p> <p>Land is identified and protected for future major roads from inappropriate or premature development by applying the Utilities Zone, Road and Railway Assets Code and Future Road Corridor PPZ. The Channel Highway is zoned Utilities in the draft LPS.</p> <p>It has been recommended in the <i>Huonville- Ranelagh Master Plan</i> that a transport management study be undertaken to investigate the existing transport network in Huonville and this study would include a review of the Future Road Corridor PPZ.</p>
PI 2.4	Use information from the Regional Land Use Strategy, including demographic and dwelling forecasts and the growth management strategies, to inform infrastructure planning and service delivery.	<p>The STRLUS data is based on 2006 Census data and in that respect is out of date. There have been significant changes socially and economically, in supply and demand for land in Southern Tasmania since 2006.</p> <p>The <i>Huonville – Ranelagh Master Plan</i> and <i>Cygnnet Residential Demand and Supply Analysis (SGS)</i> (Appendix 57) considers more recent growth and recommends actions and advice in accordance with future demographic and other projections which has been considered in the preparation of the LPS.</p>
PI 2.5	Develop a regionally consistent framework(s) for developer charges associated with infrastructure provision, with pricing signals associated with the provision of physical infrastructure (particularly water and sewerage) consistent with the Regional Land Use Strategy.	Not applicable.
PI 2.6	Recognise and protect electricity generation and major transmission assets within the planning scheme to provide for continued electricity supply.	The draft LPS includes provision for the protection of transmission infrastructure through the Utilities Zone and Electricity Transmission Infrastructure Protection Code.

13 Land Use and Transport Integration		
LUTI 1	Develop and maintain an integrated transport and land use planning system that supports economic growth, accessibility and modal choice in an efficient, safe and sustainable manner.	See sub-clauses below.
LUTI 1.1	Give preference to urban expansion that is in physical proximity to existing transport corridors and the higher order Activity Centres rather than Urban Satellites or dormitory suburbs.	<p>The draft LPS provides for compact urban settlements to minimise the encroachment of urban land into areas without sufficient infrastructure, in proximity to the larger activity centres.</p> <p>Urban and residential growth will be provided through a combination of subdivision of larger titles and infill development within the existing urban growth boundaries set out in the <i>Huon Valley Land Use and Development Strategy</i> and the <i>Huonville – Ranelagh Master Plan</i>.</p>
LUTI 1.2	Allow higher density residential and mixed use developments within 400 metres, and possibly up to 800 metres (subject to topographic and heritage constraints) of integrated transit corridors.	<p>The Huon Valley does not contain any integrated transit corridors.</p> <p>The draft LPS applies the Village zone within proximity to Huonville which is located on a regional transport corridor and is a Rural Services Centre according to the Activity Centre Network.</p>
LUTI 1.3	Encourage residential development above ground floor level in the Primary, Principal and Major Activity Centres.	<p>The General Business Zone provides for residential above ground floor development with the Village zone allowing for Residential as a permitted use.</p> <p>The draft LPS applies the General Business Zone in Huonville which is a Rural Services Centre and the Village zone in multiple locations including Huonville, Cygnet, Franklin, Geeveston and Port Huon.</p>
LUTI 1.4	Consolidate residential development outside of Greater Hobart into key settlements where the daily and weekly needs of residents are met	<p>The draft LPS provides for compact urban settlements in proximity to the larger activity centres.</p> <p>The General Residential and Village Zones allow for a higher dwelling density within the Rural Services Centre of</p>

		<p>Huonville, and other key settlements including Cygnet, Dover, Franklin, Geeveston, Port Huon and Ranelagh.</p> <p>Urban growth will be provided through a combination of subdivision of larger titles and infill development within the existing urban growth boundaries set out in the <i>Huon Valley Land Use and Development Strategy</i> and the <i>Huonville – Ranelagh Master Plan</i>.</p>
LUTI 1.5	Locate major trip generating activities in close proximity to existing public transport routes and existing higher order activity centres.	The major trip generating activities occur within the General Business Zone which is concentrated around the Rural Services Centre of Huonville.
LUTI 1.6	Maximise road connections between existing and potential future roads with new roads proposed as part of the design and layout of subdivision.	<p>Provided for in SPPs.</p> <p>Future road connections are identified and protected from inappropriate or premature development, by applying the Utilities Zone, Road and Railway Assets Code and/or Future Road Corridor PPZ.</p>
LUTI 1.7	Protect major regional and urban transport corridors through the planning scheme as identified in Maps 3 & 4.	Major transport corridors are identified and protected by applying the Utilities Zone, Road and Railway Assets Code and/or Future Road Corridor PPZ in the draft LPS.
LUTI 1.8	Apply buffer distances for new development to regional transport corridors identified in Map 4 in accordance with the Road and Railway Assets Code to minimise further land use conflict.	<p>Buffer distances are provided for in the SPPs through the 50m attenuation area specified as an alternative to the Road and Railway Codes attenuation area overlay.</p> <p>A future major road overlay must be applied to land intended for such purposes. However, an overlay has not been applied to the land identified in the Future Road Corridor PPZ in Huonville, as it has been recommended in the <i>Huonville-Ranelagh Master Plan</i> that a transport management study be undertaken to investigate the existing transport network in Huonville and this study would include a review of the Future Road Corridor PPZ.</p>
LUTI 1.9	Car parking requirements in the planning scheme and provision of public car parking is to be	The General Business Zone provides for long term car parking, this potentially supports use of public transport for travel

	consistent with achieving increased usage of public transport.	from the Rural Services Centre of Huonville to the Primary Activity Centre of Hobart.
LUTI 1.10	Identify and protect ferry infrastructure points on the Derwent River (Sullivans Cove, Kangaroo Bay and Wilkinson Point) for their potential use into the future and encourage increased densities and activity around these nodes.	Not applicable to the Huon Valley municipal area.
LUTI 1.11	Encourage walking and cycling as alternative modes of transport through the provision of suitable infrastructure and developing safe, attractive and convenient walking and cycling environments.	This is addressed in the SPPs.
LUTI 1.12	Encourage end-of-trip facilities in employment generating developments that support active transport modes.	Not provided for in SPPs.

14 Tourism		
T 1	Provide for innovative and sustainable tourism for the region	See sub-clauses below.
T 1.1	Protect and enhance authentic and distinctive local features and landscapes throughout the region.	<p>The draft LPS retains existing scenic road corridors and scenic protection areas, as set out in the Interim Planning Scheme. The Description, Scenic Value, and Management Objectives have been provided as required.</p> <p>The current <i>scenic landscapes overlay</i> and <i>scenic road corridors overlay</i> correlate to the draft LPS. Further strategic planning work to identify new areas requiring protection under the Scenic Protection Code will be ongoing which will require an amendment to the LPS for the inclusion of new areas after they are identified. Therefore, additional listings may be proposed as planning scheme amendments in the future.</p> <p>The methodology in <u>Appendix 41</u> can be used to propose new scenic road corridors and scenic protection areas further Descriptions, Scenic Values, and Management Objectives.</p> <p>Local features and landscapes are also protected through application of the Landscape and Conservation, and Environmental Management Zones in the draft LPS.</p> <p>Existing Local Heritage Places are proposed for inclusion in the draft LPS Local Historic Heritage Code with Statements of Significance.</p> <p>The draft LPS is consistent with this policy.</p>
T 1.2	Identify and protect regional landscapes, which contribute to the region's sense of place, through the planning scheme.	See response to T 1.1.
T 1.3	Allow for tourism use in the Rural Zone and Agriculture Zone where it supports the use of the land for primary production.	Provided for in the SPPs.

T 1.4	Provide flexibility for the use of holiday homes (a residential use) for occasional short-term accommodation.	Provided for in the SPPs.
T 1.5	Provide flexibility within commercial and business zones for mixed use developments incorporating tourism related use and development.	Provided for in the SPPs.
T 1.6	Recognise that the planning scheme may not always be able to accommodate the proposed tourism use and development due to its innovative and responsive nature.	A SAP, PPZ or SSQ may be included via a planning scheme amendment, should this be required.
T 1.7	Allow for objective site suitability assessment of proposed tourism use and development through existing planning scheme amendment processes (Section 40T application).	Not applicable.

15 Strategic Economic Opportunities		
SEO 1	Support and protect strategic economic opportunities for Southern Tasmania.	See sub-clauses below.
SEO 1.1	Protect the following key sites and areas from use and development which would compromise their strategic economic potential through the planning scheme provisions: a. Hobart Port (including Macquarie and Princes Wharves); b. Macquarie Point rail yards; and c. Princes of Wales Bay marine industry precinct.	Not applicable.
SEO 1.2	Include place specific provisions for the Sullivans Cove area in the planning scheme.	Not applicable.

