

Minister for Planning and Local Government

Explanatory Document for the draft of the State Planning Provisions of the Tasmanian Planning Scheme

7 March 2016

Background

The *Land Use Planning and Approvals Act 1993* (the Act) provides the legal framework for the drafting of the Tasmanian Planning Scheme, the single statewide planning scheme.

The Act provides for the Minister to prepare an explanatory document in relation to the draft of the State Planning Provisions (SPPs) setting out in general terms the purpose and terms of the draft of the SPPs.

This document has been approved by me as Minister for Planning and Local Government on 7 March 2016 as an explanatory document under s.16 of the Act to accompany the draft of the SPPs approved by me for exhibition on the same day.

The explanatory document provides an explanation of the provisions contained in the draft of the SPPs, and also provides an overview of the process and methodology undertaken for the preparation of the draft (SPPs).

The Tasmanian Planning Scheme comprises two parts:

- SPPs which includes the purpose and objectives, the administrative requirements and processes including exemptions from the planning scheme and general provisions that apply to all use and development irrespective of the Zone, the Zones with standard use and development provisions, and the Codes with standard provisions; and
- Local Provisions Schedules (LPS) comprising Local Planning Provisions (LPP) that apply to each local Council area, which includes Zone and overlay maps, Local Area Objectives, lists to relevant Codes, Particular Purpose Zones, Specific Area Plans, and any Site Specific Qualifications.

This explanatory document does not form part of the Tasmanian Planning Scheme.

This document includes:

- an overview of the process and methodology undertaken in the drafting of the SPPs;
- a clause by clause explanation of the draft SPPs outlining their strategic intent and function and the rationale for why certain positions were adopted in the following provisions:
 - identification and purpose of the Tasmanian Planning Scheme;

- Administrative Provisions including planning terms and definitions, Exemptions and General Provisions;
 - the 22 standard Zones and Particular Purpose Zones;
 - the 15 Codes; and
 - the Local Provisions Schedules, including templates for Local Area Objectives, Particular Purpose Zones, Specific Area Plans and Site Specific Qualifications;
 - frameworks for the application of the Zones and Codes through the preparation of draft Local Provisions Schedules (LPSs); and
 - the drafting conventions adopted for the preparation of the draft SPPs.
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Appendix 1: Terms of Reference for the Draft State Planning Provisions

Appendix 2: Drafting Conventions for the Tasmanian Planning Scheme

Appendix 3: Legislation Considered

Appendix 4: Tasmanian Activity Centre Network, Hill PDA, February 2014.

A. Glossary

The following acronyms are commonly used in this document:

CCIPS	Cradle Coast Interim Planning Schemes
DoJ	Department of Justice
DPAC	Department of Premier and Cabinet
DPIPWE	Department of Primary Industries, Parks, Water and the Environment
DSG	Department of State Growth
EMPCA	<i>Environmental Management Pollution Control Act 1994</i>
EPA	Environment Protection Authority
HIPS	<i>Hobart Interim Planning Scheme 2015</i>
IPS	Interim Planning Scheme
LIPS	<i>Launceston Interim Planning Scheme 2015</i>
LPPs	Local Planning Provisions
LPS	Local Provisions Schedule
NIPS	Northern Interim Planning Schemes
RLUS	Regional Land Use Strategy
SIPS	Southern Interim Planning Schemes
SPIDC	State Policies Interdepartmental Committee
SPPs	State Planning Provisions
The Act	<i>Land Use Planning and Approvals Act 1993</i>
TPC	Tasmanian Planning Commission
TPS	Tasmanian Planning Scheme

B. Aim of the Explanatory Document

This document has been prepared in accordance with section 16(1) of the *Land Use Planning and Approvals Act 1993* (the Act) to fulfil the requirements of section 16(3) of the Act to set out in general terms, the purpose and terms of the draft State Planning Provisions (SPPs).

This document has been approved by under section 16(5)(a) of the Act.

C. Overview of Process and Methodology

1.0 Introduction

On 31 March 2015, as Minister for Planning and Local Government, I directed the Planning Reform Taskforce (the Taskforce) to prepare an initial draft of what were intended to be State Planning Provisions (SPPs) under foreshadowed amendments to the *Land Use Planning and Approvals Act 1993* (the Act).

The Taskforce membership was:

- Executive Chair, Mary Massina
- Local Government Association of Tasmania
- Tasmanian Farmers and Graziers Association
- Master Builders Tasmania
- Housing Industry Association
- Tasmanian Chamber of Commerce and Industry
- Emma Riley, Emma Riley and Associates
- Frazer Read, All Urban Planning
- John Dent, PDA Surveyors
- Andrew Walker, Derwent and Tamar Chambers

Given the importance of infrastructure provision and land use planning, I requested that the Infrastructure Tasmania CEO, Allan Garcia join the Taskforce. Mr Garcia took up this position in August 2015.

To assist in the preparation of the initial drafts of the SPPs, four departmental officers were seconded from the Tasmanian Planning Commission (TPC) and with the support of the Local Government Association of Tasmania (LGAT), a local government planner was seconded from the Hobart City Council to complete the staff required to support the drafting.

On 18 December 2015, I issued, in accordance to section 17 of the Act, Terms of Reference for the preparation of a draft of the SPPs. The Terms of Reference have been published in the Department of Justice Website and are attached as Appendix 1.

The Taskforce completed a suite of draft SPPs in accordance with the Terms of Reference, and provided these to me on 21 December 2015. The suite of draft SPPs did not include four codes which were concurrently being prepared or reviewed by State Agencies or the TPC.

Three of these codes (Road & Railway Assets Code, Potentially Contaminated Land Code and Landslip Hazard Code) were, at my direction, included in the suite of draft SPPs prior to them being provided to Planning Authorities, the Tasmanian Planning Commission and state agencies on the 23 December 2015 for consultation in accordance with s.18 of the Act.

The Bushfire-Prone Land Code which was then in place as a Planning Directive, was also subject to a review and a revised Code has since been included in the draft SPPs to reflect the now introduced Interim Planning Directive No.1 which has replaced the previous Planning Directive.

Based on the submissions received during the consultation under s.18 from State Agencies, the TPC and Local Councils (including LGAT) revisions were made to the draft SPPs.

2.0 Methodology

In line with the Terms of Reference prepared under s.17 of the Act, the draft SPPs have been prepared largely in accordance with *Planning Directive No 1 – The Format and Structure of Planning Schemes* (PD1).

The draft SPPs have departed from the PD1 Template to accord with the amendments to the Act which provide for the particular structure of the Tasmanian Planning Scheme (TPS).

The draft SPPs have been drafted having regard to the 28 Interim Planning Schemes (IPS) in operation, the three regional model provisions, the statutory requirements under the Act and current State Policies in operation under the *State Policies and Projects Act 1993*.

This has involved comprehensively analysing the various provisions in the IPS and testing these against a set of planning principles, the Government's commitments to simplify planning, and through a comprehensive targeted consultation processes.

The draft SPPs have been reviewed to ensure they are consistent with State Policies and the requirements of sections 11, 14, and 15 and the Objectives set out in Schedule 1 of the Act.

To assist in the scope, development and initial drafting of the draft SPPs, the Taskforce undertook a high level of targeted external stakeholder consultation with over 145 individuals and State and regional organisations across business, industry, the community sector, environmental and heritage interests and local government.

In addition, a Planning Technical Reference Group was created covering planning expertise drawn from nine local councils across the three regions. An Infrastructure Technical Reference Group was also created including representatives of all key infrastructure providers to ensure a high level of support in the technical drafting of the initial draft SPPs.

Three consultative groups covering business and industry, the community sector and environment and heritage interests were also created to assist the Taskforce in ensuring that the draft SPPs removed unnecessary planning barriers in a consistent and practical manner while retaining the appropriate level of regulation for each issue.

Advice and direction was sought from relevant state agencies to provide policy guidance for the drafting of the initial draft SPPs.

3.0 General Drafting Approach

The drafting of the draft SPPs has adopted the general structure of PD1 including the current 22 standard zones, except where necessary to recognise the requirements of the Act. Specifically, the draft SPPs have added to the General and Administrative Provisions in PD1, as required to support the operation of the Tasmanian Planning Scheme (TPS) and to articulate how the SPPs interact with the Local Provision Schedules (LPSs).

This includes providing the templates for LPSs including the structure and format for the Local Area Objectives, Particular Purpose Zones, Specific Area Plans, Site Specific Qualifications and any required structure that particular Codes rely on for their operation. This is addressed in further detail in section 35 of this explanatory document.

There have also been minor modifications and departures from PD1, as discussed in Part C of this document, to reflect a more contemporary approach to development control. This ensures a higher level of consistency, clarity and equity across the zone purpose statements, and the use and development standards.

15 draft Codes have been included in the final draft SPPs to address general planning issues that occur across zones. These are addressed in more detail in sections 18 to 31 of this document.

The Taskforce did not prepare or consult on four draft Codes.

Those draft Codes are:

- Bushfire-Prone Areas Code;
- Road and Railway Assets Code ;
- Potentially Contaminated Land Code ; and
- Landslip Hazard Code

Versions of these Codes are included in the Launceston Interim Planning Scheme (LIPS) and were included within the suite of statewide Codes initially recommended by the Taskforce as covering the scope of the SPPs.

The Road and Railway Assets Code and Potentially Contaminated Land Codes are in part contained in existing IPS or were subject to consideration as draft Planning Directives by the TPC.

The Bushfire-Prone Areas Code was in place in all Interim Planning Schemes through Planning Directive No.5. The Code has been subject to detailed review by the Tasmania Fire Service in conjunction with the Director of Building Control and the TPC. I have since approved a revised Bushfire-Prone Area Code as an Interim Planning Directive and this has also been included as the equivalent Code in the draft SPPs.

The initial draft Codes consulted on by the Taskforce included a Karst Management Code based substantially on that in the Meander Valley IPS. As a consequence of the later consultation under s.18, this Code was deleted from the final draft of SPPs, reducing the number of draft Codes from 16 to 15.

The draft SPPs also have included provisions permitting a Local Provision Schedule to include, in accordance with s.14 of the Act:

- Particular Purpose Zones;
- Specific Area Plans; and
- Site Specific Qualifications.

Templates are provided for each of these as provided for under s.14 of the Act, to ensure consistent application in the various Local Provisions Schedules (LPS).

Drafting of the draft SPPs has given particular attention to the Launceston Interim Planning Scheme 2015 (LIPS) including the drafting rules and conventions adopted in that, and has further taken into account:

- The land uses and development provided for in the three declared Regional Land Use Strategies.
- Planning Directive 4.1 through inclusion of modified standards for single and multiple dwellings in the General Residential Zone.

- Planning Advisory Note 3 which sets out requirements for the preparation of Draft Planning Schemes prior to the amending legislation. This includes the requirement for the provisions of the Planning Scheme including the use and development standards to address State Policies and the Objectives of the Act.
- Planning Advisory Note 11 to ensure that integration of land use and transport is a consideration when preparing and amending Planning Schemes and assessing permit applications. The draft of the SPPs has addressed this through the consideration of the range of land uses in Zones along with the densities and car parking requirements for various use and developments.
- Planning Advisory Note 13 being the drafting instructions and a guide to the current PD1 Template for Planning Schemes. This has provided an explanation to the structure and operation of the PD1 Template which has enabled consideration of the extent to which departure is required for the draft SPPs.
- Planning Advisory Note 16 for advice on the incorporation of external documents into Planning Schemes. The drafting conventions adopted have followed the same protocols.

As required by the Terms of Reference, the preparation of the draft SPPs ensured the TPS has a logical, practical and user friendly structure taking into account the different formats, including the TPC's "iPlan" online planning scheme delivery service through which the TPS may be delivered.

The planning controls have been drafted to ensure they are legally robust, with particular attention to the drafting used in LIPS, Southern and Cradle Coast Interim Planning Schemes, and relevant Resource Management and Planning Appeal Tribunal and Supreme Court decisions.

The Local Provisions Schedules template has been developed to ensure consistency of format and structure in the implementation of the Local Area Objectives, Particular Purpose Zones, Specific Area Plans, and Site Specific Qualifications in the various LPSs.

The draft SPPs have adhered to general policy principles through:

- Removing unnecessary duplication with other regulation.
- Clarifying Local and State Government roles and responsibilities in the drafting of Planning Scheme standards and advice on determining applications.
- Restructuring the Administrative Provisions by:
 - Clarifying and improving definitions;
 - Widening the range of exemptions to ensure a reduction in regulatory burden and by increasing simplicity and clarity
 - Ensuring that general exemptions do not conflict with specific exemptions contained in the Codes.
- Providing clear, consistent Permitted pathways for use and development which meet the purpose of the 22 Zones, through comprehensive review of all the Use Tables to ensure appropriate uses are Permitted or No Permit Required.
- Ensuring a wider range of uses in the Discretionary category where these are not inconsistent with each Zone's purpose.
- Ensuring that all standards which are Acceptable Solutions are quantifiable.
- Ensuring that there are Performance Criteria which are clearly articulated to enable the applicant to demonstrate compliance and to provide for consistent assessment.

- Ensuring that Codes do not impose undue constraints on those uses which are consistent with the Zone purpose.
- Targeting the application of particular Codes to specific Zones where the purpose of the Code does not undermine the Zone purpose.
- Combining issues in Codes where they are of a similar type, and the standards require the same or similar responses or methodologies, for example the inclusion of airport buffers in the Attenuation Code, and the combining of water quality and vegetation protection in the Natural Assets Code.
- Ensuring that duplication of regulation has been removed from the Codes.
- Including in the Administrative Provisions under Clause 3.1, definitions regularly used in the Codes for ease of understanding and workability.

D. State Planning Provisions

This section provides an overview of the draft State Planning Provisions (SPPs) including the:

- Foreword;
- Administration;
- General Provisions;
- Zones;
- Codes; and
- template for the Local Provisions Schedules (LPS).

4.0 Foreword

The foreword introduces the Tasmanian Planning Scheme (TPS) and its relationship to the *Land Use Planning and Approvals Act 1993* (the Act).

The foreword, footnotes and list of amendments are not part of the statutory document as their purpose is to be an aid to the use of the TPS.

5.0 Identification and Purpose of this Planning Scheme

5.1 Identification of this Planning Scheme

Clause 1.0 references the Planning Scheme title and the composition of the TPS which is:

- the SPPs; and
- the Local Provisions Schedules (LPSs) including the Zone and overlay maps for each local planning area in Tasmania.

This Clause is based on the corresponding clause in *Planning Directive No.1 – The Format and Structure of Planning Scheme Template* (PD1). Modifications have been made to reflect the structure of the TPS required by the Act.

5.2 Planning Scheme Purpose

The TPS's purpose is to further the Objectives of the Resource Management and Planning System (RMPS) and the Planning Process as set out in Parts 1 and 2 of Schedule 1 of the Act.

It addition, it is to provide planning controls consistent with State Policies in force under the *State Policies and Projects Act 1993*, and to enable the implementation of declared Regional Land Use Strategies (RLUS), as amended by the Minister from time to time, through the Local Provisions Schedules.

Clause 2.0 is primarily based on the corresponding clause in PD1 with the exclusion of the commentary on how the planning scheme seeks to deliver the outcomes of the declared RLUS.

The approach has been adopted to avoid including non-operational clauses in the TPS.

The RLUS are already given effect through the Act and do not form part of the decision making process under the planning scheme so do not need to be paraphrased in the TPS.

Individual planning authorities will need to demonstrate how the declared RLUS have been implemented through applying the Zones and Codes in their Local Provision Schedule (LPSs). Demonstration will need to be included in the Planning Authority's supporting reports submitted to the Tasmanian Planning Commission (TPC) with their LPS.

6.0 Administration

6.1 Interpretation (Planning Terms and Definitions)

Clause 3.1.3 provides a list of planning terms and definitions which are used within the TPS. These terms must be used within all Local Provisions Schedules as required.

If the TPS does not define a term and the term is not a term defined in the Act, the common meaning in the Macquarie Dictionary is applicable. The Use Classes are not considered as terms and remain separately listed in Table 6.2, however a footnote has been added to clause 3.1.1 to indicate that these are separately defined.

There are instances where specific planning terms or words are used only in particular Codes. In such cases, the definition is included only within the Code it directly relates to.

Likewise, if specific terms are only used within a Particular Purpose Zone or Specific Area Plan, definitions for those terms may be included in that Particular Purpose Zone or Specific Area Plan.

The planning terms and definitions in this clause are based on those in PD1.

The following terms and definitions in Tables 6.1.1 to 6.1.3 below are those which are either modified PD1 terms, newly introduced terms or deleted PD1 terms. This is a result of the extensive consultation with diverse range of key stakeholders during the drafting process and a thorough review of 28 Interim Planning Schemes (IPS) across the State.

Table 6.1.1: Modified Terms

Term	Commentary
access strip	The definition has been clarified in response to comments received from the Planning Technical Reference Group. The revisions clarify that an access trip is the narrow section (or the 'battle-axe handle') of an internal lot.
agricultural use	The definition in PD1 has been slightly modified to align with the definition in the State Policy for the Protection of Agricultural Land by removing the phrase 'intensive tree farming'. The term "plantation forestry" captures this type of tree farming.
ancillary dwelling	The term has been replaced with the term 'secondary residence' taking into account terms used in other jurisdictions and to avoid references to 'ancillary' and 'dwelling' which have caused confusion with other terms generally used in Planning Schemes. Revisions made in response to concerns raised by the Planning Technical Reference Group.
animal pound	The definition has been revised in response to comments from the

Term	Commentary
	Planning Technical Reference Group. The revisions clarify that it relates to animals confined by Council.
applicable standard	Modified reference to the revised clause number under the TPS.
basement	Minor revisions to refer to the defined term 'finished ground level' and to align with the drafting style adopted in the TPS.
boat and caravan storage	Minor revision to include the words "or the like" to allow for similar storage to be classified under the same use definition.
building	Modified to allow for the standards in the Zones, Codes and Specific Area Plans to adopt different height limits for different types of buildings, e.g. structures in the Port and Marine Zone and Utilities Zone.
building area	Modified to allow the term to be used in two ways: <ul style="list-style-type: none"> • for building areas proposed as part of a subdivision; and • for building areas approved on a sealed plan.
building height	Minor revisions to replace 'natural ground level' with 'existing ground level' and 'minor protrusions' with 'protrusions' to align with revisions made to other terms.
communal residence	Minor revision to refer to 'residential care facility' instead of 'residential care home' to align with the revised defined term.
crop production	Referred to as 'crop raising' under PD1. Term revised to align with the example provided under the Resource Development Use Class definition.
day respite centre	Definition broadened to also provide respite care for those who require primary health and rehabilitation services.
demolition	Definition revised to clarify that it does not relate to accidental demolition.
effective date	Definition revised to align with the structure of the TPS.
function centre	Definition broadened to capture all functions instead of just private functions.
habitable building	Modified to exclude Class 7a buildings which relate to buildings for car parking as these are not considered to be habitable buildings.
habitable room	Definition broadened to capture habitable rooms in all habitable buildings as required by standards in Codes such as the Electricity Transmission Infrastructure Protection Code and the Riverine Inundation Hazard Code.
home-based business	Definition modified to: <ul style="list-style-type: none"> • delete the maximum floor area limitation as the scale of the business should be adequately controlled by the other criteria; • minor revisions to align with the drafting style adopted in the TPS; and

Term	Commentary
	<ul style="list-style-type: none"> clarify that a home-based business cannot be for Visitor Accommodation to avoid confusion with the defined Use Class.
intensive animal husbandry	Modified to ensure that all types of feedlots and poultry farms are captured by removing reference to 'cattle' and change of term 'broiler' to 'poultry'.
marina	Clarification added to confirm that the use may include boat sales as an ancillary component.
minor utilities	Clarification of the definition by providing further examples of minor utilities.
motel	Minor revision to definition for clarification.
motor repairs	Broadening of the definition to allow for repairs to motors other than those associated with motor vehicles.
overnight camping area	Minor editorial revisions to the definition.
panel beating	Minor revision to the definition to clarify that it relates to a business.
planning authority	Modification of definition to align with the structure of the TPS.
primary frontage	Revisions to correct omissions in the definition. The PD1 definition did not capture circumstances where there is only one frontage.
private open space	Clarification that private open space does not include areas proposed or approved for vehicle access or vehicle parking.
refuse disposal	Modified to provide for a more generic definition with reference to how the refuse is disposed.
residential aged care facility	Term and definition modified to 'residential care facility' to provide for broader care facilities, not just those for the aged.
road authority	Reference to and additional reference to its control over bridges declared under the <i>Local Government (Highways) Act 1982</i> added consistent with reference State Road Authority legislation.
sensitive use	Minor editorial changes made to clarification the definition.
serviced apartment	Replaced "long-term" with "medium-term" for consistency with the definition of Visitor Accommodation.
single dwelling	Revisions to align with revised term for 'secondary residence' and minor editorial changes to clarify the definition.
threatened vegetation	Term revised to 'threatened native vegetation community' and defined in accordance with the <i>Nature Conservation Act 2002</i> consistent with the operation of the Natural Assets Code.
waste transfer station	Minor clarification added to the definition.

Table 6.1.2: New Terms

Term	Commentary
access	Additional term and definition endorsed by the TPC through the IPS Compliance Review. The term is used extensively throughout the TPS.
activity centre	Additional term and definition endorsed as part of the Launceston Interim Planning Scheme (LIPS), which was further modified to create a more generic definition.
activity centre hierarchy	New definition to align with the Business and Commercial Zones and the activity centre hierarchies in the declared RLUS.
adjacent	New definition to clarify the use of the word 'adjacent' as compared to 'adjoining'.
adjoining	New definition to clarify the use of the word 'adjoining' as compared to 'adjacent'.
adult entertainment venue	Additional term and definition endorsed by the TPC through the IPS Compliance Review. The term is not used in the SPPs, however some planning authorities may wish to use the term to qualify the Hotel Industry Use Class in the Use Tables.
assisted housing	New type of Residential use to describe a type of supportive housing commonly referred to by the Community Sector. Used to qualify the Residential Use Class in the Community Purpose Zone and as part of the 'vulnerable use' in certain hazard Codes.
clearance and conversion	New term used in the Exemptions from Natural Assets Code for vegetation clearance which aligns with the term used in the <i>Forest Practices Act 1985</i> .
coastal protection works	New term and definition used in the Coastal Erosion Hazard Code and Coastal Inundation Hazard Code.
consulting room	Additional term and definition endorsed by the TPC through the IPS Compliance Review.
declared weed	Additional term and definition endorsed by the TPC through the IPS Compliance Review.
development area	Additional term and definition endorsed by the TPC through the IPS Compliance Review, which was further modified to include the area of a mining lease. The term is used in the Attenuation Code to measure the attenuation distance. The additional reference to mining leases ensures that the extent of the mining lease is considered in determining the attenuation distance.
environmental nuisance	Additional term and definition endorsed by the TPC through the IPS Compliance Review. Aligns with the term in the <i>Environmental Management and Pollution Control Act 1994</i> .
forest operations	Additional term and definition that aligns with the <i>Forest Management Act 2013</i> . Example of a use under the Resource Development Use

Term	Commentary
	Class and also used in the Natural Assets Code.
forest practices	Additional term and definition that aligns with the <i>Forest Practices Act 1985</i> . Term used in relation to vegetation clearance.
forest practices plan	Additional term and definition endorsed by the TPC through the IPS Compliance Review, which was further modified to refer to the <i>Forest Practices Act 1985</i> instead of the Forest Practices Code.
hazardous chemicals of a manifest quantity	Additional term and definition to align with the <i>Work Health and Safety Regulations 2012</i> . The term is used to define hazardous uses in various Codes such as the Coastal Hazard Codes.
home based child-care	Additional term and definition endorsed by the LIPS Assessment Panel.
hours of operation	Additional term and definition endorsed by the TPC through the IPS Compliance Review.
land filling	Additional term and definition to describe the filling of land with soil. The term is not to be confused with the waste disposal site. There are specific Exemptions for land filling and it is not required to be assigned to a particular use under the TPS.
level 2 activity	Additional term and definition endorsed by the TPC through the IPS Compliance Review. Aligns with the term in the <i>Environmental Management and Pollution Control Act 1994</i> .
local shop	Additional term and definition endorsed by the TPC through the IPS Compliance Review.
major sporting facility	Additional term and definition used to major facilities providing for national standard sporting competition such as Blundstone Arena, Aurora Stadium, the Silverdome and the Tasmanian Hockey Centre. This term was recommended by the Planning Technical Reference Group. The term is used to qualify the Sports and Recreation Use Class in the Recreation Zone and Parking and Sustainable Transport Code.
marine farming shore facility	Additional term and definition endorsed by the LIPS Assessment Panel, which was further modified to exclude the processing of other marine organisms in addition, to fish.
mining lease	Additional term and definition that aligns with the <i>Mineral Resource Development 1995</i> . The term is used in the new definition of 'development area'.
native vegetation	Additional term and definition endorsed by the TPC through the IPS Compliance Review.
neighbourhood centre	Additional term and definition to describe a centre for providing community and social services and may be located in some Residential Zones. The term was included in response to advice from the Community Sector. It is an example of a use in the Community Meeting and Entertainment Use Class. This term should not be confused with that used in some land use

Term	Commentary
	strategies to describe a type of centre within the activity centre hierarchy.
proclaimed wharf area	Additional term and definition as defined in the <i>Land Use Planning and Approvals Act 1993</i> (the Act). The term is used to ensure the TPS remains consistent with section 11(7) of the Act.
protrusion	An additional term and definition similar to ‘minor protrusion’ a term that is included in LIPS and previously appeared in PD4. The term avoids using the word “minor” as the extent of the protrusion is dictated by the threshold provided in a standard.
public holiday	New term and definition that aligns with term ‘statutory holiday’ under the <i>Statutory Holidays Act 2000</i> . The term is used in providing thresholds for hours of operation and clarifies that public holidays are only those identified as statutory holidays under this legislation.
public stormwater system	Additional term and definition endorsed by the LIPS Assessment Panel.
reserve class	Additional term and definition used in the Environmental Management Zone. The term was included in response to advice from the Department of Primary Industries, Parks, Water and the Environment (DPIPWE) to ensure that certain uses could be considered in accordance with the relevant reserve class under the <i>Nature Conservation Act 2002</i> .
reserve management plan	Additional term and definition endorsed by the TPC through the IPS Compliance Review.
reserved land	Additional term and definition endorsed by the LIPS Assessment Panel.
residential support services	Additional term and definition used to describe the support services that are often provided as part of a community housing development. It is an example of a use under the Business and Professional Services Use Class and is used to qualify the Use Class in some of the Residential Zones. The term was included in response to advice from the Community Sector Consultative Group.
respite centre	Additional term and definition that provides for longer term respite care as compared to a day respite centre. Respite centre is an example of a use under the Residential Use Class while a day respite centre is under the Educational and Occasional Care Use Class.
sealed plan	Additional term and definition that aligns with the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> . The term is used in describing an approved building area in the standards.
self storage	Additional term and definition endorsed by the LIPS Assessment Panel.
skyline	Additional term and definition to clarify the meaning of skyline. The term

Term	Commentary
	is used in the Landscape Conservation Zone and the Scenic Protection Code.
streetscape	Additional term and definition endorsed by the TPC through the IPS Compliance Review.
suitably qualified person	Additional term and definition to provide a generic definition for all references through the TPS. A generic definition is considered the most appropriate to address all circumstances in which the term is used.
visitors centre	Additional term and definition endorsed by the TPC through the IPS Compliance Review.
wall height	Minor revision to refer to 'existing ground level' instead of 'natural ground level'.
water sensitive urban design (WSUD)	Additional term and definition endorsed by the LIPS Assessment Panel.

Table 6.1.3: Deleted Terms

Term	Commentary
bed and breakfast establishment	Definition considered unnecessary as the general meaning of the term is considered adequate. The definition under PD1 also unnecessarily limited it to being part of a dwelling and did not align with the common meaning of the term.
desired future character	The term is not used in the TPS.
natural ground level	The definition of natural ground level under PD1 was confusing and potentially overlapped with the term 'existing ground level'. The term 'existing ground level' is more appropriate to describe the ground level for the assessment of a development application as it relates to the ground level prior to development occurring.
plot ratio	The term is not used in the TPS and is not one that is necessary to consider for the purposes of assessing an application.
ribbon development	The term, while used in the <i>State Coastal Policy 1996</i> , is more relevant to strategic planning. The term is not used in the TPS.
video shop	The term is not used in the TPS and has become archaic.

6.2 Exemptions

A permit is not required under the Planning Scheme for exempt use or development.

Use and development listed within Table 4.1 Exempt Use or Development of the TPS is exempt from requiring a permit under the entire TPS.

The Exemptions operate with, and without, specific qualifications but are always self-executing so they do not require any assessment against any standards within the TPS.

There are additional Exemptions found within most Codes. However, these only exempt a specified use or development from that Code, and the other relevant provisions in the TPS will apply.

The Exemptions in this clause are an evolution of the General and Limited Exemptions in PD1. To improve readability, all Exemptions are combined in a single table with all qualifications clearly identified for each use or development.

Limitations to the Exemptions imposed by Codes have been restricted to those which are directly relevant to the use or development.

A number of additional Exemptions have been adopted from the IPS.

The Exemptions also reflect extensive discussions and advice from the Planning and Infrastructure Technical Reference Groups, State Government Agencies and 145 statewide stakeholders.

Table 6.2.1 below provides commentary on the Exemptions in the TPS.

Table 6.2.1: Exemptions

Exemption	Commentary
Exempt use	
bee keeping	based on the General Exemption in Southern Interim Planning Scheme (SIPS)
occasional use	The Exemption is an evolution of General Exemption in Clause 5.1 of PD1 and provides further clarity on what constitutes and occasional use. It has also been broadened to cover markets on public land.
home occupation	The exemption is an evolution of the General Exemption in Clause 5.2 of PD1. Revisions have been made to: <ul style="list-style-type: none"> clarify the exemption; match the drafting style adopted in the TPS; allow for family day care businesses; and excludes Visitor Accommodation (which is subject to a new exemption for up to 42 days in dwellings).
visitor accommodation in a dwelling	An additional exemption included to provide for Airbnb and similar visitor accommodation uses but only where limited to 42 nights a year in dwellings.
infrastructure exemptions	
dam works	An additional exemption reflecting the exemption provided under s.60A of the Act.
utilities	An additional exemption based on legislative exemptions for the provision of various utilities.
road works	The Exemption is an evolution of the Limited Exemption in Clause 6.2 of PD1. The modified Exemption provides upgrades to occur up to 3m outside the road reserve and for the repair of bridges or replacement of bridges in the same or an adjacent location on advice from DSG.

Exemption	Commentary
	Only certain aspects of the Exemption are limited by the Local Historic Heritage Code.
vehicle crossings, junctions and level crossings	An additional Exemption based on the Road and Railway Assets Code. The exemption is also limited by the Parking and Sustainable Transport Code.
minor telecommunications	The Exemption is an evolution of the General Exemption in Clause 5.3 of PD1.
minor infrastructure	The Exemption is an evolution of the Limited Exemption in Clause 6.2 of PD1. The modified Exemption is not limited by any Codes.
navigation aids	An additional exemption to provide for the location of markers, lights and the like that are necessary for safety and navigation irrespective of the Zone that they may be required in.
railway works	An additional Exemption as the legislated Exemption under the <i>Rail Infrastructure Act 2007</i> .
exempt buildings and works	
emergency works	The Exemption is an evolution of the General Exemption in Clause 5.7 of PD1.
internal building and works	<p>An additional Exemption that confirms that all internal building and works are exempt from the TPS.</p> <p>There has been some divergence of views whether internal building and works were exempt from the planning system as a consequence of the wording in the definition of 'development' under the Act. This Exemption clarifies that they are.</p> <p>A footnote has been include to advise that internal building and works to places listed on the Tasmanian Heritage Register may still require approval under the <i>Historic Cultural Heritage Act 1995</i>.</p>
maintenance, repair and minor alteration to buildings	The Exemption is an evolution of the General Exemption in Clause 5.5 of PD1 and is based on the modifications made to PD1 through the various planning purposes notices currently in force for the IPS. The modified Exemption corrects the error in PD1 that unintentionally provided for minor alterations to heritage listed buildings.
temporary buildings and works	The Exemption is an evolution of the General Exemption in Clause 5.6 of PD1. The Exemption has been broadened to cover those for occasional uses as provided for in other jurisdictions.
unroofed decks	The Exemption is an evolution of the Limited Exemption in Clause 6.1.6. The revised Exemption is only limited by the Local Historic Heritage Code. All other Code limitations in PD1 are considered unnecessary.
outbuildings and garden structures	The Exemption is an evolution of the Limited Exemption in Clause 6.1.5 of PD1. The Exemption are linked to the exemptions from requiring a building permit under the <i>Building Regulations 2014</i> . The

Exemption	Commentary
	Exemption is only limited by the Local Historic Heritage Code.
outbuildings in rural Zones	An additional Exemption based on the Limited Exemption in SIPS. It provides Exemptions for outbuildings associated with a dwelling in the Rural Living Zone, Rural Living Zone and Agriculture Zone and is limited by the Local Historic Heritage Code.
agricultural buildings and works	An additional Exemption based on the Limited Exemption in SIPS. The Exemption is limited by the Local Historic Heritage Code. The setback requirements align with the setback requirements in the Rural Zone and Agriculture Zone.
demolition of exempt buildings	The Exemption is an evolution of the General Exemption in Clause 5.9 of PD1. The Exemption is limited to buildings not subject to the Local Historic Heritage Code.
vegetation exemptions	
vegetation removal for safety or in accordance with other statutes	<p>The Exemption is an evolution of the Limited Exemption in Clause 6.3.2 of PD1. The modified Exemption:</p> <ul style="list-style-type: none"> • provides greater alignment with the Exemptions from a forest practices plan under the <i>Forest Practices Act 1985</i> in response to advice from DSG and TasNetworks; • provides greater flexibility for clearing for the maintenance, repair and protection of buildings or infrastructure in response to advice from the Planning Technical Reference Group; • provides greater flexibility for clearing to erect boundary fences in response to advice from the Planning Technical Reference Group; • allows for the removal of any environmental weeds listed by Council; and • is not limited by any Codes. <p>It is considered unnecessary to limit these Exemption by any Codes as they relate to other legislative approvals, routine works, maintenance or protection for property and infrastructure.</p> <p>Some of the Exemptions in Clause 6.3.2 of PD1 have been relocated to other Exemptions in the TPS.</p>
landscaping and vegetation management	The Exemption is an evolution of the Limited Exemption in Clause 6.3.2(a). The modified Exemption is limited by the Natural Assets Code and the Local Historic Heritage Code.
vegetation rehabilitation works	The Exemption is an evolution of the Limited Exemption in Clause 6.3.2(g) and (h) of PD1. The Exemption has been modified in response to advice from DSG, NRM and Cement Concrete and Aggregates Australia by providing for rehabilitation works approved under other processes. The Exemption is not limited by any Codes.
ground mounted solar panels	An additional Exemption linked to the exemptions from requiring a building permit under the <i>Building Regulations 2014</i> .

Exemption	Commentary
roof mounted solar panels	The Exemption is an evolution of the Limited Exemption in Clause 6.1.3(c) of PD1.
wind turbines	An additional Exemption based on the Limited Exemption in SIPS.
miscellaneous exemptions	
signs	An additional Exemption that allows for signs that are exempt from the Signs Code to also be exempt from the draft TPS. The Exemption avoids unnecessary duplication wording and sign definitions in the administrative section of the draft TPS.
use or development in a road reserve or on public land	An additional Exemption based on the General Exemption in SIPS. Similar Exemptions are also provided for in NSW and Victoria.
fences within 4.5m of a frontage	The Exemption is an evolution of the Limited Exemption in Clause 6.4 of PD1. The modified Exemption aligns with the thresholds in the Acceptable Solutions for the various Zones in the TPS for fences within 4.5m of a frontage. Unlike PD1, the Exemption is only limited by the Local Historic Heritage Code.
fences not within 4.5m of a frontage	The Exemption is an evolution of the Limited Exemption in Clause 6.4 of PD1. The modified Exemption aligns with the thresholds in the Acceptable Solutions for the various Zones in the TPS for fences that are not within 4.5m of a frontage, e.g. side and rear boundary fences. Unlike PD1, the Exemption is only limited by the Local Historic Heritage Code.
fences for security purposes	The Exemption is an evolution of the Limited Exemption in Clause 6.4 of PD1. The modified Exemption aligns with the thresholds in the Acceptable Solutions for the various Zones in the TPS for fences of this type. Unlike PD1, the Exemption is only limited by the Local Historic Heritage Code.
fences in rural Zones	The Exemption is an evolution of the Limited Exemption in Clause 6.4 of PD1. It provides an Exemption for all fences in the Rural Zone or Agriculture Zone provided they are not subject to the Local Historic Heritage Code.
temporary fencing	The Exemption is an evolution of the Limited Exemption in Clause 6.4 of PD1. As the fencing is only temporary, the Exemption is not limited by any Codes.
retaining walls	The Exemption is an evolution of the Limited Exemption in Clause 6.4.2(c) of PD1. The Exemption is only limited by the Local Historic Heritage Code and excludes any land filling that may be associated with the retaining wall. Land filling is covered by a separate Exemption.
land filling	An additional Exemption for the filling of land to a depth of 1m. This is a once only Exemption based on the ground level at the date of the planning scheme coming into effect. The Exemption is limited by a number of Codes and aligns with the maximum height for retaining

Exemption	Commentary
	walls to be exempt from a building permit under the <i>Building Regulations 2014</i> .
masts, flagpoles and satellite dishes	The Exemption is an evolution of the Limited Exemption in Clause 6.1.3 of PD1. The modified Exemption does not limit the number of masts, poles or dishes.
heat pumps and air-conditioners	The Exemption is an evolution of the Limited Exemption in Clause 6.1.2 of PD1. The modified Exemption aligns with the Acceptable Solutions for the various Zones in the TPS for heat pumps and air-conditioners.
hot water cylinders	The Exemption is an evolution of the Limited Exemption in Clause 6.1.2 of PD1.
rain-water tanks and fuel tanks	The Exemption is an evolution of the Limited Exemption in Clause 6.1.2 of PD1.
anemometers	An additional Exemption based on the Limited Exemption in SIPS.
strata division	The Exemption is an evolution of the General Exemption in Clause 5.8 of PD1.

6.3 Planning Scheme Operation

Clause 5.0 sets out the operation of the TPS.

Clause 5.0 and associated subclauses are an evolution of Clause 7.0 of PD1. Modifications have been made to align with the structure of the TPS.

6.3.1 General Provisions

General Provisions for certain types of use or development which are not specific to any Zone, Specific Area Plan, or area to which a Code applies, can be found in Clause 7.0 of the TPS.

Where a conflict between a provision in a Zone, Specific Area Plan or Code and a General Provision in Clause 7.0 exists, the General Provision in Clause 7.0 prevails.

6.3.2 Operation of Zones

Each planning area is divided into Zones for which the primary controls for use and development of land are set out through standards.

The maps outlining these Zones will be contained in the Local Planning Schedules.

Each local Planning Authority is responsible for preparing the zoning maps relevant to their planning area.

6.3.3 Operation of Codes

Each Code identifies areas or planning issues which require compliance with standards additional to those in relevant Zone standards.

The Codes may be represented and applied as overlays shown on the Planning Scheme maps or in the form of Lists found within the Local Planning Schedules.

Codes can also set out provisions for particular types of use and development which may apply to land across a variety of Zones.

Where there is a conflict between a provision in a Code and a provision in a Zone, the Code provision prevails.

6.3.4 Local Planning Provisions

Each Local Planning Schedule sets out the Local Planning Provisions for each planning area in Tasmania. These Local Planning Provisions may include Particular Purpose Zones, Specific Area Plans, Site Specific Qualifications and Local Area Objectives.

Where there is a conflict between a Local Planning Provisions and a State Planning Provision, the Local Planning Provision prevails.

The Particular Purpose Zone can be used in circumstances where the standard Zones do not provide controls which are necessary for specific use or development. This Zone should only be used where unique circumstances cannot be accommodate by using the standard Zones.

The SPPs include a template for a Particular Purpose Zone structure. However, the Particular Purpose Zone: Future Urban also provides the content of standard provisions which must be contained within that Zone.

Specific Area Plans identify areas which can be within a single Zone or covered by a number of Zones. They set out more detailed planning provisions necessary for specific use or development in those areas.

Where there is a conflict between a provision in a Specific Area Plan and a provision in a Zone or Code, the Specific Area Plan's provision prevails.

Site Specific Qualifications relate to specific sites for which more detailed planning provisions for use and development are necessary. A Site Specific Qualification may be only one provision such as a height limit or a specific use qualification.

Where there is a conflict between a provision in the Site Specific Qualification, and provisions in a Zone or Code, the Site Specific Qualification prevails.

The legislative criteria for the preparation of Local Planning Provisions is explained Section D.

6.3.5 Compliance with Applicable Standards

A use or development must comply with each applicable standard in the SPPs and in the relevant Local Planning Schedule.

A standard is applicable, if the use or development is on a site within a Zone or Specific Area Plan or is a use or development to which a Code applies.

The standards deal with matters which could affect, or could be affected by, the proposed use or development.

6.4 Assessment of an Application for Use or Development

Clause 6.0 of the TPS is primarily an evolution of Clause 8.0 of PD1 with minor modifications as specified below.

6.4.1 *Application Requirements*

An application must be made under the TPS for any use or development for which a permit is required.

The information which must be provided when making an application for a permit is set out in two sections.

- Clause 6.1.2 of the TPS contains the mandatory information required to be provided with an application for it to be considered a valid application, and
- Clause 6.1.3 of the TPS lists information or plans which might be required to be submitted during the assessment of the application. This list is not exhaustive but contains specific examples of the type of additional information that may be required under section 54 of the Act.

Clause 6.1 of the TPS is an evolution of Clause 8.1 of PD1 and in a simple manner indicates the documents and information required for submitting a permit application. Key modifications include:

- Clarifying that all applications require a signed application form and any written permission and declaration of notification required under section 52 of the Act.
- Not mandating the inclusion of a schedule of easements with all applications. Planning authorities have access to all title information through the LIST and may request the schedule of easements from the applicant if necessary.
- Removal of the listed additional information relating to landscaping plans. Information of the proposed landscaping is often unnecessary for an application. If the information is required to address a provision of the TPS, then planning authorities already have the opportunity to request such information.

6.4.2 *Categorising Use or Development*

Each proposed use or development must be categorised into one of the Use Classes contained in Table 6.2 Use Classes.

If a use or development is directly associated with, and is a subservient part of another use on the same site, it must be categorised into the same Use Class as that other use.

If the use or development fits into more than one use, the appropriate Use Class is the one that best fits.

If it does not readily fit any use class, it must be categorised into the most similar Use Class.

Notwithstanding this, development for subdivision, a sign, land filling or coastal protection works does not need to be categorised into one of the Use Classes.

Clause 6.2 of the TPS is an evolution of Clause 8.2 of PD1 and identifies how use and development must be categorised.

The key modification is the inclusion of Clause 6.2.6 which removes the need for development for subdivision, signs, land filling, retaining walls or coastal protection works to be categorised into a Use Class.

It is often difficult to classify such development into a specific Use Class. The modification was made in response to advice from the Planning Technical Reference Group and the Surveying and Spatial Sciences Institute (SSSI).

Standards in some Zones and Codes may require such development to be classified for particular circumstance for example, to assess whether a subdivision will create opportunities for sensitive use in proximity to a potentially impacting use.

The Use Classes remain the same as in PD1 with some minor additions and modifications to the listed examples of uses and further clarification added to some Use Class definitions.

6.4.3 Qualification of Use

A Use Class may be qualified in the Use Table of a Zone or Specific Area Plan.

This Clause states which qualifications may be used to deliver more specific and detailed land use control by limiting the type or form of use, or the circumstances in which it may occur.

Any qualifications which apply to a Use Class are set out in the right hand column of the Use Table for each Zone or any Specific Area Plan.

Clause 6 reflects the wording in Clause 8.3 of PD1.

6.4.4 Requirement for a Permit

Clause 6.4.1 of the TPS states that, except as provided under Clauses 6.5 and 6.6, use and development of land must be undertaken in accordance with the TPS and the Act, and must not commence until it has been granted a permit.

Furthermore, it must not be carried out in a manner which contravenes the permit's condition or restrictions.

Clause 6.4.2 states that a change in an individual use to another individual use, whether or not it is within the same Use Class, requires a permit unless the TPS provides otherwise.

In some instances, a permit for a change in use within a Use Class is not required under the TPS.

This may occur through the listing of the applicable Use Class in the relevant Use Table category of No Permit Required with the corresponding qualification that this be limited to a change in use within that Use Class, or through the operation of Clause 7.5.

Clause 6.4 of the TPS reflects the wording in Clause 8.4 of PD1 with modification to the references to clause numbers to match the structure of the TPS.

6.4.5 Exempt Use or Development

Clause 6.5 of the TPS states that the use and development which is listed in Clause 4.0 is exempt in the circumstances set out and does not require an application to be made under the TPS.

Clause 6.5 reflects the wording in Clause 8.5 of PD1 with modification to the references to clause numbers to match the structure of the TPS.

6.4.6 No Permit Required

Clause 6.6 of the TPS states that some categories of use or development do not require a permit if they:

- are designated as No Permit Required in the applicable Use Table;
- the use or development meets the applicable standards and do not rely on any Performance Criterion to do so; and
- are not discretionary or prohibited through any other provision of the TPS.

Clause 6.6 reflects the wording in Clause 8.6 of PD1.

6.4.7 *Permitted Use or Development*

Clause 6.7 of the TPS provides for some categories of use or development which require a permit that the Planning Authority must approve, provided:

- the use is designated as Permitted in the applicable Use Table;
- the use or development meets the applicable standards and does not rely on any Performance Criteria to comply with each applicable standard; and
- the use or development is not Discretionary or Prohibited through any other provision of the TPS.

Clause 6.7 reflects the wording in Clause 8.7 of PD1 with modifications to clarify the circumstances for development which are not required to be categorised into a Use Class under Clause 6.2.6.

Development not required to be categorised under one of the defined Use Classes can only be considered as a Permitted development if:

- there are standards in the TPS which are applicable to the development; and
- it complies with the applicable standards without relying on a Performance Criteria to comply with each applicable standard.

If there are no standards in the TPS that are applicable to the development, it must be considered as a Discretionary development and assessed in accordance with the General Provision at Clause 7.10.

6.4.8 *Discretionary Use or Development*

Clause 6.8 of the TPS states that a Planning Authority has the discretion to grant a permit for some types of use or development provided:

- the use is designated as Discretionary in the applicable Use Table;
- the use or development complies with each applicable standard but relies upon a Performance Criterion to comply with each applicable standard; or
- it is Discretionary under any other provision of the TPS; and
- the use or development is not Prohibited through any other provision of the TPS.

Clause 6.8 reflects the wording in Clause 8.8 of PD1 with modifications to clarify the circumstances for development which is not required to be categorised into a Use Class under Clause 6.2.6.

If there are no standards in the TPS that are applicable to the development, it must be considered as a Discretionary development and assessed in accordance with the General Provision as Clause 7.10.

6.4.9 *Prohibited Use or Development*

Clause 6.9 of the TPS states that the Planning Authority is prohibited from granting a permit for certain use or development if:

- the use is designated a Prohibited within the applicable Use Table;
- the use or development does not comply with an Acceptable Solution for an applicable standard and there is no corresponding Performance Criterion; or
- it is Prohibited under any other provision of the TPS.

Clause 6.9 reflects the wording in Clause 8.9 of PD1.

6.4.10 Determining Applications

The matters listed in Clause 6.10.1 of the TPS are to be considered in determining an application for any permit.

Under Clause 6.10.2, the purpose of any applicable Zone, Code or Specific Area Plan must also be considered in determining whether to grant a permit for a discretionary use.

In addition, Clause 6.10.3 excludes consideration of the Planning Scheme's purpose in Clauses 2.1.1(b) and (c) of the Planning Scheme from planning permit determinations.

Clause 6.10 reflects the wording in Clause 8.10 of PD1 with modifications to match the structure of the TPS.

6.4.11 Conditions and Restriction on a Permit

Clause 6.11 of the TPS sets out some of the matters which may be included as conditions or restrictions in a permit.

Clause 6.11 reflects the wording in Clause 8.11 of PD1 with modifications to match the structure of the TPS and to insert further guidance on conditions and restriction which may be imposed on a permit for the construction phase of a development.

The additional guidance is based on the additional wording in SIPS and furthermore includes reference to potential acid sulfate soils. The allowance for conditions to be imposed in relation to acid sulfate soils is in place of a Code dealing with such issues.

7.0 General Provisions

Clause 7.0 of the TPS details how certain circumstances and uses interact with Zones and Codes in assessing applications. Where there is a conflict, the General Provisions override Zone, Specific Area Plan or Code provisions.

Clause 7.0 is an evolution of the Special Provision in Clause 9.0 of PD1. The Special Provisions have been recast as General Provisions which better indicates their purpose of applying 'generally' to use and development.

Modifications have been made to the Special Provisions under PD1 to clarify drafting and match the structure of the TPS. A further eight General Provisions have also been added to cover a range of matters as follows.

Table 7.0.1: Commentary on General Provisions

Clause	Commentary
7.1 Changes to an Existing Non-conforming Use	Reflects the wording of Clause 9.1 of PD1 with modifications to improve clarity and match the structure of the TPS.
7.2 Development for Existing Discretionary Uses	Reflects the wording of Clause 9.2 of PD1 with modifications to match the structure of the TPS.
7.3 Adjustment of a Boundary	Reflects the wording of Clause 9.3 of PD1 with modifications to ensure that the boundary adjustment does not reduce a lot below the minimum lot size unless the lot is already below the minimum lot size.
7.4 Change of Use of a Local Heritage Place	<p>This clause provides for a Planning Authority to consider and approve a Prohibited use to occur at a Local Heritage Place listed under the Local Historic Heritage Code, which facilitates the restoration and conservation of a heritage place.</p> <p>Adaptive reuse is important for conservation and restoration of heritage place as is a concept supported by the principles of the <i>Burra Charter 2013</i>.</p> <p>The General Provision is based on the Special Provision in SIPS and similar to a recent amendment to the Cradle Coast IPSs.</p>
7.5 Change of Use	An additional General Provision based on a Special Provision in some of the Northern Interim Planning Schemes. It allows for a change of use between uses within the same Use Class without requiring a permit if the impacts remain similar.
7.6 Access Across Land in Another Zone	An additional General Provision based on a Special Provision in SIPS. It provides for vehicle access to be considered for a use or development in circumstances where it crosses land in a different Zone.
7.7 Buildings Projecting onto Land in a Different	An additional General Provision based on a Special Provision in SIPS. It provides for building projecting into land in a different Zone

Clause	Commentary
Zone	to be considered for example, shop awnings projecting over a footpath that is within the Utilities Zone.
7.8 Port and Shipping in Proclaimed Wharf Area	An additional General Provision based on a Special Provision in SIPS. The provision ensures that use or development for Port and Shipping within a proclaimed wharf area is consistent with the requirements under section 11(7) of the Act.
7.9 Demolition	<p>This General Provision is an evolution of the Special Provision at Clause 9.4 of PD1. The modified General Provision makes demolition Permitted for a proposal which does not form part of another development proposal provided it is:</p> <ul style="list-style-type: none"> • not Prohibited by another provision of the Planning Scheme; or • subject to the Local Historic Heritage Code. <p>There was no comment in discussions with planners and stakeholders that demolition should be Discretionary unless subject to a specific requirement of the TPS for example, the Local Historic Heritage Code.</p>
7.10 Development not required to be categorised into a Use Class	<p>An additional General Provision which aligns with the Clauses 6.2.6 and 6.8.1(b) of the TPS. This General Provisions allows for the assessment of development that is not required to be categorised into a Use Class for instances such as land filling where there are no applicable standards in the TPS.</p> <p>Such development must be considered as Discretionary as it may be approved at the discretion of the Planning Authority, subject to the specified requirements. These requirements are based on General Provision for assessing changes to an existing non-conforming use.</p>
7.11 Use or Development Seaward of the Municipal District	<p>An additional General Provision that aligns with section 7 of the Act in empowering planning authorities to assess proposals for use or development over land seaward of their municipal district.</p> <p>The General Provision provides for situations where the land is unzoned under the LPS. For such instances, the provisions of the closest Zone apply or the adjoining Zone, if the use or development extends from such land.</p>

8.0 Zones

8.1 Introduction

The Tasmanian Planning Scheme (TPS) provides the following 22 Zones:

- 8.0 General Residential Zone
- 9.0 Inner Residential Zone
- 10.0 Low Density Residential Zone
- 11.0 Rural Living Zone
- 12.0 Village Zone
- 13.0 Urban Mixed Use Zone
- 14.0 Local Business Zone
- 15.0 General Business Zone
- 16.0 Central Business Zone
- 17.0 Commercial Zone
- 18.0 Light Industrial Zone
- 19.0 General Industrial Zone
- 20.0 Rural Zone
- 21.0 Agriculture Zone
- 22.0 Landscape Conservation Zone
- 23.0 Environmental Management Zone
- 24.0 Major Tourism Zone
- 25.0 Port and Marine Zone
- 26.0 Utilities Zone
- 27.0 Community Purpose Zone
- 28.0 Recreation Zone
- 29.0 Open Space Zone

In addition, the TPS provides a template for:

- a general Particular Purpose Zone for local planning authorities to populate as required in their relevant Local Provision Schedules; and
- the Particular Purpose Zone: Future Urban which includes specific provisions which must be included if the Zone is utilised by local planning authorities.

For the purposes of this document the Zones have been grouped to provide a consolidated explanation of similar Zones as follows:

- General Residential Zone, Inner Residential Zone, Low Density Residential Zone and Rural Living Zone;

- Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone and Commercial Zone;
- Light Industrial Zone, General Industrial Zone, Port and Marine Zone and Utilities Zone;
- Rural Zone and Agriculture Zone;
- Landscape Conservation Zone and Environmental Management Zone;
- Major Tourism Zone; and
- Community Purpose Zones, Recreation Zone and Open Space Zone.

