

ATTACHMENT 4
Statutory Assessment - Response to Requirements for Local Provisions Schedule under LUPAA

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

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

The proposed amendment applies to 30 Merino Street, Kings Meadows which is zoned Light Industrial and Low Density Residential, and is subject to the C7.0 Natural Assets Code, C13.0 Bushfire-Prone Areas Code, C15.0 Landslip Hazard Code, and LAU-S14.0 Southern Gateway Specific Area Plan, of the Tasmanian Planning Scheme - Launceston. The proposed planning scheme amendment complies with the SPP requirements for an LPS.

(b) is in accordance with section 32

This section identifies the technical aspects of an LPS such as inclusion of zone maps and overlays, and what additional local provisions can be included if permitted to do so under the State Planning Provisions (SPPs), to add to or override the SPPs. Section 32(4) identifies that an LPS may only include these additional local provisions where:

- (a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or
- (b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.

The proposed amendment includes:

- A new zoning within the Launceston LPS;
- A map that provides for the spatial application for the rezoning;
- A map that provides for the spatial application for the priority vegetation overlay

As the amendment does not propose a change identified within section 32(3), being a PPZ, SAP, or SSQ, no justification against 32(4) is required.

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

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

Part 1 Objectives	Planning Assessment
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity</i>	The change will not impact on natural or physical resources, nor will it affect ecological processes or genetic diversity.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water</i>	The change will not negatively impact on the development of air, land, or water. The change will in fact assist in ensuring that air, land, and water are sustainably maintained.
<i>(c) to encourage public involvement in resource management and planning</i>	The statutory process for assessment of a planning scheme amendment involves a public notification period. Any representations received will be formally considered by the Planning Authority. The Planning Authority is required to report on any representations to the Tasmanian Planning Commission, which in turn may hold public hearings into representations.
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</i>	The change will allow for sustainable development into the future, giving confidence to future development to assist in stimulating economic activity.
<i>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State</i>	Community, industry and other government agencies will have the opportunity to comment on the proposed planning scheme amendment during the public notification period.

Part 2 Objectives	
<i>(a) to require sound strategic planning and co-ordinated action by State and local government</i>	The amendment is consistent with the objectives of the Northern Tasmania Regional Land Use Strategy and the Planning Scheme
<i>(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land</i>	An application made pursuant to section 40D of the Act must be considered against the objectives of the Act and the planning system of Tasmania more broadly for compliance. Should the change be adopted, future development will be subject to an assessment against the relevant provisions of the Planning Scheme.
<i>(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land</i>	The amendment has considered the effects on the natural values of the subject site, including biodiversity and water resources. The expansion of residential land will allow for development of new housing in the future, ensuring persons have a place to live and commute to work.
<i>(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels</i>	The proposed amendment is consistent with the local, regional and State policies as assessed by this report.
<i>(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals</i>	No combined planning application is included with the proposed planning scheme amendment. The proposed amendment will facilitate a future development application for land use and development of the land in accordance with the Tasmanian Planning Scheme - Launceston.

(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation	The amendment will not constrain a safe working and living environment.
(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value	Not Applicable.
(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community	Not Applicable.
(i) to provide a planning framework which fully considers land capability.	Land capability is not a consideration.

(d) is consistent with each State policy;

Assessment of the amendment against the various policies is provided in the following table.

State Policy	Planning Assessment
State Policy on the Protection of Agricultural Land 2000	The site is not located within a rural estate.
State Policy on Water Quality Management 1997	The proposed amendment will not result in an increase in sediment transport to surface waters, and does not increase the potential extent of sediment transport from future development.
State Coastal Policy 1996	The State Coastal Policy applies to Tasmania's coastal area, including all islands except for Macquarie Island. The coastal zone includes State Waters (as defined in the <i>Living Marine</i>