16 Productive Resources		
PR 1	Support agricultural production on land identified as significant for agricultural use by affording it the highest level of protection from fettering or conversion to non-agricultural uses.	See sub-clauses below.
PR 1.1	Utilise the Agriculture Zone to identify land significant for agricultural production in the planning scheme and manage that land consistently across the region.	The draft LPS applies the Agriculture Zone in accordance with Guideline No. 1.
PR 1.2	Avoid potential for further fettering from residential development by setting an acceptable solution buffer distance of 200 metres from the boundary of the Agriculture Zone, within which the planning scheme is to manage potential for land use conflict.	Provided for in the SPPs Rural Living, Rural, Agriculture, Landscape Conservation, Environmental Management and Future Urban zones.
PR 1.3	Allow for ancillary and/or subservient non-agricultural uses that assist in providing income to support ongoing agricultural production.	Provided for in the SPPs.
PR 1.4	Prevent further land fragmentation in the Agriculture Zone by restricting subdivision unless necessary to facilitate the use of the land for agriculture.	Provided for in the SPPs.
PR 1.5	Minimise the use of prime agricultural land for plantation forestry.	<p>The SPPs provides a discretionary pathway for plantation forestry on prime agricultural land.</p> <p>There is only a small area of prime agricultural land (land capability 1, 2 or 3) identified on the LIST map layer 'Land Capability' in the Grove area of the Huon Valley municipal area. Most of this land is proposed to be zoned Agriculture.</p> <p>The Rural zone has been applied to existing forestry land.</p>
PR 2	Manage and protect the value of non-significant agricultural land in a manner that recognises the	See sub-clauses below.

	potential and characteristics of the land.	
PR 2.1	Utilise the settlement strategy to assess conversion of rural land to residential land through rezoning, rather than the potential viability or otherwise of the land for particular agricultural enterprises.	No rezoning of agricultural land to residential land is proposed in the draft LPS.
PR 2.2	Support opportunities for downstream processing of agricultural products in appropriate locations or 'on-farm' where appropriate supporting infrastructure exists and the use does not create off-site impacts.	<p>Provided for in the SPPs.</p> <p>Resource processing is allowable in a number of zones including the Agriculture and Rural Zones.</p>
PR 2.3	Provide flexibility for commercial and tourism uses provided that long-term agricultural potential is not lost and it does not further fetter surrounding agricultural land.	<p>Provided for in the SPPs.</p> <p>Food services and Visitor accommodation is potentially allowable in several zones including the Agriculture and Rural Zones.</p>
PR 2.4	The introduction of sensitive uses not related to agricultural use, such as dwellings, are only to be allowed where it can be demonstrated the use will not fetter agricultural uses on neighbouring land.	Provided for in the SPPs.
PR 3	Support and protect regionally significant extractive industries.	See sub-clauses below.
PR 3.1	Existing regionally significant extractive industry sites are to be appropriately zoned, such as the Rural Zone, and are protected by appropriate attenuation areas in which the establishment of new sensitive uses, such as dwellings, is restricted.	<p>The Rural Zone has been applied to existing mining leases.</p> <p>The SPPs provide for an Attenuation Area overlay as a variation to the generic attenuation distances. However, this overlay has not been applied to extractive industry sites in the draft LPS, so the standard attenuation distances in the Attenuation Code will apply.</p>
PR 4	Support the aquaculture industry.	See sub-clauses below.
PR 4.1	Provide appropriately zoned land on the coast in strategic locations, and in accordance with The Coast Regional Policies, for shore based	The Rural Zone has been applied to existing land used for Resource Processing associated with aquaculture.

	aquaculture facilities necessary to support marine farming.	The draft LPS applies the Rural and General Industrial zones for land associated with aquaculture.
PR 4.2	Identify key marine farming areas to assist in reducing potential land use conflicts from an increasingly industrialised industry.	The draft LPS applies the Rural and General Industrial zones for land associated with aquaculture.
PR 5	Support the forest industry.	See sub-clauses below.
PR 5.1	Working forests, including State Forests and Private Timber Reserves (for commercial forestry), are to be appropriately zoned, such as the Rural Zone.	The draft LPS applies the Rural Zone to existing forestry land in accordance with <i>Guideline No. 1</i> .
PR 5.2	Recognise the Forest Practices System as appropriate to evaluate the clearance and conversion of native vegetation for commercial forestry purposes.	The Forest Practices System is triggered regardless of the content of the LPS. It is noted that the priority vegetation area overlay is included in the draft LPS and may duplicate parts of the Forest Practices System if it applies to that land.
PR 5.3	Control the establishment of new dwellings in proximity to State Forests, Private Timber Reserves or plantations so as to eliminate the potential for land use conflict.	This is considered in the SPPs.

17 Industrial Activity		
IA 1	Identify, protect and manage the supply of well-sited industrial land that will meet regional need across the 5, 15 and 30 year horizons.	<p>The draft LPS applies the Light Industrial Zone to land located in Huonville, Cygnet, Dover and Geeveston, much of which is vacant.</p> <p>The draft LPS applies the General Industrial Zone over several sites with an existing industrial use.</p> <p>The application of the General Industrial and Light Industrial zone is consistent with the <i>Southern Tasmania Industrial Land Strategy 2013</i> in terms of both location and supply. See further <u>Appendix 23 and 27</u>.</p>
IA 1.1	Industrial land is to be relatively flat and enable easy access to major transport routes, and other physical infrastructure such as water, wastewater, electricity and telecommunications.	The draft LPS applies the Light Industrial Zone to land located in Huonville, Cygnet, Dover and Geeveston, much of which is relatively flat with potential for access to major transport routes, and other physical infrastructure such as water, wastewater, electricity and telecommunications.
IA 1.2	Locate new industrial areas away from sensitive land uses such as residentially zoned land.	<p>There are no new industrial areas proposed in the draft LPS.</p> <p>There is no new residentially zoned land proposed in proximity to existing industrial areas in the draft LPS.</p>
IA 1.3	Provide for a 30-year supply of industrial land, protecting such land from use and development that would preclude its future conversion to industrial land use - in accordance with the recommendations within the Southern Tasmania Industrial Land Strategy 2013.	<p>The <i>Southern Tasmania Industrial Land Strategy 2013</i> identified a shortfall of industrial zoned land in Huonville. This was resolved with the rezoning of approximately 13 ha of land at 199 Glen Road, Huonville, to meet future needs.</p> <p>The <i>Huonville-Ranelagh Master Plan</i> estimated that there was at the time of the report 2,241 m² of fully serviced land, and 109,256 m² of partially serviced land zoned Light Industrial in Huonville. It is noted that not all of this land has been subdivided or may ultimately be subdivided.</p>
IA 1.4	Provide a 15-year supply of industrial land, zoned for industrial purposes within the planning scheme – in accordance with the	See response to IA 1.3.

	recommendations within the Southern Tasmania Industrial Land Strategy 2013.	
IA 1.5	Aim to provide a minimum 5-year supply of subdivided and fully serviced industrial land.	See response to IA 1.3.
IA 1.6	Take into account the impact on regional industrial land supply, using best available data, prior to rezoning existing industrial land to non-industrial purposes.	<p>There is no back zoning of Light or General Industrial zoned land proposed in the draft LPS.</p> <p>The application of the General Industrial and Light Industrial zone is consistent with the <i>Southern Tasmania Industrial Land Strategy 2013</i> in terms of both location and supply.</p>
IA 2	Protect and manage existing strategically located export orientated industries.	See sub-clauses below.
IA 2.1	Identify significant industrial sites through zoning and avoid other industrial uses not related to its existing function from diminishing its strategic importance.	<p>A particular purpose zone has been used, for the Southwood Integrated Timber Processing Site, in order to avoid other industrial uses not related to Southwood's existing function from diminishing its strategic importance.</p> <p>Whale Point has been zoned General Industrial. However, it is noted that the SPPs potentially allows a variety of industrial uses within this zone. Accordingly, this site has an existing SSQ (modified by the draft Notice: <u>Appendix 64</u>) which is included in the draft LPS for <i>resource development</i> for aquaculture or a marine farming shore facility, a discretionary use class.</p>
IA 3	Industrial development is to occur in a manner that minimises regional environmental impacts and protects environmental values.	See sub-clauses below.
IA 3.1	Take into account environmental values and the potential environmental impacts of future industrial use and the ability to manage these in the identification of future industrial land.	<p>The draft LPS does not include any new industrial zones.</p> <p>Environmental values and the potential environmental impacts of future industrial use will be assessed through the SPPs.</p>

18 Activity Centres		
AC 1	Focus employment, retail and commercial uses, community services and opportunities for social interaction in well-planned, vibrant and accessible regional activity centres that are provided with a high level of amenity and with good transport links with residential areas.	See sub-clauses below.
AC 1.1	Implement the Activity Centre Network through the delivery of retail, commercial, business, administration, social and community and passenger transport facilities.	<p>Huonville is identified as a Rural Services Centre in the STRLUS.</p> <p>A mix of appropriate zoning is applied in the draft LPS in order to achieve this policy.</p> <p>See further: <i>Background Reports to the STRULS, 2010-2035 (Appendix 22)</i></p>
AC 1.2	Utilise the Central Business, General Business, Local Business Zones as the main zones to deliver the activity centre network through the planning scheme, providing for a range of land uses in each zone appropriate to the role and function of that centre in the network.	<p>The General Business Zone is applied to Huonville in the draft LPS.</p> <p>The draft LPS applies the Local Business Zone to townships (lower order Activity Centres) throughout the Huon Valley municipal area.</p>
AC 1.3	Discourage out-of-centre development by only providing for in-centre development within the planning scheme.	The draft LPS does not include out-of-centre commercial development, other than a range of goods and services to meet local daily and weekly needs.
AC 1.4	Promote a greater emphasis on the role of activity centres, particularly neighbourhood and local activity centres, in revitalising and strengthening the local community.	The draft LPS applies the Local Business Zone to townships including Cygnet, Dover, and Geeveston.
AC 1.5	Encourage high quality urban design and pedestrian amenity through the respective development standards.	The draft LPS provides for compact urban settlements to minimise urban sprawl. Compact settlements improve the demand, efficiency and viability of providing walking and cycling tracks within a settlement.