Section 16 of this document includes the Zone Application Framework which provides guidance for the application of the 22 standard Zones along with the Particular Purpose Zones.

8.2 Application of Zoning

All land in the TPS area must be zoned.

The application of the various Zones to particular land within the TPS area must reflect and be supported by all relevant strategic planning studies endorsed by the Planning Authority, as well as, the declared Regional Land Use Strategy (RLUS) for the relevant region.

The Zone maps form part of the Local Provisions Schedules (LPS).

8.3 Zone Purpose

Each Zone in the TPS has a stated purpose.

This identifies the broad land use and development characteristics required to deliver the declared RLUS.

The Zone Purpose may only be used in the determination of Discretionary applications.

8.4 Use Table

Each Zone includes a Use Table.

The Use Table is set out in two columns with Use Classes in the left-hand column and qualifications for the Use Classes in the right-hand column.

The qualifications deliver specific and detailed planning outcomes by allowing a Use Class or an individual use to be restricted or allowable in certain circumstances.

The Use Table has the following Permit requirements:

- No Permit Required;
- Permitted;
- Discretionary; and
- Prohibited.

9.0 General Residential, Inner Residential, Low Density Residential and Rural Living Zones

9.1 Strategic Intent and Function

The draft General Residential, Inner Residential, Low Density Residential and Rural Living Zones are being considered as a package due to the relationship between the strategic intent and function of the zones. Together these four residential zones provide the basis for the implementation by Planning Authorities of strategic land use objectives relating to residential settlement.

This suite of draft Residential Zones is based upon the current General Residential, Inner Residential, Low Density Residential and Rural Living Zone in *Planning Directive No 1 – The Format and Structure of Planning Schemes* (PD1) and the use and development standard associated with those zones in Interim Planning Schemes (IPS).

The suite no longer includes an Environmental Living Zone as this Zone has been recalibrated to form part of a suite of draft environmental Zones (see Section 13 of this document).

Observations from the IPS noted the different regional approaches to the PD1 Residential Zones. There is currently considerable variation in density standards across the zones which is reflective of a disparate approach by Planning Authorities and regions.

Other differences existed between the three regions related to the application, or otherwise of some non-residential development standards, and the necessary requirements for subdivision.

There are also noticeable differences in the mix of uses allowed within the Inner Residential Zone between the Southern Interim Planning Schemes (SIPS) and the Launceston Interim Planning Scheme (LIPS), as well as the approach to the drafting of standards within the Low Density Residential Zone and Rural Living Zone across the three regions.

Conversely, there is already a degree of consistency in the development standards within the General Residential Zone arising from *Planning Directive No 4.1 – Standard for Residential Development in the General Residential Zone* (PD4.1).

The four draft Residential Zones reflect a hierarchy of residential use and development which is consistent with the sound strategic planning through the support of the Activity Centre Hierarchy¹ and the integration of land use and infrastructure planning.

The approach has been to provide a consistent graduation from high density urban style living through to lower density rural residential style living.

The standards reflect this graduation through the mix of allowable uses and differing setback standards, height limits and density controls to reflect different expectations of the form of development and the type of residential amenity.

This graduation also is critical to support of the Activity Centre Hierarchy.

The draft Inner Residential Zone is intended to provide for inner urban areas in proximity to major Activity Centres and transit corridors.

¹ The Activity Centre Hierarchy is found within the Tasmanian Activity Centre Network Report prepared by Hill PDA in February 2014. This is attached as Appendix 4.

The development standards aim at achieving higher density residential areas with residential amenity focussed on its walkability or easy access via public transport to local services, parks and Activity Centres.

Use standards allow for a mix of non-residential uses which support vibrant inner city living with small scale business and retail facilities.

It is expected that use of this Zone will be limited to the major metropolitan areas of Hobart and Launceston.

The General Residential Zone is, in the IPS, the most commonly used Residential Zone within the State.

While there is already a high degree of commonality due to PD4.1, there was a considerable variation in density, through minimum lot size provisions, in Interim Planning Schemes.

In order to achieve effective use of infrastructure, the density standards within the draft State Planning Provisions (SPPs) are aimed at achieving a minimum of 15 dwellings per hectare.

The existing provisions within PD4.1 have been carried over with some minor changes.

Non-residential uses are limited in line with amenity expectations.

The Low Density Residential Zone is used within IPS to manage varying residential areas: It has been applied to un-serviced residential areas which may have been developed to higher densities; peri-urban where there is a desire to transition to a lower density due to environmental or visual values; and existing serviced suburbs or settlements that, due to the transitional requirements of IPS, were required to maintain lower densities.

The standards within the Zone have been drafted to allow Planning Authorities to continue to utilise the Zone for un-serviced residential areas or settlements or on land where there are recognised land constraints.

The standards do not provide for the use of the Zone on fully serviced land where there are no land constraints.

There is inconsistency in the approach to the use of Rural Living Zone in IPS, which occurs as a result of the disparity in the application of the suite of Rural Zones in IPS. With the recalibration of these Zones, the draft Rural Living Zone is intended to provide for rural residential areas, where the protection of residential amenity remains a relevant consideration.

The primary use of the Zone is aimed at existing areas which are in commuter distance to Activity Areas.

The standards recognise that the land has limited reticulated infrastructure, i.e. generally telecommunications and electricity only, and will occur in proximity to either agricultural or bushland areas.

It is recognised that this Zone does not result in the efficient use of land and infrastructure, although continues to be desirable within some sectors of the housing market.

As a result, it is not considered appropriate for broad application to new residential areas and should be limited to existing areas, unless specifically provided for within a Regional Land Use Strategy.

It does however provide a buffer between residential land and rural or agricultural land beyond.

Due of the desired characteristics of this Zone the approach to drafting of standards is different to the other Residential Zones and has some similarity to the suite of Rural Zones.

9.2 Additional Consultation

In addition to the consultative process undertaken as outlined in section 3 of this document, additional meetings were held with members of the Community Sector.

This was to ensure that the Zones as drafted adequately responded to the needs of the sector in relation to the range of dwelling types.

There was support for the drafting as proposed and the use of terminology.

However, this consultation highlighted the need to provide for administration facilities for the Community Sector within residential areas. This was accordingly provided as qualified Business and Professional Service within the Residential Zones.

The position taken in relation to the Rural Living Zone is complex because of the different approaches to its application across the State.

To ensure the requirements of the Zone were set at appropriate levels, additional consultation with Councils outside of those involved within the Planning Technical Reference Group occurred.

This resulted in taking the position of two minimum lot sizes, Rural Living A (1ha) and Rural Living B (2ha) as previously stated.

This reflects the range of minimum lot sizes across the State and ensured the planning authorities had suitable controls for development of their Rural Living land.

9.3 General Residential Zone Provisions

Below are the standards included within the General Residential Zone. It should be noted that some standards have been removed such as having outdoor living space accessible from a living room and the requirement for a percentage of windows to be facing in a northerly direction for dwellings. Other standards have been redrafted for greater clarity.

These changes were made following the consultation with Council Planners, in particular, who provided feedback on the limitations of the standards and the benefits gained in applying them.

In regard to the windows facing a northerly direction it is more appropriate to address this issue at the subdivision stage. Therefore the General Residential Zone, in particular, requires subdivision design to ensure that the long axis of any lot has a good solar orientation.

This is not applied to the Inner Residential Zone as subdivision in this Zone is likely to be retrofitting to existing areas and therefore constrained.

The Low Density Residential Zone and Rural Living Zones also do not include this standard reflecting that the lots are much larger and therefore good solar orientation should be able to be achieved irrelevant of subdivision design.

Non-residential development standards draw on similar standards as found within PD4.1 regarding height, setbacks, garages and carport placement, front fences and built form.

Additional standards address noise impacts and external storage of goods. This is to ensure that non-residential development is comparable in scale with surrounding residential uses.

Clause	Commentary
8.1 Zone Purpose	<p>The purpose of the Zone is to provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</p> <p>The Zone also provides for the efficient utilisation of available and planned social, transport and other service infrastructure and provides for compatible non-residential use which serves the local community and does not cause an unreasonable loss of amenity.</p> <p>The Zone has broad application within serviced residential areas. The Zone is the most commonly used Zone within the State and this resulted in the application of PD4.1 some years ago to endeavour to standardise requirements.</p> <p>The Zone's purpose is to enable suburban residential densities where efficient provision of reticulated services and social infrastructure can be provided to the maximum number of dwellings.</p>
8.2 Use Table	<p>Use Table – indicating No Permit Required, Permitted, Discretionary and Prohibited Uses.</p> <p>They are a result of an audit of the Use Tables in the 28 IPS with revisions to reflect the purpose of each Zone.</p>
8.3 Use Standards	
8.3.1 Discretionary Use	<p>Use standards for the listed uses include hours of operation, external lighting and commercial vehicle movements.</p> <p>The Discretionary use standards allow for appropriate non-residential uses which make up the broader fabric of a suburb such as shops, schools, medical facilities and other social infrastructure.</p> <p>Critically these uses have limitations to ensure their scale accords with the residential surrounds and to ensure that they do not have an adverse impact upon the Activity Centre Hierarchy demonstrated through the business zones.</p>
8.3.2 Visitor Accommodation	<p>Visitor Accommodation must be in existing buildings and have a gross floor area of no more than 160m².</p> <p>This ensures the scale of development is consistent with surrounding residential development. There is a Performance Criteria pathway where discretion requires consideration.</p>
8.4 Development Standards for Dwellings.	
8.4.1 Residential density for multiple dwellings	<p>Multiple dwellings must have a site area per dwelling of not less than 325m².</p> <p>The site area per dwelling is lower than the minimum lot size, reflecting the ability to share common areas such as driveways within multiple dwelling developments.</p>

Clause	Commentary
	<p>This lot size ensures efficient use of infrastructure within suburbs and the provision of a variety of housing types which are necessary to make up a diverse community.</p> <p>However, the greater area as compared to the Inner Residential Zone ensures that the increased expectations on privacy and similar are maintained.</p>
8.4.2 Setbacks and building envelopes for all dwellings	<p>The frontage setback is based on PD4.1 as it currently exists within the IPS.</p> <p>Based on PD4.1 the garage or carport must be setback 5.5m.</p> <p>Based on PD4.1 the standard specifies a building envelope with a height limit of 8.5m.</p> <p>These standards exist within PD4.1 and as such have been tested through their application around the state. They allow for a two storey dwelling to be located so it minimises the impact on adjoining properties while maintaining an active street presence in an urban area.</p>
8.4.3 Site coverage and private open space for all dwellings	<p>Dwellings must have a site coverage of not more than 50 percent, with multiple dwellings having a total area of private open space of not less than 60m² associated with each dwelling.</p> <p>A dwelling must have private open space of specific dimensions and an area of 24m² or 12m² when above ground level.</p> <p>The General Residential Zone has a lower site coverage at 50 percent than the Inner Residential Zone reflecting expectations of greater separation between dwellings and increased open space for these areas.</p>
8.4.4 Sunlight and overshadowing of all dwellings	<p>Standards as taken from PD4.1 are included regarding the retention of sunlight to open space for multiple dwellings.</p> <p>Access to sunlight is a significant factor in residential amenity and this applies to within the dwelling, as well as, the outdoor living spaces.</p> <p>This standard ensures that at the design stage for multiple dwellings, that consideration is given to the amenity expected for each dwelling and that the layout for multiple dwelling developments responds to this accordingly.</p>
8.4.5 Width of openings for garages and carports for all dwellings	<p>A garage or carport for a dwelling within 12m of a primary frontage must have a width of openings not more than 6m or half the width of the frontage.</p> <p>Within residential areas it is desirable for these structures to be a subservient element in the streetscape.</p> <p>The standards aim to reduce the potential for garages and carports to dominate the streetscape and result in impacts on visual amenity and a lack of passive surveillance from the dwelling to the street.</p>
8.4.6 Privacy for all	<p>This standard includes privacy requirements as existing within PD4.1.</p>

Clause	Commentary
dwellings	<p>These standards have been tested and are broadly supported within the community.</p> <p>Although the lot size allows for greater separation between dwellings, it is important to give close consideration to good design and implementing privacy screens or otherwise to maintain amenity between properties. During the consultative process there were no requests to redraft the standards.</p>
8.4.7 Frontage fences for all dwellings	<p>A fence within 4.5m of a frontage must have a height above existing ground level of 1.2m if the fence is solid or 1.8m if it has a transparency not less than 30 percent.</p> <p>The purpose of this provision is to ensure adequate passive surveillance can be provided from the private domain a dwelling to the public domain, while also maintaining a level of privacy to occupants of private property.</p> <p>Lower fences allow for more active street frontages. Ensuring side fences reduce in height as they meet the street boundary results in better sight lines for vehicles entering and exiting properties therefore improving safety.</p>
8.4.8 Waste storage for multiple dwellings	<p>Multiple dwellings must be provided with storage areas for waste and recycling bins.</p> <p>Rubbish bins can cause hazards if not appropriately stored.</p> <p>The purpose of this requirement is to ensure that there is not a proliferation of rubbish bins in common spaces for multiple dwellings.</p>
8.5 Development Standards for non-dwellings	
8.5.1 Non-dwelling development	<p>A building which is a non-dwelling must be setback 4.5m from the primary frontage and 3.0m from secondary frontages or the setback must be the same distance as adjoining properties if on a vacant site.</p> <p>The building must also be aligned with the building envelope as specified in PD4.1 including a height limit of 8.5m.</p> <p>A building that is not a dwelling must have a site coverage of 50 percent.</p> <p>A fence within 4.5m of a frontage must have a height above existing ground level of 1.2m if the fence is solid, or 1.8m if it has a transparency not less than 30 percent.</p> <p>Outdoor storage areas, excluding for the display of goods for sale, must be located behind the façade of the building or have all stored goods and materials screened from public view.</p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators must be separated by a distance of not less than 10m from a sensitive use boundary.</p> <p>These standards are the same as those for a dwelling development.</p>

Clause	Commentary
	<p>This is to ensure that the built form, irrelevant of use, is consistent.</p> <p>The same rationale for the numerical requirements applies here, as it does with a dwelling.</p>
8.5.2 Non-Residential Garages and Carports	<p>A garage or carport must be setback 4.5m or 1m behind the façade of the building, or the same as the building façade, or 1m if the land slopes more than 1 in 5.</p> <p>A garage or carport not forming part of a dwelling within 12m of a primary frontage must have a width of openings facing the primary frontage of not more than 6m or half the width of the frontage.</p> <p>Irrelevant of whether the garage or carport is used for residential purposes or otherwise, within residential areas it is desirable for these structures to be a subservient element in the streetscape.</p> <p>The standards aim to reduce the potential for garages and carports to dominate the streetscape and result in impacts on visual amenity and a lack of passive surveillance from the dwelling or other building.</p>
8.6 Development Standards for subdivision	
8.6.1 Lot Design	<p>Each lot must have a minimum area of not less than 450m² and contain a building area of 10m x 15m and comply with the building setback requirements.</p> <p>Each lot must have a frontage not less than 12m.</p> <p>The minimum lot size reflects the optimum suburban density to provide a minimum of 15 houses per hectare.</p> <p>This enables efficient provision of reticulated services, as well as, bus services and other facilities such as schools, shops and medical facilities.</p>
8.6.2 Roads	<p>The Acceptable Solution is that the subdivision includes no new roads.</p> <p>Any lot in a subdivision with a new road must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</p> <p>The Performance Criteria for the roads standard require that any subdivision is designed strategically having consideration of future subdivision opportunities on adjoining properties, as well as, providing for both pedestrian and vehicular linkages.</p> <p>In the design of new subdivisions, good solar orientation of the lot must be provided to maximise the opportunity of a future dwelling having good passive solar gains.</p>
8.6.3 Services	<p>Each lot is to be provided with full reticulated services.</p> <p>This standard is critical and reflects this Zone's role in the hierarchy as being the most commonly used Residential Zone and the importance of maximising the use of reticulated services through connection to them.</p>

9.4 Inner Residential Zone Provisions

Clause	Commentary
9.1 Zone Purpose	<p>The purpose of the Zone is to provide for residential use or development which accommodates a range of dwelling types at higher densities, within walkable distances of services, facilities, employment and high frequency public transport corridors.</p> <p>The Zone also provides for the efficient utilisation of available and planned social, transport and other service infrastructure; and provides for compatible non-residential use which serves the local community and does not cause an unreasonable loss of amenity.</p> <p>The Zone has limited application within serviced residential areas.</p> <p>However, the Zone plays a critical role in the transition from commercial and business uses, to suburban residential uses and lower density residential uses beyond that.</p> <p>The Residential Zones all play a role in a broader residential hierarchy.</p> <p>The Inner Residential Zone has the highest density in well serviced urban areas.</p> <p>To achieve broader sustainability objectives such as reducing the footprint of urban sprawl and providing high quality residential living in close proximity to services and the city, this Zone should be well utilised where appropriate.</p>
9.2 Use Table	<p>Use Table – indicating No Permit Required, Permitted, Discretionary and Prohibited Uses. The Use Table includes a broad range of uses to reflect the Zone intent and desired higher density living.</p> <p>They are a result of an audit of the Use Tables in the 28 IPS with revisions to reflect the purpose of each Zone.</p>
9.3 Use Standards	
9.3.1 Discretionary Uses	<p>Use standards for the listed uses include hours of operation; external lighting and commercial vehicle movements.</p> <p>Within the Inner Residential Zone there should be a reduced expectation on suburban residential amenity, however this is counter balanced with the benefits of being in close proximity to other services such as shops, restaurants, public transport and social infrastructure.</p> <p>The Discretionary use standards allow greater flexibility than those found within the General Residential Zone, further reflecting this Zone's position in the transition from commercial and business uses to suburban residential.</p>
9.3.2 Visitor Accommodation	<p>Visitor Accommodation must be in existing buildings and have a gross floor area of no more than 160m².</p> <p>This ensures the scale of development is consistent with surrounding residential development. There is a Performance Criteria pathway</p>

Clause	Commentary
	where discretion may be considered.
9.4 Development Standards for Dwellings	
9.4.1 Residential density for multiple dwellings	<p>Multiple dwellings must have a site area per dwelling of not less than 200m².</p> <p>The site area per dwelling is consistent with the minimum lot size for the Inner Residential Zone. This is to achieve the density requirements indicated within the Zone Intent thereby maximising the use of well serviced residential land.</p>
9.4.2 Setbacks and building envelopes for all dwellings	<p>The frontage setback is based on PD4.1 as currently existing within the IPS.</p> <p>It should be noted there are lesser setbacks requirements as compared to the General Residential Zone, reflecting the desired higher density.</p> <p>Based on PD4.1, the garage or carport must be setback 4m.</p> <p>Based on PD4.1, the standard specifies a building envelope with a height limit of 9.5m.</p> <p>All standards reflect a desire for a greater density of development and the built form in general.</p> <p>The height limit reflects a reduced expectation of suburban residential amenity and could result in a three storey dwelling if carefully designed, responding to the constraints of a small site.</p>
9.4.3 Site coverage and private open space for all dwellings	<p>Dwellings must have a site coverage of not more than 65 percent, with multiple dwellings having a total area of private open space of not less than 60m² associated with each dwelling.</p> <p>A dwelling must have private open space of specific dimensions and an area of 24m² or 12m² when above ground level.</p> <p>The greater density expectations of the Inner Residential Zone are reflected with the higher site coverage allowable.</p> <p>This also contributes to meeting the Zone Intent.</p> <p>Notwithstanding the density requirements, basic areas of private open space are necessarily similar to the General Residential Zone to ensure there is adequate useable open space for occupants of any dwelling.</p>
9.4.4 Sunlight and overshadowing of all dwellings	<p>Standards as taken from PD4.1 are included regarding the retention of sunlight to open space for multiple dwellings.</p> <p>Access to sunlight is a significant factor in residential amenity and this applies to within the dwelling, as well as, the outdoor living spaces.</p> <p>This standard ensures that at the design stage for multiple dwellings, that consideration is given to the amenity expected for each dwelling and that the layout for multiple dwelling developments responds to this</p>

Clause	Commentary
	accordingly.
9.4.5 Width of openings for garages and carports for all dwellings	<p>A garage or carport for a dwelling within 12m of a primary frontage must have a width of openings not more than 6m or half the width of the frontage.</p> <p>Within residential areas it is desirable for these structures to be a subservient element in the streetscape. The standards aim to reduce the potential for garages and carports to dominate the streetscape and impact on visual amenity and result in a lack of passive surveillance from the dwelling to the street.</p>
9.4.6 Privacy for all dwellings	<p>This standard includes PD4.1 privacy requirements.</p> <p>These standards have been tested and are broadly supported within the community.</p> <p>Given the reduced lot size in the Inner Residential Zone, it is important to give consideration to good design and implementing privacy screens, or otherwise, to maintain amenity between properties.</p> <p>The consultation did not indicate a need to revisit these.</p>
9.4.7 Frontage fences for all dwellings	<p>A fence within 4.5m of a frontage must have a height above existing ground level of 1.2m if the fence is solid or 1.8m if it has a transparency not less than 30 percent.</p> <p>The purpose of this provision is to ensure adequate passive surveillance can be provided from the private domain a dwelling to the public domain, while also maintaining a level of privacy to occupants of private property.</p> <p>Lower fences provide for more active street frontages. Ensuring side fences reduce in height as they meet the street boundary results in better sight lines for vehicles entering and exiting properties thereby improving safety.</p>
9.4.8 Waste storage for multiple dwellings	<p>Multiple dwellings must be provided with storage areas for waste and recycling bins. Rubbish bins can cause hazards if not appropriately stored. The purpose of this requirement is to ensure that there is not a proliferation of rubbish bins in common spaces for multiple dwellings.</p>
9.5 Development Standards for non-dwellings	
9.5.1 Non-dwelling development	<p>A building which is a non-dwelling must be setback 3.0m from the primary frontage and 2.0m from secondary frontages or setback the same distance as adjoining properties if on a vacant site.</p> <p>The building must also conform with the building envelope as specified in PD4.1 including a height limit of 9.5m.</p> <p>A building that is not a dwelling must have a site coverage of 65 percent.</p> <p>A fence within 4.5m of a frontage must have a height above existing ground level of 1.2m if the fence is solid or 1.8m if it has a</p>

Clause	Commentary
	<p>transparency not less than 30 percent.</p> <p>Outdoor storage areas, must be located behind the façade of the building or have all stored goods and materials screened from public view.</p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators must be separated by a distance of not less than 10m from a boundary with a sensitive use.</p> <p>These standards are the same as those for a dwelling development. This is to ensure that the built form, irrelevant of use, is consistent. The same rationale for the numerical requirements applies here, as it does with a dwelling.</p>
<p>9.5.2 Non-Residential Garages and Carports</p>	<p>A garage or carport must be setback 3.0m or 1m behind the façade of the building or the same as the building façade or 1m if the land slopes more than 1 in 5.</p> <p>A garage or carport not forming part of a dwelling within 12m of a primary frontage must have a width of openings facing the primary frontage of not more than 6m or half the width of the frontage.</p> <p>Irrelevant of whether the garage or carport is used for residential purposes or otherwise, within residential areas, it is desirable for these structures to be a subservient element in the streetscape.</p> <p>The standards aim to reduce the potential for garages and carports to dominate the streetscape and impact on the visual amenity and results in a lack of passive surveillance from the dwelling or other building.</p>
<p>9.6 Development Standards for subdivision</p>	
<p>9.6.1 Lot Design</p>	<p>Each lot must have a minimum area of not less than 200m² and contain a building area of 10m x 12m and comply with the building setback requirements.</p> <p>Each lot must have a frontage not less than 3.6m.</p> <p>The minimum lot size reflects the desired higher density in these areas.</p> <p>The reduced building area reflects the constraints of a smaller lot.</p> <p>The minimal frontage requirement reflects that subdivision opportunities in many of these areas will be through rear access lots to better utilise the land.</p> <p>This ensures a Permitted pathway for these types of developments.</p>
<p>9.6.2 Roads</p>	<p>The Acceptable Solution is that the subdivision includes no new roads.</p> <p>It is unlikely that new roads will be frequently required within the Inner Residential Zone given the application of the Zone.</p> <p>Performance Criteria however, address the need for any new roads ensuring good strategic planning is undertaken in relation to future road linkages, or development opportunities between surrounding lots,</p>

Clause	Commentary
	is maintained.
9.6.3 Services	<p>Each lot is to be provided with full reticulated services.</p> <p>This is essential given the small lot size allowable in the Inner Residential Zone, as well as, the Zone Intent of ensuring this Zone is only applied to areas that are fully serviced.</p>

9.5 Low Density Residential Zone Provisions

Clause	Commentary
10.1 Zone Purpose	<p>The purpose of the Zone is to provide for residential use and development on larger lots in residential areas where there are infrastructure, environmental or aesthetic constraints which limit the density, location or form of development.</p> <p>The Zone should provide for non-residential use that primarily serves the local community and does not cause an unreasonable loss of amenity and does not displace a residential use.</p> <p>The Zone has wide and varied application including the outskirts of towns, as well as, often un-serviced smaller settlements.</p> <p>Fully serviced Residential land should be zoned General Residential.</p> <p>This Zone sits as the third tier in the residential hierarchy.</p>
10.2 Use Table	<p>Use Table – indicating No Permit Required, Permitted, Discretionary and Prohibited uses.</p> <p>The Use Table provides for a range of uses which are limited in scope to ensure compatibility with the residential area.</p> <p>These uses are also more likely to service the local community and be of an appropriate scale accordingly.</p> <p>They are a result of an audit of the Use Tables in the 28 IPS with revisions to reflect the purpose of each Zone.</p>
10.3 Use Standards	
10.3.1 Discretionary Uses	<p>Use standards for non-residential uses include hours of operation, external lighting, flood lighting and commercial vehicle movements.</p> <p>The intent of the standards is to ensure that the Discretionary uses are of a scale and type which limits the impacts on surrounding residential uses.</p>
10.3.2 Visitor Accommodation	<p>Visitor Accommodation must be in existing buildings and have a gross floor area of no more than 160m².</p> <p>This floor area was determined through consideration of the 28 IPS across the State, with the SIPS eventually being considered the most appropriate.</p> <p>The floor area also recognises a residential scale of development</p>

Clause	Commentary
	which is appropriate considering the underlying intent of the Zone is residential in nature.
10.4 Development Standards for Dwellings.	
10.4.1 Residential density for multiple dwellings	<p>Multiple dwellings must have a site area per dwelling of not less than 1500m² if fully serviced with reticulated services, or 2500m² otherwise.</p> <p>This reflects the Zone Intent in being for lower density residential living and as such, the minimum lot sizes and multiple dwelling density should result in the same broader density across the Zone.</p>
10.4.2 Building Height	A dwelling must have a building height not more than 8.5m. This is consistent with other Residential Zones except for the Inner Residential Zone and would accommodate a standard designed two storey dwelling.
10.4.3 Setback	<p>Dwellings must have a setback from a frontage not less than 8m.</p> <p>This is to maintain an appropriate level of residential amenity and separation between buildings, as well as to reflect the residential hierarchy which exists between the four Residential Zones.</p> <p>Dwellings must have a setback from side and rear boundaries not less than 5m. The greater setbacks reflect an increased emphasis on privacy and separation between dwellings than exists within the General Residential or Inner Residential Zones.</p>
10.4.4 Site Coverage	<p>Dwellings must have a site coverage not more than 30 percent.</p> <p>Given the likely lot size which will exist within these areas, a 30 percent site coverage still provides for a substantial footprint in terms of buildings, while also ensuring the built area is appropriate in scale for the Zone Intent.</p>
10.4.5 Frontage fences for all dwellings	<p>A fence within 4.5m of a frontage must have a height above existing ground level of 1.2m if the fence is solid or 1.8m if it has a transparency not less than 30 percent.</p> <p>This standard is consistent within the Residential Zones and has been tested through existing 28 IPS and some older Planning Schemes.</p> <p>It is well supported and there was no comment during the consultation that would indicate a need to change from the existing situation.</p>
10.5 Development Standards for Non-dwellings.	
10.5.1 Non-dwelling development	<p>A building that is not a dwelling must be setback from the frontage not less than 8m.</p> <p>This is to maintain an appropriate level of residential amenity and separation between buildings, as well as to reflect the residential hierarchy that exists between the four Residential Zones.</p> <p>A building that is not a dwelling must be setback from the side boundaries not less than 5m, and from the rear boundaries, not less than 10m.</p>

Clause	Commentary
	<p>The greater setbacks reflect an increased emphasis on privacy and separation between dwellings than exists within the General Residential or Inner Residential Zones.</p> <p>The 10m setback as opposed to 5m for residential uses provides greater separation as acknowledgement of possible impacts from non-residential uses.</p> <p>A building that is not a dwelling must have a site coverage not more than 30 percent.</p> <p>Given the likely lot size which will exist within these areas, a 30 percent site coverage still provides for a substantial footprint in terms of buildings, while also ensuring the built area is appropriate in scale for the Zone Intent.</p> <p>A fence within 4.5m of a frontage must have a height above existing ground level of 1.2m if the fence is solid or 1.8m if it has a transparency not less than 30 percent.</p> <p>This standard is consistent within the Residential Zones and has been tested through existing 28 IPS and some older Planning Schemes.</p> <p>It is well supported and there was no comment during the consultation indicating it should change from the existing situation.</p> <p>Outdoor storage areas must be located behind the façade of the building or have all stored goods and materials screened from public view.</p> <p>This reflects a need to give Residential uses the priority over commercial uses to accurately reflect the Zone Intent, as well as, ensure the operation of businesses does not change the visual amenity of Low Density Residential areas.</p> <p>A 10m separation between mechanical plant and sensitive uses must be provided to ensure there is no unreasonable loss of amenity from non-residential uses to sensitive uses.</p> <p>This also reflects the Zone Intent of residential uses having precedence over non-residential uses.</p>
10.6 Development Standards for Subdivision	
10.6.1 Lot Design	<p>Each lot must have a minimum lot size of 1500m² and minimum building area of 10m x 15m and meet all setback requirements set down by the Zone standards.</p> <p>It must be required for public use by the State Government, a Council, a statutory authority or corporation, be required for the provision of public utilities, or the consolidation of two lots within the same Zone.</p> <p>Each lot must have a frontage of 20m.</p> <p>The minimum lot size was reached following consideration of the 28 IPS and extensive consultation with members of the Planning and Infrastructure Technical Reference Groups. This consultation</p>

Clause	Commentary
	<p>highlighted a need to ensure that Low Density Residential Zoned land is efficiently utilised subject to constraints existing on site.</p> <p>The lot size of 1500m² also reflects an appropriate residential hierarchy from the Inner Residential Zone, through to the Rural Living Zone, with Low Density Residential Living being the third tier in this hierarchy.</p> <p>It highlights a higher level of residential amenity in terms of privacy and separation of dwellings, but potentially a different level of amenity in terms of access to social infrastructure such as schools, shops, and medical services.</p>
10.6.2	<p>The Acceptable Solution is that the subdivision includes no new roads.</p> <p>In the event of a subdivision including a road, requirements are set down through the Performance Criteria relating to the design of the road, as well as, broader strategic considerations.</p> <p>This provides the Council with a mechanism to require roads are designed appropriately and in accordance with any potential strategic plans.</p>
10.6.3 Services	<p>Each lot must have a connection to a reticulated water supply, sewerage system and stormwater system where available.</p> <p>Full service provision will not always be available and may be one of the constraints resulting in the land being zoned Low Density Residential Zone as opposed to General Residential Zone.</p> <p>Advice was received from the Building Control Unit that it was feasible to service lots 1500m² in size with an onsite wastewater management system, so in the event of areas being unserviced, waste can still be appropriately managed.</p>

9.6 Rural Living Zone Provisions

Clause	Commentary
11.1 Zone Purpose	<p>The purpose of the Zone is to provide for residential use or development on larger lots in rural settings where services are limited.</p> <p>The Zone should provide for limited agricultural use and development which does not adversely impact on rural residential amenity.</p> <p>To provide for other compatible use or development which does not cause an unreasonable loss of amenity through noise, traffic generation and movement or other off site impacts.</p> <p>This Zone recognises and generally reflects the existing Rural Residential settlement pattern around Tasmania and highlights the role it plays in a broader residential zone hierarchy.</p> <p>It should only be applied in existing Rural Living settlements which will have limited or no reticulated services, or other services such as</p>

Clause	Commentary
	<p>rubbish collection.</p> <p>These areas are often commutable to urban settlements and act as a buffer between urban and rural land.</p>
11.2 Use Table	<p>Use Table indicates No Permit Required, Permitted, Discretionary and Prohibited Uses. Provides for a wide range of uses recognising Rural Living areas act as a transitional Zone from residential to rural areas.</p> <p>They are a result of an audit of the Use Tables in the IPS with revisions to reflect the purpose of each Zone.</p> <p>In addition, consultation with the Planning and Infrastructure Technical Reference Groups highlighted certain uses which are frequently located in these Zones and provided guidance to whether the 28 IPS had set thresholds appropriately in Use Tables.</p>
11.3 Use Standards	
11.3.1 Discretionary Uses	<p>Use standards for non-residential uses include hours of operation; external lighting; and commercial vehicle movements.</p> <p>The intent of the standards is to ensure that the Discretionary uses are of a scale and type which limits the impacts on surrounding residential uses.</p>
11.3.2 Visitor Accommodation	<p>Visitor Accommodation must be in existing buildings and have a gross floor area of no more than 160m².</p> <p>This floor area was determined through consideration of the 28 IPS across the State, with the SIPS eventually being considered most appropriate.</p> <p>The floor area also recognises a residential scale of development which is appropriate considering the underlying intent of the Zone is residential in nature.</p>
11.4 Development Standards for buildings and works.	
11.4.1 Extent of development	<p>The area of the site covered by roofed buildings must be no more than 400m².</p> <p>This was considered an appropriate area or footprint to allow for a substantial dwelling and associated outbuildings.</p> <p>It was considered necessary that a requirement was made to ensure development on lots is at a level which is compatible with the rural residential nature of these areas.</p>
11.4.2 Building Height, setback and siting	<p>A dwelling must have a building height not more than 8.5m. This is consistent with other Residential Zones, except for the Inner Residential Zone and would accommodate a standard designed two storey dwelling.</p> <p>Buildings must be setback from the frontage of a lot no less than 20m.</p> <p>This reflects a desire to maintain the low density rural living</p>

Clause	Commentary
	<p>characteristics of these areas, as well as providing for privacy between dwellings on these lots.</p> <p>Buildings must have a setback from side and rear boundaries of not less than 10m.</p> <p>This allows for the maintenance of privacy between dwellings and is a reflection of the desired density of rural residential living.</p> <p>Buildings for a sensitive use must be separated from an adjoining Agricultural Zone not less than 200m or have a matching setback to an existing building.</p> <p>Given this Zone may be adjacent to the Agricultural Zone where there may be uses which cause nuisance or environmental harm, the separation is required to ensure appropriate levels of amenity are achieved on each lot, as well as ensuring the required buffers are maintained between uses which may cause nuisance or environmental harm and sensitive uses.</p>
11.5 Development Standards for Subdivision	
11.5.1 Lot Design	<p>There are two minimum lot sizes are specified:</p> <p>Rural Living A: 1 ha;</p> <p>Rural Living B: 2ha and minimum building area of 15m x 20m and meet all setback requirements set down by the Zone standards.</p> <p>Each lot in these categories must have a frontage of 40m.</p> <p>Subdivision can also be permitted irrespective of lot size, if it is required for public use by the State Government, a Council, a statutory authority or corporation, is required for the provision of public utilities, or is for the consolidation of two lots within the same Zone.</p> <p>The two minimum lot sizes have come about through extensive consultation with the Planning Technical Reference Group in particular, as well as, consideration of the existing minimum lot sizes in the 28 IPS, in addition supporting the most efficient use of existing Rural Living land.</p> <p>These lot sizes also ensure there is an acceptable level of rural residential amenity provided through adequate separation between dwellings and other structures.</p>
11.5.2 Roads	<p>The Acceptable Solution is that the subdivision includes no new roads. This also reflects a desire to limit considerable expansion of Rural Living areas in line with clear feedback from the Planning Technical Reference Group and Councils.</p>
11.5.3 Services	<p>Each lot must have a connection to a reticulated water supply and sewerage system where available.</p> <p>It is not anticipated that such services will be provided in every instance however, each lot is capable of accommodating their own on</p>

Clause	Commentary
	site waste or collecting their own water in the event of infrastructure provision not being provided.

Table 9.1: Summary of numerical standards for the Residential Zones

Standard	General Residential Zone	Inner Residential Zone	Low Density Residential Zone	Rural Living Zone
Building Height	8.5m	9.5m	8.5m	8.5m
Front Setback	4.5m for primary frontage, 3.0m for secondary frontage	3m for primary frontage, 2m for secondary	8m	20m
Side & Rear Setback	PD4.1 building envelope	PD4.1 building envelope	5m from side and rear boundary, unless a non-residential use where it is 10m from rear boundary	10m
Setback for Mechanical Plant	10m from a boundary with a sensitive use	10m from a boundary with a sensitive use	10m from a boundary with a sensitive use	nil
Site coverage	50%	65%	30%	400m ²
Min. Lot Size	450m ²	200m ²	1500m ²	Rural Living A 1ha Rural Living B 2ha
Min. Building Area	10m x 15m	10m x 12m	10m x 15m	15m x 20m
Min. Frontage	12m	3.6m	20m	40m

10.0 Village, Urban Mixed Use, Business and Commercial Zones

10.1 Strategic Intent and Function

The Village Zone, Urban Mixed Use Zone, the three Business Zones and the Commercial Zone have been drafted to express the activity centre hierarchy as set out in the *Tasmanian Activity Centre Network* (TACN) Report.

The TACN Report is the most contemporary analysis of the State's activity centres.

There is a high degree of similarity between the provisions of the draft Urban Mixed Use Zone, the three draft Business Zones and the draft Commercial Zone. In most instances it is only the Use Tables and the numerical values in the standards which differ between the draft Zones.

It should be noted that there is similarity in intent between the draft Village Zone and draft Urban Mixed Use Zone. However, there are differences in the Use Tables and Use and Development Standards which reflect the rural versus urban settings to which they are intended to be applied.

The three Business Zones have been drafted to provide a consistent graduation and represent the hierarchy of Business Zones in the Tasmanian Planning Scheme (TPS).

All six Zones in some way deliver the activity centre hierarchy across Tasmania, as well as, reflect the centre's functions.

The TACN Report identifies the following hierarchy of activity centres:

- Capital City Centre;
- Regional Centre;
- Urban Centre;
- District Centre;
- Local Centre; and
- Specialist Centre.

The draft Central Business Zone is aimed at Tasmania's primary activity centres which service the entire State or region such as Hobart's CBD, Launceston's CBD, Devonport's CBD and Burnie's CBD. It provides for the concentration of higher order commercial, business, community and administrative functions.

The Central Business Zone through Interim Planning Schemes (IPS) is applied to the Capital City Centre, Regional Centres and some of the higher order Urban Centres under the TACN Report.

The draft General Business Zone provides for the main suburban and rural town centres and is aimed at the remaining activity centres classified as Urban Centres along with those classified as District Centres.

The draft Local Business Zone represents the lowest order Business Zone and provides the functions for the local shopping strips and town centres for smaller settlements. The draft Local Business Zone is aimed at the activity centres classified as Local Centres and other smaller business nodes.

The draft Village Zone provides for small rural centres with an unstructured mix of residential, community services and commercial activities. As with the draft Urban Mixed Use Zone, the draft Village Zone should be applied where there is a genuine mix of uses.

The draft Urban Mixed Use Zone is to be applied to urban areas which have a genuine mix of use where no particular use predominates.

The draft Commercial Zone provides for commercial, service industry and large floor retailing needs of the community where there are normally high levels of vehicle access and customer car parking. The Commercial Zone through IPS has been applied to some of the Specialist Centres identified in the TACN.

10.2 Additional Consultation

In addition to the consultative processes, the draft Zones, with the exception of the draft Village Zone, were discussed in great detail with Launceston City Council.

Furthermore, the draft Central Business Zone was tested with Hobart City Council to ensure that it was workable and practical. It is considered appropriate for Hobart City Council to further augment their Central Business Zone through the use of a Specific Area Plan to reflect the Hobart's CBD as the highest order activity centre in the State.

The draft Village Zone was the subject of detailed discussions to address issues which required solutions or clarifications with the Planning Technical Reference Group.

10.3 Village, Urban Mixed Use, Business and Commercial Zone Provisions

Clause	Commentary
12.1, 13.1, 14.1, 15.1, 16.1, 17.1 Zone Purpose	<p>The various Zone Purpose statements have been drafted to reflect the intent and function of the six Zones.</p> <p>The statements represent enhancements of the Zone Purpose statements in PD1 with the inclusion of relevant statements from the various IPS.</p> <p>The Zone Purpose statements for the three Business Zones aim to provide a clear hierarchy and consistent approach for the application of the Zones. They articulate the purpose and function of the Zones taking on board the terminology and content of the TACN Report where relevant.</p> <p>The Central Business Zone is where the higher order businesses and services concentrate within the State's primary centres.</p> <p>The General Business Zone captures the business and services for the main suburban areas and rural centres.</p> <p>The Local Business Zone provides business and services to meet the needs of a local area such as the local shopping strip.</p> <p>The Zone Purpose Statements across the General Business Zone and Local Business Zone reinforce the need for the type and scale of use and development to be consistent with function of the activity centre. The Use Standards relating to Discretionary uses and retail impact aim to address this issue.</p> <p>A key focus of the three Business Zone is encouraging activity at pedestrian levels by providing active frontages and shop windows.</p>

Clause	Commentary
	<p>The development standards relating to building design deliver this outcome.</p> <p>Residential and Visitor Accommodation uses are strongly encouraged in the three Business Zones to support the viability of the activity centres provided they are not to the detriment of the active street frontages sought in the Zones.</p> <p>The Zones Purpose Statements for the Urban Mixed Use Zone and the Village Zone reinforce the need to deliver a proper mixed use environment where no particular use is dominant.</p> <p>The Commercial Zone differs in function by providing for businesses and services that require larger areas for retail or operational needs and require high levels of vehicle parking.</p> <p>Importantly, the Commercial Zone reinforces its role in providing for specialist centres that support, without compromising, the role of surrounding activity centres.</p>
12.2, 13.2, 14.2, 15.2, 16.2, 17.2 Use Table	<p>The various Use Tables aim to provide for uses which reflect the intent and functions of the six Zones.</p> <p>Furthermore, the Use Tables reflect a comprehensive audit of the Use Tables in the IPS with revisions to reflect the purpose of each Zone to ensure clarity and consistency.</p> <p>The Use Tables for the three Business Zones aim to provide for a similar range of uses. The Zones mainly differ through the scale and intensity of these uses which is delivered through the use standards relating to Discretionary uses and retail impact.</p> <p>The three Business Zones consistently include the following use classes as No Permit Required:</p> <ul style="list-style-type: none"> • Business and Professional Services; • Food Services; and • General Retail and Hire. <p>There is also a consistent range of Permitted uses across the three Business Zones, including:</p> <ul style="list-style-type: none"> • Bulky Goods Sales; • Community Meeting and Entertainment; • Educational and Occasional Care; • Hotel Industry; • Residential with locational requirements; and • Visitor Accommodation with locational requirements. <p>The locational requirements in the qualifications for the Residential and Visitor Accommodation Use Classes are aimed at delivering active street frontages in areas covered by the Business Zones</p>

Clause	Commentary
	<p>consistent with the Zone Purpose statements.</p> <p>The Urban Mixed Use Zone's Use Table differs to the Business Zones as it aims to provide for a clear mixed use outcome consistent with the Zone Purpose. Accordingly, the range of the No Permit Required uses has been reduced.</p> <p>The Village Zone Use Table is also different to the Business Zones as it too provides for a mixed use outcome. This results in a broad range of Permitted uses which may be qualified and an equally broad range of Discretionary uses.</p> <p>The Commercial Zone differs to the Business Zones because its purpose is to provide for larger floor area retailing, such as Bulky Goods Sales, service industries and warehousing.</p> <p>General Retail and Hire is a Discretionary use in the Commercial Zone in recognition of the need to focus such uses within the Business and Urban Mixed Use Zones.</p>
Use Standards	
<p>12.3.1, 13.3.1, 14.3.1, 15.3.1, 16.3.1, 17.3.1 All uses</p>	<p>This Use Standard is included across all six Zones and consists of three components relating to hours of operation, external lighting and commercial vehicle movements.</p> <p>The requirements aim to minimise impacts on adjoining residential areas by applying limitations to businesses operating within 50m of a Residential Zone. This is based on the approach in SIPS.</p> <p>The limitations on hours of operation and commercial vehicle movements are not applicable for Residential, Visitor Accommodation or Emergency Services uses as they operate continuously and will have limited impact on the adjoining residential areas.</p> <p>Similarly, the limitations on external lighting are not applicable for Residential or Visitor Accommodation uses.</p> <p>LIPS and SIPS apply general limitations on hours of operation, noise emissions and controls on mechanical plant for all businesses in the Zones.</p> <p>This approach has not been adopted in the TPS to ensure the full potential of business activities can be realised in the Zones.</p> <p>Residential uses in the six Zones are likely to experience a lower level of amenity however, this will be compensated for by the benefits provided through proximity to a variety of services.</p> <p>In the Village Zone, in addition to the Use Standards discussed above, a further Use Standard limiting the gross floor area of a non-residential use is applied.</p> <p>This reinforces the Village Zone's application to the smaller rural centres and the intent to allow for a mix of uses without any specific use being dominant.</p>

Clause	Commentary
13.3.2, 14.3.2, 15.3.2, 16.3.2, 17.3.2 Discretionary use	<p>With the exception of the Village Zone, members of the Planning Technical Reference Group made a strong case for the inclusion of a Use Standard for the assessment of all Discretionary uses in the remaining five Zones.</p> <p>This standard aims to provide further guidance for the assessment of Discretionary uses in addressing the Zone Purpose statements.</p> <p>Key components of the Use Standard in the three Business Zones is the need support the Zone Purpose, such as encouraging activity at pedestrian levels along with supporting the relevant activity centre's function.</p> <p>For all Zones, other than the Central Business Zone, the standard specifies that Discretionary uses must not compromise or distort the activity centre hierarchy.</p> <p>This is an important component of delivering hierarchy across the five Zones.</p>
13.3.3, 14.3.3, 15.3.3, 17.3.3 Retail impact	<p>This Use Standard aims to deliver a hierarchy of retail uses across the various Zones.</p> <p>The standard adopts a similar approach to the gross floor area thresholds applied to the General Retail and Hire and Bulky Goods Sales uses through the LIPS Use Table qualifications.</p> <p>The Use Standard provides further flexibility than LIPS for the assessment of retail use by not providing an absolute minimum or maximum floor area in the Performance Criteria.</p> <p>The specified gross floor area has been tested with the Planning Technical Reference Group and has been supported by business and industry.</p> <p>The Use Standard in the Commercial Zone only relates to Bulky Goods Sales as this is main retail focus for the Zone.</p> <p>It ensures there is a focus on larger floor area businesses consistent with the Zone Purpose.</p> <p>It excludes those businesses that predominantly rely on outdoor areas for sales such as car sales.</p>
Development Standards for buildings and works	
12.4.2, 13.4.1, 14.4.1, 15.4.1, 16.4.1, 17.4.1 Building height	<p>The IPS contain a range of Permitted building heights with limited consistency across individual Planning Schemes and the regions.</p> <p>The Permitted building heights adopted for the TPS are drawn from an analysis of the IPS and were rigorously tested through the consultation process.</p> <p>The Central Business Zone includes the highest Permitted building height as it represents the top tier of the activity centre hierarchy.</p> <p>The Permitted building heights in IPS range from 11.5m through to</p>

Clause	Commentary
	<p>30m. A 25m Permitted building height has been adopted for the Zone in the TPS to provide adequate scope for developments consistent with the purpose of the Zone.</p> <p>Some parts of Hobart's CBD currently have a Permitted building height of 30m and are as low as 11.5m in areas on the periphery of the CBD. It is likely that Hobart City Council will augment their Central Business Zone through the use of a Specific Area Plan to provide finer grained controls for the State's highest order activity centre.</p> <p>LIPS applies a 14.5m Permitted building height which is largely a reflection of the historic built form in the CBD. There are additional controls for heritage listed places and heritage precincts under the Local Historic Heritage Code which must be considered for development subject to the Code.</p> <p>Graduated Permitted building heights are included in the General Business Zone and Local Business Zone to reflect their level in the hierarchy.</p> <p>For the General Business Zone, the Permitted building heights in IPS range from 7m to 12m. A 12m Permitted building height has been adopted for the Zone in the TPS to provide adequate scope for developments consistent with the purpose of the Zone.</p> <p>For the Local Business Zone, the Permitted building heights in IPS range from 7m to 10m. A 9m Permitted building height has been adopted for the Zone in the TPS to ensure it has a comparable height to the Residential Zones. In most instances the Local Business Zone will be surrounded by a Residential Zone and it is important that the building height provides appropriate scope for development without unreasonably impacting on residential areas.</p> <p>Likewise, the Village Zone has a Permitted building height of 8.5m which is comparable to the Permitted heights in the Residential Zones. The lesser building height reflects the Zone being used in smaller rural settlements.</p> <p>For the Urban Mixed Use Zone, the Permitted building heights in IPS range from 8.5m to 12m. The Urban Mixed Use Zone is more used as a business Zone in LIPS and therefore applies a Permitted building height of 12m. A 10m Permitted building height has been adopted for the Zone in the TPS to reflect its purpose as a mixed use Zone. A higher building height is likely to encourage a greater proportion of commercial development and distort the mix of uses across the Zone.</p> <p>For the Commercial Zone, the Permitted building heights in IPS range from 9m to 15m. The TPS has adopted a Permitted building height of 12m to reflect the range of areas that will be covered by the Zone.</p> <p>Clarence City Council apply the Commercial Zone to the Cambridge Park area with a Permitted building height of 15m. Cambridge Park is a specialist centre and differs to most of the other areas covered by</p>

Clause	Commentary
	<p>the Commercial Zone in the State. There may be opportunities for Clarence to justify some specific controls for the Cambridge Park area through their Local Provisions Schedule.</p> <p>The standard requires a lesser building height within 10m of a Residential Zone for all Zones other than the Local Business Zone and the Village Zone.</p> <p>This aims to minimise impacts on the adjoining residential areas by providing a comparable building height where adjoining a Residential Zone.</p> <p>Refer to Table 10.1 for a comparison of the Permitted building heights across the six Zones.</p>
<p>12.4.3, 13.4.2, 14.4.2, 15.4.2, 16.4.2, 17.4.2 Setback</p> <p>(note that 13.4.1 in Version 1.0 should read 13.4.2)</p>	<p>Like building height, IPS contain a range of Permitted setbacks with limited consistency across individual Planning Schemes and the regions.</p> <p>The Permitted setbacks adopted for the TPS are drawn from an analysis of the IPS and were rigorously tested through the consultation process.</p> <p>The setback standards consist of three components.</p> <p>The first component specifies a setback from the frontage.</p> <p>The three Business Zones require buildings to be built to the frontage at ground level or based on existing buildings on the site or adjoining properties. This encourages activity at the pedestrian level consistent with the purpose of the Zone. The requirement to build to the front boundary was a relatively consistent approach in most IPS with some variations for certain roads and greater setbacks required for some of the smaller settlements.</p> <p>The TPS provides a range of options for frontage setbacks in the Urban Mixed Use Zone to reflect the mixed use nature of the Zone. It also encompasses the range of setbacks currently in the IPS.</p> <p>The Village Zone requires a minimum frontage setback of 4.5m which is the same as that required in the Residential Zones. This reflects its application to the smaller rural centres.</p> <p>The frontage setback requirements in the Commercial Zone differ considerably between the IPS ranging from build to the front boundary up to 20m.</p> <p>The TPS adopts a 5.5m frontage setback with allowances to conform to existing buildings on the site or adjoining properties. The 5.5m frontage setback is sufficient to provide vehicular access without constraining large areas of land for development.</p> <p>Variations to the frontage setback requirements in the six Zones may be considered through the Performance Criteria.</p> <p>The second component applies a setback from buildings adjoining a</p>

Clause	Commentary
	<p>property in a Residential Zone to minimise impacts on residential amenity. This is an approach adopted from SIPS. It should be noted that this is not required in the Village Zone as the setbacks are the same.</p> <p>The third component requires a 10m setback for mechanical plant and services such as air conditioning, air extraction, pumping, heating or refrigeration systems or compressors from an adjoining property in a Residential Zone to minimise impacts on residential amenity. This standard applies a setback requirement in place of specific noise emissions from mechanical plant which some IPS included. The <i>Environmental Management and Pollution Control Act 1994</i> (EMPCA) applies for any further noise amenity issues.</p> <p>Refer to Table 10.1 for a comparison of the Permitted setbacks across the six Zones.</p>
13.4.3, 14.4.3, 15.4.3, 16.4.3, 17.4.3 Design	<p>The design standard aims to promote a high level of pedestrian activity, streetscape amenity and safety. The standard reflects an evolution of the standards for building design, including crime prevention through environmental design contained in LIPS and SIPS.</p> <p>The requirements in the Commercial Zone relate to streetscape only and underpin the purpose of the Zone. The Commercial Zone does not aim to provide for high levels of pedestrian activity.</p> <p>There are no design standards within the Village Zone which reflects the use of the Zone in smaller rural settlements.</p>
12.4.4 Site Coverage	<p>The site coverage standard only applies within the Village Zone, requiring a site coverage of 50 per cent.</p> <p>This recognises the desired mixed use range within the Zone and acknowledges that this Zone will most likely be applied within rural towns where a lower level of density is desired.</p>
12.4.5, 13.4.4, 14.4.4, 15.4.4, 16.4.4, 17.4.4 Fencing	<p>The fencing standards apply controls on fencing heights within 4.5m of the frontage in order to protect visual amenity and provides for passive surveillance. Fencing in these Zones is likely to be minimal however, if required suitable provisions have been included to address any issues.</p> <p>Controls are applied for common boundary fences with Residential Zones to protect amenity.</p>
12.4.6, 13.4.5, 14.4.5, 15.4.5, 16.4.5, 17.4.5 Outdoor storage areas	<p>Requirements for outdoor storage areas are applied to protect amenity in the area. However, the requirements do not apply for the display of goods for sale.</p>
13.4.6, 14.4.4, 15.4.6, 12.4.1 Dwellings (note 14.4.4 should be 14.4.6)	<p>The requirements in IPS for dwellings in the business and commercial type Zones differed significantly.</p> <p>LIPS contains quite detailed controls for dwellings while most other IPS have no specific controls for dwellings.</p>

Clause	Commentary
	<p>The TPS standard applies a basic level of requirements for dwellings in the Urban Mixed Use Zone and Business Zones for private open space and storage. This reflects the purpose of the Zones to provide for a mixed use environment. Residential uses in the six Zones are likely to experience a lower level of amenity however, this will be compensated by the benefits provided through proximity to a variety of services.</p> <p>The private open space requirements are based on the requirements in PD4.1.</p> <p>The Village Zone has standards which are applicable to residential and non-residential uses. In addition, the inclusion of a requirement for site coverage ensures appropriate levels of private open space and car parking are achievable.</p> <p>The standard is not applicable to the Commercial Zone because dwellings are Prohibited.</p>
Development Standards for Subdivision	
12.5.1, 13.5.1, 14.5.1, 15.5.1, 16.5.1, 17.5.1 Lot design	<p>Subdivision is Permitted for public use, provision of Utilities and consolidation of lots in the same Zone.</p> <p>These options for subdivision are consistent across most Zones in the TPS and represent common subdivision allowances for public needs and infrastructure and other low risk subdivision such as the consolidation of lots.</p> <p>For other forms of subdivision the standard applies minimum lot sizes. The IPS contain a range of minimum lot sizes across the six Zones with limited consistency between individual Planning Schemes and the regions.</p> <p>The minimum lot sizes adopted for the TPS are drawn from an analysis of the IPS and were rigorously tested through the consultation process. A key aim was to deliver a consistent graduation between the minimum lot sizes based on the purpose of the Zone.</p> <p>The Central Business Zone, which provides for the highest density of development, has the smallest minimum lot sizes of 45m² and is based on the <i>Hobart Interim Planning Scheme 2015</i>.</p> <p>The 600m² minimum lot size in the Village Zone reflect its application to lower density rural and regional settings.</p> <p>The Commercial Zone includes the largest minimum lot size at 1000m² which reflects the need to provide for larger retail businesses and service industries with large parking or services areas.</p> <p>Subdivision in these Zones must also take into account the setbacks requirements of the Zone.</p> <p>Each lot must also have suitable frontage or access to a road.</p> <p>A greater frontage is required in the Commercial Zone to reflect the purpose of the Zone in providing for larger floor area developments</p>

Clause	Commentary
	<p>which require higher levels of vehicle access. The Commercial Zone’s larger lot size and the need to demonstrate that an appropriate building area is achievable also reflects the intent of the Zone.</p> <p>A greater frontage is required in the Village Zone to reflect its application to lower density rural and regional settings and the desired mix of residential uses within this Zone.</p> <p>Refer to Table 10.1 for a comparison of the Permitted minimum lot sizes, frontage and building areas across the five Zones.</p>
<p>12.5.2, 13.5.2, 14.5.2, 15.5.2, 16.5.2, 17.5.2 Services</p>	<p>Each lot must be connected to a reticulated potable water supply, sewerage system and stormwater system. This excludes any lots for public open space, riparian or littoral reserve or Utilities.</p> <p>The Local Business Zone and Village Zone will be applied to unserviced areas and the standards have been drafted to provide for on-site treatment of sewage and stormwater.</p> <p>Connections to a reticulated water supply are only necessary where available.</p>

Table 10.1: Summary of numerical standards for Business, Commercial, Mixed Use and Village Zones

Standard	Central Business Zone	General Business Zone	Local Business Zone	Commercial Zone	Urban Mixed Use Zone	Village Zone
Building Height	20m	12m	9m	12m	10m	8.5m
Front Setback	0m or consistent with existing or adjoining	0m or consistent with existing or adjoining	0m or consistent with existing or adjoining	5.5m or consistent with existing or adjoining	3m or consistent with existing or adjoining	4.5m
Side & Rear Setback	6m or half wall height if adjoining Residential Zone	5m or half wall height if adjoining Residential Zone	4m or half wall height if adjoining Residential Zone	4m or half wall height if adjoining Residential Zone	3m or half wall height if adjoining Residential Zone	3m or half the wall height
Setback for Mechanical Plant	10m if adjoining Residential Zone	10m from a boundary with a sensitive use.				
Site coverage	nil	nil	nil	nil	nil	50 percent
Min. Lot Size	45m ²	100m ²	200m ²	1000m ²	300m ²	600m ²
Min. Building Area	nil	nil	nil	15m x 20m	nil	10m x15m
Min. Frontage	3.6m	3.6m	3.6m	20m	3.6m	10m

11.0 Industrial, Port and Marine and Utilities Zones

11.1 Strategic Intent and Function

The Industrial Zones are based on the two zones available within *Planning Directive No 1 – The Format and Structure of Planning Schemes* (PD1): the Light Industrial and General Industrial Zones.

