

STATE AGENCIES

#1 Jason Taylor - TasWater	
Concerns	Comments
TasWater is satisfied with the Draft Launceston Local Provisions Schedule	Noted.
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	
#2 Jennifer Jarvis - TasRail	
Concerns	Comments
<ul style="list-style-type: none"> All State Rail Network land should be zoned Utilities and covered by the Road and Railway Assets Code. We note that Council has identified two parcels of State Rail Network land that the Draft LPS proposes to change to the Utilities zoning. We confirm that both of these land parcels are State Rail Network land and should be Zoned Utilities, being Property ID 3163315 Title Reference 18791/4 and Title Reference 50949/1; TasRail has also identified a number of other land titles or rail bridges that require amendment to the Draft LPS to ensure State Rail Network land and rail bridges are correctly zoned Utilities. These are; <ol style="list-style-type: none"> Property ID 7785576 Title Reference 52241/1; Property ID 6595324 Title Reference 19027/1; Property ID 3583475 Title Reference 180240/2; Black Bridge; Title reference 154436/1 forms; Hoblers Rail Bridge; Sandown Rail Bridge; and Title reference 153283/1. <p>For context, the Rail Infrastructure Act 2007 (Tas) forms part of the legal and regulatory framework that governs rail assets and operations in Tasmania. Under this Act, TasRail is the Rail Infrastructure Owner (RIO) and the Rail Infrastructure Manager (RIM) of the State Rail Network (and all of the attendant rail infrastructure). The Rail Network consists of the railways specified in Schedule One of the Act. It is important to read Schedule One in conjunction with the definition of rail infrastructure and subsection (2) of the Act. The Rail Infrastructure Act applies to both operational and non-operational rail corridors.</p> <p>Subsection (2) states" In this Act, unless the contrary intention appears, a reference to a railway is taken to be a reference to the track of the railway, the land corridor along which the track of the railway is laid and all of the attendant rail infrastructure. Rail infrastructure is defined as being:</p> <ol style="list-style-type: none"> Rail lines and fastenings; and Crossing loops, sidings, switches and points; and Sleepers and ballast; and Drains and culverts; and 	<p><u>Utilities zoning</u> It is understood that CT18791/4 and CT50949/1 are proposed to be zoned Utilities, and therefore no further changes are required.</p> <p><u>Land titles and rail bridges:</u></p> <p><u>Property ID 7785576 (CT52241/1)</u> This land parcel includes the East Tamar Junction Rail Workshops, Warehousing, Multiple Sections of Rail Network (Western Line and Bell Bay Line) including Rail Sidings. The representor has suggested a split zoning for this site. This view is not supported by Council. The zoning was a translation from Rural Resource into Rural.</p> <p>There is a permitted pathway for Utilities to occur within the Rural Zone, which will allow the site to continue to develop without split zoning the land.</p> <p><u>Property ID 6595324 (CT19027/1)</u> The land includes a Rail Siding which TasRail operates freight rail services and activities. This Rail Siding is adjoined to the Western and Bell Bay Rail Lines, noting that as per the Rail Infrastructure Act, Rail Sidings are included in the definition of Rail Infrastructure. The representor is requesting the site be split zoned for Utilities.</p> <p>This is not supported by Council. The land has maintained its Light Industrial zoning. Utilities is a discretionary use within the zone, and therefore work is still permitted to occur subject to an application. This will allow the use to maintain and expand is necessary, without split zoning the site.</p> <p><u>Property ID 3583475 (CT180240/2)</u> The property includes part of the Western Line as set out in Schedule One of the Rail Infrastructure Act 2007 being the railway commencing at the western end of the rail bridge on the North Esk River and running to the Wiltshire via the East Tamar Junction and Western Junction.</p> <p>The site is covered by the transitioning PPZ LAU-S10 Invermay/Inveresk Flood Inundation. Amended the zoning would result in a change to the PPZ, which is an endorsed transitioning PPZ. Accordingly, the change is not supported as this would result in a potentially significant change to the PPZ.</p>

e. Bridges, cuttings, tunnels and embankments; and
 f. Poles and pylons; and
 g. Structures and supports; and
 h. Overhead lines; and
 i. Platforms and railway stations; and
 j. Rail yards; and
 k. Freight sheds, workshops and associated buildings; and
 l. Electrical substations; and
 m. Signs and signalling equipment; and
 n. Train control and communication systems; and
 o. Traffic control devices that are capable of being automatically activated by trains; and
 p. Plant, machinery and other fixed equipment;.

Black Bridge
 The rail bridge known as Black Bridge as shown below forms part of the Western Line as set out in Schedule One of the Rail Infrastructure Act 2007 being the railway commencing at the western end of the rail bridge on the North Esk River and running to the Wiltshire via the East Tamar Junction and Western Junction. The representor request that the bridge be rezoned from Environmental Management to Utilities.

Council are supportive of this change. It is a logical extension to connect the two pieces of land zoned Utilities on either side of the river.

CT154436/1
 This site forms part of the Bell Bay Line as set out in Schedule One of the Rail Infrastructure Act 2007 being the railway running from East Tamar Junction to Bell Bay. The representor has requested this size be zoned to Utilities. However, upon review, this piece of land is already within the Utilities zone. As such no further comment is required.

Hoblers Rail Bridge
 The Rail Bridge known as Hoblers Rail Bridge forms part of the Western Line as set out in Schedule One of the Rail Infrastructure Act 2007 being the railway commencing at the western end of the rail bridge on the North Esk River and running to the Wiltshire via the East Tamar Junction and Western Junction. The representor requests the bridge be rezoned from Environmental management to utilities. Council are supportive of this change. It is a logical extension to connect the two pieces of land zoned Utilities on either side of the river.

Sandown Rail Bridge
 The Rail Bridge known as the Sandown Rail Bridge forms part of the Western Line as set out in Schedule One of the Rail Infrastructure Act 2007 being the railway commencing at the western end of the rail bridge on the North Esk River and running to the Wiltshire via the East Tamar Junction and Western Junction. The representor requests the bridge be rezoned from Environmental management to utilities. Council are supportive of this change. It is a logical extension to connect the two pieces of land zoned Utilities on either side of the river.

CT153283/1
 The representor requests that the entirety of the lot be zoned utilities. Council is supportive of the change.

A portion of the lot is zoned Rural, which is inconsistent with the rest of the lot being zoned Utilities. It is recommended that the entirety of the lot be rezoned to Utilities.

Recommendation for the Draft LPS

- No changes to CT18791/4 and CT50949/1 zoning of Utilities;
- Maintain the Rural zone at CT52241/1 as advertised;
- Maintain the Light Industrial zone at CT19027/1 as advertised;
- Maintain the transitioning PPZ zoning at CT180240/2;
- Rezone 'Black Bridge' into the Utilities zone;
- Maintain the Utilities zone at CT154436/1 as advertised;
- Rezone 'Hoblers Rail Bridge' to Utilities;
- Rezone 'Sandown Rail Bridge' to Utilities;
- Rezone the entirety of CT153283/1 to Utilities.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

- The recommendation corrects an error in zoning, as well as identifies land where the zoning has been incorrectly applied. Amending the zoning will bring the LPS into greater consistency with the SPP requirements and drafting instructions.
- Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#3 Madeleine Burk - Department of Primary Industries, Parks, Water and Environment	
Concerns	Comments
The Department of Primary Industries, Parks, Water and Environment has considered the proposed Local Provisions Schedule and has no comment.	Noted.
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#4 Odin Kelly - TasNetworks	
Concerns	Comments
<p><u>Zoning</u></p> <ul style="list-style-type: none"> Remove Landscape Conversation Zone on sites which the electricity transmission corridor traverses; <p><u>Overlays</u></p> <ul style="list-style-type: none"> Remove the priority vegetation overlay from three sites being Norwood substation, Norwood substation communication site, and Brougham Street Communication site. <p><u>PPZs & SAPs</u></p> <ul style="list-style-type: none"> Utilities use class if prohibited in Franklin Village PPZ 8.0, North Bank Silos PPZ 9.0, Birch Avenue Storage Centre PPZ 10.0, Launceston Plaza retail SAP 9.0; Subdivision for Utilities is prohibited in Franklin Village PPZ 8.0, North Bank Silos PPZ 9.0, Birch Avenue Storage Centre PPZ 10.0, Drives Run SAP 5.0, Cataract Gorge Subdivision SAP 7.0, Forestry Area SAP 8.0, and Cataract Gorge Management SAP 11.0 includes finite building height standards. <p><u>ETIPC</u></p> <ul style="list-style-type: none"> The substation facility needs to be aligned with the title boundary at the St Leonards substation 	<p><u>Zoning</u></p> <p>The representation makes assertions that the zone should not be applied to the Electricity Transmission Corridor (ETC). The representation refers to:</p> <ul style="list-style-type: none"> Line 413 Palmerston – Trevallyn 110kV Line 509 Palmerston – George Town 220kV Line 471 Hadspen – Trevallyn No.2 110kV <p>No clear map has been provided identifying what parcels of land the transmission line traverses, and in fact a review of the line demonstrates that the it does not indeed cross any land zoned Landscape Conservation. If however this is an error, Council would be willing to consider alternative zoning.</p> <p><u>Overlays</u></p> <p>The sites is question are:</p> <p>Norwood Substation & Norwood substation communication site - Utilities Zone - 255 Opossum Road, Norwood (CT6190/1)</p> <p>The representor has not provided any further details of the status of any natural values of the site, other than priority vegetation is not applied where the site is cleared of native vegetation. However, it is noted that the site does indeed contain vegetation, and has been identified as containing threatened fauna and significant habitat for the Glossy Grass Skink. As such it is recommended that the overlay remain. The communications site is co-located within the Norwood substation and the above stated remains applicable.</p> <p>Brougham Street Communication site - Utilities Zone - 73 Brougham Street, West Launceston (CT159518/1)</p> <p>The representor has not provided any further details of the status of any natural values of the site, other than priority vegetation is not applied where the site is cleared of native vegetation. However, it is noted that the site does indeed contain vegetation, and has been identified as containing threatened flor being Blue Pincushion, Relative Reservation being (DVG) Eucalyptus viminalis grassy forest and woodland, and threatened fauna and significant habitat being the eastern barred bandicoot, eastern quoll, spotted-tailed quoll, and Tasmanian devil. As such it is recommended that the overlay remain.</p> <p><u>PPZs & SAPs</u></p>

	<p>The representation asserts that the Utilities Use Class must be permissible in every PPZ and SAP. The PPZs and SAPs were straight transitions from their current status. All other zones are endorsed state planning provisions.</p> <p>All PPZs and SAPs are transitioning provisions in accordance with schedule 6, clause 8A(1) of LUPAA. As such they should not be altered during the LPS process. Matters relating to transitioning provisions are not to be taken as a representation.</p> <p>Council would be open to reviewing certain areas and transitioning provisions in the future subject to a scheme amendment application.</p> <p>It is recommend that these PPZs and SAPs remain as advertised.</p> <p><u>C4.0 Electricity Transmission Infrastructure Protection Code (ETIPC)</u> The location of the substation facility at St Leonards has not been identified. Notwithstanding, Council would be open to realigning any boundary that would bring the scheme into grater conformity.</p>
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Recommendation for the Draft LPS

- No change to the Landscape Conservation zones are advertised;
- No change to the natural values overlay as advertised at 255 Opossum Road, Norwood (CT6190/1);
- No change to the natural values overlay as advertised at 73 Brougham Street, West Launceston (CT159518/1);
- Realign the title boundary at the St Leonards substation;
- The following PPZs and SAPs remain unchanged and as advertised:
 - LAU-P8.0 Particular Purpose Zone – Franklin Village
 - LAU-P9.0 Particular Purpose Zone – North Bank Silos
 - LAU-P10.0 Particular Purpose Zone – Birch Avenue Storage Centre
 - LAU-S9.0 Launceston Plaza Retail Specific Area Plan

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#5 Patrick Carroll - Department of State Growth

Concerns	Comments
<ul style="list-style-type: none"> • Council has taken the policy position to apply the General Residential Zone as the default zoning for its residential areas through the draft LPS process, proposing the Inner Residential Zone only be applied to a fraction of the land currently under that zoning. State Growth does not support this approach, considering higher density, infill housing, as provided under the Inner Residential Zone, key to meeting demand for well-located, accessible housing within Launceston; • CT 50/6664 is owned by State Growth and is currently zoned Rural Resource under the Interim Planning Scheme. Under the draft LPS, the land is proposed to be zoned Utilities. However, the land does not form part of the State Road Casement and is surplus to the Department's needs. State Growth's preference is for the land to be zoned Agriculture, consistent with adjoining land; • Zoning of the state road network - The application of the Utilities Zone to State Roads may require modification in the Commission's assessment due to the length of time between development of the State Road Casement layer and finalisation of the LPS, ongoing State Road projects, acquisition or transfer of Crown land and other relevant considerations raised during the hearing process. 	<p><u>General Residential and Inner Residential Zone</u> No analysis or data has been supplied, nor has any substantive evidence been provided to support the claim that more Inner Residential zone should be provided.</p> <p>Whilst acknowledging the current housing climate, Council does not believe the best approach is to zone land without understanding the substantial impacts that zoning will have on the use and built environmental of that land, as well as services.</p> <p>Councils approach to minimise Inner Residential land by amending the zone to General Residential is an approach consistent with the drafting guidelines, and supported by 'Supporting Report - Appendix 2 - Residential Zones Project Report' as well as Councils response to the post lodgement conference follow up questions.</p> <p>As a general response, the motivation for applying the General Residential Zone is not only the prevention of incompatible uses such as general retail and hire, but to also preserve established residential areas that have a coherent pattern of development and use. Applying the new Inner Residential Zone greatly increases site coverage, and significantly reduces lot size and multiple dwelling density. Changing to the new GRZ provisions will have a more direct translation to allow development to continue in an appropriate pattern.</p>

<ul style="list-style-type: none"> Application of road and railway attenuation area - State Growth supports Council's approach to rely on the written application of the Road and Railway Attenuation Area provisions, rather than applying the Attenuation Area via overlay mapping 	<p><u>CT50/6664</u> Upon reviewing the zoning and drafting guideline, Council supports the change from Utilities to Agriculture. The zoning appears to be an omission, and the zoning of the specific title meets the drafting guidelines.</p> <p><u>Zoning of the state road network</u> Council acknowledges that the state road casement may have changed since Councils original lodgement of the LPS. Council would be open to accepting any required changes of this casement when information is provided.</p> <p><u>Application of road and railway attenuation area</u> Council acknowledges the Department of State Growths comments</p>
Recommendation for the Draft LPS	
<ul style="list-style-type: none"> That the zoning for Inner Residential and General Residential remain as advertised; CT50/6664 be rezoned to Agriculture 	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
<ul style="list-style-type: none"> The recommendation corrects an error in zoning and greater consistency with the SPP requirements and drafting instructions. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained. 	

