



Kingborough

# **Kingborough draft Local Provisions Schedule**

## **Supporting Report**

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**NOVEMBER 2019**

## Contents

List of figures.....	5
List of tables .....	8
List of attachments .....	11
Acronyms and abbreviations .....	11
Explanation of figures .....	13
1 Introduction.....	14
2 Contents of LPSs – Sections 32 & 34 of LUPAA .....	14
3 State Policies .....	18
3.1 Tasmanian State Coastal Policy 1996 .....	18
3.2 State Policy on Water Quality Management 1997 .....	14
3.3 State Policy on the Protection of Agricultural Land 2009.....	22
3.4 National Environment Protection Measures.....	22
4 Southern Tasmania Regional Land Use Strategy.....	24
5 Zones .....	59
5.1 KIPS 2015 – SPPs zone conversion.....	59
5.1.1 General Residential Zone .....	60
5.1.2 Inner Residential Zone .....	64
5.1.3 Low Density Residential Zone.....	68
5.1.4 Rural Living Zone .....	74
5.1.5 Village Zone .....	69
5.1.6 Urban Mixed Use Zone.....	87
5.1.7 Local Business Zone.....	85
5.1.8 General Business Zone.....	85
5.1.9 Central Business Zone .....	95
5.1.10 Commercial Zone .....	97
5.1.11 Light Industrial Zone .....	99
5.1.12 General Industrial Zone.....	102
5.1.13 Rural Zone.....	102
5.1.14 Agriculture Zone .....	104

5.1.15	Landscape Conservation Zone .....	105
5.1.16	Environmental Management Zone .....	111
5.1.17	Major Tourism Zone.....	117
5.1.18	Port and Marine Zone .....	117
5.1.19	Utilities Zone .....	118
5.1.20	Community Purpose Zone .....	122
5.1.21	Recreation Zone.....	123
5.1.22	Open Space Zone .....	124
5.1.23	Future Urban Zone.....	127
5.1.24	Particular Purpose Zone.....	130
6	State-wide Agricultural Land Mapping .....	131
6.1	Background .....	131
6.2	Mapping.....	131
6.3	Zone application .....	132
6.3.1	Land proposed as Agriculture Zone .....	137
6.3.2	Land not proposed as Agriculture Zone.....	142
7	Codes.....	146
7.1	Signs Code.....	146
7.2	Parking and Sustainable Transport Code .....	146
7.2.1	Parking precinct plan .....	147
7.2.2	Pedestrian priority street .....	149
7.3	Roads and Railway Assets Code .....	152
7.4	Electricity Transmission Infrastructure Protection Code .....	154
7.5	Telecommunications Code .....	154
7.6	Local Historic Heritage Code.....	155
7.6.1	Clarifications of local heritage places.....	157
7.6.2	Clarifications of significant trees .....	159
7.7	Natural Assets Code.....	160
7.8	Scenic Protection Code.....	167
7.9	Attenuation Code.....	168

7.10	Coastal Erosion Hazard Code.....	169
7.11	Coastal Inundation Hazard Code.....	170
7.12	Flood-Prone Areas Hazard Code .....	172
7.12.1	Kingston Beach Flood-Prone Area .....	172
7.13	Bushfire-Prone Areas Code.....	174
7.14	Potentially Contaminated Land Code.....	174
7.15	Landslip Hazard Code .....	175
7.15.1	Taroona landslide area.....	176
7.16	Safeguarding of Airports Code .....	177
8	Local Overriding Provisions .....	179
8.1	Specific Area Plans .....	179
8.1.1	Transitioning SAPs.....	179
8.1.2	Revised transitioning SAP .....	179
8.1.3	New SAPs .....	180
8.2	Particular Purpose Zones .....	187
8.3	Site Specific Qualifications.....	202
8.3.1	Transitioning SSQs .....	202
8.3.2	New SSQ – Wellington Park SSQ .....	204
8.3.3	New SSQ – Environmental Management Zone.....	206
9	Local Area Objectives.....	206
10	Consistency and coordination with adjacent municipal areas.....	208
11	Schedule 1 Objectives.....	209
12	Other.....	214
12.1	Consistency with Kingborough Strategic Plan 2015–2025.....	214
12.2	Regard to Gas Pipelines Act 2000 .....	217
12.3	Land reserved for public purposes .....	217
12.4	Sections 11 & 12 of LUPAA.....	217



## List of figures

Figure 1: Land within the coastal zone in Kingborough Council .....	19
Figure 2: General Residential Zone application – Kingston.....	62
Figure 3: General Residential Zone application – Spring Farm and Whitewater Farm .....	62
Figure 4: Low Density Residential to General Residential – Margate .....	63
Figure 5: Low Density Residential to General Residential – Snug .....	64
Figure 6: Low Density Residential to General Residential – Electrona .....	64
Figure 7: Inner Residential Zone application – Kingston .....	66
Figure 8: Inner Residential Zone application – Spring Farm .....	66
Figure 9: Inner Residential Zone application – Kingston Green .....	67
Figure 10: Inner Residential Zone application – Kingston Park.....	67
Figure 11: Low Density Residential Zone application – Howden.....	70
Figure 12: Low Density Residential Zone application – Kettering .....	70
Figure 13: Low Density Residential Zone application – Taroon .....	71
Figure 14: Low Density Residential Zone application – Woodbridge .....	71
Figure 15: Low Density Residential Zone application – Middleton .....	72
Figure 16: Low Density Residential Zone application – Coningham and Lower Snug.....	72
Figure 17: Low Density Residential Zone application – Adventure Bay .....	73
Figure 18: Low Density Residential Zone application – Alonnah.....	73
Figure 19: Low Density Residential Zone application – Blackmans Bay .....	74
Figure 20: Rural Living Zone application – west of Margate.....	77
Figure 21: Rural Living Zone application – west of Kettering .....	77
Figure 22: Rural Living Zone application – Woodbridge.....	78
Figure 23: Rural Living Zone application – Middleton.....	78
Figure 24: Rural Living Zone application – Gordon .....	79
Figure 25: Rural Living Zone application – Kettering.....	79
Figure 26: Rural Living Zone application – Killora .....	80
Figure 27: Rural Living Zone application – Barnes Bay.....	80
Figure 28: Rural Living Zone application – Great Bay .....	81
Figure 29: Rural Living Zone application – Lunawanna.....	81
Figure 30: Rural Living Zone application – Leslie Vale.....	82
Figure 31: Rural Living Zone application – Longley.....	82
Figure 32: Rural Living Zone application – Sandfly .....	83

Figure 33: Rural Living Zone application – northwest of Margate .....	83
Figure 34: Rural Living Zone application – west of Oyster Cove.....	84
Figure 35: Rural Living Zone application – west of Kingston.....	84
Figure 36: Village Zone application – Snug .....	86
Figure 37: Village Zone application – Woodbridge .....	86
Figure 38: Urban Mixed Use Zone application – Kingston Park.....	88
Figure 39: Urban Mixed Use Zone application – Village Drive, Kingston .....	88
Figure 40: Urban Mixed Use Zone application – Taroona .....	89
Figure 41: Local Business Zone application – Kingston Beach.....	92
Figure 42: Local Business Zone application – Blackmans Bay and Blackmans Bay Beach.....	92
Figure 43: Local Business Zone application – Spring Farm .....	93
Figure 44: Local Business Zone application – Margate .....	93
Figure 45: General Business Zone application – Westside Circle, Kingston and Kingston Town.....	95
Figure 46: Central Business Zone application – Kingston CBD .....	96
Figure 47: Commercial Zone application – Kingston .....	98
Figure 48: Light Industrial Zone application – land seaward of high water mark – Tinderbox – Tasmanian Ports Corporation, CT 128712/1 (PID 5764405).....	100
Figure 49: Light Industrial Zone application – land seaward of high water mark – Margate – CT 153762/7 (PID 2851239) and CT 153762/1 (PID 2851191) .....	101
Figure 50: Light Industrial Zone application – land seaward of high water mark – Electrona – CT 174247/12 (PID 3598706).....	101
Figure 51: Rural Zone application – west of Kettering .....	104
Figure 52: Landscape Conservation Zone application – Taroona.....	106
Figure 53: Landscape Conservation Zone application – west of Snug .....	107
Figure 54: Landscape Conservation Zone application – west of Middleton .....	107
Figure 55: Landscape Conservation Zone application – Simpsons Bay, Bruny Island .....	108
Figure 56: Landscape Conservation Zone application – Tyndal Road, Bonnet Hill .....	109
Figure 57: Landscape Conservation Zone application – west of Margate.....	109
Figure 58: Landscape Conservation Zone application – west of Oyster Cove.....	110
Figure 59: Landscape Conservation Zone application – Nicholls Rivulet Road area, Oyster Cove.....	110
Figure 60: Environmental Management Zone application - Margate (PID 5784748) .....	112
Figure 61: Environmental Management Zone application – Tinderbox .....	113
Figure 62: Environmental Management Zone application – Kingston (PID 3533267).....	114
Figure 63: Environmental Management Zone application – Nubeena Crescent, Taroona .....	115