They have been drafted to provide a consistent graduation between the two Zones and therefore representing a hierarchy of Industrial Zones in the Tasmanian Planning Scheme (TPS) based upon the level of land use impact.

The Light Industrial Zone aims to primarily provide for service-based industries which cater for the local and regional needs.

The General Industrial Zone primarily provides for the higher impact industries such as processing, manufacturing, servicing, storage and distribution uses. These areas are likely to include large-scale industrial operations.

The Port and Marine Zone is based upon the zone available within PD1 and provides for the major port and marine activities and also includes proclaimed wharf areas.

The Port and Marine Zone has been drafted to address the requirements of the *Land Use Planning and Approvals Act 1993* (the Act) for proclaimed wharf areas. Section 11(7) of the Act specifies that a Planning Scheme cannot prohibit or require a Discretionary permit for the use or development of Port and Shipping within a proclaimed wharf area.

To address the requirements of the Act, Port and Shipping uses are:

- listed as No Permit Required in the Port and Marine Zone Use Table; and
- excluded from many of the standards in the Port and Marine Zone.

An additional General Provision has been included in the administrative section of the TPS to ensure Port and Shipping remains No Permit Required.

The Utilities Zone is intended to apply to land used for major utilities infrastructure such as major roads, rail corridors, airports, energy production facilities, and sewage treatment plants or for land identified for these purposes.

11.2 Additional Consultation

In addition to the Taskforce's consultative processes, the Port and Marine Zone was discussed with the Tasmania Maritime Network to ensure the requirements address the needs of the maritime industry.

11.3 Industrial and Port and Marine Zone Provisions

Clause	Commentary
18.1, 19.1, 25.1 Zone Purpose	<p>The various Zone Purpose statements have been drafted to reflect the intent and function of the three Zones.</p> <p>The statements represent enhancements of the Zone Purpose statements in <i>Planning Directive No. 1</i> (PD1) with the inclusion of</p>

Clause	Commentary
	<p>relevant statements from the various Interim Planning Schemes (IPS).</p> <p>The Light Industrial Zone aims to provide for service-based industries which cater for the local and regional needs. The Zone therefore provides for a range of industries associated with manufacturing, processing, repair, storage and distribution of goods. The Zone's focus is on uses with the potential for low off-site impacts.</p> <p>The General Industrial Zone provides for the higher impact industries such as processing, manufacturing, servicing, storage and distribution uses. These areas are likely to include large-scale industrial operations.</p> <p>Both Industrial Zones should be located in areas with appropriate access to transport networks. A range of other use are also important to support the main industrial uses without comprising industrial activity.</p> <p>The Port and Marine Zone is another Zone that relates to industrial activities but is aimed at a specific industry.</p> <p>The Port and Marine Zone provides for the major port and marine based activities in the State including shipping and associated transport facilities. Similar to the Industrial Zones, compatible uses should also be provided to support port and marine use without comprising such activities.</p>
18.2, 19.2, 25.2 Use Table	<p>The Use Tables aim to provide for uses which reflect the intent and functions of the three Zones.</p> <p>The Use Tables are a result of a comprehensive audit of the Use Tables across the IPS and the revisions reflect the purpose of each Zone.</p> <p>Key differences between the two Industrial Zones include the range of Permitted uses. The General Industrial Zone includes a greater range of higher impact uses as Permitted uses, including Recycling and Waste Disposal and Resource Processing, reflecting the purpose of the Zone.</p> <p>The Port and Marine Zone Use Table provides a clear emphasis on Port and Shipping uses and those associated with marine, port, shipping or transport uses.</p> <p>Port and Shipping is listed as No Permit Required to reflect the Zone purpose and the legislative requirements in the Act for proclaimed wharf areas.</p>
Use Standards	
18.3.1 All uses	<p>This standard is only contained in the Light Industrial Zone and includes three components relating to hours of operation, external lighting and commercial vehicle movements. This reflects the limited interaction the General Industrial Zone and Port and Marine Zone will have with the Residential Zones.</p>

Clause	Commentary
	<p>The requirements aim to minimise impacts on adjoining residential areas by applying limitations to businesses operating within 50m of a Residential Zone. This approach is based on the Southern Interim Planning Schemes (SIPS).</p> <p>The limitations on hours of operation are not applicable for Emergency Services or Utilities uses as they operate continuously and will have limited impact on the adjoining residential areas.</p> <p>Similarly, the limitations on commercial vehicle movements are not applicable for Emergency Services uses.</p>
18.3.2, 19.3.1 Discretionary use	<p>The Planning Technical Reference Group made a strong case for the inclusion of a use standard for the assessment of all Discretionary uses in the Industrial Zones.</p> <p>This standard aims to provide further guidance for the assessment of Discretionary uses in addressing the Zone Purpose statements.</p> <p>The standard ensures that all uses listed as Discretionary in the Use Table support the Zone Purpose, such as the provision of takeaway food premises for workers in the Zone. This was supported by industry and business sectors.</p> <p>There are no use standards in the Port and Marine Zone which reflects the unique nature of the Zone.</p>
Development Standards for buildings and works	
18.4.1, 19.4.1, 25.4.1 Building height	<p>IPS contain a range of Permitted building heights with limited consistency across individual Planning Schemes and the regions.</p> <p>The Permitted building heights adopted for the TPS are drawn from an analysis of the IPS and were rigorously tested through the consultation process.</p> <p>A key aim was to deliver a consistent graduation between the building heights in the Industrial Zones based on the purpose of the Zone.</p> <p>The Light Industrial Zone has the lowest Permitted building height as it represents the Industrial Zone with the lowest off-site impacts. The Permitted building heights in IPS range from 8.5m through to 10m. A 10m Permitted building height has been adopted for the Zone in the TPS to provide adequate scope for developments consistent with the purpose of the Zone.</p> <p>The General Industrial Zone and the Port and Marine Zone have the highest Permitted building height at 20m. This reflects the larger scale industrial developments and major port facilities that are intended for these Zones.</p> <p>The Permitted building heights in IPS for the Port and Marine Zone range from 6m through to 20m. The 20m Permitted building height has been adopted in the TPS to provide adequate scope for developments consistent with the purpose of the Zone.</p>

Clause	Commentary
	<p>Additionally, the building height control is not applicable to Port and Shipping uses or structures such as antennas, towers, masts, poles, gantries, cranes or similar. This reflects the requirements for Port and Shipping uses in proclaimed wharf areas under the Act and the types of developments intended for the Zone.</p> <p>The building height requirements in the Port and Marine Zone have been worked through with the Infrastructure Technical Reference Group as well as industry, business and the Maritime Network.</p> <p>Some areas currently within the Port and Marine Zone in IPS may be best located in another Zone if the 20m height limitation is considered inappropriate. The Zone is intended for major port and marine facilities.</p> <p>The Light Industrial Zone requires a lesser building height within 10m of a Residential Zone. This is consistent with the requirements in the Business Zones, Commercial Zone and Utilities Zone. This requirement is not included in the General Industrial Zone as there is limited interaction with Residential Zones in IPS. Any future General Industrial areas will need to be separated from residential areas to ensure the full potential of both residential and industrial activities can be realised.</p> <p>Refer to Table 11.1 for a comparison of the permitted building heights across the Zones.</p>
18.4.2, 19.4.2, 25.4.2 Setback	<p>Like building height, IPS contain a range of Permitted setbacks with limited consistency across individual Planning Schemes and the regions.</p> <p>The Permitted setbacks adopted for the TPS are drawn from an analysis of the IPS and were rigorously tested through the consultation process.</p> <p>The setback standards in the Light Industrial Zone consist of three components. The first component specifies a setback from the frontage.</p> <p>The frontage setback requirements in the Light Industrial Zone differ considerably between the IPS ranging from build to the front boundary up to 20m. The TPS adopts a 5.5m frontage setback similar to the Commercial Zone with allowances to conform to existing buildings on the site or adjoining properties.</p> <p>The 5.5m frontage setback is sufficient to provide vehicular access without constraining large areas of land for development. The 20m frontage setback in some IPS is applied to some major roads. This is a matter that could be controlled through the Road and Railway Assets Code where relevant.</p> <p>The second component applies a setback from buildings adjoining a property in a Residential Zone which aims to minimise impacts on</p>

Clause	Commentary
	<p>residential amenity.</p> <p>The third component requires a 10m setback for mechanical plant and services such as air conditioning, air extraction, pumping, heating or refrigeration systems or compressors from an adjoining property in a Residential Zone therefore minimising impacts on residential amenity. The standard is the same as that applied in the Business Zones, Commercial Zone and Utilities Zone. It applies a setback requirement in place of specific noise emissions from mechanical plant which some IPS have included. EMPCA applies for any further noise amenity issues.</p> <p>The General Industrial Zone only includes a frontage setback requirement which reflects the limited interaction with Residential Zones in IPS. Any future General Industrial areas need to be separated from residential areas to ensure the full potential of residential and industrial activities can be realised.</p> <p>There are no setback requirements in the Port and Marine Zone which, similar to the General Industrial Zone, reflects the limited interaction with Residential Zones. It also reflects the unique nature of the Zone and controls on streetscape being unnecessary for the Zone.</p> <p>Refer to Table 11.1 for a comparison of the permitted setbacks across the three Zones.</p>
18.4.3 Fencing	<p>The fencing standard is only applicable in the Light Industrial Zone. It applies controls on common boundary fences with Residential Zones to protect amenity.</p> <p>There are no fencing requirements in the General Industrial Zone or Port and Marine Zone reflects the limited interaction with Residential Zones.</p>
18.4.4, 19.4.3 Outdoor storage areas	<p>Requirements for outdoor storage areas are applied to protect amenity in the area. However, the requirements do not apply to the display of goods for sale.</p> <p>There are no requirements for outdoor storage areas in the Port and Marine Zone as controls on amenity are largely unnecessary for the Zone.</p>
Development Standards for Subdivision	
18.5.1, 19.5.1, 25.5.1 Lot design	<p>Subdivision is Permitted for public use, provision of Utilities and consolidation of lots in the same Zone. These options for subdivision are consistent across most Zones in the TPS and represent common subdivision allowances for public needs and infrastructure and other low risk subdivision such as the consolidation of lots.</p> <p>Furthermore, the Port and Marine Zone provides a Permitted pathway for subdivision associated with Port and Shipping use. This is consistent with the requirements for Port and Shipping uses in proclaimed wharf areas under the Act.</p>

Clause	Commentary
	<p>For other forms of subdivision the standard applies minimum lot sizes. The IPS contain a range of minimum lot sizes across the six Zones with limited consistency between individual Planning Schemes and the regions.</p> <p>The minimum lot sizes adopted for the TPS are drawn from an analysis of the IPS and were rigorously tested through the consultation process. A key aim was to deliver a consistent graduation between the minimum lot sizes based on the purpose of the Zone.</p> <p>The General Industrial Zone includes the largest minimum lot size and minimum building area requirements which reflects the need to provide for larger scale industries with large parking or services areas.</p> <p>The Light Industrial Zone and Port and Marine Zone have a minimum lot size of 1000m² which reflects the nature of development intended for the Zones.</p> <p>The minimum lot sizes for the Port and Marine Zone in IPS range from 1000m² to 1ha. The TPS has adopted a minimum lot size of 1000m² consistent with the Light Industrial Zone. To apply a larger minimum lot size appears excessive to such a unique Zone.</p> <p>Subdivision in the Industrial Zones must also take into account the Zone's setback requirements.</p> <p>Each lot must also have suitable frontage or access to a road. Both Industrial Zones require a frontage of at least 20m through the Acceptable Solution which reflects the need to provide suitable vehicular access to industrial sites. The Port and Marine Zone has a lesser frontage requirement of 6m to reflect the unique nature of the Zone.</p> <p>Refer to Table 11.1 for a comparison of the permitted minimum lot sizes, frontage and building areas across the Zones.</p>
18.5.2, 19.5.2, 25.5.2 Services	<p>For the General Industrial Zone, each lot must be connected to a reticulated potable water supply, sewerage system and stormwater system. This excludes any lots for public open space, riparian or littoral reserve or for Utilities.</p> <p>It is expected that all areas zoned General Industrial be fully serviced.</p> <p>The Light Industrial Zone and Port and Marine Zone will be applied to unserviced areas and the standards have been drafted accordingly to provide for on-site treatment of sewage and stormwater.</p> <p>Connections to a reticulated water supply are only necessary where available.</p>

11.4 Utilities Zone Provisions

Clause	Commentary
26.1 Zone Purpose	<p>The Zone Purpose statements represent enhancements of the Zone Purpose statements in PD1 with the inclusion of relevant statements from the various IPS to ensure clarity and consistency.</p> <p>The Utilities Zone provides for the major utility installations and corridors in the State along with compatible uses that assist with their operation.</p>
26.2 Use Table	<p>The Use Table is a result of a comprehensive audit of the Use Tables in the IPS with revisions to reflect the purpose of the Zone.</p> <p>The Use Table provides for Utilities uses and a range of other uses which may support utility infrastructure.</p> <p>Utilities uses are either No Permit Required or Permitted. Recycling and Waste Disposal is also listed as Permitted use which reflects the use the Zone for some waste transfer stations and refuse disposal sites in the State.</p> <p>The inclusion of uses such as Sports and Recreation and Tourist Operation acknowledges that the Zone is sometimes used for Hydro Tasmania facilities which often incorporate such uses in conjunction with the utility infrastructure.</p>
Use Standards	
26.3.1 All uses	<p>This standard is only applied to uses other than Utilities and Emergency Services and is consistent with the Use Standards in the Business Zones, Commercial Zone and Light Industrial Zone.</p> <p>The requirements aim to minimise impacts on adjoining residential areas by applying limitations to businesses operating within 50m of a Residential Zone.</p> <p>This exclusion of Utilities and Emergency Services uses from the standard acknowledges the importance of such uses to operate unhindered and is also consistent with the purpose of the Zone.</p>
26.3.2 Discretionary use	<p>This standard aims to provide further guidance for the assessment of Discretionary uses in addressing the Zone Purpose statements.</p> <p>Furthermore, it ensures that all uses listed as Discretionary in the Use Table do not compromise or restrict the operation of an existing, or intended utility, for which the Zone is required. This approach is based on SIPS.</p>
Development Standards for buildings and works	
26.4.1 Building height	<p>The standard provides a separate Permitted maximum building height for buildings and structures such as antennae, towers, masts, poles or similar.</p> <p>Buildings have a permitted height of 10m, which was consistent</p>

Clause	Commentary
	<p>across all Interim Planning Schemes, while structures such as antennae, towers, masts, poles or similar have a permitted height of 15m. This approach is consistent with LIPS and is an acknowledgement that the Zone may have these structures. Structures of this type have limited bulk and are unlikely to have the same impacts on residential amenity as other building types.</p> <p>The building height standard has been tested through the Infrastructure Technical Reference Group, which included Tasmania's major utility providers, and was supported by industry and business.</p> <p>There is a lesser building height within 10m of a Residential Zone for the protection of residential amenity however, this does not apply to structures.</p> <p>Refer to Table 11.1 for a comparison of the Permitted building heights across the Zones.</p>
26.4.2Setback	<p>IPS contain a range of Permitted setbacks with limited consistency across individual Planning Schemes and the regions.</p> <p>The Permitted setbacks adopted for the TPS are drawn from an analysis of the IPS and were rigorously tested through the consultation process.</p> <p>The setback standard consists of two components.</p> <p>The first component specifies a setback from the frontage. However, this is not applicable to structures such as antennae, towers, masts, poles or similar. This is an acknowledgement that the Zone may have these structures and that structures have limited bulk and are unlikely to have the same impacts on amenity as other building types.</p> <p>The frontage setback requirements in the Utilities Zone differ considerably between the IPS ranging from 3m to 10m. The TPS adopts a 5m frontage setback with allowances to conform to existing buildings on the site.</p> <p>The 5m frontage setback is sufficient to provide vehicular access without constraining large areas of land for development. Variations may be further considered through the Performance Criteria.</p> <p>The second component requires a 10m setback for mechanical plant and services such as air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators from an adjoining property in a Residential Zone therefore minimising impacts on residential amenity. The standard is the same as that applied in the Business Zones, Commercial Zone and Light Industrial Zone. It applies a setback requirement in place of specific noise emissions from mechanical plant which some IPS included. It should be noted that EMPCA applies for any further noise amenity issues.</p> <p>Refer to Table 11.1 for a comparison of the Permitted setbacks across the three Zones.</p>

Clause	Commentary
26.4.3 Fencing	<p>The fencing standard is only applicable to sites adjoining a Residential Zone.</p> <p>It applies controls on fences within 4.5m of the frontage and common boundary fences with Residential Zones to protect amenity and ensure consistency with a residential area.</p>
26.4.4 Outdoor storage areas	<p>Requirements for outdoor storage areas are applied to protect amenity in the area. The requirements do not apply to the display of goods for sale.</p>
Development Standards for Subdivision	
26.5.1 Lot design	<p>Subdivision is Permitted for public use, provision of Utilities and consolidation of lots in the same Zone. These options for subdivision are consistent across most Zones in the TPS and represent common subdivision allowances for public needs and infrastructure and other low risk subdivision such as the consolidation of lots.</p> <p>There is no minimum lot size specified for the Zone. The Utilities Zone provides for a diverse range of infrastructure needs and to create an arbitrary minimum lot size could have the effect of hindering some public infrastructure projects.</p> <p>Each lot must also have suitable frontage or access to a road with a minimal distance of 3.6m. This acknowledges that subdivision is necessary for some public infrastructure that requires minimal access.</p> <p>Refer to Table 11.1 for a comparison of the Permitted minimum lot sizes, frontage and building areas across the Zones.</p>
26.5.2 Services	<p>The Utilities Zone is likely to be applied to a variety of areas which may, or may not, be serviced. Furthermore, the main uses this Zone supports may also not require water, sewer or stormwater infrastructure.</p> <p>Each lot other than those for public open space, riparian or littoral reserve or Utilities must be connected to a reticulated potable water supply, sewerage system and stormwater system where it is available.</p> <p>The standards have been drafted to provide for on-site treatment of sewage and stormwater in unserviced areas for uses which require this infrastructure.</p> <p>Connections to a reticulated water supply is only a requirement where available and necessary for the use.</p>

Table 11.1: Summary of numerical standards for Industrial, Port and Marine and Utilities Zones

Standard	Light Industrial Zone	General Industrial Zone	Port and Marine Zone	Utilities Zone
Building Height	10m	20m	20m unless for Port and Shipping or structures	10m or 15m for structures
Front Setback	5.5m or consistent with existing or adjoining	10m or consistent with existing or adjoining	nil	5m unless for structures
Side & Rear Setback	4m or half wall height if adjoining Residential Zone	nil	nil	nil
Setback for Mechanical Plant	10m if adjoining Residential Zone	nil	nil	10m if adjoining Residential Zone
Min. Lot Size	1000m ²	2000m ²	1000m ² unless for Port and Shipping	nil
Min. Building Area	15m x 20m	20m x 40m	nil	nil
Min. Frontage	20m	20m	6m	3.6m

12.0 Rural and Agriculture Zones

12.1 Strategic Intent and Function

The Rural Zone and Agriculture Zone are a recalibration of the current *Planning Directive No 1 – The Format and Structure of Planning Schemes* (PD1) Rural Resource Zone and Significant Agriculture Zone in Interim Planning Schemes (IPS).

The two rural Zones were recalibrated to address issues identified through the implementation of IPS.

Observations from the IPS noted issues with applying zoning to rural land with limited agricultural potential. The issues with the application of the two PD1 rural Zones were further confirmed through meetings with Northern Tasmania Development and the Cradle Coast Authority in March 2015 and written commentary provided by the Cradle Coast Region on the PD1 provisions.

The Cradle Coast Region, in their written commentary, noted the difficulties of applying the two rural Zones stating that:

The Significant Agricultural zone [sic] is not a viable substitute for the [Rural Resource Zone] because it has a very particular purpose for agricultural use on higher productivity land, and therefore excludes the broad scale variation and multiplicity of primary industries in the nature of aquaculture, extensive agriculture, forestry, and mining as occurs on rural land. It is also problematic in that it assumes a sufficient and cohesive spatial manifestation of land which a common and consistent high production value can be conveniently and practically mapped as a distinct productive unit, whereas the reality of the Tasmanian agricultural estate is that it is comprised of a mosaic of relatively small-scale and variable productive classifications. The zone also fails to accommodate the larger portion of the State's agricultural land which is comprised of lower productivity classes, but upon which the greater part of agricultural activity occurs to produce the majority of agricultural outputs.

The recalibrated rural Zones aim to address these issues.

The Agriculture Zone is aimed at the land subject to agriculture for example, Tasmania's agricultural estate.

The Agriculture Zone is the only Zone which implements the *State Policy on the Protection of Agricultural Land 2009* (the PAL Policy) and has a clear focus on agricultural uses in accordance with the PAL Policy.

The Rural Zone is aimed at the non-urban land which is otherwise compromised for agricultural use, with the exception of plantation forestry.

While agricultural use is still expected to occur in the Rural Zone it would be at a lesser intensity than areas covered by the Agriculture Zone.

In addition, non-urban areas containing specific values will be covered by other Zones such as the Environmental Management Zone and Landscape Conservation Zone.

Requirements for protecting agricultural land for agricultural uses are not applicable to the Rural Zone, as the PAL Policy will be implemented entirely through the Agriculture Zone.

The Rural Zone will instead provide for a range of uses, such as Resource Development, Resource Processing and Extractive Industries, which are appropriate to non-urban areas.

The draft Zone provisions have been prepared following an analysis of the Rural Resource Zone provisions in the Launceston Interim Planning Scheme 2015 (LIPS) and Cradle Coast Interim

Planning Schemes (CCIPS), and the Rural Resource Zone and Significant Agriculture Zone in Southern Interim Planning Schemes (SIPS).

In addition, a thorough review of the PAL Policy has also been undertaken to identify the Principles relevant to the new Agriculture Zone.

It is acknowledged that mapping of Tasmania's agricultural estate will be critical to support the recalibration of the two rural Zones as it will provide the necessary guidance for planning authorities to apply the Agriculture Zone.

12.2 Additional Consultation

Both Zones have been extensively consulted with members of the Tasmanian Farmers and Graziers Association (TFGA), a range of agricultural producers including boutique producers, Fruit Growers Tasmania, Wine Tasmania, the Coal River Products Association, the Tourism Industry Council of Tasmania (TICT), representatives from the Tasmanian Institute of Agriculture, the University of Tasmania's School of Land and Food and State Government Agencies.

Specific consultation occurred with officers of DPIPWE and DSG around the way the Zone regulates controlled environment agriculture (particularly polytunnels) where it is located on prime agricultural land but not utilising the soil as the growth medium. The issue has been subject to recent amendments to the Cradle Coast IPS to ensure that this form of agriculture can proceed without requiring a permit where it is demonstrated that the development does not preclude the return of the soil for productive use at a later date.

12.3 Rural Zone Provisions

Clause	Commentary
20.1 Zone Purpose	<p>The Rural Zone is intended for the rural areas of the State where the opportunities for agricultural use are generally constrained or limited as a consequence of the site characteristics. These are the areas that will support agricultural use but not at a scale and intensity that could be expected the core agricultural areas. The core agricultural land will be contained within the Agriculture Zone</p> <p>The Zone Purpose statements provide for a range of use or development that requires a rural location to successfully operate such as Domestic Animal Breeding, Boarding and Training, Resource Development, Resource Processing and Extractive Industries, along with a broad range of uses that either support or value add to these uses.</p> <p>Large scale developments that do not require rural land for their operational needs should be located within the appropriate urban zoning in order to the support the functions of the rural settlements and make best use of existing infrastructure.</p>
20.2 Use Table	<p>The Rural Zone's Use Table provides for a range of uses which generally require a rural location for operational, security or impact management reasons, along with other uses which are normally expected to be located in these areas.</p>

Clause	Commentary
	<p>There is a strong emphasis on uses that relate to, or support, Resource Development, Resource Processing or Extractive Industries.</p> <p>The Use Table provides for a range of supportive businesses and industries such as specific Business and Professional Services, Manufacturing and Processing, Research and Development, Storage and Transport Depoert and Distribution. Food Services and General Retail and Hire also assist in value adding to rural businesses.</p> <p>The range of Discretionary uses must be assessed against the Use Standard.</p>
20.3 Use Standards	
20.3.1 Discretionary Uses	<p>The Use Standard only contains a Performance Criteria and aims to ensure that all Discretionary uses are appropriate for the Rural Zone in accordance with the Zone Purpose. This ensures that the broad range of Discretionary uses provided for in the Use Table either need to locate in a rural area or assist in diversifying or value adding to the key uses provided for in the Zone.</p> <p>Discretionary uses must also be of a scale and intensity that is appropriate to the Rural Zone to ensure businesses and activities are not encouraged to move to rural areas to the detriment of the smaller rural settlements.</p> <p>Residential uses are not required to be assessed against this Use Standard as they are limited to single dwellings which appropriately limits the scale and intensity of the use.</p>
20.4 Development Standards for buildings and works	
20.4.1 Building height	<p>The Permitted building height is 12m and allows for a greater height through the Performance Criteria if:</p> <ul style="list-style-type: none"> • the greater height is required for the use; and • it minimises adverse impacts on adjoining sites. <p>The 12m building height is necessary to allow for a range of structures normally associated with Resource Development, Resource Processing and Extractive Industries. It has been drawn from an analysis of the IPS and was rigorously tested through the consultation process.</p>
20.4.2 Setbacks	<p>The setback standard requires a minimal setback of 5m from all boundaries, or lesser through the Performance Criteria.</p> <p>Some IPS, particularly SIPS, required excessive setbacks for all buildings in the Rural Resource Zone, including 20m setbacks from the frontage and 50m setbacks from side and rear boundaries.</p> <p>It is normal practice for landowners to locate buildings in proximity to the lot boundaries to enable the efficient use of the available land. The minimal setback ensures needless alienation of land is avoided through the requirement of excessive setbacks.</p>

Clause	Commentary
	<p>Buildings for sensitive uses, such as a dwelling, must be separated at a distance of at least 200m from the Agriculture Zone.</p> <p>The 200m setback for sensitive uses is based on the requirements in IPS and consistent with the setbacks for sensitive uses in the Agriculture Zone. It provides an appropriate buffer for minimising land use conflicts with adjacent agricultural uses and aims to deliver the PAL Policy requirements in accordance with Principles 1 and 5.</p> <p>Allowance is made for extensions to existing buildings, or lesser setbacks through assessment against the Performance Criteria.</p>
20.4.3 Access for new dwellings	<p>This standard requires any new dwellings to be located on a lot with legal vehicular access. Many lots in rural areas are without frontage to a road. The standard requires an applicant to resolve any access issues as part of the dwelling application and avoids any future issues that may be experienced by the applicant if legal access is unable to be gained post approval of the dwelling.</p> <p>The standard is based on a use standard in LIPS. A notable addition to the LIPS standard is the requirement for any right-of-carriageway to be subject to an agreement under section 71 of the Act which provides for the construction, maintenance and continuity of the access. This has been included in response to comments on rights of way and access by the Resource Management and Planning Appeal Tribunal (RMPAT) in <i>Bunnings Ltd v Burnie City Council</i>.</p>
20.5 Development Standards for Subdivision	
20.5.1 Lot design	<p>Permitted subdivision in the Zone is limited to:</p> <ul style="list-style-type: none"> • public use; • provision of Utilities or irrigation; • consolidation of lots within the same Zone; and • subdivision of a lot not less than 40ha with a frontage of not less than 25m. <p>The first three Permitted options for subdivision are consistent across most Zones in the Tasmanian Planning Scheme (TPS) and represent common subdivision allowances for public needs and infrastructure and other low risk subdivision such as the consolidation of lots provided they are in the same Zone.</p> <p>The 40ha minimum lot size is drawn from an analysis of the IPS and is based on a common minimum lot size required in older Planning Schemes in Tasmania and other parts of Australia. A lot area of 40ha is large enough to discourage rural living type developments and provide buffers to rural industries and any adjoining areas of Agriculture Zone.</p> <p>The Performance Criteria provides for the subdivision of land for rural uses that justifiably require a rural location to operate. This excludes subdivision for Residential or Visitor Accommodation use to ensure</p>

Clause	Commentary
	<p>the Rural Zone does not become a pseudo Rural Living Zone.</p> <p>Subdivision is also allowed through the Performance Criteria for the excision of a dwelling if it is justified to support the sustainable operation of a Resource Development, Extractive Industry or Resource Processing use. This is based on the requirement in LIPS and provides an opportunity for such industries to expand their operations without the financial burdens of an existing dwelling on their property.</p>
20.5.2 Services	<p>Some rural areas are currently serviced by reticulated potable water supply. This standard requires new lots to be connected to the water supply where available to provide for efficient use of existing infrastructure. The standard is not applicable to areas unserved by a reticulated water supply.</p>

12.4 Agriculture Zone Provisions

Clause	Commentary
21.1 Zone Purpose	<p>The Zone Purpose aims to deliver the outcomes of the PAL Policy by:</p> <ul style="list-style-type: none"> • providing for the sustainable development of agricultural land for agricultural use; and • minimising conflicts from or conversion to other uses. <p>The emphasis of the Agriculture Zone is therefore strongly focused on providing for and protecting agricultural uses. Importantly, the Zone also provides for a range of uses that support agricultural uses including those that allow for the diversification or value adding to agricultural businesses.</p>
21.2 Use Table	<p>The Use Table provides for Resource Development as a No Permit Required use if it is on land other than prime agricultural land, or is an agricultural use other than plantation forestry on prime agricultural land where it is dependent on the soil as a growth medium, or is conducted in a manner which does not alter, disturb or damage the soil or preclude it from future use as a growth medium.. This approach is consistent with Principles 2, 10 and 11 of the PAL Policy and the advice from State Agencies in respect to providing for more flexible forms of agriculture where the soil is not alienated in the long term. These provisions are in line with recent approved amendments to the Cradle Coast IPS.</p> <p>The majority of other uses are Discretionary in the Agriculture Zone to reflect the requirements of the PAL Policy to protect agricultural land for agricultural uses and to avoid land use conflicts. All uses listed as Discretionary in the Use Table must be assessed against the Use Standard.</p> <p>The inclusion of Food Services and General Retail and Hire use in the Zone enhances the opportunities for the 'paddock to plate' tourism</p>

Clause	Commentary
	<p>experience which value adds to the agricultural industry and supports a key tourism experience for which Tasmania is rapidly becoming known.</p> <p>An additional discretionary use is for residential uses that are not permitted allows for consideration of multiple dwellings where these are directly related to and subservient to a Resource Development Use. This has been included based on State Agency advice to enable the provision of more than a single dwelling to provide for agricultural workers required to be on-site. Any residential use needs to comply with the Use and Development Standards which address the PAL State Policy.</p>
21.3 Use Standards	
<p>21.3.1 Discretionary Uses</p>	<p>This Use Standard relates to all uses listed as Discretionary in the Use Table and consists of three components.</p> <p>The first component applies to all Discretionary uses, excluding Residential and agricultural uses, in the Zone. It aims to address Principles 1, 2 and 8 of the PAL Policy by ensuring non-agricultural uses do not unreasonably confine or restrain agricultural uses. This component is based on the requirements in CCIPS Rural Resource Zone.</p> <p>The second component applies to all Discretionary use, excluding Residential use, on prime agricultural land. This aims to address Principles 2, 4, 6, 10 and 11 of the PAL Policy by minimising the conversion of prime agricultural land to non-agricultural uses.</p> <p>The Performance Criteria for the second component includes an allowance for agricultural use that is not dependent on the soil as a growth medium where it is demonstrated that the land is not permanently converted.</p> <p>The third component applies to Residential use and aims to address Principle 5 of the PAL Policy. Residential use must either be:</p> <ul style="list-style-type: none"> • required by an agricultural use; or • located on a site that is incapable of supporting an agricultural use and where it does not conflict with an agricultural use on an adjoining site. These standards apply to both single and multiple dwellings associated with the Resource Development use.
21.4 Development Standards for buildings and works	
<p>21.4.1 Building height</p>	<p>The building height standard is the same as the Rural Zone.</p> <p>The Permitted building height is 12m and allows for a greater height through the Performance Criteria if:</p> <ul style="list-style-type: none"> • the greater height is required for the use; and • it minimises adverse impacts on adjoining sites. <p>As in the Rural Zone, the 12m building height is necessary to allow for</p>

Clause	Commentary
	<p>a range of structures normally associated with agricultural uses and associated industries. It has been drawn from an analysis of the IPS and rigorously tested through the consultation process.</p>
21.4.2 Setbacks	<p>The setbacks are the same as the Rural Zone.</p> <p>The setback standard requires a minimal setback of 5m from all boundaries, or lesser through the Performance Criteria.</p> <p>Some IPS, particularly SIPS' Significant Agriculture Zone, require excessive setbacks for all buildings, including 20m setbacks from the frontage and 100m setbacks from side and rear boundaries.</p> <p>It is normal practice for farmers to locate buildings in proximity to the lot boundaries to enable the efficient use of the available land. The minimal setback ensures needless alienation of land is avoided through the requirement of excessive setbacks.</p> <p>All buildings for sensitive use must have a setback of 200m from the lot boundary in the Agriculture Zone. Allowance is made for extensions to existing buildings, or lesser setbacks through an assessment against the Performance Criteria.</p> <p>The 200m setback for sensitive uses is based on the requirements in IPS and provides an appropriate buffer for minimising land use conflicts with adjacent agricultural uses. These requirements specifically aims to address Principles 1 and 5 of the PAL Policy.</p> <p>Allowance is made for extensions to existing buildings, or lesser setbacks through assessment against the Performance Criteria.</p>
21.4.3 Access for new dwellings	<p>This standard requires any new dwellings to be located on a lot with legal vehicular access. Many lots in rural areas are without frontage to a road. The standard requires an applicant to resolve any access issues as part of the dwelling application and avoids any future issues that may be experienced by the applicant if legal access is unable to be gained post approval of the dwelling.</p> <p>The standard is based on a use standard in LIPS. A notable addition to the LIPS standard is the requirement for any right-of-carriageway to be subject to an agreement under section 71 of the Act which provides for the construction, maintenance and continuity of the access. This has been included in response to comments on rights of way and access by the RMPAT in <i>Bunnings Ltd v Burnie City Council</i>.</p>
21.5 Development Standards for subdivision	
21.5.1 Lot design	<p>Permitted subdivision in the Zone is limited to:</p> <ul style="list-style-type: none"> • public use; • provision of Utilities or irrigation; and • consolidation of lots within the same Zone. <p>The Permitted options for subdivision are consistent across most Zones in the Tasmanian Planning Scheme (TPS) and represent</p>

Clause	Commentary
	<p>common subdivision allowances for public needs and infrastructure and other low risk subdivision such as the consolidation of lots provided they are in the same Zone.</p> <p>The Performance Criteria provides for the subdivision of land for legitimate agricultural uses having regard to the need to protect opportunities for agricultural use into the future.</p> <p>There is no minimum lot size for the Agriculture Zone. This is based on strong advice from stakeholders, including the TFGA. The agricultural industry includes a diverse range of needs and to create an arbitrary minimum lot size could have the effect of making some agriculture commercially unviable.</p> <p>Subdivision is also allowed through the Performance Criteria for the reorganisation of lot boundaries and the excision of a dwelling if it is justified to support the sustainable operation of a Resource Development, Extractive Industry or Resource Processing use.</p> <p>The allowance for the reorganisation of lot boundaries is based on the approach in the SIPS' Significant Agriculture Zone. Many agricultural business are operated across numerous titles and this provides the opportunity for landowners to reorganise lot boundaries to better suit their needs.</p> <p>The allowance for dwelling excisions is based on the requirement in LIPS and provides an opportunity for such industries to expand their operations without the financial burdens of an existing dwelling on their property.</p>
21.5.2 Services	<p>Some rural areas are currently serviced by reticulated potable water supply. This standard requires new lots to be connected to the water supply where available to provide for efficient use of existing infrastructure. The standard is not applicable to areas unserved by a reticulated water supply.</p>

13.0 Landscape Conservation and Environmental Management Zones

13.1 Strategic Intent and Function

The Landscape Conservation and Environmental Management Zones provides a suite of two environmental Zones to manage use and development within the State's natural areas.

This represents a different approach to Interim Planning Schemes (IPS) based upon *Planning Directive No 1 – The Format and Structure of Planning Schemes* (PD1).

Within the current 28 IPS, the two similar zones are the Environmental Living Zone and Environmental Management Zone.

The Environmental Living Zone is utilised as part of the suite of Residential Zones which in effect is drafted as a Rural Living Zone with vegetation characteristics. This Zone has been more frequently used within the Southern Region, often as a replacement of previous landscape and skyline conservation type Zones.

The Environmental Management Zone as it exists within the IPS, has been applied primarily to public land, although the provisions have been drafted in such a way that it could be applied to private land as well.

The recalibration of these Zones incorporate the following changes:

- The Environmental Management Zone is applied only to public/Crown Land;
- The Environmental Living Zone is renamed to Landscape Conservation Zone;
- The purpose of the Landscape Conservation Zone should be for the protection of bushland and biodiversity values as the first priority; and
- Residential Use will be Discretionary within the Landscape Conservation Zone.

These changes are likely to have implications on how the Zones are applied across the State and other changes to the Rural Zone for example. It may also result in a review of how the Zones are applied.

There was sound strategic intent behind the recalibration of these Zones. Experience from the IPS, particularly the Southern Interim Planning Scheme (SIPS), demonstrated that a Zone protecting significant environmental values on private land was necessary and had not been adequately provided for in the suite of Zones under PD1.

The Landscape Conservation Zone requires residential uses to be Discretionary. This allows for a clearer understanding of the Zone Purpose which accurately reflects limited use and development potential arising from environmental and bushland constraints.

The Zone requires a minimum lot size of 50ha to discourage further subdivision in these areas and limit development potential to existing lots.

This ensures the Zone Intent is delivered and acknowledges that development in these areas is often subject to hazards and constraints from bushfire, landslip, natural values, erosion or inundation.

If Planning Authorities have undertaken local strategic planning through Local Area Plans or similar that recognise subdivision potential below 50ha, it is recognised that this may be achieved through the application of a Specific Area Plan within the Local Planning Provisions.

With the inclusion of the Landscape Conservation Zone as an alternative Zone for private land, the Environmental Management Zone was drafted in a manner which was relevant to application on public land only.

In addition, the Zone has been drafted to provide for a Permitted pathway where a use or development is in accordance with an authority under the *National Parks and Reserved Land Regulations 2009* granted by the Managing Authority or approved by the Director General of Lands under the *Crown Lands Act 1976*. This is to streamline the approvals process for those activities and reduce duplication of assessment.

13.2 Additional Consultation

In addition to the consultation with the Planning and Infrastructure Technical Reference Groups and Consultative groups, consultation was undertaken from July to December 2015 with DPIPWE in relation to the wording of the standards specific to the approvals provided under its own legislation.

The DSG was also consulted in relation to forestry and mining requirements.

An additional meeting was held with the Southern Regional Councils in September 2015 relating to the Landscape Conservation Zone, as it is most widely used in the South. There was general acceptance of the approach being taken.

13.3 Landscape Conservation Zone Provisions

Clause	Commentary
22.1 Zone Purpose	<p>The purpose of the Zone is to provide for the protection of significant natural and landscape values as well as to provide for complementary use or development which does not adversely impact on the protection, conservation and management of the significant natural and landscape values of the area.</p> <p>The Zone Intent is for the protection of these values first and foremost, and as such residential use is not given priority, rather it is the retention of natural values.</p> <p>This also provides an appropriate response to managing constraints in these areas as the larger lot size and Discretionary residential status give Planning Authority's the ability to more appropriately manage development in these areas in a safe manner.</p>
22.2 Use Table	<p>Use Table indicates No Permit Required, Permitted, Discretionary and Prohibited uses.</p> <p>The Use Table provides for limited uses, primarily with an environmental or community focus.</p> <p>The Table is a result of an audit of the Use Tables in the 28 IPS with revisions to reflect the purpose of each Zone.</p>
22.3 Use Standards	
22.3.1 Use Standard for Food Services, Educational and	<p>Due to the large lot characteristics of the Zone and the limited number of allowable uses, the hours of operation use standard alone is</p>

Clause	Commentary
Occasional Care, General Retail and Hire and Community Meeting and Entertainment	considered adequate to manage specific business uses in this Zone.
22.3.2 Visitor Accommodation	<p>Visitor Accommodation must be in existing buildings and have a gross floor area of no more than 160m².</p> <p>This ensures the scale of development is consistent with residential development and restricts visitor accommodation development for the same reasons as residential development is restricted.</p>
22.4 Development Standards for buildings and works	
22.4.1 Extent of development	<p>The area of the site covered by roofed buildings must be no more than 400m², however this can be extended subject to assessment under the Performance Criteria.</p> <p>The area of the site covered by roofed buildings is restricted to 400m² despite the large lot size to ensure that development area impacts are not substantial, such as clearing necessary for bushfire safety.</p> <p>In the event of substantial clearing occurring the environmental values of the site may be eroded which in turn compromises the Zone Intent.</p>
22.4.2 Building height, setback and siting	<p>The maximum Permitted building height is 6m.</p> <p>Buildings must have a setback from a frontage not less than 10m and from a side and rear boundary of not less than 20m.</p> <p>In addition, buildings for a sensitive use must be separated from an adjoining Agricultural Zone not less than 200m or the distance of the existing building if the extension is to an existing building.</p> <p>These standards can be considered and relaxed subject to assessment against relevant Performance Criteria.</p> <p>In addition, there is a standard requiring exterior building finishes having a light reflectance value of not more than 40 percent.</p> <p>All of these standards reflect the strategic intent of the Zone that residential use is not given priority.</p> <p>The Zone Intent is for the protection of natural and landscape values. Where development is considered appropriate, the visual impact of this development should be managed to an acceptable level to ensure the Zone Intent is not compromised.</p> <p>The reduced front setback standard is based on the undesirability of providing a substantial access road to get to a building site.</p> <p>Furthermore, allowing developments to be constructed closer to the road reduces the impact in terms of vegetation removal, but also provides for better fire safety on site.</p>
22.4.3 Access to a Road	New dwellings must be located on lots which have a frontage with access to a road maintained by a road authority.

Clause	Commentary
	<p>This standard came about through discussions with the Planning Technical Reference Group. It was indicated that historical subdivisions have resulted in lots without legal access to a road which therefore, causes an issue for use and development of the land.</p>
22.4.4 Vegetation Management	<p>It is required that development be located on land where native vegetation cover has been lawfully removed.</p> <p>It is drafted to specifically avoid encouraging illegal clearance of native vegetation. Subject to Performance Criteria, this may be able to be relaxed.</p> <p>This standard reflects the Zone Intent of protection natural and landscape values.</p>
22.5 Development Standards for Subdivision	
22.5.1 Lot Design	<p>Each lot must have a minimum lot size of 50ha and minimum building area of 25m x 25m; or it must be required for public use by the State Government, a Council, a statutory authority or corporation; be required for the provision of public utilities; or the consolidation of two lots within the same Zone.</p> <p>Each lot must have a frontage of 40m.</p> <p>The minimum lot size represents a change in position to the current minimum lot size found within the comparable Zone, the Environmental Living Zone.</p> <p>This minimum is necessary to discourage residential development on these lots, in accordance with the Zone Intent, as well as provide for the protection of natural and landscape values.</p> <p>A dwelling can in certain circumstances be approved subject to the retention of the majority of the lot for natural and landscape values.</p>
22.5.2 Services	<p>Each lot must have a connection to a reticulated water supply and sewerage system where available.</p> <p>It is likely that reticulated services will not be available within areas zoned Land Conservation. The lot size is considered adequate to provide for onsite services.</p> <p>The standard does however, recognise that in the event of such services being provided, they should be utilised.</p>

13.3 Environmental Management Zone Provisions

Clause	Commentary
23.1 Zone Purpose	<p>The purpose of the Zone is to provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value or with a significant likelihood of risk from a natural hazard.</p> <p>In addition, this Zone provides for complementary use or development</p>

Clause	Commentary
	<p>where it is consistent with relevant strategies for protection and management of the land.</p> <p>The Intent of the Environmental Management Zone is similar to IPS. The most significant change is that its application is limited to public land due to the recalibration of the Environmental Living Zone to the Landscape Conservation Zone.</p>
23.2 Use Table	<p>The Use Table is a result of an audit of Use Tables within the IPS with revisions to reflect the purpose of each Zone.</p> <p>The most significant change from some IPS is that in the event of an authority under the <i>National Parks and Reserved Land Regulations 2009</i> granted by the Managing Authority or approval by the Director General of Lands under the <i>Crown Lands Act 1976</i>, a use is Permitted in the Zone.</p> <p>This provides for a more transparent and streamlined process in terms of the priority for use in these areas and reduces duplication of assessment.</p>
23.3 Use Standards	
23.3.1 Discretionary Uses	<p>There was no Acceptable Solution provided for Discretionary uses in this Zone.</p> <p>All Discretionary uses must be consistent with ecological, scientific, cultural or aesthetic values of the land.</p> <p>In addition, extractive industries, resource development and resource processing must be consistent with reserve class values, purpose and management objectives.</p> <p>The Performance Criteria provides for rigorous consideration of impacts upon the ecological, scientific, cultural and aesthetic values of the land.</p>
23.4 Development Standards for buildings and works.	
23.4.1 Extent of development	<p>The extent of development is set at 500m² or be in accordance with an authority under the <i>National Parks and Reserved Land Regulations 2009</i> granted by the Managing Authority or an approval issued under the Director General of Lands under the <i>Crown Lands Act 1976</i>.</p> <p>The prescribed extent of development is modest which reflects the Zone Intent.</p>
23.4.2 Building height, setback and siting	<p>Building height must be not more than 6m, or be in accordance with an authority under the <i>National Parks and Reserved Land Regulations 2009</i> granted by the Managing Authority or an approval issued under the Director General of Lands under the <i>Crown Lands Act 1976</i>.</p> <p>Buildings must be setback from all boundaries not less than 10m or not less than the existing building for an extension; or must be in accordance with an authority under the <i>National Parks and Reserved Land Regulations 2009</i> granted by the Managing Authority or in accordance with an approval of the Director General of Lands under</p>

Clause	Commentary
	<p>the <i>Crown Lands Act 1976</i>.</p> <p>Buildings for a sensitive use must be separated from an adjoining Agricultural Zone not less than 200m or not less than the existing building for an extension.</p> <p>All standards can be relaxed through consideration against the Performance Criteria.</p> <p>All standards reflect the strategic intent of the Zone that the protection, conservation and management of significant values is the first priority.</p> <p>Where development has been approved under the <i>National Parks and Reserved Land Regulations 2009</i> or by the Director General of Lands under the <i>Crown Lands Act 1976</i>, consideration of these values will have already occurred.</p> <p>Where this has not happened, development should be managed to an acceptable level to ensure the Zone Intent is not compromised.</p> <p>The reduced front setback standard is based on the undesirability of providing a substantial access road to get to a building site.</p> <p>Furthermore, allowing developments to be constructed closer to the road reduces the impact in terms of vegetation removal, but also provides for better fire safety on site.</p>
23.4.3 Exterior Finish	<p>The exterior finish of buildings must be in accordance with an authority under the <i>National Parks and Reserved Land Regulations 2009</i> granted by the Managing Authority, or an approval of Director General of Lands under the <i>Crown Lands Act 1976</i>; or coloured using colours with a light reflectance value not more than 40 per cent.</p> <p>Where development has been approved under an RAA or by the Director General of Lands under the <i>Crown Lands Act 1976</i>, consideration of visual impact will have already occurred.</p> <p>In the event of this not having taken place, the standard addresses visual impact by minimising the reflectance value of the exterior materials.</p>
23.4.4 Vegetation Management	<p>Development must be in accordance with an approved RAA, or an approval of Director General of Lands under the <i>Crown Lands Act 1976</i>, or located on land where the native vegetation cover has been lawfully removed.</p> <p>To ensure compliance with the Zone Purpose, this standard aims to minimise the impact of excessive and unnecessary vegetation removal.</p>
23.5 Development Standards for Subdivision	
23.5.1 Lot Design	<p>Each lot must be in accordance with an authority under the <i>National Parks and Reserved Land Regulations 2009</i> granted by the Managing Authority; or with an approval of the Director General of Lands under the <i>Crown Lands Act 1976</i>; be required for use by a public authority or for the provision of Utilities; be for the consolidation of a lot with</p>

Clause	Commentary
	<p>another lot, provided each lot is within the same Zone.</p> <p>There is a second standard for which there is no Acceptable Solution requiring a frontage or legal connection to a road by a right-of-carriageway.</p> <p>No specific minimum lot size has been given for subdivision within this Zone.</p> <p>This reflects that land is publically owned and used for specific purposes which are quite varied.</p> <p>In the event of a subdivision application which has not been approved under the <i>National Parks and Reserved Land Regulations 2009</i> or by the Director General of Lands under the <i>Crown Lands Act 1976</i>, and which does not meet the other requirements, the application is likely to be Discretionary and assessed subject to the merits of the proposal.</p>
23.5.2 Wastewater Management	<p>There is no Acceptable Solutions for wastewater management, each lot must be capable of accommodating an on-site wastewater management system adequate for the intended use and development of the land.</p> <p>This recognises that for the vast majority of Environmental Management Zone land there will be no access to reticulated infrastructure and each application would require assessment on a case by case basis.</p>

14.0 Major Tourism Zone

14.1 Strategic Intent and Function

The Major Tourism Zone is intended for major tourism developments which contain a range of facilities which, due to their scale and complexity, are best managed through a specific zoning.

