

**ATTACHMENT 1**  
**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 64 Robin Street, Newstead which is zoned General Residential under 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:

- Introducing a new property onto the local heritage list including a new datasheet;
- Including the property on heritage overlay mapping

As the amendment does not propose a change identified within 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.

<b>Part 1 Objectives</b>	<b>Planning Assessment</b>
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity</i>	The site is not subject to any natural values.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water</i>	The site is identified to be within the urban area as determined by the Regional Land Use Strategy. The placement of this property onto the heritage list is considered appropriate to protect and maintain the historical cultural heritage of not just the site, but the region overall. The listing will not alter the sustainable use and development of air, land, or water.
<i>(c) to encourage public involvement in resource management and planning</i>	The community will have the opportunity to comment on this proposal during the exhibition period, which will run for 28 days. The public will have the opportunity to lodge written representations to the application during the exhibition period and they will be considered by the planning authority and referred to the Tasmanian Planning Commission. If any representations are received, the Tasmanian Planning Commission may hold a public hearing to understand the concerns raised within the representations.

<p>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</p>	<p>The addition of the property will ensure the heritage values of the city are upheld, and will still allow development to occur subject to the requirements of the Heritage Code. The datasheet will assist in the preservation of these heritage values.</p>
<p>(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</p>	<p>Community, industry and other government agencies will have the opportunity to comment on the proposed planning scheme amendment during the public notification period. The application was referred to TasWater on 24/07/2024</p>
<p><b>Part 2 Objectives</b></p>	
<p>(a) to require sound strategic planning and co-ordinated action by State and local government</p>	<p>The amendment is consistent with the objectives of the Northern Tasmania Regional Land Use Strategy and the Scheme.</p>
<p>(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</p>	<p>An application made pursuant to section 37 of the Act must be considered against the objectives of the Act and the planning system of Tasmania more broadly for compliance. The introduction of site onto the local heritage register will enable the land to be assessed against the relevant provisions of the Scheme, and the datasheet will assist with this assessment.</p>

<p><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></p>	<p>The protections afforded under the Local Historic Heritage Code will ensure the social and economic impact on the historic value of the site is retained.</p>
<p><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></p>	<p>The proposed amendment is consistent with the local, regional and State policies as assessed by this report.</p>
<p><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></p>	<p>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.</p>
<p><i>(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation</i></p>	<p>The amendment will not constrain a safe working and living environment.</p>
<p><i>(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value</i></p>	<p>The site is identified as having heritage value and will benefit from further provisions protecting its cultural significance.</p>
<p><i>(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</i></p>	<p>Not Applicable.</p>
<p><i>(i) to provide a planning framework which fully considers land capability.</i></p>	<p>Land capability is not a consideration.</p>

**(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
<b>State Policy on the Protection of Agricultural Land 2000</b>	The proposal does not involve the conversion of prime agricultural land (PAL) to a non-agricultural use, and reduces pressure on urban expansion.
<b>State Policy on Water Quality Management 1997</b>	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.
<b>State Coastal Policy 1996</b>	The site is not within a coastal zone.
<b>National Environmental Protection Measures</b>  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.	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.  In relation to air and water quality, the provisions of the applicable zone which relate to stormwater, the Natural Assets

<p>The NEPMs relate to:</p> <ul style="list-style-type: none"> <li>• ambient air quality</li> <li>• ambient marine, estuarine and fresh water quality</li> <li>• the protection of amenity in relation to noise (but only if differences in markets for goods and services)</li> <li>• general guidelines for the assessment of site contamination</li> <li>• environmental impacts associated with hazardous wastes</li> <li>• the re-use and recycling of used materials.</li> </ul> <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>	<p>Code and Attenuation Code, the Urban Drainage Act 2013 and the Environmental Management and Pollution Control</p>
---	--

**(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:

<p><b>Specific Policies and Actions</b></p>	<p><b>Planning Assessment</b></p>
---	-----------------------------------

