

11.2. DA0140/2024 / PSA-LLP0021 - 40768 Tasman Highway, Waverley - 40T Combined Scheme Amendment - Change of Zone from Rural to Rural Living A; Subdivision - Subdivide Land into 23 Lots and a New Road - PSA-LLP0021

FILE NO: DA0140/2024 / PSA-LLP0021

AUTHOR: Iain More (Senior Town Planner Policy and Projects)

APPROVER: Chelsea van Riet (Executive Leader Community Assets and Design)

DECISION STATEMENT:

To decide whether to reject or initiate and exhibit Combined Scheme Amendment DA0140/2024 (PSA-LLP0021) to the Launceston Local Provisions Schedule of the Tasmanian Planning Scheme.

PLANNING APPLICATION INFORMATION:

Applicant:	6ty° Pty Ltd
Address:	40768 Tasman Highway, Waverley
Existing Zone:	Rural
Existing Use:	Residential

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston

RECOMMENDATION:

That Council, pursuant to:

1. sections 37, 38, and 40T of the *Land Use Planning and Approvals Act 1993*, agrees to, and initiates scheme amendment PSA-LLP0021 to the Launceston Local Provisions Schedule to:
 - a. Change the zoning from Rural to Rural Living A at 40768 Tasman Highway, Waverley, and unaddressed lot CT104384/4.
2. section 40F of the *Land Use Planning and Approvals Act 1993*, certifies Draft Amendment PSA-LLP0021 identified in Attachment 1.
3. sections 40G, 40H, and 40Z of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition be 28 days.
4. section 40Y of the *Land Use Planning and Approvals Act 1993*, approve DA0140/2024 - Subdivision - Subdivide land into 23 lots and a new road, subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Senior Leader City Development unless modified by a condition of the Permit:

- a) Proposal Plan, prepared by 6ty°, Project No. 22.257, Drawing No. Cp01, Revision G, dated 21/05/2025;
- b) Proposal BAL Treatment Plan Option, prepared by 6ty°, Project No. 22.257, Drawing No. Cp02, Revision F, dated 05/12/2024;
- c) Preliminary On-Site Wastewater Disposal Evaluation, prepared by Geoton Pty Ltd, Reference No. GL23301Ab, Revision.01, dated 4 July 2025;
- d) Agricultural Report, prepared by RMCG, Version 1.1, dated 9 July 2025;
- e) Bushfire Hazard Management Report, prepared by RMCG, Version 2.0, dated 9 July 2025;
- f) Flora and Fauna Report, Version 1.1, prepared by RMCG, dated 9 July 2025; and
- g) Traffic Impact Assessment, prepared by Traffic & Civil Services, Final 6, dated December 2024.

2. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land except construction of access from the street.

3. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2024/00561-LCC, dated 27/06/2025 and attached to the permit.

4. HOURS OF CONSTRUCTION

- a) Unless otherwise approved in writing by the Senior Leader Health and Compliance construction activities must only be carried out between the hours of:
 - i. Monday to Friday - 7 am to 6 pm; and
 - ii. Saturday - 8 am to 6 pm.
- b) Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed state-wide (Easter Tuesday excepted).

5. DAMAGE TO COUNCIL INFRASTRUCTURE & ASSETS

The developer is liable for all costs associated with the repair of damage to Council infrastructure and assets resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

6. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of the Executive Leader - Community Assets and Design is required prior to undertaking works where the works:

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

7. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements and Council policy 27-Rfx-012 Standards for Surface Reinstatement of Works in the Road Service. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

8. SOIL AND WATER MANAGEMENT control plan

Prior to the commencement of works, a site management plan must be submitted detailing how soil and water must be managed on the site during the construction process. The management plan must include the following:

- a. Allotment boundaries, contours, approximate grades of slope and directions of fall.
- b. Location of adjoining roads, impervious surfaces, underground services and existing drainage.
- c. Location and types of all existing natural vegetation, the proposed location of topsoil stockpiles and the limit of clearing, grading and filling.
- d. Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
- e. The estimated dates for the start and finish of the works.
- f. The erosion control practices to be used on the site such as cut off drains, fencing off areas to be undisturbed, revegetation program and so on.
- g. The sediment control practices to be used on site such as silt fencing, stabilised site access, filter screens for inlets to the drainage system, sediment traps and so on.
- h. Timing of the site rehabilitation or landscaping program.
- i. Outline of the maintenance program for the erosion and sediment controls.

Works must not commence prior to the approval of the Soil and Water Management Control Plan by the Executive Leader Community Assets and Design. The Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

9. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

10. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Executive Leader Community Assets and Design for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. Electricity infrastructure including street lighting.
 - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
 - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

11. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Executive Leader Community Assets and Design.

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

a. Stormwater

- i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,

b. Roads

- i. Provision of a fully constructed road 6.0m metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
- ii. Provision of a single vehicular crossing for each lot within the subdivision,
- iii. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
- iv. all necessary line marking, signage and other traffic control devices.

c. Public Open

- i. All public open space lots must be landscaped, provided with works to restrict traffic, provided with a 25mm water connection, connecting footpaths and all necessary drainage.

d. Electricity, Communications & Other Utilities

- i. An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority,
- ii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
- iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
- iv. Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

1. Construction requirements,
2. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
3. Construction Audit inspections,
4. Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

12. ACCESS OVER ADJACENT LAND

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. Advise Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner, then
- b. Contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and,
- c. Ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie legal, valuation, etc if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act 1993* will be followed.

13. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot,
- b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition
- c. A stormwater connection to the public drainage system,
- d. Access to underground electricity and communications infrastructure, and
- e. Where applicable, reticulated gas infrastructure.

14. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available upon request.
- b. A Closed Circuit Television inspection report for all stormwater drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

15. EASEMENTS

Easements are required over all Council and third-party services located in private property. The minimum width of any easement must be 3 metres for Council (public) mains. A greater width will be required where the internal diameter of the pipe is greater than 475 mm or where the depth of the pipe exceeds 2.1 metres. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

16. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the Executive Leader Community Assets and Design:

- a. The satisfactory completion of all public infrastructure works required by the planning permit.
- b. The provision of written evidence of the completion of third party services including connections to the electricity supply, telecommunications infrastructure and TasWater infrastructure, from the responsible service provider.
- c. The provision of engineering certification and as constructed documentation in accordance the Council requirements.
- d. The subsequent issue of a Certificate of Practical Completion by the Executive Leader Community Assets and Design for those works that will vest with the City of Launceston (Roads and Stormwater infrastructure).
- e. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.
- f. Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

17. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the Executive Leader Community Assets and Design, of the Certificate under Section 10 (7) of the Local Government (Highways) Act 1962. All costs involved in this procedure must be met by the Subdivider.

18. COMPLETION OF WORKS

All works must be carried out to Council standards and under the direct supervision of a suitably qualified and experienced civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

19. AS CONSTRUCTED PLANS

An "as constructed" plan must be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Council's Community Assets and Design Team.

20. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

21. JUNCTION UPGRADE AND SEALING

Sealing of plans beyond 12 lots will not be signed and stamped by Council until the upgrade to a BAR & BAL junction at Boomer Road and the Tasman Highway has occurred.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0140/2024. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

- a. *The 14 day appeal period expires; or*
- b. *Any appeal to the Tasmanian Civil & Administrative Appeal Tribunal (TASCAT) is withdrawn or determined; or*
- c. *Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. *Any other required approvals under this or any other Act are granted.*

The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.

B. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquiries as to whether the proposed development is affected, restricted or prohibited by any such covenant.

If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.

C. Permit Commencement.

If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

D. Subdivision - On-site wastewater disposal

The onsite wastewater report prepared by GeoTon Pty Ltd dated 08/06/2023 specifies all lots are suitable only for the installation of a system capable of secondary treatment of effluent.

REPORT: APPLICATION FOR PLANNING SCHEME AMENDMENT AND SUBDIVISION

1. EXECUTIVE SUMMARY

The application seeks to amend the Local Provisions Schedule (LPS) by changing the zone from Rural to Rural Living A, at 40768 Tasman Highway, Waverley, as well as an unnamed casement CT104384/4. The amendment will ensure that the currently underutilised parcel of rural land is able to provide for a variety of residential uses in the future.

The property has been identified within Council's Eastern Approaches Long Term Conceptual Development Plan for 'Rural Residential'. This long term consideration of the site to allow for rural living is consistent with the pattern of development that has occurred within the vicinity of the site over the years, starting with Drivers Run to the west, Hillside Estate to the south-west, and further properties along Whisky and Boomer Roads. The rezoning of the subject site is a natural extension to the pattern of zoning for the area.

1.1 Rural Living Need

The rezoning, along with the concurrent subdivision application, will result in the creation of 23 new residential lots. Noting the existing development on Lot 17, a remnant of the former use of the site, this will allow 22 new lots to the market. A Rural Living Market Assessment was submitted to support the zoning and to review the existing rural living land supply within the local and regional catchments.

It has been demonstrated that there is a limited 'market ready' land supply for rural living lots within the local and broader area. Whilst there are other larger lots already zoned rural living, the stagnation of those lots with no current activity and no subdivision approval, there is a level of uncertainty in terms of actual development and the release of new lots.

Accordingly, the rezoning and subdivision will provide confidence in the market, in a location where market ready lots are limited. There is an established confidence for rural living within the area.

The proposal will ensure rural living is aligned to the Launceston Residential Land Strategy 2009-2029, by contributing to maintaining 15% of the municipal housing stock as rural residential.

1.2 Why this location?

The site is identified as a natural extension to the pattern of zoning within the area. Rural living zoned lots within the local catchment of Waverley, St. Leonards, and Relbia are relatively scarce. This local area is an appealing location based on sales within past and recent subdivisions (section 5.6 of the Rural Living Market Assessment).

The site is limited in terms of its servicing, with both sewer and stormwater required to be treated and retained on site. This is a contributing factor for rural living lots.

The site is easily accessible, being an approximate 10 minute drive to the Launceston CBD, and close to St Leonards and Newstead to access community services and commercial precincts.

The provided Agricultural Assessment concluded that that the rural capacity of the property is limited to hobby type farming. To make better use of the land for rural purposes, it would need to be farmed in conjunction with adjacent land, something which is not possible due to surrounding development, uses, and zoning.

Accordingly, the property has the qualities of a rural living lot in a prime location to support residential use and development.

1.3 Subdivision proposal

The proposal will subdivide the property into 23 lots, including a new road lot. The unaddressed lot, with a size of 2,649sqm, will form part of the Boomer Road, road reserve and part of the Tasman Highway. This is currently being undertaken through a transfer to Council, with the design including works at the Boomer Road and Tasman Highway intersection.

The proposal will subdivide the property into 23 lots, including a new road lot.