#6 Richard Gilmour - Department of Communities Tasmania	
Concerns	Comments
<ul style="list-style-type: none"> The draft Launceston Local Provisions Schedule (draft LPS) proposes to apply the General Residential Zone to 66 properties currently zoned Inner Residential. Generally Communities Tasmania would prefer these properties to remain in the Inner Residential Zone to maximise potential residential yield, reiterating that these properties meet the requirements IRZ 1 and IRZ 2 set by Guideline No.1; 3 Archer Street, Rocherlea (CT154546/1 and CT158046/2) - Change the zoning to Community Purpose rather than the proposed light industrial; Natural Assets Code - Priority Vegetation Overlay - 50 Wildor Crescent, Ravenswood (CT159118/1) - Remove the priority vegetation overlay; 12 Techno Park Drive, Kings Meadows (CT164559/2) - Remove the priority vegetation overlay from the site; 50-52 Forster Street, Invermay (CT205431/1) - Apply the General Residential zone to the site; 102-106 Lilydale Road, Rocherlea (CT241984/1 and CT33188/1) - Apply the Future Urban Zone to the site; Support the application of the Inner Residential Zone at 51 Janet Street, Kings Meadows (CT 63528/14) and 31 Shirley Place, Kings Meadows (CT 12617/30); and Support the application of the General Residential Zone at 14 Foch Street, Mowbray (CT 117183/2). 	<p><u>General Residential/Inner Residential Zones</u> Council are not supportive of this change. A strategic approach has been taken relating to General Residential and Inner Residential Zone. There is a vast majority of land previously zoned Inner Residential which will now be zoned General Residential. This is to protect the land from being utilised by uses other than residential, as well as ensuring the built environment and character of existing areas are maintained. Maximising potential yield is not a preferred planning policy, but rather thought into the neighbourhood characteristics needs to also be considered. It is believed that all zoning changes meet the zone application guidelines.</p> <p><u>3 Archer Street, Rocherlea</u> The site is proposed to be split zoned, albeit on two titles, being Light Industrial and Community Purpose. This was a straight translation. The representor proposes that the entirety of the site be rezoned into Community Purpose. The land is in one ownership. Council are supportive of this change.</p> <p>It is believed the zoning change meets the zone application guidelines CPZ 1, as the site contains a mix of community, education, and care-based facilities. As the site in question is in the same ownership, it makes strategic sense to extend the Community Purpose zoning to the entirety of the land.</p> <p><u>Natural Assets Code - CT159118/1</u> The representor has requested that the site remove its priority vegetation overlay. Council are not supportive of this request.</p> <p>The site contains:</p> <ul style="list-style-type: none"> Relative Reservation - (GCL) Lowland grassland complex

- Threatened Flora - blue pincushion
- Threatened Fauna and Significant Habitat - glossy grass skink and spotted-tailed quoll

Accordingly, the site meets the zone application guidelines for native vegetation and the Natural Assets Code.

12 Techno Park Drive, Kings Meadows

The representor has requested that the site remove its priority vegetation overlay. Council are not supportive of this request.

The site contains:

- Relative Reservation - (DAZ) Eucalyptus amygdalina inland forest and woodland on Cainozoic deposits
- Threatened Flora - blue pincushion
- Threatened Vegetation Communities- (DAZ) Eucalyptus amygdalina inland forest and woodland on Cainozoic deposits

Accordingly, the site meets the zone application guidelines for native vegetation and the Natural Assets Code.

50-52 Forster Street, Invermay

50 Forster Street is proposed to be zoned General Residential whilst 52 Forster Street is proposed to be zoned Commercial. The representor is requesting that 52 Forster Street (CT205431/1) be rezoned into General Residential. Council are supportive of this change.

The site is established and contains multiple dwelling development. Residential use within the Commercial zone is prohibited. As such, any extensions or intensification of the use may not be possible. It is considered the change will meet the zone application guidelines GRZ 1 as the site is not intended for higher densities and is already established.

It is recommended the zoning be amended.

102-106 Lilydale Road, Rocherlea

The site is proposed to be zoned Rural and Low Density. The representors have requested that the site be zoned Future Urban. The proposed zoning is a direct translation from the previous Rural Resource and Low Density zones. Council are not supportive of this change.

Zone application guidelines for the Future Urban Zone state:

FUZ 1 The Future Urban Zone should be applied to land identified for future urban development to protect the land from use or development that may compromise its future development, consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.

FUZ 4 The Future Urban Zone may be applied to sites or areas that require further structure or master planning before its release for urban development.

Under its current Rural Zoning, it is unlikely that development will occur that may compromise the future development of the land. In short, the land is already protected without requiring a rezoning. Further, there are no local strategies that support the rezoning, nor are there any master plans available.

As the site fails to meet the zone application guides, it is recommended that the site retain its Rural zoning.

51 Janet Street, Kings Meadows (CT 63528/14) and 31 Shirley Place, Kings Meadows (CT 12617/30)

The representor supports the change from General Residential to Inner Residential at the above mentioned properties. This support is noted.

14 Foch Street, Mowbray (CT 117183/2)

The representor supports the change from Local Business to General Residential at the above mentioned property. This support is noted.

- Maintain all General Residential and Inner Residential zones as advertised, unless recommended otherwise within this report;
- Rezone the entirety of CT154546/1 and CT158046/2 into the Community Purpose zone;
- Leave the priority vegetation overlay over CT159118/1;
- Leave the priority vegetation overlay over CT164559/2;
- Rezone CT205431/1 into General Residential;
- Maintain the Rural and Low Density zones at CT241984/1 and CT33188/1

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

- The recommendation corrects an error in zoning, as well as identifies land where the zoning has been incorrectly applied. Amending the zoning will bring the LPS into greater consistency with the SPP requirements and drafting instructions.
- Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#7 Mary Bessell - Communities Tasmania

Concerns

- The draft Launceston Local Provisions Schedule (draft LPS) proposes to apply the General Residential Zone to 66 properties currently zoned Inner Residential. Generally Communities Tasmania would prefer these properties to remain in the Inner Residential Zone to maximise potential residential yield, reiterating that these properties meet the requirements IRZ 1 and IRZ 2 set by Guideline No.1;
- 3 Archer Street, Rocherlea (CT154546/1 and CT158046/2) - Change the zoning to Community Purpose rather than the proposed light industrial;
- Natural Assets Code - Priority Vegetation Overlay - 50 Wildor Crescent, Ravenswood (CT159118/1) - Remove the priority vegetation overlay;
- 12 Techno Park Drive, Kings Meadows (CT164559/2) - Remove the priority vegetation overlay from the site;
- 50-52 Forster Street, Invermay (CT205431/1) - Apply the General Residential zone to the site; and
- 102-106 Lilydale Road, Rocherlea (CT241984/1 and CT33188/1) - Apply the Future Urban Zone to the site.

Comments

The comments made in this representation are identical to the comments made in representation No. 6. As such no further comments will be provided.

Recommendation for the Draft LPS

Modifications as per Representation #6.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

LOCAL GOVERNMENT

#8 Krista Palfreyman - Meander Valley Council

Concerns	Comments
<ul style="list-style-type: none"> In accordance with the State drafting instructions, the extent of the public road between two different zones is required to be split zoned along the centreline of the road. The southern side of Peel St West should be zoned General Residential Zone to accord with the zoning in the MVC municipality; Noting that there is an address numbering discrepancy between the LIST data for CT168106/1 (25 MV Road) and 168107/1 (49 MV Road) and the COL digital mapping (which has 49 and 51 respectively), the two titles cross the municipal boundary and are zoned differently. 	<p><u>Public Road</u> In accordance with the drafting provisions Council accepts that the southern side of Peel Street West should be zoned General Residential to reflect the zoning within Meander Valley Council.</p> <p><u>CT168106/1 & CT168107/1</u> The two titles in question do appear to be split zoned - Agriculture within Launceston and Rural Living within Meander Valley. To ensure consistency and avoid split zoning, it is recommended that the sections located within Launceston are rezoned to Rural Living.</p>
Recommendation for the Draft LPS	
<ul style="list-style-type: none"> Where applicable, split zone the public road on the southern section of Peel Street West to General Residential and Open Space; and Rezone CT168106/1 & CT168107/1 to Rural Living (Zone D). 	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
<ul style="list-style-type: none"> The recommendation corrects an error in zoning and greater consistency with the SPP requirements and drafting instructions. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained. 	

#9 Iain More - City of Launceston	
Concerns	Comments
<ul style="list-style-type: none"> Particular Purpose Zone 36 - University of Tasmania, Newnham Campus - Include the Educational and Occasional Care use class as a Permitted pathway in the PPZ Use Table; LAU-S14 - Southern Gateway Specific Area Plan - Place Environmental Management Zone within LAU-S14.2.3; LAU-16 - Rural Conservation Specific Area Plan - Apply LAU-16.0 to the relevant properties; Hollybank - Maintain the existing Environmental Management Zone over the listed properties; Windermere Shop - Change the zoning from Rural to Local Business; Environmental Management - Re-zone the waterways to a zone that would permit maintenance dredging such as the Port and Marine Zone. Alternatively, allow a pathway for the Port and Shipping use class to occur within the zone; Heritage Precincts - A simplified version of the datasheet be prepared and submitted to the Commission for consideration; and Scheme Amendments - Six (6) approved and active scheme amendments be carried over to the LPS. 	<p><u>Particular Purpose Zone 36</u> There is an omission in LAU-P5.0 Particular Purpose Zone - University of Tasmania, Newnham Campus. This was a direct translation from the PPZ under the current scheme. Under the current PPZ Education and occasional care is permitted within the use class, however this use class has been left out of LAU-P5.0. It is considered that this is an omission and is recommended that PPZ be amended to include Education and occasional care as a permitted use within the use table.</p> <p><u>LAU-14 - Southern Gateway Specific Area Plan</u> LAU-S14.7 Development Standards for Building and Works outlines what zones the clause is applicable to, including Clause 23.4 Development Standards for Building and Works - (k) Environmental Management Zone.</p> <p>However, under LAU-S14.2.3, which outlines the application of the SAP, the Environmental Management Zone is not listed. This appears to be an omission and it is recommended that the Environmental Management Zone be included within Clause 23.4.</p> <p><u>LAU-16 - Rural Conservation Specific Area Plan</u> LAU-16.0 - Rural Conservation Specific Area Plan was a proposed Specific Area Plan to be implemented over the 33 properties. The SAP would sit over land proposed to be zoned Landscape Conservation, which is a new zoning to replace Environmental Living. The purpose of the SAP is to allow a permitted pathway for single dwellings, something that is currently permissible within the Environmental Living Zone.</p> <p>It is recommended that this SAP be reinstated to ensure that a permitted pathway exists within these zones.</p> <p><u>Hollybank (CT130372/1 and CT27861/1)</u> It is recommended that the Environmental Management Zone be placed over the subject site. Zone application guidelines state:</p>

EMZ 1 The Environmental Management Zone should be applied to land with significant ecological, scientific, cultural or scenic values, such as:

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

This will be a direct translation from the existing zoning under the LIPS. The site contains significant biodiversity values and as such is able to meet EMZ 1.

Windermere Shop (CT40977/2)

It is recommended that the site be rezoned to Local Business.

Zone application guidelines for the Local Business zone state:

LBZ 1 The Local Business Zone should be applied to land within urban settlements which provides, or is intended to provide, for the business, commercial and community functions within:

- (a) local shopping strips; or*
- (b) town centres for some smaller settlements.*

LBZ 3 The Local Business Zone may be used for groups of local shops and businesses in existing residential areas where there is a strategic intention to maintain such uses, and the provisions of the surrounding residential zone are not appropriate.

The implementation of this zone will allow for a site that can develop into a local activity centre for the Windermere and Swan Bay area, something that would be limited by its proposed Rural zoning.

Environmental Management

The Esk and Tamar Rivers are zoned Environmental Management which does not contain a use class within the use table that permits maintenance dredging, defined within the port and shipping use class. As such any dredging of the waterways would be prohibited. It is understood that whilst this is the most appropriate zone, there is a shortfall of not providing a use class that would permit dredging is a failing in the zone.

As this is an endorsed SPP Council do not wish to make reference via a s.35G report, however it is noted that this will be provided in the future.

Heritage Precincts

A revised version of the Cimitiere Street Precinct datasheet has been created (Attachment 2). It is considered that this datasheet is an improvement on the advertised datasheet, and it is recommended that it be endorsed.

Scheme Amendments

Six (6) Amendments have been approved since the lodgement of the LPS but are not currently transitioning to the LPS. These are:

1. Amendment 53 - Rezone part of the site known as 1/45-51 Thistle Street, South Launceston from the Light Industrial Zone to the General Residential Zone;
2. Amendment 56 - Replace the existing Utilities zoning of the land at 37 Birch Avenue, Newstead (CT177104/2) with a Particular Purpose Zone;
3. Amendment 57 - Rezone the land at 1A George Town Road, Newnham from Recreation to Inner Residential;
4. Amendment 58 - Rezone land at 40520 Tasman Highway, St Leonards from Rural Resource to Rural Living;
5. Amendment 59 - Insert the Residential use class as a discretionary use with the qualification, 'if for Assisted Housing at 22 Hobblers Bridge Road, Newstead' in Table 17.2 of the Community Purpose Zone; and

	<p>6. Amendment 65 - Insert a site specific qualification for Assisted Housing at 49 Amy Road, Newstead and 18-20 Ellison Street, Newstead under the discretionary use class column of the Community Purpose Zone</p> <p>Whilst it is acknowledged that LUPAA provides a pathway for these transitions to occur, Council request that the amendments be carried over to the LPS.</p>
Recommendation for the Draft LPS	
<ul style="list-style-type: none"> • Leave LAU-P5.0 Particular Purpose Zone - University of Tasmania, Newnham Campus as advertised; • Place Environmental Management Zone under LAU-S14.2.3; • Place LAU-16.0 - Rural Conservation Specific Area Plan over the identified 33 properties; • Rezoning CT130372/1 and CT27861/1 to Environmental Management zone; • Rezone CT40977/2 to Local Business zone; • Replace LAU-Table C6.2 Local Heritage Precincts Datasheet 'Cimitiere Street Precinct; and • Transition six (3) approved and active Scheme Amendments. 	
Representation Merit	
<p>The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.</p>	
Effect on the Draft LPS as a whole	
<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation.</p>	
LPS Criteria	
<p>Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>	

Community Groups & Organisations

#10 Chris Irvine - SES Tasmania	
Concerns	Comments
<ul style="list-style-type: none"> • Flood Prone Areas Code - The a% AEP mapped in the City of Launceston stormwater management plan has not been included in the draft LPS overlay; • Coastal Inundation Hazards - There are several errors in the LAU-Table C11.1 – Coastal Inundation Hazard Bands AHD Levels, the table should be amended to reflect the correct levels; and • LAU-S10.0 Invermay/Inveresk Flood Inundation SAP - The SAP should be amended to increase the minimum flood height requirements for residential and non-residential use classes to levels between 4.6m AHD and 4.9m AHD. 	<p><u>Flood Prone Areas Code</u></p> <ul style="list-style-type: none"> - Urban Flood - The 1% AEP Urban (Stormwater) Flood Extent is complete, available to the public currently and is regularly called in under the scheme. We would be supportive of this being incorporated within the flood prone hazards area overlay. - River Flood - The 2019 Riverine Flood Modelling update is complete and this information can be used to provide an updated and expanded flood overlay. Council would be supportive of this being incorporated within an updated flood prone hazards area overlay. It is noted that that if using the present day 1% AEP the changes would be somewhat minimal and generally limited to a handful of areas including; <ul style="list-style-type: none"> o North Esk extent ~ 2 km upstream of existing overlay, essentially taking the overlay to the Corra Linn Gorge. o Changes in Newstead / Waverley due to Newstead Levee and other land changes o Minor changes on the west side of the levee in the Invermay area o Revised information in the Newnham / Alanvale area (decrease in overlay extent) o Consideration for model extent downstream of Freshwater Point / Dilston (our model stops short of this area, but the coastal codes would dominate this area from a hazards perspective so that will be ok). - Lilydale Area - Whilst not mentioned in the representation, this modelling is complete and should be included in the overlay.