		The SPPs include design standards in the General Business Zone (cl 15.4.3) and the local Business Zone (cl 14.4.3).
AC 1.6	Encourage an appropriate mix of uses in activity centres to create multi-functional activity in those centres.	The draft LPS applies zones to encourage a mix of uses within the Rural Services Centre of Huonville including business, commercial, community purpose and residential uses. Similarly, the application of the Village and Local Business zones in lower order activity centres also encourages their multifunctionality.
AC 1.7	Improve the integration of public transport with Activity Centre planning, particularly where it relates to higher order activity centres.	<p>The SPPs Parking and Sustainable Transport Code allows for 'parking precinct plans' and 'pedestrian priority streets' within the LPS. However, neither of these have been utilised in the draft LPS.</p> <p>The <i>Huonville - Ranelagh Master Plan</i> recommends that a transport management study be undertaken to investigate the existing transport network in Huonville which may recommend the inclusion of parking precinct plans and/or priority streets, at which stage a scheme amendment will be applied for.</p>
AC 1.8	Encourage new development and redevelopment in established urban areas to reinforce the strengths and individual character of the urban area in which the development occurs.	<p>The SPPs provides a uniform approach to development standards.</p> <p>The draft LPS includes Local Area Objectives to establish the character of the activity centres.</p>
AC 1.9	Require active street frontage layouts instead of parking lot dominant retailing, with the exception of Specialist Activity Centres if the defined character or purpose requires otherwise.	This is provided for in the SPPs.
AC 1.10	Activity centres should encourage local employment, although in most cases this will consist of small scale businesses servicing the local or district areas.	The zones applied to activity centres in the draft LPS provides for the types of business that encourage local employment.
AC 1.11	Consolidate the Cambridge Park Specialist Activity Centre by restricting commercial land to all that land bound by Tasman	Not applicable.

	Highway and Kennedy Drive, and provide for a wide range of allowable uses, including, but not limited to, service industry, campus-style office complexes and bulky goods retailing.	
AC 1.12	Provide for 10 – 15 years growth of existing activity centres through appropriate zoning within the planning scheme.	<p>As identified in the <i>Huonville - Ranelagh Master Plan</i>, there is adequate land zoned General Business in the Huonville Rural Services Centre with some of the capacity being due to land being underutilised.</p> <p>In addition to the existing underutilised land, there is an area of vacant General Business zoned land that is flood prone.</p> <p>The <i>Huonville - Ranelagh Master Plan</i> recommends changes to zoning. These changes are subject to the outcome of another recommendation within the Master Plan, which is a transport management study to be undertaken to investigate the existing transport network in Huonville.</p> <p>The Village Zone is applied in the draft LPS to allow for commercial and higher density residential redevelopment within proximity to the Huonville town centre.</p>
AC 2	Reinforce the role and function of the Primary and Principal Activity Centres as providing for the key employment, shopping, entertainment, cultural and political needs for Southern Tasmania.	Not applicable, there is no Primary or Principal Activity Centre in the Huon Valley.
AC 2.1	Encourage the consolidation of cultural, political and tourism activity within the Primary Activity Centre.	Not applicable.
AC 2.2	Encourage high quality design for all new prominent buildings and public spaces in the Primary and Principal Activity Centres.	Not applicable.
AC 2.3	Undertake master planning for the Primary and Principal Activity Centres taking into account this	Not applicable.

	Strategy. These should examine issues of urban amenity, economic development, accessibility, urban design and pedestrian movement.	
AC 2.4	Encourage structure and economic development planning for lower level Activity Centres by local planning authorities.	The zoning used in the Rural Services Centre of Huonville in the draft LPS is consistent with the zoning under the Interim Planning Scheme. Once the recommended studies identified in the <i>Huonville-Ranelagh Master Plan</i> (such as the transport management study) are prepared, if appropriate, a scheme amendment in the form of a change in zoning, will be able to be applied for.
AC 3	Evolve Activity Centres focussing on people and their amenity and giving the highest priority to creation of pedestrian orientated environments.	See sub-clauses below.
AC 3.1	Actively encourage people to walk, cycle and use public transport to access Activity Centres.	<p>The SPPs Parking and Sustainable Transport Code allows for 'parking precinct plans' and 'pedestrian priority streets' within the LPS. However, neither of these have been utilised in the draft LPS.</p> <p>The <i>Huonville-Ranelagh Master Plan</i> recommends a transport management study is undertaken for Huonville to investigate the best solutions for improved public, sustainable and active transport, noting that the outcomes of this study may recommend the use of parking precinct plans and/or the identification of pedestrian priority streets.</p> <p>Similarly, The Planning Authority may, as an outcome of a future project, apply the use of parking precinct plans or pedestrian priority streets in other Activity Centres such as Franklin, Geeveston and Cygnet.</p>
AC 3.2	Support high frequency public transport options into Principal and Primary Activity Centres.	Not applicable, there is no Primary or Principal Activity Centre in the Huon Valley.
AC 3.3	The minimum car parking requirements and associated	Not applicable.

	'discretion' in the planning scheme for use and development in the Principal and Primary Activity Centres are to encourage the use of alternative modes of transport other than private cars.	
AC 3.4	Provide for coordinated and consistent car parking approaches across the Principal and Primary Activity Centres that support improved use of public transport and alternative modes of transports, pedestrian amenity and urban environment.	Not applicable.
AC 3.5	Allow flexibility in providing on-site car parking in the lower order Activity Centres subject to consideration of surrounding residential amenity.	<p>Provided for in SPPs through a discretionary pathway or through the SPPs Parking and Sustainable Transport Code which allows for 'parking precinct plans' within the LPS. Noting that neither of these have been used in the draft LPS.</p> <p>The <i>Huonville - Ranelagh Master Plan</i> recommends that a transport management study be undertaken to investigate the existing transport network in Huonville as well as for improved public, sustainable and active transport, noting that the outcomes of this study may recommend the use of parking precinct plans and/or the identification of pedestrian priority streets.</p> <p>Similarly, The Planning Authority may, as an outcome of a future project, apply the use of parking precinct plans or pedestrian priority streets in other Activity Centres such as Franklin, Geeveston and Cygnet.</p>

19 Settlement and Residential Development		
SRD 1	Provide a sustainable and compact network of settlements with Greater Hobart at its core that is capable of meeting projected demand.	See sub-clauses below.
SRD 1.1	Implement the Regional Settlement Strategy and associated growth management strategies through the planning scheme.	<p>Huonville is a Major District Centre with a high Growth Strategy and mixed Growth Scenario under the STRLUS.</p> <p>See further:</p> <ul style="list-style-type: none"> • <i>Huonville-Ranelagh Master Plan.</i> • Section 19.5 of the STRLUS which refers to the <i>Huon Valley Land Use Strategy (2007).</i> <p>Cygnnet is a Township with a moderate Growth Strategy and mixed Growth Scenario under the STRLUS. See further:</p> <ul style="list-style-type: none"> • <i>Cygnnet Residential Demand and Supply Analysis.</i> <p>Dover, Franklin and Geeveston are all Townships with a low Growth Strategy and a consolidation Growth Scenario under the STRLUS.</p> <p>Other settlements within the Huon Valley have a low Growth Strategy and a consolidation Growth Scenario under the STRLUS.</p>
SRD 1.2	<p>Manage residential growth in District Centres, District Towns and Townships through a hierarchy of planning processes as follows:</p> <ol style="list-style-type: none"> 1. Strategy (regional function & growth scenario); 2. Settlement Structure Plans (including identification of settlement boundaries); 3. Subdivision Permit; 4. Use and Development Permit. 	<p>The zoning proposed in the draft LPS is consistent with this policy, the <i>Huon Valley Land Use and Development Strategy</i> and the <i>Huonville – Ranelagh Master Plan.</i></p> <p>Land is identified and protected from premature development by applying the Future Urban Zone.</p>
SRD 1.3	<p>Support the consolidation of existing settlements by restricting the application of the Rural Living Zone:</p> <ol style="list-style-type: none"> 1. to existing rural living communities; or 2. for the purposes of preparing a Local Provision Schedule, to land 	<p>The only expansion of the Rural Living Zone is a conversion from Environmental Living to rural living or a small title that is directly adjoining an existing rural living area that contains a dwelling. There are no “existing” rural living communities identified for rezoning.</p>