Lot	Size (m ²)	Frontage
1	10,601	80.8m Boomer Road 148.6m Tasman Highway
2	10,549	69.6m Boomer Road
3	10,531	69.9m Boomer Road
4	10,500	54.5m Boomer Road 135.0m New unnamed road
5	10,475	54.7m Boomer Road 135.0m New unnamed road
6	10,467	69.6m Boomer Road
7	10,412	68.7m Boomer Road
8	10,125	167.2m Boomer Road (corner lot)
9	15,231	7.8m Boomer Road
10	10,048	62.1m New unnamed road
11	10,362	95.9m New unnamed road
12	10,711	20.2m New unnamed road

13	10,403	8.6m New unnamed road
14	10,387	18.0m New unnamed road
15	10,794	0.0m New unnamed road
16	11,104	7.6m New unnamed road
17	11,134	7.0m New unnamed road 105.5m Tasman Highway
18	10,625	7.0m New unnamed road 28.6m Tasman Highway
19	10,393	53.2m New unnamed road
20	10,358	57.7m New unnamed road
21	10,620	7.0m New unnamed road 103.8m Tasman Highway
22	10,634	7.0m New unnamed road 118.1m Tasman Highway
23	10,518	45.4m New unnamed road

Lot 17 contains two existing dwellings with existing access via the Tasman Highway.

All lots will be connected into the reticulated water supply. Stormwater and sewer will be retained individually on each site. The new unnamed road will have stormwater drainage that will be directed to and discharged within the existing waterway to the north.

The new road reserve will be 20.0m wide, with a 6.0m wide sealed road, and terminating in a cul-de-sac. Road works will also include:

- the widening of Boomer Road to 6.0m.
- the installation of a Basic left turn treatment (BAL) for the junction with Tasman Highway.
- undertake road widening along Boomer Road including works associated with construction of a new road junction onto Boomer Road.
- installation of five new single rural style driveway crossings on Boomer Road serving Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9.
- relocate overhead pole poles as required to facilitate the works.

1.4 Standards requiring performance criteria assessment

- Clause 11.4.1 Site coverage - Performance Criteria P1
- Clause 11.4.2 Building height, setback and siting - Performance Criteria P3
- Clause 11.5.1 Lot design - Performance Criteria P1
- Clause 11.5.1 Lot design - Performance Criteria P2
- Clause 11.5.2 Roads - Performance Criteria P1
- Clause 11.5.3 Services - Performance Criteria P2
- C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction - Performance Criteria P1
- C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area
- C7.7.2 Subdivision within a priority vegetation area - Performance Criteria P1

2.0 NEXT STEPS

If the proposed planning scheme amendment is agreed to, the next steps in the process are as follows:

- The proposed amendment will be exhibited for 28 days
- The proposed amendment will be brought back to a Council meeting if representations are received or major modifications are required. In response to any representations, the Planning Authority could also recommend that the Tasmanian Planning Commission does not approve the amendment.
- The TPC will assess and decide whether to approve the amendment, approve the amendment with modifications or reject the amendment.

If the amendment is refused, a person may not make another change that is substantially the same within 2 years of the decision, unless there are changes to the scheme or the regional strategy, to the satisfaction of the TPC.

3. SITE & SURROUNDS

The primary site is located at 40768 Tasman Highway, Waverley, and is 24.58ha in size. The amendment also includes a small unused, unaddressed 2,649sqm parcel of land known as CT104384/4. The road reserves of Boomer Road and the Tasman Highway also form part of the development site due to road works proposed. The property is an old farm, developed with paddocks and fencing, over undulating terrain and includes a dam. A creek line adjoins the property to the north, and a 500m frontage to Tasman Highway and 707m frontage to Boomer Road. The site is zoned Rural Living A, and contains the following overlays:

- Priority vegetation;
- Bushfire-prone;
- Water buffers; and
- Airport obstacle limitation area.

The site is located within the developing area of Waverley and St Leonards, adjoining rural living land to the south and east. Land to the north and west is zoned Agriculture.



Figure 1 - Aerial view of subject site



Figure 2 - Bushfire-prone area



Figure 3 - Priority Vegetation



Figure 4 - Waterway Buffers



Figure 5 - Tasman Highway and Boomer Road intersection

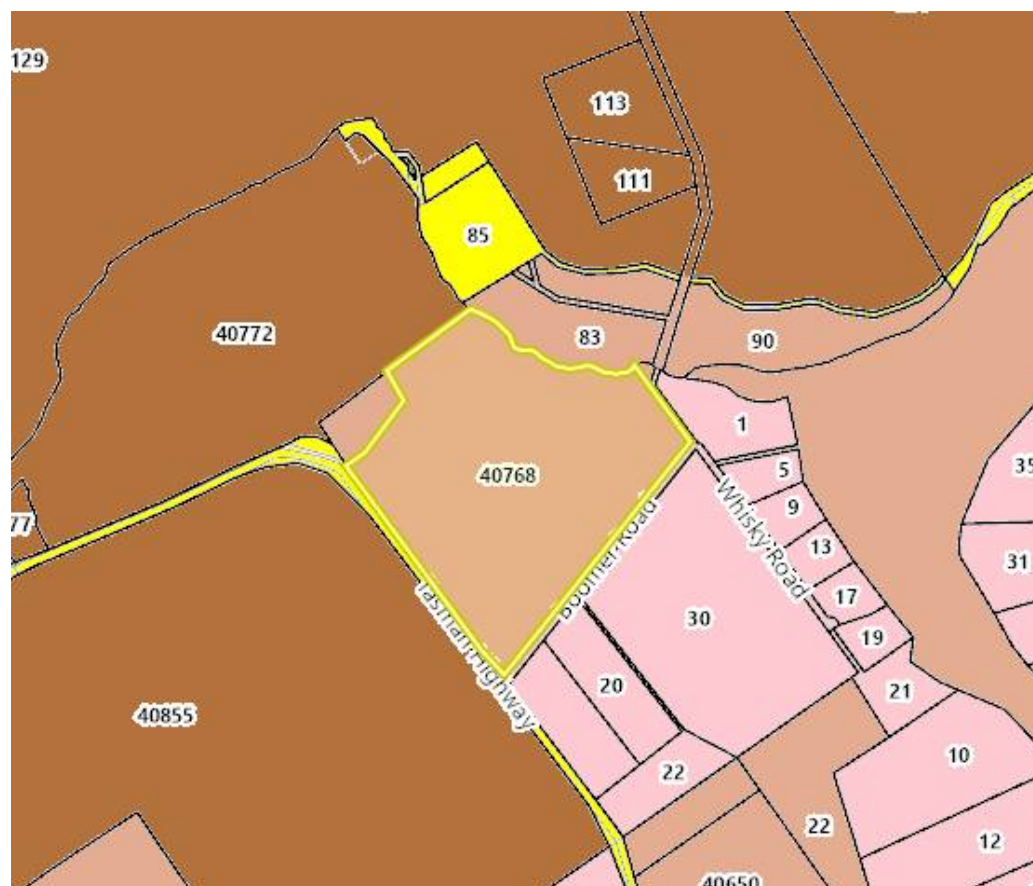


Figure 6 - Surrounding zoning

4. STRATEGIC OUTCOMES

4.1 Strategies

The following is a discussion of how the proposal is consistent with the regional land use strategy and any applicable regional areas as required for amendments to the Local Provisions Schedule (LPS) of Section 34 (2)(c) of the *Land Use Planning and Approvals Act 1993* (LUPAA).

4.1.1 Regional Strategy

The Northern Tasmanian Regional Land Use Strategy (NTRLUS) was originally declared by the Minister for Planning in accordance with the relevant provisions of LUPAA on 27 October 2011. The current version was amended on 23 June 2021 and provides a framework for the sustainable use and development of land within the region.

The NTRLUS is a strategic regional plan for the eight council areas in the north and north-east of Tasmania. It has a 20-year time horizon to 2032 for integrated infrastructure, land use development and transport planning, and is underpinned by economic development, social and environmental strategies. It defines three land use categories to direct the allocation of all land in the region:

- Urban Growth Areas
- Rural Areas
- Natural Environment Areas

This site falls within a Rural area.

The detailed assessment against the relevant principles, policies and actions of the NTRLUS is provided in **Attachment 2** to this report.

4.1.2 Launceston Residential Strategy 2009-2029

The Launceston Residential Strategy 2009-2029 (LRS) provides a strategy for housing within the Launceston municipality over the next 20 years. The LRS focuses on five tiers of development. The most relevant to the current proposal is Tier 5: Rural Residential Development. The equivalent current zoning is Rural Living.

The LRS identifies that there are 54 vacant parcels of residential land and estimates that between 96 and 201 additional lots may be sought up to 2024. As a general rule, the strategy identifies that 15% of housing in the municipality should be rural residential in nature.

The report, *Rural Living Market Assessment: Waverley & St Leonards* (February 2024) prepared by qualified experts Urban Enterprise was provided by the applicant in support of the rezoning. The report focused on a supply assessment for rural living lots. The report reviewed land supply in terms on reasonable proximity to the subject site, and focused on market ready land supply.

To understand the supply, four supply categories were established and assessed to determine the availability and developability of broad hectare RLZ land. Categories are as follows:

- Category 1 – Suitably zoned, vacant and considered ‘market ready’. This means a planning permit is approved or in-train, and/or subdivision works are underway or about to commence, and the land is ready for market consumption (i.e. available <12 months).
- Category 2 – Suitably zoned, vacant, but not yet subdivided;
- Category 3 – Suitably zoned, occupied and not yet subdivided; and
- Category 4 – Suitably zoned, occupied and requires a consolidation of adjoining land parcel(s) and then subdivided.

This focused on two catchments:

1. Local Catchment: Waverley and St Leonards
2. Sub-Regional Catchment: Relbia, Hadspen, Longford, Perth, and Carrick

The lot supply summary is below:

- 212 lots across all areas and categories.
- The majority of capacity is dispersed across Hadspen-Longford (37%) and Perth (33%).
- Two thirds of the regional lot capacity (139 lots) is located in category 3 and 4 land areas, meaning that these areas can theoretically accommodate additional lots through subdivision, but are inactive with no planning or development status. Therefore, there is a level of uncertainty in terms of the eventuality, possibility and timing of development for these areas.
- There are a total of 44 lots located within category 1 areas in the catchment, including 33 lots that are approved, and 11 lots that are considered ‘market ready’. The majority of category 1 land supply is located in Perth where there are 25 lots that are approved, and a further 7 that are market ready.

In the local catchment, there are 7 lots that are approved, and 4 that are market ready (11 lots total). There are approximately 14 lots within categories 3 and 4. Relbia recently underwent a scheme amendment to remove a Specific Area Plan that allowed for specific provisions for subdivision, and imposed Rural living zones A, B, and C (TPC Decision Reference DOC/24/61295, dated 24/05/2024). Based on these changes, there is a theoretical maximum supply of approximately 52 new lots. Importantly, this is the theoretical yield only, and on-site constraints are likely to reduce this number.

The Market Assessment further considered the current housing demand driven by population growth and changes to demographics. The assessment concluded that the local catchment is an appealing location for rural living lots, supported by consistent development and sales. Based on the dwelling approval rate of 12 per annum, the subject site would accommodate 3 years of housing demand for the local catchment. Once the existing market ready properties are sold, the capacity for the local catchment to meet the demand will be lost.

Launceston's Housing Plan 2025-2040 (May 2025) has stated that the city needs to deliver 300 new dwellings per year on average to achieve the required demand under the central forecast. To achieve the upper forecasts, 400 new dwellings each year are needed. As the LRS identifies 15% of the housing in the municipality should be rural residential in nature, this equates to 60 rural living lots per year. Based on take up data from the Market Assessment, the rezoning of this site to accommodate up to 12 dwellings per year, will therefore assist in meeting the requirements of strategy.