	<p>Whilst Council can modify the Code, as this is a transitioning overlay it would require substantial modification. It is recommended that Council consider an amendment to the LPS once implemented.</p> <p><u>Coastal Inundation Hazards</u></p> <ul style="list-style-type: none"> - It appears the information provided in the SES's representation is the same as the information available on the LISTMAP. The numbers within the table for LAU-Table C11.1 do not match this information. - The table in the DPAC report also is the same as the SES's information, which differs from our, https://www.dpac.tas.gov.au/data/assets/pdf_file/0014/312143/Coastal_Hazards_Report_version_7_-_20161201.pdf - It is recommend that this table be updated. <p><u>LAU-S10.0 Invermay/Inveresk Flood Inundation SAP</u></p> <ul style="list-style-type: none"> - It is understood why SES have made this comment and recognise the concern that implementation of the new SAP may take a while, but there may be significant implications of changing the habitable floor level in the short term prior to the introduction of a new levee protected areas SAP, details of which we are not yet confirmed. It is recommend that the flood levels are depicted in LAU-S10.0 remain as is.
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Recommendation for the Draft LPS

- No changes to the Flood Prone Areas Code as endorsed;
- Update LAU-Table C11.1 - Coastal Inundation Hazard Bands AHD Levels;
- That the floor levels for uses within LAU-S10.0 Invermay/Inveresk Flood Inundation SAP remain as advertised.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

- The recommendations allow updated mapping and information to be included in relevant codes, which provides a greater consistency with the SPP requirements and drafting instructions;
- Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#11 Vili Siale - Potters House Christian Fellowship

Concerns	Comments
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<ul style="list-style-type: none"> • Change zoning from Inner Residential to Community Purpose at 2-6 Hobart Road, Kings Meadows (CT125561/2) 	<p>Council agrees with the request.</p> <p>The zoning is a straight translation from the existing zone.</p> <p>The site currently operates as a church and community hall. The church is considered to be of a reasonable size and attracts a reasonable following. Zone application guidelines for the Community Purpose zone state:</p> <p><i>CPZ 1 The Community Purpose Zone should be applied to land that provides, or is intended to provide, for key community facilities and services, including:</i></p> <p><i>(a) schools, tertiary institutions or other education facilities;</i> <i>(b) medical centres, hospital services or other care-based facilities;</i> <i>(c) emergency services facilities; or</i> <i>(d) large community halls, places of worship or other key community or cultural facilities.</i></p> <p><i>CPZ 2 Some community facilities and services may be zoned the same as the surrounding zone, such as a residential or business zone, if the zone is appropriate for the nature or scale of the intended use, such as a small scale place of worship, public hall, community centre or neighbourhood centre.</i></p>
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It is considered appropriate to rezone the land to Community Purpose, as the land is utilised as a place of worship and community centre (meeting CPZ 1), and due to its scale of use, should be designated its own zone instead of mixed in with the surrounding Inner Residential Zone (meeting CPZ 2).

Recommendation for the Draft LPS

Change the zoning of CT125561/2 to Community Purpose.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

- The recommendations to change the zone will provide greater consistency with the SPP requirements and drafting instructions;
- Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#12 John Thompson - Conservation Landholders Tasmania

Concerns

- Multiple properties should be rezoned to Landscape Conservation from the Rural and Agriculture zones.

Comments

The representation has gone into detail identifying some 34 titles currently zoned Agriculture and Rural, and has asserted they should be rezoned Landscape Conservation. It is noted that all of these identified properties contain conservation covenants or are within reserves.

The Tasmanian Planning Commission contains a Questions and Answers section within the Planners Portal that directly deals with the Landscape Conservation Zone. The questions posed and their answers are below:

Is the Landscape Conservation Zone (LCZ) the best zone for applying to large areas of vegetated land in private ownership?

It can be, but not in all cases. Sometimes application of the Environmental Management Zone (EMZ), Rural Zone (or another zone) may be appropriate to satisfy Guideline No. 1 or the regional strategy. For these zones, the natural assets code can be applied to protect areas of priority vegetation.

The purpose of the LCZ is to provide for the protection, conservation and management of landscape values, as well as to provide for complementary use or development which does not adversely impact on the protection and conservation and management of the landscape values.

LCZ1 and LCZ2 of Guideline No.1 outline considerations that are relevant to determining whether the attributes to establish landscape values exist in relation to particular areas of land. This can include important scenic values.

As well as the provision of information about the particular landscape values attributes, consideration needs to be given to the particular local and site contexts and demonstration of good strategic planning principles, including consistency with Guideline No. 1 and the regional strategy, in determining the most appropriate zone to be applied to large areas of vegetated land in private ownership.

What is the most appropriate zone for land with a conservation covenant?

Guideline No.1 for both the Landscape Conservation Zone (LCZ) and Environmental Management Zone (EMZ) indicate that land which contains a conservation covenant will invariably have values that can result in the land being suitable for zoning in either the EMZ or LCZ.

But that land may also be suitable for inclusion in the Rural or Agriculture Zone (and potentially others such as Rural Living). The values that are identified in the conservation covenant are managed or protected by the terms of the covenant and that management or protection is not dependent on the zoning of the land for land use planning purposes. Determining the zone to apply to land with a conservation covenant needs to be balanced with application of zones based on sound planning principles, such as, minimising spot zoning and applying the zoning that satisfies the Guideline No. 1 and the regional strategy.

The application of zoning, as the primary method of the control of use and development, should firstly be undertaken irrespective of whether a covenant applies, with weight given to the existence and content of a covenant when multiple zoning options may be available.

Therefore, the LCZ should not simply be applied on the basis that a conservation covenant is in place. However, areas that have extensive conservation covenants (such as, a cluster of many, a large area, or both, or connectivity with other land zoned for similar values) may demonstrate good strategic planning merit for applying this zone.

Where a conservation covenant applies to a small portion of a large landholding that is appropriately zoned Rural or Agriculture or another relevant zone, it may not be appropriate or necessary to apply the LCZ to the area covered by the covenant as the values will be protected by the terms of the covenant, and at the same time be compatible with the wider use of that land.

Council acknowledges the importance of conservation covenants, and acknowledges that there are sites within the municipality that would benefit from being zoned Landscape Conservation or Environmental Management. The majority of these sites are located on Rural or Agriculture zoned sites. The implementation of this rural and agriculture zoning was through a land mapping project, with the end result a set of zone maps that Council were required to implement.

Regarding covenants, it is acknowledged that they sit outside of the Act and are essentially a contract between two parties. A covenant to the effect of planning, overrides the Planning Scheme for biodiversity regulation.

The Commission within its Tasman LPS Decision (dated 15/10/2021), with regard to the zone and covenants, states:

As a general observation, determining the zone to apply to a conservation covenant needs to be balanced with application of zones based on sound planning principles, such as, minimising spot zoning and applying the zoning that satisfies Guideline No. 1 and the regional strategy.

The Commission also observes that conservation covenants are made under the Nature Conservation Act 2002, but are not reserves. The application of zoning, as the primary method of the control of use and development, should firstly be undertaken irrespective of whether a covenant applies, with weight given to the existence and content of a covenant when multiple zoning options are available. Private sanctuaries and private nature reserves are reserve types listed under Schedule 1 of the Nature Conservation Act 2002, and so application of the Landscape Conservation or Environmental Management zones is normally required to comply with Guideline No. 1. The Guidelines do not specifically refer to the Australian National Reserve System.

The Landscape Conservation Zone should not simply be applied on the basis that a conservation covenant is in place. Areas that have extensive conservation covenants (such as, a cluster of many, a large area, or both) may demonstrate good strategic planning merit for applying this zone provided that broader landscape values (not biodiversity values) are demonstrated.

There still appears to be some uncertainty regarding 'reserved' as stated within LCZ 2 of the Landscape Conservation zone. The *Nature Conservation Act 2002* defines Reserved and Reserved land as:

reserved means set aside or acquired for a conservation purpose

reserved land means –

- (a) any land declared under this Act to be reserved land; and
- (b) any land taken to have been so declared;

Schedule 1 of the *Nature Conservation Act 2002* is a determination of class of reserved land, noting that covenants do not form part of that definition. This is an important clarification as the representation uses reserve names for each identified property, however they are not considered reserved for the purpose of this assessment and acting on the zone application guidelines. The names used are on the CAPAD 2020 Terrestrial protected Areas list for Tasmania. This approach is confirmed through the 'land tenure' search under the LIST mapping system.

The table below highlights the concerned 34 properties and contains the zone and recommendation.

#	Title	Zone	Owner consent	Recommendation
1	204912/1	Rural	No	Remain as advertised
2	251617/1	Rural	No	Remain as advertised
3	128905/1	Rural	No	Remain as advertised
4	250765/1	Rural	No	Remain as advertised
6	163468/2	Rural	No	Remain as advertised
7	246431/1	Rural	No	Remain as advertised
8	39699/1	Rural	No	Remain as advertised
9	161070/4	Rural	No	Rezone to Landscape Conservation
10	206977/1	Rural	No	Rezone to Landscape Conservation
11	207097/1	Rural	Yes	Rezone to Landscape Conservation
12	204200/2	Rural	Yes	Rezone to Landscape Conservation
13	50171/1	Rural	Yes	Rezone to Landscape Conservation
14	235111/1	Rural	Yes	Rezone to Landscape Conservation
15	50171/2	Rural	Yes	Rezone to Landscape Conservation
16	87114/2	Rural	Yes	Rezone to Landscape Conservation
17	49914/1	Agriculture	Yes	Rezone to Rural
18	42762/5	Agriculture	No	Remain as advertised
19	43810/1	Agriculture	No	Remain as advertised
20	30233/1	Agriculture	No	Remain as advertised
21	164126/1	Rural & Rural Living	No	Remain as advertised
22	208625/1	Agriculture	No	Remain as advertised
23	232243/1	Agriculture	No	Remain as advertised
24	106554/1	Agriculture	No	Remain as advertised
25	115907/1	Rural	Yes	Remain as advertised
26	45671/3	Rural	Yes	Remain as advertised
27	45671/2	Rural	Yes	Remain as advertised
28	28411/1	Rural	Yes	Remain as advertised
29	239943/1	Rural	No	Remain as advertised
30	168435/1	Rural	No	Remain as advertised
31	120442/1	Rural	No	Remain as advertised
32	168435/2	Rural	No	Remain as advertised
33	168435/3	Rural	No	Remain as advertised
34	164851/1	Rural	No	Remain as advertised
35	238641/1	Rural	No	Remain as advertised
36	212906/1	Rural	No	Remain as advertised

It is recommended that those properties currently zoned Rural remain zoned as advertised, with the exception of:

- CT161070/4 and CT206977/1, which is recommended to be rezoned to Landscape Conservation. This is discussed in more detail within representation #46;
- CT207097/1, CT204200/2, CT50171/1, CT235111/1, CT50171/2 and 87114/2. which is recommended to be rezoned to Landscape Conservation. This is discussed in more detail within representation #14.

With regard to the rural lots, due to the Natural Assets Code being applicable within this zone, and along with the covenants identified on each property, it is considered that there will be sufficient natural values protections without the requirement for rezoning. This is considered an appropriate planning approach.

Regarding CT49914/1, also known as 163 East Diddleum Road, Tayene, Council is proposing the site be rezoned from Agriculture to Rural. The reason for this rezone is discussed in more detail in Representation #37.

The representation has provided the zone application guidelines for the Agriculture Zone, and in particular AZ 6 which states:

AZ 6 Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if:

(a) local or regional strategic analysis has identified or justifies the need for an alternate consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;

(b) for the identification and protection of a strategically important naturally occurring resource which requires an alternate zoning;

(c) for the identification and protection of significant natural values, such as priority vegetation areas as defined in the Natural Assets Code, which require an alternate zoning, such as the Landscape Conservation Zone or Environmental Management Zone;

(d) for the identification, provision or protection of strategically important uses that require an alternate zone; or

(e) it can be demonstrated that:

(i) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;

(ii) there are significant constraints to agricultural use occurring on the land; or

(iii) the Agriculture Zone is otherwise not appropriate for the land.

There is no local or regional strategic analysis that has identified the need for an alternate zone, nor has any information been provided on any strategically important naturally occurring resource on any of the identified sites. No information has been provided on rezoning to protect any strategically important uses. The representor has identified (c) and (e) as being the relevant criteria to allow the rezoning to occur.

There were several properties currently zoned Agriculture that are recommended to remain within this zone. These properties are discussed in more detail below.

CT42762/5 & CT43810/1 - 148 & 194 Goullees Road, Underwood

The representation has stated that the site is not suitable for agricultural however no details have been provided to support this statement. Notwithstanding, it is accepted that there is a conservation covenant over the property and the site does contain natural values and is limited in its agricultural potential due to the restrictions of the covenant. No statement has been made by the owners of the property as to their intention for the site.

Accordingly, at this stage it is recommended that the site remain Agriculture.

However, should support of the owner be provided and their intentions for the site to protect the biodiversity of the area, Council are open to supporting the change in zoning. Should this happen and to ensure the pattern of zoning remains consistent, it would be requested that the owners of 170 Goullees Road, Underwood (CT43812/1) also be consulted.

CT30233/1 - 298 Patersonia Road, Nunamara

The site is not as heavily vegetated as others identified, with some open areas and contains a single dwelling and associated outbuildings. Again, no information has been provided on the sites potential for agricultural uses. This is particularly important due to the surrounding existing rural uses occurring on adjoining properties.

Furthermore, no statement has been made by the owners of the property as to their intention for the site.

This would result as a spot zoning, and something that council would be looking to avoid.

Accordingly, at this stage it is recommended that the site remain Agriculture.

CT208625/1, CT232243/1, & CT106554/1 - 325 Watery Plains Road, White Hills

The representation seeks to split zone the site for the areas containing the reserve to be zoned Landscape Conservation. As detailed within the representation, the site contains a mix of uses, with some being rural in nature.

Council would be supportive of a change to the Rural Zone, should support of the owner be provided. This would ensure that the Natural Assets Code is able to be applied over the property, and would still allow rural activities to occur. This would also be in line with the zone application guidelines for the Rural zone, and in particular RZ 3, as the site is potentially constrained. This would also allow a logical extension of the Rural zone from the north.

All rural properties are protected through the Natural assets code and it is not considered necessary to amend the zone to provide further protection. The representation has provided insufficient strategic justification determine that the most appropriate zone would be something else then as advertised.

Council would be open to undertaking a review of all concerned titles in the future with the relevant parties, including landowners, to understand the need and desire for increased Landscape Conservation zoned land across the municipality.