	<p><i>Resources Management Act 1995</i>) and all land to a distance of 1km from the high water mark. As the site is located outside of 1km from the coast, this policy is not applicable.</p>
<p>National Environmental Protection Measures</p> <p>The National Environment Protection Measures (NEPMs) are automatically adopted as State Policies under Section 12A of the <i>State Policies and Projects Act 1993</i> and are administered by the Environment Protection Authority.</p> <p>The NEPMs relate to:</p> <ul style="list-style-type: none"> • ambient air quality • ambient marine, estuarine and fresh water quality • the protection of amenity in relation to noise (but only if differences in markets for goods and services) • general guidelines for the assessment of site contamination • environmental impacts associated with hazardous wastes 	<p>There are no known contamination issues associated with the land. Should any contamination issues be discovered in the future, these would be addressed under C14.0 Potentially Contaminated Land Code.</p> <p>In relation to air and water quality, the provisions of the applicable zone which relate to stormwater, the Natural Assets Code and Attenuation Code, the <i>Urban Drainage Act 2013</i> and the <i>Environmental Management and Pollution Control Act 1994</i>.</p>

<ul style="list-style-type: none"> the re-use and recycling of used materials. <p>Principle 5 of the NEPMs states that planning authorities 'that consent to developments, or changes in land use, should ensure a site that is being considered for development or a change in land use, and that the authorities ought reasonably know if it has a history of use that is indicative of potential contamination, is suitable for its intended use'.</p>	
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(da) satisfies the relevant criteria in relation to the TPPs;

The Tasmanian Planning Policies have not yet been implemented.

(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;

The applicable regional land use strategy for Launceston is the Northern Tasmanian Regional Land Use Strategy. Comments against the relevant NTRLUS policies and actions are provided below:

E.2 Regional Settlement Network Policy

Specific Policies and Actions		Planning Assessment
Policy	Action	
Regional Settlement Networks		
RSN-P1	RSN-A1 Provide an adequate supply of well-located and serviced	The proposal does not seek to establish a new residential settlement, but expand on an existing residential location and

<p>Urban settlements are contained within identified Urban Growth Areas. No new discrete settlements are allowed and opportunities for expansion will be restricted to locations where there is a demonstrated housing need, particularly where spare infrastructure capacity exists (particularly water supply and sewerage</p>	<p>residential land to meet projected demand. Land owners/developers are provided with the details about how development should occur through local settlement strategies, structure plans and planning schemes. Plans are to be prepared in accordance with land use principles outlined in the RLUS, land capability, infrastructure capacity and demand.</p>	<p>remove the industrial zoned land to the west, removed from the site.</p> <p>The proposal meets the key principles of the supporting consolidation area, noting the site is identified as such on Map D.1 in the NTRLUS. Whilst the site is in a constraints area in terms of vehicles reliance, it is walkable to Hobart Road, a major public transport route. These routes provide direct linkages to other urban areas, including the Launceston CBD.</p>
<p></p>	<p>RSN-A2</p> <p>Land supply will be provided in accordance with the Key Principles through local strategy for Urban Growth Areas which include:</p> <ul style="list-style-type: none"> • Priority Consolidation Areas • Supporting Consolidation Areas • Growth Corridor • Future Investigation Areas. <p>RSN-A3</p>	<p>The relevant strategy guiding the change is the Residential Strategy. The zoning allows flexibility for differing residential types on an underutilised parcel of land. The site is able to be serviced in the future subject to relevant discussions with the relevant regulated entities.</p>

	Apply zoning that provides for the flexibility of settlements or precincts within a settlement and ability to restructure underutilized land.	
Housing Dwellings and Densities		
RSN-P4 Provide a planning framework for new and upgraded infrastructure and facilities to support a growing and ageing population, and provide housing choice through a range and mix of dwelling types, size and locations in new residential developments.	RSN-A9 Undertake a regional dwelling yield analysis.	<p>The expansion of the low density residential zone will allow for more housing choice through larger lot sizes. Based on the low density zone subdivision provisions, discretion would allow for a theoretical yield of 33 new lots for the proposed rezoned area (3.9ha). However, due to the site constraints of this area, it is not believed that this yield could be realised, and in reality would be much lower. If assuming a 60m setback to the Connector Park and Merino Street Industrial Zones, taking into consideration of the Scenic SAP, there is an approximate area of 4.5ha left of the rezoned area. Based on subdivision requirements, a theoretical yield of 37 new lots could be achieved. Again however, it would be unlikely this would become a reality, predominantly due to the sloping nature of the site.</p> <p>As such, the relatively low increase in future lots does not warrant an overall regional yield analysis, especially considering the site is located within an urban area.</p>
Integrated Land Use and Transport		