Policy 15 of the LRS states that 'Council will ensure that future Rural Residential development respects the environmental capacity of its location and creates an attractive, safe and functional area for future residents'. The strategy also deals with criteria for land suitability for rural residential development. This includes access to services, road frontage, topography, and environmental and rural land value.

Although it is noted that the subject site is not in an area explicitly identified in the LRS for future rural residential development. The LRS is structured in a manner that provides for flexibility with respect to identifying appropriate locations for rural residential development without imposing overly prescriptive strategy to enable consideration of new proposals as they arise. Therefore, the LRS does not restrict rural residential development to only the areas identified within the strategy.

The LRS provides a methodology to determine an area suitable for rural residential development. The attributes for rural residential development from the LRS are reproduced in the table below.

Negative attributes for Rural Residential development	Positive attributes for Rural Residential development
High conservation value forest	Within 500m of reticulated water
Land zoned for other uses i.e. industrial or closed residential	Sealed road frontage
Potential landslip.	Gravel road frontage
Within a water catchment protection area.	On current garbage collection route
Within identified buffer areas	Not in a Scenic Protection Area
Prime land under the PAL policy	Not containing TasVeg native forest
Can be seweraged (land with sewerage should be developed at a higher density than rural residential)	Continues with existing Rural Residential Zones
Non-freehold land	
Slope greater than 17 degrees	
No road frontage	

The proposal meets all positive attributes for rural residential (rural living) development as defined in Table 8 of the LRS. The site does not meet any negative attributes considered by the same table.

4.1.3 Eastern Approaches Long Term Development Plan 2010

This *Eastern Approaches Long Term Development Plan (2010)* document was provided in 2010 to consider the eastern approach into Launceston. The proposed amendment is consistent with this development plan and appropriately identifies the site for its conversion into rural living, as illustrated below:



Figure 7 - Subject site in red showing future rural residential use

4.2 City of Launceston Strategic Plan 2025-2035

Section 20(1) of the *Local Government Act 1993* (Tas) requires a planning scheme amendment to have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the Act.

Attachment 2 includes an assessment against the Strategic Plan.

4.3 State Policies

The amendment furthers the objectives in Schedule 1 of LUPAA, by promoting sustainable and orderly development through more efficient use of underutilised, serviced, highly accessible, urban land along a major transport network and near an activity centre.

Attachment 2 also includes an assessment against the objectives of Schedule 1 of LUPAA and the State Policies.

A detailed assessment against the relevant state policies is provided in **Attachment 2** to this report.

4.4 Statutory Considerations

4.4.1 Section 32 - Land Use Planning and Approvals Act 1993

Section 32 of LUPAA provides for the contents of a Local Provisions Schedules (LPS), and Section 34 outlines the LPS Criteria. **Attachment 2** provides a detailed assessment of the amendment against the requirements of these provisions. The amendment is considered to satisfy all the listed considerations and meet the LPS Criteria.

4.4.2 Section 56S - Water and Sewerage Industry Act 2008

Under Section 56S(1) of the *Water and Sewerage Industry Act 2008*, a Planning Authority must refer a draft planning scheme amendment to the relevant regulated entity. Under Section 56S(2) of the same Act, the relevant regulated entity may provide comments during the public notification period.

TasWater were referred the application on 09/07/2024, and on 27/06/2025 provided a Submission to Planning Authority Notice with conditions and advice.

4.4.3 Landowner Consent

As required under Section 37(3) of LUPAA, written permission of each owner of the land to the making of the request to amend the LPS has been provided. This includes Council and Department of State Growth consent.

6. CONCLUSION

The proposed planning scheme amendment to change the zoning from Rural to Rural Living A is considered appropriate for the site and its location.

For the above reasons, it is assessed that the proposed planning scheme amendment is consistent with the objectives and other requirements of the *Land Use Planning and Approvals Act 1993*, the intent of the Tasmanian Planning Scheme - Launceston and is consistent with the Northern Tasmanian Regional Land Use Strategy and State policies.

RISK IMPLICATIONS:

Not considered relevant to this report.

ECONOMIC, ENVIROMENTAL AND SOCIAL IMPACT:

The Tasmanian Planning Scheme - Launceston contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such the economic, environmental and social impacts have been considered.

STRATEGIC DOCUMENT REFERENCE:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston

BUDGET AND FINANCIAL IMPLICATIONS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The author and General Manager have no interests to declare in this matter.

ATTACHMENTS:

1. Attachment 1 - D A 0140.2024 - Instrument [**11.2.1** - 1 page]
2. Attachment 4 - 1. D A 0140.2024 - Application Documents - Council Application Form [**11.2.2** - 5 pages]
3. Attachment 4 - 2. D A 0140.2024 - Application Documents - Form 1 - Dawkins [**11.2.3** - 3 pages]
4. Attachment 4 - 3. D A 0140.2024 - Application Documents - Form 1 - Rosier [**11.2.4** - 3 pages]
5. Attachment 4 - 4. D A 0140.2024 - Application Documents - DSG Consent [**11.2.5** - 2 pages]
6. Attachment 4 - 5. D A 0140.2024 - Application Documents - Council Consent [**11.2.6** - 4 pages]
7. Attachment 4 - 6. D A 0140.2024 - Application Documents - Title Documents [**11.2.7** - 20 pages]
8. Attachment 4 - 7. D A 0140.2024 - Application Documents - Planning Report [**11.2.8** - 97 pages]
9. Attachment 4 - 8. D A 0140.2024 - Application Documents - Response to RFI [**11.2.9** - 3 pages]
10. Attachment 4 - 9. D A 0140.2024 - Application Documents - Proposal Plan [**11.2.10** - 1 page]
11. Attachment 4 - 10. D A 0140.2024 - Application Documents - BAL Treatment Plan Option [**11.2.11** - 1 page]
12. Attachment 4 - 11. D A 0140.2024 - Application Documents - Agricultural Report [**11.2.12** - 36 pages]
13. Attachment 4 - 12. D A 0140.2024 - Application Documents - Bushfire Report [**11.2.13** - 38 pages]
14. Attachment 4 - 13. D A 0140.2024 - Application Documents - Natural Values Report [**11.2.14** - 36 pages]
15. Attachment 4 - 14. D A 0140.2024 - Application Documents - Rural Living Market Assessment [**11.2.15** - 32 pages]
16. Attachment 4 - 15. D A 0140.2024 - Application Documents - TIA [**11.2.16** - 60 pages]
17. Attachment 4 - 16. D A 0140.2024 - Application Documents - Wastewater report [**11.2.17** - 26 pages]
18. Attachment 5 - D A 0140.2024 - Tas Water SPAN [**11.2.18** - 6 pages]
19. Attachment 6 - D A 0140.2024 - Documents to Endorse [**11.2.19** - 198 pages]
20. DA0140 2024 Attachment 2 LUPAA Assessment [**11.2.20** - 25 pages]
21. DA0140 2024 Attachment 3 Planning Assessment [**11.2.21** - 15 pages]

ATTACHMENT 2

Strategic Assessment - Response to Requirements for Local Provisions Schedule under LUPAA

Section 34(2) of LUPAA requires a relevant planning instrument to meet all of the following criteria:

(a) contains all the provisions that the SPPs specify must be contained in an LPS

The proposed amendment applies to 40768 Tasman Highway, Waverley (CT104384/2) and unaddressed title CT104384/4. Both titles are zoned Rural and are subject to several overlays within the Tasmanian Planning Scheme - Launceston. The proposed planning scheme amendment complies with the SPP requirements for an LPS.

(b) is in accordance with section 32

This section identifies the technical aspects of an LPS such as inclusion of zone maps and overlays, and what additional local provisions can be included if permitted to do so under the State Planning Provisions (SPPs), to add to or override the SPPs. As the proposed amendment is for a rezoning only, sections 32(3) and (4) are not applicable to the assessment of this application. Section 32(2) is relevant:

(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.*

The rezoning is occurring within the Launceston municipality. The change will result in the provisions of the Rural Living zone being applicable for future assessment. The change will include updated zoning mapping for the property. The provisions are consistent with the contents of the State Planning Provisions, and meet the requirements of section 32(2).

(c) furthers the objectives set out in Schedule 1 of LUPAA

Assessment of the amendment against the Schedule 1 objectives is provided in the following table.

Part 1 Objectives	Planning Assessment
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity</i>	The site currently sits cleared and vacant within a rural area, containing priority vegetation. A supporting flora and fauna report has identified a small portion of native vegetation along the creek line. None of this vegetation is proposed to be

	removed as part of the subdivision application. Future development applications will be subject to the Natural Values Code, ensuring ecological and genetic diversity is able to be sustained.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water</i>	The proposed amendment will allow the property to be developed for residential use. It is an orderly continuation of the surrounding rural living area, allowing for a mix of future housing types.
<i>(c) to encourage public involvement in resource management and planning</i>	The statutory process for the assessment of a planning scheme amendment involves a public notification period. Any representations received will be formally considered by the Planning Authority. The Planning Authority is required to report on any representations to the Tasmanian Planning Commission, which in turn may hold public hearings into representations.
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</i>	The amendment will facilitate the creation of up to 23 new residential lots, which in turn will allow for the development of new residential development on those properties, facilitating economic development. The rezoning will enable more efficient use of the land resource than what is currently possible in the rural zone. Land capability finds the existing scale is unable to be farmed in conjunction with other land due to the disconnect from other rural land and is unsuitable for high value horticultural activity.
<i>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State</i>	Community, industry, and other government agencies will have the opportunity to comment on the proposed planning scheme amendment during the public notification period.

Part 2 Objectives	
(a) <i>to require sound strategic planning and co-ordinated action by State and local government</i>	The proposal is considered to be compliant with the relevant sections of the NTRLUS, ensuring sound strategic planning.
(b) <i>to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land</i>	The rezoning does not remove any existing planning requirements as set out within the SPP's or LPS.
(c) <i>to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land</i>	The rezoning will not facilitate the removal of any native vegetation and there is low risk of impact to flora and fauna species. The proposal will not compromise and social or economic inputs. The concurrent subdivision application has considered environmental impacts, as any future development will be required to as well.
(d) <i>to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels</i>	The proposal is consistent and compliant with all relevant policies at state, regional and municipal levels.
(e) <i>to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals</i>	The application is made under 40T, which allows for the combined scheme amendment and development application concurrently.
(f) <i>to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation</i>	Rural living lots by nature and policy are larger, encouraging healthy and pleasant lifestyle in a safe environment.
(g) <i>to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value</i>	There will be no impacts to any buildings, historical or otherwise.

(h) <i>to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community</i>	The site is able to connect into reticulated water services, and has suitable vehicular access.
(i) <i>to provide a planning framework which fully considers land capability.</i>	The agricultural report has identified the site as containing a mixture of class 4 - 6 land. The lands capability has generally being considered as poor. The rezoning is a natural land use progression.

(d) is consistent with each State policy

The state policies are listed below, noting that none are applicable for the assessment of this amendment.