	<p>within an existing Environmental Living Zone in an interim planning scheme if consistent with the purpose of the Rural Living Zone. Land not currently zoned for rural living or environmental living communities may only be zoned for such use where one or more of the following applies:</p> <p>a. Recognition of existing rural living communities, regardless of current zoning. Where not currently explicitly zoned for such use, existing communities may be rezoned to Rural Living provided:</p> <ul style="list-style-type: none"> (i) the area of the community is either substantial in size or adjoins a settlement and will not be required for any other settlement purpose; and (ii) only limited subdivision potential is created by rezoning. <p>b. Replacing land currently zoned for rural living purposes but undeveloped and better suited for alternative purposes (such as intensive agriculture with other land better suited for rural living purposes, in accordance with the following:</p> <ul style="list-style-type: none"> (i) the total area rezoned for rural living use does not exceed that which is back-zoned to other use; (ii) the land rezoned to rural living use is adjacent to an existing rural living community; (iii) the land rezoned to rural living use is not designated as Significant Agriculture Land on Map 5 of this Strategy; (iv) the land rezoned to rural living use is not adjacent to the Urban Growth Boundary for Greater Hobart or identified for future urban growth; and (v) the management of risks and values on the land rezoned to rural living use is consistent with the policies in this Strategy. 	<p>Moreover, the classification of Rural Living (A, B, C or D) is a reflection of the existing density of development as far as practicable except for Rural Living Areas in proximity to Huonville which have been classified as Rural Living A to provide for a density of 1ha lots which is consistent with the SRD 1.4 of the STRLUS.</p>
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	<p>c. Rezoning areas that provide for the infill or consolidation of existing rural living communities, in accordance with the following:</p> <p>(i) the land must predominantly share common boundaries with:</p> <ul style="list-style-type: none"> • existing Rural Living zoned land; <p>or</p> <ul style="list-style-type: none"> • rural living communities which comply with SRD 1.3(a); <p>(ii) the amount of land rezoned to rural living must not constitute a significant increase in the immediate locality;</p> <p>(iii) development and use of the land for rural living purposes will not increase the potential for land use conflict with other uses;</p> <p>(iv) such areas are able to be integrated with the adjacent existing rural living area by connections for pedestrian and vehicular movement. If any new roads are possible, a structure plan will be required to show how the new area will integrate with the established Rural Living zoned area;</p> <p>(v) the land rezoned to rural living use is not designated as Significant Agricultural Land on Map 5 of this Strategy;</p> <p>(vi) the land rezoned to rural living use is not adjacent to the Urban Growth Boundary for Greater Hobart or identified for future urban growth; and</p> <p>(vii) the management of risks and values on the land rezoned to rural living use is consistent with the policies in this Strategy.</p>	
SRD 1.4	<p>Allow for increased densities in existing rural living areas to an average of 1 dwelling per hectare, where site conditions allow.</p>	<p>The draft LPS uses Rural Living Zone A, B, C and D with densities of 1ha, 2ha, 5ha and 10ha respectively. Land currently zoned Rural Living under the Interim Planning Scheme has been proposed for rezoning to Rural Living with the classification (A, B, C or D) reflecting the existing pattern and density of development within the rural living area; this is consistent with Guideline No. 1.</p> <p>Furthermore, these areas are relatively isolated with the nearest Activity Centre</p>

		<p>being a lower order activity centre such as a township, village or other small settlement. Therefore, providing for a 1 dwelling per hectare density on these sites will not contribute to a compact urban settlement and potentially fetter the existing and potential agriculture uses of the area.</p> <p>It is highlighted that the exception to this is for Rural Living Areas within proximity to Huonville. It was considered that Huonville being a Rural Services Centre providing a range of goods and services to meet the daily and weekly needs of the Huon Valley community, could absorb Rural Living at a higher density (1 ha per dwelling) without undermining Huonville becoming a compact service centre. Accordingly, the Rural Living areas within proximity to Huonville and Ranelagh were classified as Rural Living A.</p>
SRD 1.5	Encourage land zoned General Residential to be developed at a minimum of 15 dwellings per hectare (net density).	Provided for in the SPPs.
SRD 2	Manage residential growth for Greater Hobart on a whole of settlement basis and in a manner that balances the needs for greater sustainability, housing choice and affordability.	See sub-clauses below.
SRD 2.1	Residential growth for Greater Hobart is to occur through 50% infill development and 50% greenfield development.	The Huon Valley is located outside of the Greater Hobart Urban Growth Boundary.
SRD 2.2	Manage greenfield growth through an Urban Growth Boundary, which sets a 20 year supply limit with associated growth limits on dormitory suburbs.	See SRD 2.1.
SRD 2.3	<p>Provide greenfield land for residential purposes across the following Greenfield Development Precincts:</p> <ul style="list-style-type: none"> • Bridgewater North • Brighton South • Droughty Point Corridor • Gagebrook/Old Beach 	These precincts are not located within the Huon Valley municipal area.

	<ul style="list-style-type: none"> • Granton (Upper Hilton Road up to and including Black Snake Village) • Midway Point North • Risdon Vale to Geilston Bay • Sorell Township East • Spring Farm/Huntingfield South 	
SRD 2.4	Recognise that the Urban Growth Boundary includes vacant land suitable for land release as greenfield development through residential rezoning as well as land suitable for other urban purposes including commercial, industrial, public parks, sporting and recreational facilities, hospitals, schools, major infrastructure, etc.	The Huon Valley is located outside of the Greater Hobart Urban Growth Boundary.
SRD 2.5	<p>Implement a Residential Land Release Program that follows land release hierarchy planning processes as follows:</p> <ol style="list-style-type: none"> 1. Strategy (greenfield targets within urban growth boundary); 2. Conceptual Sequencing Plan; 3. Precinct Structure Plans (for each Greenfield Development Precinct); 4. Subdivision Permit; and 5. Use and Development Permit. 	The draft LPS does not include any strategic residential rezoning that needs to follow this process.
SRD 2.6	<p>Increase densities to an average of at least 25 dwellings per hectare (net density) within a distance of 400 to 800 metres of Integrated transit corridors and Principal and Primary Activity Centres, subject to heritage constraints.</p> <p>* It is recognised that within a defined suburb or precinct in the densification area that not every hectare will contain 25 dwellings. Indeed in some locations a consistent increase in density across a single hectare may be less desirable than the redevelopment of key sites at much higher densities to achieve an alternative measure of densification such as 250 dwellings per 10 hectares.</p>	There are no Principal or Primary Activity Centres in the Huon Valley municipal area. However, the General Residential zone, which enables a higher dwelling density, (30 dwellings per hectare), is applied to areas near Huonville, which is identified as a Major District Centre, and townships including Cygnet, Dover and Geeveston in the draft LPS.

SRD 2.7	Distribute residential infill growth across the existing urban areas for the 25 year planning period as follows: Glenorchy LGA 40% (5300 dwellings) Hobart LGA 25% (3312 dwellings) Clarence LGA 15% (1987 dwelling) Brighton LGA 15% (1987 dwellings) Kingborough LGA 5% (662 dwellings)	Not applicable to the Huon Valley.
SRD 2.8	Aim for the residential zones in the planning scheme to encompass a 10 to 15 year supply of greenfield residential land when calculated on a whole of settlement basis for Greater Hobart.	Not applicable to the Huon Valley.
SRD 2.9	Encourage a greater mix of residential dwelling types across the area with a particular focus on dwelling types that will provide for demographic change including an ageing population.	This has been incorporated into the SPPs.
SRD 2.10	Investigate the redevelopment to higher densities potential of rural residential areas close to the main urban extent of Greater Hobart.	Not applicable.
SRD 2.11	Increase the supply of affordable housing.	<p>There are a number of factors affecting housing affordability, some of which are affected by standards within the SPPs, others which are not. Some areas of the Huon Valley municipal area currently have an adequate supply of land suitably zoned for residential development and affordable housing such as land located within the General Residential Zone in Huonville.</p> <p>Huonville is considered the most appropriate location for affordable housing due to its proximity to community services, schools, health services and public transport.</p> <p>Refer also to the <i>Cygnet Residential Demand and Supply Analysis</i> report by SGS Economics and Planning (August 2020) prepared for the Planning Authority (Appendix 57)</p>

2.9 LPS CRITERIA – HUON VALLEY COUNCIL STRATEGIC PLAN

2.9.1 Council's Strategic Plan 2015-2025

The draft LPS is required to have regard to the Council's *Strategic Plan 2015-2025* ([Appendix 29](#))

Section 2.1 of the STRLUS states;

"It is important to recognise that this strategy addresses matters of regional importance only. Local and/or sub-regional planning strategies prepared at the local government level, consistent with this strategy (and the objectives of the RMPS and relevant State Policies), are necessary in order to take into account local issues and circumstances that need to be expressed in individual planning schemes. Where there is an inconsistency between local strategic planning and this regional strategy, the latter should prevail."