Recommendation for the Draft LPS

- Rezone CT49914/1 to Rural
- No other modifications to the draft LPS.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#13 Leigh Walters - Tasmanian Land Conservancy

Concerns	Comments
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<ul style="list-style-type: none"> • Amend and update the priority vegetation mapping; • The Natural Assets Code and application of priority vegetation should be applied across all zones, including Agriculture Zone; • Land subject to conservation covenants should be zoned Landscape Conservation or Environmental Management; - 	<p><u>Natural Values Mapping</u> The natural values mapping mode was produced by Rod Knight at Natural Resource Planning. The version of mapping submitted is identified as '1801'. Since the LPS lodgement a newer version known as '1804' has been introduced. It is recommend that the current natural values mapping be replaced with the newer version. The newer version is the most up to date mapping and should be include within the LPS.</p> <p><u>Natural Assets Code</u> Council are not in a position to apply the natural assets code and application of priority vegetation across all zones. This code can only be produced in accordance with Guideline No.1</p> <p><u>Land subject to conservation covenants</u> Council acknowledges the importance of conservation covenants, and acknowledges that there are sites within the municipality that would benefit from being zoned Landscape Conservation or Environmental Management. The majority of these sites are located on Rural or Agriculture zoned sites. The implementation of this rural and agriculture zoning was through a land mapping project, with the end result a set of zone maps that Council were required to implement.</p>
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	<p>However, without reviewing each site individually and on its own merits, and without consultation with the landowners, at this stage Council would not support the rezoning.</p> <p>The representation does not provide any details of the land with conservation covenants on them, including current uses, any supporting documents on the natural communities of these properties, or any advice from the landowners. Furthermore, because a site contains a landscape covenant does not necessarily mean it should be placed into a Landscape Conservation or Environmental Management zone. In fact, there are other controls within the scheme, such as the Natural Assets code that assists in the protection of natural values.</p>
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Recommendation for the Draft LPS

- Replace the advertised natural values mapping with the new version 1804;
- Maintain the existing zoning for lots containing conservation covenants.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

- Updated natural values mapping and data will provide greater consistency with the SPP requirements and drafting instructions;
- Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#14 Prue Wright - Launceston Field Naturalists Club

Concerns	Comments
<ul style="list-style-type: none"> • 2 Myrtle Bank Road, Myrtle Bank (CT207097/1, CT204200/2, CT50171/1, CT235111/1, CT50171/2 and 87114/2) is proposed to be rezoned Rural, however requests the site be zoned Landscape Conservation 	<p>Council are supportive of the change.</p> <p>As identified by the representor, the majority of the site is covered by a 35.5ha Kemps Myrtle Bank Reserve and protected by a conservation covenant and is located within 'Skemps Myrtle Bank Reserve'.</p> <p>The site is proposed to be zoned Rural, which will also allow the Natural Assets Code to be utilised for any future development.</p> <p>The zone and code application guideline No. 1, 22.0 outlines the zone application guidelines for Landscape Conservation. It is considered the site meets LCZ 1, in that the site has been identified as land with landscape values identified for protection and conversation, as per the landscape covenant located on the site.</p> <p>It is also considered to meet LCZ 3 which states the Landscape Conservation Zone may be applied to a group of titles with landscape values that are less than the allowable minimum lot size for the zone, being 50ha. As the total size of the site is approximately 63ha, it meets LCZ 3.</p> <p>Further, it is considered that the site does not meet zone application guideline RZ 1 for the Rural Zone which states:</p> <p>RZ 1 The Rural Zone should be applied to land in non-urban areas with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area, and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.</p> <p>As it has been identified that the site contains conservation values, and as the owners of the site have requested the change, it is considered appropriate.</p>

Recommendation for the Draft LPS

Rezone CT207097/1, CT204200/2, CT50171/1, CT235111/1, CT50171/2 and 87114/2 from Rural to Landscape Conservation.
Representation Merit
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.
Effect on the Draft LPS as a whole
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.
LPS Criteria
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#15 Claire Gregg - Launceston Church Grammar School

Concerns	Comments																								
<ul style="list-style-type: none"> 137 East Tamar Highway, Mowbray (CT173811/1) - Request the site be zoned recreation and that the priority vegetation overlay be removed; 36 Button Street, Mowbray (CT144358/1) - Request that the priority vegetation overlay be removed; Local Heritage Code - Request that the overlay be removed from the following properties: <ul style="list-style-type: none"> a. CT106501/1; b. CT39238/3; c. CT103204/1; d. CT199205/2; and e. CT224348/1. Support the change from Community Purpose to Inner Residential at 8-14 Lyttleton Street, East Launceston (CT232119/1) 	<p><u>137 East Tamar Highway, Mowbray</u> The site under the current scheme was split zoned. Council agrees that the area previously zoned Recreation retain that zone. This is considered to be consistent with zone application guide PecZ 1 and 2.</p> <p>It is still considered appropriate however that the title utilised for access retain its Utilities Use. This parcel is still owned by the Crown and could potentially be utilised for Utilities in the future. Further, this would limit the expansion of the rowing club into unsuitable areas.</p> <p>No site specific report has been prepared of lodged with the representation regarding priority vegetation, only that the area on which the map overlays is built. Whilst this may be the case, the immediate surrounding area does contain areas of natural flora and fauna and this should be protected. Removing this overlay would allow development to occur without careful consideration of natural values of the surrounding area.</p> <p>The site has been identified as contains areas of threatened native vegetation communities and meets NAC 7 of the application guidelines. If a report is presented demonstrating that this is not the case, Council would be supportive of its removal from the site.</p> <p><u>36 Button Street, Mowbray</u> The removal of the priority vegetation overlay is not supported. No report by a qualified flora and fauna expert has been provided that has determined that the land does not contain threatened flora or fauna species. It is recommended that the overlay remain.</p> <p><u>Local Heritage Code</u> Schedule 6 of the Act requires the code-applying provisions of the Local Historic Heritage Code to transition in accordance with the Minister's declaration; and modifying a code applying provision is limited to purpose set out in Schedule 6 clause 8D(8) of the Act and that 8D(8) states that:</p> <p style="padding-left: 40px;"><i>(8) The Commission may only determine under subclause (7) that a code-applying provision is to be modified if the modification is necessary in order to ensure –</i></p> <p style="padding-left: 80px;"><i>(a) that a correct cross-reference is used in the code-applying provision when it is included in the draft LPS; or</i></p> <p style="padding-left: 80px;"><i>(b) the correction of a minor error in the code-applying provision; or</i></p> <p style="padding-left: 80px;"><i>(c) the effective operation of the provision when it is included in a draft LPS.</i></p> <p>However it is not agreed that the subject listings were created in error. Relating to the properties as listed:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Address</th> <th>Title Reference</th> <th>Page</th> <th>Request</th> <th>Rationale</th> <th>Response</th> <th>Explanation</th> </tr> </thead> <tbody> <tr> <td>a</td> <td>36 Button Street, Mowbray</td> <td>(CT144358/1)</td> <td>6</td> <td>That this title be removed from the Local Heritage Code</td> <td>This title has frontage to Bank Street and contains no buildings. + The listing is considered to be an error by the representor.</td> <td>The listing is not considered to be an error and therefore should not be removed under the transition arrangements.</td> <td>The title is part of the property assessed as having heritage significance and development on the land could still impact the values of the place. Removal may be considered as part of an amendment to the new scheme, but the title is not known to have been listed in error.</td> </tr> <tr> <td>b</td> <td>36 Button Street, Mowbray</td> <td>(CT39238/3)</td> <td>6</td> <td>this title is removed from the Local Heritage Code</td> <td>This title has frontage to Bank Street and contains a 1960's weather board house and the maintenance shed. There buildings have no heritage significance.</td> <td>The listing is not considered to be an error and therefore should not be removed under the transition arrangements.</td> <td>The title is part of the property assessed as having heritage significance and development on the land could still impact the values of the place. 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e	8-14 Lyttleton Street, East Launceston	(224348/1)	8	That this title be removed from the Local Heritage Code	This title contains the Street building c. 1970s and The Henty building c.1960s. + The listing is considered to be an error by the representor.	The listing is not considered to be an error and therefore should not be removed under the transition arrangements.	The title is part of the property assessed as having heritage significance and development on the land could still impact the values of the place. Removal may be considered as part of an amendment to the new scheme, but the title is not known to have been listed in error.	
In conclusion, at this stage Council cannot remove the heritage listings as they have transitioned. However, Council would be open to considering a scheme amendment to review heritage listed properties.								

Recommendation for the Draft LPS

- Rezone the northern section of CT173811/1 to Recreation;
- Leave the priority vegetation overlay mapping on site as advertised; and
- The heritage listed properties remain in the LPS as advertised.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#16 Lionel Morrell - Tasmanian Ratepayers Association

Concerns	Comments
<ul style="list-style-type: none"> • Council did not adequately engage and consult with the community; • Scenic protection overlays - The scenic protection areas should be extended. In particular, the Central Hills Precinct and Trevallyn Hillside Precinct have been excluded from scenic protection; • Cultural heritage protection - Further investigation and provisions are required for the protection of Launceston's cultural heritage; • Land capability - land capability, including natural hazards such as flood risk and seismic activities, need further investigation and provisions; and • Tidal flood plains and rising sea levels - Further investigation and policy application is required. 	<p><u>Advertising</u> Advertising occurred in accordance with the requirements as set out in the act.</p> <p><u>Scenic Protection</u> Council when implementing scenic protection areas are limited by the drafting instructions. It is noted that a significant amount of land previously overlaid with scenic protection was removed, as scenic protection areas can no longer be located on Inner or General Residential Zones in accordance with application guidelines SPC 3. Notwithstanding, Council implemented two areas of scenic management through the use of Specific Area Plans, being:</p> <ul style="list-style-type: none"> • LAU-S13.0 Western Hillside Specific Area Plan • LAU-S14.0 Southern Gateway Specific Area Plan

	<p>Council would be open to considering further specific area plans in the future.</p> <p><u>Cultural Heritage Protection</u> Council agrees that further work will be required to be undertaken to ensure further cultural heritage protection, including identifying new properties for the heritage register, and removing those that no longer contain heritage value. Further work is also required on providing heritage precincts to work in conjunction with the new heritage code.</p> <p>However, Council were limited in this aspect as we were directed to transition the existing heritage list as it stands, and were not permitted to make any changes. Council will however be supportive of scheme amendments outside of the Local Provisions Schedule process to ensure all heritage controls are up to date.</p> <p><u>Land Capability</u> Land capability is limited by the SPPs and some transitioning arrangements, such as the Invermay/Inveresk flood inundation area, and are mapped accordingly through either state government mapping or local mapping. The LPS process does not allow changes to the endorsed SPPs.</p> <p>Seismic activities are not captured in the Planning Scheme and cannot be considered. For seismic to be included in development considerations, a change to the State Planning Provisions would be required.</p> <p><u>Tidal flood plains and rising sea levels</u> Flood mapping and flood provisions are set through the inclusion of LAU-S10.0 Invermay/Inveresk Flood Inundation SAP, which is transitioning in accordance with the Minister's declaration, as well as C12.0 Flood-prone Areas Hazard Code, an endorsed SPP.</p> <p>Council would be generally supportive however or reviewing the flood mapping and flood provisions in the future through amendments to the scheme, outside of the LPS process.</p>
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Recommendation for the Draft LPS

No modifications to the draft LPS.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#17 Lionel Morrell - Heritage Protection Society (Tasmania)

Concerns	Comments
<ul style="list-style-type: none"> There are major heritage concerns within the LPS. The heritage places schedule, significant tree list, heritage precinct list, other structures and areas such as burial grounds and recreational grounds, and archaeology sites need to be updated or included; and The list of local heritage sites and associated appendices should not be endorsed until accredited. 	<p><u>Heritage</u> Council agrees that further work will be required to be undertaken to ensure further cultural heritage protection, including identifying new properties for the heritage register, and removing those that no longer contain heritage value, identifying significant trees, and identifying archaeological sites. Further work is also required on providing heritage precincts to work in conjunction with the new heritage code.</p> <p>However, Council were limited in this aspect as we were directed to transition the existing heritage list as it stands, and were not permitted to make any changes, including removing or adding properties.</p> <p>Council will however be supportive of scheme amendments outside of the Local Provisions Schedule process to ensure all heritage controls are up to date, including identifying new areas, significant trees, and archaeological sites.</p>

Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

Consultants

#18 Ian Abernethy - FJA Solutions	
Concerns	Comments
<ul style="list-style-type: none"> 76 & 78 Cimitiere Street, Launceston (CT141649/3 and CT141649/1) - Request the site be rezoned from Commercial to Urban Mixed Use. 	<p>The site is proposed to be zoned Commercial, a direct translation from the existing Commercial zoning of the site. The two lots are part of a single city block surrounded by Lawrence street, Cimitiere Street, Willis Street, and Boland Street. The majority of the city block is currently being revitalised, and is in the construction phase of a new university campus, noting that the rest of the block is zoned Urban Mixed Use. The sites contain several buildings, and currently operate as a car wash and battery store.</p> <p>Zone application guides CZ 1 for the Commercial Zone states:</p> <p><i>CZ 1 The Commercial Zone should be applied to land within urban settlements that provides, or is intended to provide, for large floor area retailing (such as Bulky Goods Sales and Equipment and Machinery Sales and Service), service industry, low impact storage and warehousing, or other commercial use needs of the community that demand:</i></p> <p><i>(a) large floor or outdoor areas; and</i> <i>(b) high levels of vehicle access and car parking for customers.</i></p> <p>It is noted that the site no longer meets this guideline as it is limited in its ability to provide large floor area retailing.</p> <p>It is considered that the site is better suited to Urban Mixed Use, noting it meets the following zone application guidelines:</p> <p><i>UMUZ 1 The Urban Mixed Use Zone should be applied to land within urban settlements:</i></p> <p><i>(a) which have an existing mix of uses, where no particular use dominates, and there is a strategic intention to maintain a mix of uses; or</i> <i>(b) where there is a strategic intention to create an area with a mix of uses where no particular use dominates.</i></p> <p><i>UMUZ 2 The Urban Mixed Use Zone may be applied to urban areas:</i></p> <p><i>(a) along high frequency public transport corridors or key transport hubs such as bus interchanges; or</i> <i>(b) areas intended for commercial, retail and residential activity with good access to high frequency public transport services.</i></p> <p>The site currently contains a mix of uses, and in the future will add to the existing mix of uses on the site and surrounding area. The site is located along Cimitiere Street, a high frequency corridor.</p>

It is recommended the site be rezoned to Urban Mixed Use.

Recommendation for the Draft LPS

Rezone CT141649/3 and CT141649/1 to Urban Mixed Use.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

- The recommendation corrects an error in zoning and greater consistency with the SPP requirements and drafting instructions.
- Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#19 Ian Abernethy - FJA Solutions

Concerns

- 44 and 48 Forster Street, and part 147/149 Invermay Road, Invermay (CT222497/1, CT69653/2 and CT32616/4) - Request to rezone from Commercial to Inner Residential and alter the boundary for the precinct within the Invermay/Inveresk Flood Inundation Code.

Comments

Council does not agree with the change.

The partial rezoning of 147/149 Invermay Road will result in a split zoned site. The zoning has been a straight translation from the Commercial Zone to the Commercial Zone. It is noted that whilst there may be opportunity to further develop residential uses on part of this land, it currently meets the zone application guidelines for the commercial zone in that the site contains large floor area retailing.

Further, it is not Councils intention to include any new residential land within the flood inundation area, until such time that further investigation into the flood modelling is undertaken. It is also important to note that the Flood Inundation code is a transitioning code and will not be amended during this process.