Figure 64: Environmental Management Zone application – southwest of Margate.....	116
Figure 65: Environmental Management Zone application – Blackmans Bay/Tinderbox .....	116
Figure 66: Port and Marine Zone application – Kettering Marina .....	118
Figure 67: Utilities Zone application – Ferry Road, Kingston.....	120
Figure 68: Utilities Zone application – Barretta Waste Management Facility .....	120
Figure 69: Utilities Zone application – land seaward of high water mark –Channel Highway over Snug Creek.....	121
Figure 70: Utilities Zone application – land seaward of high water mark –Channel Highway over Flights Creek.....	121
Figure 71: Community Purpose Zone application – Kingston Beach Sailing Club .....	122
Figure 72: Recreation Zone application – Kingborough Sports Centre Precinct .....	124
Figure 73: Open Space Zone application – Kingston Beach (PID 7339672) .....	125
Figure 74: Open Space Zone application – land seaward of high water mark – Kingston Beach.....	126
Figure 75: Open Space Zone application – land seaward of high water mark – Blackmans Bay Beach. ....	126
Figure 76: Open Space Zone application – land seaward of high water mark – Dru Point Bicentennial Park .....	127
Figure 77: Future Urban Zone application – Huntingfield .....	128
Figure 78: Future Urban Zone application – Margate .....	129
Figure 79: Future Urban Zone application – Snug.....	129
Figure 80: Agriculture Zone application – Lower Longley.....	138
Figure 81: Agriculture Zone application – south of Woodbridge.....	138
Figure 82: Agriculture Zone application – north of Middleton .....	139
Figure 83: Agriculture Zone application – south of Middleton.....	139
Figure 84: Agriculture Zone application – Sandfly .....	140
Figure 85: Agriculture Zone application – Margate.....	140
Figure 86: Agriculture Zone application – Howden.....	141
Figure 87: Agriculture Zone application – west of Woodbridge .....	141
Figure 88: Rural Zone application – Oyster Cove.....	143
Figure 89: Rural Zone application – Gordon.....	143
Figure 90: Rural Zone application – west of Kettering.....	144
Figure 91: Rural Zone application – North Bruny .....	145
Figure 92: Rural Zone application – North Bruny near Dennes Point .....	145
Figure 93: Central Kingston Parking Strategy area .....	148
Figure 94: Landslip hazard area overlay map modification .....	177

Figure 95: Extent of Blackmans Bay Bluff SAP area .....	181
Figure 96: Extent of Burwood Drive SAP area.....	184
Figure 97: Extent of Coningham and Lower Snug SAP area .....	187
Figure 98: Extent of Kettering SAP area.....	191
Figure 99: Extent of Dennes Point SAP area.....	194
Figure 100: Extent of Kettering Marina SAP area.....	197
Figure 101: Extent of Kingston Beach SAP area .....	200
Figure 102: Particular Purpose Zone – Future Road Corridor - Margate .....	202

## List of tables

Table 1: Alignment with Division 1 – Contents of LPS.....	15
Table 2: Summary of implementation of NEPMs in Tasmania .....	23
Table 3: STRLUS Regional Policies – Biodiversity and Geodiversity.....	25
Table 4: STRLUS Regional Policies – Water Resources .....	27
Table 5: STRLUS Regional Policies – The Coast.....	29
Table 6: STRLUS Regional Policies – Managing Risks & Hazards.....	31
Table 7: STRLUS Regional Policies – Cultural Values.....	33
Table 8: STRLUS Regional Policies – Recreation & Open Space .....	37
Table 9: STRLUS Regional Policies – Social Infrastructure .....	38
Table 10: STRLUS Regional Policies – Physical Infrastructure .....	40
Table 11: STRLUS Regional Policies – Land Use and Transport Integration .....	42
Table 12: STRLUS Regional Policies – Tourism .....	43
Table 13: STRLUS Regional Policies – Strategic Economic Opportunities .....	44
Table 14: STRLUS Regional Policies – Productive Resources.....	45
Table 15: STRLUS Regional Policies – Industrial Activity .....	48
Table 16: STRLUS Regional Policies – Activity Centres .....	49
Table 17: STRLUS Regional Policies – Settlement and Residential Development.....	53
Table 18: Zone application compliance – General Residential Zone .....	60
Table 19: Zone application compliance – Inner Residential Zone .....	65
Table 20: Zone application compliance – Low Density Residential Zone .....	68
Table 21: Zone application compliance – Rural Living Zone .....	74
Table 22: Zone application compliance – Village Zone .....	85

Table 23: Zone application compliance – Urban Mixed Use Zone .....	87
Table 24: Zone application compliance – Local Business Zone .....	90
Table 25: Zone application compliance – General Business Zone.....	94
Table 26: Zone application compliance – Central Business Zone.....	95
Table 27: Zone application compliance – Commercial Zone.....	97
Table 28: Zone application compliance – Light Industrial Zone.....	99
Table 29: Zone application compliance – Rural Zone .....	102
Table 30: Zone application compliance – Landscape Conservation Zone .....	105
Table 31: Zone application compliance – Environmental Management Zone.....	111
Table 32: Zone application compliance – Port and Marine Zone .....	117
Table 33: Zone application compliance – Utilities Zone .....	118
Table 34: Zone application compliance – Community Purpose Zone .....	122
Table 35: Zone application compliance – Recreation Zone.....	123
Table 36: Zone application compliance – Open Space Zone .....	124
Table 37: Zone application compliance – Future Urban Zone.....	127
Table 38: Zone application compliance – Particular Purpose Zone .....	130
Table 39: Constraints analysis - agricultural land mapping .....	132
Table 40: Zone application compliance – Agriculture Zone.....	134
Table 41: Code application compliance – Parking and Sustainable Transport Code.....	146
Table 42: Code application compliance – Roads and Railway Assets Code .....	152
Table 43: Code application compliance – Electricity Transmission Infrastructure Protection Code.....	154
Table 44: Code application compliance – Local Historic Heritage Code.....	155
Table 45: Heritage places not transitioning as local heritage places.....	157
Table 46: Significant Tree Register clarifications.....	160
Table 47: Code application compliance – Natural Assets Code.....	160
Table 48: Code application compliance – Scenic Protection Code .....	167
Table 49: Code application compliance – Attenuation Code .....	168
Table 50: Code application compliance – Coastal Erosion Hazard Code .....	169
Table 51: Code application compliance – Coastal Inundation Hazard Code .....	170
Table 52: Code application compliance – Flood Prone Areas Hazard Code .....	172
Table 53: Code application compliance – Bushfire-Prone Areas Code.....	174
Table 54: Code application compliance – Potentially Contaminated Land Code .....	174
Table 55: Code application compliance – Landslip Hazard Code .....	175

Table 56: Code application compliance – Safeguarding of Airports Code .....	177
Table 57: Transition of Particular Purpose Zones from KIPS 2015 to Kingborough draft LPS .....	202
Table 58: Site Specific Qualifications to be transitioned to draft LPS.....	203
Table 59: New Site Specific Qualifications .....	205
Table 60: Zones with Local Area Objectives.....	207
Table 61: Schedule 1, Part 1 – Objectives.....	210
Table 62: Schedule 1, Part 2 – Objectives.....	212
Table 63: Consistency with Kingborough Strategic Plan 2015–2025.....	215

## List of attachments

Attachment E1	Zone translation table
Attachment E2	Central Kingston Parking Strategy
Attachment E3	Kingston Beach Flood Study
Attachment E4	Taroona Landslide Area
Attachment E5	Kingston Park SAP Council report
Attachment E6	Neighbourhood Character Study Report – Blackmans Bay

## Acronyms and abbreviations

AAD	Australian Antarctic Division
AEP	Annual Exceedance Probability
AHD	Australian Height Datum
ANEF	Australian Noise Exposure Forecast
CBD	central business district
Commission	Tasmanian Planning Commission
DFCS	Desire Future Character Statement
DPIPWE	Department of Primary Industries, Parks, Water and Environment
Guideline No. 1	Guideline No. 1 - Local Provisions Schedule (LPS) zone and code application
ha	hectare
KIPS 2015	<i>Kingborough Interim Planning Scheme 2015</i>
km/h	kilometres per hour
LAO	Local Area Objective
LPS	Local Provisions Schedule
LUPPA	<i>Land Use Planning and Approvals Act 1993</i>
m	metre
m <sup>2</sup>	square metre
NEPC	National Environment Protection Council

NEPMs	National Environment Protection Measures
net density	dwellings per hectare
NPI	National Pollutant Inventory
OLS	Obstacle Limitation Surfaces
PAN-OPS	Procedures for Air Navigation Services - Aircraft Operations
PPU	Planning Policy Unit
PPZ	Particular Purpose Zone
SAP	Specific Area Plan
SPPA	<i>State Policies and Practices Act 1993</i>
SPPs	State Planning Provisions
SSQ	Site-Specific Qualifications
State Coastal Policy	Tasmanian State Coastal Policy 1996
STRLUS	Southern Tasmania Regional Land Use Strategy
the Project	State-wide Agricultural Land Mapping Project
TPS	Tasmanian Planning Scheme
WSUD	water sensitive urban design



## Explanation of figures

This supporting report contains many figures that provide a comparison between the existing zoning for areas in the *Kingborough Interim Planning Scheme 2015* (KIPS 2015) and the proposed zoning for the Kingborough draft Local Provisions Schedule (Kingborough draft LPS). For example, see below proposed zoning in the Kingston area.

The map on the left is the existing zoning for KIPS 2015. The map on the right is the proposed zoning for Kingborough draft LPS. The zone colouring is provided below the figure.