<p>RSN-P8 New development is to utilise existing infrastructure or be provided with timely transport infrastructure, community services and employment.</p>	<p>RSN-A14 Prioritise amendments to planning schemes to support new Urban Growth Areas and redevelopment sites with access to existing or planned transport infrastructure. This will support delivery of transit oriented development outcomes in activity centres and identified transit nodes on priority transit corridors</p>	<p>Access to the site is currently via Merino Street to the east. This street connects onto Hobart Road, and is within close proximity that would allow easy transport connections to the north, south, and east. In particular, following Hobart Road to the north will connect into Kings Meadows centre, and following the road south into Reibia. Quarantine Road leading east will allow connection into the south eastern suburbs of Launceston, as well as St Leonards. Such connections support the development of the site with transport infrastructure.</p>
<p>RSN-P9 Apply transit oriented development principles and practices to the planning and development of transit nodes, having regard for local circumstances and character.</p>		<p>The Kings Meadows Connector Road allows indirect connections to the Midland Highway, as a way to connect northwards to Launceston City and connections to the west coast, and southwards to Hobart. It is noted however that whilst the property has a frontage to this road, future road connections are unlikely due to existing drainage and topography. There is very limited potential to connect to the property to the north as this property is currently under a strata title scheme.</p>
<p>RSN-P10 Plan new public transport routes, facilities and high-frequency services to provide</p>		<p>The only other potential to connect the site more directly to the King Meadows Road Connector is through a Council road reserve connecting the site to Connector Park Drive. If assuming a minimum lot yield through the new rezoning, the site is strategically well located to allow the road network to handle any increase in traffic.</p>

<p>safe and convenient passenger accessibility, and to support the interrelationship between land use and transport.</p>		
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Regional Infrastructure Network Policy

Specific Policies and Actions		Planning Assessment
Policy	Action	
Specific Policies and Actions		
<p>RIN-P1 Coordinate, prioritise and sequence the supply of infrastructure throughout the region to match the settlement framework.</p>	<p>RIN-A1 Liaise with relevant state agencies including the Department of State Growth to develop transport initiatives.</p>	<p>The proposal will be referred to the Department of State Growth should it be initiated due to its proximity to the Kings Meadows Connector Road. Notwithstanding, the capacity for servicing is available subject to relevant requirements.</p>
<p>RIN-P6</p>	<p>RIN-A10 Roads created in new subdivisions are to be</p>	<p>Whilst no subdivision is proposed as part of this amendment, the site is well located to connect into the transportation network. The relevant subdivision guidelines within the</p>

<p>Facilitate and encourage active modes of transport through land use planning</p>	<p>designed and constructed to meet the needs of all users and to reinforce the function, safety and efficiency of the road.</p>	<p>scheme, as well as requirements of the local government building and miscellaneous provisions act 1993 will ensure future roads and transport options are considered.</p>
	<p>RIN-A11 Future subdivision design is to allow for permeability and connectivity in the transportation network.</p>	
	<p>RIN-A12 Incorporate guidelines and other relevant subdivision design codes into planning schemes to address facilities for walking and cycling. For example, guidelines may provide that:</p> <ul style="list-style-type: none"> • Lot layouts and buildings must provide for connection to adjacent 	