Recommendation for the Draft LPS

No modifications to the draft LPS.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#20 Ian Abernethy - FJA Solutions

Concerns

Comments

<ul style="list-style-type: none"> 53-53A Invermay Road, Invermay (CT199286/1, CT125036/1, CT205955/1, CT199257/1, CT36887/1, CT53420/1, CT19150/1) - Request to rezoning the site from Commercial Zone to Local Business Zone; and 16 Dry Street, Invermay (CT126266/1, CT19150/1) - Request to remove 6 Dry Street, Invermay from its heritage listing. 	<p><u>53-53A Invermay Road, Invermay</u> The site as identified is currently zoned Commercial and proposed to transition into the Commercial zoning under the new scheme. The representor has stated that the vision of the site will be to consolidate and develop to serve the Invermay area. Notwithstanding, the potential uses as identified within the representation are all still permissible within both the commercial and local business zones, albeit subject to different degrees of scrutiny. Accordingly the vision for the site is still achievable without the need to rezone.</p> <p>Maintaining the Commercial zoning would be consistent with pattern of development of the area, which maintains commercially zoned properties off Invermay Road, and maintains Local Business uses along the road.</p> <p>It is recommended that the Commercial zoning be retained, as this would give the site its greatest opportunity to develop. If the vision is to create a mixed area serving the Invermay area, essentially an extension of the businesses along Invermay Road, then this will still be able to be achieved through the Commercial zoning.</p> <p><u>16 Dry Street, Invermay</u></p> <table border="1"> <thead> <tr> <th>Address</th> <th>Title Reference</th> <th>Request</th> <th>Rationale</th> <th>Response</th> <th>Explanation</th> </tr> </thead> <tbody> <tr> <td>6 Dry Street, Invermay OR parts of 53-53A Invermay Road, Invermay</td> <td>(CT36887/1) (CT199257/1)</td> <td>That these titles be removed from the Local Historic Cultural Heritage Code</td> <td>The titles are vacant land. Also, according to the LIST 6 Dry St does not exist as an entity – the relevant titles (deemed to be 6 Dry St) are alternatively referred to as '53-53A Invermay Road, Invermay'. + The listing is considered to be an error by the representor.</td> <td>The titles are now vacant land, separated from their parent property known as 6 Dry Street, which was legitimately listed in the Launceston Planning Scheme 1996 as part of the Bedford/Russell Street Precinct. This listing included 4 titles. LISTmap still shows the existence of 6, 8 and 10 Dry Street (titles 36887/1, 53420/1, 27197/1 respectively), however these now appear to be formally identified as parts of 53-53A Invermay Road on the titles, as noted within the representation. The listing of the titles may not still be useful, however it is not considered to be an error and therefore it is not agreed that the listings should be removed under the transition arrangements, but will however be re-assessed as part of the Heritage List Review. If the TPC disagree, then the listings could be removed without issue.</td> <td>The titles were part of a property assessed as having heritage significance. Removal may be considered as part of an amendment to the new scheme, but the title is not known to have been listed in error.</td> </tr> </tbody> </table> <p>Whilst Council is unable to remove the heritage listing at this stage, it is open to reviewing listed properties in the future as part of a scheme amendment.</p>	Address	Title Reference	Request	Rationale	Response	Explanation	6 Dry Street, Invermay OR parts of 53-53A Invermay Road, Invermay	(CT36887/1) (CT199257/1)	That these titles be removed from the Local Historic Cultural Heritage Code	The titles are vacant land. Also, according to the LIST 6 Dry St does not exist as an entity – the relevant titles (deemed to be 6 Dry St) are alternatively referred to as '53-53A Invermay Road, Invermay'. + The listing is considered to be an error by the representor.	The titles are now vacant land, separated from their parent property known as 6 Dry Street, which was legitimately listed in the Launceston Planning Scheme 1996 as part of the Bedford/Russell Street Precinct. This listing included 4 titles. LISTmap still shows the existence of 6, 8 and 10 Dry Street (titles 36887/1, 53420/1, 27197/1 respectively), however these now appear to be formally identified as parts of 53-53A Invermay Road on the titles, as noted within the representation. The listing of the titles may not still be useful, however it is not considered to be an error and therefore it is not agreed that the listings should be removed under the transition arrangements, but will however be re-assessed as part of the Heritage List Review. If the TPC disagree, then the listings could be removed without issue.	The titles were part of a property assessed as having heritage significance. Removal may be considered as part of an amendment to the new scheme, but the title is not known to have been listed in error.
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Recommendation for the Draft LPS

No modifications to the draft LPS.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#21 Ian Abernethy - FJA Solutions

Concerns	Comments
<ul style="list-style-type: none"> 153-155 Lilydale Road, Rocherlea (CT47196/1) - Request to rezone the land from Rural to Low Density Residential. 	<p>The applicant has requested that the site be rezoned to Low Density Residential.</p> <p>The site is a greyfield site, adjoining and surrounding a row of nine Low Density properties, with further Low Density Residential zoning over Lilydale Road at 19 Russells Plains Road. The site also adjoining Light Industrial to the south, a rail line to the west, and further west rural land.</p> <p>Zone application guidelines states:</p>

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

- (a) residential areas with large lots that cannot be developed to higher densities due to any of the following constraints:*
 - (i) lack of availability or capacity of reticulated infrastructure services, unless the constraint is intended to be resolved prior to development of the land; and*
 - (ii) environmental constraints that limit development (e.g. land hazards, topography or slope); or*
- (b) small, residential settlements without the full range of infrastructure services, or constrained by the capacity of existing or planned infrastructure services; or*
- (c) existing low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development, and where there is justification for a strategic intention not to support development at higher densities.*

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

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

The site is heavily constrained. In particular, the lot is an irregular shape currently sitting around smaller Low Density Lots (average 650m²) in size. Furthermore, the rail line adjoining the property to the west will impede any potential future high density development. Further, the pattern of development within the area does allow smaller lots to develop on Low Density Residential land. The rezoning would also compliment the pattern of Low Density Residential land within the area, and is a natural and logical extension to the surrounding land.

Under the Northern Tasmanian Regional Land Use Strategy, the site is located within the 'Urban' land use area, but outside of any urban growth areas. No supporting information has been provided by the representor as to how the change of zoning from rural to an urban zone would meet the provisions of the NTRLUS.

Therefore, whilst it can be considered the proposal is able to meet the zone application guidelines for Low Density Residential, the representation has not provided sufficient information to determine compliance against the regional strategy.

The zoning must therefore remain rural.

Recommendation for the Draft LPS

No modifications to the draft LPS.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Concerns	Comments
<ul style="list-style-type: none"> 298-300 Hobart Road, Youngtown (CT23820/2 & CT23820/3) - Request rezone from Commercial to General Residential. 	<p>Council is supportive of the change. The zoning was a translation exercise from its current Commercial Zonings. The site contains a derelict supermarket and two large billboards. Immediately adjoining the sit to the north are two dwellings currently utilised for residential use, noting they are however in the commercial zone.</p> <p>Whilst it could be considered the site meets the zone application guidelines for the Commercial zone, it is not believed this is its best use, and the site lends itself more to the General Residential Zone. The zone application guidelines for the General Residential zone state:</p> <p><i>GRZ 1 The General Residential Zone should be applied to the main urban residential areas within each municipal area which:</i></p> <p><i>(a) are not targeted for higher densities (see Inner Residential Zone); and</i> <i>(b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system.</i></p> <p><i>GRZ 2 The General Residential Zone may be applied to green-field, brown-field or grey-field areas that have been identified for future urban residential use and development if:</i></p> <p><i>(a) within the General Residential Zone in an interim planning scheme;</i> <i>(b) within an equivalent zone under a section 29 planning scheme; or</i> <i>(c) justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; and</i> <i>(d) is currently connected, or the intention is for the future lots to be connected, to a reticulated water supply service and a reticulated sewerage system.</i></p> <p>The applicant has provided sufficient information to support its rezoning, including an analysis against Regional Land use Strategy. It is noted as the site is within the urban growth area, no local strategy for rezoning is required. The site is a grey field site, and connected to all reticulated services.</p> <p>It is recommend that the zoning be amended.</p>
Recommendation for the Draft LPS	
That CT23820/2 & CT23820/3 be rezoned General Residential.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
<ul style="list-style-type: none"> The recommendation identifies land where the zoning has been incorrectly applied. Amending the zoning will bring the LPS into greater consistency with the SPP requirements and drafting instructions. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained. 	
#23 Michelle Schleiger - Woolcott Surveys	
Concerns	Comments
<ul style="list-style-type: none"> 3420 Blessington Road, Upper Blessington (CT33313/1) - Request rezone from Agriculture to Rural 	<ul style="list-style-type: none"> Council engaged RMCG to provide further advice on the sites potential to be rezoned to rural (Attachment 3); Assessment against the guidelines indicates that the site has the qualities of an Agricultural zone; It is recommended that the zone remain Agriculture as proposed.

Recommendation for the Draft LPS
That CT33313/1 remain Agriculture as advertised.
Representation Merit
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.
Effect on the Draft LPS as a whole
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.
LPS Criteria
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#24 Michelle Schleiger - Woolcott Surveys	
Concerns	Comments
<ul style="list-style-type: none"> 299 Relbia Road, Relbia (CT122876/1) - Request rezone from Agriculture to Rural Living. 	<p>The representor is seeking a change of zone from Agriculture to Rural Living on the western portion of the site. The site is currently split by Relbia Road.</p> <p>Council do not support the request.</p> <p>The zoning is a translation from Rural Resource to Agriculture. The site contains landslip and is within the attenuation area. The relevant zone application guidelines state:</p> <p><i>RLZ 2 The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</i></p> <p><i>(a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; or</i></p> <p><i>(b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater.</i></p> <p><i>RLZ 4 The Rural Living Zone should not be applied to land that:</i></p> <p><i>(a) is suitable and targeted for future greenfield urban development;</i></p> <p><i>(b) contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see Landscape Conservation Zone), unless the values can be appropriately managed through the application and operation of the relevant codes; or</i></p> <p><i>(c) is identified in the 'Land Potentially Suitable for Agriculture Zone' available on the LIST (see Agriculture Zone), unless the Rural Living Zone can be justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.</i></p> <p>The site is unable to meet the above guidelines. There is no supporting strategy to rezone the land to Rural Living. It is noted that Council is currently undertaking a review of the Relbia area, with the site identified within this project. The land has been identified as suitable for grazing and cropping, and concludes that its most suitable zoning is Agriculture. This is further supported by its identified as land suitable for the Agriculture zone as identified on the LIST.</p> <p>The site is also located within an attenuation area due to its proximity to a quarry. The representor provided a noise and ground vibration assessment, which concluded:</p> <p><i>'... the Mount Oriol quarry does not impact on the amenity of residents of 299 Relbia Road or cause them environmental harm'</i></p>

This report however has not been reviewed, nor has it been referred to MRT. The report would a document aht may support development on site, but is not sufficient to support a change of use.

Recommendation for the Draft LPS

That CT122876/1 remain within the Agriculture and Rural living zones as advertised.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#25 Michelle Schleiger - Woolcott Surveys

Concerns

- 135 Rostella Road, Dilston (CT38796/1) - Rezone from Agriculture to Rural

Comments

- Council engaged RMCG to provide further advice on the sites potential to be rezoned to rural (Attachment 3);
- Assessment against the guidelines indicates that the site has the qualities of an Agricultural zone;
- It is recommended that the zone remain Agriculture as proposed.

Recommendation for the Draft LPS

That CT38796/1 remain Agriculture as advertised.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#26 Michelle Schleiger - Woolcott Surveys

Concerns

- Insert a 'market' as a qualified use to LAU-P2.0 Particular Purpose Zone - Coats Patons Complex

Comments

Whilst Council is supportive of the change, as the PPZ is a transitioning arrangement under schedule 6, clause 8A(1) of LUPAA, the provisions of the PPZ should not be altered during the LPS process.

If Council did decide to amend the PPZ, the PPZ would be removed as a transitioning provision and altered, but this would have major complications for the process because this would be considered a substantial modification.

Matters on transitioning provisions are not taken to be a representation, unless through this process the Council decided that it didn't want the provision to transition, which would then open it up to new public exhibition (substantial modifications) and representations.

	<p>The Council is open to consider amendments to the use tables later on through the normal draft amendments process.</p> <p>As such, it is recommended that the 'Market' use class remain absent from the zone at this time.</p>
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#27 James Stewart - Woolcott Surveys	
Concerns	Comments
<ul style="list-style-type: none"> 33 Birch Avenue, Newstead (CT244227/1) - Rezone from Recreation to Community Purpose 	<p>The site is located within a flood prone area and currently contains a church. A church is a permitted use within the Community Purpose zone.</p> <p>The site was subject to a proposed Amendment (DA0316/2016) to rezone the land from Recreation to Community Purpose. During assessment the rezoning was not supported and the applicant subsequently withdrew their application.</p> <p>It is not considered to be appropriate or sensible planning to rezone a site into a zone that would potentially allow more sensitive orientated use and development. This is due to the existing hazards constraints of flooding. Council is preparing a Land use planning in levee protected areas - flood risk assessment and mapping report which is currently in draft form. The report identifies the site with a risk index as 'intolerable', which translates to the risk being too high in general, and it should be reduced or eliminated regardless of cost.</p> <p>Whilst it can be considered the site meets the zone application guidelines for community purpose, CPZ 2 allows for the zoning to remain Recreation if appropriate. Based on the existing use and the surrounding zoning, it is considered appropriate that the zoning remain Recreation.</p> <p>It is recommend that the zoning remain unchanged.</p>
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	

LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#28 Allan Brooks - PDA Surveyors

Concerns	Comments
<ul style="list-style-type: none"> 181 Westbury Road, Prospect (CT51268/3 and CT51268/4) - Rezone these two parcels from LAU-P6.0 Particular Purpose Zone - Prospect Business Precinct to Low Density Residential 	<p>Whilst Council is supportive of the change, as the PPZ is a transitioning arrangement under schedule 6, clause 8A(1) of LUPAA, the provisions of the PPZ should not be altered during the LPS process.</p> <p>If Council did decide to amend the PPZ, the PPZ would be removed as a transitioning provision and altered, but this would have major complications for the process because this would be considered a substantial modification.</p> <p>Matters on transitioning provisions are not taken to be a representation, unless through this process the Council decided that it didn't want the provision to transition, which would then open it up to new public exhibition (substantial modifications) and representations.</p> <p>The Council could consider amendments to the PPZ through the normal draft amendments process.</p> <p>As such, it is recommended that the zoning remain as advertised.</p>

Recommendation for the Draft LPS

No modifications to the draft LPS.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

- Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#29 Chloe Lynn - JAC Estates - c/o Commercial Project Delivery

Concerns	Comments
<ul style="list-style-type: none"> 'South Prospect' 574 Meander Valley Road, Prospect - Acknowledging the site is proposed to be zoned Agriculture under the LPS, make Council aware that this property will be subject to a future amendment to rezone to General Residential, Commercial, and Local Business. 	Noted.

Recommendation for the Draft LPS

No modifications to the draft LPS.

Representation Merit

The representation makes note of the changes to zoning and future aspirations for the site. The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#30 Claire Gregg - co JAC Group of Companies

Concerns

- 94 Relbia Road, Relbia (CT197183/1) - Request priority vegetation overlay is removed;
- 122-126 York Street, Launceston (CT33765/1, CT33766/1, and CT33521/1) - Request the sites be removed from the Local Heritage Code

Comments

94 Relbia Road, Relbia (CT197183/1)
 The following flora and fauna are identified on the site:

- Threatened Flora: Blue pincushion
- Relative Reservation: (DVG) Eucalyptus viminalis grassy forest and woodland
- Threatened Fauna and Significant Habitat: Glossy Grass Skink and Spotted-tailed Quoll

As the site contains areas of threatened flor and fauna, it is considered to have met the application guidelines for priority vegetation and the mapping should be retained.

122-126 York Street, Launceston (CT33765/1, CT33766/1, and CT33521/1)

Address	Title Reference	Request	Rationale	Response	Explanation
122-126 York Street, Launceston	(CT33765/1) (CT33766/1) (CT33521/1)	That these titles be removed from the Local Heritage Code	That <i>this property was individually added to the Local Heritage Code in response to the Heritage Precincts being removed from the Interim Planning Scheme. The building was constructed in c.1965 and does not have any heritage significance.</i>	It is agreed that the property does not retain sufficient heritage significance to be retained on the list of Local Heritage Places, and it is proposed to be removed as part of an amendment to the new scheme once it is in place, however the 2 titles making up 122 York Street were legitimately listed in the Launceston Planning Scheme 1996 as part of the St John Street Precinct and this was retained as part of the current scheme.	The titles were part of a property assessed as having heritage significance. Removal may be considered as part of an amendment to the new scheme, but the title is not known to have been listed in error.
Actually 122 York Street (124-126 York Street is not listed)	(CT33765/1) (CT33766/1) (CT33521/1)	Local Heritage Code	<i>The building was constructed in c.1965 and does not have any heritage significance.</i> + The listing is considered to be an error by the representor.	The property was re-assessed as part of the Heritage List Review and the individual listing is no longer considered to be warranted, however the TPC did not consider the removal to meet the requirements of the transition arrangements when this was proposed. Therefore the listing is not agreed to be an error and therefore it is not agreed that the listings should be removed under the transition arrangements. If the TPC now disagrees, then the listings could be removed without issue.	Removal may be considered as part of an amendment to the new scheme, but the title is not known to have been listed in error.