The Major Tourism Zone is difficult to standardise given the variety and specificity of tourism type developments that could be covered by the Zone.

An audit of the Interim Planning Schemes (IPS) identified a considerable difference in the numerical thresholds for building height and setbacks in the Zone.

The Major Tourism Zone, through IPS, is applied to the following sites:

- MONA (Glenorchy);
- Barnbougle (Dorset);
- Greens Beach Golf Club (West Tamar);
- Country Club Tasmania (Meander Valley); and
- Quamby Country Club (Meander Valley).

The Tasmanian Planning Scheme (TPS) has attempted to establish a standard set of numerical thresholds for the standards. For existing Major Tourism Zone sites which do not fit these circumstances, other options are available through the use of Particular Purpose Zones or Specific Area Plans.

14.2 Major Tourism Zone Provisions

Clause	Commentary
24.1 Zone Purpose	<p>The Zone Purpose statements represent enhancements of the <i>Planning Directive No 1 – The Format and Structure of Planning Schemes</i> (PD1) Zone Purpose statements with the inclusion of relevant statements from the various IPS.</p> <p>The modifications made to the Zone Purpose statements aim to better reflect the original intent of the Zone established under PD1 which was to provide for large scale tourist facilities which need to be managed through a specific zoning.</p> <p>Importantly, the Zone provides a range of use and development that complements or enhances tourist operations without compromising surrounding uses, activity centres, and any cultural and natural attractions.</p>
24.2 Use Table	<p>The Use Tables aims to provide a wide range of uses to support the purpose of the Zone.</p> <p>The Use Tables are a result of a comprehensive audit of the Use Tables in the IPS with the aim of providing a consistent approach for the application of the Zone.</p>

Clause	Commentary
24.3 Use Standards	
24.3.1 All uses	<p>This standard includes three components relating to hours of operation, external lighting and commercial vehicle movements. These requirements are consistent with those in the Business Zones, Commercial Zone, Light Industrial Zone and Utilities Zone.</p> <p>The requirements aim to minimise impacts on adjoining residential areas by applying limitations to businesses operating within 50m of a Residential Zone. This is based on the approach in SIPS.</p> <p>The limitations are not applicable to Residential or Visitor Accommodation uses as they operate continuously and will have limited impact on the adjoining residential areas. Similarly, the limitations on hours of operation and commercial vehicle movements are not applicable for Emergency Services uses.</p>
24.3.2 Discretionary use	<p>This standard aims to provide further guidance for the assessment of Discretionary uses in addressing the Zone Purpose statements.</p> <p>That standard ensures that all uses listed as Discretionary in the Use Table complement the main tourism related uses on the site. It is also important that the uses primarily cater for tourists so as to not compromise the functions of surrounding activity centres.</p>
24.4 Development Standards for buildings and works	
24.4.1 Building height	<p>IPS contain a range of Permitted building heights with limited consistency across individual Planning Schemes and the regions.</p> <p>The Permitted building heights adopted for the TPS are drawn from an analysis of the IPS and were rigorously tested through the consultation process.</p> <p>The Permitted building heights in IPS range from 4.5m through to 10m. A 10m Permitted building height has been adopted for the Zone in the TPS to provide adequate scope for developments consistent with the purpose of the Zone.</p> <p>A greater building height may be entertained through the Performance Criteria if there is no unreasonable loss of amenity to adjoining properties and impacts on the visual character of the area are minimised.</p> <p>The standard requires a lesser building height within 10m of a Residential Zone. This aims to minimise impacts on the adjoining residential areas by providing a comparable building height where adjoining a Residential Zone. This requirements is consistent with those in the Business Zones, Commercial Zone, Light Industrial Zone and Utilities Zone.</p>
24.4.2 Setback	<p>Like building height, IPS contain a range of Permitted setbacks with limited consistency across individual Planning Schemes and the regions.</p>

Clause	Commentary
	<p>The Permitted setbacks adopted for the TPS are drawn from an analysis of the IPS and were rigorously tested through the consultation process.</p> <p>The setback standards consist of four components.</p> <p>The first component specifies a setback from the frontage.</p> <p>The frontage setback requirements in the Major Tourism Zone differ considerably between the IPS ranging from 4.5m to 50m. The TPS adopts a 10m frontage setback with allowances to conform to existing buildings on the site or adjoining properties. The 10m frontage setback is considered sufficient to protect the amenity of the area given the range of developments that may eventuate in the Zone.</p> <p>The second applies a setback from buildings adjoining a property in a Residential Zone. This aims to minimise impacts on residential amenity.</p> <p>The third applies a 200m separate distance for buildings for a sensitive use from land within the Agriculture Zone. This acknowledges that the Major Tourism Zone may be applied in rural areas and ensures conflicting uses do not compromise agricultural uses on the adjoining sites consistent with the <i>State Policy on the Protection of Agricultural Land</i>.</p> <p>The fourth requires a 10m setback for mechanical plant and services such as air conditioning, air extraction, pumping, heating or refrigeration systems or compressors from an adjoining property in a Residential Zone. This aims to minimise impacts on residential amenity. This standard applies a setback requirement in place of specific noise emissions from mechanical plant which some IPS included. EMPCA further applies for any noise amenity issues.</p>
24.5 Development Standards for Subdivision	
24.5.1 Lot design	<p>Subdivision is Permitted for public use, provision of Utilities and consolidation of lots in the same Zone. These options for subdivision are consistent across most Zones in the TPS and represent common subdivision allowances for public needs and infrastructure and other low risk subdivision such as the consolidation of lots.</p> <p>There is no minimum lot size specified for the Zone. The Major Tourism Zone provides for a diverse range of use and development and to create an arbitrary minimum lot size could have the effect of hindering some tourism developments.</p> <p>Each lot must also have suitable frontage or access to a road with a minimal distance of 3.6m. This acknowledges the diversity of use and development intended for the Zone.</p>
24.5.2 Services	<p>The Major Tourism Zone may be applied to a variety of areas which may or may not be serviced.</p> <p>Each lot other than those for public open space, riparian or littoral</p>

Clause	Commentary
	<p>reserve or Utilities must be connected to a reticulated potable water supply, sewerage system and stormwater system where it is available.</p> <p>The standards have been drafted accordingly to provide for on-site treatment of sewage and stormwater in unserviced areas for uses that require such infrastructure. Connections to a reticulated water supply is only requirement where available and necessary for the use.</p>

15.0 Community Purposes, Recreation and Open Space Zones

15.1 Strategic Intent and Function

The Community Purpose Zone, Recreation Zone and Open Space Zone are Zone that provide for specific community, recreation and open space functions.

These three Zones are currently in *Planning Directive No 1 – The Format and Structure of Planning Schemes* (PD1) and therefore utilised in Interim Planning Schemes (IPS). A review of IPS has indicated inconsistency in their drafting and application.

The Zones are most often applied to public land. The similarities between Open Space and Recreation Zones have resulted in them being used interchangeably. The Community Purpose Zone has not been applied by some Planning Authorities due to individual preferences on how community purposes' use and development is accommodated across a range of other Zones.

The lack of clarity on application of the Zones and therefore, in consistency in drafting is addressed by providing clear direction on their purpose and application through the Zones' provisions.

The Community Purposes Zone is to be utilised for community facilities which may or may not, be in public ownership. This Zone can provide a Permitted pathway for community facilities in some instances and can range in size from a small community hall through to a local hospital.

Some residential uses are allowable in all three of these Zones however, to ensure their compliance with the Zone Purpose, they are qualified to be primarily semi-supported housing.

This was a critical element requiring consideration for the Community Sector in particular, and on-going consultation with the Sector to ensure the definitions and allowable uses were accurate to achieve the Sector's requirements.

The Recreation Zone may be applied to public or private land and provides for formal recreation facilities. These can include sporting grounds such as an athletic centre, or hockey centre through to enclosed facilities such as a gymnasium or swimming pool.

In addition, provision is made within this Zone for Major Sporting Facilities. This was a response to specific issues raised by the Planning Technical Reference Group arising out of the use and development of existing Major Sporting Facilities, such as Blundstone Area.

Major Sporting Facilities are defined under Section 4 of the Tasmanian Planning Scheme (TPS). This enables a clear assessment pathway through the use and development standards which recognises the multi-purpose nature of large facilities and the different scale and impacts they have on surrounding areas.

The Open Space Zone is drafted to apply almost exclusively to land in public ownership which can be used for passive recreation. It may be appropriate to utilise this land which has been strategically identified as suitable for open space purposes but remains in private ownership.

These areas are informal parks and open areas with minimal facilities. There are some No Permit Required uses such as Utilities, Passive Recreation and Natural and Cultural Values Management, otherwise all possible uses are Discretionary.

Open Space areas may be located on foreshores or may be public parks with playgrounds. Given the variety of uses it was important there was a degree of flexibility in the standards to achieve the Zone purpose.

15.2 Additional Consultation

In addition to workshops on these Zones with the Planning Technical Reference Group, specific consultation occurred with the Community Sector to ensure that allowable Uses and the associated standards were appropriate for their requirements.

Specific consultation with Clarence City Council and Launceston City Council was also undertaken to ensure the drafting of the Major Sporting Facilities standards addressed the concerns these Councils raised.

15.3 Community Purposes Zone Provisions

The standards reflect the fact that a Community Purpose Zoned building or site is often spot zoned. It is likely to be in an existing urban area, with the surrounding land zoned Residential or a Business Zone. Any proposed uses must be compatible with the surrounding streetscape and urban environment.

Clause	Commentary
27.1 Zone Purpose	<p>The purpose of the Zone is to provide for strategic community facilities and services and to encourage multi-purpose, flexible and adaptable social infrastructure to respond to changing and emerging community needs.</p> <p>This Zone Purpose is similar to the Zone Purpose Statements within the 28 IPS.</p> <p>The Zone Purpose is specific and requires a precise application to sites where such facilities exist, or sites where they have been identified for such a use.</p>
27.2 Use Table	<p>The Use Table aims to provide a wide range of uses to support the purpose of the Zone.</p> <p>The Use Table is a result of a comprehensive audit of the Use Tables in the IPS with the aim of providing a consistent approach for the application of the Zone.</p>
27.3 Use Standards	
27.3.1 Non-Residential Use	<p>Use standards for non-residential uses include hours of operation, external lighting, flood lighting, and commercial vehicle movements.</p> <p>The intent of the standards is to minimise impacts on adjoining residential areas by applying limitations to businesses operating within 50m of a Residential Zone.</p> <p>It is necessary to require these standards due the zoning of these lots and likely to be adjacent to Residential Zoned land.</p>
27.4 Development Standards for buildings and works.	
27.4.1 Building height	<p>The standard provides a Permitted maximum building height of 10m to accommodate the range of development types.</p> <p>Consideration can be given to higher buildings through the</p>

Clause	Commentary
	<p>Performance Criteria if there is no unreasonable loss of amenity to adjoining properties and impacts on the visual character of the area are minimised.</p> <p>The 10m building height was determined through consultation with the Planning Technical Reference Group.</p> <p>The height would enable a 3 storey building to be constructed which adequately responds to the range of potential development types within this Zone.</p>
27.4.2 Setbacks	<p>Buildings must have a setback from a frontage of not less than 5m or not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</p> <p>Buildings must also have a setback from side and rear boundaries adjoining an Inner Residential, General Residential or Low Density Residential Zones not less than 3m or half the wall height.</p> <p>In combination with the height standards this ensures building form and bulk is appropriate for the protection of residential amenity.</p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators must be separated a distance of not less than 10m from an Inner Residential, General Residential or Low Density Residential Zones.</p> <p>A closer setback can be considered following assessment against the Performance Criteria providing there is no unreasonable loss of amenity to adjoining properties.</p> <p>The front setback requirements are comparable with LIPS which sets a setback of 6m.</p> <p>The Southern Interim Planning Schemes (SIPS) have a setback of 10m from the front boundary. However a setback of 10m is considered excessive in an urban context as it may result in an undesirable effect on the streetscape. The front setback was tested with the Planning and Infrastructure Technical Reference Groups and the position of 5m was agreed upon.</p> <p>The other setback requirements for side and rear boundary and mechanical plant are reasonably consistent in the IPS.</p>
27.4.3 Fencing	<p>A fence within 4.5m of a frontage must have a height above existing ground level of 1.2m if the fence is solid or 1.8m if it has a transparency not less than 30 percent.</p> <p>The purpose of this standard is to ensure adequate passive surveillance can be provided from the site to the public domain of the street. Lower fences maintain the capacity for passive surveillance and more active street frontages.</p> <p>Ensuring side fences reduce in height as they meet the street boundary results in better sight lines for vehicles entering and exiting</p>

Clause	Commentary
	<p>properties thereby improving safety.</p> <p>The fencing requirements are consistent across the Zones which further reflects the fact that the Community Purpose Zone will be spatially intermixed with various Residential and Business Zones.</p>
27.4.4 Outdoor storage areas	<p>Outdoor storage areas, excluding for the display of goods for sale, must be located behind the façade of the building or have all stored goods and materials screened from public view.</p> <p>This standard is found within IPS.</p> <p>It was maintained within the draft State Planning Provisions (SPPs) due to the likely proximity of land zoned Community Purpose with residential areas and other public places.</p> <p>Ensuring storage areas are appropriately screened is important for maintaining a consistent streetscape.</p>
27.5 Development Standards for Subdivision	
27.5.1 Lot Design	<p>Each lot must have a minimum lot size of 600m², and minimum building area of 10m x 15m; it must be required for public use by the State Government, a Council, a statutory authority or corporation; be required for the provision of public utilities; or the consolidation of two lots within the same Zone.</p> <p>Each lot must have a frontage of 10m.</p> <p>Community Purpose Zoned land is likely to be positioned amongst Residential or Business Zoned land and as such a lot size comparable with these Zonings is appropriate.</p> <p>A frontage of 10m recognises that the types of uses allowable require an active street frontage and access points therefore, rear access lots are less desirable in these circumstances.</p>
27.5.2 Services	<p>Each lot must have a connection to a reticulated water supply, sewerage system and stormwater system where available.</p> <p>Given that many of these Community Purpose Zoned lots will be within urban areas and have access to full reticulated services, it is necessary that they connect to these accordingly.</p>

15.4 Recreation Zone Provisions

Clause	Commentary
28.1 Zone Purpose	<p>The purpose of the Zone is to provide for a range of active and organised recreational use and development ranging from small community facilities to major sporting facilities.</p> <p>It also facilitates a range of complementary uses which do not impact adversely on the recreational use of the land.</p> <p>An additional Zone Purpose Statement specifically references Major Sporting Facilities and requires that they are appropriately located</p>

Clause	Commentary
	<p>having regard to their scale and external impacts.</p> <p>The Zone Purpose for the Recreation Zone is generally consistent across the IPS with the modification due to the addition of the purpose statement for Major Sporting Facilities.</p>
28.2 Use Table	<p>The Use Tables aims to provide a wide range of uses to support the purpose of the Zone.</p> <p>The Use Tables are a result of a comprehensive audit of the Use Tables in the IPS with the aim of providing a consistent approach for the application of the Zone.</p>
28.3 Use Standards	
28.3.1 Sports and Recreation Use and all Discretionary Uses, except for Visitor Accommodation and Emergency Services.	<p>Use standards for non-residential uses include hours of operation; flood lighting; and commercial vehicle movements.</p> <p>In addition, a Use standard for Major Sporting Facilities is provided which can be found Clause 28.3.2.</p> <p>The intent of the standards is to minimise impacts on adjoining Residential areas by applying limitations to facilities operating within 50m of a Residential Zone.</p> <p>Often recreation facilities are in close proximity to residential facilities and have the potential to cause adverse impacts if not appropriately managed.</p>
28.3.2 Sports and recreation – major sporting facilities	<p>The Planning Technical Reference Group consultation on major sporting facilities highlighted the fact that these facilities can have a greater adverse impact due to their scale.</p> <p>Accordingly, specific standards were considered necessary for the purpose of managing those impacts on surrounding residential uses appropriately.</p> <p>To assist, the term major sporting facilities was defined and provided in the Administrative Clauses.</p>
28.4 Development Standards for buildings and works.	
28.4.1 Building height, setback and siting	<p>The standards provide a Permitted maximum building height of 10m to accommodate the potential range of development types.</p> <p>Consideration can be given to higher buildings through the Performance Criteria if there is no unreasonable loss of amenity to adjoining properties and impacts on the visual character of the area are minimised.</p> <p>Buildings must have a setback from a frontage of not less than 5m or not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</p> <p>Buildings must have a setback from side and rear boundaries adjoining an Inner Residential, General Residential or Low Density Residential Zone not less than 3m or half the wall height.</p> <p>Air conditioning, air extraction, pumping, heating or refrigeration</p>

Clause	Commentary
	<p>systems, compressors or generators must be separated at a distance of not less than 10m from an Inner Residential, General Residential or Low Density Residential Zone.</p> <p>A closer setback can be considered following consideration of the Performance Criteria providing there is no unreasonable loss of amenity to adjoining properties.</p> <p>Consideration was given to the height limits for this Zone in the IPS.</p> <p>The <i>Launceston Interim Planning Scheme 2015</i> (LIPS) had a height of 7m, Cradle Coast Interim Planning Schemes (CCIPS) a limit of 15m and the Southern Interim Planning Schemes (SIPS) a limit of 10m.</p> <p>Given the proximity of these facilities to Residential uses, 10m was considered an appropriate height.</p> <p>It is also consistent with the approach taken within the Community Purpose Zone and comparable in height to the Residential Zones to ensure the setback requirements reducing the potential conflict between the two Zones.</p> <p>In addition, the mechanical plant setback requirement of 10m from Residential Zones is consistent with other requirements.</p>
<p>28.4.2 Outdoor storage areas</p>	<p>Outdoor storage areas, excluding for the display of goods for sale, must be located behind the façade of the building or have all stored goods and materials screened from public view.</p> <p>This standard is found within IPS.</p> <p>It was maintained within the draft SPPs due to the likely proximity of land Zoned Recreation with residential areas and other public places.</p> <p>Ensuring storage areas are appropriately screened is important for maintaining a consistent streetscape.</p>
<p>28.5 Development Standards for Subdivision</p>	
<p>28.5.1 Lot Design</p>	<p>There is no minimum lot size nor is there a required building area.</p> <p>This reflects that the subdivision will often be on public land and could be for a variety of purposes thereby, making a set minimum lot size arbitrary.</p> <p>Lots must be required for the use of State Government, a Council, a statutory authority or corporation; be required for the provision of Utilities; or the consolidation of two lots within the same Zone.</p> <p>Each lot must have a frontage of 3.6m.</p>
<p>28.5.2 Services</p>	<p>Each lot must have a connection to a reticulated water supply, sewerage system and stormwater system where available.</p> <p>There may be circumstances where full services are not necessary, or where they cannot be provided. The drafting of the standards allows for these circumstances.</p>

14.5 Open Space Zone Provisions

Clause	Commentary
29.1 Zone Purpose	<p>The purpose of the Zone is to provide for passive recreation and natural or landscape amenity and provide for a range of use and development which complements and enhances the use of the land for open space purposes.</p> <p>The Zone has the potential to have wide ranging application and is likely to be in close proximity to a range of other Zones. This results in a need to consider possible impacts on adjoining land uses.</p> <p>This Zone is critical for the recognition of informal and semi-formal open space areas around the State.</p> <p>It is currently used in 28 IPS, although to varying degrees.</p>
29.2 Use Table	<p>The Use Table aims to provide a wide range of uses to support the purpose of the Zone.</p> <p>The Use Table is a result of a comprehensive audit of the Use Tables in the IPS with the aim of providing a consistent approach for the application of the Zone.</p>
29.3 Use Standards	
29.3.1 All Discretionary Uses	<p>Use standards for non-residential uses include hours of operation and flood lighting.</p> <p>The intent of the standards is to minimise impacts on adjoining residential areas by applying limitations to businesses operating within 50m of a Residential Zone through hours of operation and flood lighting standards.</p> <p>These standards are considered adequate to address potential impacts arising from Discretionary uses on nearby residential uses.</p>
29.4 Development Standards for buildings and works.	
29.4.1 Building height, setback and siting.	<p>The standards provides a Permitted maximum building height of 10m to accommodate the potential range of development types.</p> <p>Consideration can be given to higher buildings through the Performance Criteria if there is no unreasonable loss of amenity to adjoining properties and impacts on the visual character of the area are minimised.</p> <p>Buildings must have a setback from a frontage of not less than 5m or not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</p> <p>Buildings must have a setback from side and rear boundaries adjoining an Inner Residential, General Residential or Low Density Residential Zones not less than 3m or half the wall height.</p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators must be separated a distance of</p>

Clause	Commentary
	<p>not less than 10m from an Inner Residential, General Residential or Low Density Residential Zones.</p> <p>A closer setback can be considered following consideration of the Performance Criteria providing there is no unreasonable loss of amenity to adjoining properties.</p> <p>The standards are similar to the Recreation Zone although with the notable exclusion of the major sporting facilities standard.</p> <p>Major Sporting Facilities are more appropriately provided for within the Recreation Zone.</p> <p>Building heights within the 28 IPS across the State varies from 5m through to 10m.</p> <p>A 10m height limit was considered comparable to Residential Zones, with setbacks equally similar to those provided within Residential Zones.</p> <p>This ensures a consistent built form and limits impacts upon residential uses.</p>
<p>29.4.2 Outdoor storage areas</p>	<p>Outdoor storage areas, excluding for the display of goods for sale, must be located behind the façade of the building or have all stored goods and materials screened from public view.</p> <p>This standard is found within the IPS. It was maintained within the draft SPPs due to the likely proximity of land zoned Open Space with residential areas and other public places.</p> <p>Ensuring storage areas are appropriately screened is important for maintaining a consistent streetscape.</p>
<p>29.5 Development Standards for Subdivision</p>	
<p>29.5.1 Lot Design</p>	<p>There is no minimum lot size nor is there a required building area.</p> <p>This reflects that the subdivision will often be on public land and could be for a variety of purposes making a set minimum lot size arbitrary.</p> <p>Lots must be required for the use of State Government, a Council, a statutory authority or corporation; be required for the provision of Utilities; or the consolidation of two lots within the same Zone.</p> <p>Each lot must have a frontage of 15m. A larger frontage is necessary to ensure Open Space zoned land is appropriately utilised. It needs to appear visually accessible to attract people as well as for passive surveillance.</p>

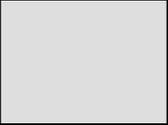
16.0 Zone Application Framework

This framework aims to provide an easy reference guide for the application of all Zones in the Tasmanian Planning Scheme.

Zone	Zone Purpose	Zone Application Guidelines
<p>General Residential</p> 	<p>The purpose of the General Residential Zone is:</p> <p>8.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</p> <p>8.1.2 To provide for the efficient utilisation of available and planned social, transport and other service infrastructure.</p> <p>8.1.3 To provide for compatible non-residential use that:</p> <p>(a) primarily serves the local community; and</p> <p>(b) does not cause an unreasonable loss of amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts.</p> <p>8.1.4 To ensure that non-residential use does not unreasonably displace or limit Residential use.</p>	<p>Apply to residential areas where one of the following conditions exist:</p> <ul style="list-style-type: none"> • predominantly residential use; and • existing residential areas developed to suburban densities which are not targeted for higher densities and: <ul style="list-style-type: none"> - have the full range of infrastructure services (e.g. reticulated water and sewer); or - are currently not serviced by reticulated water or sewer infrastructure but where there is a formal commitment from the water and sewer authority to service the area within 10 years; or • future residential areas that have been identified as appropriate for green-field residential development and where detailed structure/precinct plans have been developed and approved by the Council. <p>For future residential areas, avoid land highly constrained by hazards, natural values (i.e. threatened vegetation communities) or other impediments to developing the land to suburban densities, except where those issues have been taken into account and appropriate management put into place during the rezoning process.</p>
<p>Inner Residential</p> 	<p>The purpose of the Inner Residential Zone is:</p> <p>9.1.1 To provide for a variety of residential use or development that accommodates a range of dwelling types at higher densities in locations within walkable distances of</p>	<p>Apply to urban residential areas that are targeted for higher density development where one of the following conditions exist:</p> <ul style="list-style-type: none"> • full range of reticulated infrastructure services; • areas of intense residential activity; • proximity to activity centres with a range of services and facilities; or

Zone	Zone Purpose	Zone Application Guidelines
	<p>services, facilities, employment and high frequency public transport corridors.</p> <p>9.1.2 To provide for the efficient utilisation of available and planned social, transport and other service infrastructure.</p> <p>9.1.3 To provide for compatible non-residential use that:</p> <p>(a) primarily serves the local community;</p> <p>(b) does not cause an unreasonable loss of amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts; and</p> <p>(c) does not unreasonably displace or limit residential use.</p>	<ul style="list-style-type: none"> • along high frequency public transport corridors. <p>Avoid land that is highly constrained by hazards, natural or cultural values or other impediments to developing the land to higher densities.</p>
<p>Low Density Residential</p> 	<p>The purpose of the Low Density Residential Zone is:</p> <p>10.1.1 To provide for residential use and development on larger properties in residential areas where there are infrastructure, environmental or aesthetic constraints that limit the density, location or form of development.</p> <p>10.1.2 To provide for non-residential use that:</p> <p>(a) primarily serves the local community; and</p> <p>(b) does not cause an unreasonable loss of amenity, through noise, traffic generation and movement, or other off site impacts.</p>	<p>Apply to residential areas where one of the following conditions exist:</p> <ul style="list-style-type: none"> • residential areas with large lots that cannot be developed to higher densities due to infrastructure, landscape or environmental constraints, and where such constraints are unlikely to be removed in the future; or • small, residential settlements without the full range of reticulated infrastructure services (e.g. water and sewer); and • existing un-serviced low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development, and where there is no desire to encourage development at higher densities. <p>The Zone should not be applied to land that is targeted for greenfield development unless constraints (e.g. infrastructure, landscape or environmental) have been identified that impede the area being developed to higher densities.</p>

Zone	Zone Purpose	Zone Application Guidelines
	<p>10.1.3 To ensure that non-residential use does not unreasonably displace or limit residential use or unreasonably intensify the density of development.</p>	
<p>Rural Living</p> 	<p>The purpose of the Rural Living Zone is:</p> <p>11.1.1 To provide for residential use or development on large lots in a rural setting where services are limited.</p> <p>11.1.2 To provide for limited agricultural use and development that does not adversely impact on rural residential amenity.</p> <p>11.1.3 To provide for other compatible use or development that does not cause an unreasonable loss of amenity, through noise, traffic generation and movement, or other off site impacts.</p>	<p>Apply to very large-lot residential areas, where existing and desired use is a mix between residential and lower order rural activities (hobby farming), but in a way that priority is given to the protection of residential amenity.</p> <p>The Zone should not be applied to land that is:</p> <ul style="list-style-type: none"> • suitable or targeted for future greenfield urban development; • covered by large areas of native vegetation (see Landscape Conservation Zone); or • identified for commercial agricultural production (see Agriculture Zone). <p>The Zone specifies a site coverage of 400m², with two minimum lot size options to reflect the variety of lot sizes state wide. These are:</p> <ul style="list-style-type: none"> • Rural Living A: 1 ha; and • Rural Living B: 2ha. <p>The density controls of Rural Living A and Rural Living B should be chosen based upon strategic work undertaken to support certain densities, or as a reflection of the existing settlement pattern within a Rural Living area.</p>
<p>Village</p> 	<p>The purpose of the Village Zone is:</p> <p>12.1.1 To provide for small rural centres with an unstructured mix of Residential, community services and commercial activities.</p> <p>12.1.2 To provide amenity for residents appropriate to the mixed use characteristics of the Zone.</p>	<p>Apply to land where there is an unstructured mix of residential and business uses in a town or village. The full range of reticulated services may or may not be available.</p> <p>The Zone may cover either:</p> <ul style="list-style-type: none"> • an entire settlement where the settlement is relatively small and no clear town centre exists or is desired to exist; or • part of a settlement where a high degree of use mix exists or is desired in the centre (otherwise refer to Local Business Zone). The remainder of the settlement may be zoned either General Residential or Low Density Residential dependent on the characteristics of the settlement. <p>The Zone should not be applied to settlements where a genuine mix of uses does</p>

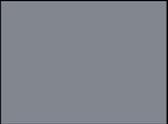
Zone	Zone Purpose	Zone Application Guidelines
<p>Urban Mixed Use</p> 	<p>The purpose of the Urban Mixed Use Zone is:</p> <p>13.1.1 To provide for a mix of residential, retail, community services and commercial activities in urban locations.</p> <p>13.1.2 To provide for a diverse range of uses or developments that are of a type and scale that support and do not compromise the role of surrounding activity centres.</p>	<p>not exist or is not desired.</p> <p>Apply to urban areas where there is a genuine mix of uses and neither residential nor commercial activity predominates, or where this pattern is identified as desirable and where one of the following exists:</p> <ul style="list-style-type: none"> • full reticulated infrastructure services; and • along high frequency public transport corridors, or areas of intense activity with excellent access to high frequency public transport services. <p>The Zone should not be applied to:</p> <ul style="list-style-type: none"> • commercial strips where commercial and retail activity is dominant (see business zones); or • residential areas where residential use is dominant (see residential zones).
<p>Local Business</p> 	<p>The purpose of the Local Business Zone is:</p> <p>14.1.1 To provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area.</p> <p>14.1.2 To provide a mix of convenience services of a type and scale to satisfy the daily requirements of the immediate population.</p> <p>14.1.3 To ensure that the type and scale of use and development does not distort the activity centre hierarchy.</p> <p>14.1.4 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.</p> <p>14.1.5 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.</p>	<p>Apply to land that provides or is desired to provide for the commercial, business, community and administrative functions within local shopping strips or town centres for smaller settlements such as the activity centres classified as Local Centres in the Tasmanian Planning Commission’s Feb 2014 Tasmanian Activity Centres Network Report.</p> <p>The Zone should be used for groupings of local shops in residential areas. The Zone should not be used for isolated local shops.</p>

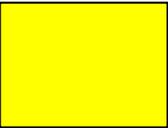
Zone	Zone Purpose	Zone Application Guidelines
<p>General Business</p> 	<p>The purpose of the General Business Zone is:</p> <p>15.1.1 To provide for business, retail, administrative, professional, community, and entertainment functions within Tasmania's main suburban and rural centres.</p> <p>15.1.2 To provide for a mix of services of a type and scale appropriate to service regular and specialist needs of immediate and wider population.</p> <p>15.1.3 To ensure that the type and scale of use and development does not distort the activity centre hierarchy.</p> <p>15.1.4 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.</p> <p>15.1.5 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.</p>	<p>Apply to land that provides or is desired to provide for the commercial, business, community and administrative functions within Tasmania's main suburban and rural activity centres such as the activity centres classified as District Centres and the lower order Urban Centres in the Tasmanian Activity Centres Network Report.</p>
<p>Central Business</p> 	<p>The purpose of the Central Business Zone is:</p> <p>16.1.1 To provide for the concentration of the higher-order business, retail, administrative, professional, community, and entertainment functions within Tasmania's primary centres.</p> <p>16.1.2 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to</p>	<p>Apply to land that provides or is desired to provide for the concentration of the higher-order commercial, business, community and administrative functions, within Tasmania's primary activity centres that service the entire State or region such as the activity centres classified as the Capital City Centre, Regional Centres and the higher order Urban Centres in the Tasmanian Activity Centres Network Report.</p>

Zone	Zone Purpose	Zone Application Guidelines
	<p>shoppers.</p> <p>16.1.3 To encourage Residential and Visitor Accommodation use above ground floor level if it supports the viability of the activity centre and an active street frontage is maintained.</p>	
<p>Commercial</p> 	<p>The purpose of the Commercial Zone is:</p> <p>17.1.1 To provide for retailing, service industries and warehousing that require:</p> <ul style="list-style-type: none"> (a) large floor or outdoor areas for the sale of goods or operational requirements; and (b) high levels of vehicle access and parking for customers. <p>17.1.2 To provide for a mix of use development that supports and does not compromise the role of other activity centres.</p>	<p>Apply to land that provides or is desired to provide for the retail, service industry, warehousing or other commercial use needs of the community where requiring:</p> <ul style="list-style-type: none"> • large floor or outdoor areas; and • high levels of vehicle access and car parking for customers. <p>The spatial application of this Zone must ensure that use and development does not compromise the viability of the Activity Centre hierarchy. The Zone should not be applied to land identified for industrial purposes.</p>
<p>Light Industrial</p> 	<p>The purpose of the Light Industrial Zone is:</p> <p>18.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict with, or unreasonable loss of amenity to, any other uses.</p> <p>18.1.2 To provide for industrial activity with good access to strategic transport networks.</p> <p>18.1.3 To provide for compatible use or development that supports and does not adversely impact on industrial activity.</p>	<p>Apply to land in discrete areas within towns or urban environments that predominantly provide for serviced based industries servicing local or regional needs where there are minimal off site impacts.</p>

Zone	Zone Purpose	Zone Application Guidelines
<p>General Industrial</p> 	<p>The purpose of the General Industrial Zone is:</p> <p>19.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.</p> <p>19.1.2 To provide for industrial activity with good access to strategic transport networks.</p> <p>19.1.3 To provide for compatible use or development that supports and does not adversely impact on industrial activity.</p>	<p>Apply to land that provides, or is desired to provide, for a range of medium and higher impact processing, manufacturing, servicing, storage and distribution uses. These are likely to include large industrial operations with real or potential impacts within and outside of the immediate area.</p> <p>Ideally this Zone should not directly adjoin land zoned for residential purposes unless separated through physical buffers such as a major road and to address existing land use situations.</p> <p>Land in this Zone must have good accessibility to major freight transport routes and other infrastructure (e.g. electricity, ICT, water, sewerage).</p>
<p>Rural</p> 	<p>The purpose of the Rural Zone is:</p> <p>20.1.1 To provide for a range of use or development that requires a rural location for operational, security or impact management reasons.</p> <p>20.1.2 To provide for use or development of land where agricultural use is constrained or limited due to topographical, environmental or other site characteristics.</p> <p>20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural area and does not compromise the function of surrounding settlements.</p>	<p>Apply to land in non-urban areas where agricultural use is constrained or limited due to topography, environmental or other site characteristics, and where residential use and development is not always desirable.</p> <p>The Zone should not be applied to land that is:</p> <ul style="list-style-type: none"> • identified for commercial agricultural production (see Agriculture Zone); • land with significant environmental values (see Landscape Conservation Zone and Environmental Management Zone).
<p>Agriculture</p> 	<p>The purpose of the Agriculture Zone is:</p> <p>21.1.1 To provide for the sustainable development of land for agricultural use.</p> <p>21.1.2 To protect land for the sustainable development of agricultural use by minimising:</p> <p>(a) conflict with or interference from</p>	<p>Apply to land identified for commercial agricultural production irrespective of land capability. This includes Tasmania's existing farming estate. This Zone is to capture the agricultural land subject to the <i>State Policy on the Protection of Agricultural Land 2009</i>.</p> <p>Note: guidance will be provided through statewide mapping of the Agricultural land estate.</p>

Zone	Zone Purpose	Zone Application Guidelines
	<p>other uses; and</p> <p>(b) non-agricultural use or development that precludes the return of the land to agricultural use.</p> <p>21.1.3 To provide for use or development that supports the use of the land for agricultural use.</p>	
<p>Landscape Conservation</p> 	<p>The purpose of the Landscape Conservation Zone is:</p> <p>22.1.1 To provide for the protection of significant natural and landscape values.</p> <p>22.1.2 To provide for complementary use or development that does not adversely impact on the protection, conservation and management of the significant natural and landscape values of the area.</p>	<p>Apply to bushland areas with significant landscape or biodiversity values where some small scale use or development may be appropriate. Land within the zone should have at least one of the following characteristics:</p> <ul style="list-style-type: none"> • containing large areas of native vegetation which is not reserved, but may be protected or identified as desirable for protection and contribute to overall biodiversity or landscape values; • may contain land that has significant constraints on development through the application of the Bushfire-Prone Areas Code, Scenic Protection Code, Natural Assets Code, Coastal Erosion Hazards Code, Coastal Inundation Hazards Code or Riverine Inundation Hazards Code; and • a low level of residential development and associated minor impacts on such values may be acceptable in existing cleared areas.
<p>Environmental Management</p> 	<p>The purpose of the Environmental Management Zone is:</p> <p>23.1.1 To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value or with a significant likelihood of risk from a natural hazard.</p> <p>23.1.2 To only allow for complementary use or development where it is consistent with relevant strategies for protection and</p>	<p>Apply to land where one of the following conditions exist:</p> <ul style="list-style-type: none"> • containing significant natural, cultural or aesthetic values, including: <ul style="list-style-type: none"> - public land reserved under the <i>Nature Conservation Act 2002</i>; - public land within the Tasmanian Wilderness World Heritage Area; - significant public riparian or coastal reserves; - land seaward of the low water mark, excluding areas more relevant to other Zones (e.g. Port and Marine Zone), Open Space Zone, Recreation Zone and Industrial Zone); - RAMSAR sites. • with a significant likelihood of risk from natural hazards (e.g. coastal

Zone	Zone Purpose	Zone Application Guidelines
	management of the land.	erosion, storm surge, landslip, flooding). <ul style="list-style-type: none"> • which is public land owned by local government where primary purpose is conservation or protection of natural, cultural or aesthetic values (otherwise refer to Open Space or Recreation Zones).
Major Tourism 	The purpose of the Major Tourism Zone is: 24.1.1 To provide for large scale tourist facilities which include a range of use and development. 24.1.2 To provide for compatible uses and development that complements or enhances tourist operations. 24.1.3 To encourage the provision of large scale tourism related mixed use developments particularly in areas near major tourist attractions. 24.1.4 To ensure development is of an appropriate scale and intensity for the location and minimises impacts on the surrounding urban or rural activities and cultural and natural attractions. 24.1.5 To ensure that any commercial uses support the tourist purpose of the site and do not adversely impact on existing activity centres.	Apply to land that is used or identified for major tourism developments which contain a range of facilities which, due to their scale and complexity, are best managed through a specific tourism zoning. The Zone should not be applied to sites that: <ul style="list-style-type: none"> • contain a single use (e.g. Visitor Accommodation); or • small-scale sites that are more appropriately managed through an alternate zoning.
Port and Marine 	The purpose of the Port and Marine Zone is: 25.1.1 To provide for major port and marine activity related to shipping, other associated transport facilities and supply and storage. 25.1.2 To provide for compatible use or	Apply to land that is used for major port and marine activity, including proclaimed wharf areas as described under section 11(7) of the <i>Land Use Planning and Approvals Act 1993</i> .

Zone	Zone Purpose	Zone Application Guidelines
	<p>development that supports and does not adversely impact on port and marine activities.</p>	
<p>Utilities</p> 	<p>The purpose of the Utilities Zone to:</p> <p>26.1.1 To provide land for major utilities installations and corridors.</p> <p>26.1.2 To provide for other compatible uses where they do not adversely impact on the utility.</p>	<p>Apply to land that is used for major utilities infrastructure including:</p> <ul style="list-style-type: none"> • major local and State roads; • future road corridors for major local and State roads; • energy production facilities (power stations) and major substations; • sewerage treatment plants; • water storage facilities (i.e. dams and reservoirs); • rail corridors; and • airports. <p>Minor and underground utilities should be accommodated within the surrounding Zone in which they are located.</p>
<p>Community Purpose</p> 	<p>The purpose of the Community Purposes Zone is:</p> <p>27.1.1 To provide for key community facilities and services including health, educational, government, cultural and social facilities.</p> <p>27.1.2 To encourage multi-purpose, flexible and adaptable social infrastructure to respond to changing and emerging community needs.</p>	<p>Apply to land that provides or is desired to provide for key community facilities, services and social infrastructure, including schools, tertiary institutions, medical centres, hospital services, community halls, and emergency services where located outside Activity Centres or where the preservation of such land for long term community use has local strategic importance.</p> <p>Community facilities and services contained within the activity centres can be included within the relevant business zoning where appropriate. Major facilities with unique characteristics may need to be contained with a unique zoning (see Particular Purpose Zone) or include a Site Specific Qualification.</p>
<p>Recreation</p> 	<p>The purpose of the Recreation Zone is:</p> <p>28.1.1 To provide for a range of active and organised recreational use and development ranging from small community facilities to major sporting facilities</p> <p>28.1.2 To provide for a range of complementary uses that do not impact adversely on the</p>	<p>Apply to land that is, or desired to be used for active or organised recreational purposes such as sporting grounds and facilities, and golf courses.</p> <p>Can be applied to public or privately owned land.</p>

Zone	Zone Purpose	Zone Application Guidelines
	<p>recreational use of the land.</p> <p>28.1.3 To ensure that new major sporting facilities are appropriately located having regard to their scale and external impacts on adjacent areas.</p>	
<p>Open Space</p> 	<p>The purpose of the Open Space Zone is:</p> <p>29.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.</p> <p>29.1.2 To provide for a range of use and development that complements and enhances the use of the land for open space purposes.</p>	<p>Apply to land that is intended to meet the broader community's open space needs by providing for predominantly passive recreational opportunities, but may also have other natural and cultural values.</p> <p>The Zone should not be applied for land with significant natural values (see Environmental Management Zone), nor should it be applied to land with formal recreational facilities (they should be within the Recreation Zone).</p> <p>The Zone will generally be applied to public land, although land that has been identified strategically for open space purposes may also be within the Open Space Zone.</p>
<p>Particular Purpose Zone</p> 		<p>Apply to land that provides major facilities or sites which require a unique tailored approach to both use and development standards.</p> <p>This Zone may be applied to existing Particular Purpose Zones unless adequately covered by Zones within the State Planning Provisions. Potential examples include the University of Tasmania Sandy Bay Campus, Royal Hobart Hospital, the Tasmania Police Academy at Rokeby, and University of Tasmania Newnham campus.</p>
<p>Particular Purpose Zone – Future Urban Zone</p>  <p>Note: There should be a notation over the PPZ –</p>	<p>The purpose of the Particular Purpose Zone – Future Urban Zone is:</p> <p>P1.1.1 To identify non-urban land intended to be largely converted to urban use and development in the future.</p> <p>P1.1.2 To ensure that the development of the identified non-urban land does not compromise its potential for future urban use and development.</p>	<p>Apply to land identified within either a declared Regional Land Use Strategy or a Council endorsed local land use strategy for future urban development in order to protect the land from use or development that may compromise its future development.</p> <p>The Zone should be applied to sites or areas that require further structure or master planning before its release for urban development.</p>

Zone	Zone Purpose	Zone Application Guidelines
Future Urban Zone to distinguish from the Particular Purpose Zone.	P1.1.3 To support a land release program of rezoning of non-urban land into urban land.	

17.0 Codes

17.1 Introduction

The Codes set out standards for use or development for matters which are not necessarily confined in application to one Zone area and can apply over and above Zone provisions.

Where there is a conflict, Codes provisions override Zone provisions. Specific Area Plan provisions override Code and Zone provisions if there is a conflict.

While Codes address issues which may transcend Zone boundaries, Codes must not be used to distort the underlying zoning of land.

Therefore, a Code should not alter the Zone's intent and should assist in delivering planning outcomes appropriate for the Zone.

A Code may limit or alter the manner in which a use or development can occur.

There is a requirement under subclause 6.10.2 of the Tasmanian Planning Scheme (TPS) to consider the purpose of any applicable Codes in determining an application for a discretionary use.

The following 15 Codes have been included in the draft SPPs:

- C1.0 Signs Code
- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code
- C4.0 Electricity Transmission Infrastructure Protection Code
- C5.0 Telecommunications Code
- C6.0 Local Historic Heritage Code
- C7.0 Natural Assets Code
- C8.0 Scenic Protection Code
- C9.0 Attenuation Code
- C10.0 Coastal Erosion Hazard Code
- C11.0 Coastal Inundation Hazard Code
- C12.0 Riverine Inundation Hazard Code
- C13.0 Bushfire-Prone Areas Code
- C14.0 Potentially Contaminated Land Code
- C15.0 Landslip Hazard Code

The Taskforce prepared a suite of draft SPPs in accordance with the Terms of Reference, and provided these to me on 21 December 2015. This suite of draft SPPs did not include four codes which were concurrently being prepared or reviewed by State Agencies or the TPC.

The preparation of the draft Codes by the Taskforce involved comprehensive analysis of all 28 Interim Planning Schemes (IPS) across the State to determine their scope and content which would be most appropriate for application on a statewide basis and in the context of the structure and format of the TPS. One of these was a Karst Management Code based on the Code in the Meander Valley IPS.

All of the Codes prepared are based on policy parameters set by legislation or relevant Departmental advice.

Following the consultation I undertook in accordance with s.18 of the Act, I determined that the Karst issue was better managed through deleting a statewide code and including a Specific Area Plan in the Meander Valley Local Provisions Schedule. Consequently the number of Codes was reduced to 15 from the original 16 provided for consultation.

Table 17.1 outlines other Codes that exist in IPS across the State, which were determined not appropriate for statewide application and were therefore not included in the draft SPPs.

In the majority of cases, the content of these are not considered to be best delivered through the Code mechanism and relevant planning authorities may be able to recast these Codes into a Specific Area Plan (SAP) or if appropriate, a Site Specific Qualification in their relevant Local Provisions Schedule (LPS).

17.2 Application of a Code

The Application Clause in each draft Code describes the types of use or development to which the Code applies, and when, where, in what circumstances and how the Code applies.

Most Codes are applied by way of an overlay map in the relevant LPS.

Other Codes may also apply by way of a written description or a List contained with the relevant LPS, for example the Scenic Protection Code and the Local Historic Heritage Code.

Table 17.1

Code	Application	Components	Comment
Cataract Gorge Management Area Code (LIPS only)	Cataract Gorge Management Area overlay	Siting, design, works and density Tree and vegetation removal	This Code may be recast as a SAP. Some components may relate to the Scenic Protection Code.
Invermay/Inveresk Flood Inundation Area Code (LIPS only)	Invermay/Inveresk Flood Inundation Area overlay	Controls use and development in certain precincts Flood impact	This Code may be recast as a SAP. Some components may overlap with the Riverine Inundation Hazard Code.
Development Plan Code (LIPS only)	Subdivision of land in Development Plan overlay	Coordination of subdivision	This may be covered by the Particular Purpose Zone – Future Urban Zone, through other relevant Zone provisions, or alternatively through SAPs for particular sites.
Urban Salinity Code (Meander Valley)	Urban Salinity Management Area overlay	Irrigation of lawns Stormwater Excavation Vegetation Clearance	This issue is not appropriate to be regulated under a planning scheme. It is covered by Building Regulations.
Devonport Reserve Residential Land Code (Devonport)	Land at Stony Rise Rd, Don Rd and Lawrence Drive	Orderly sequence of residential land release	This may be covered by the Particular Purpose Zone – Future Urban Zone, through other relevant Zone provisions, or alternatively through SAPs for particular sites.
Brighton Horse Racing Code (Brighton)	Brighton Horse Racing overlay	Protection of horse stabling, breeding and training uses Building design and siting Subdivision	This Code may be recast as a SAP.
Quoin Ridge Code (Brighton & Clarence)	Quoin Ridge overlay	Protection of radio monitoring station	This Code may be recast as a SAP.

Code	Application	Components	Comment
Public Art Code (Clarence)	Use and development in Central Business, General Business, Commercial, PPZ (Kangaroo Bay), Recreation and Open Space zones	Provision of public art for certain developments	This issue is not considered appropriate to be regulated through a planning scheme.
Hotel Industries Code (Clarence)	Use and development of Hotel Industry	Limitations on hotel industries Protection of surrounding amenity	The suite of Business Zones address the relevant issues on a statewide application basis.
Coastal Development Code (Glamorgan Spring Bay)	Development in proximity to coast in Low Density Residential and Rural Living Zones	Building height and setback	This Code may be recast as a SAP if necessary.
Local Development Code (Kingborough)	Residential development in proximity to coast	Building height and site coverage	This Code may be recast as a SAP if necessary.
Significant Tree Code (Hobart, Glenorchy, Kingborough)	Listed trees	Controls on modification or removal of significant trees	Significant Trees are regulated under the Local Historic Heritage Code, and may be listed and mapped as an overlay map in the relevant LPS.
Acid Sulfate Soils Code (Brighton, Derwent Valley, Glenorchy, Hobart, Huon Valley, Kingborough, Sorell, Southern Midlands, Tasman)	Acid sulfate soils overlay	Development on acid sulfate soils (ASS) or potential ASS	This issue is not appropriate to be regulated through a Code under a planning scheme. Modifications have been made to the list of conditions and restrictions in Clause 6.11.2 that may be included on a permit for the management of potential acid sulfate soils. The matter is also covered by Building Regulations.
Dispersive Soils Code (Glenorchy, Huon Valley, Kingborough, Sorell, Southern Midlands, Brighton)	Potential dispersive soils overlay	Development on land potentially containing dispersive soils	This issue is not appropriate to be regulated under a planning scheme. It is covered by Building Regulations.
On-site Waterwater Management Code (South and some Northern IPS, but not	Unsewered areas	Standards for residential and non-residential development, subdivision and land application	This issue is regulated by the Tasmanian <i>Plumbing Regulations 2014</i> . Where appropriate, Zone provisions address the issues

Code	Application	Components	Comment
LIPS)			relevant to being covered by a planning scheme.
Subdivision Code	Subdivision	Possible components: <ul style="list-style-type: none"> • Provision of public open space • Road layout and footpath connectivity • Solar orientation for residential subdivisions 	The relevant issues are covered under the Zone provisions.
Stormwater Management Code (South only)	Discharge of stormwater	Standards for residential and non-residential development, subdivision and land application	This issue is regulated by the Tasmanian <i>Plumbing Regulations 2014</i> and the <i>Urban Drainage Act 2013</i> . Where appropriate, Zone provisions and the Natural Assets Code with regard to the waterway and coastal protection area, appropriately address the issues relevant to being covered by a planning scheme.
Wind and Solar Energy Code (South only)	Wind and solar energy generators	Design and siting of free-standing turbines Roof mounted wind turbines Bird-strike risk reduction Development standards for solar panels Distance from a sensitive use	The relevance and applicability of the provisions in this Code are not suitable on a statewide basis. The issues are appropriately dealt with under the Zone provisions as buildings and works, and some Codes including the Local Historic Heritage Code.

18.0 Signs Code

18.1 Strategic Intent and Function

Signs are identified by the *Land Use Planning and Approvals Act 1993* (the Act) to be an element of development. It is also acknowledged that Road Authorities have an interest in the placement and size of signs from a road safety aspect.

In preparing the draft Signs Code there was an analysis of all the 28 Interim Planning Schemes (IPS) across the State. All IPS contain a Signs Code, however there was a high degree of inconsistency.

The analysis included the *Launceston Interim Planning Scheme 2015* (LIPS) Signs Code and the Cradle Coast Interim Planning Schemes (CCIPS) and the Southern Interim Planning Schemes (SIPS) Signs Codes.

This process included a review of any local variations from the regional model Codes, including the Signs Code in the *Hobart Interim Planning Scheme 2015* (HIPS).

The LIPS Signs Code is a modified version of the Northern Region model Code, which was modified following the LIPS Delegates review of LIPS 2012.

The SIPS Signs Code contains quite detailed regulations which aim to ensure the amenity of areas are balanced with commercial demands.

The Tasmanian Planning Scheme's (TPS) draft Signs Code is structured differently from other Codes in the State Planning Provisions (SPPs), in that 38 different sign types are defined and illustrated, the suitability of each sign type in every Zone is pre-assessed with clear requirements for each sign type, for example acceptable size and position.

The draft Signs Code does not apply to use.

Further, as a consequence of detailed discussions with the Planning Technical Reference Group, advice was accepted that the development of a sign does not need to be categorised into one of the Use Clauses in Table 6.2.

In addition, there was an extension of Clause 4.0 Exemptions to state all signs exempt under the Signs Code are exempt from requiring a permit under the Planning Scheme.

Following consultation with the Planning Technical Reference Group and all stakeholders, excessive regulation has been removed concerning specific sign types in the draft Code. This was undertaken without compromising sensible, practical and workable planning requirements.

This includes identifying specific sign types and their requirements as being exempt from the draft Code.