	<p>local roads, open space, trails, pedestrian, cycle and bus routes; and</p> <ul style="list-style-type: none"> Roads are designed and constructed to meet the needs of all users and to reinforce the functions, safety and efficiency of the road or communal driveway. <p>RIN-A13</p> <p>Provide for provision for on and off-road cycle facilities, including shared pathways and associated engineering considerations, is addressed by local planning policy.</p> <p>RIN-A14</p> <p>Future specific or Local Area Development plans are to provide for linkages to cycling networks.</p>	
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	<p>RIN-A15 Local Area Development Plans are to promote walking and provide for a network of local walking routes.</p> <p>RIN-A16 Facilitate increased use of active transport modes for short trips by providing for subdivisions that allow for pedestrian connectivity to open spaces, trails and cycle and bus routes.</p> <p>RIN-A17 Planning schemes are to require that use and development proposals which attract high numbers of people include provision for bicycle parking facilities in parking requirements, where appropriate.</p>	
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Regional Economic Development Policy		Planning Assessment
Specific Policies and Actions		
Policy	Action	
Industrial Land		
ED-P2 Provide for land use planning and infrastructure networks to support the development of: <ul style="list-style-type: none"> • High value agriculture and food products; • Digital economy (including the NBN); • Vibrant, creative and innovative activity centres as places of employment and lifestyle; and • Diverse tourism opportunities ED-P3 Provide a 10 year supply of industrially zoned and serviced land in strategic locations	ED-A3 Identify suitably located land within planning schemes to be zoned for industrial and employment purposes, consistent with the Northern Tasmania Industrial Land Study (2014) and provide for the region to be well placed to capture economic opportunities. ED-A4 Analyse industrial land demand to 2040 and provide a sufficient supply of land zoned for industrial purposes, supported by adequate infrastructure and network requirements (transport, water, sewerage and energy).	The 3.9ha area of land to be rezoned into residential land is currently zoned Light Industrial. This land connects to the industrial estate to the west. The estate to the west has been developed over a number of years, and continues to develop. The industrial land on the subject site is highly constrained for industrial development, noting the slope and topography, and the existence of low density residential land to the east and north along Ridgewood lane. It is unlikely that this land could be developed for industrial uses in the future.
Regional Environment Policy		
Specific Policies and Actions		Planning Assessment

Policy	Action	
Biodiversity and Native Vegetation		
<p>BNV-P01 Implement a consistent regional approach to regional biodiversity management, native vegetation communities and native fauna habitats including comprehensive spatial regional biodiversity mapping.</p>	<p>BNV-A01 Apply appropriate zoning and/or overlays through planning schemes to protect areas of native vegetation.</p>	<p><i>The proposal includes the expansion of the priority vegetation overlay onto the residential land to ensure biodiversity of the site is maintained.</i></p>
<p>BNV-P02 Except where planning scheme provisions provide for exemptions, restrict land clearing and disturbance of intact natural habitat and vegetation areas, including areas of forest and non-forest communities declared under the Nature Conservation Act, coastal wetlands and remnant and</p>	<p>BNV-A02 Implement a planning assessment approach consistent with the <i>avoid, minimise, mitigate, offset</i> hierarchy.</p> <p>BNV-A03 Provide for environmental assessments through planning schemes for development proposals with the potential to impact on the habitats of native species of local importance.</p>	

<p>appropriate cultural vegetation within settlement areas.</p> <p>BNV-P03 Land use planning is to minimise the spread and impact of environmental weeds.</p> <p>BNV-P04 Land use planning processes are to be consistent with any applicable conservation area management plans or natural resource management strategy</p>	<p>BNV-A04 Accept offsets as a last resort and only where there is a net conservation benefit, security of the offset in perpetuity and based upon the relevant State guidelines.</p> <p>BNV-A05 Further investigate regional biodiversity:</p> <ul style="list-style-type: none"> • To protect, conserve and enhance the region's biodiversity considering the extent, condition and connectivity of critical habitats; • priority vegetation communities; and the number and status of vulnerable and threatened species; • Provide for use and development to be carried out in a manner that assists 	
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	<p>the protection of biodiversity by -</p> <ul style="list-style-type: none"> - Minimising native vegetation and habitat loss or degradation. - Appropriately locating buildings and works. • To develop a methodology that defines triggers and priorities for important habitat in assessing development. 	
Natural Hazards		
<p>NH-P01 Future land use and urban development is to minimise risk to people and property resulting from land instability by adopting a risk-managed based approach, consistent with Practice Note Guidelines for Landslide Risk Management 2007 and AGS (2007a) Guideline for Landslide Susceptibility, Hazard and Risk Zoning for</p>	<p>NH-A01 Manage further development in declared landslide zones. Complete regional land slide hazard mapping to allow identification of land susceptible to landscape hazards and its associated level of risk to specific scale and types of land uses and developments.</p>	<p><i>The site contains landslide overlay which is managed through the C15.0 Landslip Hazard Code within the scheme, noting however there is no landslide over the proposed rezoned land.</i></p>