**KIPS 2015 zone colours**

<span style="display:inline-block; width:15px; height:15px; background-color: #ff0000; border:1px solid black;"></span>	General Residential
<span style="display:inline-block; width:15px; height:15px; background-color: #800000; border:1px solid black;"></span>	Inner Residential
<span style="display:inline-block; width:15px; height:15px; background-color: #ff6666; border:1px solid black;"></span>	Low Density Residential
<span style="display:inline-block; width:15px; height:15px; background-color: #ff9999; border:1px solid black;"></span>	Rural Living
<span style="display:inline-block; width:15px; height:15px; background-color: #999900; border:1px solid black;"></span>	Environmental Living
<span style="display:inline-block; width:15px; height:15px; background-color: #cccccc; border:1px solid black;"></span>	Urban Mixed Use
<span style="display:inline-block; width:15px; height:15px; background-color: #ff9900; border:1px solid black;"></span>	Village
<span style="display:inline-block; width:15px; height:15px; background-color: #ffff00; border:1px solid black;"></span>	Community Purpose
<span style="display:inline-block; width:15px; height:15px; background-color: #00ff00; border:1px solid black;"></span>	Recreation
<span style="display:inline-block; width:15px; height:15px; background-color: #008000; border:1px solid black;"></span>	Open Space
<span style="display:inline-block; width:15px; height:15px; background-color: #99ccff; border:1px solid black;"></span>	Local Business
<span style="display:inline-block; width:15px; height:15px; background-color: #6699ff; border:1px solid black;"></span>	General Business
<span style="display:inline-block; width:15px; height:15px; background-color: #3366ff; border:1px solid black;"></span>	Central Business
<span style="display:inline-block; width:15px; height:15px; background-color: #9966ff; border:1px solid black;"></span>	Commercial
<span style="display:inline-block; width:15px; height:15px; background-color: #ff00ff; border:1px solid black;"></span>	Light Industrial
<span style="display:inline-block; width:15px; height:15px; background-color: #ffcc99; border:1px solid black;"></span>	Rural Resource
<span style="display:inline-block; width:15px; height:15px; background-color: #ffff00; border:1px solid black;"></span>	Utilities
<span style="display:inline-block; width:15px; height:15px; background-color: #009999; border:1px solid black;"></span>	Environmental Management
<span style="display:inline-block; width:15px; height:15px; background-color: #00ffcc; border:1px solid black;"></span>	Port and Marine
<span style="display:inline-block; width:15px; height:15px; background-color: #ffcc00; border:1px solid black;"></span>	Particular Purpose Zone

**SPPs zone colours**

<span style="display:inline-block; width:15px; height:15px; background-color: #ff0000; border:1px solid black;"></span>	General Residential
<span style="display:inline-block; width:15px; height:15px; background-color: #800000; border:1px solid black;"></span>	Inner Residential
<span style="display:inline-block; width:15px; height:15px; background-color: #ff6666; border:1px solid black;"></span>	Low Density Residential
<span style="display:inline-block; width:15px; height:15px; background-color: #ff9999; border:1px solid black;"></span>	Rural Living
<span style="display:inline-block; width:15px; height:15px; background-color: #ffcc00; border:1px solid black;"></span>	Village
<span style="display:inline-block; width:15px; height:15px; background-color: #cccccc; border:1px solid black;"></span>	Urban Mixed Use
<span style="display:inline-block; width:15px; height:15px; background-color: #99ccff; border:1px solid black;"></span>	Local Business
<span style="display:inline-block; width:15px; height:15px; background-color: #6699ff; border:1px solid black;"></span>	General Business
<span style="display:inline-block; width:15px; height:15px; background-color: #3366ff; border:1px solid black;"></span>	Central Business
<span style="display:inline-block; width:15px; height:15px; background-color: #9966ff; border:1px solid black;"></span>	Commercial
<span style="display:inline-block; width:15px; height:15px; background-color: #ff00ff; border:1px solid black;"></span>	Light Industrial
<span style="display:inline-block; width:15px; height:15px; background-color: #ffcc99; border:1px solid black;"></span>	Rural
<span style="display:inline-block; width:15px; height:15px; background-color: #cc9966; border:1px solid black;"></span>	Agriculture
<span style="display:inline-block; width:15px; height:15px; background-color: #999900; border:1px solid black;"></span>	Landscape Conservation
<span style="display:inline-block; width:15px; height:15px; background-color: #666666; border:1px solid black;"></span>	Environmental Management
<span style="display:inline-block; width:15px; height:15px; background-color: #00ffcc; border:1px solid black;"></span>	Port and Marine
<span style="display:inline-block; width:15px; height:15px; background-color: #ffff00; border:1px solid black;"></span>	Utilities
<span style="display:inline-block; width:15px; height:15px; background-color: #ffff00; border:1px solid black;"></span>	Community Purpose
<span style="display:inline-block; width:15px; height:15px; background-color: #00ff00; border:1px solid black;"></span>	Recreation
<span style="display:inline-block; width:15px; height:15px; background-color: #008000; border:1px solid black;"></span>	Open Space
<span style="display:inline-block; width:15px; height:15px; background-color: #ff9900; border:1px solid black;"></span>	Future Urban
<span style="display:inline-block; width:15px; height:15px; background-color: #ff00ff; border:1px solid black;"></span>	Particular Purpose

## 1 Introduction

In 2015 the Tasmanian State Government legislated to implement the Tasmanian Planning Scheme (TPS), comprising a set of statewide planning controls that includes administrative, zone and code provisions. The amendments to the *Land Use Planning and Approvals Act 1993* (LUPAA) established the State Planning Provisions (SPPs). The SPPs came into effect on 2 March 2017 and form the first part of the TPS. The SPPs have no effect until the Local Provisions Schedules (LPSs) for a municipality are endorsed and effective. These LPSs form the second part of the TPS and are prepared by the planning authority for each individual Council. The draft LPSs are submitted to the Tasmanian Planning Commission (the Commission) under section 35(1) of LUPAA.

This report supports the submission of the Kingborough draft LPS prepared and submitted to the Commission under section 35(1) of LUPAA for assessment as to whether it is suitable for approval by the Minister for exhibition, under to section 35B(4) of LUPAA.

The report demonstrates that the Kingborough draft LPS meets the LPS criteria, as required by section 34(2) of LUPAA.

This report and supporting documentation has been prepared with regard given to Practice Note 6 – Preparing draft Local Provisions Schedules (LPSs) for exhibition (revised), specifically Appendix A: Outline for Supporting Report, as well as Guideline No.1 – Local Provisions Schedule (LPS): zone and code application (Guideline No.1).

## 2 Contents of LPSs – Sections 32 & 34 of LUPAA

Section 34(2) of LUPAA requires that an LPS must contain provisions as specified within clause LP1.0 Local Provisions Schedules Requirements of the SPPs (clause LP1.0). These are listed below, some of which are mandatory, while others are discretionary:

- Zone Maps;
- Local Area Objectives (LAOs);
- Particular Purpose Zones (PPZs);
- Specific Area Plans (SAPs);
- Site-Specific Qualifications (SSQs);
- Code Overlay Maps; and
- Code Lists in Tables.

The Kingborough draft LPS contains all of the mandatory requirements of the SPPs. Each of the mandatory and optional components is addressed in Table 1.

**Table 1: Alignment with Division 1 – Contents of LPS**

<b>Criteria</b>	<b>Alignment of Kingborough draft LPS</b>	<b>Section of Supporting Report or statement</b>
<b>32(2)(a)</b>	Yes	The Kingborough draft LPS specifies that it applies to the Kingborough municipal area in accordance with the SPP template.
<b>32(2)(b)</b>	Yes	The mandatory requirements are adopted in full.
<b>32(2)(c)</b>	Yes	The Kingborough draft LPS is prepared in accordance with the application and drafting instructions included in the SPPs and in Guideline No. 1. Further clarification of how the Zones and Codes have been applied is provided throughout this report.
<b>32(2)(d)</b>	Yes	See section 0 of this report.
<b>32(2)(e)</b>	Yes	See response at 32(2)(c) above.
<b>32(2)(f)</b>	Yes	See response at 32(2)(d) above.
<b>32(2)(g)</b>	Yes	See section 0 of this report.
<b>32(2)(h)</b>	Yes	The Kingborough draft LPS applies to the SPPs via zones and overlays consistent with Guideline No. 1.
<b>32(2)(i)</b>	Yes	<p>The Kingborough draft LPS contains overriding provisions in that the contents of SSQs and SAPs override some provisions of the SPPs where those provisions modify or are in substitution for the SPPs.</p> <p>Most overriding provisions are protected under transitional arrangements in which the SSQs and SAPs that existed at December 2015 can automatically carry forward with the consent of the Minister. Other overriding provisions are provided within the new SAPs that are included within the Kingborough draft LPS.</p> <p>The Kingborough draft LPS aims to achieve as much consistency as possible with the SPPs and only seeks to include overriding provisions where LUPAA requirements for compliance with Schedule 1 Objectives or the STRLUS cannot be met without local provisions.</p>

Criteria	Alignment of Kingborough draft LPS	Section of Supporting Report or statement
32(2)(j)	Yes	<p>The draft LPS does not seek to modify the application of the SPPs. The SPPs are applied to land use and development in accordance with directions prescribed in clause LP1.0 and in consideration of Guideline No.1.</p> <p>The provisions of the SPP and the application of zones create the need for the introduction of new SAPs which meet the requirements of Section 32(4) as detailed in this report.</p>
32(2)(k)	Yes	<p>The provisions at Section 32(2)(k) and (l) require a LPS to not include provisions that:</p> <ul style="list-style-type: none"> <li>- the SPP specifies cannot be included in the LPS;</li> <li>- otherwise exist in the SPP; and</li> <li>- are inconsistent with the SPP.</li> </ul> <p>It is considered that the Kingborough draft LPS is compliant with these limitations.</p>
32(2)(l)	Yes	See response at 32(2)(k) above.
34(2)(a)	Yes	The Kingborough draft LPS contains all of the mandatory requirements of the SPPs.

Criteria	Alignment of Kingborough draft LPS	Section of Supporting Report or statement
34(2)(b)	Yes	<p>The LPS may include particular PPZs, SAPs and SSQs. There are no PPZs proposed in the Kingborough draft LPS.</p> <p>A number of SAPs are proposed. Two of these are contained in the KIPS2015 and are protected via transitional arrangements – these are for Margate Marina and Kingston Green. The existing Kingston Park SAP has been substantially changed and new SAPs are included for Kingston Beach, Blackmans Bay Bluff, Burwood Drive, Coningham and Lower Snug, Kettering (Low Density Residential), Kettering Marina and Dennes Point.</p> <p>Section 32(4) specifies that SAPs may only be included if:</p> <ul style="list-style-type: none"> <li>(a) <i>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</i></li> <li>(b) <i>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.</i></li> </ul> <p>In the case of the proposed new or amended SAPs in the Kingborough draft LPS, the rationale for their introduction or changes is included in section 0 of this report.</p> <p>Existing SSQs within the use tables in KIPS2015 are being transferred across into the Kingborough draft LPS. These are protected by transitional arrangements under Schedule 6, Clause 8 of the LUPAA. The Wellington Park SAP in KIPS2015 did not meet the transitional requirements and has been translated into a new SSQ.</p> <p>Also see responses at 32(2)(a) – 32(2)(l) above.</p>
34(2)(c)	Yes	See section 0 of this report.
34(2)(d)	Yes	See section 3 of this report.
34(2)(e)	Yes	See section 0 of this report.
34(2)(f)	Yes	See section 0 of this report.
34(2)(g)	Yes	See section 0 of this report.
34(2)(h)	Yes	See section 0 of this report.