18.2 Provisions

Clause	Commentary
C1.1 Code Purpose	The draft Code aims to provide for appropriate advertising and display of information for business activity, and encouraging well-designed signs that are compatible with the visual amenity of the locality. The draft Code also aims to ensure vehicular and pedestrian movement is

Clause	Commentary
	<p>not adversely impacted.</p> <p>The purpose statements are reflected in the standards as drafted.</p> <p>They are based on those in the HIPS Code and the LIPS Code, with some modifications following the extensive consultation with stakeholders.</p>
C1.2 Application of this Code	<p>The Signs Code applies to all signs unless specifically exempted under Clause C1.4. To assist with the operation of the Exemptions in the TPS, the consideration of signs on sites listed as a local heritage place, heritage precinct or historic landscape precinct are considered under the Signs Code. This is consistent with the SIPS Code.</p>
C1.3 Definition of Terms	<p>In discussions with the Planning Technical Reference Group and the consultative groups it was decided that the definitions would be largely based on those in the LIPS Code, with some modifications and exclusions of sign types and definitions.</p> <p>The illustrations are derived from the LIPS Signs Code and are there to assist with ease of comprehension.</p>
C1.4 Development Exempt from this Code	<p>The exemptions in the draft Code reflect the approach to remove excessive regulation with regard to specific sign types, without compromising sensible, practical and workable planning requirements.</p> <p>As a result, the draft Code does not apply to signs internal to a building or site (such signs are exempt from the Code), or to changes to the graphics of an existing lawful sign, provided (a) to (c) are met under Clause C1.4.3.</p> <p>This approach is consistent with the SIPS Code and the HIPS Code.</p>
C1.6 Development Standards for buildings and works	
C1.6.1 Design and siting of signs Table C1.6	<p>These provisions are based on the LIPS Code, with modifications following consultation, including with the Planning Technical Reference Group.</p> <p>Furthermore, the dimensions and requirements for Above awning sign, Roof sign and Sky sign are based on the SIPS Code. Some aspects of those standards were removed, such as the reference to height of the building which was considered to be unnecessary. The approach taken was supported by the Planning Technical Reference Group.</p>
C1.6.2 Illumination of signs	<p>This standard has been drafted with reference to the CCIPS Signs Code and also responds to the deletion of 'flashing sign type'.</p>
C1.6.3 Third party signs	<p>The LIPS and HIPS Codes both prohibit this type of sign, however this was considered to be excessive regulation. There are circumstances where third party signs, through a Discretionary permit pathway, are appropriate such as providing information on how to find accommodation or attractions within Rural areas.</p> <p>As such a Discretionary permit pathway is provided where</p>

Clause	Commentary
	<p>consideration must be given to the content of the sign, its necessity to be in that location, any opportunities for alternative locations or alternative methods to achieve its intended purpose and the likely impact on safety. This should enable such signs to be considered where appropriate on a statewide basis.</p>
<p>C1.6.4 Signs for Local Heritage Places, Heritage Precincts and Historic Landscape Precincts</p>	<p>The draft Code provides a similar approach to the SIPS Code by including the consideration of signs on local heritage places, heritage precincts and historic landscape precincts under the Signs Code.</p> <p>The standard provides a Discretionary pathway for all new signs on local heritage places, heritage precincts and historic landscape precincts. This approach is consistent with LIPS and SIPS.</p> <p>It should be noted that signs are exempt from the draft Local Historic Heritage Code with the exception of any associated excavation works that are not exempt from that Code.</p>

19.0 Parking and Sustainable Transport Code

19.1 Strategic Intent and Function

Parking, access and sustainable transport are fundamental to the liveability of the Tasmanian community and it is therefore important for these matters to be addressed through a statewide Code which was practical, clear and consistent in the draft Tasmanian Planning Scheme (TPS).

The *Land Use Planning and Approvals Act 1993* (the Act) requires a Planning Scheme to protect public infrastructure for benefit of the community. Practical delivery of the objective extends to include activity which may impact on operational efficiency and safety of roads, including access and vehicle parking.

The provision of car parking for uses and developments can impact on the viability of public transport services in activity centres and reduce the area of land available for other uses potentially affecting the efficiency and characteristics of cities and towns. The ability for central business areas to be exempt from car parking requirements is an important policy consideration and has historically been included in many Planning Schemes. In these areas, an intensity of development is required which would be compromised if car parking was provided on every site. Accordingly a more strategic approach to parking in central business areas should be applied.

Sustainable transport is also an important factor in relation to facilitating public transport, cycling and walking.

All 28 Interim Planning Schemes (IPS) across the State, including the *Launceston Interim Planning Scheme 2015* (LIPS), include a Code which regulates parking and access and sustainable transport. However, there were variations in the scope and structure, applicability and notable differences in the development standards across the Codes:

- The Southern Interim Planning Schemes (SIPS) includes a Parking and Access Code.
- The Cradle Coast Interim Planning Schemes (CCIPS) includes the Traffic Generating Use & Parking Code.
- The Northern Interim Planning Schemes (NIPS), excluding LIPS, includes a Car Parking & Sustainable Transport Code.
- LIPS has a modified version of the Northern Code, called the Parking and Sustainable Transport Code, as a result of changes made following the LIPS Delegates review of LIPS 2012.

A comprehensive analysis was undertaken of the Parking and Sustainable Transport Code provisions in LIPS, the Traffic Generating Use & Parking Code in CCIPS and the Parking and Access Code in SIPS.

This work included a review of local variations from the SIPS model, including the Parking and Access Code in the *Hobart Interim Planning Scheme 2015* (HIPS).

The Department of State Growth's Transport Division has a number of plans and strategies in place which were considered in the drafting of the Code, including the Northern, Southern and Cradle Coast Integrated Transport Plans, the Brooker Highway Transport Plan, and the Huon Highway Corridor Road Strategy.

Where appropriate, the parking requirements in the Victoria Planning Provisions – Bicycle facilities and the NSW Roads and Maritime Services (formerly RTA) Guide to Traffic Generating Developments were also reviewed.

Finally, the need to avoid excessive regulation led to consideration of the differences between urban and rural centres which resulted in some standards being drafted to only apply to higher order activity centres. These standards relate to end of trip facilities and the need for these to be provided both at a strategic level as public facilities, but also in some circumstances for large developments within urban areas.

19.2 Additional Consultation

In the drafting of this Code, comments from the Heart Foundation and Cycle Tasmania which had been received during the consultative process on Residential Zones were considered. Furthermore, feedback from the TFGA members regarding barriers faced by new rural developments was also taken into consideration.

19.3 Provisions

Clause	Commentary
C2.1 Code Purpose	<p>The Code Purpose statements are reflected in the standards as drafted.</p> <p>The statements relate to appropriate level of parking facilities, ensuring cycling, walking and public transport are encouraged,</p> <p>They are based on those in SIPS Codes and the LIPS Code, with modifications based on the standards and aim to avoid excessive regulation, following extensive consultation with stakeholders.</p>
C2.2 Application of this Code	<p>The draft Code applies to all use and development, however the use standards for motor cycle parking and loading bays were limited to specific Use Classes.</p> <p>This reflects stakeholder feedback during the drafting of the Business, Commercial, Port and Marine, Residential and Rural Zones as well as feedback on the draft Code during the extensive consultative process.</p>
C2.3 Definition of Terms	<p>This section defines those terms that are used specifically in the Parking and Sustainable Transport Code. They are based on the LIPS Code and the HIPS Code and ensure the useability of the Code.</p>
C2.4 Use or Development Exempt from this Code	<p>There are no exemptions to this Code. However, certain uses may have no requirement for parking, and certain standards only apply to specific Zones and uses within those Zones.</p>
C2.5 Use Standards	
C2.5.1 Car parking numbers	<p>This standard requires a number of parking spaces as specified by Table C2.1, excluding if a Council endorsed parking plan or a parking precinct plan, as defined in the draft Code, applies to the site or if Clause C2.5.5 applies. This Clause relates to adaptive reuse of existing non-residential buildings within the Inner Residential and the</p>

Clause	Commentary
	<p>General Residential Zone.</p> <p>The parking number requirements were determined following a consideration of the LIPS, SIPS and CCIPS requirements, as well as parking numbers from other jurisdictions. In addition, the numbers were tested with the Planning Technical Reference Group for feedback on their workability. There is also a Performance Criteria to allow for a discretionary pathway, where appropriate, for when the parking requirements in the Table cannot be met.</p>
C2.5.2 Bicycle parking numbers	<p>Similar to the car parking requirements, this standard requires a number of bicycle parking spaces as specified in Table C2.1.</p> <p>These were based on the IPS and data from other jurisdictions. In addition the numbers were closely analysed to ensure bicycle parking was necessary for the various uses for example, Recycling and Waste Disposal use does not have a bicycle parking requirement</p>
C2.5.3 Motorcycle parking	<p>This standard requires one motorcycle parking space per 20 car parking spaces as required by Table C2.1.</p> <p>These were based on the IPS and data from other jurisdictions.</p>
C2.5.4 Loading bays	<p>This standard requires Loading bays for uses with a floor area of 1000m². This standard was based on that which featured in the LIPS. It was tested through the consultative process and supported.</p>
C2.5.5 Number of Car Parking Spaces within the Inner Residential Zone and General Residential Zone	<p>This standard allows for Food Services and General Retail and Hire, up to 100m² in area (or 30 restaurant seats), to not require car parking spaces in the Inner Residential and General Residential Zone. This standard is in the HIPS Code. It was tested through the Technical Reference Groups and the consultative groups more broadly and was supported. The intent of the Clause is to allow for adaptive reuse of non-residential buildings of a certain scale in Residential Zones.</p>
C2.6 Development Standards for buildings and works	
C2.6.1 Construction of Parking Areas	<p>This standard specifies the requirements for constructing parking areas and provides for instances where it is not necessary. It was based on the LIPS Code and supported through the consultative process.</p>
C2.6.2 Design and Layout of Parking Areas	<p>This standard combines the Design and Layout requirements for parking, access and manoeuvring and for disability parking. The requirements reference the relevant Australian Standard and represent a combination of the standards found within LIPS and HIPS Codes.</p>
C2.6.3 Number of Accesses for Vehicles	<p>This standard restricts the number of accesses on a frontage to ensure pedestrian access along footpaths is not unreasonably impacted upon. These standards are a modification of those found within the HIPS Code.</p>
C2.6.4 Lighting of Parking	<p>This standard requires lighting of parking areas within the General</p>

Clause	Commentary
Areas within the General Business Zone and Central Business Zone	Business Zone and Central Business Zone. This is necessary for safety and crime prevention through environmental design. Unlike the HIPS Code, which applies these standards to all parking areas with more than 5 spaces, this standard is restricted by Zone.
C2.6.5 Pedestrian Access	This standard applies to uses that require 10 or more spaces and requires a footpath adjacent to any internal access way within the lot. This standard features in LIPS Code.
C2.6.6 Loading Bays	The standards relating to Loading Bays currently existing within LIPS but have been reworded to comply with the drafting conventions of the draft TPS.
C2.6.7 Bicycle Parking and Storage Facilities within the General Business Zone and Central Business Zone	The standard regarding bicycle parking and storage has been drafted with reference to LIPS Code. However it has been modified to only apply to the General Business and Central Business Zones. It was considered inappropriate to apply such requirements to uses in all areas. This was tested through the consultative process and supported.
C2.6.8 Siting of Parking and Turning Areas	This standard is based on the HIPS Code with modifications to only apply it to certain Zones. This was supported through the consultative process.
C2.7 Parking Precinct Plan	
C2.7.1 Parking Precinct Plan	<p>This standard allows for the reduction and where appropriate exclusion of on-site parking spaces within a specific area through a parking precinct plan, as defined in the draft Code. This may be desirable to ensure parking does not detract from the streetscape of an area. This area will be demonstrated on a plan shown on a map in the relevant Local Provisions Schedule (LPS).</p> <p>This standard references the LIPS Code where there are existing Parking Precinct Plans. Within the HIPS Code specific requirements apply to certain Particular Purpose Zones. To achieve the same aim, the Parking Precinct Plans could be applied in these areas also.</p>
Table C2.1 Parking Space Requirements	
Table C2.1	This table specifies the numerical requirements for the car parking, and bicycle parking. These spaces were determined after a consideration of the LIPS, SIPS and CCIPS Codes, and a consideration of requirements set down by other jurisdictions. In addition Australian Standards regarding parking spaces were considered. Feedback was sought from the Planning Technical Reference Group and Consultative Groups to test the veracity of the numbers given their experience in this area. Further changes were made where a strategic justification could be demonstrated.
Table C2.2 Internal access way widths for vehicles	This table was drafted with reference to the LIPS Code to specify requirements for widths of access ways. Comparable standards exist within the SIPS Code also, and they are sourced from relevant

Clause	Commentary
	Australian Standards.
C2.3 Dimensions of car parking spaces and combined access and manoeuvring space adjacent to parking spaces.	This table was drafted with reference to the LIPS Code to specify requirements for dimensions of car parking spaces, and combined access and manoeuvring spaces. Comparable standards existing within the SIPS Code also.

20.0 Road and Railway Assets Code

20.1 Strategic Intent and Function

A draft Road and Rail Assets Code has been in the course of preparation for many years and various editions have appeared in planning schemes. The preparation of draft interim planning schemes across the State under the regional planning initiatives provided the opportunity to standardise the draft Road and Rail Assets Code on a State wide basis.

The Road and Rail Asset Code was subject to a draft Planning Directive process conducted by the TPC commencing in 2011.

Extensive assistance was provided by the then Department of Infrastructure, Energy and Resource (DIER) and its successor the Department of State Growth (DSG) in the drafting and review of the Code.

These agencies have been instrumental in the preparation of the draft Road and Rail Assets Code, and have consulted with Councils on its incorporation into individual planning schemes as they have been prepared and reviewed over many years.

The TPC also sought representations from the public through an exhibition period in 2011 and held hearings in 3 locations across the state.

Workshops with local council engineers and planners, traffic experts and others were held in 2012 and 2013 to further refine the Code. Following the workshop, a revised draft Road and Rail Assets Code was exhibited from 16 February to 8 March 2013. The revised draft Road and Railway Assets Code contained use and development standards for:

- (a) Accesses to roads;
- (b) Railway crossings;
- (c) Sensitive uses within 50m of railways and major roads with a speed limit above 60km; and
- (d) Sensitive uses within 50m of future railways and future major roads.

The Code provides a common, strategic approach to managing land use and development in relation to the State road and rail network.

The key objectives of the Code are to:

- Protect the safety and efficiency of road and rail networks.
- Reduce amenity conflicts between sensitive uses and major roads and the rail network.

The principles informing the Code are:

- Ensure consistency across local Government boundaries.
- Protect the function of roads based on a strategic road hierarchy.
- Incorporate best practice engineering standards and traffic impact assessments into the decision making process.
- Protect existing and future road and rail corridors from incompatible use and development and to ensure long term corridor viability.

20.2 Additional Consultation

This draft Code was not included in the broad consultation process around the drafts of the SPPs carried out during 2015. However consultation has taken place over many years as referred to earlier and the Code represents a highly refined set of provisions agreed to by the relevant agency.

20.3 Provisions

Clause	Commentary
C3.1 Code Purpose	<p>The Code Purpose statements are reflected in the standards as drafted.</p> <p>The purpose is twofold:</p> <ol style="list-style-type: none"> 1. to protect the safety and efficiency of the road and railway networks; and 2. to reduce conflicts between sensitive uses and major roads and the rail network
C3.2 Application of this Code	<p>The draft Code has a very specific application. It applies to use or development, including subdivision, but only where there is an increase in vehicular movement or traffic volume using an existing vehicle crossing or private level crossing; or where a new crossing, junction or level crossing is required, or where subdivision or the development of a habitable building for a sensitive use is within a road or railway attenuation area.</p>
C3.3 Definition of Terms	<p>This section defines those terms that are used specifically in the Road and Railway Assets Code. They are based on the consideration of various drafts by the TPC and reflect or make reference to many sections of other related legislation or guidelines.</p> <p>A particular definition is provided for a Traffic Impact Assessment which references the Austroads Guide to Traffic Management.</p> <p>Major roads are defined to mean those that are a category 1,2 or 3 road in the Tasmanian State Road Hierarchy, issued by the DIER (now the Department of State Growth) in 2006.</p> <p>Future major road and future railway are both defined with reference to land shown on the planning scheme maps.</p>
C3.4 Use or Development Exempt from this Code	<p>This Code does not apply to the use or development of a vehicle crossing, junction or level crossing by the road or rail authority.</p>
C3.5 Use Standards	
C3.5.1 Traffic Generation at a Vehicle Crossing, Level Crossing or New Junction	<p>This standard provides 4 alternative Acceptable Solutions. One of these is relates to category 1 or limited access roads where the proposal does not require a new crossing, junction or level crossing. Two of these AS are based on there being the written consent of the road or rail authority. The last alternative is where the increase in the number of vehicle movements is under the thresholds set out in Table</p>

Clause	Commentary
	<p>C3.2.</p> <p>In all of these circumstances there is a requirement that the traffic enters and leaves a major road in a forward direction.</p> <p>The Performance Criteria requires the objective of minimising any adverse effects on safety and efficiency through having regard to a range of criteria such as the increase in traffic, the nature of the road and speed of traffic on it, whether there are alternative accesses possible, and the advice provided in a traffic impact assessment and any written advice of the relevant rail or road authority.</p>
Table C3.2 Acceptable increase in average annual daily traffic to and from the site (total of ingress and egress)	<p>Thresholds for meeting the Acceptable Solution in C3.5.1 are specified in Table C3.1.</p> <p>These set out different volumes for traffic entering major roads (10%) and other roads (20%), and whether the vehicle is over 5.5m in length.</p>
C3.6.1 Subdivision for Sensitive Uses within a Road or Railway Attenuation Area	<p>This standard aims to minimise adverse effects of noise, vibration, light and air emissions on lots which are intended to be developed or used for sensitive uses where they are in proximity to both existing and future major roads and the rail network.</p> <p>The Acceptable Solution is where the lots intended for sensitive uses are not located within the attenuation area that is shown on the maps.</p> <p>If they are located in those areas, then the Performance Criteria provides a range of criteria that must be considered in the siting, design and screening of the lots. The criteria include topography and natural and build buffers, the frequency and speed of traffic and the noise and vibration and other emissions, and advice from experts, the authorities and contained in any traffic impact assessment.</p>
C3.6.2 Habitable Buildings for Sensitive Uses within a Road or Railway Attenuation Area	<p>This standard is similar in intent to C3.6.1 but is applied where habitable buildings are proposed.</p> <p>A number of Acceptable Solutions are provided to address a range of situations where there is already development of a similar type and use in the vicinity. The AS provides for some infill and extensions to match existing development setbacks.</p> <p>Alternatively compliance with the AS can be achieved by ensuring external noise levels are in accordance with those set out in Table 3.2</p> <p>The Performance Criteria provides a range of criteria must be considered in the siting, design and screening of the buildings. The criteria include topography and natural and build buffers, the frequency and speed of traffic and the noise and vibration and other emissions, and advice from experts, the authorities and contained in any traffic impact assessment.</p>

21.0 Electricity Transmission Infrastructure Protection Code

21.1 Strategic Intent and Function

The Electricity Transmission Infrastructure Protection Code prepared for the Tasmanian Planning Scheme (TPS) is a reflection of the evolution of the Electricity Transmission Infrastructure Protection Code originally prepared by TasNetworks (then Transend) for the Southern Interim Planning Schemes (SIPS).

Eleven of the twelve IPS in the Southern region include the Code, the exception being the *Clarence Interim Planning Scheme 2015*.

The IPS in the Northern and Cradle Coast regions do not have the Electricity Transmission Infrastructure Protection Code or equivalent.

The draft Electricity Transmission Infrastructure Protection Code seeks to protect major electricity transmission infrastructure assets, as well as ensuring use and development near this infrastructure does not adversely affect its safe and reliable operation.

The draft Code furthers the Schedule 1 Objectives under the *Land Use Planning and Approvals Act 1993* (the Act), specifically Part 2(h) which aims “to protect public infrastructure and other assets...”.

The draft Code should be applied spatially through an overlay map based on TasNetwork’s asset maps. This will form part of the relevant Local Provisions Schedules (LPS), covering the following areas or sites, which are defined in Clause C4.3:

- electricity transmission corridors;
- communication station buffer areas; and
- substation facility buffer areas.

Electricity transmission corridors cover land within:

- registered electricity easements relating to transmission lines;
- a specified distance either side of existing overhead transmission lines; and
- a specified distance either side of the existing underground cabling for electricity transmission.

Land within an electricity transmission corridor may also be within an ‘inner protection area overlay’ for which there are specific requirements in the draft Code.

The substation facility buffer area extends 65m from the title, lease or licence boundary of all 110kV and 220kV substations. An overlay map identifies the extent of the substation facility.

The communications station buffer area extends 55m from the centre of the tower of TasNetworks communications stations.

Currently, there are no legislative instruments to protect the State’s major electricity infrastructure assets beyond enforcing easement rights and legal action against parties who potentially create safety hazards. TasNetworks advocated for an extension of their powers beyond their legislation. This was not a subject appropriate for the Planning Scheme and therefore the draft Code reflects the current powers which TasNetworks has under the *Electricity Supply Industry Act 1995* (ESI Act).

The draft Code is essentially based on the SIPS Electricity Code. However, it contains modifications to simplify and clarify various provisions and to provide greater flexibility where appropriate.

Modifications to the SIPS Code which have been adopted in the draft Code include:

- modified Application of the Code to clarify its scope and to avoid the drafting of complicated exemptions;
- deletion of unnecessary definitions;
- modified exemptions to only retain those that are necessary;
- general review of the use and development standards to clarify and simplify drafting and provide greater flexibility; and
- added further clarity around uses that may cause impacts from airborne contaminants by the inclusion of Table 4.1.

Relevant Performance Criteria have been drafted to allow planning authorities to seek advice from the electricity entity where necessary, which replaces the need for specific application requirements and is consistent with the approach applied in the drafting of the TPS.

The suggestion from the Planning Technical Reference Group was accepted that planning authorities may also request a noise assessment by a suitably qualified person.

There has been careful assessment of a request from TasNetworks for a requirement for the applicant to provide evidence that they had notified TasNetworks of the details of any proposal within an electricity transmission corridor.

However, this was considered as inappropriate in the draft Code because it created a consent requirement for TasNetworks and therefore, an extension of their powers under their EIS Act.

It was considered to be outside the scope of the SPP drafting process to create such mandatory powers of referral without the normal regulatory review process of Government.

21.2 Additional Consultation

This draft Code was considered through the broad consultation process. Extensive consultation took place in the drafting of this Code with TasNetworks individually and as part of the Infrastructure Technical Reference Group. In addition consultation occurred with State Government Agencies, including DSG.

TasNetworks also presented to the Planning Reform Taskforce meeting on 4 November 2015.

21.3 Provisions

Clause	Commentary
C4.1 Code Purpose	The Code Purpose statements largely reflect that in SIPS with some minor modifications to match the structure of the TPS and allow for statewide application.
C4.2 Application of this Code	<p>After extensive consultation, the drafted Code applies to specified use and development within specific mapped areas, shown as overlays on the Planning Scheme maps. The overlays relate to:</p> <ul style="list-style-type: none"> • electricity transmission corridors; • communications station buffer areas; and • substation facility buffer areas. <p>These overlays have been prepared by TasNetworks.</p> <p>The overlays also include:</p> <ul style="list-style-type: none"> • the inner protection area which is contained within an electricity transmission corridor; • substation facilities which identify the extent of the facility.
C4.3 Definition of Terms	To ensure ease of understanding as well as consistency, this section includes nine terms and definitions which are applicable to the Code. These have been drafted in consultation with TasNetworks.
C4.4 Use or Development Exempt from this Code	<p>There are exemptions from the draft Code which relate to:</p> <ul style="list-style-type: none"> • minor buildings and works within the electricity transmission corridor; • buildings and utilities within a communications station buffer area; • electricity transmission infrastructure; and • use or development within a building area on a sealed plan approved through subdivision under the Code; and • consolidation of lots. <p>The exemptions have been drafted in consultation with TasNetworks.</p>
C4.5 Use Standards	
C4.5.1 Sensitive Use within a Substation Facility Buffer Area	<p>This standard has been drafted in consultation with TasNetworks. It aims to minimise noise conflicts between a substation and sensitive uses contained within a building.</p> <p>Notable exclusions from the standard are any non-habitable rooms such as bathrooms and utility rooms.</p>
C4.5.2 Airborne Contaminates within an Electricity Transmission Corridor	<p>This standard is additional to those contained in SIPS and has been included following a request from TasNetworks.</p> <p>TasNetworks has also requested a similar standard to apply to communications stations. It was determined not to include this</p>

Clause	Commentary
	<p>because it was considered over regulation and not necessary for the protection of communications infrastructure.</p> <p>This standard applies to uses which may generate airborne contaminants which may affect the safety and reliability of overhead electricity infrastructure.</p> <p>Table C4.1 has been prepared in consultation with TasNetworks and aims to narrow down the uses which need to be assessed against this standard.</p>
C4.5.3 Airborne Contaminates within a Substation Facility Buffer Area	<p>This standard was drafted to apply to uses which may generate airborne contaminants which may affect the safety and reliability of substation facilities.</p> <p>Table C4.1 has been prepared in consultation with TasNetworks and aims to narrow down the uses that need to be assessed against this standard.</p>
C4.6 Development Standards for buildings and works	
C4.6.1 Buildings or Works within an Electricity Transmission Corridor	<p>This standard ensures that buildings and works do not impact on electricity transmission lines and cables. It is based on the standard in the SIPS Code.</p> <p>Buildings or works located within the inner protection zone or registered electricity easement must be considered against the Performance Criteria.</p>
C4.6.2 Buildings or Works within a Substation Facility Buffer Area	<p>The standard ensures that buildings and works do not impact on substation facilities. It is based on the standard in the SIPS Code with modifications made in response to advice from TasNetworks.</p> <p>The extent of a substation facility is determined by an overlay prepared by TasNetworks. It is based on the title, lease or licence boundary for the facility.</p> <p>Buildings or works located within 5m of the substation facility must be considered against the Performance Criteria.</p>
C4.6.3 Buildings or Works within a Communications Station Buffer Area	<p>This standard ensures that buildings and works do not impact on communications stations operated by the electricity entity. It is based on the standard in the SIPS Code with modifications made in response to advice from TasNetworks.</p> <p>Buildings or works located within 5m of the communication station or with a relative height greater than the antenna or dish of the station must be considered against the Performance Criteria.</p>
C4.7 Development Standards for Subdivision	
C4.7.1 Subdivision	<p>The subdivision standard consists of three components for assessing the suitability of subdivision within an electricity transmission corridor, substation facility buffer area or communications station buffer area.</p> <p>The standard aims to protect the electricity infrastructure from future</p>

Clause	Commentary
	<p>use or development that may eventuate from subdivision.</p> <p>The standard is based on the equivalent provisions in the SIPS Code and has taken on board advice from TasNetworks. Modifications have been made to align with the drafting style for the assessment of subdivision in the TPS.</p> <p>Permitted pathways are provided for subdivision for public use and the provision of Utilities. These options for subdivision are consistent across most Zones in the TPS and represent common subdivision allowances for public needs and infrastructure.</p>

22.0 Telecommunications Code

22.1 Strategic Intent and Function

Government policy position is established and directed through Commonwealth legislation, the *Telecommunications Act 1997* and the *Telecommunications (Low-Impact Facilities) Determination 1997*, which regulates the Australian telecommunications industry and governs low-impact facilities, respectively.

Therefore, a statewide Code to ensure sound planning for telecommunication facilities was considered to be a planning priority.

The draft Telecommunications Code in the draft TPS aims to facilitate:

- landowners and carriers sharing telecommunications facilities or to co-locate, co-mast or co-site facilities where appropriate and practicable to minimise adverse environmental and visual amenity impacts;
- impact mitigation measures which protect community values, especially visual character values; and
- the adoption of best practice procedures by carriers in terms of innovative design, environmental management and work practices.

Many minor telecommunications facilities are regulated by the overriding provisions of the *Telecommunications (Low-Impact Facilities) Determination 1997* and therefore, are exempt from planning control, provided the facility is not located in an area of environmental significance. Such low-impact facilities includes radio or satellite terminal antenna or dishes with restricted dimensions, underground cabling and public pay phones.

Therefore, the following general exemption under Clause 4.0 of the draft State Planning Provisions (SPP) is included:

minor telecommunications	<ul style="list-style-type: none"> (a) development of low impact facilities as defined in Part 3 of the <i>Telecommunications (Low-Impact Facilities) Determination 1997</i>; (b) works involved in the inspection of land to identify suitability for telecommunications infrastructure; (c) development of a facility that has been granted a facility installation permit by the Australian Communications and Media Authority; (d) works involved in the maintenance of telecommunication infrastructure; (e) works meeting the transitional arrangements as defined in Part 2 of Schedule 3 of the <i>Telecommunications Act 1997</i>; (f) feeder and distribution optical fibre cables not exceeding 18mm in diameter and with attached messenger wires on existing poles;
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	(g) the connection of a line forming part of a telecommunications network to a building, caravan or mobile home including drop cabling of optic fibre networks.
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In the assessment of the 28 Interim Planning Schemes (IPS), it was determined that the Telecommunications Code in the *Launceston Interim Planning Scheme 2015* (LIPS) was a sound basis for adoption as a draft Code in the draft SPPs.

It regulated the height and location of telecommunications facilities and any adverse visual impact on significant public buildings, streetscapes, and land within identified scenic values and it addresses the protection of the productive capacity of agricultural land as required by the *State Policy on the Protection of Agricultural Land 2009* (PAL Policy).

The LIPS Code also includes the exemptions specified in the *Telecommunications (Low-impact Facilities) Determination 1997*.

22.2 Provisions

Clause	Commentary
C5.1 Code Purpose	The Code Purpose statements are a reflection of the LIPS Code with some minor modifications to in line with the structure of the TPS and to ensure statewide application.
C5.2 Application of this Code	This provision is drawn from the LIPS Code.
C5.3 Definition of Terms	The terms and definitions are drawn from the LIPS Code. The following terms were not included 'area of environmental significance', 'carrier' and 'low impact facilities' as they are not used in the draft Code.
C5.4 Use or Development Exempt from this Code	This provision is drawn from the LIPS Code. Note, Low Impact Facilities are exempt under Clause 4.1 of the draft TPS.
C5.6 Development Standards for buildings and works	
C5.6.1 Visual amenity	This provision is drawn from the LIPS Code with some minor modifications to match the structure of the TPS, as well as to improve clarity of drafting and remove repetition of discretionary considerations where appropriate. Following feedback from the Planning Technical Reference Group, the LIPS height limits were modified.

23.0 Local Historic Heritage Code

23.1 Strategic Intent and Function

In Tasmania, historic heritage significance is managed and protected primarily through the *Land Use Planning and Approvals Act 1993* (the Act) and the *Historic Cultural Heritage Act 1995* (HCHA). However, there is an overlap between the processes for managing heritage places under these Acts.

The listing of a heritage place is often duplicated at the local and State level across the State.

Across Tasmania, some Interim Planning Schemes (IPS) list only places of local significance while others also include those listed on the Tasmanian Heritage Register (THR).

Providing a standardised State Code is consistent with the Tasmanian Government's election commitment to deliver a high level of consistency in the planning controls which apply across the State.

The preparation of the draft Local Historic Heritage Code in the draft State Planning Provisions (SPPs) included an analysis of the provisions in the *Launceston Interim Planning Scheme 2015* (LIPS) Code, the *Cradle Coast Interim Planning Schemes (CCIPS) Local Heritage Code* and the *Southern Interim Planning Schemes (SIPS) Historic Heritage Code*. This included a review of the local variations to the Codes, such as the *Hobart Interim Planning Scheme 2015* (HIPS).

All IPS across the State have a Code which regulates development of a heritage place or precinct, with variations in the scope and structure, applicability and use and development standards.

- The Local Historic Heritage Code in the Northern Interim Planning Schemes (NIPS) applies to use or development of land which is listed within a heritage precinct, a local heritage place or a place of identified archaeological significance. However, some Councils in the Northern region chose not to populate the place and precinct tables, meaning the Code is not operable in their Interim Planning Schemes.
- LIPS has a revised version of the NIPS Code, titled the Local Historic Cultural Heritage Code, which was modified following the LIPS Delegates review of LIPS 2012.
- The Heritage Code in all CCIPS excludes any provisions for Places of Archaeological Significance.
- The Historic Heritage Code in all SIPS applies to listed heritage places, cultural landscape and heritage precincts, and places of archaeological potential. Some planning authorities have not populated all of these lists.
- The Hobart, Glenorchy and Kingborough IPS also include a separate Significant Trees Code, which lists individual trees for both heritage and aesthetic values.

The Tasmanian Heritage Council (THC) is currently reviewing the listings on the Tasmanian Heritage Register (THR) and anticipate a significant number of places to be removed as they if they do not meet the registration criteria prescribed in the Act.

Although there is no automatic transfer of these places once they have been deregistered, the Local Historic Heritage Code in the draft SPPs has been drafted to provide flexibility for each Planning

Authority to populate the place and precinct listing tables in their relevant Local Provisions Schedule (LPS).

23.2 Additional Consultation

This draft Code was considered through the consultation process and additional extensive consultation occurred with officers at Heritage Tasmania and with the THC, including two presentations to the THC meetings.

23.3 Provisions

Clause	Commentary
C6.1 Code Purpose	The Code Purpose statements largely reflect that in SIPS and LIPS with some minor modifications to match the structure of the TPS
C6.2 Application of this Code	<p>The draft Code cannot apply to a place or precinct that is listed on the THR with regard to the identified basis or criteria for the State listing. This approach ensures there will be no duplication of decision making and potential for different decisions from the THC and the local Planning Authority dealing with the same issue.</p> <p>The draft Code applies to local heritage places, heritage precincts, historic landscape precincts and places or precincts of archaeological potential and significant trees. Each Planning Authority will be able to populate the respective lists and apply the overlay maps in their relevant LPS. The SIPS Code has a broader application compared with the LIPS Code, and this was preferred for a Statewide application context.</p> <p>The draft Code includes provisions for Significant Trees, which provides scope for planning authorities such as Hobart, Kingborough and Glenorchy to populate the relevant list in their LPS.</p> <p>The draft Code does not apply to use. There are other mechanisms in the planning scheme to consider appropriate alternative uses of heritage places, including Clause 7.4. This general provision states that an application for a use of a site listed as a local heritage place subject to the draft Code that would otherwise be Prohibited is Discretionary, with criteria specified.</p> <p>The draft Code does not apply to internal building or works, as exempt under Clause 4.0. Internal building is considered to be outside the scope of development under the Act.</p>
C6.3 Definition of Terms	<p>The draft Code includes terms contained in the LIPS Code with modifications where necessary and appropriate to match the structure of the TPS. Some additional terms based on the SIPS Code have also been included where necessary to the application of specific provisions. For example, 'destruction' and 'tree protection zone'.</p> <p>All terms and definitions in the IPS Codes were reviewed as part of the drafting process of the draft Code, and some terms were appropriately</p>

Clause	Commentary
	excluded where they have no relevance.
<p>C6.4 Use or Development Exempt from this Code</p> <p>Table C6.4.1</p>	<p>The range of exemptions was drafted to avoid duplication of the exemptions or permissions already prescribed under other legislation or other Codes.</p> <p>The exemptions are broadly based on the SIPS Code approach, with modifications to broaden scope for reduced regulation where appropriate, and editorial changes to reflect the context of statewide application. They do not duplicate or contradict the exempt development in Clause 4 of the draft SPPs.</p> <p>Signs are exempt from the draft Code as the consideration of heritage impacts are undertaken under the Signs Code. This is consistent with the SIPS Signs Code. Any excavation works associated with a sign on a place or precinct of archaeological potential is however captured by the draft Code unless otherwise exempted under Table C6.4.1.</p> <p>These exemptions were prepared following a review and analysis of the exempt development in LIPS and SIPS Codes, as well as the THC's draft Works Guidelines, dated June 2014.</p>
C6.6 Development Standards for Local Heritage Places	
C6.6.1 Demolition	<p>These provisions are based on the LIPS Code with some minor modifications to match the structure of the TPS.</p> <p>Some further modifications were considered appropriate. For example E13.6.1 P1(f) in the LIPS Code reads "<i>the need for the development</i>". This is not a valid consideration.</p> <p>The provisions were drafted to ensure they do not contradict, conflict or duplicate Zone standards by specifically focusing on heritage considerations. Discretionary consideration of 'streetscape' was not included in several of these provisions to ensure they do not replace or add to the Zone provisions. Further, these provisions relate specially to the local heritage place, not the wider surrounding area or precinct.</p>
C6.6.2 Maintenance and repair of buildings and structures	
C6.6.3 Site coverage	
C6.6.4 Height and bulk of buildings	
C6.6.5 Siting of new buildings and structures	
C6.6.6 Fences	
C6.6.7 Roof form and materials	
C6.6.8 Building alterations other than roof form and materials	
C6.6.9 Outbuildings and structures	
C6.6.10 Driveways and parking	
C6.6.11 Removal, destruction or lopping of trees or removal of	

Clause	Commentary
vegetation that is specifically part of a local heritage place	similar to the Heritage Tasmania exemption guidelines.
C6.7 Development Standards for Heritage Precincts and Historic Landscape Precincts	
C6.7.1 Demolition	These provisions are based on the SIPS Code, with some minor modifications to match the structure of the TPS. This includes merging together some performance criteria in the SIPS Code, where appropriate. Note, the SIPS Code includes A5 and P5 which regulate the retention and removal of area of landscaping between a dwelling and the street. These standards have not been included as they are difficult to enforce and considered onerous. Note, reference to 'exceptional circumstances' in the SIPS Code have not been included, as is not a valid discretionary consideration.
C6.7.2 Buildings and works other than Demolition	
C6.8 Development Standards for Places or Precincts of Archaeological Potential	
C6.8.1 Building and works	These provisions are based on the SIPS Code, with some minor modifications to match the structure of the TPS.
C6.9 Significant Trees	
C6.9.1 Significant Trees	The Kingborough, Hobart and Glenorchy IPS all include a Significant Trees Code. The Glenorchy IPS Code lists 10 trees, the Kingborough IPS has 24 entries and the Hobart IPS has over 100 entries listed. In many instances, these trees are listed for their heritage value, as well as their aesthetic value. It is not considered appropriate for the TPS to have a separate Significant Trees Code, which may only be populated or applied by three planning authorities across the State. The draft Code provides a single development standard for regulating lopping, removal or destruction of significant trees. This links to the Significant Trees List in the relevant LPS. It is based on the SIPS Code, with some modifications to match the structure of the TPS.
C6.10 Development Standards for Subdivision	
C6.10.1 Lot design on a Local Heritage Place	These provisions are based on the SIPS Code, with some modifications to match the structure of the TPS. They have been grouped together, rather than embedded within the place or precincts standards, consistent with the structure of the TPS. C6.11.3 relates to 'works associated with subdivision', such as infrastructure, because this relates specifically to any impact on archaeological potential.
C6.10.2 Lot design for a Heritage Precinct or a Historic Landscape Precinct	
C6.10.3 Subdivision works for Places or Precincts of Archaeological Potential	

24.0 Natural Assets Code

24.1 Strategic Intent and Function

The *Land Use Planning and Approvals Act 1993* (the Act) expressly states in its Objectives that effects on the environment are to be considered in planning processes and sustainable development of natural and physical resources along with the maintenance of ecological processes and genetic diversity are to be promoted.

The *State Policy on Water Quality Management 1997* also requires Planning Schemes to include requirements, where relevant, for the protection of water quality.

The State's three regions include various and differing standards within their Interim Planning Schemes (IPS) to manage the coastal and biodiversity values of their respective municipalities.

This is primarily due to some Councils having differing policy positions.

The draft Code covers impacts of development on natural values which includes biodiversity, coastal and foreshore assets, as well as, protecting water quality in catchment areas.

Managing biodiversity

The majority of biodiversity conservation in Tasmania is primarily undertaken through State and Federal Government policies, through the various State and Federal Acts and Regulations.

However, there is a void when it comes to any particular requirements for Planning Schemes considering changes to land use and development caused by urban growth.

There are four pieces of legislation which the Planning Scheme must acknowledge and provide clarity with their interactions with the Act:

- *Nature Conservation Act 2002* (NC Act);
- *Threatened Species Protection Act 1995* (TSP Act);
- *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) (C'wealth); and
- *Forest Practices Act 1995*.

The Code is drafted on the basis that the provisions of the *Forest Practices Act 1985* (FP Act) and associated Regulations had the effect of moving the management of biodiversity for certain forms of development to the permit processes under LUPAA. Despite these changes, there is potentially a 'regulatory gap' created where planning controls do not capture all applications for clearance.

Consequently the Tasmanian Planning Scheme (TPS) is required to deal with biodiversity assets, therefore, clearance of priority vegetation must be assessed in order to address the shift in regulatory control and any 'regulatory gap'.

Application of the draft Code

It is important that this Code is sensibly applied to the development of land within any of the following areas:

- waterway and coastal protection area;
- future coastal refugia area;
- priority vegetation area, but only within the following zones:
 - (i) Rural Living Zone;

- (ii) Landscape Conservation Zone;
- (iii) Community Purpose Zone;
- (iv) Recreation Zone;
- (v) Open Space Zone;
- (vi) Rural Zone;
- (vii) Utilities Zone;
- (viii) Environmental Management Zone;
- (ix) Major Tourism Zone;
- (x) Particular Purpose Zone; and
- (xi) for subdivision only in the General Residential and Low Density Residential Zones.

Standards relating to the waterway and coastal protection area and the future coastal refugia area manage the impacts of buildings and works on natural assets in proximity to a waterway, the coast and any identified future coastal refugia areas.

Standards relating to the priority vegetation area manage the impacts of development where it involves clearance or disturbance to priority native vegetation.

They will only apply to 'non-urban' zoned land, except for subdivision in the General Residential and Low Density Residential Zones.

This is a significant departure from the approach in the 28 Interim Planning Schemes but has been subject to consultation with the Reference Groups and State Agencies.

The term 'priority vegetation' is defined in the Code as follows:

priority vegetation	means native vegetation where any of the following apply: <ul style="list-style-type: none"> (a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the <i>Nature Conservation Act 2002</i>; (b) is a threatened flora species; (c) it forms a significant habitat for a threatened fauna species.
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The terms 'significant habitat', 'threatened flora species' and 'threatened fauna species' are also defined in the Code, following discussions with DPIPW.

Exempt Development

The General Exemptions contained in the Administration part of the draft SPPs work with the exemptions under Clause C7.4 of the draft Code.

Priority Vegetation Area

The provision of base mapping at the state level will be critical for mapping priority vegetation areas and ensuring statewide consistent Code application.

This mapping should also indicate areas where the draft Code will not be applied to clearance and conversion of priority vegetation already managed under other legislation or regulation, to avoid duplication of assessment processes. Examples of these areas include land covered by the *Wellington Park Act 1993* or the *National Parks and Reserved Land Management Act 2002*.

24.2 Additional Consultation

While this draft Code was considered through the consultation process, additional discussions occurred with DPIPW and DSG officers.

It was a priority to ensure that key stakeholders understood the interaction of this Code and other relevant Codes, including the Scenic Protection Code and the Attenuation Code with key Zones.

As all of these Codes have the capacity to impact on rural production, consultation occurred with relevant rural stakeholders. In November 2015, two workshops were undertaken with Tasmanian Farmers and Graziers Association (TFGA), Wine Tasmania, a range of agricultural producers including boutique producers and fruit growers, and salmonid growers.

At the workshops these Codes were presented to key stakeholders along with the applicable draft Zones, including the draft Rural Zone, draft Agricultural Zone and draft Environmental Management Zone to ensure the relevance of the feedback and advice.

24.3 Provisions

Clause	Commentary
C7.1 Code Purpose	<p>The Code Purpose statements outline that the Code aims to:</p> <ul style="list-style-type: none"> • minimise impacts on water quality and natural assets associated with watercourses, wetlands and lakes; • minimise impacts on natural assets and processes associated with coastal areas; and • protect threatened native vegetation communities, threatened flora species and habitat for threatened fauna species. <p>The Code Purpose aligns with the objectives of the Act in considering the effects on the environment and promoting the sustainable development of natural and physical resources while maintaining ecological processes and genetic diversity.</p> <p>The Code also aims to address the relevant outcomes of the <i>State Policy on Water Quality Management 1997</i> with respect to water quality.</p>
C7.2 Application of this Code	<p>The Code applies to land within the following:</p> <ul style="list-style-type: none"> • waterway and coastal protection area; • future coastal refugia area overlay; or • priority vegetation area overlay. <p>The overlay maps should be based on mapping produced by DPIPW.</p> <p>The waterway and coastal protection area applies through an overlay and by reference to the definition in Clause C7.3.</p> <p>The priority vegetation areas should be based on mapping produced by DPIPW to identify important areas of threatened native vegetation communities, key areas for threatened flora species and significant</p>

Clause	Commentary
	<p>habitats for threatened flora species.</p> <p>The priority vegetation area overlay must only be applied to land within parts of the following Zones:</p> <ul style="list-style-type: none"> • Rural Living Zone; • Rural Zone; • Landscape Conservation Zone; • Environmental Management Zone; • Major Tourism Zone; • Utilities Zone; • Community Purpose Zone; • Recreation Zone; • Particular Purpose Zone; or • General Residential Zone or Low Density Residential Zone for the purposes of assessing subdivision only. <p>The draft Code does not aim to duplicate the requirements of other legislation with respect to priority vegetation areas. Instead it aims to fill a void in State and Federal legislation.</p>
C7.3 Definition of Terms	<p>To ensure ease of understanding, clarity and consistency, there are 16 additional terms and definitions which are applicable to this draft Code only.</p> <p>The majority of terms and definitions are based on those contained within the Southern Interim Planning Schemes (SIPS) for the matters covered by the draft Code.</p> <p>The definition of waterway and coastal protection area aims to provide further clarity on its application. It applies through an overlay or by reference to the distances stated for the class of watercourse or wetland. Where there is an inconsistency, the overlay prevails. This approach is based on the SIPS Waterway and Coastal Protection Code.</p>
C7.4 Use or Development Exempt from this Code	<p>The exemptions in the draft Code are broadly based on those in the SIPS Biodiversity Code and Waterway and Coastal Protection Code.</p> <p>The exemptions aim to:</p> <ul style="list-style-type: none"> • avoid duplication with other legislation or approvals provided by other authorities; and • allow for existing uses to continue for example, agriculture on existing land, and routine maintenance and landscaping within private and public gardens and public parks.

Clause	Commentary
C7.5 Use Standards	
C7.5.1	There are no use standards in the draft Code because it is development that needs to be managed to minimise impacts on natural assets.
C7.6 Development Standards for buildings and works	
C7.6.1 Buildings and works within a Waterway and Coastal Protection Area or a Future Coastal Refugia Area	<p>This standard includes six components which aim to manage the impacts on buildings and works within the waterway and coastal protection areas and future coastal refugia areas.</p> <p>The first component applies to buildings and works within a waterway and coastal protection area and specifically aims to ensure that buildings and works do not have unnecessary or unacceptable impact on natural assets and on natural processes in Class 1-4 watercourses.</p> <p>It provides a Permitted pathway for buildings and works undertaken within a building area approved as part of a subdivision under this draft Code. This acknowledges that all matters have been appropriately assessed through the subdivision of the land.</p> <p>Furthermore, buildings and works that do not impede the flow of water in Class 4 watercourse are also provided with a Permitted pathway. This acknowledges the minor nature of Class 4 watercourses.</p> <p>The second component relates to all other areas within a waterway and coastal protection area such as wetlands, lakes and coastal foreshore areas. It specifically aims to ensure that buildings and works do not have unnecessary or unacceptable impacts on natural assets and natural processes.</p> <p>Consistent with to the first component, buildings and works undertaken within a building area approved as part of a subdivision proposal under this draft Code are afforded a Permitted pathway. Minor extensions to existing marine based infrastructure are also afforded a Permitted pathway.</p> <p>The Performance Criteria require that buildings and works are either:</p> <ul style="list-style-type: none"> • reliant on a coastal location to fulfil its purpose; or • impacts are appropriately minimised. <p>The Performance Criteria for the first, second and third components references DPIPWE's Wetlands and Waterways Works Manual and the Tasmanian Coastal Works Manual as best practices manuals to assist with the management of works in these areas.</p> <p>The fourth component relates to new stormwater point discharges into waterway and coastal protection areas or future coastal refugia areas.</p> <p>The fifth and sixth components manage the impacts of dredging, land reclamation and coastal protection works within waterway and coastal protection areas and future coastal refugia areas.</p>

Clause	Commentary
	<p>This standard is broadly based on the requirements in the SIPS Waterway and Coastal Protection Code.</p>
<p>C7.6.2 Clearance and Conversion or disturbance within a Priority Vegetation Area</p>	<p>This standard aims to manage the impacts of development on priority vegetation.</p> <p>Like the standard in Clause C7.6.1, a Permitted pathway is provided for buildings and works undertaken within a building area approved through a subdivision proposal under this draft Code.</p> <p>A Permitted pathway is also provided for a reasonable level of development within the Rural Living Zone. This acknowledges the primary purpose of the Rural Living Zone is for residential use and development on larger lots.</p> <p>The Performance Criteria require the following to be demonstrated:</p> <ul style="list-style-type: none"> • any impacts on priority vegetation are minimised and appropriate; or • there is an overriding benefit that justifies the impact to the priority vegetation. <p>This broadly based on the approach in the SIPS Biodiversity Code.</p>
<p>C7.7 Development Standards for Subdivision</p>	
<p>C7.7.1 Subdivision within a Waterway and Coastal Protection Area or a Future Coastal Refugia Area</p>	<p>This standard applies to subdivision within the waterway and coastal protection areas and future coastal refugia areas.</p> <p>It aims to manage the impacts from works associated with subdivision along with the future development likely to be facilitated by the subdivision.</p> <p>Subdivision is Permitted for:</p> <ul style="list-style-type: none"> • public use; • provision of Utilities; • the consolidation of lots • the creation of separate lots for existing; • subdivision involving minimal works; and • proposals that include a building area and associated works and infrastructure outside the waterway and coastal protection areas and future coastal refugia areas.
<p>C7.7.2 Subdivision within a Priority Vegetation Area</p>	<p>This standard applies to subdivision within the priority vegetation areas.</p> <p>It aims to manage the impacts from works associated with subdivisions along with the future development likely to be facilitated by the subdivision.</p> <p>Like the previous subdivision standard, subdivision is Permitted for:</p>

Clause	Commentary
	<ul style="list-style-type: none"> • public use; • provision of Utilities; • the consolidation of lots • the creation of separate lots for existing; • subdivision involving minimal works; and • proposals that include a building area and associated works and infrastructure outside the waterway and coastal protection areas and future coastal refugia areas.

25.0 Scenic Protection Code

25.1 Background

The objectives of the *Land Use Planning and Approvals Act 1993* (the Act) set out the issues with which a Planning Scheme must deal.

Part 2 of the Objectives of the Act provides that:

“The objectives of the planning process established by this Act are, in support of the objectives set out in Part 1 of this Schedule –

...

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

The draft Scenic Protection Code responds to this legislative requirement.

In addition, it was important to the Government that the draft Code reflects community values and expectations regarding the protection of significant places of aesthetic and cultural value, as well as, aligning to the promotion of the State as a tourism destination.

While all three regions across the State have a Scenic Protection Code in their regional model Interim Planning Scheme (IPS), with variations, only 13 planning authorities have applied this Code in their respective IPS.

- The Northern region includes a Scenic Management Code.
- The Southern Region includes a Scenic Landscapes Code.
- The Cradle Coast Region includes standards relating to scenic landscapes in their Clearing and Conversion of Vegetation Code.

To ensure a statewide consistent approach, which furthers the Act’s Objectives, it is important that a Scenic Protection Code is provided within the draft State Planning Provisions (SPPs).

To address the variations of approach, the draft Code is drafted to apply to areas of land within a ‘scenic protection area’ or ‘scenic road corridor’ shown as an overlay map, which will form part of the relevant Local Provisions Schedules (LPS).

Like the draft Natural Assets Code, this draft Code only applies to land identified within the following Zones:

- Landscape Conservation Zone;
- Rural Living Zone;
- Rural Zone;
- Agriculture Zone;
- Environmental Management Zone; and
- Open Space Zone.

The Code is drafted to adhere to best practice planning and so that its application does not undermine the primary purpose of the Zones.

As a consequence, there are a number of exemptions to the draft Code which allow for many existing uses to continue and for new minor developments.

There are no use standards in the draft Code.

The Code contains different development standards for land within a scenic protection area and a scenic road corridor.

Therefore, each standard is split into two components which separately control vegetation clearance and buildings and works.

In addition, it was important that the draft Code provides planning authorities with the opportunity to identify individual scenic protection areas and scenic road corridors through lists in the LPS including identification of specific scenic values and management objectives for each area or corridor.

The Code would still function based on the overlay maps if these additional lists of specific values are not populated in the LPS.

However, as articulation of the scenic values and management objectives will provide greater guidance for the assessment of applications under the draft Code, it is preferred that the option is taken up.

25.2 Additional Consultation

While this draft Code was considered through the consultation process, additional consultation occurred with the full board of the Tourism Industry Council of Tasmania (TICT), as well as State Government agencies, including Tourism Tasmania, Department of Primary Industries, Parks, Water and Environment (DPIPWE) and Department of State Growth (DSG).

It was a priority to ensure that key stakeholders understood the interaction of this Code and other relevant Codes, including the draft Natural Assets Code and the draft Attenuation Code with key Zones.

In November 2015, there were two workshops undertaken with Tasmanian Farmers and Graziers Association (TFGA), Wine Tasmania, a range of agricultural producers including boutique producers and fruit growers, and salmonid growers.

At the workshops these Codes were presented to key stakeholders with the applicable draft Zones, including the draft Rural Zone, draft Agricultural Zone and draft Environmental Management Zone to ensure the relevance of the feedback and advice.

25.3 Provisions

Clause	Commentary
C8.1 Code Purpose	The Code Purpose statements align with the Schedule 1 Objectives of the Act and the need to recognise and protect landscapes with important scenic values.
C8.2 Application of this Code	The draft Code only applies to land within a scenic protection area or scenic road corridor as shown as an overlay on the maps with the overlays only applying to parts of the specified Zones.
C8.3 Definition of Terms	To ensure ease of understanding, clarity and consistency, there are five terms and definitions which are applicable to this draft Code only.

Clause	Commentary
	<p>The draft Code also introduces a definition for destruction of vegetation which is intended to differ from the definition of disturbance in Clause 3.1.3 of the TPS.</p>
<p>C8.4 Development Exempt from this Code</p>	<p>To ensure that the Code does not undermine the purpose of the Zones that it applies to there are a number of exemptions drafted which allow for existing uses to continue for example, agriculture on existing land, and routine maintenance and landscaping within private and public gardens and public parks.</p> <p>In addition, agricultural buildings and works are exempt from the draft Code along with development subject to the draft Telecommunications Code. The draft Telecommunications Code also contains specific requirements for scenic protection.</p> <p>Minor extensions to existing buildings are also exempt from the draft Code.</p> <p>Additional exemptions include road maintenance and construction within a scenic road corridor or any subdivision if there are no works proposed in line with advice from the DSG.</p>
<p>C8.6 Development Standards for buildings and works</p>	
<p>C8.6.1 Development within a Scenic Protection Area</p>	<p>This standard was drafted to include two components for the assessment of the development within a scenic protection area.</p> <p>The first component applies to the destruction of native vegetation. Any destruction must be at least 50m below the skyline and cover an area of less than 500m² to be Permitted.</p> <p>Variations to this may be considered against the Performance Criteria provided there is not an unreasonable reduction of scenic value.</p> <p>The second component relates to buildings and works within a scenic protection area independent of any vegetation clearance. This ensures that buildings and works do not unreasonably reduce of scenic value of the area.</p>
<p>C8.6.2 Development within a Scenic Road Corridor</p>	<p>This standard was drafted to include two components for the assessment of the development within a scenic road corridor.</p> <p>The first component applies to the destruction of native vegetation, exotic trees and hedgerows within a scenic road corridor. Any destruction must not be visible from the pertinent road to be Permitted.</p> <p>Variations to this may be considered against the Performance Criteria provided there is not an unreasonable reduction of scenic value.</p> <p>The second component relates to buildings and works within a scenic road corridor independent of any vegetation clearance.</p> <p>This ensures that buildings and works do not unreasonably reduce of scenic value of the corridor.</p>

26.0 Karst Management Code

A Karst Management Code does not form part of the final draft SPPs.