The draft LPS is generally consistent with the *Huon Valley Strategic Plan* as outlined below. Also, comments in sections 2.6 and 2.8 can be referred to for further information on the comments below on the Strategic Plan.

Vision

The vision of the Strategic Plan is:

"Working together for a prosperous, vibrant and caring Huon Valley community."

Strategic Objectives

- *A great environment*
- *A prosperous resilient economy*
- *Capable and productive people and assets*
- *Community wellbeing and liveability*

Table 26

Strategic Objective 1 - A Great Environment	
<i>Historically, the natural environment, climate and what was able to be produced was the basis for settlement in the Huon Valley. The environment provided the attributes for people to achieve their life goals. Today it remains a key advantage and motivates people to live, invest in business and visit the Huon Valley. Protection of this environment and appropriate use and development is a key strategic focus from both natural values and human perspectives.</i>	
Strategic Objective	Comment
<i>We seek:</i> <ul style="list-style-type: none">• <i>An environment that is acknowledged, appreciated and generates pride and a strong sense of place;</i>	The appropriate zones and codes available through the SPPs have been applied in the draft LPS to identify and protect the natural and built environment in accordance with Guideline No. 1 including the: <ul style="list-style-type: none">• Landscape Conservation Zone;• Environmental Management Zone;• Natural Assets Code;• Local Historic Heritage Code; and• Scenic Protection Code.

	<p>Additional work to further identify and protect heritage values throughout the municipal area is considered necessary to protect the sense of place and tourism opportunities associated with these values. This includes both the building environment and scenic landscapes.</p> <p>The <i>Huonville - Ranelagh Master Plan</i> recommends development of Huonville as a 'River Town'. Change to zoning within proximity to the river are recommended in the plan to facilitate development of the riverfront as a recreational key attractor site for the region generating community pride and a sense of place. The zoning changes are also to protect a threatened vegetation community (<i>Eucalyptus ovata</i>) and provide space for future coastal refugia. Local Area Objectives have been included in the draft LPS based on the recommendations in the above plan - see further: section 2.4.4.</p>
<ul style="list-style-type: none"> • <i>A natural and developed environment that is managed for sustainability and beneficial use.</i> 	See above.
Strategic Objective 2 - A Prosperous, Resilient Economy	
<p><i>A level of economic and financial prosperity is central to the success of a place. The generation of individual and community wide income and wealth supports the ability for a community to provide opportunity and to deliver the range of services necessary to create a sustainable community.</i></p> <p><i>To achieve this we will pursue:</i></p>	
<ul style="list-style-type: none"> • <i>A contemporary market oriented and diverse economy characterised by creativity strong revenue and investment;</i> 	<p>The SPPs enable visitor accommodation use in a variety of zones, this supports opportunities for employment in the tourism industry throughout the municipal area.</p> <p>The Agriculture and Rural Zones have been applied to the draft LPS in accordance with Guideline No. 1 to limit the fettering of agricultural land use, which not only supports the agricultural sector, but also supports the expanding agri-tourism sector.</p> <p>The Rural Zone allows for downstream processing (Resource processing use) of agricultural produce (Resource development use).</p>

	<p>The Rural Zone has been applied to enable the continuation of established industries including aquaculture, forestry and mining (quarries) throughout the municipal area.</p> <p>The Commercial and Business Zones have been applied to the draft LPS to facilitate commercial opportunities and for employment within Huonville and other townships throughout the municipal area.</p>
<ul style="list-style-type: none"> • <i>Creation of the opportunity to participate in and pursue rewarding employment and careers.</i> 	See above.
Strategic Objective 3 - Capable and Productive People and Assets	
<p><i>A community is about people, their values, capabilities and the way they interact, develop and utilise available assets to achieve their goals. This mix of human, social and investment capital is central to young people aspiring to and achieving careers, families and businesses successfully establishing and older people being able to continue to actively engage in the community.</i></p> <p><i>Our goals are:</i></p>	
<ul style="list-style-type: none"> • <i>Knowledgeable, skilled people actively and constructively engaged in pursuing their goals and preferred pathways to the future;</i> 	<p>The Community Purpose Zone has been applied to land used by educational institutions in the draft LPS, throughout the municipal area.</p> <p>The <i>Huonville - Ranelagh Master Plan</i> recommends the development of an 'education hub'.</p> <p>The draft LPS applies the Community Purpose zone to land used by the Huonville Primary and High Schools and the Huon Valley Trade Training Centre which provides for this development of the ongoing development of this hub.</p>
<ul style="list-style-type: none"> • <i>Private assets that deliver sustainable returns on investment;</i> 	<p>The SPPs provide for the protection of private assets as they discourage development in areas that are prone to future hazards through codes including the Coastal Inundation Hazard Code, Coastal Erosion Hazard Code, Bushfire-Prone Areas Code and Landslip Hazard Code.</p> <p>Similarly, the Agriculture and Rural zones have been applied to limit the fettering of agricultural land therefore protecting the investment in this sector be it agriculture, aquaculture, resource processing or forestry.</p>

<ul style="list-style-type: none"> Public infrastructure and services that deliver optimal benefit for the cost to the community. 	<p>The draft LPS applies the General Residential and Village Zones within established activity centres, with existing services and infrastructure, to enable opportunities for appropriately located residential development with connections to water, sewer, and stormwater mains.</p> <p>Noting that urban and residential growth is to be primarily through the subdivision of land or infill development within the existing established town boundaries.</p> <p>A range of zones and codes have been applied to the draft LPS to recognise, protect and facilitate cost effective infrastructure and services including the Utilities Zone, Particular Purpose Zones, Particular Purpose Zone (Future Road Corridor), Road and Railway Assets Code, Electricity Transmission Infrastructure Protection Code, and Telecommunications Code.</p>
Strategic Objective 4 - Community Wellbeing and Liveability	
<p><i>The characteristics of a place, as a means for attracting and retaining people, is based on a mix of what is here – the natural environment, its developed attributes and the “way the place works” in terms of individual, familial and social networks and support systems. There are many aspects of a place which attract and retain people in a community. The natural environment, the economic environment and the social environment are all factors.</i></p> <p><i>Our goal is to ensure:</i></p>	
<ul style="list-style-type: none"> People experience a sense of purpose, inclusion, recognition, value and wellbeing; 	<p>The SPPs provide for a range of zones and uses that provide for business and education uses.</p> <p>The draft LPS applies the Community Purpose Zone to educational institutions throughout the municipal area to enable access to a variety of educational opportunities.</p>
<ul style="list-style-type: none"> Support and services are relevant and accessible when needed; 	<p>The SPPs enable residential uses including: a communal residence, residential care facility, residential support service, respite centre, assisted housing and a retirement village, in a variety of zones, which provides opportunities for support services throughout the municipal area.</p> <p>The draft LPS applies residential zones within established town centres, with existing</p>

	<p>services and infrastructure, to enable opportunities for appropriately located residential development.</p> <p>The Community Purpose, Recreation and Open Space Zones have been applied to the draft LPS to recognise, protect and facilitate different types of social infrastructure and enable opportunities for social interaction and community support services provided by both government (State and Local) and non-government organisations.</p>
<ul style="list-style-type: none"> • <i>People feel safe;</i> 	<p>The SPPs consider Crime Prevention Through Environmental Design principles in commercial and business zones.</p> <p>The draft LPS applies the General Business, Local Business and Commercial Zones where appropriate.</p>
<ul style="list-style-type: none"> • <i>Diversity of values and ideas is encouraged, respected and used to achieve creative solutions;</i> 	<p>The draft LPS will be placed on public exhibition and the comments considered for the final LPS.</p>
<ul style="list-style-type: none"> • <i>People feel empowered and are encouraged to formally and informally provide leadership and effort to contribute to the community;</i> 	<p>See above.</p>
<ul style="list-style-type: none"> • <i>People work together, share knowledge and experience to achieve common outcomes.</i> 	<p>See above.</p>

2.9.2 Other Strategic planning documentation

The following documentation has been considered in the preparation of the draft LPS and provides further justification reasons relating to Section 32(4) of the LUPPA where relevant for provisions proposed to be included in the draft LPS.

2.9.2.1 Huon Valley Land Use and Development Strategy

The *Huon Valley Land Use and Development Strategy (HVLUS)*, prepared by GHD, was adopted by Council on the 2 October 2007. (Appendix 10 & 11). It is referred to in the STRLUS (section 19.5; page 85).

The HVLUS provided part of Council's strategic planning context for future land use and development in the Huon Valley municipal area subject to planning scheme requirements and relevant legislative provisions together with the STRLUS, *Huonville - Ranelagh Structure Plan* (Appendix 21), and *Huonville-Ranelagh Master Plan*.

2.9.2.2 Huonville – Ranelagh Master Plan

The primary objective of the *Huonville - Ranelagh Master Plan* prepared for the Planning Authority by ERA Planning and SGS Economics and Planning is to provide a comprehensive integrated framework for future development and investment in Huonville and Ranelagh for a period of 15-20 years. The Master Plan includes Key Directions for the two towns and these include: *Supporting Directions, Land Use Directions, Interconnection Directions, Main Street Directions and Partnership Directions*.