<i>Policy</i>	<i>Action</i>
<b>Regional Settlement Networks</b>	
<b>Residential Design</b>	
<p>RSN-P15 In established urban areas where an existing urban or heritage character study has been undertaken and adopted by Council, provide for development that is consistent with that study and reinforces and enhances the strengths and character of the area in which it is set.</p>	<p>RSN-A17 Adopt and/or apply within infill and higher residential density areas any medium density guidelines developed by the State. RSN-A18 Develop and support a master plan for the Launceston CBD (being the CAD and inner city core areas as defined by the Launceston City Council planning scheme) to confirm and position the future strategic planning of the city as the Principal Activity Centre for Northern Tasmania.</p>
<p>RSN-P16 Achieve high quality design outcomes for all new prominent buildings and public spaces in the Launceston Central Business District, regional activity centres and transit communities.</p>	
<p>RSN-P17 Provide accessible and high-quality public open space in all new 'Greenfield' and infill development by</p>	
<p>The amendment has identified a property that contains historic cultural heritage values. The addition of this property onto the local heritage register and addition of a new datasheet will ensure that the heritage value of this site is retained should new development or use take place within the heritage curtilages. This will ensure that the character of heritage places within Launceston are conserved.</p>	

creating well designed public places		
<b>Social Infrastructure and Community Policy</b>		
<b>Cultural Heritage</b>		
CH-P01 Recognise, retain and protect cultural heritage values in the region for their character, culture, sense of place, contribution to our understanding of history.	CH-A01 Investigate planning means to recognise and list places, precincts of heritage significance within planning schemes and spatially define them with associated map overlays.	The amendment does not encompass a site of identified archaeological significance.
CH-P02 Recognise, manage and preserve regional archaeological values	CH-A02 Planning schemes are to require an assessment of impacts on heritage-listed places, precincts and landscapes. CH-A03 Provide for the protection of identified significant cultural heritage and archaeological sites.	
	CH-A04 Ensure that development is undertaken in accordance with an archaeological management plan where soil disturbance	



	within areas of archaeological significance is proposed.	
--	--	--

(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 landuse, development and infrastructure investment is coordinated, progressive, and sustainable.*

The proposed draft amendment aligns Strategic Priorities 1, 4, and 6 of the CSP by:

- Launceston is the most populous Local Government Area (2019 - ABS) in Tasmania, and is notable for its heritage listed buildings. The addition of this place on the local heritage register will ensure the unique heritage value of the property is retained.
- Any future use or development over the property will be subject to the relevant natural environment codes of the scheme to ensure the properties are protected against the impacts to the natural environment.
- The property will be subject to the requirements of the Local Historic Heritage Code. The code will ensure development opportunities are able to be realised whilst maintaining the historic cultural values of the property.
- The introduction of the property onto local heritage places register will allow for investment into culturally significant sites, as well as opening up properties for unfettered development.

**(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.

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

**Guideline No. 1**

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

The proposed amendment references C6.0 Local Historic Heritage Code. The purpose of the code is:

*To recognise and protect the local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential and significant trees by regulating development that may impact on their values, features and characteristics.*

How the proposed changes to the local listings adheres to the application guidelines is set out below.

<b>Guideline No. 1 Local Provisions Schedule: Zone and Code Application</b>	
<b>Zone/Code Application Guidelines</b>	<b>Planning Response</b>
<i>LHHC 1 THR places may be listed as local heritage places in the Code list (Table C6.1).</i>	Not Applicable.
<i>LHHC 2 If the planning authority has local historic landscape precincts, local heritage precincts, or places or precincts of archaeological potential, within its municipal area, the LPS must include an overlay map showing these places or precincts for the application of the code</i>	An update to the statutory overlay map will include the new listing.
<i>LHHC 3 Each LPS may contain an overlay map showing local heritage places for the application of the Local Historic Heritage Code</i>	An update to the statutory overlay map will include the new listing.
<i>LHHC 4 Each LPS may contain an overlay map showing significant trees, for the application of the Local Historic Heritage Code.</i>	Not Applicable.
<i>LHHC 5 If including a statement of significance in Table C6.1, C6.2 or C6.3 the information included in the right hand column (titled 'Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage</i>	Table C6.1 is the only relevant table. The new listing will include a datasheet outlining the extent of its historical and cultural value.