State Policy	Planning Assessment
<i>State Policy on the Protection of Agricultural Land 2000</i>	The policy is applicable noting the land is currently zoned Agriculture, and the new zoning rural living. The purpose of the policy is to: <i>Conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land</i> The policy then outlines 11 principles to ensure the objective is achieved. An Agricultural Report (July 2023), prepared by RMCG was submitted with the application. Compliance with the relevant principles and policy overall is outlined below: <u>Principle 1</u>

	<i>Agricultural land is a valuable resource and its use for the sustainable development of agriculture should not be unreasonably confined or restrained by non-agricultural use or development.</i> <u>Response:</u> The Agricultural report has stated that approximately 23ha of pasture was predominantly utilised for horse grazing, and that the land displays characteristics of hobby scale farming. The report confirms that land as this is best farmed in conjunction with other land, however noting limited opportunities for this to occur due to surrounding land use and constraints, the loss of and to the wider agricultural estate is considered to be minimal. Furthermore, the land is unsuitable for high value horticultural activity. <u>Principle 2</u> <i>Use or development of prime agricultural land should not result in unnecessary conversion to non-agricultural use or agricultural use not dependent on the soil as the growth medium.</i> <u>Response:</u> The site does not contain prime agricultural land. <u>Principle 3</u> <i>Use or development, other than residential, of prime agricultural land that is directly associated with, and a subservient part of, an agricultural use of that land is consistent with this Policy.</i> <u>Response:</u>
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	The site does not contain prime agricultural land. <u>Principle 4</u> <i>The development of utilities, extractive industries and controlled environment agriculture on prime agricultural land may be allowed, having regard to criteria, including the following:</i> <i>(a) minimising the amount of land alienated;</i> <i>(b) minimising negative impacts on the surrounding environment; and</i> <i>(c) ensuring the particular location is reasonably required for operational efficiency.</i> <u>Response:</u> The site does not contain prime agricultural land. <u>Principle 5</u> <i>Residential use of agricultural land is consistent with this Policy where it is required as part of an agricultural use or where it does not unreasonably convert agricultural land and does not confine or restrain agricultural use on or in the vicinity of that land.</i> <u>Response:</u> As demonstrated by the agricultural report, the site is limited in terms of productive agricultural uses. The conversion of the site for residential purposes will have no impact on agricultural uses within the vicinity of the site. This is due to existing surrounding residential uses. <u>Principle 6</u>
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	<i>Proposals of significant benefit to a region that may cause prime agricultural land to be converted to non-agricultural use or agricultural use not dependent on the soil as a growth medium, and which are not covered by Principles 3, 4 or 5, will need to demonstrate significant benefits to the region based on an assessment of the social, environmental and economic costs and benefits.</i> <u>Response:</u> The site does not contain prime agricultural land. <u>Principle 7</u> <i>The protection of non-prime agricultural land from conversion to non-agricultural use will be determined through consideration of the local and regional significance of that land for agricultural use.</i> <u>Response:</u> The change to a residential use will have a negligible effect on the level on the benefit of social, environmental, and economic costs and benefits. This is supported by the limited capabilities of the site for rural purposes. <u>Principle 8</u> <i>Provision must be made for the appropriate protection of agricultural land within irrigation districts proclaimed under Part 9 of the Water Management Act 1999 and may be made for the protection of other areas that may benefit from broad-scale irrigation development.</i> <u>Response:</u> The site is not located within a proclaimed irrigation district.
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	<u>Principle 9</u> <i>Planning schemes must not prohibit or require a discretionary permit for an agricultural use on land zoned for rural purposes where that use depends on the soil as the growth medium, except as prescribed in Principles 10 and 11.</i> <u>Response:</u> Not applicable to the assessment of this amendment. <u>Principle 10</u> <i>New plantation forestry must not be established on prime agricultural land unless a planning scheme reviewed in accordance with this Policy provides otherwise. Planning scheme provisions must take into account the operational practicalities of plantation management, the size of the areas of prime agricultural land, their location in relation to areas of non-prime agricultural land and existing plantation forestry, and any comprehensive management plans for the land.</i> <u>Response:</u> Not applicable to the assessment of this amendment. <u>Principle 11</u> <i>Planning schemes may require a discretionary permit for plantation forestry where it is necessary to protect, maintain and develop existing agricultural uses that are the recognised fundamental and critical components of the economy of the entire municipal area, and are essential to maintaining the sustainability of that economy.</i> <u>Response:</u>
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	Not applicable to the assessment of this amendment.
State Policy on Water Quality Management 1997	The purpose of the State Policy is: <i>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.</i> The provisions of this Policy area reflected in C7.0 Natural Assets Code in the planning scheme and is considered as part of the assessment of the proposed planning permit application. The assessment of the application addresses this Code and will be appropriately conditioned to achieve the objectives of this Policy.
State Coastal Policy 1996	The site is not located within 1km of the coast, and as such the policy is not applicable.
National Environmental Protection Measures (NEPM)	The proposal is not for any activities that would impact the NEPMs. Should any contamination issues be discovered in the future, these would be addressed under C14.0 Potentially Contaminated Land Code. In relation to air and water quality, the provisions of the applicable zone which relate to stormwater, the Natural Assets Code and Attenuation Code, the <i>Urban Drainage Act 2013</i> and the <i>Environmental Management and Pollution Control</i>

(da) satisfies the relevant criteria in relation to the TPPs

The Tasmanian Planning Policies have not yet been implemented.

- (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***

The applicable regional land use strategy for Launceston is the Northern Tasmanian Regional Land Use Strategy (NTRLUS).

The site is located within a rural area, as identified in the Regional Framework Map D.1. The key principals of a rural areas require that planning for Rural Areas should consider the way in which it can:

- *Conserve and manage rural areas to enhance their contribution to the regional economy, rural industries and regional rural landscape values;*
- *Support rural and environmental lifestyle opportunities in appropriate locations (Rural Residential Areas) as a legitimate residential choice subject to appropriate location criteria and where it does not compromise or fragment productive rural land;*
- *Encourage the participation of rural communities in determining planning outcomes and identifying the benefits of regional growth;*
- *Provide and maintain appropriate levels of infrastructure and services to support Rural Residential Area;*
- *Recognise that the Furneaux Group of Islands are more reliant on local strategies for Rural Residential Area and the protection of agricultural land to respond to the complexities of the remote area economics;*
- *Accommodate the required growth of rural villages;*
- *Consolidate future rural population growth within existing rural settlements and associated Rural Residential Area;*
- *Ensure land use and water management policies and regulations do not unreasonably constrain the development of agriculture, agribusiness, and appropriate ecotourism and recreation opportunities in Rural Areas;*
- *Protect quality agricultural land from incompatible development and provide for the expansion of agricultural production in Productive Resource Areas;*
- *Promote 'clustering' of residential development in Rural Residential Areas where a higher density of development is appropriate;*

- *Identify and protect mineral resources from inappropriate development; and*
- *Permit secondary or non-agricultural land uses where water quality, scenic rural landscapes, agricultural activities and the natural environment are not adversely impacted and the strategic purpose of rural land use zones is not undermined, preferably in locations proximate to existing settlement.*

The site has been established as having limited potential for agricultural or rural functions, noting its loss to the overall agricultural estate would be negligible. The location of the site is appropriate for rural living and residential living, and is consistent with the criteria for intensification or expansion of rural residential areas identified in C2.2.2 of the NTRLUS. Through public exhibition, rural communities will have the opportunity to comment on the proposed change in zoning. The site location is appropriate for the level of services required for rural living, and is accessible via the established road network. The zoning is consistent with the existing surrounding land uses, and will not hinder or constrain existing rural uses.

It is necessary to consider the requirements for Rural Residential Areas under D2.2.2 of the NTRLUS which identifies:

'Opportunities to increase the capacity of established Rural Residential Areas, where it can meet sustainability criteria will be given higher priority than their expansion. However, it may be preferable to expand established Rural Residential Areas, or establish new Rural Residential Areas where it can be demonstrated that this better meets sustainability objectives and supports local strategies for growth of settlements'.

D2.2.2 looks at intensification or expansion of established Rural Residential Areas, or new Rural Residential Areas must balance a range of matters including:

- *Impact on the agricultural and environmental values of the land and surrounding areas;*
- *Proximity to existing settlements containing social services*
- *Land use efficiency, consolidating gaps in established rural residential land use patterns;*
- *Access to road infrastructure with capacity to support an intensified land use;*
- *On-site waste water system suitability;*
- *Impact on natural values or the potential land use limitations as a result of natural values;*
- *Impact on agricultural land and land conversion;*

- *Impact on water resources required for agricultural and environmental purposes;*
- *Consideration of natural hazard management;*
- *The housing mix available in a locality and the contribution additional rural residential land use may make in support of settlements;*
- *Potential future requirement for the land for urban purposes; and*
- *The ability to achieve positive environmental outcomes through rezoning.*

There will be limited impact on agricultural and environmental values. This is supported by the Agricultural Report (RMCG, July 2023) that identifies limited viability of the site for rural purposes, and a Flora and Fauna (RMCG, July 2025) identifies the limited ecological value of the site will be retained. The site is within reasonable proximity to services at St Leonards and Newstead. The zoning will be a contiguous expansion of existing rural living lots in the area. Access is existing with the road network able to accommodate an increase in vehicle movements, and each site able to accommodate on-site wastewater systems. The site is situated within a Bushfire-Prone Area, however as demonstrated through the Bushfire Hazard Management Plan (RMCG, July 2025) the land is capable of being developed for future subdivision with respect to the hazard.

Comments against the relevant NTRLUS policies and actions are provided below:

REGIONAL SETTLEMENT NETWORK POLICY

<i>Specific Policies and Actions</i>		<i>Planning Assessment</i>
<i>Policy</i>	<i>Action</i>	
<i>Rural and Environmental Living Development</i>		
<i>G-RSN-P21 Rural and environmental lifestyle opportunities will be provided outside urban areas.</i>	<i>G-RSN-A20 Rural living land use patterns will be identified based on a predominance of residential land use on large lots in rural settings with limited service capacity.</i>	<i>The site is mapped in the NTRLUS as outside of the urban growth area, and in a rural area. The site and subsequent rezoning is contiguous to the existing identified node of rural living land within the Waverley and St Leonards area to the south and east. The site is limited in its ability to provide full services, with only potential for connection to water available.</i>
<i>G-RSN-P22</i>		