It is recommended the site retain its heritage listing, however Council would be open to reviewing heritage listed properties in the future.

Recommendation for the Draft LPS

- No changes to the priority vegetation overlay at 94 Relbia Road
- No changes to the heritage listed properties as advertised at 122-126 York Street, Launceston.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

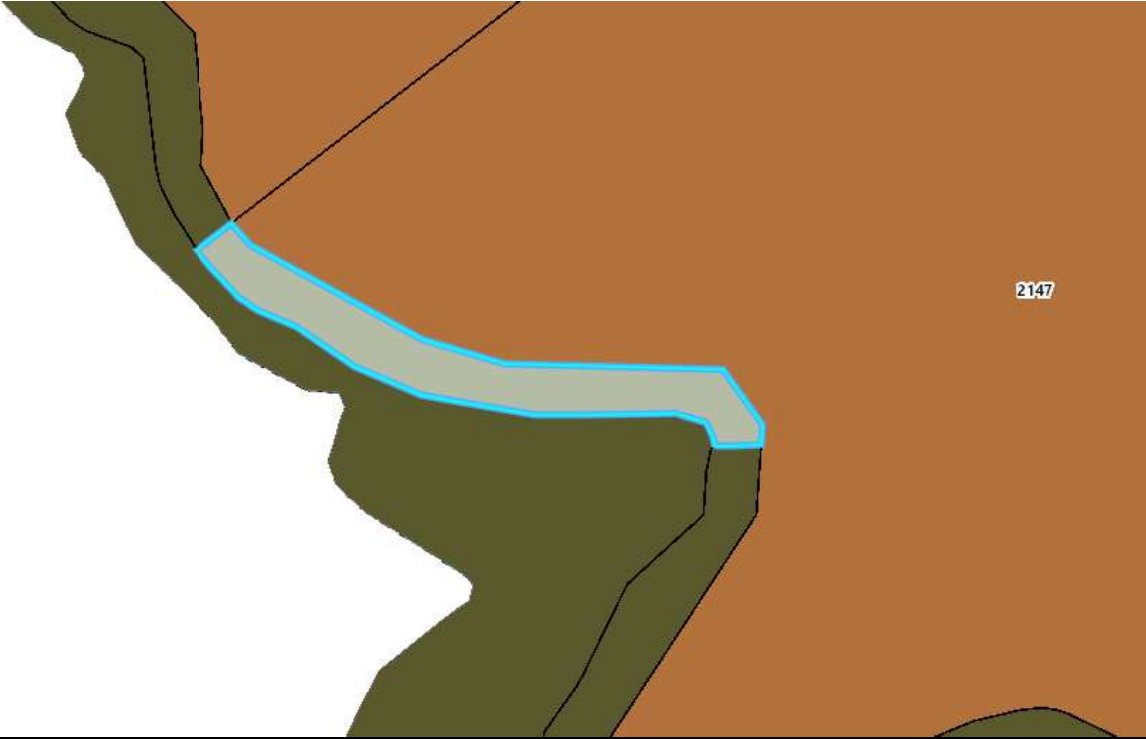
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#31 Irene Duckett - co University of Tasmania	
Concerns	Comments
<ul style="list-style-type: none"> • LAU-P4.0 Particular Purpose Zone - Inveresk Site - Request to: <ul style="list-style-type: none"> ○ Extend the site boundaries of the PPZ; ○ Replace the precinct map that reflects land tenure and uses; ○ Replace existing local area objectives; ○ Amend the table of uses; and ○ Amend several use standards 	<p>Whilst Council is supportive of the change, as the PPZ is a transitioning arrangement under schedule 6, clause 8A(1) of LUPAA, the provisions of the PPZ should not be altered during the LPS process.</p> <p>If Council did decide to amend the PPZ, the PPZ would be removed as a transitioning provision and altered, but this would have major complications for the process because this would be considered a substantial modification.</p> <p>Matters on transitioning provisions are not taken to be a representation, unless through this process the Council decided that it didn't want the provision to transition, which would then open it up to new public exhibition (substantial modifications) and representations.</p> <p>The Council could consider amendments to the PPZ through the normal draft amendments process.</p> <p>As such, it is recommended that the zoning remain as advertised.</p>
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
<ul style="list-style-type: none"> • The recommendation corrects minor errors and brings the zone e greater consistency with the SPP requirements and drafting instructions. • Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained. 	
#32 Mick Purves - co Illaroo Nominees Pty Ltd	
Concerns	Comments
<ul style="list-style-type: none"> • 345A St Leonards Road, St Leonards (CT34409/1 and CT33409/2) - Rezone from Agriculture to Future Urban 	<p>The site is approximately 49.5ha in size and is proposed to transition from Rural Resource to Agriculture. The site contains the electricity transmission line and a landslip overlay. The transition into the Agriculture zone was due to the AGLMP and mapping provided on the LIST.</p> <p>The Future Urban Zone is not one which has been proposed on any land within the municipality. The zone application guidelines state:</p> <p><i>FUZ 1 The Future Urban Zone should be applied to land identified for future urban development to protect the land from use or development that may compromise its future development, consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.</i></p> <p><i>FUZ 2 The Future Urban Zone should be applied to land within an interim planning scheme Particular Purpose Zone which provides for the identification of future urban land.</i></p> <p><i>FUZ 3 The Future Urban Zone may be applied to land identified in an interim planning scheme code or specific area plan overlay which provides for future urban land.</i></p> <p><i>FUZ 4 The Future Urban Zone may be applied to sites or areas that require further structure or master planning before its release for urban development.</i></p>

	<p>There is a St Leonards Village Plan that has reviewed the St Leonards area, and has identified the site as a priority residential area. However, this is only a discussion paper and is not yet endorsed.</p> <p>Notwithstanding, the representor has sufficiently demonstrated that the zone is appropriate and consistent with the regional land use strategy. Future work will need to be undertaken for the site relating to its strategic approach and masterplan prior to any land being released for urban development.</p> <p>Accordingly, it is recommended that the site be rezoned to Future Urban.</p>
Recommendation for the Draft LPS	
Rezone CT34409/1 and CT33409/2 to the Future Urban Zone	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
<ul style="list-style-type: none"> The recommendation identifies land where the zoning should be changed. Amending the zoning will bring the LPS into greater consistency with the SPP requirements and drafting instructions. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained. 	
#33 Justine Brooks - PDA Surveyors	
Concerns	Comments
<ul style="list-style-type: none"> 95-125 Glenwood Road, Relbia (CT176629/1) - Rezone a portion of the land from Agriculture to Rural Living 	<p>Council is not supportive of the change.</p> <p>The Agriculture zoning was implemented as per the mapping provided to Council as part of the Agriculture Land Mapping Project (AGLMP). It is now understood that changing zoning to Rural Living requires at the very least a local strategy to help support the change.</p> <p>Council has recently undertaken such work to review the Relbia area and its potential for Rural Living, noting however this was a discussion paper and did not make any changes to the. This report provided three potential scenarios of future zoning changes within the area. In all three scenarios the subject site is proposed to remain rural. I note that this document is not yet endorsed.</p> <p>In the Zone Application Guidelines, RLZ 2 states:</p> <p><i>RLZ 2 The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</i></p> <p><i>(a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;</i></p> <p>Accordingly, as the change in zone would be unable to meet the zone application guidelines the change is not supported.</p>
Recommendation for the Draft LPS	
The zoning at CT176629/1 remain Agriculture as advertised.	
Representation Merit	

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.
Effect on the Draft LPS as a whole
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.
LPS Criteria
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Individual

#34 Craig McKenzie	
Concerns	Comments
<ul style="list-style-type: none"> 2147 East Tamar Highway, Mount Direction (CT153121/1) - Request rezone from Agriculture to Rural or Rural Living. 	<ul style="list-style-type: none"> Council engaged RMCG to provide further advice on the sites potential to be rezoned to rural (Attachment 3); Assessment against the guidelines indicates that the site has the qualities of an Agricultural zone; It is recommended that the zone remain Agriculture as proposed. <p>Upon further review of this property, it was also identified that there is a reserve road zone Rural, as the image below depicts:</p> 

	This appears to be an omission. It is recommended that this title be rezoned Environmental Management, which is consistent with the adjoining reserve road allotments adjoining the river.
Recommendation for the Draft LPS	
<ul style="list-style-type: none"> • That CT153121/1 remain Agriculture as advertised; • That the reserve road currently zoned Rural be rezoned to Environmental Management 	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#35 Patrick Ryan	
Concerns	Comments
<ul style="list-style-type: none"> • 'Silverdome Sign' - 239-241 Westbury Road, Prospect (CT21787/1) - Request rezone from General Residential to Business 	There is no merit in amending the zone. The blade sign is an existing non-conforming use on the property. The zoning of the site is a direct translation from the current zoning and there is no basis to change the zoning of the site.
Recommendation for the Draft LPS	
No change to the zoning as advertised.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#36 George Darby	
Concerns	Comments
<ul style="list-style-type: none"> • 3/88 Talbot Road, South Launceston (CT56052/33) - Supporting the rezoning from Low Density Residential to General Residential; and • 70 Talbot Road, South Launceston (CT144139/1) - Request a rezone from Low Density Residential to General Residential. 	<p><u>3/88 Talbot Road, South Launceston (CT56052/33)</u> The support is noted.</p> <p><u>70 Talbot Road, South Launceston (CR144139/1)</u></p>

	<p>The requested zoning change is not supported. There are six properties on the western side of Talbot Road within this area that have maintained their Low Density Residential zoning. 'Appendix 3: Low Density Residential Zones Project Report' discusses these properties in more detail as to why the zoning should remain. It states:</p> <p><i>This area aligns with LDRZ1(a)(ii) of the Zone Application Guidelines. This area has significant portions of the lots with a slope of over 25% and is therefore constrained.</i></p> <p>LDRZ1 states:</p> <p><i>LDRZ 1 The Low Density Residential Zone should be applied to residential areas where one of the following conditions exist:</i></p> <p><i>(a) residential areas with large lots that cannot be developed to higher densities due to any of the following constraints:</i></p> <p><i>(i) lack of availability or capacity of reticulated infrastructure services, unless the constraint is intended to be resolved prior to development of the land; and</i></p> <p><i>(ii) environmental constraints that limit development (e.g. land hazards, topography or slope); or</i></p> <p><i>(b) small, residential settlements without the full range of infrastructure services, or constrained by the capacity of existing or planned infrastructure services; or</i></p> <p><i>(c) existing low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development, and where there is justification for a strategic intention not to support development at higher densities</i></p> <p>Due to the sites environmental constraints, namely the land hazards being landslip, as well as the topography of the site, the site meets (a)(ii) to allow the zone to be applied. The rear developable section of the site falls from 112m AHD down to 102.5m AHD over 40m. Whilst understanding the representors arguments that steep slopes can be developed, at this stage the site meets the zone application guidelines for the Low Density zone.</p> <p>The above issues, along with the adjoining site issues of a similar nature means collectively the site should remain low density residential.</p>
Recommendation for the Draft LPS	
No change to the zoning as advertised.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#37 Chris Calverley	
Concerns	Comments
<ul style="list-style-type: none"> 163 Diddleum Road, Tayene (CT49914/1) - Request rezone from Agriculture to Landscape Conservation 	<p>The site is proposed to be zoned Agriculture and contains landslip and waterway overlays.</p> <p>The site contains 'Diddleum Plains Reserve' and has a restrictive covenant in accordance with Section 34 of the Nature Conservation Act 2002. The covenant essentially limits the location for human habitation and requires the</p>

owner to not undertake certain activities, such as harvesting of trees. In short, it limits the sites potential for agriculture uses. This is important to note as the site is almost entirely covered in vegetation.

TASVEG mapping identified the site as containing:

- Non eucalypt forest and woodland;
- Rainforest and related scrub
- Wet eucalypt forest and woodland
- Agricultural, urban and exotic vegetation

The site does not contain a natural values overlay, and It is understood that the covenant existing on the property will retain its natural values.

The agriculture zoning was implemented from the state mapping provided to Council.

The zone and code application guideline No. 1, 22.0 outlines the zone application guidelines for Landscape Conservation. It is considered the site meets LCZ 1, in that the site has been identified as land with landscape values identified for protection and conversation, as per the landscape covenant located on the site.

However, this would be considered to be a spot zone not associated with any other Landscape Conservation zoning surrounding the property and the zoning change as requested is not supported.

The zone application guidelines for the Rural Zone RZ 3 state:

RZ 3 The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:

- (a) it can be demonstrated that the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;*
- (b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;*
- (c) the land is identified for the protection of a strategically important naturally occurring resource which is more appropriately located in the Rural Zone and is supported by strategic analysis;*
- (d) the land is identified for a strategically important use or development that is more appropriately located in the Rural Zone and is supported by strategic analysis; or*
- (e) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.*

It is considered appropriate to rezone the site into the Rural zone by meeting (e). By amending the zone to Rural the natural assets overlay would become applicable over the site. This would ensure any future development is able to maintain the natural values of the site, which is considered to be an appropriate strategic approach. Furthermore, the rezoning is consistent with the surrounding rurally zoned land.

Further to this submission, after a meeting with the representor, there was a desire to review the adjoining property to the west, being Corkeys Road, Targa (CT170602/1). This property is proposed to be zoned Rural, contain a priority vegetation overlay, and is within the LAU-S8.0 Forestry Area.

A search of this properties titles suggests there is no nature reserve or covenant over the site. Due to the SAP over this adjoining land, and the fact it is zoned Rural which would allow the Natural Assets Code, noting however that this code may not be applicable if vegetation is under a forest practices plan.

Recommendation for the Draft LPS

Rezone CT49914/1 from Agriculture to Rural.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.
LPS Criteria
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#38 Steve Kerrison

Concerns	Comments
<ul style="list-style-type: none"> 320 Peel Street West, Summerhill (CT16873/3 and CT16873/4) - Request rezone from Landscape Conservation to Low Density Residential 	<p>Council partially agrees with the request. .</p> <p>The site is currently split zoned, with Environmental Living located on both titles, and a portion of Low Density Residential located on CT16873/4. The current recommendation is to rezone all land into Landscape Conservation.</p> <p>The site does not contain any conservation covenants but does contain Relative Reservation (DVG) Eucalyptus viminalis grassy forest and woodland, and Threatened Fauna and Significant Habitat - glossy grass skink, eastern barred bandicoot, eastern quoll, spotted-tailed quoll, and Tasmanian devil.</p> <p>The site currently has an approved permit to subdivide the land (DA0557/2020) to essentially form a new parcel of land within the existing Low Density zone. This subdivision was to adjust the boundaries to ensure that the Low Density Residential area is able to be further subdivided in the future.</p> <p>Whilst the proposed zoning is able to meet LCZ 1 and LCZ 2 of the zone application guideline, it is considered to fail at LCZ 4, which states:</p> <p>LCZ 4 The Landscape Conservation Zone should not be applied to:</p> <p>(a) land where the priority is for residential use and development (see Rural Living Zone); or (b) State-reserved land (see Environmental Management Zone).</p> <p>As the land is a priority for residential use and development, it is not considered to have met the zone application guides for the Landscape Conservation Zone.</p> <p>It is recommended that the former zoning be reinstated, that would keep the partial land zoned Low Density Residential, and rezone the balance into Landscape Conservation. This is considered appropriate and able to meet the zone application guidelines for the Low Density Residential Zone, and in particular:</p> <p><i>LDRZ 2 The Low Density Residential Zone may be applied to areas within a Low Density Residential Zone in an interim planning scheme or a section 29 planning scheme to lots that are smaller than the allowable minimum lot size for the zone, and are in existing residential areas or settlements that do not have reticulated infrastructure services</i></p> <p>The land to be rezoned into Low Density Residential will be defined by the existing boundary alignments, as illustrated below:</p>



This is wholly consistent with the approved subdivision which also follows these zoning boundaries.