The Land Use Directions in the *Huonville-Ranelagh Master Plan* include recommendations for rezoning subject to the outcomes of further studies including a transport management study and/or flood study.

2.9.2.3 Huonville - Ranelagh Structure Plan

The *Huonville - Ranelagh Structure Plan* informed the application of zones within Huonville and Ranelagh area under the Interim Planning Scheme and therefore was relevant to consider in relation to the draft LPS for those areas where it was otherwise consistent with the statutory requirements that are applicable to the draft LPS.

2.9.2.4 Other plans and strategies

The following documents, plans and strategies have also been considered in relation to the draft LPS.

5	1999	<i>HVC Minutes noting 1997 Land Use Town Strategies</i>
10	2007	<i>Council Minutes - Adoption of HVLUS (noting prior Township plans)</i>
16	2010	<i>Cygnet Township Plan - endorsed August 2010 (Inspiring Place)</i>
17	2010	<i>Geeveston Masterplan (Terrior Consultants) 20.015</i>
25	2012	<i>Franklin Heritage Area Assessment Study (G Corney)</i>
26	2013	<i>Huon Heritage Review (Stage 1)- Existing Items (P Davies)</i>
30	2015	<i>Huon Valley Economic Development Strategy-2015-2020</i>
52	2019	<i>Ranelagh Recreation Ground Master Plan (endorsed 27-5-2020)</i>
55	2020	<i>Huon Valley Community Plan 2020</i>
56	2020	<i>Huon Valley Recreation Plan 2020 (endorsed 8-2020)(c)</i>

2.10 LPS CRITERIA - ADJOINING MUNICIPAL AREAS

Section 34(2)(g) requires that the planning scheme:

"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."

The adjacent municipal areas adjoining the to the Huon Valley municipal area are the West Coast Council and Derwent Valley Council municipal areas to the north-west, and Kingborough Council and Glenorchy City Council municipal areas to the north-east. The Glenorchy City Council municipal area shares a municipal boundary on its boundary within the Wellington Range the Wellington Park boundary. This point also intersects with the municipal boundaries of Derwent Valley Council and Kingborough Council municipal areas.

As far as practicable, the draft LPS is consistent for the following reasons:

- All land located along municipal boundaries is zoned Rural, Agriculture, Landscape Conservation or Environmental Management, with the main arterial roads zoned Utilities;
- The respective LPSs for each of the adjoining municipal areas will be in accordance with Guideline No. 1 and in accordance with the LUPAA;
- Many of the codes rely on mapping produced by the same source, which include the State, TasNetworks and the Regional Ecosystem Model used for the Natural Assets Code information; and
- In code overlays, consistency will be delivered in mapped overlays for watercourse, coastal refugia, natural hazards, priority vegetation and electricity infrastructure due to common approaches to mapping those features.

2.11 LPS CRITERIA - GAS PIPELINES ACT 2000

This legislation is not applicable to the municipal area (Section 34(2)(h)).

3.0 APPLIED, ADOPTED OR INCORPORATED DOCUMENTS

No documents are adopted as applied, adopted or incorporated documents under the draft LPS.

4.0 AMENDMENTS TO THE INTERIM PLANNING SCHEME

4.1 Applications to Amend the Interim Planning Scheme

<i>Lot 1 Channel Highway, Cygnet (part of land)</i>	
PSA-2/2017; SUB-36/2017	<p>An application under former Section 43A of the LUPPA to amend the Interim Planning Scheme, and for the issue of a permit for subdivision of part of Lot 1, Channel Highway, Cygnet was approved by the Commission in October 2021.</p> <p>14 October 2021: Decision of the Commission (effective 28 October 2021)</p> <p>Following the decision, changes have been made to the draft LPS based on the requirements of the draft Notice, Appendix 64. (Attachment A, paragraph 4.48)</p>

Cygnets Treatment Plant, Cygnets	
PSA-1/2020	<p>An application initiated under former Section 34 of the LUPPA to amend the Attenuation Area Overlay of the Interim Planning Scheme applicable to the Cygnets Treatment Plant, Cygnets was approved by the Commission in May 2021.</p> <p>21 May 2021 - Decision of the Commission</p>

Bowls Club land, 15 Louisa Street, Cygnets (part of land)	
PSA-2/2019	<p>An application under former Section 33 of the LUPPA to amend the Interim Planning Scheme to rezone part of the property at 15 Louisa Street, Cygnets from <i>Recreation</i> to <i>General Residential</i> was considered by the Commission at a hearing in 2020.</p> <p>The hearing for this application held in 2020 is currently adjourned and therefore not completed.</p>

5.0 OTHER AMENDMENTS

5.1 Amendment to the STRLUS (Regional Strategy)

At its meeting on 31 March 2021 the Planning Authority made a decision to request the Minister for Planning to make the following amendment to the STRLUS regarding the Cygnets township area for the reasons set out in its decision. The amendment is for the following additional wording to be included as a footnote to Table 3 of the STRLUS:

***For the Cygnets Township, the growth strategy does not preclude residential growth through rezoning of existing urban land within the established settlement boundaries if supported by residential land supply and demand data analysis from a suitably qualified person.*

From its commencement in 2011, under the *Settlement and Residential Development Policy* of the STRLUS the Cygnets township has a *moderate growth strategy* (10% - 20% increase in dwellings over 25 years) and *mixed growth scenario* (residential growth from both greenfield and infill development).

The application of the *moderate growth strategy* equated to 70 new dwellings being constructed in the Cygnets Township area over the 25 year period of the strategy based on the number of dwellings at the time the strategy commenced. However, in 2020 the number of new dwellings constructed in the township exceeded this projection.

Therefore, there is not sufficient land currently zoned *General Residential* use for residential development within the Cygnets Township area for the next 10-15 years. Further information and advice on these matters is set out in the *Cygnets Residential Demand and Supply Analysis Report, 2020* ([Appendix 57](#)). A copy of Council's decision is [Appendix 62](#).

5.2 Proposal for additional Specific Area Plans

The information in the 2001 *Land Capability Survey of Tasmania Report* ([Appendix 6](#)) and related land capability map ([Appendix 7](#)) refer in detail to the presence of acidic and dispersive soils in the Huon Valley and shows some of the historic context of these soils in the region.

6	2001	<i>Land Capability Survey of Tasmania Report (Derose)</i>
7	2001	<i>Land Capability Map (8311) – (Derose Report)</i>
12	2009	<i>Acid Sulfate Management Guidelines</i>
13	2009	<i>Dispersive Soils and Management Technical Reference Manual</i>
14	2009	<i>Dispersive Soils and their Management - Guidelines</i>
15	2009	<i>State Policy - Protection of Agricultural Land (PAL Policy)</i>
28	2014	<i>Huon Valley Council 2014 Information Sheet - Tunnel Erosion</i>

Under the Interim Planning Scheme the following codes apply:

- *Acid Sulfate Soils Code*; and
- *Dispersive Soils Code*.

These codes do not form part of the SPPs.

SAPs – former version of the draft LPS

In the former version of the draft LPS ([Appendix 59 and 60](#)) considered by the Planning Authority in May 2021 the following SAPs were proposed.

- *Grove to Cockle Creek Potential Acid Sulfate Soils Specific Area Plan*;
- *Grove to Cockle Creek Potential Dispersive Soils Specific Area Plan*.

A purpose of these proposed SAPs was to address Regional Policy MRH 5.1 and MRH 5.2 of the Regional Strategy.

MRH 5.1	<i>Prevent further subdivision or development in areas containing sodic soils unless it does not create undue risk to the occupants or users of the site, their property or to the public.</i>
MRH 5.2	<i>Wherever possible, development is to avoid disturbance of soils identified as containing acid sulfate soils. If disturbance is unavoidable then require management to be undertaken in accordance with the Acid Sulfate Soils Management Guidelines prepared by the Department of Primary Industries, Parks, Water and the Environment.</i>

SPPs

The SPPs outline the requirements for specific area plans for inclusion in the draft LPS. The specific area plans are required to comply with Schedule 6 of LUPPA, Local Provisions Schedule Requirements of the SPPs (LP1.5 of Appendix A of LP1.0) and with relevant Practice Notes. All transitioning specific area plans included in the draft LPS meet these requirements. The draft Notice ([Appendix 64](#)) required the deletion of these proposed SAPs from the current draft LPS for the reasons set out in the draft Notice.

Proposed SAPs

During the next stage of the LPS implementation process (exhibition period) consideration will be given for a representation be submitted for these proposed SAPs to be considered again for inclusion in the LPS.

purposes or as part of a pre-purchase due diligence process (e.g., section 337 certificate inquiry process) by a prospective purchaser, or by a solicitor or conveyancer on behalf of a purchaser.

Therefore, it is considered necessary that for development in areas of the valley with this type of soil, there is a SAP applied to the relevant land as a way for land of this nature to be identified, where possible, for example, prior to a sale of property being completed, and prior to use and development occurring so that the engineering design for a proposed development and for works can take the presence of these soils into account.