<i>Rural and environmental lifestyle opportunities will reflect established Rural Residential Areas.</i> G-RSN-P23 <i>Growth opportunities will be provided in strategically preferred locations for rural living and environmental living based on sustainability criteria and will limit further fragmentation of rural lands.</i> G-RSN-P24 <i>Growth opportunities for rural living will maximise the efficiency of existing services and infrastructure.</i> G-RSN-P25 <i>Recognise that the Furneaux Group of islands are more reliant on local strategies for Rural Residential Areas and the protection of agricultural land that respond to the complexities of remote area economics and the need to retain or increase population and visitation.</i>	G-RSN-A21 <i>Planning schemes should prioritise the consolidation of established Rural Residential Areas over the creation of Rural Residential Areas.</i> G-RSN-A22 <i>Target growth to preferred areas based on local strategy and consolidation of existing land use patterns.</i> G-RSN-A23 <i>Planning scheme provisions must specifically enable subdivision opportunities in preferred areas by setting minimum lot sizes based on locality.</i> G-RSN-A24 <i>Future locations of the Rural Living Zone should not require extension of Urban Growth Areas, or compromise the productivity of agricultural lands and natural productive resources (within Rural Areas).</i>	<i>The proposal is considered to be a consolidation of established rural residential areas.</i> <i>The concurrent subdivision application adheres to the planning scheme provisions relating to subdivision standards within the rural living zone.</i> <i>No extension to the urban growth area is proposed, nor does the rezoning compromise the productive agricultural potential of the site. The site has been assessed as having limited environmental values, and those values that have been identified are able to be protected through scheme provisions.</i> <i>The site is identified within the Eastern Approaches Long Term Conceptual Development Plan 2010, earmarked for rural residential (rural living) zoning. The Launceston Residential Strategy 2009-2029 is considered to be the local strategy to support the change in zone. The LRS has identified the need to maintain a level of rural residential land, supporting the current rezoning.</i> ▪ Proximity to existing settlements containing social services <i>The site is approximately 3.8km east of Newstead, and 6.5km east of the Launceston CBD. This ensures its proximity to social services.</i> ▪ Access to road infrastructure with capacity <i>The site will be accessed through Tasman Highway, which has sufficient capacity to support new residential traffic.</i>
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	G-RSN-A25 <i>Ensure future locations for rural residential opportunities do not compromise environmental values.</i> G-RSN-A26 <i>Consolidation and growth of Rural Residential Areas is to be directed to areas identified in local strategy, that align with the following criteria (where relevant):</i> ▪ <i>Proximity to existing settlements containing social services;</i> ▪ <i>Access to road infrastructure with capacity;</i> ▪ <i>On-site waste water system suitability;</i> ▪ <i>Consideration of the impact on natural values or the potential land use limitations as a result of natural values;</i> ▪ <i>Minimisation of impacts on agricultural land and land conversion;</i>	▪ On-site waste water system suitability <i>The concurrent subdivision application demonstrates that new residential lots are of an appropriate size to allow to on-site waste water treatment.</i> ▪ Consideration of the impact on natural values or the potential land use limitations as a result of natural values <i>A supporting Flora and Fauna Report (RMCG, July 2025) has reviewed the natural values of the site. The report found a small portion of the site contains threatened vegetation, located along the creek line. The site is larger enough to allow development without clearing this vegetation to maintain biodiversity values.</i> ▪ Minimisation of impacts on agricultural land and land conversion <i>An Agricultural Report (RMCG, July 2023) was provided in support of the application. The report demonstrates that the change of zoning to residential will have minimal impact on the agricultural values of the site.</i> ▪ Minimisation of impacts on water supply required for agricultural and environmental purposes <i>The rezoning will have no impact on water supply required for agricultural or environmental purposes.</i>
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	▪ <i>Minimisation of impacts on water supply required for agricultural and environmental purposes;</i> ▪ <i>Consideration of natural hazard management;</i> ▪ <i>Existing supply within the region;</i> ▪ <i>Potential for future requirement for the land for urban purposes; and</i> ▪ <i>The ability to achieve positive environmental outcomes through the rezoning.</i>	▪ Consideration of natural hazard management <i>The site contains a small portion of low landslip area along its western boundary. The site is also bushfire prone. There are no implications for natural hazard management, noting they are able to be dealt with under the provisions of the planning scheme.</i> ▪ Existing supply within the region <i>The supplied Rural Living Market Assessment (Urban Enterprise, February 2024) has reviewed the supply within the region. The report concludes that the rezoning will contribute to maintaining 15% housing stock as required by the Launceston Regional Land Use Strategy, assisting in maintaining rural living stock within the region.</i> ▪ Potential for future requirement for the land for urban purposes <i>There is no known potential for the site to be utilised for urban purposes.</i> ▪ The ability to achieve positive environmental outcomes through the rezoning. <i>The rezoning will maintain the priority vegetation buffer existing over the site.</i>
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REGIONAL INFRASTRUCTURE NETWORK POLICY

<i>Specific Policies and Actions</i>		<i>Planning Assessment</i>
<i>Policy</i>	<i>Action</i>	
<i>Specific Policies and Actions</i>		
<i>RIN-P1</i> Coordinate, prioritise and sequence the supply of infrastructure throughout the region to match the settlement framework. <i>RIN-P2</i> Identify infrastructure capacity, need and gaps in current provision to meet requirements for projected population and economic activity.	<i>RIN-A1</i> Liaise with relevant state agencies including the Department of State Growth to develop transport initiatives. <i>RIN-A2</i> Liaise with relevant state agencies, including the Department of State Growth, to develop infrastructure strategies for Northern Tasmania.	<i>The Department of State Growth provided consent to lodge the application, noting that changes to the Tasman Highway are occurring as part of the concurrent subdivision application.</i>

<i>RIN-P3</i> <i>Direct new development towards settlement areas that have been identified as having spare infrastructure capacity</i>	<i>RIN-A3</i> <i>Direct growth to areas where existing infrastructure capacity is underutilised and give preference to urban expansion that is near existing transport corridors and higher order Activity Centres.</i>	<i>With access to the Tasman Highway, the site is located within an area with existing infrastructure capable to connecting to surrounding settlements, towns, and the Launceston CBD.</i> <i>The supporting Traffic Impact Assessment (TCS, December 2024) has provided traffic volume information on the concurrent subdivision application for the site. It has been demonstrated that a property within the rural living zone is capable of being developed without negatively impacting on the road network.</i>
<i>RIN-P4</i> <i>Recognise the Department of State Growth Road Hierarchy and protect the operation of major road and rail corridors (existing and planned) from development that will preclude or have an adverse effect upon existing and future operations.</i> <i>RIN-P5</i> <i>Recognise the region's port, airport and other intermodal facilities (existing and planned), including operations, and protect from development</i>	<i>RIN-A7</i> <i>Protect the region's road and rail infrastructure network and enable a transition between compatible land uses and an adequate separation between conflicting development that would compromise safe and efficient operations of existing and future planned road and rail corridors.</i> <i>RIN-A8</i> <i>Protect strategic road corridors that are predominately State Roads (Category 1-3) under</i>	<i>The road network is of a sufficient size to accommodate a change to residential traffic. This is further supported by an upgrade to the Tasman Highway and Boomer Road junction.</i>

<i>that will preclude or have an adverse impact</i>	<i>Tasmanian Road Hierarchy which include: ▪ Tasman Highway </i>	
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REGIONAL ENVIRONMENT POLICY

<i>Specific Policies and Actions</i>		<i>Planning Assessment</i>
<i>Policy</i>	<i>Action</i>	
<i>Biodiversity and native Vegetation</i>		
<i>BNV-P01 Implement a consistent regional approach to regional biodiversity management, native vegetation communities and native fauna habitats including comprehensive spatial regional biodiversity mapping.</i>	<i>BNV-A01 Apply appropriate zoning and/or overlays through planning schemes to protect areas of native vegetation.</i>	<i>The priority vegetation overlay will be retained with the new rural living zoning. As such, biodiversity is able to be managed through the Natural Hazards Code within the scheme. The Flora and Fauna Report accompanying the application has confirmed that the concurrent subdivision application and development of the site will not impact on areas of native vegetation.</i>
<i>BNV-P02</i>		

<i>Except where planning scheme provisions provide for exemptions, restrict land clearing and disturbance of intact natural habitat and vegetation areas, including areas of forest and non-forest communities declared under the Nature Conservation Act, coastal wetlands and remnant and appropriate cultural vegetation within settlement areas.</i> <i>BNV-P03 Land use planning is to minimise the spread and impact of environmental weeds.</i> <i>BNV-P04 Land use planning processes are to be consistent with any applicable conservation area management plans or natural resource management strategy</i>		
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REGIONAL ECONOMIC DEVELOPMENT

<i>Specific Policies and Actions</i>	<i>Planning Assessment</i>
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Policy	Action	
Rural Land Natural Productive Resources		
<i>ED-P6 Encourage sustainable and appropriate land use planning practices that seek to manage development and use of the region's natural resources.</i> <i>ED-P7 Prevent the loss of future rural production (including agriculture, mineral extraction, forestry).</i> <i>ED-P8 Manage the region's natural economic resources to sustainably and efficiently meet the needs of existing and future communities.</i>	<i>ED-A6 Apply a regionally consistent GIS spatial methodology and mapping of productive agricultural land.</i> <i>ED-A7 Protect the long-term operation of rural industries and support an expanded agricultural sector.</i> <i>ED-A9 Limit the encroachment of 'Rural Residential' styles of development onto existing and potential agricultural lands.</i> <i>ED-A11 Identify natural economic resource areas and protect from further fragmentation and inappropriate land use.</i> <i>ED-A12 Identify and protect extractive and mineral resources for potential future extraction (including providing appropriate transport corridors</i>	<i>The provided Agricultural Report (RMCG, July 2024) has demonstrated that the site is constrained in its capability to operate for primary industry purposes. The rezoning will have a negligible effect on the rural estate. The rural living zone in this location is not considered to be an encroachment but rather an expansion, as the site has limited potential for agricultural uses.</i>

	<i>and buffers) and protect these, ensuring that planning preserves the opportunity for discovery and development of new resources in appropriate areas.</i> <i>ED-A13 Manage, enhance and protect marine, estuarine and freshwater habitats, from development that would adversely impact upon sustainable fish stock levels, or fisheries production</i>	
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(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

The municipal strategic plan is the City of Launceston Strategic Plan 2025-2035 (CSP), adopted in June 2025. The CSP details three pillars of vision, each with three goals, with subsequent objectives and actions. Pillar 2 is relevant to the amendment:

Pillar 2: Place

- *Goal 2.1 Plan for current and medium-term housing and infrastructure needs while maintaining a focus on a longer-term growth projection of 100,000 residents.*
- *Goal 2.2 Launceston's transport system connects communities, reduces car dependency in activity centres and corridors, and promotes active transportation options.*
- *Goal 2.3. Launceston's community is connected to our Aboriginal and built heritage, while growing a city of the future.*

The proposed draft amendment aligns with the strategy by allowing for a rezoning that is contiguous to existing rural living land that will assist in the growth of residents by supplying 22 new vacant lots. The zone will ensure a continued range of property and housing types within a rural setting, and protect the biodiversity on the site through the retention of the priority vegetation overlay. The rezoning will ensure sufficient rural living opportunities continue to become available

(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

The subject site is not located adjacent to a shared municipal boundary.

(h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.

The site is not located in the vicinity of the gas distributor pipeline.

Guideline No. 1

Guideline No. 1 Local Provisions Schedule: zone and code application was issued by the Tasmanian Planning Commission under Section 8A of LUPAA with the approval of the Minister for Planning and Local Government in June 2018 and sets out the application guidelines for the State Planning Provisions.

Rural Living Zone	
Zone/Code Application Guidelines	Planning Response
RLZ 1 The Rural Living Zone should be applied to: (a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity; or	The rezoning meets (a). The change to the rural living zone will allow larger lots for residential use, contiguous to adjacent rural living and rural properties. The change will maintain the rural residential amenity of the area.