Initially a draft Code was prepared in close partnership with the Meander Valley Council based on the Karst Management Code found within the *Meander Valley Interim Planning Scheme 2013*.

The Code has been excluded because the Meander Valley Council is the only planning authority with such a Code and it is considered more appropriate to manage this issue through the translation of the Code into a Specific Area Plan for the Council to include in its LPS. The Council has agreed to this approach. Other significant karst sites in Tasmania are within existing State Reserves providing protection.

27.0 Attenuation Code

27.1 Strategic Intent and Function

The Attenuation Code has been prepared through a consideration of the Attenuation Codes across the State, in particular the *Launceston Interim Planning Scheme 2015* (LIPS) and *Hobart Interim Planning Scheme 2015* (HIPS) Attenuation Codes.

The drafting of this Code also incorporated the Airport Impact Management Code found in various Interim Planning Schemes (IPS) across the State.

The numerical requirements found within the Code's Tables are in line with National standard requirements and have been provided by the Environment Protection Authority (EPA) and officers of the EPA Division, DPIPWE.

The Code is drafted to include standards relating to aircraft noise and the protection of prescribed airspace associated with the State's airports.

In addition, the Code aligns with national requirements for the protection of airports by ensuring sensitive uses are appropriately located to forecast aircraft noise and to avoid the creation of obstacles for aircraft approaching and departing the airport.

The Code includes two overlays for the protection of airports:

- airport noise buffer area; and
- airport prescribed airspace area.

The airport noise buffer area requires the inclusion of all land identified with a 20 Australian Noise Exposure Forecast (ANEF) level or greater. The ANEF levels are mapped as contour lines and approved as part of the relevant airport master plan.

Australian Standard 2021:2015 Acoustics - Aircraft noise intrusion - Building siting and construction suggests that areas outside the 20 ANEF contour are acceptable for all sensitive uses. Some types of Visitor Accommodation such as hotels, motels and hostels are considered acceptable up to the 25 ANEF. AS2021:2015 recommends that Residential, Education and Occasional Care, Hospital Services use should not be located closer than the 25 ANEF.

The airport prescribed airspace area should be aligned with the Obstacle Limitation Surfaces (OLS) and any Procedures for Air Navigation Services – Airport Operation (PANS-OPS) mapping produced

and approved as part of the relevant airport master plans. These areas are usually referred to collectively as the prescribed airspace or operational airspace.

The prescribed airspace may extend up to 15km from the airport and height limitations are set for development in this area. The height limitations often rise abruptly to heights of 30m and up to 110m within the prescribed airspace indicating that only very tall buildings beyond the airport land become an issue for the operation of airports.

For the Commonwealth owned airports such as Hobart and Launceston, any development that exceeds the specified height limitation become a controlled activity under the *Airports Act 1996* and must be approved by the Secretary of the relevant Commonwealth department. All development that constitutes a controlled activity must be referred by the Planning Authority to the airport operator under section 8 of the *Airports (Protection of Airspace) Regulations 1996*.

Non-Commonwealth owned airports such as Devonport, Burnie and Smithton are not subject to the Commonwealth airport legislation.

However, the National Airports Safeguarding Framework recommends that any development which exceeds the specified prescribed airspace height limitation should take into account the advice from Air Services Australia, the Civil Aviation Safety Authority (CASA) and the airport operator.

27.2 Additional Consultation

While this draft Code was considered through the consultation process, additional consultation with the EPA Division of DPIPWE occurred which highlighted that 28 IPS across the State are currently using out of date information regarding separation distances.

More recent data was provided by the EPA Division and included within this Code.

In addition, management of the Hobart Airport was consulted in relation to the airport buffer issues and as a consequence of this advice, drafting improvements have been made.

It was a priority to ensure that key stakeholders understood the interaction of this Code and other relevant Codes, including the Scenic Protection Code and the Natural Assets Code, with key Zones.

In November 2015, there were two workshops undertaken with Tasmanian Farmers and Graziers Association (TFGA), Wine Tasmania, a range of agricultural producers including boutique producers and fruit growers, and salmonid growers.

At the workshops these Codes were presented to key stakeholders with the applicable draft Zones, including the draft Rural Zone, draft Agricultural Zone and draft Environmental Management Zone to ensure the relevance of the feedback and advice

27.3 Provisions

Clause	Commentary
C9.1 Code Purpose	<p>In reference to airport legislation and the EPA Division requirements, the Code Purpose statements outlines that the Code aims to:</p> <ul style="list-style-type: none"> • regulate uses which may cause environmental harm; • regulate sensitive uses which may choose to locate in close proximity to uses causing environmental harm; and • ensure use and development is compatible with the operation of

Clause	Commentary
	airports.
C9.2 Application of this Code	<p>As in the current 28 IPS, legislative requirements and the EPA Division, the drafting of the application of the Code is confined to:</p> <ul style="list-style-type: none"> • uses that have the potential to cause environmental harm as listed in Tables C9.1 and C9.2; • sensitive uses and subdivision for such uses within proximity to uses listed in Tables C9.1 and C9.2; • sensitive uses within an airport noise buffer area; and • development within an airport prescribed airspace area. <p>The Code only applies to uses with the potential to cause environmental harm on sites located outside of the Light Industrial, General Industrial or Port and Marine Zones. These particular sites may cause adverse environmental impacts on sensitive uses and therefore, require separation between uses.</p> <p>The Code will be applied through assessment of the uses in a Table and adhering to the separation distances set down within that Table. It will also be applied via an Attenuation Area overlay on a map.</p> <p>The airport noise buffer area and airport prescribed airspace area will be mapped as overlays based on the mapping approved as part of the relevant airport master plan.</p>
C9.3 Definition of Terms	Terms specific to this Code are defined within this Clause to ensure ease of understanding, clarity and consistency.
C9.4 Use or Development Exempt from this Code	<p>With the exception of the Airport buffer overlay, the draft Code only applies to use or activity related to attenuation distances.</p> <p>Therefore, the construction of buildings does not trigger the draft Code unless it is associated with a new activity or change of activity. This is in line with the current IPS Codes.</p>
C9.5 Use Standards	
C9.5.1 Use with potential to Cause Environmental Harm	The Acceptable Solution is that an Attenuation area must not include a site used for a sensitive use which is existing or has a planning permit in force. This is to provide a level of protection for existing sensitive uses. A Performance Criteria provides for a range of considerations where the AS cannot be complied with.
C9.5.2 New Sensitive Use within the Attenuation Distance	There is no Acceptable Solution for this highlighting that a use with the potential to cause environmental harm takes precedence over a new sensitive use that is located within the Attenuation distance. The PC includes the need to have regard to any advice provided by the Director of the EPA or the Director of Mines.
C9.5.3 Sensitive Use within an Airport Noise Buffer Area	This standard reflects the incorporation of standards from the Airport Impact Management Code in some IPS across the State, and the need to protect the operation of airports from conflicts with sensitive

Clause	Commentary
	<p>uses. Importantly, it reflects the recommendations of the Airport stakeholders.</p> <p>The standard applies to all sensitive uses within the airport noise buffer overlay.</p> <p>This standard aims to regulate the impacts from airports on sensitive uses and minimising land use conflicts that may prejudice the future operation of the airport.</p>
C9.6 Development Standards for buildings and works	
C9.6.1 Development within an Airport Prescribed Airspace Area	<p>This standards reflects the incorporation of standards within the Airport Impact Management Code in some IPS across the State, and the requirement to protect airport prescribed airspace.</p> <p>The standard applies to all buildings and works with a height greater than that specified in the airport prescribed airspace area. Buildings and works that are below the specified height limit are exempt from the Code.</p> <p>The provision which relates to the height of buildings within the airport prescribed airspace area is specific to each airport in Tasmania.</p> <p>Buildings and works that exceed the height limit within the area around the Commonwealth-owned airports must be approved by the relevant authority under the <i>Airports Act 1996</i>. For the other airports in Tasmania, such development must be assessed against the Performance Criteria having regard to any advice from Airservices Australia, CASA and the airport operator.</p>
C9.7 Development Standards for subdivision	
C9.7.1 Lot design	<p>This provision indicates the requirements for when a subdivision may occur and in what circumstances. The Acceptable Solution allows lots where there are existing buildings, or for public open space, public reserves, roads, or similar, where the lots have building areas outside of the attenuation area, or where they are not intended to be developed for sensitive use.</p>
Tables	
Table C9.1 Attenuation distances	Table provided by EPA.
Table C9.2 Attenuation distances for Sewage Treatment Plants	Table provided by EPA.

28.0 Coastal Erosion Hazard Code, Coastal Inundation Hazard Code and Riverine Inundation Hazard Code

28.1 Strategic Intent and Function

Currently, across the State there is limited consistency in approach to addressing coastal and riverine hazard issues in Interim Planning Schemes.

Launceston Interim Planning Schemes (LIPS) includes a Coastal Code, Flood Prone Areas Code and Invermay/Inveresk Flood Inundation Area Code.

Southern Interim Planning Scheme (SIPS) include a Coastal Erosion Hazard Code and an Inundation Prone Areas Code.

Cradle Coast Interim Planning Schemes (CCIPS) include a combined Hazard Management Code to address all hazard risks, except for bushfire. This Code includes inland and coastal flooding, coastal erosion, landslip and contaminated land hazards.

The State Coastal Policy 1996 (SCP) sets out the approach to the management of coastal hazards.

The SPPs must be consistent with State Policies. The SCP requires that areas subject to significant risk to coastal hazards to be identified and managed to minimise the need for engineering or remediation works to protect land, property and human life. All development on actively mobile landforms except for engineering or remediation works to protect land, property and human life is prohibited.

The Department of Premier and Cabinet is currently consulting with local government and industry bodies on a Draft Package of documents that includes the Coastal Hazards Summary Report 2016 (Draft Summary Report 2016), Coastal Hazards Technical Report 2016 (Draft Technical Report 2016), and Coastal Inundation and Erosion Hazard Maps. The Summary Report 2016 and Technical Report 2016 are available on the DPAC website, while the mapping is available through the Land Information System mapping portal.

The Draft Package is consistent with the SCP 1996 and has provided the policy and mapping basis for the coastal inundation and coastal erosion hazard codes. It identifies areas subject to significant risk from coastal hazards and provides policy guidance on how to manage coastal hazards through the statutory land use planning and building systems to provide increased levels of certainty for local government, industry and the community. The Coastal Erosion Code and Coastal Inundation Hazard Code provisions in the draft SPPs have been developed in coordination with proposed amendments to the *Building Regulations*.

Tables 28.1 and 28.2 below provide an overview of how the Coastal Erosion Hazard Code and Coastal Inundation Hazard Code operate.

The Riverine Inundation Hazard Code, addresses flooding in riverine environments and adopts some of the principles used in the Coastal Hazard Codes.

Coastal Erosion Hazard Code

The Coastal Erosion Hazard Code's purpose is to ensure use or development subject to risk from coastal erosion are appropriately located and managed.

In line with DPAC's policy, the Code applies to use and development on land which is classified within low, medium or high coastal erosion hazard bands. The coastal erosion hazard bands have been mapped as part of the Draft Package.

Use and development standards are determined dependent on the level of risk associated with the coastal erosion hazard, as well as, whether they are critical, hazardous or vulnerable uses. The SCP's prohibition on development on actively mobile landforms except for engineering or remediation works to protect land, property and human life is reflected in the Code in the exemptions and the development standards.

Coastal Inundation Hazards Code

The Coastal Inundation Hazard Code purpose is to ensure that use or development subject to risk from coastal inundation are appropriately located and managed.

The Code applies to use and development classified within a low, medium or high coastal inundation hazard bands that have been mapped as part of the Draft Package. In areas without detailed elevation data (Light Detection and Ranging (LiDAR)) an investigation area has been identified along with the elevation associated with each hazard band.

In an investigation area the proponent is required to demonstrate by site survey the relationship between the proposal and the hazard areas as measured in metres above sea level. Land identified above the elevations within the hazard bands will be classified as acceptable are therefore exempt from the Code. Other land must be classified into one of the hazard bands. The elevations required to carry out the site survey are provided in the Draft Technical Report 2016. This section of the Draft Technical Report is incorporated into the Code,

Use or development which requires a building permit is exempt from the Code provided it is not:

- a critical, hazardous, or vulnerable use;
- located within a high hazard band;
- located within a non-urban zone and within a medium hazard band; or
- coastal protection works.

Riverine Inundation Code

The Riverine Inundation Hazard Code's purpose is to manage use and development in areas at risk from periodic or permanent inundation.

The Code adopts concepts from the Coastal Inundation Hazard Code, where applicable. The Riverine Hazard Code applies to the area shown on an overlay map contained in the LPS.

Planning authorities should use their own riverine inundation data or data from other sources in determining the extent of the riverine inundation hazard area overlay in the relevant LPS.

28.2 Additional Consultation

DPAC continues to undertake consultation on this issue with State Government Agencies and local government.

28.3 Coastal Erosion Hazard Code Provisions

Clause	Commentary
C10.1 Code Purpose	The draft Code Purpose is to ensure that use or development is appropriately located in coastal areas to avoid the impacts associated with coastal erosion hazards such as erosion, coastal recession and landslide.
C10.2 Application of the Code	<p>The draft Code applies to use and development with a coastal erosion hazard area. The coastal erosion hazard area is made of three hazard bands which are mapped as overlay maps:</p> <ul style="list-style-type: none"> • low; • medium; and • high.
C10.3 Definition of Terms	The definitions for critical use, hazardous use, tolerable risk and vulnerable use were also used in the Coastal Inundation Hazard Code and the Riverine Inundation Hazard Code. Additional definitions for 'urban Zone' and 'non-urban Zone' are shared with the Coastal Inundation Hazard Code.
C10.4 Use or Development exempt from this Code	<p>Use or development requiring a building permit will be managed through building regulations unless it is a</p> <ul style="list-style-type: none"> • a critical use, hazardous use or vulnerable use; • located within a high hazard band; or • coastal protection works. <p>Additional exemptions apply to a number of low-risk uses such as Resource Development, Passive Recreation, Natural and Cultural Values Management, Port and Shipping and minor utilities.</p> <p>The exemptions are qualified by the specific prohibition on development on actively mobile landforms prescribed by the State Coastal Policy 1996.</p>
C10.5 Use Standards	
C10.5.1 Use with a High Hazard Band	Use in the High Hazard Band is limited to those that require a coastal location. The Objective specifically excludes residential and visitor accommodation on the basis that neither 'requires' such a location.
C10.5.2 Uses located within a non-urban Zone and within a low or medium hazard band	<p>New use within a low or medium hazard band and in a non-urban zone is allowed if it can demonstrate that that it will not increase the risk to public assets or the reliance on defensive structures. A coastal erosion hazard report is required to demonstrate that the level of risk does not warrant hazard reduction, or a tolerable risk can be achieved and maintained while minimising increased risk to public infrastructure and reliance on coastal protection works.</p> <p>Non-urban zones are defined as:</p> <p>(a) Rural Living Zone;</p>

Clause	Commentary
	<p>(b) Landscape Conservation Zone;</p> <p>(c) Rural Zone;</p> <p>(d) Agriculture Zone;</p> <p>(e) Utilities Zone;</p> <p>(f) Environmental Management Zone;</p> <p>(g) Open Space Zone; and</p> <p>(h) Particular Purpose Zone if for a Future Urban Zone.</p>
C10.5.3 Critical Use, Hazardous Use or Vulnerable Use	<p>Management of critical, hazardous, or vulnerable use in areas vulnerable to coastal erosion is required to ensure that services that rely on the critical use can continue to function, or that people or the environment will not be impacted by the release of hazardous chemicals, and that vulnerable people are safe during an erosion event.</p> <p>A coastal erosion hazard report is required to demonstrate that the level of risk does not warrant hazard reduction, or a tolerable risk can be achieved and maintained while minimising increased risk to public infrastructure and reliance on coastal protection works.</p>
C10.6 Development Standards for Buildings and Works	
C10.6.1 Buildings and Works within a Coastal Erosion Hazard Area	<p>The purpose of this provision is to ensure that building or works not addressed through the <i>Building Regulations</i> are managed so that the risk to and from the development is known and managed to tolerable levels.</p> <p>A coastal erosion hazard report is required to demonstrate that the level of risk does not warrant hazard reduction, or a tolerable risk can be achieved and maintained while minimising increased risk to public infrastructure and reliance on coastal protection works.</p> <p>The provision reflects the prohibition on development on actively mobile landforms for some forms of development required under the SCP.</p>
C10.6.2 Coastal Protection Works within a Coastal Erosion Hazard Area	<p>The purpose of this provision is to ensure that coastal protection works are only allowed if they mitigate the risk to the year 2100, do not increase the risk to neighbouring land, and arrangements are made for the maintenance of the infrastructure.</p> <p>Note that in the High Hazard band there is a prohibition for development on Actively Mobile Landforms except for engineering or remediation works to protect land, property and human life.</p> <p>Where works are proposed in a non-urban zone, they must be to protect a use that requires a coastal location.</p>
C10.7 Development Standards for Subdivision	
C10.7.1 Subdivision within a Coastal Erosion Hazard Area	<p>The purpose of the subdivision provision is to ensure that subsequent development will not be exposed to unacceptable risk from coastal erosion hazard.</p>

Clause	Commentary
	<p>An Acceptable Solution is provided that allows creation of lots for a variety of low risk situations including where there are existing buildings, for public uses or utilities, and where the lot provides a building area, access and services outside of the hazard area.</p> <p>A performance approach is provided that relies upon addressing a range of criteria about future risk, impacts on public infrastructure, the need for future remediation works, location of a building area and access.</p> <p>The SCP prohibition relating to development on actively mobile landforms overrides the provisions.</p>

28.4 Coastal Inundation Hazard Code Provisions

Clause	Commentary
C11.1 Code Purpose	The purpose of the Code is to ensure that use or development is appropriately located in coastal areas to avoid the impacts associated with coastal inundation hazards such as storm surge, extreme storm events, floods or tides and sea-level rise as a result of climate change.
C11.2 Application of the Code	<p>The Code applies to use and development within a coastal inundation hazard area. The coastal inundation hazard area includes 3 hazard bands (low, medium and high) and a coastal investigation area, which are shown on overlay maps:</p> <p>Land identified within a coastal investigation area must first be surveyed to accurately determine the elevation of the site so that it may be classified into one of the three hazard bands for assessment against the standards in the draft Code. The methodology and detailed local height datum for this exercise are drawn from the DPAC reports.</p>
C11.3 Definition of Terms	The definitions for critical use, hazardous use, tolerable risk and vulnerable use were also used in the Coastal Erosion Hazard Code and the Riverine Inundation Hazard Code. Definitions for urban Zone and non-urban Zone are shared with the Coastal Inundation Hazard Code.
C11.4 Use or Development Exempt from this Code	<p>Use or development requiring building permit does not need to be assessed against the Code and will be managed through appropriate <i>Building Regulations</i> unless it is a</p> <ul style="list-style-type: none"> • a critical use, hazardous use or vulnerable use; • located within a high hazard band; • located within a non-urban Zone and within a medium hazard band; or • coastal protection works. <p>Additional exemptions apply to a number of low-risk uses such as</p>

Clause	Commentary
	<p>Resource Development, Passive Recreation, Natural and Cultural Values Management, Port and Shipping and minor utilities.</p> <p>Use or development on land within a coastal investigation area that has been classified as acceptable is also exempt from the draft Code.</p>
C11.5 Use Standards	
<p>C11.5.1 Uses with a High Hazard Band</p>	<p>The use standard ensures that only those new uses that are reliant on a coastal location to fulfil their purpose are allowed within the high hazard band.</p> <p>Residential and Visitor Accommodation uses are not considered uses that are reliant on a coastal location.</p> <p>Proposals must be supported by a coastal inundation hazard report that demonstrates that a tolerable level of risk from a coastal inundation hazard can be achieved and maintained.</p>
<p>C11.5.2 Uses located within a Non-urban Zone and within a Medium Hazard Band</p>	<p>The use standard ensures that only those new uses that are reliant on a coastal location to fulfil their purpose are allowed within the medium hazard band.</p> <p>Residential and Visitor Accommodation uses are not considered uses that are reliant on a coastal location.</p> <p>Proposals must be supported by a coastal inundation hazard report that demonstrates that a tolerable level of risk from a coastal inundation hazard can be achieved and maintained.</p>
<p>C11.5.3 Uses located within a Non-urban Zone and within a Low Hazard Band</p>	<p>New use within the non-urban area and low hazard band is allowed , if it can demonstrate that that it will not increase the risk to public assets or the reliance on defensive structures.</p> <p>Proposals must be supported by a coastal inundation hazard report that demonstrates that a tolerable level of risk from a coastal inundation hazard can be achieved and maintained.</p>
<p>C11.5.4 Critical Use, Hazardous Use or Vulnerable Use</p>	<p>This use standard applies to all critical uses, hazardous uses and vulnerable uses. A coastal inundation hazard report is required to demonstrate that the level of risk does not warrant hazard reduction, or a tolerable risk can be achieved and maintained while minimising increased risk to public infrastructure and reliance on coastal protection works.</p> <p>The report must address impacts on the health and safety of people, disruption to services, and evacuation measures based on a 1% AEP inundation event in the year 2100.</p> <p>Where a use is intended to be located in a non-urban zone it must demonstrate that the coastal location is required for it to fulfil its purpose.</p>

Clause	Commentary
C11.6 Development Standards for Buildings and Works	
C11.6.1 Buildings and Works within a Coastal Inundation Hazard Area	<p>The purpose of the buildings and works clause is to ensure that building or works not addressed through the <i>Building Regulations</i> are managed so that the risk to and from the development is known and managed to tolerable levels.</p> <p>No acceptable solution is provided if the exemption does not apply.</p> <p>The Performance Criteria requires the provision of a coastal inundation hazard report that demonstrates that the level of risk does not warrant hazard reduction, or a tolerable risk can be achieved and maintained based on a 1% AEP inundation event in the year 2100.</p> <p>The development must not rely on temporary coastal protection works.</p>
C11.6.2 Coastal Protection Works within a Coastal Inundation Hazard Area	<p>The purpose of the standard is to ensure that coastal protection works are only allowed if they mitigate the risk based on a 1% AEP in the year 2100, and the cost of construction and ongoing maintenance can be met by the proponent.</p> <p>Within the High Hazard Band or in non-urban zones, the protection measures must be for a use that relies on a coastal location.</p>
C11.7 Development Standards for Subdivision	
C11.7.1 Subdivision within a Coastal Inundation Hazard Area	<p>The purpose of the subdivision provision is to ensure that new created and subsequent development potential are designed and located so as to not increase community vulnerability to coastal hazards.</p> <p>An Acceptable Solution is provided that allows creation of lots for a variety of low risk situations including where there are existing buildings, for public uses or utilities, and where the lot provides a building area, access and services outside of the hazard area.</p> <p>A performance approach is provided that relies upon addressing a range of criteria about future risk, the need for future remediation works, location of a building area and access.</p>

28.5 Riverine Inundation Hazard Code Provisions

Clause	Commentary
C12.1 Code Purpose	This draft Code aims to ensure that use or development is appropriately located in proximity to a riverine watercourse to avoid or manage to a tolerable level the impacts associated with riverine inundation hazards.
C12.2 Application of the Code	The draft Code applies to use with a riverine inundation hazard area, where it is a change of use that converts a non-habitable building to a habitable building, or a new habitable room is created within an existing building.

Clause	Commentary
	It applies to all development in the hazard area.
C12.3 Definition of Terms	The draft Code provides the definitions for critical use, hazardous use, tolerable risk and vulnerable use. The definition of 'riverine inundation hazard' report is similar to that for the Coastal Erosion Hazard Code and Coastal Inundation Hazard Code.
C12.4 Use or Development Exempt from this Code	<p>The Code provides a range of exemptions.</p> <p>Minor building extensions are also exempt if not for a critical use, hazardous use or vulnerable use.</p> <p>Additional exemptions apply to a number of low-risk uses such as Resource Development, Passive Recreation, Natural and Cultural Values Management, Port and Shipping, minor utilities, hydro-electric infrastructure and outbuildings.</p>
C12.5 Use Standards	
C12.5.1 Uses with a Riverine Inundation Hazard Area	<p>This use standard applies in relation to changes from non-habitable to habitable buildings and aims to ensure they are exposed to a tolerable level of risk. Tolerable risk is defined as meaning 'the lowest level of likely risk from riverine inundation to secure the benefits of a use or development in a riverine inundation hazard area, and which can be managed through routine regulatory measures or by specific hazard management measures for the intended life of each use or development'.</p> <p>A riverine hazard inundation report is required to demonstrate the risk does not warrant action or a tolerable risk can be achieved and maintained.</p>
C12.5.2 Critical use, hazardous use or vulnerable use	<p>Critical uses, hazardous uses and vulnerable uses are regulated in a manner similar to the Coastal Hazard Codes.</p> <p>A riverine hazard inundation report is required to demonstrate the risk does not warrant action or a tolerable risk can be achieved and maintained.</p> <p>Additional requirements apply relating to safety of people, damage to services, impact on the environment from hazardous materials and capacity to evacuate people.</p>
C12.6 Development Standards for Buildings and Works	
C12.6.1 Buildings and Works within a Riverine Inundation Hazard Area	<p>This development standard applies to all development within a riverine inundation hazard area and aims to ensure they are exposed to a tolerable level of risk, and that they do not increase the risk to adjacent properties and public infrastructure through effects on the inundation.</p> <p>No Acceptable Solution is provided and the Performance Criteria requires a riverine inundation hazard report to demonstrate the risk does not warrant action or a tolerable risk can be achieved and maintained.</p>
C12.7 Development Standards for Subdivision	
C12.7.1 Subdivision within a Riverine	This standard aims to ensure that subdivision does not create the opportunity for future use and development to be exposed to risks associated with riverine inundation hazards which are not tolerable. It

Clause	Commentary
Inundation Hazard Area	<p>also seeks to limit any increase of risk to adjacent properties and public infrastructure.</p> <p>The standard also addresses the need to consider the impact of inundation on access to lots and the location of building areas.</p> <p>An Acceptable Solution is provided that allows creation of lots for a variety of low risk situations including where there are existing buildings, for public uses or utilities, and where the lot provides a building area, access and services (excluding stormwater) outside of the hazard area.</p> <p>A performance approach is provided that relies upon addressing a range of criteria about future risk on the property and adjacent property, the need for future remediation works, location of a building area and access.</p>

Table 28.1

COASTAL EROSION HAZARD CODE				
Zone	Use/Development <small>(Development on actively mobile landforms may be prohibited)</small>	Hazard Band		
		Low	Medium	High
Urban	Critical, Hazardous & Vulnerable Use	Discretionary	Discretionary	<ul style="list-style-type: none"> Coastally Dependent Discretionary All others Prohibited
	Coastal Protection Works	Discretionary	Discretionary	<ul style="list-style-type: none"> Discretionary if associated with coastally dependent use or development All others Prohibited
	Other Use or Development	Exempt	Exempt	<ul style="list-style-type: none"> Coastally Dependent Discretionary All others Prohibited, unless Exempt
Non-Urban	Critical, Hazardous & Vulnerable	<ul style="list-style-type: none"> Coastally Dependent Discretionary All others Prohibited 	<ul style="list-style-type: none"> Coastally Dependent Discretionary All others Prohibited 	<ul style="list-style-type: none"> Coastally Dependent Discretionary All others Prohibited
	Coastal Protection Works	<ul style="list-style-type: none"> Discretionary if associated with coastally dependent use or development All others Prohibited 	<ul style="list-style-type: none"> Discretionary if associated with coastally dependent use or development All others Prohibited 	<ul style="list-style-type: none"> Discretionary if associated with coastally dependent use or development All others Prohibited
	Other Use or Development	Discretionary, unless Exempt	Discretionary, unless Exempt	<ul style="list-style-type: none"> Coastally Dependent Discretionary All others Prohibited, unless Exempt

Table 28.2

COASTAL INUNDATION HAZARD CODE				
Zone	Use/Development	Hazard Band		
		Low	Medium	High
Urban	Critical, Hazardous & Vulnerable Use	Discretionary	Discretionary	<ul style="list-style-type: none"> Coastally Dependent Discretionary All others Prohibited
	Coastal Protection Works	Discretionary	Discretionary	<ul style="list-style-type: none"> Discretionary if associated with coastally dependent use or development All others Prohibited
	Other Use or Development	Exempt	Exempt	<ul style="list-style-type: none"> Coastally Dependent Discretionary All others Prohibited, unless Exempt
Non-Urban	Critical, Hazardous & Vulnerable Use	<ul style="list-style-type: none"> Coastally Dependent Discretionary All others Prohibited 	<ul style="list-style-type: none"> Coastally Dependent Discretionary All others Prohibited 	<ul style="list-style-type: none"> Coastally Dependent Discretionary All others Prohibited
	Coastal Protection Works	<ul style="list-style-type: none"> Discretionary if associated with coastally dependent use or development All others Prohibited 	<ul style="list-style-type: none"> Discretionary if associated with coastally dependent use or development All others Prohibited 	<ul style="list-style-type: none"> Discretionary if associated with coastally dependent use or development All others Prohibited
	Other Use or Development	Discretionary, unless Exempt	<ul style="list-style-type: none"> Coastally Dependent Discretionary All others Prohibited, unless Exempt 	<ul style="list-style-type: none"> Coastally Dependent Discretionary All others Prohibited, unless Exempt

29.0 Bushfire-Prone Areas Code

29.1 Strategic Intent and Function

Bushfire management in the land use planning system has been in place for a number of years. This took the form of Planning Directive No.5 (PD5) made following extensive policy consideration by the Tasmanian Government. PD5 came into effect on 19 September 2012 but undergone various modifications over recent years.

PD5 provided a Code for application to bushfire-prone land. The purpose of the Code is to reduce the risk to human life and property, and the cost to the community, caused by bushfire through the application of standards to certain use and development in bushfire-prone areas.

PD5 applied only to new planning schemes however some planning authorities took separate action to include the Code as part of their operating planning scheme.

The Code was developed in conjunction with complementary regulations in the *Building Regulations* which are required to address the issue of bushfire through declaration of bushfire prone areas.

The operation of the Code in various interim planning schemes across the State provided evidence of the need to review aspects of the Code particularly in relation whether the controls are better addressed at the planning or building stage. As a consequence of this, a review of the Code has been undertaken by the Tasmania Fire Service, the Director of Building Control and the Tasmanian Planning Commission.

An Interim Planning Directive is now in place to replace PD5.

This Interim Planning Directive translates many of the planning provisions in the previous Code into the *Building Regulations* thereby reducing regulatory duplication between the planning and building application processes associated with development in bushfire-prone areas.

The Interim Planning Directive and Revised Code narrow the issues dealt with through the planning process to cover only:

- development for subdivision on land that is within or partially within a bushfire-prone area, and
- vulnerable or hazardous use within or partially within a bushfire-prone area.

All other forms of development will be controlled through significantly modified *Building Regulations* which are intended to be in effect prior to the SPPs being operational through approval of the LPSs.

The revised Code includes detailed subdivision provisions for roads, property access, fire trails, reticulated or static water supplies for firefighting.

29.2 Additional Consultation

The preparation of the revised Code through the review of Planning Directive has included input from a number of local planning authorities with operational experience with Planning Directive No.5.

29.3 Bushfire-Prone Areas Code Provisions

Clause	Commentary
C13.1 Code Purpose	The purpose of the Code retains that which has been the basis for the existing Planning Directive, which is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.
C13.2 Application of the Code	The application of the Code is only to the subdivision stage of development, and the use of land for vulnerable or hazardous uses when the land is partially or wholly within a bushfire prone area.
C13.3 Definition of Terms	<p>The draft Code introduces a large number of definitions of terms that are used specifically in this Code</p> <p>Some terms are used in other hazard Codes but do not have exactly the same meaning. Consequently the definitions are not the same and are for clarity are located in each Code rather than in the general exemptions in the Administrative part of the SPPs.</p>
C13.4 Use or Development exempt from this Code	<p>Consistent with the Bushfire Codes that have been in place in planning schemes for some years, a number of exemptions are provided.</p> <p>Primarily these relate to situations where the TFS or an accredited person certifies that there is insufficient risk to warrant the application of the Code. This exemption is consistent with the amendments made to the Fire Services Act to provide for accredited persons.</p> <p>A specific exemption is also provided for boundary adjustments allowed under the General Provision 7.3.</p>
C13.5 Use Standards	
C13.5.1 Vulnerable Uses	<p>The Code specifically seeks to manage the use of land for activities that have characteristics that are considered particularly vulnerable in the context of a bushfire. Vulnerable Uses are defined as those which have resident or temporary occupation of sections of the population which are not easily evacuated in the event of a fire. This includes prisons, schools, and housing for those with disabilities.</p> <p>The standard does not provide an Acceptable Solution on the basis that these uses should always be assessed against certain criteria and should in some cases be refused. The criteria include issues around the need and broader community benefits of locating the use and the extent of risk.</p> <p>There are additional standards that require hazard management plans and emergency plans which meet certain standards and TFS requirements. These are mandatory requirements and no performance criteria is provided to allow an alternative approach.</p>
C13.5.2 Hazardous	The standard for Hazardous Use is similar to that for Vulnerable Use

Clause	Commentary
Uses	<p>in seeking to limit the location of these in bushfire-prone area.</p> <p>Hazardous Uses can ignite or intensify a bushfire or release hazardous emissions impact in the event of a fire.</p> <p>There is no Acceptable Solution for these use and the Performance Criteria sets out test on the requirement and community benefit of any such location.</p> <p>There are additional standards that require hazard management plans and emergency plans which meet certain standards and TFS requirements. These are mandatory requirements and no performance criteria is provided to allow an alternative approach.</p>
C13.6 Development Standards for Subdivision	
C13.6.1 Provision of Hazard Management Areas	<p>The intent of the standards is to facilitate an integrated approach to managing the bushfire hazard through both planning controls and building regulations which would come into effect at the time of construction.</p> <p>This is intended to be achieved through providing for the location of building areas with sufficient separation from a bushfire-prone area at the completion and during any staged development of a subdivision.</p> <p>There are a two Acceptable Solutions provided, one is where an accredited person indicates that there is insufficient risk to warrant hazard management areas. The other requires the subdivision plan to demonstrate a range of issues consistent with the controls already in place in Planning Directive No.5 which must have an accredited person or TFS sign off. Performance Criteria are also provided where there is no pre application sign off.</p>
C13.6.2 Public and Fire Fighting Access	<p>This standard ensures that access roads, tracks and trails are of an appropriate standard and layout to provide safe access and egress for residents, firefighters and other emergency services personnel.</p> <p>The detail for these is provided through a number of tables in the Code. Where these are provided in hazard management plan certified as complying there is an Acceptable Solution.</p> <p>The Performance Criteria sets out an extensive list of issues to address.</p>
C13.6.3 Provision of Water Supply for Fire Fighting Purposes	<p>The emphasis is on ensuring that it can be demonstrated at the subdivision stage to allow for the protection of life and property associated with the subsequent use and development.</p> <p>There are 2 standards depending on whether reticulated water is available or not. Both only provide for an Acceptable Solution and not alternative Performance Criteria is available.</p> <p>The standards rely on an extensive set of issues being addressed dealing with the spatial layout, design of hydrants and hardstand areas, and tank and pump specifications.</p>

30.0 Potentially Contaminated Land Code

30.1 Strategic Intent and function

The issue of managing potentially contaminated land within the planning system has been addressed through a number of mechanisms. Planning schemes have for a number of years included planning provisions dealing with this matter based largely on advice from the relevant State authorities. The EPA Division of DPIPWE has been involved in setting out protocols for the interface of planning and site contamination assessment and management.

Under the *Land Use Planning and Approvals Act 1993*, State Planning Provisions must be prepared in accordance with State Policies.

The National Environment Protection (Assessment of Site Contamination) Measure 1999 (the NEPM) sets out a framework for assessment of site contamination and the risk to human and ecological health and the methods for managing contamination. The NEPM has effect as a State Policy in Tasmania under section 12A of the *State Policies and Projects Act 1993*.

Section 6(5) of the NEPM states:

Planning authorities of participating jurisdictions should ensure a site which is being considered for a change in land use, and which planning authorities ought reasonably to have known to have a history of use that is indicative of potential contamination, is suitable for its intended use.

The NEPM suggests that a preliminary investigation based on a comprehensive site history and site sampling should be undertaken to determine whether land contamination is likely. A more detailed investigation may be required depending on the results of the preliminary investigation. In some instances, remediation or management strategies relating to the management of land contamination may also need to be developed.

The Code is based on the extensive existing work on determining what constitutes potentially contaminated land and 'best practice' approaches to how the planning system should assist in managing it.

Potentially contaminated land is land that could have been contaminated by an existing or previous use. Contamination can create a risk to human health or the environment depending on the nature of the chemical substances used in an activity, the reactions and by-products from such substances and the extent and concentration of residual chemicals present on the land.

When determining the potential for contamination it is important to gain an understanding of the history of an activity and the nature of the operations undertaken.

Contamination may also occur from the migration of contaminants from a neighbouring site through soil or groundwater. Therefore, the activities and operations undertaken on surrounding properties may also need to be taken into account when determining the potential for a site to be contaminated.

A list of potentially contaminating activities is included in the Code based on that used by the Environmental Protection Agency's (EPA).

The planning system can put in place controls at a number of levels to ensure that proper regard is had to potential contamination.

One of the complexities with potentially contaminated land is that the areas of contamination are not readily identifiable and therefore not easily mapped as an overlay on the planning scheme maps to provide a spatial trigger.

As a consequence the Code needs to provide for application to a variety of situations including where the potential for contamination is identified by a report prepared as part of the application or in response to an additional information request by the planning authority based on its knowledge or suspicion of previous contaminating activity.

The Code also puts in place controls for changes of use for land without development if that use is one considered to be sensitive to any contamination. These include use for recreational and sporting activities where children are likely to come into contact with the soil.

The Code does provide for exemptions covering a range of situations such as works to investigate contamination, development that does not disturb more than a very small area of land, and where suitably qualified persons or relevant authorities have indicated the risk does not warrant protection of remediation works.

The Code also provides Acceptable Solutions where the Director of the EPA or a person approved by the Director for the purpose of the Code, certifies that use or development can proceed.

The Performance Criteria provide pathways based on site assessments and management plans which are required to be prepared by suitably qualified persons.

30.2 Additional Consultation

The basis for this Code has been subject to consultation as part of a separate process involving the EPA Division or DPIPWE, the TPC and planning authorities over a number of years.

30.3 Provisions

Clause	Commentary
C14.1 Code Purpose	The purpose of the draft Code is to ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.
C14.2 Application of the Code	<p>The Code applies to a number of situations capturing land that is known to be contaminated, shown on an overlay map to be contaminated, or identified as potentially contaminated in a report either lodged with the application initially or in response to an additional information request made by a planning authority.</p> <p>The Code provides a proviso that the additional information request can only seek a report where it is of the opinion that the land has or may have been used for a potentially contaminating activity as set out in Table 14.2</p> <p>In terms of use, the Code provides a specific Use Table with qualifications to identify those uses considered as sensitive in relation to potentially contaminated land. These uses cover passive recreation in public parks, gardens and playgrounds, and sports and recreation in outdoor recreation facilities.</p>

Clause	Commentary
	The Code requires a permit except in circumstances where the exemptions apply. This means that a Use that is categorised as No Permit Required in a Zone must be subject to the permit process even where compliance with the Acceptable Solutions of the Code is demonstrated.
C14.3 Definition of Terms	<p>The draft Code provides the definitions for terms associated with contamination, what constitutes potentially contaminating activity, potentially contaminated land, and what qualifications are required for someone to be suitably qualified for the purposes of the Code.</p> <p>A suitably qualified person must be either certified under the Site Contamination Practitioners Australia scheme or a contaminated land auditor accredited under relevant interstate legislation.</p>
C14.4 Use or Development Exempt from this Code	<p>The exemptions cover:</p> <ol style="list-style-type: none"> 1. Development required to investigate the contamination 2. Development which disturbs less than 1 square metre of land; and 3. Any use or development that has been deemed by the Director of the EPA or a suitable qualified person (as defined) to either be on a site that is shown to be clear of contamination, or does not warrant application of the Code, or that operates in accordance with an approval granted by the Board of the EPA.
C14.5 Use Standards	
C14.5.1 Suitability for Intended Use	<p>This use standard is to ensure that potentially contaminated land is suitable for a sensitive use or a use class listed in Table C14.1 and is one of the uses specified as a qualification.</p> <p>A permitted pathway is provided under the AS where the Director or a person approved by the Director, certifies the land is suitable for the intended use or approves a management plan to ensure it is suitable for that use.</p> <p>The Performance criteria sets out a process for determining suitability of the use based on site assessment and a management plan. These are required to be conducted by a suitably qualified person.</p>
C14.6 Development Standards for Subdivision	
C14.6.1 Subdivision for Sensitive Use	<p>The objective of development control in the Code is to ensure that subdivision of potentially contaminated land that allows for a sensitive use or a use class listed in Table C14.1 and is one of the uses specified as a qualification does not adversely impact on human health or the environment.</p> <p>The AS is reliant on the Director of the EPA or a person approved by the Director to certify suitability of the land or approve a plan to ensure it is suitable for the intended use.</p>

Clause	Commentary
	<p>The PC is based on a suitably qualified person demonstrating that the subdivision will not impact adversely on human health or the environment having regard to site assessment and a plan to manage contamination where required.</p>
<p>C14.6.2 Excavation</p>	<p>The objective of the provision is to ensure that works involving excavation of potentially contaminated land does not adversely impact on human health or the environment.</p> <p>The AS sets a threshold of 250 cubic metres of site disturbance.</p> <p>The PC is based on a suitably qualified person demonstrating that the excavation will not impact adversely on human health or the environment having regard to site assessment and a plan to manage contamination where required.</p>
<p>Table C14.2 Potentially Contaminating Activities</p>	<p>The Table is provided to inform the definition of Potentially Contaminating Activity. The Table refers to types of activities that both have the potential to be contaminating and intrinsically give rise to contamination. It provides a comprehensive but not exhaustive list of activities.</p> <p>The application of the Code allows for planning authorities to bring to bear historical records or knowledge about activities that this Table refers to.</p>

31.0 Landslip Hazard Code

31.1 Strategic Intent and function

The landslip hazard management is to about ensuring that use or development considers landslip.

The purpose of the Code (in conjunction with modified *Building Regulations*) is to reduce the risk to human life, property, and cost to the community that is caused by Landslip². This is done through the application of standards to certain use and development or applying requirements of *Building Regulations* in landslip hazard areas.

The Code in conjunction with modified *Building Regulations* implements the Landslide Planning Report 2012³; developed in accordance with the Framework for the Mitigation of Natural Hazards in Planning and Building Controls⁴. The planning Code has been developed in harmony with the building controls to minimise the potential for overlap through a range of exemptions.

As a consequence, development in the Low or Medium Landslip Hazard Band which requires a building permit is exempt from the Code.

The *Building Regulations* require a site classifier⁵ and building designer to demonstrate to the building surveyor prior to the issuing of a certificate of likely compliance that they have considered and appropriately responded to landslide risk on that site.

The site classifier may require a Landslide hazard management plan⁶ to be undertaken demonstrating that:

- The site for this building and associated works is not a problem “P” site for Landslide under AS2870 footing and foundation design.
- The building and associated works can achieve a tolerable residual risk.
- The associated works to the building works will not cause or contribute to a Landslip occurring.
- Stormwater and sewage can be managed so as to not cause or contribute to a Landslide occurrence.
- Good hill side construction and development guidance has been incorporated into the design.

² A landslip (also known in Tasmania as landslide) is the downslope movement of soil or rock. Causes for landslip are varied but generally need at least two of the following three factors to be present including: an underlying susceptibility in the slope to failure and either a natural triggering event (rainfall) and or human intervention on the slope.

³ Department of Premier and Cabinet, 2012c Landslip Planning Report, Tasmania, Australia.

⁴ Framework overview: http://www.dpac.tas.gov.au/divisions/osem/mitigating_natural_hazards

Key documents:

Department of Premier and Cabinet, 2012a Guide for the Consideration of Natural Hazards in the Planning System (in draft), Tasmania, Australia.

Department of Premier and Cabinet, 2012b Draft Principles for the Consideration of Natural Hazards in the Planning System (in draft), Tasmania, Australia.

⁵ Site classifiers are required under the *Building Act* to assess all building sites in accordance to AS2870 – Footing and Foundation Design.

⁶ The landslip hazard management plan will only be required if the site classifier or building surveyor feels that a higher level of investigation is needed to demonstrate that the risk is being managed.

31.2 Additional Consultation

The basis for this Code has been subject to consultation as part of the Landslip Planning Report process over a number of years.

31.3 Provisions

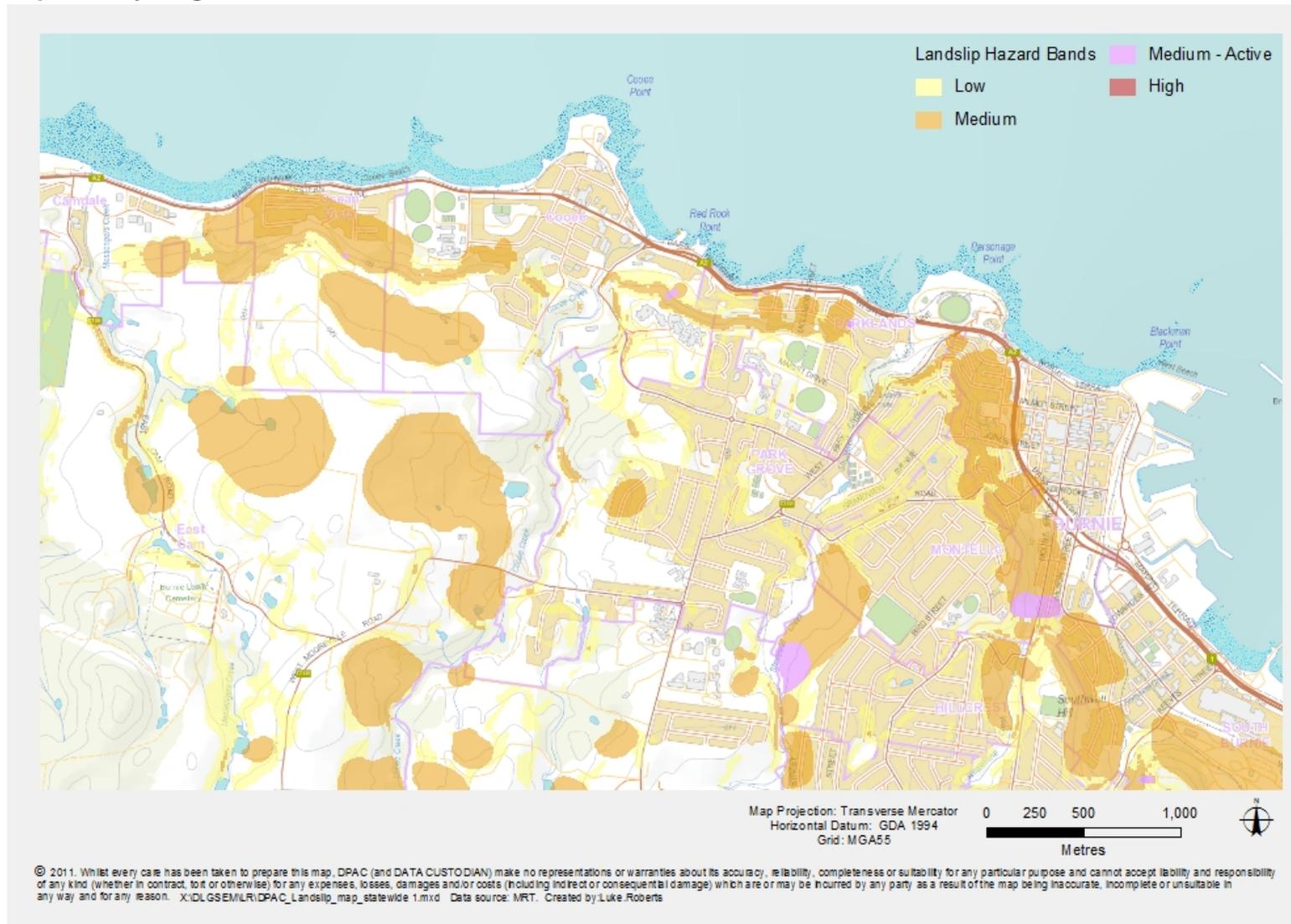
Clause	Commentary
C15.1 Code Purpose	The purpose of the draft Code is to reduce the risk to human life, property, and cost to the community that is caused by Landslip
C15.2 Application of the Code	<p>The Code applies to all development applications including subdivision within a landslip hazard area unless an exemption applies. The hazard bands reflect the level of intervention required to manage the risk from Landslip. Landslip hazards areas are classified into four bands⁷:</p> <ul style="list-style-type: none"> • low landslip hazard band • medium landslip hazard band • medium-active landslip hazard band • high landslip hazard band <p>A permit is required for all use and development to which this Code applies, this is summarised in Section 1.2 – Landslip hazard controls.</p>
C15.3 Definition of Terms	The draft Code provides the definitions for critical use, hazardous use, tolerable risk and vulnerable use.
C15.4 Use or Development exempt from this Code	In addition to the general and limited exemptions under Clause 5.0 and 6.0 of the Scheme, Clause C15.4 of the Code also exempts some use and development. Development exemptions in the code recognise that most use or development in the low and medium hazard areas can be addressed through the building and construction process.
C15.5 Use Standards	
C15.5.1 Critical use, hazardous use or vulnerable use	<p>Use standards apply to critical, hazardous, or vulnerable as they require specific treatment under the code to test if the nature and intended duration of the use can be achieved.</p> <p>Clause C15.5.1 P1 asks critical, hazardous, or vulnerable use located a landslip hazard area to conclude that:</p> <ul style="list-style-type: none"> • there is an insufficient increase in risk to warrant any specific measures, or • that a tolerable level of residual risk⁸ can be achieved and maintained for the life of the use.

⁷ The fifth landslip hazard band is the “Acceptable” landslip hazard band. The acceptable band contains 10% of known landslips and covers over 66% of the State normal building and emergency management practices are adequate to treat the landslip hazard.

⁸ Residual risk is the vulnerability to the hazard after it has been treated.

Clause	Commentary
	<p>Clause C15.5.1 P2 critical use located in a landslip hazard area to demonstrate and conclude that they can maintain their service and not unreasonably impacts on people or industry that will rely on the use if a landslip occurs;</p> <p>Clause C15.5.1 P3 hazardous located in a landslip hazard area to demonstrate in the event of a landslip how the release of hazardous substances will not unreasonably impact on the health and safety of people or the environment;</p> <p>Clause C15.5.1 P4 a vulnerable located in a landslip hazard area demonstrate in the event of a landslip how the occupants or emergency service personnel can be protected, evacuated, and be informed of what to do.</p> <p>required for different types of development.</p>
C15.6 Development Standards for buildings and works (including subdivision)	
<p>C15.6.1 Buildings and works within a landslip hazard area</p>	<p>The objective of development control in the Code is to reduce the likelihood of the development causing or contributing to a landslip. This is achieved by the proponent demonstrating that the development either having an acceptable risk or that it can achieve a tolerable risk through management of the landslip hazard.</p> <p>Furthermore, it is a reasonable expectation that the potential of existing developments in the low, medium, and medium-active Landslip hazard bands should not be unreasonably constrained. To that end the majority of development is treated through the Building System. The exceptions to this are:</p> <ul style="list-style-type: none"> • Major works in all hazard bands; • Subdivision in a medium landslip hazard band involving major works, or creates/ extends a public road; • Subdivision in a medium-active or high landslip hazard bands; and • All building works in the medium-active and high hazard bands. <p>The achievement of tolerable residual risk recognises that every site and development is unique; by consequence the management of that site must be unique.</p> <p>Section 1.2 summaries of the controls required for different types of development.</p>

Explanatory diagrams and tables



		Landslip Hazard Band				
		Acceptable	Low	Medium	Medium-active	High
Planning and development Controls	Rezoning	Exempt from planning. Landslip design guide recommended	Landslip Hazard Management Plan Required			
	Subdivision		Exempt from planning	Landslip Hazard Management Plan Required if major works or the creation or extension of a public road.	Landslip Hazard Management Plan Required	
	Subdivision for natural, Cultural, Passive Recreation, or Resource Development		Exempt from planning			
	New Buildings		Exempt from planning unless a vulnerable, hazardous or critical use		Landslip Hazard Management Plan Required	
	Major Works		Landslip Hazard Management Plan Required			
	Building Controls		Building and associated works	Site Classifiers to undertaker a AS2870 classification. Landslip design guide recommended	AS2870 "P" site for landslip site classifiers to asses if the classification is correct. A landslip Hazard Risk Management Plan may be Required	AS2870 "P" site for landslip site classifiers (except soil scientists) to asses if the classification is correct. A landslip Hazard Risk Management Plan may be Required
Terms used in the planning and building codes to support the management of landslip hazard						
"As2870 Site Classification"	Means a report prepared for a residential dwelling by Site Classifier after their investigation of a site using the methodology of the Australian Standards AS2870 " <i>Residential slabs and footings</i> " as amended from time to time, and may include certification provided under s.266 of the Building Act 2006.					
Geotechnical Practitioner (building)/ Suitably	Means a person who may prepare a Landslip Hazard (risk) Management Plan: <ol style="list-style-type: none"> an Engineer-Civil accredited under the accreditation scheme; or a Geo-technical Engineer; or 					

Qualified Person (planning)	3. an Engineering Geologist, and who have the qualifications and expertise specified by the Director of Building Control.
“Site Classifier”	Means a person who may prepare an AS 2870 Site Classification <ol style="list-style-type: none"> 1. Soil Scientist; or 2. Engineer – Civil accredited under the accreditation Scheme; or 3. Geo-technical Engineer; or an 4. Engineering Geologist And who have qualifications and expertise specified by the Director of Building Controls; Noting that a Soil Scientist may only prepare a Site Classification for land in an acceptable or low hazard bands.
Landslip Design Guide	Includes the following publications: <ol style="list-style-type: none"> 1. “Good Hillside Construction Practice”, Australian Geoguide LR8 (Construction Practice), published by the Australian Geomechanics Society; and 2. “Landslide Hazards Handbook”, published by the Australian Building Codes Board;
Landslip Hazard Risk Management Plan (building)	Means a report prepared by a “Geotechnical practitioner” in a format specified by the Director for a building application, using the methodology of the 2007 Guidelines (as amended from time to time) published by the Australian Geomechanics Society and may include certification provided under s.266 of the Act.
Landslip Hazard Management Plan (planning)	means a report prepared by a Suitably Qualified Person (landslip) using the methodology of the 2007 Guidelines published by the Australian Geomechanics Society that concludes: <ol style="list-style-type: none"> (a) whether the use or development is likely to be at risk from the occurrence of a landslip event on the site or on adjacent land; (b) whether the use or development is likely to cause or contribute to the occurrence of a landslip event on the site or on adjacent land; (c) whether the use or development can achieve and maintain a tolerable level of risk for the intended life of the development having regard to <ul style="list-style-type: none"> – i. the nature, intensity and duration of the use; ii. the type, form and duration of any development; iii. the likely change in the level of risk across the intended life of the use or development; iv. the ability to adapt to a change in the level of risk; v. the ability to maintain access to utilities and services; vi. the need for specific landslip hazard reduction or protection measures on the site; vii. the need for landslip hazard reduction or protection measures beyond the boundary of the site; and viii. any advice or decision of a relevant entity with administrative or regulatory responsibility for landslip hazard management or from a person accredited to provide such advice
Major works	means any of the following: <ol style="list-style-type: none"> (a) excavation or fill to a depth of more than 1 metre; (b) temporary disturbance of ground including excavation and backfilling of a trench to a depth of more than 1 metre; (c) excavation or fill of more than 100m³ whether or not material is sourced on the site or imported; (d) disturbance of the surface to a depth of more than 300mm over a contiguous area of more than 1,000m²; (e) removal, redirection, or introduction of drainage of surface or groundwater except into a stormwater drainage system; and (f) the collection, pooling or storage of water in a dam, pond, tank or swimming pool with a volume of more than 45,000 litres.