<p>Land Use Planning; AGS (2007e) Australian GeoGuides for Slope Management and Maintenance.</p> <p>NH-P02 Future land use and development is to minimise risk to people and property resulting from flooding.</p> <p>NH-P03 Future land use and development is to minimise risk to people and property resulting from bushfire hazard.</p> <p>NH-P04 Where avoidance of hazards is not possible or the level of risk is deemed acceptable, best practice construction and design techniques and</p>	<p>NH-A02 Permit appropriate land uses and urban development in areas of susceptibility only where risk is very low or where it can be managed by prescriptive controls to avoid undue risk to persons including life of loss and damage to property.</p> <p>NH-A03 If there is doubt about the geotechnical stability of land proposed for urban development, Council may require a geotechnical assessment to identify risks and mitigation techniques.</p> <p>NH-A04 Include controls in planning schemes based on current best practice to manage risk to</p>	
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<p>management practices are to be implemented.</p>	<p>persons and property resulting from inundation.</p>	
	<p>NH-A05</p>	
	<p>Include controls in planning schemes based on current best practice to minimise risk to persons and property resulting from bushfire hazard.</p>	
	<p>NH-A06</p>	
	<p>Subdivision design is to respond to bushfire hazard risks by providing for alternative access, building setbacks and buffer distances based on current best practice.</p>	
	<p>NH-A07</p>	
	<p>Adopt the relevant risk management AS/NZS standard as part of core management methods for</p>	

	emergency, hazard and risk management	
Landscape and Scenic Amenity		
<p>LSA-PO1</p> <p>Consider the value of protecting the scenic and landscape amenity of key regional tourism routes having regard to the routes identified in Map E3 and local circumstances, as well as the:</p> <ul style="list-style-type: none"> • Importance of scenic landscapes as viewed from major roads and tourist routes/destinations as contributing to economic basis of the tourism industry as well as local visual amenity; • Importance of natural/native vegetation in contributing to scenic values of rural and coastal areas generally, with particular emphasis on prominent topographical features; and • Need to protect skylines and prominent hillsides from obtrusive development/works. LSA-PO2 	<p>LSA-A01 Identify scenic corridors associated with identified tourism routes with an overlay in planning schemes.</p> <p>LSA-A02 Develop a regionally consistent approach to determining scenic corridor overlays around identified tourism routes.</p> <p>LSA-A03 Include performance criteria in planning schemes for development within scenic corridor overlays that address following considerations:</p> <ul style="list-style-type: none"> • The impact of development skylines, ridgelines and prominent locations; • The establishment and/or retention of existing vegetation to 	<p><i>The site contains the Southern Gateway Specific Area Plan that deals with visual intrusion. Any future development of the site will be subject to the code.</i></p>

<p>Protect specific topographic or natural features of significant scenic/landscape significance.</p>	<p>provide screening in combination with other requirements for hazard management; • The bulk and form of buildings and earthworks and the ability of development to blend with the landscape; • The impact of materials, finishes and colours of buildings on the landscape setting; and • Whether existing native or significant exotic vegetation within the corridor is managed to retain the visual values of the tourism route. LSA-A04 Planning schemes may identify visually significant topographic, natural features and landscapes (e.g. Cataract Gorge) in an overlay, including objectives and discretionary criteria relating to the visual impact of use and development.</p>	
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- (f) *has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates*
- The municipal strategic plan is the City of Launceston Corporate Strategic Plan 2014-2024: 2019 Review (the CSP). The CSP details the following strategic priorities:
- *Strategic Priority 1: We connect with our Community and our Region through meaningful engagement, cooperation and representation.*
 - *Strategic Priority 2: We Facilitate Prosperity by seeking out and responding to opportunities for growth and renewal of our regional economy.*
 - *Strategic Priority 3: We are a Progressive Leader that is accountable to our governance obligations and responsive to our community.*
 - *Strategic Priority 4: We value our City's Unique Identity by celebrating our special heritage and culture, and building on our competitive advantages to be a place where people choose to live, work and visit.*
 - *Strategic Priority 5: We Serve and Care for our community by providing equitable and efficient services that reflects needs and expectations of our community.*
 - *Strategic Priority 6: We Protect our Environment by caring for our unique natural assets and amenity, and sensitively managing future development opportunities.*
 - *Strategic Priority 7: We are a City Planning for our Future by ensuring our approach to strategic land use, development and infrastructure investment is coordinated, progressive, and sustainable.*

The proposed draft amendment aligns Strategic Priorities 1, 6, and 7 of the CSP by:

- Ensuring the public have their say through the formal advertising process;
- Expand the priority vegetation overlay to ensure future development of the site considers its natural values; and
- Allow for the natural expansion of the existing residential zone to ensure the site is able to be developed appropriately taking into consideration its constraints.