(b) land that is currently a Rural Living Zone within an interim planning scheme or a section 29 planning scheme, unless RLZ 4 below applies.	
RLZ 2 The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless: (a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; or (b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater.	The rezoning is supported by the <i>Launceston Residential strategy 2009-2029</i> and the <i>Eastern Approaches Long Term Conceptual Development Plan (2010)</i>. The change will result in a supply of rural living lots within the municipality as required by the strategy, on a site that has been identified for such change.
RLZ 3 The differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on : (a) a reflection of the existing pattern and density of development within the rural living area; or (b) further strategic justification to support the chosen minimum lot sizes consistent with the relevant regional land	Rural Living A will allow lots over 1ha to be subdivided. This is consistent with the existing pattern of density with adjacent properties maintaining such zoning.

use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.	
RLZ 4 The Rural Living Zone should not be applied to land that: (a) is suitable and targeted for future greenfield urban development; (b) contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see Landscape Conservation Zone), unless the values can be appropriately managed through the application and operation of the relevant codes; or (c) is identified in the 'Land Potentially Suitable for Agriculture Zone' available on the LIST (see Agriculture Zone), unless the Rural Living Zone can be justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.	The site is not suitable or targeted for future greenfield urban development, as demonstrated through the NTRLUS. Furthermore, there are no scenic qualities existing over the site, and the landscape values are able to be adequately managed through zone standards. The supporting Agricultural Report (RMCG, July 2023) establishes that the site is not suitable for an Agriculture Zone, and that rural living is better aligned with the requirements of the regional and local strategies.

ATTACHMENT 3 - STATUTORY ASSESSMENT

PLANNING SCHEME REQUIREMENTS

Zone Purpose

3.1 Zone Purpose

11.0 Rural Living Zone

The purpose of the Rural Living Zone is:

11.0.1 To provide for residential use or development in a rural setting where:

- (a) services are limited; or
- (b) existing natural and landscape values are to be retained.

11.0.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.

11.0.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.

11.0.4 To provide for Visitor Accommodation that is compatible with residential character.

Consistent

The subdivision will allow for residential use to occur within a rural setting noting that the existing landscape values can be retained, meeting the purpose of the zone.

11.4.1 Site coverage

That the site coverage:

- (a) is compatible with the character of existing development in the area; and
- (b) assists with the management of stormwater runoff.

Consistent

Site coverage will only affect Lot 17. The site coverage of this lot is compatible with the existing development in the area, and is able to effectively manage stormwater, meeting the objective.

A1 The site coverage must be not more than 400m².

Relies on Performance Criteria

Lot 17 contains two existing dwellings and outbuildings associated with the former rural use. The site coverage for this title will be approximately 750sqm, and as such reliance on the performance criteria is required.

P1 The site coverage must be consistent with that existing on established properties in the area, having regard to:

- (a) the topography of the site;
- (b) the capacity of the site to absorb runoff;
- (c) the size and shape of the site;
- (d) the existing buildings and any constraints imposed by existing development;
- (e) the need to remove vegetation; and
- (f) the character of development existing on established properties in the area.

Complies

All development on the lot is existing. The retention of the buildings will ensure no further development is proposed (such as demolition). The site will maintain its existing stormwater arrangements, being on-site retention and drainage over overland paths, meeting the performance criteria.

11.4.2 Building height, setback and siting

That height, setback and siting of buildings:

- (a) is compatible with the character of the area;
- (b) does not cause an unreasonable loss of amenity;
- (c) minimises the impact on the natural values of the area; and
- (d) minimises the impact on adjacent uses.

Consistent

The existing buildings on site will not cause an unreasonable loss of amenity and will minimise impacts on adjacent sensitive uses, meeting the objective of the clause.

A3 Buildings must have a setback from side and rear boundaries of not less than 10m.

Relies on Performance Criteria

There are several small outbuildings within lot 17 that are setback less than 10m from the northern side boundary. However, as this boundary and the buildings are existing, it is not considered necessary to consider the clause. Notwithstanding, it is noted that the southern existing dwelling is setback 4.8m from the new southern side boundary, and therefore reliance on the performance criteria is required.

P3 Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to:

- (a) the topography of the site;
- (b) the size, shape and orientation of the site;
- (c) the setbacks of surrounding buildings;
- (d) the height bulk and form of existing and proposed buildings;

- (e) the character of the development existing on established properties in the area; and
- (f) any overshadowing of adjoining properties or public places.

Complies

The dwellings setback is considered reasonable. It is noted that the design of the subdivision overall has considered the existing topography and lot size requirements. As the dwelling is existing, any future development on the southern adjoining lot will be able to consider the existing impact from the dwelling. There will be no overshadowing of adjoining properties, with the proposal meeting the performance criteria.

11.5.1 Lot design

That each lot:

- (a) has an area and dimensions appropriate for use and development in the zone;
- (b) is provided with appropriate access to a road; and
- (c) contains areas which are suitable for residential development.

Consistent

The proposal ensures that each lot is of a size and dimension appropriate for a residential use, accessible via a road, and is suitable for development, meeting the objective.

A1 Each lot, or a lot proposed in a plan of subdivision, must:

- (a) have an area not less than specified in Table 11.1 and:
 - (i) be able to contain a minimum area of 15m x 20m clear of:
 - a. all setbacks required by clause 11.4.2 A2 and A3; and
 - b. easements or other title restrictions that limit or restrict development; and
 - (ii) existing buildings are consistent with the setback required by clause 11.4.2 A2 and A3;
- (b) be required for public use by the Crown, a council or a State authority;
- (c) be required for the provision of Utilities; or
- (d) be for the consolidation of a lot with another lot provided each lot is within the same zone.

Relies on Performance Criteria

Under Table 11.1, Rural Living A lots must have a minimum lot size of 1ha. All properties meet this size requirement. Furthermore, each lot is able to contain a minimum area of 51m x 20m that is able to meet the acceptable solutions for setbacks under clause 11.4.2 A2 and A3, as well as clear of any easements.

However, an existing building on lot 17 is unable to meet the acceptable solution for the southern side setback under clause 11.4.2, and therefore the proposal relies on the performance criteria.

P1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use, having regard to:

- (a) the relevant requirements for development of existing buildings on the lots;
- (b) the intended location of buildings on the lots;
- (c) the topography of the site;
- (d) any natural or landscape values;
- (e) adequate provision of private open space; and
- (f) the pattern of development existing on established properties in the area,
- (g) and must be no more than 20% smaller than the applicable lot size required by clause 11.5.1 A1.

Complies

The location of the building is not expected to impact the ability for Lot 17 to be utilised for residential purposes. The buildings are established, and the site is large enough to accommodate future development if necessary. There is adequate provision for private open space, and the location of the buildings in terms of side setbacks are consistent with other dwellings in the area, notable the existing sheds on site in relation to the northern side setback. The development meets the performance criteria.

A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 40m.

Relies on Performance Criteria

The following lots have a frontage less than 40m wide:

Lots 9, 12, 13, 14, 15, 16, 17, 18, 21, and 22. All other lots exceed the 40m frontage. As such, reliance on the performance criteria is required.

P2 Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:

- (a) the width of frontage proposed, if any;
- (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;
- (c) the topography of the site;
- (d) the functionality and useability of the frontage;
- (e) the ability to manoeuvre vehicles on the site; and
- (f) the pattern of development existing on established properties in the area,

and is not less than 3.6m wide.

Complies

Lots 9, 12, 13, and 16 will each have a useable and safe frontage access constructed in accordance with relevant standards. Lots 14 and 15 will utilise a shared right of way, at 18.0m wide it is appropriate to provide access to both lots. Lots 17 and 18 will share a 14.0m wide access strip in the form of a right of way allowing access. Lot 17 will also retain access to Tasman Highway. Lots 21 and 22 will also share a 14.0m wide access strip in the form of a right of way.

The access areas were chosen taking into consideration the mild topography of the lane. Each lot will have a safe and useable access from a public road, with an ability to manoeuvre into and out of each property. Surrounding rural living estates have several examples of similar accesses sharing right of ways or access strips, especially for internal lots. All lots will have a frontage that exceeds 3.6m.

The proposal complies with the performance criteria.

A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.

Complies

Each lot will have vehicular access to a frontage that will be constructed in accordance with the requirements of the road authority.

11.5.2 Roads

That the arrangement of new roads with a subdivision provides:

- (a) safe, convenient and efficient connections to assist accessibility and mobility of the community;
- (b) adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and
- (c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.

Consistent

The inclusion of a new road will ensure safe, convenient, and efficient connections to all properties, meeting the objective.

A1 The subdivision includes no new roads.

Relies on Performance Criteria

As a new road is proposed, reliance on the performance criteria is required.

P1 The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, having regard to:

- (a) any relevant road network plan adopted by the council;
- (b) the existing and proposed road hierarchy;
- (c) maximising connectivity with the surrounding road network;
- (d) appropriate access to public transport; and
- (e) access for pedestrians and cyclists.

Complies

The new road will be in the form of a cul-de-sac. Noting there is not road network plan, the cul-de-sac will connect into Boomed Road to a rural standard, which has been established within the area. No public transport exists within the immediate area. Pedestrians and cyclists will be able to utilise the road, noting the rural nature of the area. The application meets the performance criteria.

11.5.3 Services

That the subdivision of land provides services for the future use and development of the land.

Consistent

Each lot will be able to be adequately serviced, meeting the objective.

A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:

- (a) be connected to a full water supply service if the frontage of the lot is within 30m of a full water supply service; or
- (b) be connected to a limited water supply service if the frontage of the lot is within 30m of a limited water supply service,
- (c) unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.

Complies

Each lot will connect into reticulated water.

A2 Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living Zone C or Rural Living Zone D or for public open space, a riparian or littoral reserve or Utilities, must:

- (a) be connected to a reticulated sewerage system; or
- (b) be connected to a reticulated sewerage system if the frontage of each lot is within 30m of a reticulated sewerage system and can be connected by gravity feed.

Relies on Performance Criteria

As no reticulated sewerage connections are proposed, reliance on the performance criteria is required.

P2 Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living Zone C or Rural Living Zone D or for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.

Complies

The site will be rezoned to Rural Living A. Each lot is of a sufficient size to accommodate on-site wastewater treatment systems adequate to facilitate future use and development of the land, meeting the performance criteria.

C3.0 Road and Railway Assets Code

The purpose of the Road and Railway Assets Code is:

C3.1.1 To protect the safety and efficiency of the road and railway networks;
and

C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network.

Consistent

The proposal ensures the safety and efficiency of the road network is retained, meeting the purpose of the code.

C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.

Consistent

The proposal ensures minimal adverse effects on the safety and efficiency of the road network, meeting the objective.

A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.

Relies on Performance Criteria

Whilst consent to lodge the application has been granted, written consent for the new junction on Boomer Road is still outstanding, and therefore reliance on the performance criteria is required.

A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.
Complies All traffic is able to enter and leave in a forward direction.
P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to: (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority.
Complies The applicant provided a Traffic Impact Assessment, prepared by qualified traffic engineers at Traffic & Civil Services, to assist in the assessment of the proposal. The subdivision will result in 207 vehicle trips accessing Tasman Highway from Boomer Road, and 126 vehicle trips accessing Boomer Road. The proposed upgrades to the Tasman Highway and Boomer Road intersection are consistent with Australian Road, Department of State Growth, and City of Launceston guidelines for projected traffic in 2033, demonstrating the traffic generation is able to be absorbed into the road network. The nature of the traffic generated by the use will be 98% light vehicles, where are the type of vehicles rural roads are able to manage. Boomer Road has a speed limit of 60kmh, whilst Tasman Highway is 100kmh. The upgrades to the intersection junction allows for safe access. There are no other alternative accesses available. The traffic report finds no reason to disallow the proposal due to traffic impacts. Council as the road authority supports the proposal on the basis that Boomer Road will be upgraded to ensure the increase in traffic is achievable. The proposal complies with the performance criteria.
C7.0 Natural Assets Code
The purpose of the Natural Assets Code is:

C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.
C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.
C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.
C7.1.4 To minimise impacts on identified priority vegetation.
C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.