32.0 Code Application Framework

This framework aims to provide an easy reference guide for the application of all Codes in the State Planning Provisions of the Tasmanian Planning Scheme.

Code	Code Purpose	Code Application Guidelines
Signs Code	<p>The purpose of the Signs Code is:</p> <p>C1.1.1 To provide for appropriate advertising and display of information for business activity.</p> <p>C1.1.2 To provide for well-designed signs that are compatible with the visual amenity of the locality.</p> <p>C1.1.3 To ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.</p>	<p>The Signs Code applies to the development of all signs, unless the sign is specifically exempted from the Code.</p> <p>Note, Clause 4.0 states all signs exempt under the Signs Code are exempt from requiring a permit under the TPS.</p>
Parking and Sustainable Transport Code	<p>The purpose of the Parking and Sustainable Transport Code is:</p> <p>C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.</p> <p>C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.</p> <p>C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.</p> <p>C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to a locality.</p> <p>C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.</p>	<p>The Parking and Sustainable Transport Code applies to all use and development, unless specifically exempted from the Code.</p> <p>The Code includes requirements for vehicle parking, including cars, motorcycles and bicycles, and loading bays for specific uses and developments.</p> <p>The Code provides each Planning Authority with the option of identifying a pedestrian priority street or a parking precinct plan, to be shown as overlay maps in the Local Provisions Schedules.</p> <p>A pedestrian priority street can apply to a road where pedestrian movement and activity are to take priority over siting of vehicle parking and access to facilitate active street frontages.</p> <p>A parking precinct plan can apply to an area where the aim is to reduce the amount of on-site car parking to avoid detracting from the streetscape of the area. This may apply to an area within a main activity centre (e.g. parts of</p>

Code	Code Purpose	Code Application Guidelines
	C2.1.6 To provide for the implementation of parking precinct plans.	Hobart CBD) or to key development sites (e.g. hospitals).
Road and Railway Assets Code	<p>C3.1.1 To protect the safety and efficiency of the road and railway networks; and</p> <p>C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network</p>	<p>The Code is essentially aimed at protecting State road and rail infrastructure. It is based on the identification of roads as category 1,2 or 3 within the Tasmanian State Road Hierarchy published in 2006 by the Tasmanian Government.</p> <p>It also allows planning authorities to add other roads through populating a list (Other Major Roads List) in the Local Provisions Schedule.</p> <p>Other parts of the Code are reliant on defined types of infrastructure under specific legislation such as 'limited access road' which is defined in the <i>Roads and Jetties Act 1935</i>, or 'level crossing' defined in the <i>Rail Infrastructure Act 2007</i>.</p> <p>The Code also applies to planned future roads and railways by allowing these to be shown on the planning scheme maps.</p> <p>The Code refers to a 'road and railway attenuation area' which can either be shown on the planning scheme maps or is a default 50m from the boundary of a major road with a speed limit above 60kph, the rail network, a future major road or future railway.</p>
Electricity Transmission Infrastructure Protection Code	<p>The purpose of the Electricity Transmission Infrastructure Protection Code is:</p> <p>C4.1.1 To protect use and development against hazards associated with proximity to electricity transmission infrastructure.</p> <p>C4.1.2 To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of</p>	<p>The Electricity Transmission Infrastructure Protection Code aims to protect electricity infrastructure used for and associated with the transmission of electricity.</p> <p>The Code applies to land within the following overlays:</p> <ul style="list-style-type: none"> • an electricity transmission corridor; • an inner protection area; • a communications station buffer area; or

Code	Code Purpose	Code Application Guidelines
	<p>that infrastructure.</p> <p>C4.1.3 To maintain future opportunities for electricity transmission infrastructure.</p>	<ul style="list-style-type: none"> • a substation facility; and • a substation facility buffer area. <p>The electricity transmission corridor covers land within:</p> <ul style="list-style-type: none"> • registered electricity easements relating to transmission lines; • a specified distance either side of existing overhead transmission lines; and • a specified distance either side of existing underground cabling for electricity transmission. <p>Land within an electricity transmission corridor may also be within an inner protection area overlay.</p> <p>The substation facility buffer area extends 65m from the title, lease or licence boundary of all 110kV and 220kV substations. An overlay identifies the extent of the substation facility.</p> <p>The communications station buffer area extends 55m from the centre of the tower of TasNetworks communications stations.</p> <p>The various overlays for the Code have been prepared by TasNetworks. These overlay maps must be included in the relevant Local Provisions Schedule for the application of the Code. Each Planning Authority has the option to provide ground-truthing of the mapping with appropriate justification in accordance with Clause LP3.3.2.</p>
Telecommunications Code	<p>The Purpose of the Telecommunications Code is:</p> <p>C5.1.1 To provide for telecommunication networks an essential service for the community.</p> <p>C5.1.2 To ensure that facilities are co-located where practicable and use mitigation measures to avoid an</p>	<p>The Telecommunications Code aims to provide for telecommunications networks, and facilitate the co-location of such facilities where practicable and to avoid an unreasonable loss of visual amenity on significant public buildings, streetscapes, and land reserved or designated for natural or scenic values. It also addresses the protection of the productive capacity of</p>

Code	Code Purpose	Code Application Guidelines
	unreasonable loss of visual amenity.	<p>agricultural land as required by the PAL Policy.</p> <p>Minor telecommunications facilities regulated by overriding provisions of the <i>Telecommunications (Low-Impact) Facilities Determination 1997</i> are not covered by the Code. This is reflected by the general exemption for minor telecommunications under Clause 4.0.</p>
Local Historic Heritage Code	<p>The purpose of the Local Historic Heritage Code is:</p> <p>C6.1.1 To recognise and protect the local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential and significant trees by regulating development that may impact on their values, features and characteristics.</p>	<p>The Local Historic Heritage Code aims to recognise and protect the local historic heritage significance of local heritage places, heritage precincts, historic landscape precincts and places or precincts of archaeological potential, as well as significant trees, by regulating development that may impact on their values, features and characteristics.</p> <p>To avoid duplication of assessment, this Code does not apply to development on a local heritage place, heritage precinct, historic landscape precinct or a place or precinct of archaeological potential, if for heritage works as defined under the <i>Historic Cultural Heritage Act 1995</i> (HCH Act), on a registered place entered on the Tasmanian Heritage Register.</p> <p>Internal buildings and works are exempt from requiring a planning permit under Clause 4.0 of the draft SPPs.</p> <p>Each Planning Authority is encouraged to populate the lists in their relevant Local Provisions Schedule for the application of this Code to particular places or precincts in the relevant municipal area, as follows:</p> <ul style="list-style-type: none"> • local heritage places; • heritage precincts; • historic landscape precincts; • places or precincts of archaeological potential; and • significant trees.

Code	Code Purpose	Code Application Guidelines
		<p>The Code also allows for a Local Provisions Schedule to contain an overlay map that provides the spatial application of the Code to:</p> <ul style="list-style-type: none"> • heritage precincts; • historic landscape precincts; and • places or precincts of archaeological potential.
Natural Assets Code	<p>The purpose of the Natural Assets Code is:</p> <p>C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.</p> <p>C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.</p> <p>C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.</p> <p>C7.1.4 To protect identified threatened native vegetation communities and threatened flora species.</p> <p>C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.</p>	<p>The Natural Assets Code aims to minimise impacts on water quality, natural assets, coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast. It also aims to protect vulnerable coastal areas to enable natural processes to continue to occur. Finally, the Code aims to protect identified threatened native vegetation communities and threatened flora specials, and manage impacts on threatened fauna species by minimising clearance of significant habitat.</p> <p>The Code applies to development on land within the following overlays:</p> <ul style="list-style-type: none"> • waterway and coastal protection area; • future coastal refugia area; or • priority vegetation area, however only if within the following Zones: <ul style="list-style-type: none"> (i) Rural Living Zone; (ii) Rural Zone; (iii) Landscape Conservation Zone; (iv) Environmental Management Zone; (v) Major Tourism Zone; (vi) Utilities Zone;

Code	Code Purpose	Code Application Guidelines
		<p>(vii) Community Purpose Zone;</p> <p>(viii) Recreation Zone;</p> <p>(ix) Open Space Zone;</p> <p>(x) Particular Purpose Zone; or</p> <p>(xi) General Residential Zone and Low Density Residential Zone only where application is for subdivision.</p> <p>Base mapping for the above overlays for the application of this Code have been prepared by the Department of Primary Industry, Parks, Water and Environment (DPIPWE). These overlay maps must be included in the Local Provisions Schedule for the application of the Code. Each Planning Authority has the option to provide ground-truthing of the mapping with appropriate justification in accordance with Clause LP3.5.2.</p>
Scenic Protection Code	<p>The purpose of the Scenic Protection Code is:</p> <p>C8.1.1 To recognise and protect landscapes that are identified as important for their scenic values.</p>	<p>The Scenic Protection Code aims to protect the scenic values for specific areas and along key road corridors. The Code applies to land shown within a scenic protection area or scenic road corridor on an overlay map in the relevant Local Provisions Schedule.</p> <p>The overlays should be applied to land identified at the local level as important for the protection of scenic values. It should not be applied extensively throughout each planning area. Instead, the overlay should only be applied to land that has been clearly identified and justified in appropriate strategic studies as having important scenic values. These may include containing native vegetation with aesthetic values or areas identified for their significant scenic views.</p> <p>The overlays must only be applied to parts of land within the following Zones:</p> <ul style="list-style-type: none"> • Landscape Conservation Zone;

Code	Code Purpose	Code Application Guidelines
		<ul style="list-style-type: none"> • Rural Living Zone; • Rural Zone; • Agriculture Zone; • Environmental Management Zone; or • Open Space Zone. <p>The overlays should only be applied sparingly to land within the Agriculture Zone to ensure the Code does not undermine the overall purpose of this Zone.</p> <p>The scenic protection area and scenic road corridor area overlays should be used independent of each other and therefore not overlap.</p> <p>Planning Authorities are encouraged to populate the lists contained in the relevant Local Provisions Schedule which allow for the identification of specific scenic values and management objectives for individual scenic protection areas or scenic road corridors. While the Code can operate without these lists being populated, the articulation of specific scenic values and management objectives allow for greater guidance in the assessment of discretionary applications against the Code.</p>
Attenuation Code	<p>The purpose of the Attenuation Code is:</p> <p>C9.1.1 To minimise adverse impacts on the health, safety and amenity of sensitive use from uses which have the potential to cause environmental harm.</p> <p>C9.1.2 To minimise likelihood for sensitive use to conflict with, interfere with, or constrain, uses which have the potential to cause environmental harm.</p> <p>C9.1.3 To ensure that use and development are compatible</p>	<p>The Attenuation Code aims to:</p> <ul style="list-style-type: none"> • regulate uses which may cause environmental harm; • regulate sensitive uses which may choose to locate in close proximity to uses causing environmental harm; and • ensure use and development is compatible with the operation of airports. <p>The Code applies to:</p> <ul style="list-style-type: none"> • uses that have the potential to cause environmental harm as listed

Code	Code Purpose	Code Application Guidelines
	<p>with the operation of airports in accordance with the appropriate future airport noise exposure patterns and with safe air navigation for aircraft approaching and departing an airport.</p> <p>C9.1.4 To limit the number of people residing in an area likely to be subject to significant levels of aircraft noise.</p>	<p>in Tables C9.1 and C9.2;</p> <ul style="list-style-type: none"> • sensitive uses and subdivision for such uses within proximity to uses listed in Tables C9.1 and C9.2; • sensitive uses within an airport noise buffer area; and • development within an airport prescribed airspace area. <p>In the event of an inconsistency between an overlap map in the relevant Local Provisions Schedule, and a distance in Tables C9.1 and C9.2, the distance demonstrated on the overlay map prevails. This provides greater clarity to users of the Code while still allowing applications that have been approved and established to be considered against the Attenuation Code, without the Overlay maps being amended.</p> <p>The airport noise buffer area overlay should include all land surrounding an airport with a 20 Australian Noise Exposure Forecast (ANEF) level or greater. The ANEF levels are mapped as contour lines and approved as part of the relevant airport master plan.</p> <p>The airport prescribed airspace area should be aligned with the Obstacle Limitation Surfaces (OLS) and any Procedures for Air Navigation Services – Airport Operation (PANS-OPS) mapping produced and approved as part of the relevant airport master plans. These areas are usually referred to collectively as the prescribed airspace or operational airspace.</p> <p>The airport prescribed airspace area needs to identify the nominated height limitations for the relevant sites within the area in accordance with the airport master plan mapping.</p>
Coastal Erosion Hazard Code	<p>The purpose of the Coastal Erosion Hazard Code is:</p> <p>C10.1.1 To provide for appropriate use or development that relies upon a coastal location to fulfil its purpose.</p>	<p>The Coastal Erosion Hazard Code aims to ensure that use or development is appropriately located in coastal areas to avoid the impacts associated with coastal erosion hazards such as erosion, coastal recession and landslide.</p>

Code	Code Purpose	Code Application Guidelines
	<p>C10.1.2 To ensure that use or development subject to risk from coastal erosion is appropriately located and managed so that:</p> <ul style="list-style-type: none"> (a) people, property and infrastructure are not exposed to an unacceptable level of risk; (b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; (c) it does not increase the risk from coastal erosion to other properties or public infrastructure; and (d) works to protect land from coastal erosion are undertaken in a way that provides appropriate protection without increasing risks to other properties. 	<p>The Code applies to land identified within coastal erosion hazard area. The coastal erosion hazard area is classified into three hazard bands:</p> <ul style="list-style-type: none"> • low; • medium; and • high. <p>The Department of Premier and Cabinet's (DPAC) Mitigating Natural Hazards through Land Use Planning Project has prepared overlay maps for the hazard banding identified in this Code. These overlay maps must be included in the Local Provisions Schedules for the application of the Code, unless a Planning Authority appropriately justifies any modifications to DPAC's mapping in accordance with Clause LP3.8.2 of the TPS.</p>
<p>Coastal Inundation Hazard Code</p>	<p>The purpose of the Coastal Inundation Hazard Code is:</p> <p>C11.1.1 To provide for appropriate use or development that relies upon a coastal location to fulfil its purpose.</p> <p>C11.1.2 To ensure that use or development subject to risks from coastal inundation is appropriately located and managed so that:</p> <ul style="list-style-type: none"> (a) people, property and infrastructure are not exposed to an unacceptable level of risk; (b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; 	<p>The Coastal Inundation Hazard Code aims to ensure that use or development is appropriately located in coastal areas to avoid the impacts associated with coastal inundation hazards such as storm surge, extreme storm events, floods or tides and sea-level rise as a result of climate change.</p> <p>The Code applies to land identified within coastal inundation hazard area. The coastal inundation hazard area is classified into three hazard bands and a coastal investigation area. The three hazard bands include:</p> <ul style="list-style-type: none"> • low; • medium; and • high. <p>Land identified within a coastal investigation area must first be surveyed to</p>

Code	Code Purpose	Code Application Guidelines
	<ul style="list-style-type: none"> (c) it does not increase the risk from coastal inundation hazard to other properties or public infrastructure; and (d) works to protect land from coastal inundation are undertaken in a way that provides appropriate protection without increasing risks to other properties. 	<p>accurately determine the elevation of the site so that it may be classified into of the three hazard bands for assessment against the standards in the Code. Land identified above the elevations within the hazard bands will be classified as acceptable are therefore exempt from the Code.</p> <p>The Department of Premier and Cabinet's (DPAC) Mitigating Natural Hazards through Land Use Planning Project has prepared overlay maps for the hazard banding and those areas currently identified as coastal investigation area. These overlay maps must be included in the Local Provisions Schedule for the application of the Code unless council appropriately justifies any modifications to the mapping in accordance with Clause LP3.9.2.</p> <p>DPAC's Coastal Hazards Report, September 2015, Appendix 10 also includes tables sorted by municipality that identify and AHD elevations for the hazard bands. These tables must be used in classifying land within the coastal investigation area overlay.</p>
<p>Riverine Inundation Hazard Code</p>	<p>The purpose of the Riverine Inundation Hazard Code is:</p> <p>C12.1.1 To manage use and development in areas at risk from periodic or permanent riverine inundation so that:</p> <ul style="list-style-type: none"> (a) people, property and infrastructure are not exposed to an unacceptable level of risk; (b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; and (c) it does not increase the risk from riverine inundation hazard to other properties or public 	<p>The Riverine Inundation Hazard Code aims to ensure that use or development is appropriately located in proximity to watercourse to avoid impacts associated with riverine inundation hazards.</p> <p>The Code applies to land shown with in the riverine inundation hazard area overlay. The overlay should be applied to areas known to be prone to riverine inundation, particularly areas known to be within the 1 per cent annual exceedance probability (AEP) level.</p> <p>Councils may use their own riverine inundation data or data from other sources in determining the extent of the riverine inundation hazard area overlay.</p>

Code	Code Purpose	Code Application Guidelines
	<p>infrastructure.</p> <p>C12.1.2 To preclude development on land that will unreasonably affect flood flow or be affected by permanent or periodic flooding from a riverine watercourse.</p>	
<p>Bushfire Prone Areas Code</p>	<p>The purpose of the Bushfire-Prone Areas Code is:</p> <p>C13.1.1 To ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.</p>	<p>The Bushfire-Prone Land Code is dependent on the identification of areas determined to be 'bushfire-prone'.</p> <p>The Code provides 2 ways of determining if land is bushfire prone. This can be done by an overlay on the planning scheme maps or where there is no overlay, then land that is within 100m of an area of bushfire-prone vegetation of at least 1 hectare in area.</p> <p>Vegetation is considered to be 'bushfire-prone' if it is contiguous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, plant nurseries, golf courses, vineyards, orchards or vegetation on land that is used for horticultural purposes.</p>
<p>Potentially Contaminated Land Code</p>	<p>The purpose of this provision is:</p> <p>C14.1.1 To ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.</p>	<p>The Potentially Contaminated Land Code is dependent on the identification of areas determined to be potentially contaminated through either being shown on an overlay on the planning scheme maps, or identified as part of the application process for use or development.</p> <p>The second situation requires consideration of reports lodged as part of the application or information provided by the applicant in response to the planning authority requesting further information based on its opinion that the land is likely to be contaminated by one of the activities listed in Table 14.2.</p> <p>Many local councils have lists, maps or records of previous land uses that can contaminate and the Code allows these information sources to be used to trigger assessment under the Code.</p>

Code	Code Purpose	Code Application Guidelines
Landslip Hazard Code	<p>The purpose of the Landslip Hazard Code is:</p> <p>C15.1.1 To require that a tolerable level of risk can be achieved and maintained for the type, scale and intensity and intended life of use or development on land within a landslip hazard area.</p>	<p>The Code relies on the application of landslip hazard areas through an overlay map on the planning scheme. There are 4 possible landslip hazard bands – low, medium, medium-active, and high,</p> <p>The Local Provisions Schedules must contain an overlay map showing the landslip hazard bands according to maps prepared by the Department of Premier and Cabinet, but can modify these in relation to part of the municipal area. Modifications will be subject to testing through the Local Provisions Schedule approvals process to ensure they reflect the landslip hazard.</p>

E. Local Planning Provisions

33.0 Local Provisions Schedules

33.1 Background

Sections 14, 32 and 33 and Schedule 6 of the *Land Use Planning and Approvals Act 1993* (the Act) provides for the preparation and implementation of Local Planning Provisions (LPPs) within the draft Tasmanian Planning Scheme (TPS).

The Local Provisions Schedules (LPS) represent the LPPs in the draft TPS and are to be populated by the planning authorities.

A LPS sets out the LPPs for each planning area in Tasmania. They include:

- Local Area Objectives;
- Particular Purpose Zones;
- Specific Area Plans;
- Site Specific Qualifications;
- Zone maps;
- Overlay maps; and
- Lists required to implement the Codes.

Where there is a conflict between a LPP and a SPP, the LPP prevails.

Planning Authorities do not need to include any Local Area Objectives, Particular Purpose Zones, Specific Area Plans or Site Specific Qualifications if the relevant planning objectives can be implemented by application of the SPPs. The LPPs must be necessary to implement a local strategic objective.

33.2 Zoning and Overlay Maps

Each LPS must contain a map that provides for the spatial application for all the Zones and relevant Codes applying to the local planning area.

The zoning maps must use the standard colours specified in Clause LP2.0.4 of the draft TPS to indicate the spatial application of each Zone.

The zoning maps must also differentiate between Rural Living A, Rural Living B and any applicable Particular Purpose Zones through use of annotations on the maps.

The following Codes require or allow an overlay map for its spatial application:

Code	Overlays
Parking and Sustainable Transport Code	pedestrian priority street parking precinct plan

Code	Overlays
Electricity Transmission Infrastructure Protection Code	electricity transmission corridor inner protection area communications station buffer area substation facility substation facility buffer area
Local Historic Heritage Code	heritage precinct historic landscape precinct place or precinct of archaeological potential
Natural Assets Code	waterway and coastal protection area future coastal refugia area priority vegetation area
Scenic Protection Code	scenic protection area scenic road corridor
Attenuation Code	attenuation area airport noise buffer area airport prescribed airspace area
Coastal Erosion Hazard Code	low, medium and high coastal erosion hazard bands
Coastal Inundation Hazard Code	low, medium and high coastal inundation hazard bands coastal investigation area
Riverine Inundation Hazard Code	riverine inundation hazard area
Bushfire-Prone Areas Code	bushfire-prone area
Landslip Hazard Code	low, medium, medium -active and high landslip hazard bands

Overlay maps for the following Codes will utilise existing or future mapping as the basis for inclusion in each relevant LPS:

- Electricity Transmission Infrastructure Protection Code;
- Natural Assets Code;
- Attenuation Code for the application of airport noise buffer area and the airport prescribed airspace area;
- Coastal Erosion Hazard Code;
- Coastal Inundation Hazard Code;

- Bushfire-Prone Areas Code; and
- Landslip Hazard Code.

These overlay maps must be included in each relevant LPS as the default mapping, but where clear justification for their modification is evident they can be modified through the approval process for the LPS. Infrastructure providers and state agencies will need to liaise with planning authorities in respect of these issues.

An overlay must also be included to identify areas where any Specific Area Plan applies and may be used to identify sites to which a Site Specific Qualification applies.

33.3 Local Area Objectives

Local Area Objectives may be drafted for a specific Zone setting out objectives for a specific local area.

The Local Area Objectives must be used to assess a Discretionary use in accordance with Clause 6.10.2 of the draft TPS.

Use Standards within the draft Urban Mixed Use Zone, the three draft Business Zones, the draft Commercial Zone, the two draft Industrial Zones and the draft Major Tourism Zone specifically refer to any relevant Local Area Objectives for the assessment of uses against the Performance Criteria.

Furthermore, the General Provision at Clause 7.10 of the draft TPS also provides for the relevant Local Area Objectives to be considered in the assessment of a development that is not required to be categorised into a Use Class for instance where there are no standard applicable to that development.

The Local Area Objectives must:

- be clear and concise therefore allowing them to be easily utilised for the assessment of use and development;
- clearly identify the area to which the objectives apply;
- not conflict with the Zone Purpose, Use Table or Use and Development Standards in the SPPs; and
- not be used unless required to deliver objectives consistent with an endorsed local land use strategy.

It is not expected that every Planning Authority will have Local Area Objectives. Those Local Area Objectives or Desired Future Character Statements in existing Interim Planning Schemes (IPS) should not be translated directly into the LPS unless the objectives cannot be delivered through the SPPs.

33.4 Lists to Local Historic Heritage Code

The Local Historic Heritage Code allows for planning authorities to include lists that identify:

- local heritage places;
- heritage precincts;
- historic landscape precincts;
- places or precincts of archaeological potential; and

- significant trees.

The purpose of the list avoids the need to spatially represent each individual property covered by the Code on the planning scheme maps.

Appendix A of the draft TPS specifies the format and structure for the lists.

33.5 Lists to Scenic Protection Code

The Scenic Protection Code allows for planning authorities to include lists that identify:

- scenic protection area; and
- scenic road corridor.

The lists provide the ability for planning authorities to identify individual scenic protection areas and scenic road corridors and their specific scenic values and management objectives. While the Code can operate without these lists being populated, planning authorities are encouraged to identify of specific scenic values and management objectives to provide greater guidance for the assessment of Discretionary applications against the Code.

Appendix A of the draft TPS specifies the format and structure for the lists.

33.6 Particular Purpose Zones

Sections 14, 32 and 33 and Schedule 6 of the Act set out the requirements for preparation and operation of Particular Purpose Zones in an LPS.

A LPS may include a Particular Purpose Zone which is particular to an area of land within the local planning area.

A Particular Purpose Zone may only be included in a LPS where the intended outcomes cannot be achieved through the application of one or more SPP Zones.

A Particular Purpose Zone may be appropriate to provide for:

- conservation of groups of buildings, areas or other places which are of scientific, aesthetic, architectural or historic interest, or otherwise of special cultural value;
- development or protection of key public facilities and infrastructure or other major assets and facilities for the benefit of the community;
- provision for other uses that provide a significant social, economic or environmental benefit to the State, a region, or a local community or area; or
- development of areas which are characterised by environmental, economic, social or spatial qualities that require a unique mix of use and development controls not provided for through the application of the draft SPPs as a combination of Zones and Codes.

A Particular Purpose Zone must be consistent with a local land use strategy or structure plan approved for the area and not inconsistent with the declared Regional Land Use Strategy (RLUS).

Appendix A of the draft TPS specifies the format and structure for a Particular Purpose Zone. The format is the same as all other Zones in the draft TPS and provides for:

- Zone Purpose;
- Definition of Terms;

- Use Table;
- Use Standards;
- Development Standards for Buildings and Works; and
- Development Standards for Subdivision.

A Particular Purpose Zone must include a Zone Purpose, Use Table and the Development Standards, but does not require the inclusion of Definition of Terms and Use Standards.

33.7 Particular Purpose Zone – Future Urban Zone

Sections 14, 32 and 33 and Schedule 6 of the Act set out the requirements for preparation and operation of Particular Purpose Zones in an LPS.

Planning authorities have the option of including the Particular Purpose Zone – Future Urban Zone as included in Appendix B of the draft TPS.

The Particular Purpose Zone is based on the Southern Interim Planning Schemes (SIPS) Particular Purpose Zone 1 – Urban Growth Zone and aims to:

- identify non-urban land which is intended to be converted to urban use and development in the future; and
- protect such land from use and development that may compromise its future potential for urban use and development.

This Particular Purpose Zone should only be applied to land which has been identified for future urban development in either a declared RLUS or an endorsed local land use strategy. Furthermore, it need only be applied to sites or areas that require further structure or master planning before its release for urban use and development.

If utilised, the Particular Purpose Zone - Future Urban Zone must be included exactly as drafted in Appendix B.

33.8 Specific Area Plans

Sections 14, 32 and 33 and Schedule 6 of the Act set out the requirements for preparation and operation of Specific Area Plans in an LPS.

A LPS may include a Specific Area Plan which sets out more detailed planning provisions for use or development in specific sites or areas in the local planning area.

A Specific Area Plan may only be included in a LPS where the intended outcomes require unique or additional planning controls that cannot be achieved through the application of one or more SPP Zones or Codes.

Unique or additional planning controls may be appropriate to provide for:

- conservation of groups of buildings, areas or other places which are of scientific, aesthetic, architectural or historic interest, or otherwise of special cultural value;
- provision for other uses that provide a significant social, economic or environmental benefit to the State, a region, or a local community or area; or

- development of areas which are characterised by environmental, economic, social or spatial qualities that require a unique or additional development controls not provided for through the application of the SPPs as a combination of Zones and Codes.

A Specific Area Plan must be consistent with a local land use strategy or structure plan approved for the area and not inconsistent with the declared RLUS.

Appendix A of the TPS specifies the format and structure for a Particular Purpose Zone. The format is same as all other draft Zones in the draft TPS and provides for:

- Specific Area Plan Purpose;
- Application;
- Definition of Terms;
- Use Table;
- Use Standards;
- Development Standards for Buildings and Works; and
- Development Standards for Subdivision.

A Specific Area Plan must include the Specific Area Plan Purpose and Application along with a Use Table, Use Standards or Development Standards.

33.9 Site Specific Qualifications

Sections 14, 32 and 33 and Schedule 6 of the Act set out the requirements for preparation and operation of Site Specific Qualifications in an LPS.

A LPS may include a Site Specific Qualification which allows for a variation from a State Planning Provision Zone Use Table or a use or development within a SPP or Code.

A Site Specific Qualification may be applied to a specific lot or site for the purposes of varying one or a limited range of provisions applicable under the SPPs. A Site Specific Qualification must only be included in a Local Provisions Schedule where it is required for:

- a prohibited use to be Permitted or Discretionary to enable establishment or expansion of uses that provide a significant social, economic environmental benefit to the State, a region, or a local community or area; or
- for the variation of a development standard where the specific site characteristics warrant an approach not within the discretion provided for in the Performance Criteria and there are significant social, economic environmental benefits to the State, a region, or a local community or area.

A Site Specific Qualification must be consistent with a local land use strategy or structure plan approved for the area and not inconsistent with the declared RLUS.

Appendix A of the draft TPS specifies the format and structure for a Site Specific Qualification.

Appendix 1:

Terms of Reference for the preparation of the draft of the State Planning Provisions

Draft State Planning Provisions

Terms of reference

I, Peter Carl Gutwein, Minister for Planning and Local Government, pursuant to section 17 of the *Land Use Planning and Approvals Act 1993*, hereby issue these Terms of Reference for the preparation of the draft State Planning Provisions.

Background

The Tasmanian Government is committed to establishing a Tasmanian Planning Scheme. Recent changes to the *Land Use Planning and Approvals Act 1993* (“the Act”) provide for the Scheme to be introduced.

The Tasmanian Planning Scheme will consist of the State Planning Provisions (SPPs) and the Local Provisions Schedules that apply to each municipal area. Planning authorities will continue to administer all of the planning controls in their municipal area.

The Scheme will deliver a consistent approach to the planning controls that apply across the state, providing greater certainty to investors and the community. It will also provide the necessary flexibility to address local planning matters and ensure that an appropriate balance between consistency and local planning needs can be achieved.

Under the Act, the Minister may prepare the draft SPPs and must consult with the Tasmanian Planning Commission, planning authorities and the state service agencies and state authorities that he or she sees fit.

The statutory public exhibition and assessment of the draft SPPs is undertaken by the Commission, who will provide a report to the Minister. The Minister may then make the State Planning Provisions in accordance with the Act.

Local planning authorities will develop their own draft Local Provisions Schedules which will then be subject to statutory public exhibition and assessment. The Tasmanian Planning Scheme will come into effect in each municipal area once the relevant Local Provisions Schedule is in place.

Scope of the Draft of the State Planning Provisions

The draft of the SPPs are to be prepared with regard to *Planning Directive No 1 – The Format and Structure of Planning Schemes*, interim planning schemes operating in

Tasmania, the regional model provisions that informed development of the interim planning schemes, and the statutory requirements of the Act.

Statutory requirements for the Draft of the SPPs

The draft of the SPPs is to be consistent with the requirements of the Act, including:

- Section 11 – Contents of planning schemes and Tasmanian Planning Scheme;
- Section 14 – Contents of State Planning Provisions;
- Section 15 – SPPs criteria; and
- Section 18 – Preparation of draft of the SPPs by Minister

The SPPs criteria to be met are that the draft of the SPPs:

- only contains provisions that the SPPs may contain under section 14; and
- furthers the objectives set out in Schedule 1; and
- is consistent with each State Policy in effect under the *State Policies and Projects Act 1993*; and
- has regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*

The State Policies in operation under the *State Policies and Projects Act 1993* at the time of issuing of these terms of reference are:

- *State Policy on the Protection of Agricultural Land 2009*;
- *State Coastal Policy 1996*;
- *State Policy on Water Quality Management 1997*;
- National Environment Protection Measures (NEPMs) that are taken to be State Policies in accordance with section 12A of the *State Policies and Projects Act 1993* including:
 - Air Toxics NEPM
 - Ambient Air Quality NEPM
 - Assessment of Site Contamination NEPM
 - Diesel Vehicle Emissions NEPM
 - Movement of Controlled Waste between States and Territories NEPM
 - National Pollutant Inventory (NPI) NEPM
 - Used Packaging Materials NEPM

General requirements for the Draft of the SPPs

The draft of the SPPs is to:

- Adopt the general structure used in *Planning Directive No 1* including the 22 standard zones used in interim planning schemes operating in Tasmania subject to any minor modifications that may be appropriate;
- Build on the general provisions in *Planning Directive No 1* and in interim planning schemes operating in Tasmania, including the administrative provisions, definitions, exemptions and standard use classes;

- Include any additional general and administrative provisions required to support the structure and operation of the Tasmanian Planning Scheme, including any templates and other provisions relating to the Local Provisions Schedules;
- Be developed with reference to and where appropriate standardise the content of the planning controls for the 22 standard zones and the suite of statewide codes contained in the interim planning schemes and the regional model provisions, with particular reference to the Launceston Interim Planning Scheme;
- Have regard to:
 - any draft Planning Directives prepared by the Tasmanian Planning Commission that have been subject to a statutory process; and
 - any draft statewide codes prepared by state agencies or the by Tasmanian Planning Commission in consultation with state agencies for the purposes of consultation, at the time of issue of these terms of reference;
- Contain provisions permitting a Local Provisions Schedule to include, in accordance with section 14 of the Act:
 - particular purpose zones;
 - specific area plans; and
 - site specific qualifications

The draft of the SPPs is also to be developed with regard to the following documents:

- The three Regional Land Use Strategies in place under the Act;
- The drafting rules and terms prepared by the Commission's Delegated Panel that undertook the statutory assessment of the Launceston Interim Planning Scheme;
- The following Planning Directives in force under the Act and any reviews or proposed modifications to these that are under active consideration by the Commission or the Minister:
 - Planning Directive No. 3 – Single Dwelling in Residential Zones
 - Planning Directive No. 4.1 – Standards for Residential Development in the General Residential Zone
 - Planning Directive No. 5 – Bushfire Prone Areas Code
- The following Planning Advisory Notes in force under the Act and any reviews or proposed modifications to these that are under active consideration by the Commission or the Minister:
 - Planning Advisory Note 3: Supporting information for draft planning schemes;
 - Planning Advisory Note 11: Integration of Land Use and Transport in Planning Schemes;
 - Planning Advisory Note 13: The Planning Scheme Template for Tasmania: Drafting Instructions;
 - Planning Advisory Note 16: Application, Adoption and Incorporation of External Documents by a Planning Scheme;

- Planning Advisory Note 20: Planning Directive No 5 Bushfire Prone Areas

Further drafting guidance

The following matters are also to be considered in preparing the draft of the SPPs:

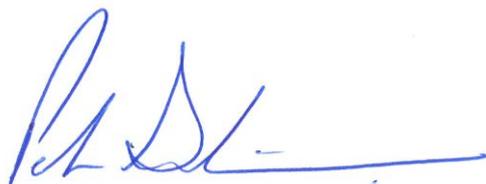
- Achieving a logical structure for the document that is user-friendly and has regard to the design of the 'iPlan' digital planning scheme interface;
- Ensuring the planning controls are legally robust, having regard to the drafting used in the interim planning schemes, including consistent expression, terminology, language and structure of the clauses;
- Providing consistency in the format and structure of Local Provisions Schedules such as through the inclusion of templates and other relevant controls;
- Ensuring the general and administrative provisions allow the State Planning Provisions and Local Provisions Schedules to operate effectively together for a cohesive application of the Tasmanian Planning Scheme in each municipal area;
- Achieving the following general policy principles, where practicable:
 - providing clear permitted pathways for use and development that are consistent with the purpose of each zone;
 - providing flexibility in regard to the use and development that can occur within a zone where the use and development supports, is directly related to or is ancillary to a use that is consistent with the zone purpose;
 - promoting equity and consistency in the application requirements for use and development, including providing clear criteria for the assessment of permitted and discretionary uses in the planning controls to minimise delays and uncertainty;
 - minimising duplication of regulation between different levels of Government, including State and local government and facilitating efficient integration between this regulation where appropriate; and
 - providing for consistency with the requirements of other legislation and regulation, including Commonwealth regulation of particular matters;

Process

In preparing the draft of the SPPs, consultation is to occur with the Tasmanian Planning Commission, planning authorities and the state service agencies and state authorities that the Minister sees fit in accordance with section 18 of the Act.

The advice of other relevant bodies including the State Policies Interdepartmental Committee and the Planning Reform Taskforce that each report to the Minister for Planning and Local Government may also be sought in relation to the preparation of the draft of the SPPs, as appropriate.

Expert advice with regard to the legal drafting of the provisions may also be sought where appropriate to ensure their effective operation.



PC Gutwein
Minister for Planning and Local Government

[Issued 18 December 2015]

Appendix 2: Drafting Conventions for the Tasmanian Planning Scheme

Drafting Principles

The following principles underpin the approach taken in drafting the Tasmanian Planning Scheme (TPS).

The principles are:

1. The planning scheme must be user friendly, and as far as possible, written in plain English.
2. The planning scheme must contain minimal regulation but must be legally robust.
3. The State Planning Provisions must be a reflection of the State's policy position.
4. The planning scheme must provide for a Planning Authority to reflect the regional and local planning strategy.
5. Zoning is the primary mechanism for expressing the spatial strategy.
6. Zone provisions will contain the primary directions relating to the use, development, protection and conservation of land within each Zone.
7. Zones will identify the range of use and development which is allowable.
8. Codes, Particular Purpose Zones, Specific Area Plans, and Site Specific Qualifications are additional mechanisms for delivering planning policy and strategy and may be used to qualify, but not distort, the underlying Zone.
9. Use and development standards can provide either Acceptable Solutions or Performance Criteria or both.
10. Performance Criteria must not simply repeat the objective. They must be drafted to provide clear criteria for assessment and can provide measurable limits.

Drafting Conventions

In the drafting of the TPS, a number of drafting conventions were used:

General Approach

Abbreviations	<p>Use of abbreviations should be confined to words which frequently occur in the text and are widely understood for example.</p> <p>The following abbreviations must be used:</p> <p>'m' for metres</p> <p>'m²' for metres squared.</p> <p>"s" for section of an Act.</p>
Acronyms	Avoid the use of acronyms where possible.

<p>Australian Standards</p>	<p>Any reference to an Australian Standard should include its whole title and be italicized. For example <i>AS 2890.3 1993 Parking facilities – Bicycle parking facilities Part 3: Bicycle parking facilities</i>.</p>
<p>Capitals</p>	<p>Any reference to Zone Purpose, Code Purpose, No Permit Required, Permitted, Discretionary, a Use Class or Local Provisions Schedule should be capitalised.</p> <p>In sub-clause lists, if using semicolons, there are to be no capitals.</p>
<p>Consistency and clarity of purpose tests</p>	<p>All standards within a Zone or Code must be consistent with its stated purpose. For example, is the classification of Use Classes and qualified uses consistent with the purpose of the Zone.</p> <p>The Acceptable Solutions and Performance Criteria must be consistent with the stated objective for that standard. They must not address a matter which does not go to the objective or the objective must not include something which is not addressed in an Acceptable Solution or Performance Criteria.</p> <p>The Acceptable Solutions and corresponding Performance Criteria must address the same matter.</p> <p>Performance Criteria must not be more restrictive than Acceptable Solutions.</p> <p>The Performance Criteria must include a measurable test. For example, “must not cause an unreasonable loss of amenity”.</p>
<p>Consistency in words and expression</p>	<p>Use words and expressions consistently unless, there are legitimate reasons for doing otherwise.</p> <p>This include standards which are common to numerous Zones where the wording should be identical except if there are different numerical requirements or there are specific reasons for departing from the consistent wording.</p>
<p>Consistency in terms</p>	<p>Terms and concepts are to be used consistently and not interchangeable within a standard, particularly between an objective and a Performance Criteria. For example, if the objective of a standard uses the term “consistent with” then this is to be used in the Performance Criteria not “compatible with” or “complement” which have different meanings.</p>
<p>Directory terms</p>	<p>Use the term ‘must’ when expressing a mandate, not ‘shall’ or ‘will’.</p> <p>Use the words ‘is to’ when giving a direction.</p> <p>Use the term “must satisfy” not “must be in accordance with”.</p>
<p>Gaps</p>	<p>There is to be no gap between a number and ‘m’ or m².</p>
<p>Local Planning Provisions</p>	<p>A reference to something contained within a Local Planning Provision must include a statement to refer to the relevant Local Provisions Schedule. For example:</p> <p><i>“...have regard to any local area objectives as contained within the relevant Local Provisions Schedule.”</i></p>

	<p>or</p> <p><i>“means a place that is listed and described in the Local Heritage Places List in the relevant Local Provisions Schedule.”</i></p>
Numerical format and expression	<p>Numeric expression for numbers shall be in numeric expression for example ‘5m’ or ‘3 car spaces’ rather than ‘five’ or ‘three’.</p> <p>Whole numbers should not have a decimal place.</p>
Sentence structure	<p>Sentences are to be clear and concise.</p>
Singular and plural	<p>For consistency, use the singular where possible.</p>
Sub-clause Lists	<p>Do not use dot points. All matters set out in sub-clauses within a standard are to be referenced alpha-numerically as follows:</p> <p>(a).....</p> <p style="padding-left: 40px;">(i).....</p> <p>(b)</p> <p>Sub-clause lists should not be introduced through the use of “all of the following...”, “any of the following...” or similar, rather relying upon the use of “and” and “or”. However, there may be an occasional exception to this convention where it is necessary to avoid complication.</p> <p>If all sub-clauses are “and” or “or” then use the “and” or “or” on the second last sub-clause only.</p>
Terms used in the Act	<p>Ensure the terms used are consistent with those in the Act unless there is a specific reason for variation. For example, use ‘grant a permit’ rather than ‘approve’.</p>
Use every day words	<p>Avoid use of legal or planning jargon, such as “notwithstanding”, “pursuant to”, “taken to mean”, “by reason of”, “contiguous to”, “whereby, deemed to” or similar.</p>

Terminology and Expression

Amenity reference	<p>If using the term ‘amenity’ and it relates to residential amenity, ensure that it is clear either through the use of “residential amenity” or similar, except when used in a Residential Zone.</p>
Amenity test	<p>When referencing impact upon amenity use the term “must not cause an unreasonable loss of amenity” instead of “<i>impact upon amenity</i>”, “<i>adversely impact amenity</i>”, “<i>reduce amenity</i>” or similar.</p>
Application	<p>Use ‘application’ in preference to ‘development application’ and ‘application for a permit’.</p>
Building envelope	<p>A building envelope requirement for new lots is to be contained in the Lot Design standard.</p>

Building height AS	Building height Acceptable Solutions should be expressed as “ <i>Building height must be not more than Xm</i> ” except in the General Residential and Inner Residential Zones for simplicity.
Building setback AS	Building setback Acceptable Solutions should be expressed as “ <i>Buildings must have a setback from X of not less than Xm</i> ” except in the General Residential and Inner Residential Zones due to the adoption of PD4.1drafting.
Building setback PC	Performance Criteria relating to siting should consistently start with the expression “ <i>Buildings must be sited...</i> ” except for where it relates to frontage setback where a different expression may be required.
Exclusions	<p>The terms “excluding” is to be used instead of “except if”.</p> <p>All exclusions are to be repeated across the Acceptable Solution and Performance Criteria so it is clear that the exclusion applies to the whole standard, rather than requiring the exclusion to be assessed against the Performance Criteria.</p>
Having regard to test	The “ <i>having regard to</i> ” test has been adopted for application of criteria within the Performance Criteria. This is based on the principal that the identified are to be considered, but the weight to be attached to them depends on all the circumstances of the case.
Hours of operation	The hours of operation should be worded to say “ <i>XX Monday to Friday</i> ” (or other day) with no use of the term inclusive and no pluralisation except when referring to public holidays.
Lot, Site and properties	<p>The term ‘lot’ is to be used in subdivision development standards.</p> <p>The term ‘properties’ is to be used in development standards for building and works where there is a requirement to consider the impact on other land.</p> <p>The term ‘site’ is to be used when referring to the place on which the proposed use and development is occurring.</p>
Multiple considerations	<p>Acceptable Solutions and Performance Criteria which includes a use occurring within a certain distance and an exclusion, unless it is referring to operation of the use, the reference to the area should come first and the exclusion second. For example:</p> <p style="padding-left: 40px;"><i>“Building height within 10m of an X zone, excluding a structure such as antenna, tower, mast, pole or similar must be not more than Xm”;</i></p> <p style="text-align: center;">or</p> <p style="padding-left: 40px;"><i>“External lighting on a site within 50m of X zone, excluding security lighting and where associated with Utilities or Emergency Services, must not..”</i></p>
Not more than	The term “ <i>not more than</i> ” is to be used rather than “ <i>no greater</i> ”, “ <i>not greater than</i> ”, unless there is a number of general matters (not quantitative requirements) where it should be “no more than”.

Not less than	The term “ <i>not less than</i> ” is to be used unless there is a number of general matters, not quantitative requirements where it should be “no less than”.
Permit	Use ‘permit’ in preference to ‘planning permit’.
Planning Authority	Use ‘planning authority’ in preference to ‘Council’.
Planning Scheme	Use ‘planning scheme’ in preference to ‘scheme’.
Surrounding area and Streetscape	When referencing consideration of established characteristics of an area or neighbourhood, use the term “ <i>consistent with that existing on established properties in the area</i> ”. However, if it is referencing consideration of streetscape it should be written as “ <i>consistent with the streetscape</i> ” as “streetscape” is a defined term.
Where/if	Use ‘if’ in preference to ‘where’.
Zone references	All references to a Zone within a standard must be expressed as “ <u>an</u> X Zone” rather than “ <u>the</u> X Zone”. For example, “ <i>within 5m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone</i> ”.

Appendix 3:

Legislation Considered

Airports Act 1996 (Commonwealth)
Airports (Protection of Airspace) Regulations 1996 (Commonwealth)
Building Act 2000
Building Regulations 2014
Crown Lands Act 1976
Electricity Supply Industry Act 1995
Electricity Wayleaves and Easement Act 2000
Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)
Environmental Management and Pollution Control Act 1994
Forest Management Act 2013
Forest Practices Act 1985
Forest Practices Regulations 2007
Gas Act 2000
Gas Pipelines Act 2000
Historic Cultural Heritage Act 1995
Land Titles Act 1980
Land Use Planning and Approvals Act 1993
Living Marine Resources Act 1995
Local Government Act 1993
Local Government (Highways) Act 1982
Local Government (Building and Miscellaneous Provisions) Act 1993
Mineral Resources Development Act 1995
National Parks and Reserves Management Act 2002
Nature Conservation Act 2002
State Policies and Projects Act 1993
Rail Infrastructure Act 2007
Roads and Jetties Act 1935
Strata Titles Act 1998
Statutory Holidays Act 2000
Telecommunications Act 1997 (Commonwealth)
Telecommunications (Low-Impact Facilities) Determination 1997 (Commonwealth)
Threatened Species Protection Act 1995
Urban Drainage Act 2013
Water and Sewerage Industry Act 2008
Weed Management Act 1999
Wellington Park Act 1993
Work Health and Safety Regulations 2012

Appendix 4:

Tasmanian Activity Centre Network

Hill PDA, February 2014.



Tasmanian Activity Centre Network

February 2014



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REPORT DETAILS:

Job Ref No: C13185

Version: Final

Date Printed: 1/03/2016 8:43:00 PM

File Name: C13185 - Tasmanian Activity Centres Network - FINAL - 260214

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1 INTRODUCTION

Purpose of the Study

The Tasmanian Government is currently implementing a series of statewide planning reforms and updated planning schemes are a major component of these reforms. Underpinning Tasmania's new planning schemes are land use strategies developed for each of the State's regions:

- Southern Regional Land Use Strategy;
- Cradle Coast Regional Land Use Strategy; and
- Northern Regional Land Use Strategy.

A consequence of the regional land use strategies being prepared separately is that each has taken a different approach to classifying activity centres. The purpose of this Study is to recommend a consistent approach to the classification of activity centres across Tasmania. It is anticipated that the Tasmanian Planning Commission will advocate for the statewide activity centre network proposed in this study to be used as a tool to:

- Coordinate strategic planning and investment decisions amongst councils and State Government agencies (e.g. DIER, DEDTA, Treasury, DHHS, DPEM, DOE and DOJ); and
- Facilitate the preparation of future local, regional and statewide infrastructure, land use and economic development plans.

What Are Activity Centres?

Activity centres are places where people congregate to work, shop and play. Activity centres are usually part of a larger network of centres. Larger centres, for example, typically supplement smaller centres by providing a broader range of retail, employment, administrative, medical, education and entertainment functions. In other instances activity centres can complement each other by dividing certain goods and services between them to avoid unnecessary duplication and waste.

Whilst all activity centres are unique, they can be classified or grouped according to the type and scale of uses that occur in them including

Activity centres provide the focus for services, employment, and social interaction in cities and towns. They provide a broader function than just retail and commercial centres. They are also community meeting places, centres of community and government services, locations for education and employment, settings for recreation, leisure and entertainment activities, and places for living through new forms of higher density housing with good levels of amenity, in mixed land use settings.

Southern Tasmania Regional Land Use Strategy 2010-2035 (pg 71).

commercial and retail facilities, government services, community infrastructure, entertainment and residential accommodation, as well as a desired level of access for public transport, and passenger and freight vehicles.

Why Establish an Activity Centres Network?

Classifying the role and function that Tasmania's activity centres perform is an effective means for strategically planning for growth. It will guide decisions around investment, land use and economic development in a rational and justifiable way in accordance with the desired role of centres and their attributes. Furthermore the creation of a consistent statewide activity centres network will assist in guiding policy that:

- Provides certainty for businesses, investors and residents by clearly articulating the future role and function of centres and the likely investment that will occur in them;
- Recognises and enhances the complementary roles centres play in an activity centre network;
- Supports the clustering of similar activities and in doing so promotes competition, productivity, economic efficiencies between businesses, economic activity and other benefits of agglomeration;
- Reduces competition for resources between different centres by identifying strategic opportunities for greater efficiency and cooperation between them;
- Reduces the need for car journeys and reliance on the private car through a collocation of activities within higher order activity centres;
- Avoids ad-hoc development by focussing growth in appropriate activity centres ; and
- Informs decisions around the distribution of new infrastructure and development in a manner which supports sustainable development, access to services and a vital and viable network of centres.

An activity centres network is therefore an important strategic planning tool for achieving optimal social, economic and environmental outcomes for Tasmania.

Methodology

Hill PDA was engaged to provide independent advice on a statewide activity centre network which reflects the unique characteristics of Tasmania and the activity centres it contains. The methodology we have used seeks firstly to understand the concept of activity centres and how they have been classified in Tasmania and elsewhere in Australia. The Study then seeks to establish a set of principles to guide the development of an activity centre network. The final part of the Study

defines each type of centre in a proposed network for Tasmania and then allocates actual centres to those typologies. To achieve the aims and objectives of the brief, Hill PDA has applied the following methodology:

- Reviewed the three Tasmanian Regional Land Use Strategies;
- Reviewed the following documents: State Planning Policy 4.2 Activity Centres for Perth and Peel, State of Western Australia (2010); Draft Metropolitan Strategy for Sydney, NSW Department of Planning and Infrastructure (2013); the 30-Year Plan for Greater Adelaide, Department of Planning and Local Government (2009); Environment Protection Amendment Regulation 2013 (No 1), ACT Parliamentary Counsel (2013); Melbourne 2030 – Implementation Plan 4 – Activity Centres, Department of Infrastructure (2002); and South East Queensland Regional Plan 2009 – 2031, Queensland Government (2009);
- Compared the classification of activity centres across Australia;
- Reviewed a range of published material concerning activity centres and undertook a critique of different approaches to classify activity centres to determine best practice and potential pitfalls to inform our analysis;
- Provided a detailed activity centres network based on descriptive criteria; and
- Allocated 53 of Tasmania’s activity centres to the proposed network.