- (g) *as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates;*

The adjacent municipal areas have adopted the Tasmanian Planning Scheme. However, the proposed Amendment to the LPS will not impact the adjacent municipal areas.

- (h) *has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.*
The Gas Pipelines Act 2000 is not applicable to the proposed development.

Section 32 of LUPAA sets out the Contents of an LPS

- (3) *Without limiting subsection (2) but subject to subsection (4), an LPS may, if permitted to do so by the SPPs, include*
- - (a) *a particular purpose zone, being a group of provisions consisting of –*
 - (i) *a zone that is particular to an area of land; and*
 - (ii) *the provisions that are to apply in relation to that zone; or*
 - (b) *a specific area plan, being a plan consisting of –*
 - (i) *a map or overlay that delineates a particular area of land; and*
 - (ii) *the provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions, of the SPPs; or*
 - (c) *a site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.*
- (4) *An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –*
- (a) *a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*
 - (b) *the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*
- (5) *An LPS must be in accordance with the structure, if any, that is indicated, or specified, in the SPPs to be the structure to which an LPS is to conform.*

- (6) *A provision of an LPS must be in the form, if any, that the SPPs indicate a provision of an LPS is to take.*
- (7) *A provision of an LPS in relation to a municipal area is not to be taken to have failed to comply with this section, or to be inconsistent with a provision of the SPPs, by reason only that it is inconsistent with a provision of the SPPs that has not come into effect in relation to the municipal area.*

Response:

Section 32(3) is not applicable to this amendment.

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

Guideline No. 1 Local Provisions Schedule: Zone and Code Application	
Zone/Code Application Guidelines	Planning Response
<p>LDRZ 1 The Low Density Residential Zone should be applied to residential areas where one of the following conditions exist:</p> <p>(a) residential areas with large lots that cannot be developed to higher densities due to any of the following constraints:</p> <p>(i) lack of availability or capacity of reticulated infrastructure services, unless the constraint is</p>	<p>The proposal is reliant on (a). Whilst not currently fully connected to reticulated services, servicing should be able to be achieved through detailed design as part of any future subdivision.</p> <p>The site is also constrained in terms of surrounding land use, as well as the topography of the site. Higher density development would be difficult to meet relevant Australian Standards with regard to driveways and road slope. Allowing lots or larger sizes be developed would mean greater opportunity to consider slope constraints.</p>

<p>intended to be resolved prior to development of the land; and</p> <p>(ii) environmental constraints that limit development (e.g. land hazards, topography or slope); or</p> <p>(b) small, residential settlements without the full range of infrastructure services, or constrained by the capacity of existing or planned infrastructure services; or</p> <p>(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.</p>	
<p>LDRZ 2 The Low Density Residential Zone may be applied to areas within a Low Density Residential Zone in an interim planning scheme or a section 29 planning scheme to lots that are smaller than the allowable minimum lot size for the zone, and are in existing residential areas or settlements that do not have reticulated infrastructure services.</p>	<p><i>LDRZ2 is not applicable for the assessment of this amendment.</i></p>

<p>LDRZ 3 The Low Density Residential Zone should not be applied for the purpose of protecting areas of important natural or landscape values.</p>	<p><i>The southern end of the site fronting the Kings Meadows Connector contains the Southern Gateway SAP which provides provisions for the protection of intrusive development. The zoning however is not proposed for the protection of any natural or landscape values.</i></p>
<p>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.</p>	<p><i>The site is currently vacant with no development, and is considered to be a greenfield site. However, it is considered that due to the industrial uses to the west and east, that it is constrained for higher density development. It is also noted that higher density development on the subject site would be out of character for the existing land use pattern within the area.</i></p>