Recommendation for the Draft LPS

Rezone a portion of CT16873/4 to Low Density Residential and maintain the balance of CT16873/4 and retain CT16873/3 into the Landscape Conservation Zone.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

- The recommendation corrects an error in zoning and greater consistency with the SPP requirements and drafting instructions.
- Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#39 Michael Eddleston

Concerns	Comments
<ul style="list-style-type: none"> • Concerns around the State Planning Provisions, in particular: <ul style="list-style-type: none"> ○ General Residential lots can be subdivided without recourse; ○ The intent of the General Residential Zone is misleading; and ○ Consider a new 'Medium Density Residential' Zone. <p>Among the concerns are the purposes for the General Residential and Low Density Residential Zones.</p>	<p>The concerns raised within the representation relate to the State Planning Provisions and not the Local Provisions Schedule. The state provisions cannot be amended at this time, but it is noted that the provisions will be reviewed in 2022.</p>
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation does not specifically identify an issue within the LPS, but raises issue with the state planning provisions. On this basis the representation contains little merit with regard to the LPS.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#40 Adam & Tania Poultney	
Concerns	Comments
<ul style="list-style-type: none"> • 2460 Deddington Road, Blessington (CT28411/1) - Request to: <ul style="list-style-type: none"> ○ Amend the priority vegetation area to reflect the current status of the vegetation; and ○ Support the rezone to Rural 	<p>The site is proposed to be rezoned Rural. The priority vegetation area overlay will be applicable for any future development. The site contains and is subject to priority vegetation. Further, the site contains a covenant protecting the natural values of the site.</p> <p>It is considered that the mapping is suitable for the site. The representation has not provided any supporting information from a qualified flora and fauna expert that has determined the area in question now lacks any threatened flora or fauna. As such, it is recommended that the overlay remain.</p> <p>However, it is recommended that the representor provide further detail from their proposed amendment to their conservation covenant during the hearing process. Council would be willing to accept a reduction in the priority vegetation overlay should the change be undertaken.</p>
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#41 Jared McDonald**Concerns**

60 Gascoyne Street, Kings Meadows (CT46471/1) - Rezone from Low Density Residential to a higher density residential zone

Comments

Council do not agree with the request.

The site is currently zoned Low Density Residential and this zoning is proposed to remain. It is noted and as demonstrated within the supporting reports that the majority of Low Density Residential land within the Gascoyne Street and Normanstone Road area did change from Low Density Residential to General Residential. There is an area however of sites north of Machen's Reserve, and on the southern side of Gascoyne Street where Low Density Residential was retained. This was due to the zone application guideline, and in particular:

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

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

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

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

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

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

This area has been reviewed several times, including requests from the Tasmanian Planning Commission. The site is established with a single dwelling towards the front and vacant rear yard, which is consistent with the pattern of development within the area, especially lots which gain access from Gascoyne Street

The site in question is 1,102m² in site area and contains medium level landslip hazard and a slope of approximately 8% over the site, but a slope closer to 11% at the rear. Whilst reticulated services are available, it is considered its slope and topography does not lend itself to higher density development and is unable to meet LDRZ 1.

It is further noted that if there was capacity for future development that would lend itself to another zone, the site is located within a cluster of properties that will retain their low density residential zoning. The removal of this property into another would be considered to be a spot zoned, something that is discouraged and is of a poor planning outcome.

Therefore it is recommended that the zoning be applied as advertised.

Recommendation for the Draft LPS

That CT46471/1 retain its Low Density Residential zone as advertised.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#42 Anna Povey

Concerns	Comments
<ul style="list-style-type: none"> There is an overuse of the Agriculture Zone which is exempt from the provisions of the Natural Assets Code. The zone has been applied broadly on land not utilised for agricultural purposes; A great deal of agricultural land should be rezoned Landscape Conservation of Rural; It should be considered under s.35G of LUPAA to amend the natural Assets Code to apply to the Agriculture zone. 	<p>Council engaged RMCG to provide further advice on the sites potential to be rezoned to rural (Attachment 4). The report agrees that there were issues with the Agricultural Land Mapping Project (ALMP), in that blanket mapping was placed over land as identified as 'unconstrained' and warranted further investigation.</p> <ul style="list-style-type: none"> The representor identified approximately 89 titles proposed to be zoned Agriculture; Without reviewing each site individually and on its own merits, and without consultation with the landowners, at this stage Council would not support any rezoning; The representation does not provide any details of the land with conservation covenants on them, including current uses, any supporting documents on the natural communities of these properties, or any advice from the landowners; No information has been provided on the agricultural potential of any particular site; Council however would be happy to facilitate further discussions on the merits of zoning outside of the identified agriculture lots at a future stage, and help facilitate scheme amendments to ensure the natural values of the area are identified and approximately zoned; At this stage however lots containing identified reserves and covenants do not meet the zone application guidelines under LCZ 2; It may be that the Rural zoning would be better suited as this would allow the Natural Assets Code to be applied to future development; Natural values mapping has not been applied to any Agriculture zoned land as the Natural Assets Code will not be applicable; Council is not yet proposing any changes to the SPP's through a section 35G report.

Recommendation for the Draft LPS

No modifications to the draft LPS.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#43 Nicole Tapp

Concerns	Comments
<ul style="list-style-type: none"> 262A Austins Road, Turners Marsh (CT128905/1) - Request rezone from Rural to Landscape Conservation 	<p>Council do not support the change.</p> <p>The site contains Dismal range #2 Reserve protected by a conservation covenant</p> <p>The Rural zoning was implemented from the state mapping provided to Council.</p>

	<p>The zone and code application guideline No. 1, 22.0 outlines the zone application guidelines for Landscape Conservation. It is considered the site meets LCZ 1, in that the site has been identified as land with landscape values identified for protection and conversation, as per the landscape covenant located on the site.</p> <p>However, the single rezoning of this site would be considered to be a 'spot' rezoning, something that is not considered to be responsible planning. As the site is located within the Rural Zone, the Natural Assets code will become applicable, assisting in the protection of the natural vales of the site.</p> <p>Council is however open to reviewing Landscape Conversation as a whole over the municipality and undertaking a potential scheme amendment in the future, subject to sufficient and appropriate information.</p>
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#44 Paul and Donna Matthews	
Concerns	Comments
<ul style="list-style-type: none"> 298 Patersonia Road, Nunamara (CT30233/1) - Request rezone from Agriculture to Rural 	<ul style="list-style-type: none"> Council engaged RMCG to provide further advice on the sites potential to be rezoned to rural (Attachment 3); Assessment against the guidelines indicates that the site has the qualities of an Agricultural zone; It is recommended that the zone remain Agriculture as proposed.
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#45 Anna Goodsall

Concerns	Comments
<ul style="list-style-type: none"> 19-25 Churchill Park Drive, Invermay (CT179568/1) - Request the site be rezoned from Light Industrial into a residential or recreation zone 	<p>The zoning of the site is a direct translation from its existing light industrial zoning into the new light industrial zoning. This is consistent with the existing zoning and established industrial uses of this area of Churchill Park Drive, as well as the zone application guidelines, especially considering the site has a history of industrial use.</p> <p>It is recommended that no changes to the zoning occur.</p>
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#46 John Thompson - co Neil and Christine Ayers	
Concerns	Comments
<ul style="list-style-type: none"> 160 Whites Mill Road, Underwood (CT161070/4 and CT206977/1) - Request rezone from Rural to Landscape Conservation 	<p>Council is supportive of the change.</p> <p>The sites in question currently adjoin six titles to the north and west located within the Landscape Conservation zone. The rezoning of the subject properties is considered to be a natural and logical extension of this zone, noting that it is supported by the landowner. Sufficient information has been provided to determine that the site contains large areas of native vegetation, meeting application guideline LCZ 2. Further, and in accordance with LCZ 3, which states the Landscape Conservation zone may be applied to a group of titles with landscape values that are less than the allowable minimum lot size for the zone, such as the properties listed.</p>
Recommendation for the Draft LPS	
That CT161070/4 and CT206977/1 be rezoned Landscape Conservation.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#47 Susan Rafferty	
Concerns	Comments
<ul style="list-style-type: none"> How much account of sensitive use is being included in the new Planning Scheme? What recourse is being considered in the event of unacceptable noise? 	<p>The concerns raised within the representation appear to relate to the State Planning Provisions and not with the Local Provisions Schedule. There is a formal review process of the provisions that will occur in 2022. The</p>

<ul style="list-style-type: none"> What guidelines will be in place to allow for reasonable objections to be heard and addressed? 	<p>representation also looks at a specific site and recent approval for that site. The LPS implementation and review does not consider recent approvals and RMPAT processes.</p> <p>Notwithstanding, to answer the questions raised.</p> <p><u>How much account of sensitive use is being included in the new Planning Scheme?</u> Sensitive use provisions are considered zone by zone when assessing a planning application.</p> <p><u>What recourse is being considered in the event of unacceptable noise?</u> If an application is unable to meet a condition of a permit, compliance action may be taken.</p> <p><u>What guidelines will be in place to allow for reasonable objections to be heard and addressed?</u> Anyone has the ability to lodge a complaint should they feel a permit is not meeting its conditions of use.</p> <p>No changes are recommended to the LPS.</p>
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation does not specifically identify an issue within the LPS, but raises issue with the state planning provisions, and more generally the planning process. On this basis the representation contains little merit with regard to the LPS.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#48 Garry Dawkins	
Concerns	Comments
<ul style="list-style-type: none"> 40768 Tasman Highway, Waverley (CT104384/2) - Request rezone from Rural to Rural Living. 	<p>Not enough information provided - needs a detailed consideration. Support in theory with supporting information - wouldn't rule it would</p> <p>Council is not supportive of the change.</p> <p>The Agriculture and Rural zoning was implemented as per the mapping provided to Council as part of the Agriculture Land Mapping Project (AGLMP). It is now understood that changing zoning to Rural Living requires at the very least a local strategy to help support the change.</p> <p>In the Zone Application Guidelines, RLZ 2 states:</p> <p><i>RLZ 2 The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</i></p> <p><i>(a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;</i></p> <p>Insufficient information has been provided to demonstrate compliance against the Regional Land use Strategy, and there are no known local strategy's at this point that would assist in the zoning change.</p> <p>Council would however be open to reviewing the site in question through an amendment application. Accordingly, as the change in zone would be unable to meet the zone application guidelines the change is not supported.</p>

Recommendation for the Draft LPS
No modifications to the draft LPS.
Representation Merit
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.
Effect on the Draft LPS as a whole
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.
LPS Criteria
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#49 Moira Scott	
Concerns	Comments
<ul style="list-style-type: none"> 194 Goullees Road, Underwood (CT43810/1) - Request rezone from Agriculture to Landscape Conservation 	<p>Council is no supportive of the change.</p> <p>The site contains a conservation covenant known as the Goullees Road Reserve. In short, it limits the sites potential for agriculture uses. This is important to note as the site is almost entirely covered in vegetation.</p> <p>The agriculture zoning was implemented from the state mapping provided to Council.</p> <p>The zone and code application guideline No. 1, 22.0 outlines the zone application guidelines for Landscape Conservation. It is considered the site meets LCZ 1, in that the site has been identified as land with landscape values identified for protection and conversation, as per the landscape covenant located on the site.</p> <p>LCZ 2 states:</p> <p><i>The Landscape Conservation Zone may be applied to:</i></p> <p><i>(a) large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation.</i></p> <p><i>(b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or</i></p> <p><i>(c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.</i></p> <p>It can be accepted that the site does contain areas of native vegetation. However, LCZ 3 states:</p> <p><i>LCZ 3 The Landscape Conservation Zone may be applied to a group of titles with landscape values that are less than the allowable minimum lot size for the zone.</i></p> <p>If the zoning change were to be adopted, it would result in a 'spot zoning', which is a situation Launceston would rather avoid. There are no other Landscape Conservation zones within the immediate area that the site could be grouped with.</p> <p>The zone and code application guideline No. 1, 21.0 outlines the zone application guidelines for the Agriculture Zone. The site is identified as 'land potentially suitable for agriculture zone'. AZ 6 states:</p>

	<p><i>Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if:</i></p> <p><i>(a) local or regional strategic analysis has identified or justifies the need for an alternate consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;</i></p> <p><i>(b) for the identification and protection of a strategically important naturally occurring resource which requires an alternate zoning;</i></p> <p><i>(c) for the identification and protection of significant natural values, such as priority vegetation areas as defined in the Natural Assets Code, which require an alternate zoning, such as the Landscape Conservation Zone or Environmental Management Zone;</i></p> <p><i>(d) for the identification, provision or protection of strategically important uses that require an alternate zone; or</i></p> <p><i>(e) it can be demonstrated that:</i></p> <p><i>(i) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;</i></p> <p><i>(ii) there are significant constraints to agricultural use occurring on the land; or</i></p> <p><i>(iii) the Agriculture Zone is otherwise not appropriate for the land.</i></p> <p>The site does not contain a natural values overlay, and It is understood that the covenant existing on the property will retain its natural values, noting this protection is outside of the planning scheme. It is unclear from the information provided how the site meets AZ 6.</p> <p>At this stage it is not considered appropriate to rezone the site as it is unable to meet the zone application guidelines.</p> <p>Council is however open to reviewing Landscape Conversation as a whole over the municipality and undertaking a potential scheme amendment in the future, subject to sufficient and appropriate information.</p> <p>It is recommended the site remain Agriculture as advertised.</p>
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Recommendation for the Draft LPS

No modifications to the draft LPS.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#50 Darren Caletti

Concerns	Comments
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<ul style="list-style-type: none"> 1890 Lilydale Road, Lilydale (CT219605/1,CT223525/1, and CT125219/1) - Request rezone from Agriculture to Low Density Residential 	<p>Council partially agrees with the request.</p> <p>The site consists of three titles, of which one title (CT219605/1) contains a single dwelling and associated residential buildings. This title is the most northern lot of a row of Low Density Residential land that has been developed. The two lots to the rear are currently vacant.</p> <p>Due to fragmentation, it is recommend that the rear two titles remain Agriculture, and that CT219605/1 be rezoned into Low Density Residential.</p>
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Recommendation for the Draft LPS

That CT219605/1, be rezoned to Low Density Residential. That CT223525/1 and CT125219/1 remain Agriculture as advertised.
Representation Merit
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.
Effect on the Draft LPS as a whole
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.
LPS Criteria
<ul style="list-style-type: none"> The recommendation corrects an error in zoning and greater consistency with the SPP requirements and drafting instructions. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#51 Rebecca Goodsall	
Concerns	Comments
<ul style="list-style-type: none"> The area around Invermay needs to be revisited including zoning changes to ensure that flooding and other development factors do not contribute to negative effects. 	<ul style="list-style-type: none"> Invermay has been reviewed, including some changes to the General Residential Zone, Inner Residential Zone, General Industrial Zone, and Light Industrial Zone; Flooding has been captured by both C12.0 Flood Prone Areas Hazard Code and LAU-S10.0 Invermay Inveresk Flood Inundation SAP; The review is considered appropriate for the area and no larger changes are proposed.
Recommendation for the Draft LPS	
No modifications to the draft LPS, unless specifically identified within another representation.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
The recommendation to leave the zoning as advertised, unless other identified changes are recommended within this document. There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#52 Basil Fitch	
Concerns	Comments
<ul style="list-style-type: none"> There was insufficient time to consider all documents during the formal exhibition period; and Climate change needs to be taken seriously which should require a review of the schedule and codes. 	<ul style="list-style-type: none"> Advertising occurred in accordance with the relevant sections of LUPAA. The code and zone provisions are identified as the State Planning Provisions. These provisions have been endorsed and will come into operation at the commencement of the new scheme. There is a formal review process of the provisions that will occur in 2022.
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation does not specifically identify an issue within the LPS, but raises issue with the advertising process and state planning provisions. On this basis the representation contains little merit with regard to the LPS.	