It is very important that the presence of acid sulphate soils be addressed at the development application stage so development engineering requirements can be applied by the Planning Authority through planning conditions for management of these soils, and to enable these issues to be addressed further at the building and plumbing application stage of a development.

Further information on how this layer was prepared is available on the LIST and is included below.

Coastal areas of Tasmania with potential to contain Acid Sulfate Soils

A NHT (National Heritage Trust) funded project headed by the NRM Cradle Coast to delineate coastal areas with potential to contain Acid Sulfate Soils (ASS). The dataset forms part of the larger project pertaining to 'Tasmanian Acid Sulfate Soils Information' (TASSI) with the aim of providing better awareness to stake holders and planners in regards to the distribution of Acid Sulfate Soils in coastal environments of Tasmania. Coastal environment for the sake of the TASSI project was defined as the zone between 0 and 20m AHD.

The dataset comprises polygons mapped at a variety of scales in different parts of the state (mostly at 1:25,000 or 1:250,000) and geo-referenced to the GDA94 datum. Each polygon is attributed with a probability rating (high, low or extremely low) that indicate a polygons potential to contain ASS as well as a descriptor/code which describe the ASS landscape that a polygon represents. The descriptor/code pertains to the Atlas of Australian Acid Sulfate Soils (developed in part by CSIRO and used on the ASRIS website, <http://www.asris.csiro.au>). Ancillary dataset information that were used to model and derive the probability ratings and subsequent codes are embedded within the dataset attribute table.

Lineage Statement

1:25,000 MRT geology map sheets (as available at June 2008), 1:250,000 state wide MRT geology digital map; Detailed soils maps (Coal River Valley, Flinders Island, Foo Choo Flats, King Island, Montagu Swamp, Mowbray Swamp, NW Coast, Tomahawk, Waterhouse), 1:100,000 Reconnaissance soil maps, 1:500,000 Dominant soil order map of Tasmania; Multiresolution Index of Valley Bottom Flatness (derived from the Tasmania 25metre Digital Elevation Model); Tasmanian Quaternary Coastal Sediments Polygon Map; 1:25,000 TASVEG; 1:25,000 Hydrographic dataset.

Map units conducive to ASS were derived from the above ancillary datasets (notably geological and soils units as well as hydrographic units representing swamps and wet areas) and used to form a predictive cartographic model. Units were given likelihood ASS weightings which were then combined/overlayed with one another to give a total accumulated ASS probability score.

Where a high accumulation of map units were apparent; indicated an area more likely to have ASS potential. A lack of accumulated map units indicated an area less likely to have ASS potential.

The resulting accumulated areas were then classified in accord to the Atlas of Australian Acid Sulfate Soils using existing digital ancillary information and that garnered from field work reconnaissance. The model outputs were field checked over several months, where the model was recalibrated and re-run if inaccuracies were found.

The final output is considered to be an accurate representation of Coastal Acid Sulfate Soils using the best digital information at hand at the time as well as input from historic and current field work reconnaissance.

Position Accuracy:

Each polygon is attributed with the ancillary dataset(s) that was used to delineate an ASS area. The dataset(s) used to delineate an ASS area gives an indication of the scale that was modelled for that particular ASS area. However, it is generally accepted that the final dataset uses the line work of the 1:25,000 Hydrographic dataset and the 1:25,000/1:250,000 MRT geology datasets to delineate boundaries.

Thus, 1:25,000 spatial data: "Correct position to within +/- 25m in the final product". 1:250,000 spatial data. "Generalisations of rock units and fit to 1:250,000 digital topography base gives a final accuracy of up to +/- 250m". It must be noted that horizontal positional accuracy for well-defined features mapped in this dataset may vary widely owing to large differences in the scale of source mapping used in some areas (i.e. where 1:500,000 soil data and 1:25,000 data was used in combination to model ASS areas). Positional accuracy scales are embedded into the dataset attribute table.

Attribute Accuracy:

Attribution was generally carried out using existing ancillary datasets to assign probability values and in particular classification descriptors. The dataset is therefore dependent on the attribute accuracies of the ancillary datasets employed. Field validation was also carried out to ensure integrity was maintained throughout the final dataset and thus aided in validating the final classification process. Attribute accuracy is estimated to be 90%.

Logical Consistency:

All polygons, lines and point data labelled. All vertices are snapped and all polygons closed. All data is topologically related. There are no duplicates.

Completeness:

The dataset covers the entire Tasmania coastal region (except Macquarie Island) between elevations of 0 and 20m AHD. Hence, the data is complete according to the modelling process.

Potential Dispersive Soils SAP

Dispersive soils can cause tunnel erosion, which occurs when soil is worn away and can manifest as a loss of topsoil, formation of gullies or tunnel formation. Tunnel formation poses a significant risk to infrastructure as it forms underground and is not generally observed until significant soil movement has taken place. This soil movement can result in underground cavities and tunnels that can undermine roads and buildings and destabilise infrastructure associated with development.

A Dispersive Soils Specific Area Plan overlay would be applied to land subject of the current Potential Acid Sulfate Soils Code of the Interim Planning Scheme subject to any necessary mapping adjustments.

Land of this nature has particular structural and environmental qualities that are specific to this

type of constraint, and should through the application of local planning provisions, provide for a risk management approach as a means for such information to be readily available, for example, displayed via an overlay on the List.

This approach facilitates soil-based information being available prior to a land purchase, or at other times, such as when investigation of land is being undertaken for engineering design purposes or as part of a pre-purchase due diligence process (e.g., section 337 certificate inquiry process) by a prospective purchaser, or by a solicitor or conveyancer on behalf of a purchaser.

Therefore, it is considered necessary that for development in areas of the valley with this type of soil, there is a SAP applied to the relevant land as a way for land of this nature to be identified, where possible, for example, prior to a sale of property being completed, and prior to use and development occurring so that the engineering design for a proposed development and for works can take the presence of these soils into account.

It is very important that the presence of dispersive soils be addressed at the development application stage so development engineering requirements can be applied by the Planning Authority through planning conditions for management of these soils, and to enable these issues to be addressed further at the building and plumbing application stage of a development.

Mapping

The map of land known of tunnel erosion on land in Southern Tasmania (based on Grice 1995) is set out below and forms the basis of the mapping currently shown on the planning scheme maps. It is divided into areas of minor and more severe risk.

The location and extent of tunnel erosion in Tasmania has not been specifically mapped or investigated, however land system mapping indicates that approximately 103,000 ha of private freehold land has a tunnel erosion hazard (Grice 1995).

Figure 3 the 'Map of land systems containing areas of tunnel erosion on private freehold land in Southern Tasmania' has been generated from state-wide land systems mapping in which combinations of soil, geology and climate have been inferred to reveal areas which have an elevated likelihood that tunnel erosion may occur (Grice 1995).

Note: neither of these maps indicate the actual location or extent of dispersive soils or tunnel erosion.

Source: Dispersive Soils and their management, Technical Reference Manual, DPIPWE.