### 3 State Policies

Section 34(2) of LUPAA requires that an LPS is consistent with each State Policy. State Policies are made under Section 11 of the *State Policies and Practices Act 1993* (SPPA). Additionally, regard must be given to sections 13 and 14 of the SPPA in relation to the implementation and enforcement of a State Policy:

*S.13(1) Where there is an inconsistency between a provision of a State Policy and a provision of a planning scheme or an interim order in force at the time when the State Policy comes into operation, the provision of the planning scheme or interim order is void to the extent of the inconsistency.*

This section of the supporting report provides statements of consistency with State Policies.

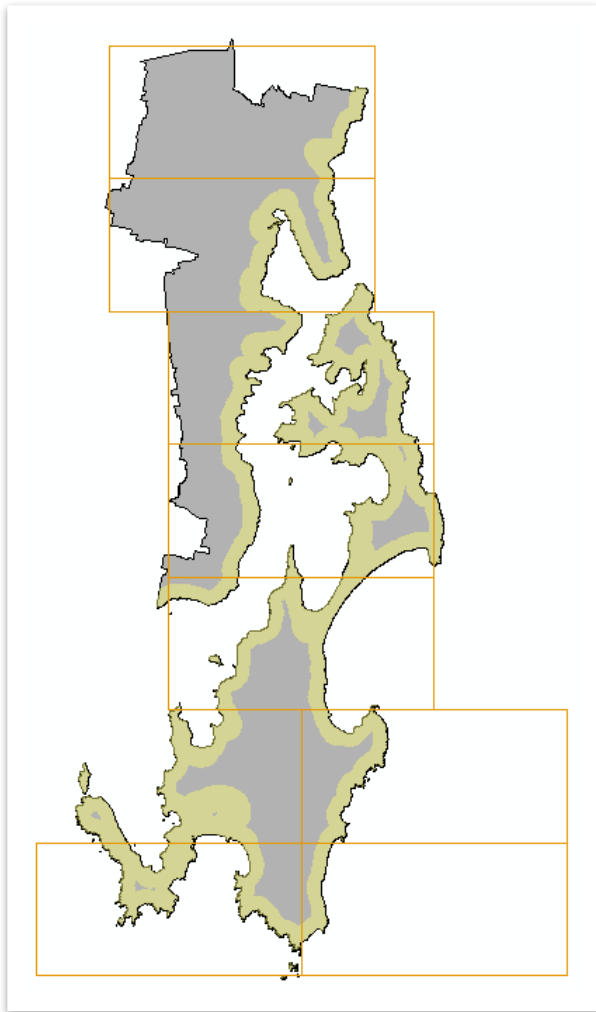
Current policies created under SPPA are:

- Tasmanian State Coastal Policy 1996;
- State Policy on Water Quality Management 1997; and
- State Policy on the Protection of Agricultural Land 2009.

In addition, National Environment Protection Measures (NEPMs) are automatically adopted as State Policies under section 12A of SPPA.

#### 3.1 Tasmanian State Coastal Policy 1996

The Tasmanian State Coastal Policy 1996 (State Coastal Policy) applies to all of Tasmania, including all islands except for Macquarie Island which is subject to a special management regime. Under the *State Coastal Policy Validation Act 2003*, a reference in the State Coastal Policy to the coastal zone is to be taken as reference to State waters and to all land to a distance of one kilometre inland from the high-water mark. The Kingborough municipal area contains 312 square kilometres of land within the coastal zone (see Figure 1 – coastal zone identified in yellow).



**Figure 1: Land within the coastal zone in Kingborough Council**

Three main principles guide the State Coastal Policy:

- Natural and cultural values of the coast shall be protected.
- The coast shall be used and developed in a sustainable manner.
- Integrated management and protection of the coastal zone is a shared responsibility.

The State Coastal Policy outlines a series of outcomes which express the above principles. The outcomes are categorised as:

- Protection of Natural and Cultural Values of the Coastal Zone;
- Sustainable Development of Coastal Areas and Resources;
- Shared Responsibility for Integrated Management of Coastal Area and Resources;
- and
- Implementation, Evaluation and Review.

## **Protection of Natural and Cultural Values of the Coastal Zone**

The State Coastal Policy requires the coastal zone to be managed to ensure sustainability of major ecosystems and natural processes, as well as to protect ecological, geomorphological and geological coastal features and aquatic environments of conservation value. The SPPs provide for the management and protection of major ecosystems and natural processes by way of the following Codes and application of the LPS mapping:

- the Natural Asset Code, which recognises and protects important biodiversity values along the coast (and more broadly), watercourses and wetlands including future refugia;
- the Coastal Erosion Hazard Code, which recognises areas at risk of coastal erosion; and
- the Coastal Inundation Hazard Code, which recognises areas at risk of coastal inundation.

These three codes are used in the Kingborough draft LPS and therefore the above outcome will be achieved through the application of the SPPs.

Additionally, the application of the Environmental Management Zone extending into much of the waterway surrounding Kingborough provides for the protection of areas of significant ecological value.

## **Sustainable Development of Coastal Areas and Resources**

Coastal uses and development proposals are subject to environmental impact assessments as and where required by State legislation, including the *Environmental Management and Pollution Control Act 1994*.

The many uses and development types in the coastal zone are managed through the application of the above mentioned codes in the Kingborough draft LPS, as well as relevant zones such as the Open Space Zone, Recreation Zone and the Environmental Management Zone. The Kingborough draft LPS will ensure coastal areas and resources and sustainably developed.

## **Shared Responsibility for Integrated Management of Coastal Areas and Resources**

The State Coastal Policy emphasises the importance of regional planning as a tool for coastal management. The Southern Tasmanian Regional Land Use Strategy recognises this role and provides regional policies specific to the coast, addressing the biodiversity, landscape, scenic and cultural values of the coast. These policies are the basis for the application of the relevant zones and codes of the SPPs implemented through the Kingborough draft LPS.

## **Implementation, Evaluation and Review**

The State Coastal Policy states that the main vehicles for implementation are to be land use planning controls, marine farming development plans, and local council strategic and operational plans. For Kingborough Council, the applicable planning controls include the SPPs and the Kingborough draft LPS. The SPPs have been prepared by the State Government with regard to the State Coastal Policy principles and outcomes and therefore the SPPs provide



appropriate and consistent controls for coastal zones. In addition, the Kingborough draft LPS does not seek to regulate matters outside of the jurisdiction prescribed in sections 11 and 12 of LUPAA and applies appropriate zoning and codes to coastal zones. Additional information on how the zones and codes have been applied can be found in Zones and Codes sections of this report. Any future changes to the State Coastal Policy will be considered in future reviews of the Southern Tasmania Regional Land Use Strategy, the Kingborough Land Use Strategy, and the Kingborough Council Strategic Plan.

### 3.2 State Policy on Water Quality Management 1997

The State Policy on Water Quality Management 1997 applies to all surface waters, including coastal waters, and ground waters, other than privately owned waters that are not accessible to the public and are not connected to, or flow directly into, waters that are accessible to the public or waters in any tank, pipe or cistern. The Policy aims to achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting and enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System.

Part 4 of the State Policy on Water Quality Management 1997 specifies outcomes and actions to achieve water quality objectives under the following divisions:

- Division 1 – Measures to achieve policy objectives;
- Division 2 – Management of point sources of pollution; and
- Division 3 – Management of diffuse sources of pollution.

Under the existing Kingborough Interim Planning Scheme 2015, the State Policy on Water Quality Management 1997 is implemented through the incorporation of:

- the Stormwater Management Code, which provides a standards for discharges;
- the Acid Sulfate Soils Code, which ensures that developments in areas potentially containing acid sulfate soils avoid areas containing such soils, and where avoidance is not practicable, appropriate measures are taken to mitigate any adverse effects; and
- the On-Site Wastewater Management Code, which ensures that development or use requiring onsite wastewater management will have access to sufficient land area necessary for the satisfactory and sustainable on-site treatment of that wastewater.

None of the above codes are replicated in the codes available in the SPPs. However, the SPPs require the mandatory inclusions in the LPSs of the State-mapped waterway protection areas in the overlay that applies through the Natural Assets Code. The prescribed buffer distances contained in the definition, and shown in the overlay map, trigger an assessment of development that occurs within those mapped areas. The SPPs assume compliance with the State Policy on Water Quality Management 1997 in applying the overlay map with associated assessment provisions.

It is noted that most zones incorporate provisions that require connection to reticulated services where they exist or require wastewater to be treated on-site.

### 3.3 State Policy on the Protection of Agricultural Land 2009

The purpose of the State Policy on the Protection of Agricultural Land 2009 is to conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.

The stated objectives are to enable the sustainable development of agriculture by minimising:

- (a) conflict with or interference from other land uses; and
- (b) non-agricultural use or development on agricultural land that precludes the return of that land to a agricultural use.

The eleven principles that support the policy relate to the identification of valuable land resources and the matters that can be regulated by planning schemes. The Rural Zone and Agriculture Zone provisions contained in the SPPs were developed having regard to these principles. The requirement to apply these zones to land necessitates an analysis of land resources to determine which zone is most appropriate.

Guideline No. 1 requires that land to be included in the Agriculture Zone should be based on the land identified in the 'Land Potentially Suitable for Agriculture Zone', a methodology developed by the State with a layer published on the LIST. Guideline No. 1 provides that in applying the zone, a planning authority may also have regard to any agricultural land analysis or mapping undertaken at a local or regional level for part of the municipal area which:

- (i) incorporates more recent or detailed analysis or mapping;
- (ii) better aligns with on-ground features; or
- (iii) addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer.

The application of the Rural Zone and Agriculture Zone is discussed further in section 3.2 of this report.

In summary, the Kingborough draft LPS is considered to be consistent with the State Policy on the Protection of Agricultural Land 2009.