Consultation

Consultation with stakeholders was also a key component of the brief and transparency of the process was fundamental. Regional council bodies and their member councils were engaged from an early stage of drafting.

The project was managed by the Tasmanian Planning Commission with oversight by a steering committee comprising representatives from the three regional council authorities (Northern Tasmania Development, Cradle Coast Authority and Southern Tasmanian Councils Authority); and the Departments of Economic Development Tourism and the Arts, Infrastructure, Energy and Resources and Health and Human Services.

In mid-2013, an issues paper with draft classifications was distributed to all councils for comment and follow up consultation sessions were held in Burnie (19 August), Launceston (20 August) and Hobart (21 August) to which all councils and key State government agencies were invited. The high level of council participation and regional involvement at these workshops resulted in a robust classification system.

Feedback received during the consultation sessions and from the project steering committee has heavily influenced the findings and recommendations of this Study.

Proposed Tasmanian Activity Centres Network

This Study recommends adopting a ‘network’ approach to classifying Tasmania’s activity centres rather than the typical ‘hierarchical’ approach applied elsewhere in Australia. A network approach emphasises the complementary role centres play whilst also acknowledging that a hierarchy already exists amongst the State’s activity centres to some degree (i.e. larger centres typically offer a larger range and goods and services than smaller centres). The aim of the activity centres network approach is to minimise competition between centres and maximise opportunities for greater efficiency and cooperation.

The six-part activity centres network recommended by the Study is based on the desired future role and function of each type of centre and is summarised in the following table.

Table 1 - Proposed Tasmanian Activity Centre Network

Centre Classification	Description of Centre	Examples
Capital City Centre	Primary focus for Tasmania’s peak government, legal, finance and banking services, specialised health and education precincts, specialty retail, entertainment, tourism and cultural facilities. It plays a complementary role to other centres by providing higher order uses not found elsewhere in region or State.	Hobart CBD
Regional Centre	Major strategic centre providing wide range of administrative, commercial, retail, health, educational, recreational, entertainment and community facilities. It is a priority centre for regional investments in economic and social infrastructure. The centre plays complementary role to other centres by providing higher order uses not found elsewhere in region.	Launceston CBD, Devonport CBD, Burnie CBD
Urban Centre	Major shopping and business centre serving surrounding suburbs and subregion. It contains smaller range of facilities than nearby city centre.	Glenorchy, Kings Meadows, Rosny Park, Ulverstone
District Centre	Major shopping and business centre serving the immediate rural subregion. The centre provides a range of government, community, health, educational, retail, professional and localised employment functions. Its functions are supplemented by higher order urban centre and/or city centre.	Deloraine, Huonville, Campbell Town, Queenstown, Smithton, Scottsdale
Local Centre	Local retail and convenience hub serving daily and weekly needs of residents and businesses in immediate area. Its functions are supplemented by higher order centres in the network.	Bridport, Bicheno, Cygnet, Margate, Port Sorell, Zeehan, Westbury
Specialised Centre	Differ from other centres in that their functions are relatively unique and they contain a significant concentration of employment.	Bell Bay, Brighton Transport Hub, Port Arthur

Structure of the Study

The Study is structured in the following manner:

- Chapter 2 defines what activity centres are, their purpose and a comparative analysis of activity centre classifications across Australia. It presents the findings of our review and critiques classification approaches before distilling the relevant findings for best practice;
- Chapter 3 presents our proposed activity centre network for Tasmania and the rationale underpinning it.
- Chapter 4 allocates 53 of Tasmania's activity centres to the network proposed in Chapter 3.
- Chapter 5 recommends the next steps in developing an activity centres network for Tasmania.

2 BACKGROUND AND ISSUES

This Chapter presents our understanding of the term ‘activity centre’, explains the purpose of classifying activity centres and analyses activity centre classifications applied in Tasmania and in other regions across Australia. It presents a critique of different classification systems based on Hill PDA’s experience and research. To conclude, the Chapter distils the lessons learned to understand best practice as can be applied to an activity centres network for Tasmania.

Activity Centres Hierarchy

Activity centres are often spatially layered into a tiered hierarchy with fewer but larger centres at the top and numerous small centres at the bottom (Figure 1). Given the unique nature of centres, providing a definitive set of characteristics can be challenged and consequently Hill PDA believes that it is most appropriate to classify centres based on the **desired role and function** they should perform. This can be ascertained based on a number of key criteria which will be explored in this Study.

Figure 1 - The Principle of the Activity Centres Hierarchy



Source: Hill PDA 2013

The following table shows the different activity centre definitions used in the planning policy documents which Hill PDA has reviewed for the purposes of this Study. The sheer number and range of different activity centre classifications highlights the diverse ways in which they are defined. The table also highlights how each document distinguishes the role and function of different activity centre types.

Table 2 - Activity Centre Classifications in Australia

	Southern Tasmania	Northern Tasmania	Cradle Coast	Perth	Sydney	Adelaide	Melbourne	ACT	South East Queensland
Higher Order Centres	Primary Activity Centre	Primary Activity Centre	Regional Activity Centre	Perth Central Area	Global Sydney	Adelaide City Centre	Central Activities District	City Centre	Primary Activity Centre
	Principal Activity Centre	Major Activity Centres	District Activity Centre	Primary Centre	Regional City	Regional Centres	Principal Activity Centre	Town Centre	Principal Regional Activity Centres
	Major Activity Centre	Suburban Activity Centres	Local Service Centre	Strategic City Centres	Major Centre	Major District Centres	Major Activities Centre	Group Centres	Major Regional Activity Centres
	Rural Services Centre	District Service Centres	Specialty Centre	Strategic Specialised Centres	Town Centre	District Centres	Specialised Activity Centre	Local Centres	Specialised Activity Centres
	Minor or Neighbourhood Centre	Neighbourhood or Town Centres	Localities	Regional Town Centre	Village Centre	Bulky Goods Centres	Neighbourhood Activity Centre		Principal Rural Activity Centres
	Local Strip	Local or Minor Centres		Regional Specialised Centre	Neighbourhood Centre	Specialist Centres			Major Rural Activity Centres
	Specialist Centre	Specialist Centres		District Town Centres	Specialised Precinct	Neighbourhood Centres			
Lower Order Centres				Neighbourhood Centre		Local Centres			
				Local Centre					

What is the Purpose of an Activity Centres Network?

Providing a robust activity centres network is an effective means of planning for growth. It can guide decisions around investment, land use and economic development in a rational and justifiable way in accordance with the desired role of centres and their attributes. The benefits associated with providing an activity centres network include:

- Providing certainty for businesses, investors and residents by clearly articulating the future role and function of centres and the likely investment that will occur in them;
- Recognising and enhancing the complementary roles centres play in an activity centre network;
- Supporting the clustering of similar activities and in doing so promoting competition, productivity, economic efficiencies between businesses, economic activity and other benefits of agglomeration;
- Reducing competition for resources between different centres by identifying strategic opportunities for greater efficiency and cooperation between them;
- Reducing the need for car journeys and reliance on the private car through a collocation of activities within higher order activity centres;
- Avoiding ad-hoc development by focussing growth in appropriate activity centres¹; and
- Informing decisions around the distribution of new infrastructure and development in a manner which supports sustainable development, access to services and a vital and viable network of centres.

In essence, establishing an activity centres network allows growth to be planned in an economically effective manner by focusing resources and investments in locations commensurate with their role. In so doing, services can be located where they can provide the greatest benefit and access to the most people. Focusing investment in appropriate centres also supports their liveability and attractiveness to workers in a 'virtuous cycle' with investment attracting more jobs and residents which in turn supports further investment. An activity centres network is therefore an essential planning tool to achieving optimal social, economic and environmental outcomes.

It is important to have a standard classification for centres within the State's activity centres network to ensure that future growth, development and investment is distributed in an economically, socially

¹ Source: Southern Regional Land Use Strategy 2010–2035, Southern Tasmania Regional Planning Project (2011), NSW Draft Centres Policy and other sources

and sustainably optimum manner. Given that some activity centres operate at a State level or transcend regional boundaries, and given that many activity centres are reliant upon State level public investment in facilities such as schools, medical facilities and transport infrastructure, it is appropriate for their definition and classification to be set by the State Government.

Comparative Analysis

Hill PDA has undertaken a comparative review of activity centre classifications in Tasmania and Australia-wide. A summary of this review is included in the matrix at Appendix 1 of this Study. The main outcomes of this review are as follows:

- In terms of Tasmania, the Southern and Northern Regional Land Use documents contain similarities in wordings but differences in centre classifications. The Cradle Coast Regional Land Use Strategy differs from both of the other Regional Plans and the classification of centres is not as detailed by comparison. There is a need for a consistent classification system across the State to reconcile the activity centre definitions and ensure that the aims of defining a centres classification system are achieved;
- There is no 'one size fits all' model for activity centre classifications or even for centres of a particular typology. This is reflected in planning policy which indicates that defined roles, purposes and typologies differ markedly between different cities and regions;
- Some planning authorities use a descriptive approach towards defining activity centres based on the attributes and characteristics which they currently contain. Others prescribe what a centre should contain based on its role. These approaches differ in being concerned with the prevailing situation today versus the desired future role;
- The definition criteria for activity centres vary in terms of the level of detail provided but there are some consistent themes which include: retail and commercial land use and provision; employment activity; transport facilities; housing provision, density and diversity; business presence; educational facilities; cultural provision; entertainment provisions; size of catchment; and, health and government services;
- The number of activity centres in each tier of the classification system varies and policy documents also vary as to whether small centres are specifically identified;
- Activity centre policies differ according to local circumstances, for example some policy documents differentiate between urban and regional or rural centres;
- In some instances specialised centres are defined. These are centres that perform a unique function and as a consequence are difficult to

categorise within a wider classification (for example, a centre focused on a university, hospital, seaport or airport precinct); and

- Whilst there is variance between how activity centres are defined and detailed, there is consensus as to their importance and value.

Analysis of Issues

The review undertaken by Hill PDA included published material and academic journals which have appraised activity centre principles, hierarchies and definitions. This process has revealed a number of issues in centres classification approaches. These are discussed below.

Issue 1: Too Many Centres Defined

The Melbourne 2030 strategic plan designated some 1,000 activity centres across five different levels; however it has been argued that identifying such a high number of activity centres suggests a lack of selectivity². Commentators also questioned the purpose of defining activity centres in the first place if so many centres are identified. Potential issues with identifying too many activity centres include:

- Stretching the allocation of financial and planning resources across centres thereby diluting their impact and undermining the desire to focus investment on higher order strategic centres;
- Reducing flexibility in the planning system by providing greater rigidity in existing centre classifications; and
- The potential to allow small centres to become the focus of growth, undermining the aim of consolidating investment in larger activity centres.

Criticism of Melbourne 2030 includes:

“One of the central problems with Melbourne 2030’s Activity Centre policy was the inclusion of far too many centres from the small neighbourhood scale centre to stand-alone shopping centres. This indicated a lack of clarity around what the policy was really aiming to do and lack of commitment towards directing and attracting activity towards a selection of clearly defined centres based on sound criteria, most importantly well serviced public transport. With so many activity centres identified the policy reads more like a description of the metropolitan area which effectively highlighted to developers where they could locate their next housing development”³

² Source: Chapter 2, ‘Concentrating Melbourne’ in Melbourne 2030: Planning Rhetoric Versus Urban Reality, Monash University (2005)

³ Source: Melbourne Activity Centre Policy: A Post Mortem, RMIT University (2011)

Issue 2: Lack of Detail in Definition

It has been argued that classification systems that poorly define and distinguish activity centres result in ambiguity around where investments and resources should be directed.

The potential pitfalls of providing a loosely defined activity centre are demonstrated by the Mitcham court case in Victoria following the publication of the Melbourne 2030 document. This case related to a proposal to build a twin 17-storey tower block on land identified as a neighbourhood activity centre despite the building not relating to existing or planned development in the surroundings. Indeed the only existing commercial uses in this location comprised big box furniture and household goods retailers lining a major roadway.

The development application was resisted by local residents and council but was ultimately approved by the Victorian Civil and Administrative Tribunal (VCAT). Critical analysis has noted:

“VCAT was guided in its judgement by the imperatives of Melbourne 2030. Its reasoning was that if the plan was to achieve its objectives of consolidating development in activity centres, then proposals like that of Mitcham Towers would have to progress...[the decision]...has called into question the idea of a hierarchy of activity centres”⁴.

In essence the lack of detail in defining the attributes of centres at lower levels of the retail hierarchy in Melbourne 2030 allowed this development to proceed despite the presence of a higher order centre with strong public transport accessibility nearby which had sufficient land available to accommodate the proposal. Furthermore because the Melbourne 2030 document did not offer any insight into the priority of objectives, housing was placed on an equal footing to other stated objectives when arguably it is secondary to, for example, employment. It has been opined that:

“Difficulties emerge however in not providing enough detail so that...objectives can give clear and unambiguous direction for decision making. The breadth and interrelatedness of issues made Melbourne 2030 complicated and difficult to interpret. The document demonstrated an admirable understanding of the interconnectedness of urban issues but failed as a policy document to succinctly indicate what was intended to be done, and what the policy was going to allow or disallow. In order to shift from being an aspirational to directional policy what is needed is clarity around objectives and developing the means to deliver on them. This requires firm commitment from government to provide certainty for all decision makers. Without the strength of clearly defined objectives

⁴ Source: Chapter 2, ‘Concentrating Melbourne’ in Melbourne 2030: Planning Rhetoric Versus Urban Reality, Monash University (2005)

and institutional and regulatory arrangements, planning as a whole will remain aspirational not directional”⁵ (Note: Hill PDA emphasis).

The outcome of a successful centres classification system should therefore be to concentrate high density development in higher order centres so as to harness the economic, social and environmental related benefits which it can offer. Activity centres within the classification could however have very different built forms. As such the classification of an activity centre should not imply common built form requirements (e.g. height). Rather this role should remain the domain of local (and/or State) development control documents which complement the policy objectives of the activity centre network.

Issue 3: Excessive Detail in Definition

Notwithstanding the need to avoid insufficient demand, a successful centres classification system should also avoid providing too much detail that could limit or restrict investment. The NSW Department of Planning and Infrastructure has recognised the importance of avoiding excessive detail in centres definition. Principle 3 of the NSW Draft Centres Policy states that:

“The market is best placed to determine the need for retail and commercial development. The role of the planning system is to regulate the location and scale of development to accommodate market demand”⁶.

Whilst this approach still advocates the primacy of activity centres for retail and commercial development, it also acknowledges that businesses have a better understanding of demand and bear the financial risk of investment and development. Private interests should therefore operate within a broad spatial pattern of growth set by State Government.

Being overly prescriptive can limit development growth. It has been argued that overly prescriptive strategic policy may require broad conditions which may not be appropriate at a local level and can better be addressed by local government⁷. For example in reviewing activity centres hierarchies in Queensland it has been noted that:

“...it will take some time before we see whether the types of activity centres sought (particularly by the regional plans for the more densely population areas) are able to satisfy the commercial requirements of institutional landowners. There is the potential for the prescriptive nature of some of the policies about activity centre... [in Queensland]...to act as a major disincentive to investment”⁸.

⁵ Source: Melbourne Activity Centre Policy: A Post Mortem, RMIT University (2011)

⁶ Source: NSW Draft Centres Policy, NSW Department of Planning & Infrastructure (2009)

⁷ Source: The State’s Strategy for Activity Centres – Not just shopping centres, Hopgoo Ganim (2011)

⁸ Source: Page 19, The State’s Strategy for Activity Centres – Not just shopping centres, Hopgoo Ganim (2011)

Furthermore:

“While the prescriptive requirements provide some clarity to prospective developers, they also make it hard for some innovative businesses to find suitable land and thus enter the market. More generally, they also work to prevent the market from allocating land to its most valued uses”⁹.

Issue 4: Current versus Desired Role of Centres

Another issue with Melbourne 2030 is that it describes the existing characteristics of centres rather than their desired future role and function. A review by RMIT in 2011 stated that:

“It seemed to a number of commentators, including the authors of this paper, that this [Melbourne 2030] was more a description of the current structure of Melbourne’s commercial and community centres, rather than a prescription of which centres were suitable for future development (Goodman and Moloney 2004). If the point of identifying centres was to indicate where large new developments should go, a list of 114 did not seem to provide very specific guidance, to either the public or private sectors”¹⁰.

It has been suggested that in seeking to deliver a forward looking approach the hierarchy should be clear and avoid language which is imprecise. Such ambiguous wordings mean different things to different people and do not provide clear guidance of the appropriateness of investment¹¹.

Issue 5: Financial Viability

Activity centre definitions rarely consider the financial feasibility of development. Financial viability is however a crucial consideration because it determines whether desirable development can actually occur and therefore the likelihood of desired outcomes actually being achieved.

The provision of commercial office uses in some in-centre locations for example may not be financially viable. This is often the case with stand-alone commercial office buildings and bulky goods outlets due to the low values and rents associated with such uses. Indeed, in recognition of this the NSW Draft Centres Policy (2009) states that:

“Bulky goods premises often need a large area for the handling, display or storage of goods, or direct vehicular access by members of the public to the site to load or unload goods. They are also attracted to locations that offer lower site costs offsetting lower retail turnovers relative to floor area....”

⁹ Source: Performance Benchmarking of Australian Business Regulation: Planning, Zoning and Development Assessments, Productivity Commission (2011)

¹⁰ Source: Melbourne Activity Centre Policy: A Post Mortem, RMIT University (2011)

¹¹ *ibid*

Bulky goods premises should be accommodated in [centres], or where this is not realistic, they should be clustered together in an appropriate [zone] in an edge-of-centre location. This provides customers with the benefit of access to bulky goods premises in one location, but also in a location that supports the nearby centre¹².

This supports the principle of clustering but recognises that flexibility is required in acknowledgement of commercial viability needs.

Conversely the encouragement of high density housing in urban locations (depending on market conditions) often constitutes a higher and better use from a financial perspective over other uses such as community or government functions. As such, residential uses may 'price out' other uses – particularly in mixed use zones.

The challenge for the activity centres classification system is enabling development which is financially viable and also capable of delivering the desired economic, social and environmental benefits of clustering uses in a spatial hierarchy. Without acknowledging and recognising financial feasibility, the aims of an activity centres classification system will not be achieved. In short this means fewer higher order activity centres to ensure catchments are large enough to support the financial feasibility of some uses¹³. In other cases, specific centre designations may be defined related to particular types of uses which may not 'fit' within the traditional retail hierarchy.

Issue 6: Reliant on Future Investment

In some instances centres may be lacking a major piece of infrastructure which allows the role of a centre to be achieved but for which there are no plans to provide. In other cases the future development of a centre in the manner envisaged would require significant site amalgamations which may be unlikely to occur. The question then becomes whether identifying such locations as activity centres and preferred locations for future investment would assist in achieving optimal economic, social and environmental outcomes.

To illustrate this issue take the case of a stand-alone shopping centre which offers limited wider attributes over and above retail provision (for example non-retail employment uses, public services or housing). The question then becomes whether classifying such a centre as a higher order activity centre would stimulate future desired public and private sector investment to broaden its role, or whether it would re-enforce the existing trading position of the shopping centre to the benefit of the owner without securing further public benefits. Through these means,

¹² Source: Page 20, NSW Draft Centres Policy, NSW Department of Planning and Infrastructure (2009)

¹³ Source: Retailing in Canberra, ACT Planning & Land Authority (2009)

there is potential for activity centre policies to ‘...become a means by which shops and shopping centres are protected from competition’¹⁴.

Individual differences aside, the aim of a classification system should be to identify future attributes which should be supported.

Issue 7: The Need to Ensure Flexibility

The definition of activity centres should be flexible, allowing centres to change and grow over time. Furthermore, the classification system should not be definitive, fixed or ignore local particularities. If a lower order centre incorporates an important transport node, for example, high density residential development should not be precluded in its classification.

Local particularities may also mean that a higher order centre is not appropriate to accommodate a particular type of development. High density residential development may not, for example, be appropriate in a centre with high heritage value. Population growth itself may change over time and in ways which cannot be predicted today. It has been recognised in relation to Melbourne 2030 and in light of controversial decisions resulting from the activity centres classification as explored above, that:

“...while the classification of activity centres provides a level of guidance for development options, the hierarchy should not be treated as a definitive guide as this would ignore the objective of the hierarchy which is multi-purpose in nature”¹⁵.

As demand changes or new businesses enter the market this may manifest in a different nature of demand which cannot be foreseen now. Other factors are likely to lead to the evolution of centres over time, such as changes in the nature of tourism or extended trading hours. Tasmania’s activity centres network should be flexible enough to accommodate such changes in a proactive manner.

Issue 8: Recognising the Complementary Roles of Centres within a Network

The review of classification systems across Australia reveals their activity centre hierarchies fail to adequately recognise the interrelated and complementary roles that centres have with each other. In the real world, centres act within a complex network rather than a simplistic linear hierarchy.

¹⁴ Source: Performance Benchmarking of Australian Business Regulation: Planning, Zoning and Development Assessments, Productivity Commission (2011)

¹⁵ Source: Melbourne Activity Centre Policy: A Post Mortem, RMIT University (2011)

Best Practice Principles

To conclude the Chapter we have identified the following best practice principles to underpin our proposed activity centres network for Tasmania:

- The Network should be based on the desired role and function of a centre;
- The Network should be forward looking. The determination of criteria for centres of different levels will assist in determining where and how investment may most appropriately be allocated to optimise economic, social and environmental outcomes;
- The detail in identifying different criteria should be sufficient to provide direction, clarity and certainty to stakeholders and avoid undesirable development. At the same time it must avoid being over-prescriptive to the extent to which it may prejudice the potential for future investment;
- Reflecting the local particularities of centres, a distinction between urban and rural centres is appropriate as recognised in Tasmania's existing regional policies. This acknowledges not only a difference in role and function but also in the mix of uses which they may be expected to provide;
- The provision of specialised centres will allow a degree of flexibility in the classification system and support other uses such as airports, seaports, universities, major medical facilities, specialist tourist functions and so on; and
- The activity centres network should be reviewed regularly.

3 PROPOSED ACTIVITY CENTRES NETWORK

This Chapter presents a proposed activity centres network for Tasmania. It includes our suggested activity centre definitions and assesses the network against the best practice principles established in Chapter 2.

Activity Centres Network Rationale

Hill PDA has created a six-part activity centres network based on the desired role and function of each type of centre. The six activity centre types we propose are as follows:

- Capital City Centre;
- Regional Centre;
- Urban Centre;
- District Centre;
- Local Centre; and
- Specialised Centre.

Criteria have been identified under a number of different headings which reflect the mixture of uses which activity centres could and should contain. These are:

- *Government Services and Social Infrastructure* – Government functions, schools, hospitals, universities;
- *Retail and Commercial Provision* – Retail and commercial office provision;
- *Transportation and Access* – Accessibility provision of public and private transport and possibly an airport and/or seaport;
- *Entertainment and Culture* – Provision of cinemas, theatre, restaurants, hotels and other uses serving the evening, weekend or tourist economies; and
- *Infrastructure and Environmental Capacity* – Provision of utilities (e.g. water, sewer, electricity, roads, telecoms and stormwater) and potential environmental constraints (e.g. coastal erosion, flood and bushfire zones).

In classifying centres we have provided a definition of each centre and identified 'core' functions. In identifying what functions are 'core' we have had regard to the nature of some types of uses which distinguish centres of different levels and, in doing so, defines the nature of activity within a centre. Core criteria include the following:

- *Government Services and Social Infrastructure* – The provision of major government or community services can have a major influence on the role or function of a centre. Services such as a university can afford a centre a national profile whilst a major

medical or secondary education facility means that it serves a wider catchment than a centre without such a facility.

- *Retail and Commercial Provision* – The provision of higher order retail shops within a centre can fundamentally alter the way in which it is used by shoppers. The provision of, for example, a full-line supermarket or discount department store (DDS) will significantly increase the trade area which a centre serves and allow it to capture a greater proportion of expenditure from shoppers and be used in a different manner than it otherwise would be. The role of the centre changes if a full-line supermarket or DDS is provided. Similarly commercial office uses which perform a major role in the provision of employment can serve to significantly extend the catchment of a centre.
- *Transportation and Access* – Activity centres seek to focus future growth on centres in accordance with their accessibility. It follows that centres with higher levels of accessibility, as indicated by the provision of certain key transport facilities such as airports, seaports or major bus nodes, should be nominated as preferred locations for future growth compared to less accessible centres.
- *Entertainment and Culture* – Provision of a large entertainment offering, such as a cinema or theatre, fundamentally changes the function of a centre and is indicative of it serving a large catchment. Other entertainment criteria, such as restaurants and fast food take-away, are more ubiquitous and do not distinguish centres.
- *Infrastructure and Environmental Capacity* – The quality and capacity of key urban infrastructure must be adequate to meet the existing and forecast needs of an activity centre. For example, without appropriate investment, those centres poorly served by utilities are unlikely to be suitable for growth. Focused investment in infrastructure will therefore need to occur in those centres identified for growth. Environmental risks such as coastal erosion, flooding and bush fires should also be recognised as they can influence the growth potential of a centre.

Note that some of these criteria do not necessarily need to be located within the activity centre itself (for example an airport or major hospital), but their provision in reasonable proximity will fundamentally alter the character of that centre.

The wording of the criteria aims to provide specific examples of appropriate development in each type of activity centre, but avoids excessive detail. We believe it is prudent to avoid defining, for example, a specific population catchment for different centres which is open to debate and criticism. Instead we would recommend identifying and focusing on indicative facilities and uses which reflect its desired future role. The catchment which it serves is implicit in the type of uses that it should provide.

Proposed Activity Centres Network – Typology and Allocation

This section outlines our proposed activity centres network for Tasmania. The tables below identify the type of centres in the network and describe the desired future role and function of each type of activity centre.

Capital City Centre Classification

Name	Capital City Centre
Role	<p>Primary focus for Tasmania’s peak government, legal, finance and banking services, specialised health and education precincts, specialty retail, entertainment, tourism and cultural facilities. It plays a complementary role to other centres by providing higher order uses not found elsewhere in region or State.</p>
Core Functions	<p>Government Services and Social Infrastructure</p> <p>The centre is a focus for State and Federal Government administrative facilities and contains the State Parliament and administrative facilities of City Council. It accommodates the State’s highest concentration of education facilities including prominent research and tertiary institutions. It contains multiple major hospitals, medical centres and healthcare facilities as well as Family and Supreme Courts.</p> <p>Retail and Commercial Provision</p> <p>The centre accommodates the State’s largest commercial core and has sufficient capacity for the expansion of office, business and retail space. It has the State’s highest concentration of hotels and accommodation and contains the State’s largest range of department stores, discount department stores, multiple full-line supermarkets and a large range of retail specialty provision.</p> <p>Transport and Access</p> <p>The centre is a primary destination for high volume, high frequency public transport and is in close proximity to an airport.</p> <p>Entertainment and Culture</p> <p>The centre provides convenient access to a large range of entertainment, sporting, recreation, tourism and cultural facilities of state, national and international significance.</p> <p>Infrastructure and Environmental Capacity</p> <p>The centre’s hard infrastructure (water, sewage etc.) capacity is sufficient to accommodate a substantial increase in population and employment densities. Furthermore, growth and intensification within the centre is not significantly constrained by environmental hazards (e.g. flood and bushfire risks).</p>

Regional Centre Classification

Name	Regional Centre
Role	<p>Major strategic centre providing wide range of administrative, commercial, retail, health, educational, recreational, entertainment and community facilities. It is a priority centre for regional investments in economic and social infrastructure. The centre plays complementary role to other centres by providing higher order uses not found elsewhere in region.</p>
Core Functions	<p>Government Services and Social Infrastructure</p> <p>The centre is a focus for regional government administrative services, with some State Government administrative functions. These include Federal and State Government service offices (Medicare, Centrelink, Service Tasmania Shop) and administrative facilities of the city council. It accommodates, or is in close proximity to tertiary education facilities, hospital and other supporting healthcare facilities.</p> <p>Retail and Commercial Provision</p> <p>The centre contains an established commercial core with broad range of commercial services and business enterprises. It is capable of supporting employment growth and the expansion of office, business and retail space. The centre accommodates multiple full-line supermarkets and a broad range of speciality shops, department and discount department stores, comparison shopping and showrooms.</p> <p>Transport and Access</p> <p>The centre is a focal point for regional transport services and arterial road network and is in close proximity to an airport.</p> <p>Entertainment and Culture</p> <p>The centres provide convenient access to a wide variety of entertainment, sporting, recreation, tourism and cultural facilities.</p> <p>Infrastructure and Environmental Capacity</p> <p>The centre’s hard infrastructure (water, sewage etc.) capacity is sufficient to accommodate a substantial increase in population and employment densities. Furthermore, growth and intensification within the centre is not significantly constrained by environmental hazards (e.g. flood and bushfire risks).</p>

Urban Centre Classification

Name	Urban Centre
Role	Major shopping and business centre serving surrounding suburbs and subregion. It contains smaller range of facilities than nearby city centre.
Core Functions	<p>Government Services and Social Infrastructure</p> <p>The centre accommodates education and health facilities serving the subregional catchment (i.e. large medical centre and high school). It has a secondary subregional administrative focus and may contain Federal, State and/or council service offices (i.e. Service Tasmania Shop and Medicare)</p> <p>Retail and Commercial Provision</p> <p>The centre has a major retail, commercial and convenience function by serving residents and businesses in immediate subregion. It includes a full-line supermarket and limited range of specialised retail and commercial services.</p> <p>Transport and Access</p> <p>The centre is a focal point for the arterial and collector road network and subregional transport services.</p> <p>Entertainment and Culture</p> <p>The centre contains entertainment and recreational facilities of subregional significance.</p> <p>Infrastructure and Environmental Capacity</p> <p>The centre’s hard infrastructure (water, sewage etc.) capacity is sufficient to accommodate a substantial increase in population and employment densities. Furthermore, growth and intensification within the centre is not significantly constrained by environmental hazards (e.g. flood and bushfire risks).</p>

District Centre Classification

Name	District Centre
Role	Major shopping and business centre serving the immediate rural subregion. The centre provides a range of government, community, health, educational, retail, professional and localised employment functions. Its functions are supplemented by higher order urban centre and/or city centre.
Core Functions	<p>Government Services and Social Infrastructure</p> <p>The centre has local administrative focus and may contain State Government service office (i.e. Service Tasmania Shop) and administrative facilities of relevant local council. It accommodates the subregion’s main community, health and education facilities.</p> <p>Retail and Commercial Provision</p> <p>It is the major retail, commercial and convenience centre serving residents and businesses in immediate rural subregion. The centre accommodates at least one supermarket, specialised retail, convenience goods and some personal and local professional services.</p> <p>Transport and Access</p> <p>The centre is a focal point for arterial and collector road network.</p> <p>Entertainment and Culture</p> <p>The centre contains a range of entertainment and recreational facilities and its nightlife is focused around community/sporting clubs, dining and local hotel/s.</p> <p>Infrastructure and Environmental Capacity</p> <p>The centre’s hard infrastructure (water, sewage etc.) capacity is sufficient to accommodate a substantial increase in population and employment densities. Furthermore, growth and intensification within the centre is not significantly constrained by environmental hazards (e.g. flood and bushfire risks).</p>

Local Centre Classification

Name	Local Centre
Role	Local retail and convenience hub serving daily and weekly needs of residents and businesses in immediate area. Its functions are supplemented by higher order centres in the network.
Core Functions	<p>Government Services and Social Infrastructure</p> <p>The centre has little or no State or Federal government administrative presence. It may however accommodate administrative facilities of relevant local council, some community facilities and possibly a primary school and GP.</p> <p>Retail and Commercial Provision</p> <p>The centre accommodates at least one small supermarket and possibly a convenience store, take away food store and some personal and professional services to support day to day needs of local community. Employment in centre is limited and generally associated with small scale education, health, retail, personal and commercial services.</p> <p>Transport and Access</p> <p>The centre has good road connections to higher order centres.</p> <p>Entertainment and Culture</p> <p>The centre contains limited entertainment, recreational and cultural facilities and its nightlife is focused around local hotel/s.</p> <p>Infrastructure and Environmental Capacity</p> <p>The centre's hard infrastructure (water, sewage etc.) capacity is sufficient to accommodate some additional development.</p>

Specialist Centre

Name	Specialist Centre
Role	Differs from other centres in that their functions are relatively unique and they contain a significant concentration of employment.
Core Functions	<p>Specialist centres are major airports, ports, freight centres and other clusters of specialised commercial, industrial and tourist activities that perform a vital economic role in the region and possibly the State. The primary significance of a specialised centre is as an employment destination. The way the specialised centre interacts with other activity centres is complex and as such growth in and around them should not undermine their primary employment and economic functions.</p> <p>The growth of specialist centres should enhance, not undermine, the vitality and viability of surrounding activity centres.</p>

Assessment of Proposed Activity Centre Network

This section assesses our proposed statewide activity centre network against the eight issues identified in Chapter 2.

Issue 1: Too Many Centres Defined

Our recommended activity centre network focuses on six higher order centres only. It is not the role of our network to define and locate the smallest centres. Categorising the full spectrum of centres, suburbs and neighbourhoods in the State may be more suited to a separate settlements hierarchy study.

Issue 2: Lack of Detail in Definition

In defining our six-part activity centres network we have been mindful of the need to provide sufficient detail to ensure there is clarity in understanding what definitions are seeking to achieve at different tiers of the network and what uses are appropriate.

Issue 3: Excessive Detail in Definition

In defining and describing our activity centres network we have been mindful of the need to avoid excessive and unnecessary detail beyond that which is required to achieve the aims of the network and provide certainty for stakeholders.

Issue 4: Current versus Desired Role of Centres

The proposed activity centres network is future focussed. The basis of our approach has been founded on a forward-looking document which prescribes in appropriate detail the desired role and function of each type of activity centre.

Issue 5: Financial Viability

In recognition of the challenges faced by unique economic and/or employment centres we included a specialised centre categorisation within the six-part activity centres network.

Issue 6: Reliant on Future Investment

The proposed activity centre network clearly articulates the desired future role and functions of centres allocated to each of the tiers. The allocation of locations to the six-part network should identify where additional uses are required and relevant stakeholders should work positively to encourage it.

Issue 7: The Need to Ensure Flexibility

The proposed activity centre network can be reviewed and amended over time. We recommend that the network is reviewed regularly (i.e. in five year intervals).

Issue 8: Recognising the Complementary Roles of Centres within a Network

There is no doubt larger activity centres provide higher order goods and services that do not exist in smaller centres. However due to the way Tasmania's cities and towns have evolved over 200 years the hierarchy of activity centres is not linear as the model in Figure 1 of the Study would suggest. An example of this is the North West Coast where Burnie, Devonport, Ulverstone and other town centres form a network of complementary activity centres. In some cases the goods and services provided in each centre overlap (e.g. grocery and other day to day shopping) but in other instances one location may provide a particular facility that the other centres do not. As such we have recommended a 'network' approach to classifying Tasmania's activity centres be adopted rather than a 'hierarchy' approach. A network approach emphasises the complementary role centres play whilst also acknowledging that a hierarchy already exists amongst the State's activity centres to some degree (i.e. larger centres typically offer a larger range and goods and services than smaller centres). The aim of the activity centres network approach is to minimise competition between centres and maximise opportunities for greater efficiency and cooperation.

4 ALLOCATION OF CENTRES TO THE NETWORK

This chapter allocates Tasmania's activity centres to the network proposed in chapter 3. These recommendations are based on:

- Desktop research, including an audit of the existing uses within 53 of the State's activity centres;
- The classification of activity centres in the State's three regional land use strategies; and
- Consultation with State Government, councils and the project steering committee.

It is important to note however that the allocation of centres presented in this chapter represents a starting point for further discussion and refinement by those stakeholders who are best placed to determine the **desired future role and function** of these places (e.g. key State Government agencies and councils).

Capital City Centre

The future role and function of Hobart's CBD should be the State's primary location for commercial/retail facilities, government services, community infrastructure and entertainment. As such it has been nominated 'Capital City Centre' within the proposed Tasmanian Activity Centre Network.

Hobart's CBD should continue to be home to the bulk of State and Federal Government administrative facilities and accommodate the State's highest concentration of education facilities including prominent research and tertiary institutions. Hobart CBD should accommodate the State's largest commercial core, highest concentration of hotels accommodation and largest range of department stores, discount department stores, multiple full-line supermarkets and specialty retail.

Hobart CBD should remain a primary destination for high volume, high frequency public transport and continue to provide convenient access to a large range of entertainment, sporting, recreation, tourism and cultural facilities of state, national and international significance.

Regional Centre

Launceston, Devonport and Burnie CBDs have been nominated as 'Regional Centres' in the proposed Tasmanian Activity Centre Network. These CBDs should remain major strategic centres whose future role and function is to provide a growing range of administrative, commercial, retail, health, educational, recreational, entertainment and community facilities. They should be priority centres for regional investments in economic and social infrastructure.

Launceston, Devonport and Burnie CBDs should be a focus for regional government administrative services (e.g. Medicare, Centrelink, Service Tasmania Shop) and administrative facilities of the local city council. Their commercial core and retail provision should continue to expand to support a broader range of commercial services and business enterprises.

Each centre should be a focal point for improved regional transport services and arterial road network and provide convenient access to a wider variety of health, education, entertainment, sporting, recreation, tourism and cultural facilities of regional and statewide significance. Infrastructure capacity should be increased to facilitate potential growth within each centre. It is noted that due to the proximity of Burnie and Devonport to each other, the duplication of some types of infrastructure and services is neither warranted nor necessary. These two regional centres already complement each other in many ways and it is recommended future investment decisions look at furthering the economic and social linkages between them.

Urban Centre

The following activity centres have been nominated as future ‘Urban Centres’ in the proposed Tasmanian Activity Centre Network.

Cradle Coast Region	Northern Region	Southern Region
Ulverstone	Kings Meadows Mowbray	Glenorchy Kingston Moonah Rosny Park Bridgewater

These centres are in close proximity to a Regional or Capital City Centre and should act as major shopping and business centres serving adjacent suburbs. They should include at least one full-line supermarket and a modest range of specialised retail and commercial services. They should accommodate education and health facilities serving the surrounding subregional catchment (i.e. large medical centre and high school) and offer some civic facilities such as a Service Tasmania Shop and Medicare/Family Assistance office.

These centres should be a focal point for the arterial and collector road network and subregional transport services and contain a broad range of entertainment and recreational facilities. Infrastructure capacity should be increased to facilitate potential growth within each centre.

District Centre

The following activity centres have been nominated as future ‘District Centres’ in the proposed Tasmanian Activity Centre Network.

Cradle Coast Region	Northern Region	Southern Region
Currie Latrobe Queenstown Sheffield Smithton Wynyard	Campbell Town Deloraine George Town Longford Scottsdale St Helens	Huonville New Norfolk Oatlands Sorell Triabunna

These are centres that should act as major shopping and business centres serving the immediate rural subregion. They should provide a range of government, community, health, educational, retail, professional and localised employment functions and be supplemented by higher order activity centres.

These District Centres should have a local administrative focus by containing, where practical, a State Government service office (i.e. Service Tasmania Shop) and the administrative facilities of the relevant local council. These centres should also accommodate the district’s main community, health and education facilities.

Each centre should represent the district’s major retail, commercial and convenience centre and contain at least one supermarket and a sufficient range of specialised retail, convenience goods and some personal and local professional services to meet the daily and weekly needs of the local community. These District Centres should be a focal point for the arterial and collector road network and provide a range of entertainment and recreational facilities (e.g. community/sporting clubs, dining and local hotel/s). Infrastructure capacity should be sufficient to facilitate potential growth within each centre.

Local Centre

Local Centres should act as retail and convenience hubs serving daily needs of residents and businesses in the immediate urban or rural area. They should contain some community facilities, possibly a primary school and GP, a supermarket and a small range of personal and professional services. Local centres should have good road connections to the higher order centres which provide a broader range of goods, services, employment, entertainment and recreation opportunities.

The following activity centres have been nominated as future ‘Local Centres’ in the proposed Tasmanian Activity Centre Network.

Cradle Coast Region	Northern Region	Southern Region
Penguin Port Sorell Railton Riverside Stanley Strahan Sulphur Creek Zeehan	Beauty Point Beaconsfield Bridport Evandale Exeter Hadspen Legana Lilydale Perth Prospect Vale St Marys Westbury	Bicheno Brighton Claremont Cygnet Dodges Ferry Dover Geeveston Howrah Lauderdale Margate Orford Primrose Sands Richmond Swansea

Specialist Centre

The following locations have been nominated as future ‘Specialist Centres’ in the proposed Tasmanian Activity Centre Network.

Cradle Coast Region	Northern Region	Southern Region
Cradle Valley Devonport Airport Burnie/Wynyard Airport	Bell Bay Launceston Airport / TRANSLink	Hobart Airport / Cambridge Park Brighton Transport Hub Port Arthur Derwent Park / Prince of Wales Bay

These centres are major airports, ports, freight centres and other clusters of specialised commercial, industrial and tourist activities that should continue to perform a vital economic role in the region and State. These specialised centres should be primarily an employment destination and their growth should enhance, not undermine, the vitality and viability of surrounding activity centres.

5 NEXT STEPS

It is anticipated the Tasmanian Planning Commission will advocate for the statewide activity centre network proposed in this study to be used as a tool to:

- Coordinate strategic planning and investment decisions amongst councils and State Government agencies (e.g. DIER, DEDTA, Treasury, DHHS, DPEM, DOE and DOJ); and
- Facilitate the preparation of future local, regional and statewide infrastructure, land use and economic development plans.

For this to occur it is recommended the proposed activity centre network be provided to key agencies (e.g. DIER, DEDTA, Treasury, DHHS, DPEM, DOE and DOJ).

It is important to reiterate that while this Study has made recommendations as to the classification of the State's activity centres, it is the aforementioned key stakeholders who are best placed to determine the desired future role and function of these places. As such, it is critical that key stakeholders use this Study as a starting point to discuss and agree on the future role and function of Tasmania's activity centres and then allocate them to the six-part activity centres network presented in this Study.

It is recommended the Tasmanian Activity Centre Network proposed in this Study be formally adopted as a State Government policy and then used to coordinate local, regional and state planning for economic development, infrastructure and land use.

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1. This report is for the confidential use only of the party to whom it is addressed ("Client") for the specific purposes to which it refers and has been based on, and takes into account, the Client's specific instructions. It is not intended to be relied on by any third party who, subject to paragraph 3, must make their own enquiries in relation to the issues with which this report deals.
2. Hill PDA makes no representations as to the appropriateness, accuracy or completeness of this report for the purpose of any party other than the Client ("Recipient"). Hill PDA disclaims all liability to any Recipient for any loss, error or other consequence which may arise as a result of the Recipient acting, relying upon or using the whole or part of this report's contents.
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4. This report and its attached appendices are based on estimates, assumptions and information provided by the Client or sourced and referenced from external sources by Hill PDA. While we endeavour to check these estimates, assumptions and information, no warranty is given in relation to their reliability, feasibility, accuracy or reasonableness. Hill PDA presents these estimates and assumptions as a basis for the Client's interpretation and analysis. With respect to forecasts, Hill PDA does not present them as results that will actually be achieved. Hill PDA relies upon the interpretation of the Client to judge for itself the likelihood of whether these projections can be achieved or not.
5. Due care has been taken to prepare the attached financial models from available information at the time of writing, however no responsibility can be or is accepted for errors or inaccuracies that may have occurred either with the programming or the resultant financial projections and their assumptions.
6. This report does not constitute a valuation of any property or interest in property. In preparing this report Hill PDA has relied upon information concerning the subject property and/or proposed development provided by the Client and Hill PDA has not independently verified this information except where noted in this report.

Appendix 1 - Comparative analysis of Activity Centre Classification Systems

TASMANIAN ACTIVITY CENTRES CLASSIFICATION - COMPARITIVE ANALYSIS

	Southern Tasmania	Northern Tasmania	Cradle Coast	Perth	Sydney	Adelaide	Melbourne	South East Queensland
Name of policy document	Southern Tasmania Regional Land Use Strategy	Regional Land Use Strategy of Northern Tasmania	Cradle Coast Regional Land Use Planning Framework	State Planning Policy 4.2 Activity Centres for Perth and Peel (2010)	Draft Metropolitan Strategy for Sydney (2013)	The 30-Year Plan for Greater Adelaide (2009)	Melbourne 2030 - Implementation Plan 4 - Activity Centres	South East Queensland Regional Plan 2009 - 2031
Area policy applies to	12 local government areas	8 local government areas	9 local government areas	Perth and Peel planning scheme area	Metropolitan Sydney	14 local government areas	31 local government areas	11 regional and city councils
Population policy applies to	246,162 (in 2008)	142,000 (2010)	112,000 (2010)	1.74 million	4.3 million	1.26 million	4.0 million	2.5 million
Definition of activity centre	Activity centres are places where we work, shop, meet, relax and live. The recognition, protection and strengthening of a network of interconnected activity centres across the region aims to: (1) Provide a strong basis for economic growth; (2) Create opportunities for the more efficient and balanced concentration of goods and services; (3) Increase the potential for the exchange of ideas and other synergies among businesses, and for new job creation; (4) Provide an important focus for communities by increasing opportunities for social interaction; (5) Make the most of the community's investment in physical and social infrastructure; and (6) Provide greater opportunities for integrating land use with transport, particularly public transport, and walking/cycling.	Regional activity centres are accessible locations that have concentrated businesses, services and facilities for employment, research and education, as well as higher density residential development serving a regional population. Activity centres provide the focus for services, employment and social interaction in the urban areas. They also serve as community meeting places, centres for community and government services, locations for employment and education, leisure and entertainment, recreation facilities and high density residential housing.	Not defined	[Activity Centres define] places which vary in scale, composition and character but in essence are commercial focal points which include a combination of activities such as offices, retail, higher-density housing, entertainment, civic/community, education and medical services.	Not defined	Activity centres provide concentrations of business, administrative, civic, retail, entertainment, employment, research, education and community uses, and - increasingly - residential development.	Activity centres provide the focus for services, employment and social interaction in cities and towns. They are where people shop, work, meet, relax and live. Usually well-served by public transport, they range in size and intensity of use from local neighbourhood strip centres to traditional universities and major regional malls. They are not just shopping centres, they are multifunctional. Activity centres attract high numbers of people, and generate a significant volume of trips in metropolitan Melbourne. Because of the vital role played by activity centres in everyday urban life, their planning is always important.	Regional activity centres are accessible locations that have concentrated businesses, services and facilities for employment, research and education, as well as higher density residential development serving a regional population.

TASMANIAN ACTIVITY CENTRES CLASSIFICATION - COMPARITIVE ANALYSIS

	Southern Tasmania	Northern Tasmania	Cradle Coast	Perth	Sydney	Adelaide	Melbourne	South East Queensland
Stated purpose of activity centres hierarchy	An 'Activity Centres Network' is proposed in order to provide for a regionally planned and defined hierarchy to ensure complementarities and efficiencies, rather than creating necessary competition, between centres.	Within the region there is a hierarchy of activity centres which provide regional, sub regional and local functions. The RLUS promotes the development of multi-functional accessible activity centres. This approach can assist in: (1) Focusing the delivery of key community services; (2) Facilitating agglomeration economies for business and industry; (3) Assisting in reducing private vehicle travel, provides focal point for public transport services (bus interchanges and corridor routes) and facilitates the use of non-motorised transport (walking and cycling); (3) Enabling a more efficient and equitable use of resources and infrastructure; (4) Providing a centre around which housing opportunities can be strategically planned, and; (5) Enhancing the viability and vibrancy and viability of centres and the surrounding urban environment.	Activity centre policy is intended to encourage particular types of activities to co-locate under a designated hierarchy in which settlement centres are described by size, type, location and distribution. The concept involves directed action to discourage development which is outside this model. The rationale is to improve the accessibility, productivity, complementarities and efficiency in use of larger scale and single-site activities to meet a wider population need.	Its role is to provide broad policy guidance for local government, state agencies and the development industry and includes: (1) Preferred locations for retail and commercial land use; (2) Development, transport and urban design considerations for new activity centres and the redevelopment and renewal of existing centres; (3) Facilitating planning of commercial and community land use in activity centres and its associated transport and other urban infrastructure.	The Strategy uses specific definitions for Sydney's centres to reflect each centre's current status and capacity to grow. These definitions consider elements such as access to existing or proposed transport, the extent of areas already zoned for change and the potential for growth in other areas. These specific definitions allow us to take account of the kind of role and function each centre could play in Sydney and provides an agreed basis for work with local councils during subregional planning.	The purpose of activity centres is to cluster commercial and employment activity to improve accessibility, productivity and the efficient use of infrastructure.	[Activity centres policy] is a matter of clustering – rather than dispersing – uses and activities to derive social, environmental and economic benefits for the community and business generally. These benefits include: (1) providing a strong basis for economic growth (2) creating opportunities for the more efficient and balanced concentration of goods and services (3) increasing the potential for the exchange of ideas and other synergies among businesses, and for new job creation (4) providing an important focus for communities by increasing opportunities for social interaction (5) making the most of the community's investment in physical and social infrastructure (6) providing greater opportunities for integrating land use and transport, particularly public transport and walking. Stand-alone single uses do not constitute activity centres, nor do industrial estates.	The SEQ Regional Plan proposes a strong network of regional activity centres connected by quality public transport to create compact, self-contained and diverse communities. Regional activity centres are also a key land use element to create an efficient public transport system. The regional activity centres network encourages centres that: (1) create economic growth by co-locating a mix of land uses (2) concentrate goods and services more efficiently (3) provide appropriate locations for government investment in public transport, health, education, cultural and entertainment facilities (4) provide a focus for community and social interaction (5) encourage multi-purpose trips and shorter travel distances to reduce demand for private travel (6) integrate land use and transport to support walking, cycling and public transport (7) accommodate higher density residential development, employment and trip-generating activities.

TASMANIAN ACTIVITY CENTRES CLASSIFICATION - COMPARITIVE ANALYSIS

	Southern Tasmania	Northern Tasmania	Cradle Coast	Perth	Sydney	Adelaide	Melbourne	South East Queensland
Number of centre typologies	7	7	5	9	7	8	5	6
Names of centre typologies and number of centres applied to each typology	Primary Activity Centre (1), Principal Activity Centre (3), Major Activity Centre (2), Rural Services Centre (5), Minor or Neighbourhood Centre (to be determined at local level), Local Strip (to be determined at local level), Specialist Centre (2+)	Primary Activity Centre (1), Major Activity Centres (2), Suburban Activity Centres (5), District Service Centres (6), Neighbourhood or Town Centres (numerous), Local or Minor Centres (numerous), Specialist Centres (not stated)	Regional Activity Centre (2), District Activity Centre (7), Local Service Centre (8), Specialty Centre (7), Localities (all other centres)	Perth Central Area (1), Primary Centre (2), Strategic City Centres (8), Strategic Specialised Centres (4), Regional Town Centre (19), Regional Specialised Centre (2), District Town Centres (62), Neighbourhood Centre (not identified), Local Centre (not identified)	Global Sydney (1), Regional City (3), Major Centre (10 existing, 3 planned, 4 potential), Town Centre (not identified/left to LG), Village Centre (not identified/left to LG), Neighbourhood Centre (not identified/left to LG), Specialised Precinct (10 existing, 4 potential)	Adelaide City Centre (1), Regional Centres (8), Major District Centres (10), District Centres (not identified), Bulky Goods Centres (not identified), Specialist Centres (not identified), Neighbourhood Centres (not identified), Local Centres (not identified),	Central Activities District (1), Principal Activity Centre (25), Major Activities Centre (79), Specialised Activity Centre (10), Neighbourhood Activity Centre (900+)	Primary Activity Centre (1), Principal Regional Activity Centres (15), Major Regional Activity Centres (28), Specialised Activity Centres (8), Principal Rural Activity Centres (2), Major Rural Activity Centres (1)
Criteria used to differentiate each typology	Role, employment, commercial including retail, government services and community infrastructure, residential, entertainment, access, catchment	Role, employment, commercial and retail, government and community, residential, arts cultural and entertainment, access, public open spaces, indicative catchment	Population catchment/size, types and range of facilities and services; scale of business, industry and public sector; range of employment options; transport activities	Their economic role and service function as part of the city's overall network; Typical government services, offices and public transport infrastructure; Indicative retail catchment which is broadly in line with its hierarchy classification; Housing density and land use diversity targets	Proximity to other larger centres; types and range of businesses, services, activities and facilities; significance as employment destination; size and growth of catchment; employment and dwelling numbers; capacity to grow businesses, activities and facilities; size of transport catchment; role in transport network	Cultural and economic role; range and quality of services; catchment size; types of retail stores; size of population catchment	Range of services, uses and functions; concentration/density of current development; trip generation; public transport access; catchment of area serving; potential to grow housing and businesses; amount of retail floorspace;	Catchment size; employment concentrations; range and size of business, service, retail, convenience, administration, civic and entertainment functions; access/proximity to public transport and road network
Does typology describe centre's current role/characteristics or prescribe its role/function?	Function of each typology is prescribed (i.e. doesn't just describe current characteristics of centre)	Function of each typology is prescribed	Function of each typology is prescribed	Combination of current description and prescription	Combination of current and potential role/function of centre	Function of each typology is prescribed	Identifies both key characteristics/function	Function of each typology is prescribed
Hill PDA comments	Criteria differentiating each typology is explicit/comprehensive	Criteria differentiating each typology is explicit/comprehensive	Differentiation between centres is poor. Tone is more descriptive than prescriptive	Difficult to understand		Basic differentiation. Typology differentiates between urban and regional centres	Future objectives for each typology also identified which seem to overlap in places with key characteristics	Varying degree of detail in typology description