*Values') must address the significance of each place and its historic heritage values, as set out in the definition for local historic heritage significance in the code. The statement of local historic heritage significance must incorporate the historic heritage values of the place. The information may be set out in the table or appear in a separate datasheet. All external documents must be listed in the LPS's Applied, Adopted or Incorporated Documents table*

--

**TASMANIAN PLANNING SCHEME - LAUNCESTON LOCAL PROVISIONS SCHEDULE  
Amendment PSA-LLP0024**

Apply Heritage Overlay to the following property as shown:


Address: 64 Robin Street, Newstead

Title: 55051/1

Amend the Tasmanian Local Provisions Schedule maps as below



1:1,000

 New Heritage Listing

THE COMMON SEAL  
of the City of  
Launceston was  
hereunto affixed in the  
presences of: -

Sam Johnson  
Chief Executive Officer

Date

**Table C6.1 Local Historic Heritage Places Datasheet – LAU-C6.1.XXX**

**Town/Locality:**

Newstead

**Address:**

64 Robin Street

**Folio of the Register:**

55051/1

**Description:**

Building as shown in Figures 1 - Two storey meeting hall, Post-War International, 1952 and 1964



Figure 1

**Specific Extent:**

The entire site including gardens, with the facades visible directly from the street and setbacks from the street being of high importance

**Figures of specific extent:**

Not applicable

**Statement of local historic heritage significance and historic heritage values:**

<p>(a) Significance of the local heritage place and its historic heritage values because of its role in, representation of, or potential for contributing to the understanding of:</p>
<p>(i) local history -</p> <p>Highly significant as one of a few buildings built post war for community groups, specifically the Masonic Lodge, in Launceston. The building is distinctive and adds to the collective value of the streetscape as well as having individual significance.</p> <p>The foundation stone of the Heather Lodge's new temple was laid in 1952 (refer Figure 2). It was the first time the ancient Masonic ceremony had been performed in Launceston for over 50 years. (<i>Examiner</i>, 2 Jun 1952, p.5) Further additions occurred in 1964. The architect involved being Roy Smith, Willing and Newman and builders H J Martin and G J Luck.</p>
<p>(ii) creative or technical achievements -</p> <p>The place maintains significance in its ability to convey key characteristics of the Post-War International architectural style, with prismatic form and asymmetry to windows and entryway. It maintains smooth brick exterior walls with areas of contrasting textures including concrete and glass.</p>
<p>(iii) a class of building or place -</p> <p>A good representative example of a large Post-War International style community building form complete with fence.</p> <p>Exclusions from significance include: Addition to the side; metal sheet fencing.</p>
<p>(iv) aesthetic characteristics -</p> <p>The place is aesthetically significant achieving precision, sharpness, and transparency in design. Typical of the Post-War International type, the structure is well established and large in scale with a vertical monumentality. It is considered to contribute aesthetically and historically to the surrounding streetscape.</p>

(b) Significance of the local heritage place and its values because of its association with:
(i) a particular community or cultural group for social or spiritual reasons - A social assessment has not been undertaken for the property. However, the site is likely significant to past and present members of the Freemasons / Masonic order of Tasmania and their families. The place is further considered to add to the collective ambiance of Launceston, closely linked with the region's sense of place.
(ii) the life or works of a person, or group of persons, of importance to the locality or region - The place is known to have been designed by prominent architects Roy Smith, Willing & Newman; and built by H. J. Martin & G. J. Luck between 1952 and 1964. The site is further associated with the Freemasons / Masonic order of Tasmania.

**Figures for statements of local heritage significance and heritage values:**



Figure 2 – Foundation Stone