### 3.4 National Environment Protection Measures

National Environment Protection Measures (NEPMs) are statutory instruments that specify national standards for a variety of environmental issues. They are binding on all Governments that are members of the National Environment Protection Council (NEPC).

The NEPC was established under the *Commonwealth National Environment Protection Council Act 1995*. In Tasmania, this is given effect through the *National Environment Protection Council (Tasmania) Act 1995*.

Current NEPMs include:

- Air Toxics NEPM;
- Ambient Air Quality NEPM;
- Assessment of Site Contamination NEPM;
- Diesel Vehicle Emissions NEPM;

- Movement of Controlled Waste between States and Territories NEPM;
- National Pollutant Inventory (NPI) NEPM; and
- Used Packaging Materials NEPM

In Tasmania, NEPMs are State Policies in accordance with section 12A of the *State Policies and Projects Act 1993*. They are generally not directly enforceable and are implemented using a variety of mechanisms and approaches depending on the particular contents of each NEPM. NEPMs are not directly implemented through planning schemes, with some matters being outside the jurisdiction prescribed by LUPAA (see Table 2). However, some aspects of the NEPMs are addressed through the SPPs, with matters relating to water quality, amenity impacts on residential uses due to noise emissions and site contamination assessment.

The Kingborough draft LPS is therefore consistent with the NEPMs.

**Table 2: Summary of implementation of NEPMs in Tasmania**

NEPM	Summary of implementation framework in Tasmania	Summary of implementation issues arising
<b>Air Toxics NEPM</b>	Implemented under the Environment Protection Policy (Air Quality) 2004, the <i>Environmental Management Pollution Control Act 1994</i> and the Tasmanian Air Quality Strategy 2006.	No issues reported.
<b>Ambient Air Quality NEPM</b>	Implemented under the <i>Environmental Management Pollution Control Act 1994</i> , the Environment Protection Policy (Air Quality) 2004, the <i>Environmental Management and Pollution Control (Distributed Atmospheric Emissions) Regulations 2007</i> and the Tasmanian Air Quality Strategy 2006.	No issues reported.
<b>Assessment of Site Contamination NEPM</b>	Implemented under the <i>Environmental Management and Pollution Control Act 1994</i> , the <i>Environmental Management and Pollution Control (Underground Petroleum Storage Systems) Regulations</i> and associated guidelines.	There is an identified need for additional clarity in assessing petroleum vapour intrusion at operating petrol stations as well as guidance on volatile organic chlorinated compounds.
<b>Diesel Vehicle Emissions NEPM</b>	The Department of State Growth uses the 'ten second rule' to target smoky motor vehicles.	No specific issues were reported.
<b>Movement of Controlled Waste between States and Territories NEPM</b>	Implemented under the <i>Environmental Management and Pollution Control Act 1994</i> .	No issues reported.

NEPM	Summary of implementation framework in Tasmania	Summary of implementation issues arising
<b>National Pollutant Inventory NEPM</b>	Implemented through the <i>Environmental Management and Pollution Control Act 1993</i> .	Not available.
<b>Used Packaging Materials NEPM</b>	Implemented through the <i>Environmental Management and Pollution Control Act 1993</i> .	No issues reported.

## 4 Southern Tasmania Regional Land Use Strategy

The Southern Tasmania Regional Land Use Strategy (STRLUS) was adopted on 27 October 2011 and most recently reviewed and amended by the State Government on 9 May 2018.

The approach of the STRLUS is to encourage the efficient use of land and infrastructure through compact settlement strategies and this will in turn help protect agricultural land and environmental values – primarily through the restrictions on rural subdivisions. Urban growth is to occur through a combination of infill and controlled greenfield development.

The Kingborough Interim Planning Scheme 2015 (KIPS2015) was assessed against and found to be consistent with the STRLUS. For the most part, the Kingborough draft LPS reflects a 'like for like' conversion of the provisions contained within KIPS2015 into the new TPS format having regard to the SPPs provisions and LPS zone and code application. Any notable departure from either Guideline No.1 and/or a 'like for like' conversion of the existing KIPS2015 is discussed on a case by case basis further in this report.

An assessment of the Kingborough draft LPS with respect to the regional policies in the STRLUS can be found in Table 3 through to Table 17.

In addition to this, Council has updated the Kingborough Land Use Strategy (May, 2019). This constitutes a general background report, as well as providing a local interpretation of the STRLUS, justification for the way land is to be zoned in the LPS and as a guide for the assessment of rezoning proposals in future years. It performs a similar function as that of its predecessor (December, 2013) which supported the preparation of the Kingborough Interim Planning Scheme 2013. A copy of this Kingborough Land Use Strategy is available on the Council's website.

**Table 3: STRLUS Regional Policies – Biodiversity and Geodiversity**

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>BNV 1</b>	Maintain and manage the region's biodiversity and ecosystems and their resilience to the impacts of climate change.	See sub-clauses below.
<b>BNV 1.1</b>	Manage and protect significant native vegetation at the earliest possible stage of the land use planning process. Where possible, ensure zones that provide for intensive use or development are not applied to areas that retain biodiversity values that are to be recognised and protected by Planning Schemes.	Protecting land with environmental values by applying Environmental Management and Landscape Conservation zones and avoiding the application of urban zones and the Agriculture Zone to land with significant environmental values. Significant native vegetation is managed through the priority vegetation overlay.
<b>BNV 1.2</b>	Recognise and protect biodiversity values deemed significant at the local level and ensure that planning schemes: <ul style="list-style-type: none"> <li>(a) specify the spatial area in which biodiversity values are to be recognised and protected (either by textural description or map overlay); and</li> <li>(b) implement an 'avoid, minimise, mitigate' hierarchy of actions with respect to development that may impact on recognised and protected biodiversity values.</li> </ul>	Including within the LPS a priority vegetation overlay within the Natural Assets Code and the application of other appropriate codes and zones that both directly and indirectly protect biodiversity values.
<b>BNV 1.3</b>	Provide for the use of biodiversity offsets if, at the local level, it is considered appropriate to compensate for the loss of biodiversity values where that loss is unable to be avoided, minimised or mitigated. Biodiversity offsets: <ul style="list-style-type: none"> <li>(a) are to be used only as a 'last resort'.</li> <li>(b) should provide for a net conservation benefit and security of the offset in perpetuity.</li> <li>(c) are to be based upon 'like for like' wherever possible.</li> </ul>	Utilising the biodiversity offset provisions in the SPPs Natural Assets Code in order to compensate for a loss of environmental values. Council has an offset policy and established procedures to assist in this regard.
<b>BNV 1.4</b>	Manage clearance of native vegetation arising from use and development in a manner that is generally consistent across the region, but allowing for variances in local values.	Utilising the regional biodiversity mapping that forms the basis for the priority vegetation overlay for the Natural Assets Code (accommodating any local variations), plus Specific Area Plans are utilised where it is necessary to protect important local values in accordance with this policy.

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
<b>BNV 1.5</b>	Ensure vegetation clearance and/or soil disturbance is undertaken in accordance with construction management plans that minimise further loss of values and encourages rehabilitation of native vegetation.	Clause 6.11(f) of the SPPs allows for conditions to be applied regarding construction management and this is utilised on a case-by-case basis.
<b>BNV 1.6</b>	Include in planning schemes preserving climate refugia where there is scientifically accepted spatial data.	Recognising and protecting climate refugia through the application of the refugia overlay within the Natural Assets Code.
<b>BNV 2</b>	Protect threatened vegetation communities, flora and fauna species, habitat for threatened species and places important for building resilience and adaptation to climate change for these.	See sub-clauses below.
<b>BNV 2.1</b>	Avoid the clearance of threatened vegetation communities except: (a) where the long-term social and economic benefit arising from the use and development facilitated by the clearance outweigh the environmental benefit of retention; and (b) where the clearance will not significantly detract from the conservation of that native vegetation community.	Including a Natural Asset Code overlay for priority vegetation (which includes all areas of threatened vegetation communities), combined with the application of offset provisions that allow limited development while compensating for the loss of environmental values.
<b>BNV 2.2</b>	Minimise clearance of native vegetation communities that provide habitat for threatened species.	Including Natural Asset Code overlays for priority vegetation (which includes habitat for threatened species), coastal refugia and waterway and coastal protection areas.
<b>BNV 2.3</b>	Ensure potential applicants are advised of the requirements of the <i>Threatened Species Protection Act 1995</i> and their responsibilities under the Environmental Protection and Biodiversity Conservation Act 1999.	This is not an issue that can be addressed by the planning scheme and is dealt with during the development control process.
<b>BNV 3</b>	Protect the biodiversity and conservation values of the Reserve Estate.	See sub-clauses below.
<b>BNV 3.1</b>	Include within Planning Schemes requirements to setback use and development from boundaries with reserved land.	Providing appropriate SPP setbacks for development from watercourses and the boundaries of reserved land.

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
<b>BNV 4</b>	Recognise the importance of non land use planning based organisations and their strategies and policies in managing, protecting and enhancing natural values.	See sub-clauses below.
<b>BNV 4.1</b>	Consult NRM-based organisations as part of the review and monitoring of the Regional Land Use Strategy.	No referral mechanism in SPPs or LPSs. The preparation of the LPS has not involved a review or monitoring of the STRLUS.
<b>BNV 5</b>	Prevent the spread of declared weeds under the <i>Weed Management Act 1999</i> and assist in their removal.	See sub-clauses below.
<b>BNV 5.1</b>	Ensure development that includes vegetation clearance and/or soil disturbance is undertaken in accordance with construction management plans that include weed management actions where the site is known, or suspected, to contain declared weeds.	This would be accommodated within the permit conditions on a case-by-case basis in regard to construction management.
<b>BNV 6</b>	Geodiversity	See sub-clauses below.
<b>BNV 6.1</b>	Improve knowledge of sites and landscapes with geological, geomorphological, soil or karst features and the value they hold at state or local level.	This is not an issue that can be addressed by the LPS.
<b>BNV 6.2</b>	Progress appropriate actions to recognise and protect those values, through means commensurate with their level of significance (state or local).	This is not an issue that can be addressed by the LPS, although protection could be provided for by permit conditions that reflect local values.