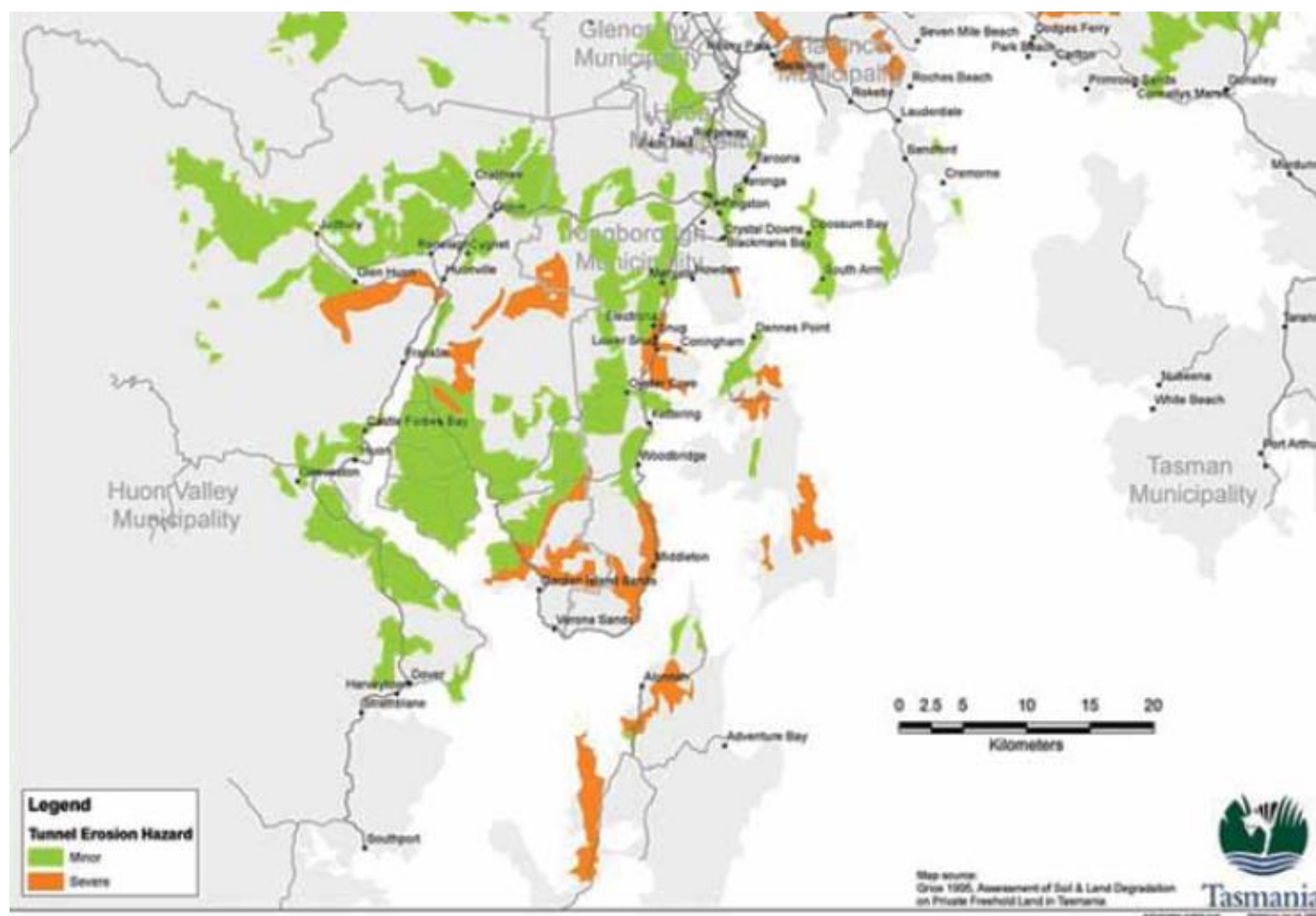


Figure 6: Map of land systems containing areas of tunnel erosion on private freehold land in Southern Tasmania (based on Grice 1995).

6.0 GLOSSARY OF TERMS

Interim Planning Scheme	<i>Huon Valley Interim Planning Scheme 2015</i>
Commission	<i>Tasmanian Planning Commission</i>
DPAC	<i>Department of Premier and Cabinet</i>
EMPCA	<i>Environmental Management and Pollution Control Act 1994</i>
LGBMP	<i>Local Government Act (Building and Miscellaneous Provisions) Act 1993</i>
LPS	<i>Local Provisions Schedule</i>
LUPAA	<i>Land Use Planning and Approval Act 1993</i>
NEPM	<i>National Environment Protection Measures</i>
PPU	<i>Department of Justice Planning Policy Unit</i>
PPZ	<i>Particular Purpose Zone</i>
SAP	<i>Specific Area Plan</i>
SSQ	<i>Site-Specific Qualification</i>
SPP	<i>State Planning Provision</i>
STRLUS	<i>Southern Tasmanian Regional Land Use Strategy</i>
TPS	<i>Tasmanian Planning Scheme</i>

7.0 APPENDICES

1	1992	<i>Central Register Plan-Huon Valley Municipal Area (CPR-2469)</i>
2	1996	<i>State Coastal Policy</i>
3	1997	<i>State Water Quality Management Policy</i>
4	1997	<i>Town Structure Plans for Townships (TBA Planners & Others)</i>
5	1999	<i>HVC Minutes noting 1997 Land Use Town Strategies</i>
6	2001	<i>Land Capability (Map 8211) - Derose Report</i>
7	2001	<i>Land Capability Report - (Dispersive & Acidic soils)-Derose</i>
8	2003	<i>Franklin Heritage Study (James Puustinen).</i>
9	2003	<i>Franklin Township Plan - Inspiring Place</i>
10	2007	<i>Council Minutes - Adoption of HVLUS (noting prior Township plans)</i>
11	2007	<i>Huon Valley Land Use and Development Strategy (Exec Summary)(GHD)</i>
12	2009	<i>Acid Sulfate Management Guidelines</i>
13	2009	<i>Dispersive Soils and Management Technical Reference Manual</i>
14	2009	<i>Dispersive Soils and their Management -Guidelines</i>
15	2009	<i>State Policy - Protection of Agricultural Land (PAL Policy)</i>
16	2010	<i>Cygnnet Township Plan - endorsed August 2010 (Inspiring Place)</i>
17	2010	<i>Geeveston Masterplan (Terrior Consultants) 20.015</i>
18	2010	<i>Tasmanian Coastal Works Manual</i>
19	2010	<i>Southern Tasmania Regional Land Use Strategy 2010-2035</i>
20	2010	<i>Tasmanian Open Space Policy and Planning Framework – Summary</i>
21	2011	<i>Huonville-Ranelagh Structure Plan (Urbis)</i>
22	2011	<i>Background STRLUS Reports - Project (No.1) & Land Hazards (No. 6)</i>
23	2011	<i>Southern Tasmania Industrial Land Study – Stage 1, Final Report (SGS)</i>
24	2011	<i>STRLUS - Background Report No. 7: Productive Resources</i>
25	2012	<i>Franklin Heritage Area Assessment Study (G Corney)</i>
26	2013	<i>Huon Heritage Review (Stage 1)- Existing Items (P Davies)</i>

27	2013	<i>Southern Tas Industrial Land Strategy (Part 2)(SGS)-Final</i>
28	2014	<i>Huon Valley Council 2014 Information Sheet Tunnel Erosion</i>
29	2015	<i>Strategic-Plan-2015-2025-endorsed-20.07.2015</i>
30	2015	<i>Huon Valley Economic Development Strategy-2015-2020</i>
31	2016	<i>Flood Report-Huonville -Submission - BOM</i>
32	2016	<i>Heritage Park Geeveston Site Development Plan 15.006</i>
33	2016	<i>Huon Valley NRM Strategy (17.058.16)</i>
34	2016	<i>Summary of Regional Ecosystem Model-REM (Knight & Cullen)</i>
35	2017	<i>Agricultural Land Mapping Project -Background Report</i>
36	2017	<i>Huon River Flood Resilience Study Report - Entura 19.020</i>
37	2017	<i>Ministerial Statement - Transitional arrangements -PPU</i>
38	2018	<i>Bushfire-prone Areas Mapping-Planning Report-Huon Valley LGA-TFS</i>
39	2018	<i>Decision Tree and Guidelines - Agriculture & Rural Zones (AK Consultants)</i>
40	2018	<i>Guidelines for Identifying Areas of Interest (AK Consultants)</i>
41	2018	<i>Guidelines for Scenic Values Assessment Methodology</i>
42	2018	<i>Huon Valley Health and Wellbeing Strategy 2018</i>
43	2018	<i>Kermadie River Flood Study - Entura 19.020</i>
44	2018	<i>Mountain River Flood Study - Entura 19.020</i>
45	2018	<i>Priority Vegetation Area Overlay (LP1.7.5)(vs10.5.18-R Knight)</i>
46	2018	<i>Skidders Creek Flood Study - Entura 19.020</i>
47	2018	<i>Huon Valley Arts and Culture Strategy 2018-2022 (amended)</i>
48	2018	<i>Huon Valley Weed Management Strategy (2018-2023)</i>
49	2018	<i>Local Heritage Review, Gray Planning</i>
50	2018	<i>Guideline No.1 - Local Provisions Schedule Zone and Code Application</i>
51	2019	<i>Huonville-Ranelagh Master Plan (Master Plan)(endorsed 17-4-2019)</i>
52	2019	<i>Ranelagh Recreation Ground Master Plan (endorsed 27-5-2020)</i>
53	2019	<i>Stormwater System Management Plan (endorsed 11-12-2019)</i>
54	2019	<i>Huon Valley Council Decision - draft 2019 version of LPS</i>
55	2020	<i>Huon Valley Community Plan 2020</i>
56	2020	<i>Huon Valley Recreation Plan 2020 (endorsed 8-2020)</i>
57	2020	<i>Cygnnet Residential Demand and Supply Analysis (SGS)</i>
58	2021	<i>Huon Valley Council Climate Change Strategy</i>
59	2021	<i>Draft Huon Valley LPS – version sent to the Commission on 24 May 2021</i>
60	2021	<i>Draft LPS Map Index, maps and overlays sent to Commission on 24 May 2021</i>
61	2021	<i>Draft Huon Valley LPS – List of properties (version: November 2021)</i>
62	2021	<i>Council Minutes – STRLUS amendment decision (31 March 2021)</i>
63	2021	<i>Post Lodgement Documentation (Attachments 1, 2, 3, *4 & 5) (*the former version of the draft LPS considered at Council's meeting on 22 May 2021)</i>
64	2021	<i>Draft Notice under Section 35(5)(b) and Schedule 6, Clauses 8C(5)(a) and 8D(9)(a) of the LUPPA issued to the Planning Authority together with:</i> <ul style="list-style-type: none">• Attachment A; and• Attachment B.
65	2021	<i>Draft Huon Valley LPS submitted to the Commission (version: November 2021)</i>
66	2021	<i>Draft LPS maps and overlays (version: November 2021)</i>