Consistent

The proposal ensures minimal impact on water quality and priority vegetation, meeting the purpose of the code. The applicant provided a Flora and Fauna Report, prepared by qualified person Sally Scrivens to assist in the assessment of the subdivision.

C7.6.2 Clearance within a priority vegetation area

That clearance of native vegetation within a priority vegetation area:
(a) does not result in unreasonable loss of priority vegetation;
(b) is appropriately managed to adequately protect identified priority vegetation; and
(c) minimises and appropriately manages impacts from construction and development activities..

Consistent

A1 Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme.

Complies

No clearing of native vegetation is proposed as part of the subdivision.

P1.1 Clearance of native vegetation within a priority vegetation area must be for:
(a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person;
(b) buildings and works associated with the construction of a single dwelling or an associated outbuilding;

- (c) subdivision in the General Residential Zone or Low Density Residential Zone;
- (d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;
- (e) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or
- (f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.

C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area

That:

- (a) works associated with subdivision within a waterway and coastal protection area or a future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets; and
- (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.

Consistent

The proposal ensures minimal impact on the waterway, meeting the objective.

A1 Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must:

- (a) be for the creation of separate lots for existing buildings;
- (b) be required for public use by the Crown, a council, or a State authority;
- (c) be required for the provision of Utilities;
- (d) be for the consolidation of a lot; or
- (e) not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.

Relies on Performance Criteria

As the subdivision is unable to meet (a) through to (e), reliance on the performance criteria is required.

P1 Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must minimise adverse impacts on natural assets, having regard to:

- (a) the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area; and
- (b) future development likely to be facilitated by the subdivision.

Complies

The provided flora and fauna report has confirmed that access for lot 9 is within the waterway buffer is appropriate. Notwithstanding, all building areas and bushfire hazard management area are outside of the waterway protection area, demonstrating compliance with the performance criteria.

C7.7.2 Subdivision within a priority vegetation area

That:

- (a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and
- (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation.

Consistent

The proposal ensures the subdivision will not have an unnecessary or unacceptable impact on priority vegetation, meeting the objective.

A1 Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:

- (a) be for the purposes of creating separate lots for existing buildings;
- (b) be required for public use by the Crown, a council, or a State authority;
- (c) be required for the provision of Utilities;
- (d) be for the consolidation of a lot; or
- (e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.

Relies on Performance Criteria

As works will inevitably occur within the priority vegetation area, reliance on the performance criteria is required.

P1.1 Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:

- (a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person;
- (b) subdivision for the construction of a single dwelling or an associated outbuilding;
- (c) subdivision in the General Residential Zone or Low Density Residential Zone;
- (d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;
- (e) subdivision involving clearance of native vegetation where it is demonstrated that on- going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or

(f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.

Complies

The submitted flora and fauna report has concluded that the subdivision and subsequent development will have minimal impacts on the priority vegetation, noting that no threatened flora or fauna species are considered to be at a greater risk of being impacted by the proposed subdivision. This meets Performance Criteria P1.1(f).

P1.2 Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:

- (a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards;
- (b) any particular requirements for the works and future development likely to be facilitated by the subdivision;
- (c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;
- (d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;
- (e) any on-site biodiversity offsets; and
- (f) any existing cleared areas on the site.

Complies

The submitted flora and fauna report has concluded that none of the native vegetation communities are expected to be cleared as a result of the proposed subdivision. The subdivision design has considered bushfire requirements and lot layout to ensure the vegetation is protected. As such, the proposal complies with the performance criteria.

C13.0 Bushfire-Prone Areas Code

The purpose of the Bushfire-Prone Areas Code is:

C13.1.1 To ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

Consistent

The proposal ensures the subdivision is appropriately designed and located to reduce risk to human life and property to meet the objective. The application is supported by a Bushfire Hazard Management report, prepared by accredited practitioner Michael Tempest.

C13.6.1 Provision of hazard management areas

That subdivision provides for hazard management areas that:

- (a) facilitate an integrated approach between subdivision and subsequent building on a lot;
- (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and
- (c) provide protection for lots at any stage of a staged subdivision.

Consistent

A1

- (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or
- (b) The proposed plan of subdivision:
 - (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;
 - (ii) shows the building area for each lot;
 - (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.6 of *Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas*; and
 - (iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than the separation distances required for BAL 19 in Table 2.6 of *Australian Standard AS3959-2018 Construction of buildings in bushfire-prone Areas*; and
- (c) if hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.

Complies

The bushfire report confirms each lot is able to provide for BAL 19, meeting A1(b).

C13.6.2 Public and fire fighting access

That access roads to, and the layout of roads, tracks and trails, in a subdivision:

- (a) allow safe access and egress for residents, fire fighters and emergency service personnel;
- (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack, and for hazard management works to be undertaken;

- (c) are designed and constructed to allow for fire appliances to be manoeuvred;
- (d) provide access to water supplies for fire appliances; and
- (e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

Consistent

A1

- (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or
- (b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas, is included in a bushfire hazard management plan that:
 - (i) demonstrates proposed roads will comply with Table C13.1, proposed property accesses will comply with Table C13.2 and proposed fire trails will comply with Table C13.3 and
 - (ii) is certified by the TFS or an accredited person.

Complies

The bushfire report confirms access complies with relevant tables, meeting A1(b).

C13.6.3 Provision of water supply for fire fighting purposes

That an adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage to allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.

Consistent

A1

In areas serviced with reticulated water by the water corporation:

- (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;
- (b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table C13.4; or
- (c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting

purposes is sufficient to manage the risks to property and lives in the event of a bushfire.

Complies

The bushfire report confirms reticulated water supply complies with the relevant table, meeting A1(b).

A2

In areas that are not serviced by reticulated water by the water corporation:

(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes;

(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table C13.5; or

(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.

Complies

The bushfire report confirms static water supply complies with relevant table, meeting A2(b).

11.2. DA0140/2024 / PSA-LLP0021 - 40768 Tasman Highway, Waverley - 40T Combined Scheme Amendment - Change of Zone from Rural to Rural Living A; Subdivision - Subdivide Land into 23 Lots and a New Road - PSA-LLP0021

FILE NO: DA0140/2024 / PSA-LLP0021

AUTHOR: Iain More (Senior Town Planner Policy and Projects)

APPROVER: Chelsea van Riet (Executive Leader Community Assets and Design)

DECISION STATEMENT:

To decide whether to reject or initiate and exhibit Combined Scheme Amendment DA0140/2024 (PSA-LLP0021) to the Launceston Local Provisions Schedule of the Tasmanian Planning Scheme.

PLANNING APPLICATION INFORMATION:

Applicant:	6ty° Pty Ltd
Address:	40768 Tasman Highway, Waverley
Existing Zone:	Rural
Existing Use:	Residential

RELEVANT LEGISLATION:

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme - Launceston

RECOMMENDATION:

That Council, pursuant to:

1. sections 37, 38, and 40T of the *Land Use Planning and Approvals Act 1993*, agrees to, and initiates scheme amendment PSA-LLP0021 to the Launceston Local Provisions Schedule to:
 - a. Change the zoning from Rural to Rural Living A at 40768 Tasman Highway, Waverley, and unaddressed lot CT104384/4.
2. section 40F of the *Land Use Planning and Approvals Act 1993*, certifies Draft Amendment PSA-LLP0021 identified in Attachment 1.
3. sections 40G, 40H, and 40Z of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition be 28 days.
4. section 40Y of the *Land Use Planning and Approvals Act 1993*, approve DA0140/2024 - Subdivision - Subdivide land into 23 lots and a new road, subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Senior Leader City Development unless modified by a condition of the Permit:

- a) Proposal Plan, prepared by 6ty°, Project No. 22.257, Drawing No. Cp01, Revision G, dated 21/05/2025;
- b) Proposal BAL Treatment Plan Option, prepared by 6ty°, Project No. 22.257, Drawing No. Cp02, Revision F, dated 05/12/2024;
- c) Preliminary On-Site Wastewater Disposal Evaluation, prepared by Geoton Pty Ltd, Reference No. GL23301Ab, Revision.01, dated 4 July 2025;
- d) Agricultural Report, prepared by RMCG, Version 1.1, dated 9 July 2025;
- e) Bushfire Hazard Management Report, prepared by RMCG, Version 2.0, dated 9 July 2025;
- f) Flora and Fauna Report, Version 1.1, prepared by RMCG, dated 9 July 2025; and
- g) Traffic Impact Assessment, prepared by Traffic & Civil Services, Final 6, dated December 2024.

2. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land except construction of access from the street.

3. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2024/00561-LCC, dated 27/06/2025 and attached to the permit.

4. HOURS OF CONSTRUCTION

- a) Unless otherwise approved in writing by the Senior Leader Health and Compliance construction activities must only be carried out between the hours of:
 - i. Monday to Friday - 7 am to 6 pm; and
 - ii. Saturday - 8 am to 6 pm.
- b) Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed state-wide (Easter Tuesday excepted).

5. DAMAGE TO COUNCIL INFRASTRUCTURE & ASSETS

The developer is liable for all costs associated with the repair of damage to Council infrastructure and assets resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

6. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of the Executive Leader - Community Assets and Design is required prior to undertaking works where the works:

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

7. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements and Council policy 27-Rfx-012 Standards for Surface Reinstatement of Works in the Road Service. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

8. SOIL AND WATER MANAGEMENT control plan

Prior to the commencement of works, a site management plan must be submitted detailing how soil and water must be managed on the site during the construction process. The management plan must include the following:

- a. Allotment boundaries, contours, approximate grades of slope and directions of fall.
- b. Location of adjoining roads, impervious surfaces, underground services and existing drainage.
- c. Location and types of all existing natural vegetation, the proposed location of topsoil stockpiles and the limit of clearing, grading and filling.
- d. Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
- e. The estimated dates for the start and finish of the works.
- f. The erosion control practices to be used on the site such as cut off drains, fencing off areas to be undisturbed, revegetation program and so on.
- g. The sediment control practices to be used on site such as silt fencing, stabilised site access, filter screens for inlets to the drainage system, sediment traps and so on.
- h. Timing of the site rehabilitation or landscaping program.
- i. Outline of the maintenance program for the erosion and sediment controls.

Works must not commence prior to the approval of the Soil and Water Management Control Plan by the Executive Leader Community Assets and Design. The Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

9. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

10. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Executive Leader Community Assets and Design for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. Electricity infrastructure including street lighting.
 - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
 - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

11. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Executive Leader Community Assets and Design.

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

a. Stormwater

- i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,

b. Roads

- i. Provision of a fully constructed road 6.0m metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
- ii. Provision of a single vehicular crossing for each lot within the subdivision,

- iii. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
- iv. all necessary line marking, signage and other traffic control devices.

c. Public Open

- i. All public open space lots must be landscaped, provided with works to restrict traffic, provided with a 25mm water connection, connecting footpaths and all necessary drainage.

d. Electricity, Communications & Other Utilities

- i. An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority,
- ii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
- iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
- iv. Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- 1. Construction requirements,
- 2. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
- 3. Construction Audit inspections,
- 4. Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

12. ACCESS OVER ADJACENT LAND

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. Advise Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner, then
- b. Contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and,
- c. Ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie legal, valuation, etc if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act 1993* will be followed.

13. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot,
- b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the

common driveway must also be constructed to the extent specified in the relevant construction condition

- c. A stormwater connection to the public drainage system,
- d. Access to underground electricity and communications infrastructure, and
- e. Where applicable, reticulated gas infrastructure.

14. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available upon request.
- b. A Closed Circuit Television inspection report for all stormwater drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

15. EASEMENTS

Easements are required over all Council and third-party services located in private property. The minimum width of any easement must be 3 metres for Council (public) mains. A greater width will be required where the internal diameter of the pipe is greater than 475 mm or where the depth of the pipe exceeds 2.1 metres. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

16. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the Executive Leader Community Assets and Design:

- a. The satisfactory completion of all public infrastructure works required by the planning permit.
- b. The provision of written evidence of the completion of third party services including connections to the electricity supply, telecommunications infrastructure and TasWater infrastructure, from the responsible service provider.
- c. The provision of engineering certification and as constructed documentation in accordance the Council requirements.
- d. The subsequent issue of a Certificate of Practical Completion by the Executive Leader Community Assets and Design for those works that will vest with the City of Launceston (Roads and Stormwater infrastructure).
- e. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.
- f. Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

17. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the Executive Leader Community Assets and Design, of the Certificate under Section 10 (7) of

the Local Government (Highways) Act 1962. All costs involved in this procedure must be met by the Subdivider.

18. COMPLETION OF WORKS

All works must be carried out to Council standards and under the direct supervision of a suitably qualified and experienced civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

19. AS CONSTRUCTED PLANS

An "as constructed" plan must be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Council's Community Assets and Design Team.

20. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

21. JUNCTION UPGRADE AND SEASLING

Sealing of plans beyond 12 lots will not be signed and stamped by Council until the upgrade to a BAR & BAL junction at Boomer Road and the Tasman Highway has occurred.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0140/2024. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

- a. The 14 day appeal period expires; or*
- b. Any appeal to the Tasmanian Civil & Administrative Appeal Tribunal (TASCAT) is withdrawn or determined; or*
- c. Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. Any other required approvals under this or any other Act are granted.*

The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.

B. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquiries as to

whether the proposed development is affected, restricted or prohibited by any such covenant.

If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.

C. Permit Commencement.

If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

D. Subdivision - On-site wastewater disposal

The onsite wastewater report prepared by GeoTon Pty Ltd dated 08/06/2023 specifies all lots are suitable only for the installation of a system capable of secondary treatment of effluent.

**Councillor A J Palmer withdrew from the Meeting at 11:19 am
Councillor A J Palmer re-attended the Meeting at 11:25 am**

Richard Jamieson (Senior Leader City Development) and Iain More (Senior Town Planner Policy and Projects) were in attendance to answer questions in respect of this item. A table of the questions asked by Councillors during debate is provided after the decision below.

DECISION: 31 July 2025

MOTION

Moved Councillor A G Harris, seconded Councillor J J Pentridge.

That Council, pursuant to:

- 1. sections 37, 38, and 40T of the *Land Use Planning and Approvals Act 1993*, agrees to, and initiates scheme amendment PSA-LLP0021 to the Launceston Local Provisions Schedule to:
 - a. Change the zoning from Rural to Rural Living A at 40768 Tasman Highway, Waverley, and unaddressed lot CT104384/4.****
- 2. section 40F of the *Land Use Planning and Approvals Act 1993*, certifies Draft Amendment PSA-LLP0021 identified in Attachment 1.**
- 3. sections 40G, 40H, and 40Z of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition be 28 days.**

4. section 40Y of the *Land Use Planning and Approvals Act 1993*, approve DA0140/2024 - Subdivision - Subdivide land into 23 lots and a new road, subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Senior Leader City Development unless modified by a condition of the Permit:

- a) Proposal Plan, prepared by 6ty°, Project No. 22.257, Drawing No. Cp01, Revision G, dated 21/05/2025;
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- d) Agricultural Report, prepared by RMCG, Version 1.1, dated 9 July 2025;
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- f) Flora and Fauna Report, Version 1.1, prepared by RMCG, dated 9 July 2025; and
- g) Traffic Impact Assessment, prepared by Traffic & Civil Services, Final 6, dated December 2024.

2. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land except construction of access from the street.

3. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2024/00561-LCC, dated 27/06/2025 and attached to the permit.

4. HOURS OF CONSTRUCTION

- a) Unless otherwise approved in writing by the Senior Leader Health and Compliance construction activities must only be carried out between the hours of:
 - i. Monday to Friday - 7 am to 6 pm; and
 - ii. Saturday - 8 am to 6 pm.
- b) Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed state-wide (Easter Tuesday excepted).

5. DAMAGE TO COUNCIL INFRASTRUCTURE & ASSETS

The developer is liable for all costs associated with the repair of damage to Council infrastructure and assets resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

6. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of the Executive Leader - Community Assets and Design is required prior to undertaking works where the works:

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

7. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements and Council policy 27-Rfx-012 Standards for Surface Reinstatement of Works in the Road Service. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

8. SOIL AND WATER MANAGEMENT control plan

Prior to the commencement of works, a site management plan must be submitted detailing how soil and water must be managed on the site during the construction process. The management plan must include the following:

- a. Allotment boundaries, contours, approximate grades of slope and directions of fall.
- b. Location of adjoining roads, impervious surfaces, underground services and existing drainage.
- c. Location and types of all existing natural vegetation, the proposed location of topsoil stockpiles and the limit of clearing, grading and filling.

- d. Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
- e. The estimated dates for the start and finish of the works.
- f. The erosion control practices to be used on the site such as cut off drains, fencing off areas to be undisturbed, revegetation program and so on.
- g. The sediment control practices to be used on site such as silt fencing, stabilised site access, filter screens for inlets to the drainage system, sediment traps and so on.
- h. Timing of the site rehabilitation or landscaping program.
- i. Outline of the maintenance program for the erosion and sediment controls.

Works must not commence prior to the approval of the Soil and Water Management Control Plan by the Executive Leader Community Assets and Design. The Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

9. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

10. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Executive Leader Community Assets and Design for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. Electricity infrastructure including street lighting.
 - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
 - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

11. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Executive Leader Community Assets and Design.

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. **Stormwater**
 - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,
- b. **Roads**
 - i. Provision of a fully constructed road 6.0m metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
 - ii. Provision of a single vehicular crossing for each lot within the subdivision,
 - iii. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
 - iv. all necessary line marking, signage and other traffic control devices.
- c. **Public Open**
 - i. All public open space lots must be landscaped, provided with works to restrict traffic, provided with a 25mm water connection, connecting footpaths and all necessary drainage.
- d. **Electricity, Communications & Other Utilities**
 - i. An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority,
 - ii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
 - iv. Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- 1. Construction requirements,
- 2. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
- 3. Construction Audit inspections,
- 4. Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

12. ACCESS OVER ADJACENT LAND

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. Advise Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner, then
- b. Contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and,
- c. Ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie legal, valuation, etc if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act 1993* will be followed.

13. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot,
- b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition
- c. A stormwater connection to the public drainage system,
- d. Access to underground electricity and communications infrastructure, and
- e. Where applicable, reticulated gas infrastructure.

14. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available upon request.
- b. A Closed Circuit Television inspection report for all stormwater drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

15. EASEMENTS

Easements are required over all Council and third-party services located in private property. The minimum width of any easement must be 3 metres for Council (public) mains. A greater width will be required where the internal diameter of the pipe is greater than 475 mm or where the depth of the pipe exceeds 2.1 metres. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

16. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the Executive Leader Community Assets and Design:

- a. The satisfactory completion of all public infrastructure works required by the planning permit.
- b. The provision of written evidence of the completion of third party services including connections to the electricity supply, telecommunications infrastructure and TasWater infrastructure, from the responsible service provider.
- c. The provision of engineering certification and as constructed documentation in accordance the Council requirements.
- d. The subsequent issue of a Certificate of Practical Completion by the Executive Leader Community Assets and Design for those works that will vest with the City of Launceston (Roads and Stormwater infrastructure).
- e. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.
- f. Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

17. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the Executive Leader Community Assets and Design, of the Certificate under Section 10 (7) of the Local Government (Highways) Act 1962. All costs involved in this procedure must be met by the Subdivider.

18. COMPLETION OF WORKS

All works must be carried out to Council standards and under the direct supervision of a suitably qualified and experienced civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

19. AS CONSTRUCTED PLANS

An "as constructed" plan must be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Council's Community Assets and Design Team.

20. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

21. JUNCTION UPGRADE AND SEASLING

Sealing of plans beyond 12 lots will not be signed and stamped by Council until the upgrade to a BAR & BAL junction at Boomer Road and the Tasman Highway has occurred.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0140/2024. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

- a. The 14 day appeal period expires; or*
- b. Any appeal to the Tasmanian Civil & Administrative Appeal Tribunal (TASCAT) is withdrawn or determined; or*
- c. Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. Any other required approvals under this or any other Act are granted.*

The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.

B. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquiries as to whether the proposed development is affected, restricted or prohibited by any such covenant.

If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.

C. Permit Commencement

If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

D. Subdivision - On-site wastewater disposal

The onsite wastewater report prepared by GeoTon Pty Ltd dated 08/06/2023 specifies all lots are suitable only for the installation of a system capable of secondary treatment of effluent.

CARRIED 9:0

FOR VOTE: Mayor Councillor M K Garwood, Deputy Mayor Councillor D H McKenzie, Councillor A E Dawkins, Councillor A G Harris, Councillor T G Walker,

Councillor Prof G Razay, Councillor J J Pentridge, Councillor A J Palmer and
Councillor A J Britton
AGAINST VOTE: Nil

COUNCILLOR	QUESTION	RESPONSE
Councillor T G Walker	Are we approving a planning amendment and a subdivision?	Senior Town Planner - Policy and Projects: Yes.
	Was there any discussion around the expansion of Boomer Road?	Senior Town Planner - Policy and Projects: <i>The application was referred to the Parks and Sustainability Team and that question was asked. There is no supporting strategy or policy around that, as such there was no expressed requirement to set aside any land for Council or public use.</i>
	Was there any discussion about public areas such as foot paths, or widening of the flood attenuation zone of the creek?	
	Was there any discussion about the potential for Council to acquire any land there?	
	The block of land has an easement over a surface drain; can you explain that?	Senior Town Planner - Policy and Projects <i>It is an existing 3 metre wide easement for the property for their storm water servicing.</i>
	Re-zoning is discretionary and Councillors are within their rights to vote for or against that based on their views. Yet the subdivision itself is not discretionary as it adheres directly to the planning scheme. How does a Councillor vote against one and yet support the other?	Senior Leader City Development: <i>It is important to consider two things together. The re-zoning is more of a yes or no. If the re-zoning is supported, then we get to consider the application in the normal way. When considering a subdivision, it is assessed against the scheme standards and there are certain things that generate a discretion, and they are outlined in the report.</i>

Deputy Mayor, Councillor D H McKenzie	What public open space are we requiring from the development or are we getting a cash settlement?	Senior Leader City Development: <i>No public land will be required. If you have a large area of private land the reliance on public land is less. So, it is not normal that we take parks in these areas.</i>
	Can we do the scheme amendment without the development application?	Senior Leader City Development: <i>This decision will initiate an amendment. It will then be publicly advertised. Comments received from the public will help Council consider the totality of the application. Council will then determine which way is best to proceed at that point.</i>