**Table 4: STRLUS Regional Policies – Water Resources**

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
<b>WR 1</b>	Protect and manage the ecological health, environmental values and water quality of surface and groundwater, including waterways, wetlands and estuaries.	See sub-clauses below.



<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>WR 1.1</b>	Ensure use and development is undertaken in accordance with the State Policy on Water Quality Management.	See section 1 – compliance with this Policy was incorporated within the SPPs.
<b>WR 1.2</b>	Incorporate total water cycle management and water sensitive urban design principles in land use and infrastructure planning to minimise stormwater discharge to rivers (particularly subdivision).	<p>Limiting the potential for water pollution by the appropriate zoning of land, application of relevant codes and accommodating local site requirements within the permit conditions on a case-by-case basis.</p> <p>It is noted the Stormwater Management Code addressed water sensitive urban design (WSUD) principles in KIPS2015, but has not been transferred to the SPPs.</p> <p>The absence of a Stormwater Management Code will most likely lead to an inconsistent approach to WSUD across the state.</p>
<b>WR 1.3</b>	Include setback requirements in planning schemes to protect riparian areas relevant to their classification under the Forest Practices System.	This is provided for by the riparian setbacks within the SPPs.
<b>WR 1.4</b>	Ensure development that includes vegetation clearance and/or soil disturbance is undertaken in accordance with construction management plans to minimise soil loss and associated sedimentation of waterways and wetlands.	This would be accommodated within the permit conditions on a case-by-case basis.
<b>WR 2</b>	Manage wetlands and waterways for their water quality, scenic, biodiversity, tourism and recreational values.	See sub-clauses below.
<b>WR 2.1</b>	Manage use and development adjacent to Hydro Lakes in accordance with their classification: Remote Wilderness Lake, Recreational Activity Lake or Multiple Use Lakes.	There are no Hydro Lakes in the Kingborough municipality.
<b>WR 2.2</b>	Provide public access along waterways via tracks and trails where land tenure allows, where there is management capacity and where impacts on biodiversity, native vegetation and geology can be kept to acceptable levels.	This is not an issue that can be addressed by the LPS, although such riparian land is zoned to facilitate such public access where possible (e.g. where it is public land).



<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>WR 2.3</b>	Minimise clearance of native riparian vegetation.	Protecting the natural values of riparian vegetation by application of the Natural Assets Code (waterway and coastal protection area overlay).
<b>WR 2.4</b>	Allow recreation and tourism developments adjacent to waterways where impacts on biodiversity and native vegetation can be kept to acceptable levels.	This would be accommodated within the permit conditions on a case-by-case basis.
<b>WR 3</b>	Encourage the sustainable use of water to decrease pressure on water supplies and reduce long term cost of infrastructure provision.	See sub-clauses below.
<b>WR 3.1</b>	Reduce barriers in the planning system for the use of rainwater tanks in residential areas.	This has not been accommodated within the SPPs and is a building control issue.

**Table 5: STRLUS Regional Policies – The Coast**

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>C 1</b>	Maintain, protect and enhance the biodiversity, landscape, scenic and cultural values of the region's coast.	See sub-clauses below.
<b>C 1.1</b>	Ensure use and development avoids clearance of coastal native vegetation.	Protecting coastal and environmental values through the application of the Environmental Management Zone and the Coastal Inundation Hazard, Coastal Erosion Hazard, Scenic Protection and Natural Assets Codes (including the waterway and coastal protection area overlay).
<b>C 1.2</b>	Maximise growth within existing settlement boundaries through local area or structure planning for settlements in coastal areas.	Limiting the potential for coastal degradation and ribbon development by the appropriate zoning of land (as based on structure plans within the Kingborough Land Use Strategy).

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
<b>C 1.3</b>	Prevent development on mobile landforms and coastal mudflats unless for the purposes of public access or facilities or for minor infrastructure that requires access to the coast.	Protecting such landscapes through the application of appropriate zones (including development setbacks) and codes that have overlays identifying such natural features (eg waterway and coastal protection area overlay).
<b>C 1.4</b>	Zone existing undeveloped land within the coastal area, Environmental Management, Recreation or Open Space unless: a. The land is utilised for rural resource purposes; or b. It is land identified for urban expansion through a strategic planning exercise consistent with this Regional Land Use Strategy.	Zoning land in a manner that ensures coastal values are protected, while also acknowledging other land use pressures as based on strategic land use analysis (such as the Kingborough Land Use Strategy which is consistent with the STRLUS).
<b>C 2</b>	Ensure use and development in coastal areas is responsive to effects of climate change including sea level rise, coastal inundation and shoreline recession.	See sub-clauses below.
<b>C 2.1</b>	Include provisions in planning schemes relating to minimizing risk from sea level rise, storm surge inundation and shoreline recession and identify those areas at high risk through the use of overlays.	Managing areas identified as potentially at risk from rising sea levels, erosion and inundation through the Coastal Inundation Hazard Code and the Coastal Erosion Hazard Code.
<b>C 2.2</b>	Ensure growth is located in areas that avoid exacerbating current risk to the community through local area or structure planning for settlements and the Urban Growth Boundary for metropolitan area of Greater Hobart.	Zoning land in a manner that is consistent with structure plans within the Kingborough Land Use Strategy and consistent with the STRLUS – taking into account the coastal hazard overlays.
<b>C 2.3</b>	Identify and protect areas that are likely to provide for the landward retreat of coastal habitats at risk from predicted sea level rise.	Avoiding the zoning of land or approving urban development in areas identified at risk from rising sea levels and protecting climate refugia by applying the refugia overlay within the Natural Assets Code.

**Table 6: STRLUS Regional Policies – Managing Risks & Hazards**

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>MRH 1</b>	Minimise the risk of loss of life and property from bushfires.	See sub-clauses below.
<b>MRH 1.1</b>	Provide for the management and mitigation of bushfire risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by the identification and protection (in perpetuity) of buffer distances or through the design and layout of lots.	Applying the Bushfire-Prone Areas Code within the SPPs.
<b>MRH 1.2</b>	Ensure subdivision road layout designs provide for safe exit points in areas subject to bushfire hazard.	Applying the Bushfire-Prone Areas Code within the SPPs.
<b>MRH 1.3</b>	Allow clearance of vegetation in areas adjacent to dwellings existing at the time planning schemes based on this Strategy come into effect, in order to implement bushfire management plans. Where such vegetation is subject to a biodiversity code, the extent of clearing allowable is to be the minimum necessary to provide adequate bushfire hazard protection.	Applying the Bushfire-Prone Areas Code within the SPPs, together with the Natural Assets Code.
<b>MRH 1.4</b>	Include provisions in planning schemes for use and development in bushfire prone areas based upon best practice bushfire risk mitigation and management.	Applying the Bushfire-Prone Areas Code within the SPPs. This policy is also implemented by the building approval process.
<b>MRH 1.5</b>	Allow new development (at either the rezoning or development application stage) in bushfire prone areas only where any necessary vegetation clearance for bushfire risk reduction is in accordance with the policies on biodiversity and native vegetation.	Applying the Bushfire-Prone Areas Code within the SPPs, together with the Natural Assets Code.
<b>MRH 1.6</b>	Develop and fund a program for regular compliance checks on the maintenance of bushfire management plans by individual landowners.	This is not an issue that can be addressed by the LPS.
<b>MRH 2</b>	Minimise the risk of loss of life and property from flooding.	See sub-clauses below.

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>MRH 2.1</b>	Provide for the mitigation of flooding risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by avoiding locating sensitive uses in flood prone areas.	Managing areas identified as potentially at risk by application of the Coastal Inundation Hazard and Flood-Prone Areas codes.
<b>MRH 2.2</b>	Include provisions in planning schemes for use and development in flood prone areas based upon best practice in order to manage residual risk.	Applying the Flood-Prone Areas Code within the SPPs.
<b>MRH 3</b>	Protect life and property from possible effects of land instability.	Applying the Landslip Hazard Code in the SPPs.
<b>MRH 3.1</b>	Prevent further development in declared landslip zones.	This is accommodated by the Landslip Hazard Code overlay. There is a declared landslip area at Tarooma.
<b>MRH 3.2</b>	Require the design and layout of development to be responsive to the underlying risk of land instability.	Applying the Landslip Hazard Code in the SPPs and back-zoning undeveloped land identified as potentially at risk from landslip.
<b>MRH 3.3</b>	Allow use and development in areas at risk of land instability only where risk is managed so that it does not cause an undue risk to occupants or users of the site, their property or to the public.	This is accommodated within the permit conditions on a case-by-case basis and regulated by the building approval system.
<b>MRH 4</b>	Protect land and groundwater from site contamination and require progressive remediation of contaminated land where a risk to human health or the environment exists.	See sub-clauses below.
<b>MRH 4.1</b>	Include provisions in planning schemes requiring the consideration of site contamination issues.	Managing areas identified as potentially at risk by application of the Potentially Contaminated Land Code.
<b>MRH 5</b>	Respond to the risk of soil erosion and dispersive and acid sulphate soils.	See sub-clauses below.
<b>MRH 5.1</b>	Prevent further subdivision or development in areas containing sodic soils unless it does not create undue risk to the occupants or users of the site, their property or to the public.	This is not accommodated by the SPPs and will be addressed during the building approval process.

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
MRH 5.2	Wherever possible, ensure development avoid disturbance of soils identified as containing acid sulfate soils. If disturbance is unavoidable then ensure management is undertaken in accordance with the Acid Sulphate Soils Management Guidelines prepared by the Department of Primary Industries.	This is not accommodated by the SPPs and will be addressed during the building approval process.