Effect on the Draft LPS as a whole
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.
LPS Criteria
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#53 John Thompson - co K Wood and M Dockray

Concerns	Comments
<ul style="list-style-type: none"> 691A Brown Mountain Road, Karoola (CT163468/2) - Request rezone from Rural to Landscape Conservation 	<p>Council do not support the change.</p> <p>The representor has stated the site contains 'Browns Hill private reserve' protected by a conservation covenant. Whilst it is acknowledged that the site does contain the covenant, there is no information regarding the site containing a private reserve. The presence of a reserve has implications when considering the zone application guidelines, and in particular LCZ 2(a):</p> <p><i>LCZ 2 The Landscape Conservation Zone may be applied to:</i></p> <p><i>(a) large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation;</i></p> <p>It is not considered the site is reserved as defined within the <i>Nature Conservation Act 2002</i>.</p> <p>The agriculture and rural zoning was implemented from the state mapping provided to Council.</p> <p>The zone and code application guideline No. 1, 22.0 outlines the zone application guidelines for Landscape Conservation. It is considered the site meets LCZ 1, in that the site has been identified as land with landscape values identified for protection and conversation, as per the landscape covenant located on the site.</p> <p>However, the single rezoning of this site would be considered to be a 'spot' rezoning, something that is not considered to be responsible planning. As the site is located within the Rural Zone, the Natural Assets code will become applicable, assisting in the protection of the natural vales of the site.</p> <p>Council is however open to reviewing Landscape Conversation as a whole over the municipality and undertaking a potential scheme amendment in the future, subject to sufficient and appropriate information.</p>

Recommendation for the Draft LPS

No modifications to the draft LPS.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#54 Liam Riordan, Kate Jackson, and Gary Chapman

Concerns	Comments
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<p>Three Boral Group Pty Ltd sites:</p> <ul style="list-style-type: none"> • 150 Remount Road, Mowbray (CT20305/1); • 83-89 Gleadow Street, Invermay (CT); and • 280 Lilydale Road, Rocherlea (CT18434/1). <p>It is submitted there are concerns around the reduction in buffer distances and changes to the operation of the attenuation code, as well as the application of the scenic protection overlay.</p> <ul style="list-style-type: none"> • For 280 Lilydale Road, Rocherlea alter the proposed Attenuation Area Overlay Map to apply to the same area covered by the "buffer area" which currently applies under the LIPS2015; • Retain the explicit requirement in the proposed attenuation code for a 'site-specific study' (including the requirement for the "owner or operator of the activity" to be consulted as part of this study) for all sensitive uses establishing within an attenuation area. If this can't be achieved, Boral encourages council to investigate other ways to retain these requirements in policy elsewhere in the planning scheme; and • Remove the Scenic Protection Overlay sought to be applied to 280 Lilydale Road, Rocherlea. 	<p><u>SPP and attenuation code</u> Whilst the concerns are noted, C9.0 Attenuation Code is an endorsed state policy and is unable to be amended at this stage. It is noted that there will be a review of the SPPs in 2022. The amended attenuation overlay is a result of the new distances located within Table C9.1.</p> <p><u>Scenic Management Overlay</u> The representor requests that the scenic protection overlay be removed from 280 Lilydale Road. The Scenic Protection area is known as 'Rural Hills'. This scenic area is a translation from the existing scenic management areas within the LIPS. It is still considered relevant to protect the scenic values of the area and ensure the landscape maintains its visual appeal.</p> <p>It is recommended the scenic management overlay remain.</p>
<p>Recommendation for the Draft LPS</p>	
<p>No modifications to the draft LPS.</p>	
<p>Representation Merit</p>	
<p>The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.</p>	
<p>Effect on the Draft LPS as a whole</p>	
<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation.</p>	
<p>LPS Criteria</p>	
<p>Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>	

<p>#55 Robert Montgomery</p>	
<p>Concerns</p>	<p>Comments</p>
<ul style="list-style-type: none"> • 40 Arthur Street, East Launceston (CT230558/12) - Request rezone from General Residential to Local Business. 	<p>Council is not supportive of the request.</p> <p>It is proposed to zone the site General Residential from its previous zoning as Inner Residential. The representors argues that as the site adjoins multiple local business properties, its residential use and amenity has been compromised.</p> <p>The zone application guidelines for the Local Business zone state:</p> <p><i>LBZ 1 The Local Business Zone should be applied to land within urban settlements which provides, or is intended to provide, for the business, commercial and community functions within:</i></p> <p><i>(a) local shopping strips; or</i> <i>(b) town centres for some smaller settlements.</i></p> <p><i>LBZ 2 The Local Business Zone may be applied to:</i></p> <p><i>(a) Local Centres and the lower order Minor or Neighbourhood Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;</i> <i>(b) Local or Minor Centres and the Neighbourhood or Rural Town Centres in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and</i> <i>(c) the main retail and business areas of Local Service Centres and Localities in the activity centres description in the Cradle Coast Regional Land Use Strategy.</i></p>

	<p><i>LBZ 3 The Local Business Zone may be used for groups of local shops and businesses in existing residential areas where there is a strategic intention to maintain such uses, and the provisions of the surrounding residential zone are not appropriate.</i></p> <p>It is not believed that a change of zoning would meet the guidelines.</p> <p>There is insufficient information within the representation as it does not consider the regional strategy or regional activity centre hierarchy, nor has any proposal being put forward of what uses might occur on the site if rezoned. Rezoning the land is not considered appropriate at this time, and may in fact increase the amenity issues raised by the representor by expanding the zone.</p> <p>In particular, no information was provided against the settlement network of the regional strategy. This is consider to be of vital importance as demonstrated in the Tasmanian Planning Commission Scheme Amendment decision for proposed Amendment 51 which sought to rezone a portion of residential land to Local Business.</p> <p>It is recommended that the zoning remain as advertised.</p>
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#56 Estelle Marjorie Ross	
Concerns	Comments
<ul style="list-style-type: none"> • 2/11 Diana Court, Riverside - Concerns about development potential; and • There should be no tower block type hotels built within the CBD; • The university move to the CBD should have never been allowed; and • New university buildings within Inveresk will cause traffic congestion 	<p><u>2/11 Diana Court, Riverside</u> This property is not located within the Launceston municipality and cannot be considered.</p> <p><u>CBD height limits</u> The relevant development guidelines within the zones of the CBD will determine building heights, and any proposed hotels will need to comply with those standards.</p> <p><u>University</u> The university relocation and approved buildings are not a consideration for the LPS.</p>
Recommendation for the Draft LPS	
No further comment.	
Representation Merit	
As the representor's property is outside of the Launceston municipality, the representation contains no merit.	
Effect on the Draft LPS as a whole	

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#57 Matthew Monty

Concerns

- 198 Lilydale Road, Rocherlea (CT222572/3) - There will be an expansion of priority vegetation over the property and the concerns associated this this, including:
 - The accuracy of the modelling used to determine what flora and fauna may be located on this specific property;
 - Inconsistencies of the mapping throughout the greater area (both with respect to cleared sites which have been declared as vegetation, and also the opposite, areas that contain dense vegetation but have been declared clear);
 - The effects of this zoning expansion on my property for future developments or projects I may wish to conduct on it; and
 - A lack of understanding of the area on ground level and potential issues moving forward.

Comments

The priority vegetation mapping was provided to Council through the mapping project undertaken by Rod Knight. It is noted that the latest version of this mapping was not advertised, and that the updated mapping be implemented.

A review of the site has determined the site contains the following:

- Relative Reservation - (DAD) Eucalyptus amygdalina forest and woodland on dolerite
- Threatened Fauna and Significant Habitat - eastern quoll, masked owl, spotted-tailed quoll

The representation has not provided any further evidence that the site does not contain flora and fauna of significance. Development will still be able to occur over the site, however will be subject to C7.0 Natural Assets Code.

It is recommended that the priority vegetation overlay remain as is, subject to the new model being implemented.

Recommendation for the Draft LPS

That the priority vegetation overlay at CT222572/3 be amended, subject to the new model being implemented.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#58 Jillian Koshin

Concerns

- Concerns around the drafting of the State Planning Provisions, particularly the General Residential zone, Inner Residential zone, and Low Density residential zone. These provisions need to be reassessed.

Comments

The State Planning Provisions were endorsed in 2021 with minor amendments made in 2020. The advertisement was for comments on the draft Local Provisions Schedule, and as this stage no comments or recommendations are being made against the SPP's. It is noted that the provisions are due for a review in 2022.

Recommendation for the Draft LPS

No modifications to the draft LPS.

Representation Merit

The representation does not specifically identify an issue within the LPS, but raises issue with the state planning provisions. On this basis the representation contains little merit with regard to the LPS.

Effect on the Draft LPS as a whole
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.
LPS Criteria
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

#59 Jerrod Nichols	
Concerns	Comments
<ul style="list-style-type: none"> 15 Darleymore Lane, St Leonards (CT171549/2) - Request partial rezone from Agriculture to Rural Living. 	<p>Council does not support the request.</p> <p>The zone application guidelines for Rural Living state:</p> <p><i>RLZ 2 The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</i></p> <p><i>(a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; or</i></p> <p><i>(b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater</i></p> <p>There is insufficient information provided to make a sound assessment against the regional land use strategy. It is acknowledged that the site was identified within the St Leonards Village Discussion Paper as a priority residential area, however it would be pre-emptive to consider a rezoning at this stage, further noting that there is no formally endorsed local strategy.</p> <p>It is recommend that the site remain Agricultures as advertised.</p>
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

#60 Mark Pernell - MLP Developments PL	
Concerns	Comments
<ul style="list-style-type: none"> 128 Wellington Street, Launceston - Request rezone from Local Business to Commercial zone or similar. This will allow the established Coles supermarket to be redeveloped or expanded in the future. 	Council are not supportive of the change.

	<p>The site is also known as 116-134 Wellington Street, Launceston. The site contains Coles Supermarket, and it is acknowledged that the supermarket wishes to expand in the future.</p> <p>The zoning is a straight transition from the existing Local Business Zone. The representation brings up the issue that the current zoning restricts the gross floor area for General Retail and Hire. However, the Local Business Zone under the SPP's has no such qualification as a No Permit Required use. Notwithstanding, Clause 14.3.3 of the SPP limits General Retail and Hire uses gross floor area through the Acceptable Solution, relying on the Performance Criteria.</p> <p>The Commercial Zone under the SPP allows General Retail and Hire to occur without qualification through the discretionary pathway. In addition, limitations on gross floor area are no longer relevant for General Retail and Hire under Clause 17.3.3.</p> <p>However, the use within the Commercial Zone does not meet CZ 3 of the zone application guidelines which states:</p> <p><i>The Commercial Zone should not be applied to land:</i> <i>(a) where the primary purpose is to provide for industrial purposes (see industrial zones); or</i> <i>(b) where the primary purpose is to provide for General Retail and Hire uses such as supermarkets, department stores or other variety stores (see business zones).</i></p> <p>As changing the zone would not be able to meet the zone application guidelines, it is recommend that the zone remain local Business are advertised.</p> <p>Notwithstanding, it is noted that the owners of this site are in the process of lodging a scheme amendment to allow the expansion of the Coles supermarket.</p>
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Recommendation for the Draft LPS	
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No modifications to the draft LPS.	
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Representation Merit	
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The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
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Effect on the Draft LPS as a whole	
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There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
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LPS Criteria	
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Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	
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#61 Ian Singline	
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Concerns	
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<ul style="list-style-type: none"> 74 Margaret Street, Launceston (CT116669/1) - Supports the maintenance of the Inner Residential Zone 	Comments
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	The comments are noted.
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Recommendation for the Draft LPS	
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No modifications to the draft LPS.	
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Representation Merit	
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The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
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Effect on the Draft LPS as a whole	
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There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

# 62 Leigh Dell	
Concerns	Comments
<ul style="list-style-type: none"> 8 Goderich Street, Invermay (CT55300/24) - Change zoning from commercial to residential 	<p>Council are not supporting of a change of zone.</p> <p>The land is highly constrained by hazards, being potentially contaminated land as a result of an old service station to the south, and is located within a flood area and therefore unable to meet zone application guideline GRZ 3. Whilst it could be considered that a General Residential zone is a logical progression to the residentially zoned land within Goderich Street, if the site were to be rezoned number 10 Goderich Street would be isolated from the Commercial area of the lower end of Goderich Street, and the pattern of use and development would be fragmented.</p>
Recommendation for the Draft LPS	
No modifications to the draft LPS.	
Representation Merit	
The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.	
Effect on the Draft LPS as a whole	
There is no effect on the draft LPS as a whole resulting from implementing the recommendation.	
LPS Criteria	
Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.	

# 63 Tom and Angela Bertram	
Concerns	Comments
<ul style="list-style-type: none"> 43 Los Angelos Road, Swan Bay (CT165889/1) - Partial change of zoning from Agriculture to Rural Living 	<p>Council are not supportive of a change of zoning.</p> <p>The representors wish to change the zoning of approximately 7ha of their 159ha property from Agriculture to Rural Living. Zone application guidelines state:</p> <p><i>RLZ 2 The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</i></p> <p><i>(a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; or</i></p> <p><i>(b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater.</i></p> <p>There is no local strategy that would support the zone change, nor has any information been provided against its compliance with the regional land use strategy. Further, the are propped to be rezoned is highly constrained, containing scenic protection, landslip, and is flood prone.</p>

As changing the zone would not be able to meet the zone application guidelines, it is recommend that the zone remain Agriculture are advertised.

Recommendation for the Draft LPS

No modifications to the draft LPS.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

64 Gordon Ryan

Concerns

- 40855 Tasman Highway, Waverley (CT116200/1) - Rezone from Agriculture to Rural Living or Low Density Residential zone

Comments

Council does not support the change.

The representor has argued that as the property is surrounded by subdivisions on all boundaries and is within the Launceston city boundary, that is would be suitable for Rural Living.

Zone application guideline RLZ 2 states:

RLZ 2 The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:

- (a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; or*
- (b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater.*

No information was provided within the representation that considered the regional strategy or any local strategy, not has any analysis been undertaken to support the change. As such, it is not believed it meets the zone application guidelines and the change is not supported at this time.

Council may be open to a potential change in the future through a scheme amendment, so long as sufficient information is provided to support the change.

Recommendation for the Draft LPS

No modifications to the draft LPS.

Representation Merit

The representation was made in accordance with the relevant requirements of LUPAA. The representation contains merit.

Effect on the Draft LPS as a whole

There is no effect on the draft LPS as a whole resulting from implementing the recommendation.

LPS Criteria

Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.