**Table 7: STRLUS Regional Policies – Cultural Values**

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
CV 1	Recognise, retain and protect Aboriginal heritage values within the region for their character, culture, sense of place, contribution to our understanding history and contribution to the region's competitive advantage.	See sub-clauses below.
CV 1.1	Support the completion of the review of the <i>Aboriginal Relics Act 1975</i> including the assimilation of new Aboriginal heritage legislation with the RMPS.	This is not an issue that can be addressed by the LPS.
CV 1.2	Improve our knowledge of Aboriginal heritage places to a level equal to that for European cultural heritage, in partnership with the Aboriginal community.	This is not an issue that can be addressed by the LPS.
CV 1.3	Avoid the allocation of land use growth opportunities in areas where Aboriginal cultural heritage values are known to exist.	Limiting the proposed zoning changes in the LPS such that existing land use and development will be essentially maintained – noting that Aboriginal cultural heritage is not considered in the Tasmanian Planning Scheme and is protected by separate legislation.
CV 1.4	Support the use of predictive modelling to assist in identifying the likely presence of Aboriginal heritage values that can then be taken into account in specific strategic land use planning processes.	This is not an issue that can be addressed by the LPS.

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
<b>CV 2</b>	Recognise, retain and protect historic cultural heritage values within the region for their character, culture, sense of place, contribution to our understanding history and contribution to the region's competitive advantage.	See sub-clauses below.
<b>CV 2.1</b>	Support the completion of the review of the <i>Historic Cultural Heritage Act 1995</i> .	This is not an issue that can be addressed by the LPS.
<b>CV 2.2</b>	<p>Promulgate the nationally adopted tiered approach to the recognition of heritage values and progress towards the relative categorisation of listed places as follows:</p> <p>a. places of local significance are to be listed within Heritage Codes contained within planning schemes, as determined by the local Council</p> <p>b. places of state significance are to be listed within the Tasmanian Heritage Register, as determined by the Tasmanian Heritage Council.</p> <p>c. places of national or international significance are listed through national mechanisms as determined by the Australian Government.</p>	Providing for recognition and appropriate protection of known historic cultural heritage and archaeological sites within the Local Historic Heritage Code. The LPS includes the same list as that within the Interim scheme and a more comprehensive list of places of local significance will be included in the near future by way of a separate planning scheme amendment.
<b>CV 2.3</b>	<p>Progress towards a system wherein the assessment and determination of applications for development affecting places of significance is undertaken at the level of government appropriate to the level of significance:</p> <p>a. Heritage places of local significance: by the local Council acting as a Planning Authority</p> <p>b. Heritage places of state significance: by the Tasmanian Heritage Council on behalf of the State Government with respect to heritage values, and by the local Council with respect to other land use planning considerations, with coordination and integration between the two.</p>	Applying the Local Historic Heritage Code and the inclusion of the local heritage list within the LPS.

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
<b>CV 2.4</b>	Recognise and list heritage precincts within planning scheme Heritage Codes and spatially define them by associated overlays on planning scheme maps.	Protecting heritage and cultural landscape precincts through the Local Historic Heritage Code (the LPS includes a number of heritage precincts).
<b>CV 2.5</b>	Base heritage management upon the Burra Charter and the HERCON Criteria, with heritage code provisions in planning schemes drafted to conform with relevant principles therein.	This is implemented by the Local Historic Heritage Code provisions within the SPPs.
<b>CV 2.6</b>	Standardise statutory heritage management at the local level as much as possible. (a) Listings in planning schemes should be based on a common regional inventory template, (recognising that not all listings will include all details due to knowledge gaps). (b) Heritage code provisions in planning schemes should be consistent in structure and expression, whilst providing for individual statements in regard to heritage values and associated tailored development control	This is implemented by the Local Historic Heritage Code within the SPPs – in accordance with prescribed transitional arrangements.
<b>CV 2.7</b>	Provide a degree of flexibility to enable consideration of development applications involving the adaptive reuse of heritage buildings that might otherwise be prohibited.	This is accommodated within the permit conditions on a case-by-case basis in accordance with the SPPs.
<b>CV 3</b>	Undertake the statutory recognition (listing) and management of heritage values in an open and transparent fashion in which the views of the community are taken into consideration.	See sub-clauses below.
<b>CV 3.1</b>	Heritage Studies or Inventories should be open to public comment and consultation prior to their finalisation.	The heritage tables in Kingborough draft LPS transition from KIPS2015. Any future amendments will be open to public comment through the planning scheme amendment process.
<b>CV 4</b>	Recognise and manage significant cultural landscapes throughout the region to protect their key values.	See sub-clauses below.

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
<b>CV 4.1</b>	State and local government, in consultation with the community, to determine an agreed set of criteria for determining the relative significance of important landscapes and key landscape values.	Applying the Scenic Protection Code to significant landscapes – noting that southern councils are adopting a common methodology in this regard.
<b>CV 4.2</b>	Ensure the key values of regionally significant landscapes are not significantly compromised by new development through appropriate provisions within planning schemes.	Applying the Scenic Protection Code to significant landscapes, as well as applying such zones as the Landscape Conservation Zone or the Environmental Management Zone.
<b>CV 4.3</b>	Protect existing identified key skylines and ridgelines around Greater Hobart by limited development potential and therefore clearance through the zones in planning schemes.	Applying the Scenic Protection Code to recognised significant landscapes, particularly key skylines and ridgelines.
<b>CV 5</b>	Recognise and manage archaeological values throughout the region to preserve their key values.	See sub-clauses below.
<b>CV 5.1</b>	Known archaeological sites of significance to be considered for listing as places of either local or state significance within Heritage Codes contained within planning schemes or on the State Heritage Register respectively, as appropriate.	Applying the Local Historic Heritage Code and the inclusion of the local heritage list within the LPS.
<b>CV 5.2</b>	Ensure development that includes soil disturbance within archaeology zones of significance is undertaken in accordance with archaeological management plans to ensure values are not lost, or are recorded, conserved and appropriately stored if no reasonable alternative to their removal exists.	Applying the Local Historic Heritage Code and the inclusion of the local heritage list within the LPS.



**Table 8: STRLUS Regional Policies – Recreation & Open Space**

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
<b>ROS 1</b>	Plan for an integrated open space and recreation system that responds to existing and emerging needs in the community and contributes to social inclusion, community connectivity, community health and well-being, amenity, environmental sustainability and the economy.	See sub-clauses below.
<b>ROS 1.1</b>	<p>Adopt an open space hierarchy consistent with the Tasmanian Open Space Policy and Planning Framework 2010, as follows:</p> <ul style="list-style-type: none"> <li>a. Local</li> <li>b. District</li> <li>c. Sub-regional</li> <li>d. Regional</li> <li>e. State</li> <li>f. National</li> </ul>	<p>Council has adopted an open space strategy which adopts the hierarchy.</p> <p>The LPS has zoned land consistent with this hierarchy.</p>
<b>ROS 1.2</b>	<p>Adopt an open space classification system consistent with the Tasmanian Open Space Policy and Planning Framework 2010, as follows:</p> <ul style="list-style-type: none"> <li>a. Parks</li> <li>b. Outdoor Sports Venues</li> <li>c. Landscape and Amenity</li> <li>d. Linear and Linkage</li> <li>e. Foreshore and waterway</li> <li>f. Conservation and Heritage</li> <li>g. Utilities and Services</li> <li>h. Proposed Open Space.</li> </ul>	<p>Council has adopted an open space strategy which adopted this framework.</p> <p>This is not an issue that can be addressed by the LPS, other than by applying the Recreation and Open Space Zones to land accommodating active recreational and sporting facilities and passive recreation respectively.</p>
<b>ROS 1.3</b>	<p>Undertake a regional open space study, including a gap analysis, to establish a regional hierarchy within a classification system for open space in accordance with the Tasmanian Open Space Policy and Planning Framework 2010.</p>	<p>This is not an issue that can be addressed by the LPS.</p>

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>ROS 1.4</b>	Undertake local open space planning projects through processes consistent with those outlined in the Tasmanian Open Space Policy and Planning Framework 2010.	Implementation of these policies will also require further investigations and studies that may result in future changes to the planning scheme.  Council has adopted an open space strategy for the municipality.
<b>ROS 1.5</b>	Ensure residential areas, open spaces and other community destinations are well connected with a network of high quality walking and cycling routes.	The subdivision standards within the SPPs are inferior to the current interim schemes for provision of open space and connectivity. However, opportunities will be taken as part of the development control process on a case-by-case basis.
<b>ROS 1.6</b>	Ensure subdivision and development is consistent with principles outlined in 'Healthy by Design: A Guide to Planning and Designing Environments for Active Living in Tasmania'.	As above.
<b>ROS 2</b>	Maintain a regional approach to the planning, construction, management, and maintenance of major sporting facilities to protect the viability of existing and future facilities and minimise overall costs to the community.	See sub-clauses below.
<b>ROS 2.1</b>	Avoid unnecessary duplication of recreational facilities across the region.	This is not an issue that can be addressed by the LPS.

**Table 9: STRLUS Regional Policies – Social Infrastructure**

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>SI 1</b>	Provide high quality social and community facilities to meet the education, health and care needs of the community and facilitate healthy, happy and productive lives.	See sub-clauses below.

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>SI 1.1</b>	Recognise the significance of the Royal Hobart Hospital and support, through planning scheme provisions its ongoing function and redevelopment in its current location.	N/A
<b>SI 1.2</b>	Match location and delivery of social infrastructure with the needs of the community and, where relevant, in sequence with residential land release.	This is not an issue that can be addressed within the LPS, other than by the strategic application of the Community Purpose Zone.
<b>SI 1.3</b>	Provide social infrastructure that is well located and accessible in relation to residential development, public transport services, employment and education opportunities.	Applying the most appropriate zones for community based activities and social interaction, as based on structure plans within the Kingborough Land Use Strategy.
<b>SI 1.4</b>	Identify and protect sites for social infrastructure, particularly in high social dependency areas, targeted urban growth areas (both infill and greenfield) and in identified Activity Centres.	Recognising and protecting key social infrastructure through the appropriate zoning of land, such as for Community Purpose.
<b>SI 1.5</b>	Provide multi-purpose, flexible and adaptable social infrastructure that can respond to changing and emerging community needs over time.	These can be partially provided for through the LPS. Existing social infrastructure will be zoned appropriately, and future social infrastructure will need to be zoned after demand studies are undertaken.
<b>SI 1.6</b>	Co-locate and integrate community facilities and services to improve service delivery, and form accessible hubs and focus points for community activity, in a manner consistent with the Activity Centre hierarchy.	Recognising and protecting key community facilities by applying the Community Purpose Zone.
<b>SI 1.7</b>	Provide flexibility in planning schemes for the development of aged care and nursing home facilities in areas close to an Activity Centre and with access to public transport.	Providing flexibility to allow the development of aged care and nursing home facilities, particularly in close proximity to activity centres and public transport routes.
<b>SI 1.8</b>	Provide for the aged to continue living within their communities, and with their families, for as long as possible by providing appropriate options and flexibility within planning schemes.	Providing flexibility to allow the development of aged care and nursing home facilities, particularly in close proximity to activity centres and public transport routes.
<b>SI 1.9</b>	Ensure relevant planning scheme provisions include Crime Prevention through Environmental Design principles.	Crime prevention is given some consideration in the SPPs.

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>SI 1.10</b>	Recognise the role of the building approvals processes in providing access for people with disabilities.	This is not an issue that can be addressed by the LPS.
<b>SI 2</b>	Provide for the broad distribution and variety of social housing in areas with good public transport accessibility or in proximity to employment, education and other community services.	See sub-clauses below.
<b>SI 2.1</b>	Provide flexibility in planning schemes for a variety of housing types (including alternative housing models) in residential areas.	Providing flexibility within the SPPs to enable a variety of housing types in all residential areas, including social or affordable housing.
<b>SI 2.2</b>	Ensure planning schemes do not prevent the establishment of social housing in residential areas.	This is a relevant consideration for the SPP (in that they do not prevent social housing).

**Table 10: STRLUS Regional Policies – Physical Infrastructure**

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>PI 1</b>	Maximise the efficiency of existing physical infrastructure.	See sub-clauses below.
<b>PI 1.1</b>	Preference growth that utilises under-capacity of existing infrastructure through the regional settlement strategy and Urban Growth Boundary for metropolitan area of Greater Hobart.	Optimising the use of existing infrastructure by zoning land for urban development within existing settlements and the STRLUS Urban Growth Boundary.
<b>PI 1.2</b>	Provide for small residential scale energy generation facilities in planning schemes.	Small scale solar and wind energy facilities are provided for in the SPPs.
<b>PI 2</b>	Plan, coordinate and deliver physical infrastructure and servicing in a timely manner to support the regional settlement pattern and specific growth management strategies.	See sub-clauses below.

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
PI 2.1	Use the provision of infrastructure to support desired regional growth, cohesive urban and rural communities, more compact and sustainable urban form and economic development.	Encouraging higher residential densities within inner urban areas in close proximity to the larger activity centres and integrated transit corridors, plus the use of Business and Commercial zones where they can be supported by suitable infrastructure and services.
PI 2.2	Coordinate, prioritise and sequence the supply of infrastructure throughout the region at regional, sub-regional and local levels, including matching reticulated services with the settlement network.	Implementing a staged release of greenfield residential precincts that can be adequately serviced by roads and reticulated infrastructure – as identified within the STRLUS and the Kingborough Land Use Strategy.
PI 2.3	Identify, protect and manage existing and future infrastructure corridors and sites.	Protecting the function and safety of transport infrastructure through the Road and Railway Assets Code and providing for major utilities and roads through the Utilities Zone.
PI 2.4	Use information from the Regional Land Use Strategy, including demographic and dwelling forecasts and the growth management strategies, to inform infrastructure planning and service delivery.	<p>Utilising updated relevant information included within the Kingborough Land Use Strategy (which is consistent with the STRLUS).</p> <p>It is noted that the STRLUS data is based on 2006 Census data and is out of date. There have been vast changes socially and economically, and with supply and demand of housing, in Southern Tasmania since 2006.</p>
PI 2.5	Develop a regionally consistent framework(s) for developer charges associated with infrastructure provision, ensuring that pricing signals associated with the provision of physical infrastructure (particularly water and sewerage) is consistent with the Regional Land Use Strategy.	<p>This is not an issue that can be addressed by the LPS (noting that TasWater does not apply headworks charges to developers, while Council can deal with road and stormwater infrastructure needs at the subdivision stage only).</p> <p>Proactive action is required at a State/regional level in regard to this policy.</p>
PI 2.6	Ensure electricity generation and major transmission assets are recognised and protected within planning schemes to provide for continued electricity supply.	Protecting electricity transmission assets through the Electricity Transmission Infrastructure Code.

**Table 11: STRLUS Regional Policies – Land Use and Transport Integration**

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>LUTI 1</b>	Develop and maintain an integrated transport and land use planning system that supports economic growth, accessibility and modal choice in an efficient, safe and sustainable manner.	See sub-clauses below.
<b>LUTI 1.1</b>	Give preference to urban expansion that is in physical proximity to existing transport corridors and the higher order Activity Centres rather than Urban Satellites or dormitory suburbs.	Providing for an Inner Residential Zone alongside a transport corridor within Kingston and implementing a staged release of greenfield residential precincts that can be adequately serviced by roads and reticulated infrastructure – as identified within STRLUS and the Kingborough Land Use Strategy.
<b>LUTI 1.2</b>	Allow higher density residential and mixed use developments within 400, and possibly up to 800 metres (subject topographic and heritage constraints) of integrated transit corridors.	Encouraging higher residential densities within inner urban areas in close proximity to the larger activity centres and integrated transit corridors by applying the Inner Residential and Urban Mixed Use Zones.
<b>LUTI 1.3</b>	Encourage residential development above ground floor level in the Primary, Principal and Major Activity Centres.	Zoning land for Urban Mixed Use and various business zones that allow such an activity in accordance with the SPPs.
<b>LUTI 1.4</b>	Consolidate residential development outside of Greater Hobart into key settlements where the daily and weekly needs of residents are met.	Zoning land for urban development within existing settlements and the STRLUS Urban Growth Boundary.
<b>LUTI 1.5</b>	Locate major trip generating activities in close proximity to existing public transport routes and existing higher order activity centres.	Zoning land within the LPS to encourage the further development of the main activity centres within Kingborough where public transport is also available – particularly the bus transit area in the Kingston CBD.
<b>LUTI 1.6</b>	Maximise road connections between existing and potential future roads with new roads proposed as part of the design and layout of subdivision.	Providing for major utilities and roads through the application of the Utilities Zone.
<b>LUTI 1.7</b>	Protect major regional and urban transport corridors through planning schemes as identified in Maps 3 & 4.	Protecting the function and safety of such infrastructure by applying the Utilities Zone and the Road and Railway Assets Code.

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
<b>LUTI 1.8</b>	Ensure new development incorporates buffer distances to regional transport corridors identified in Map 4 to minimise further land use conflict.	This is a relevant consideration for the SPP (in that buffer distances are provided).
<b>LUTI 1.9</b>	Ensure car parking requirements in planning schemes and provision of public car parking is consistent with achieving increased usage of public transport.	Providing for end-of-trip facilities that support active transport modes in the Parking and Sustainable Transport Code. Council is progressing a Parking Precinct Plan which complements previous master plans and parking strategy studies.
<b>LUTI 1.10</b>	Identify and protect ferry infrastructure points on the Derwent River (Sullivans Cove, Kangaroo Bay and Wilkinson Point) for their potential use into the future and encourage increased densities and activity around these nodes.	Not applicable with regard to the three identified sites.  It is noted that the STRLUS data is based on 2006 Census data and is out of date. There have been huge changes socially and economically and with supply and demand of housing in Southern Tasmania since 2006. A comprehensive regional transport strategy is required to ensure future ferry infrastructure is made available if demand is present, for example at Kingston Beach.
<b>LUTI 1.11</b>	Encourage walking and cycling as alternative modes of transport through the provision of suitable infrastructure and developing safe, attractive and convenient walking and cycling environments.	This is not an issue that can be addressed by the LPS – however opportunities will be taken as part of the development control process on a case-by-case basis.
<b>LUTI 1.12</b>	Include requirements in planning schemes for end-of-trip facilities in employment generating developments that support active transport modes.	This is not provided for in the SPPs.

**Table 12: STRLUS Regional Policies – Tourism**

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
<b>T 1</b>	Provide for innovative and sustainable tourism for the region.	See sub-clauses below.

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>T 1.1</b>	Protect and enhance authentic and distinctive local features and landscapes throughout the region.	Applying the Scenic Protection Code to significant landscapes, as well as applying appropriate zones suitable for the protection of distinctive local features.
<b>T 1.2</b>	Identify and protect regional landscapes, which contribute to the region's sense of place, through planning schemes.	Applying the Scenic Protection Code to significant landscapes, as well as applying such zones as the Landscape Conservation Zone and the Environmental Management Zone.
<b>T 1.3</b>	Allow for tourism use in the rural and significant agriculture zones where it supports the use of the land for primary production.	Providing for minor tourism related uses and developments in appropriate zones in accordance with the SPPs.
<b>T 1.4</b>	Provide flexibility for the use of holiday homes (a residential use) for occasional short-term accommodation.	Providing for small scale visitor accommodation as a permitted or discretionary use in appropriate zones in accordance with SPPs.
<b>T 1.5</b>	Provide flexibility within commercial and business zones for mixed use developments incorporating tourism related use and development.	Provided for in the SPPs.
<b>T 1.6</b>	Recognise planning schemes may not always be able to accommodate the proposed tourism use and development due to its innovative and responsive nature.	Noted – zoning of land will attempt to accommodate such future uses in accordance with the SPPs.
<b>T 1.7</b>	Allow for objective site suitability assessment of proposed tourism use and development through existing non-planning scheme based approval processes (43A application).	Providing for the assessment of major tourism development proposals through alternative approval processes under the Act (development application together with a planning scheme amendment).

**Table 13: STRLUS Regional Policies – Strategic Economic Opportunities**

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>SEO 1</b>	Support and protect strategic economic opportunities for Southern Tasmania.	See sub-clauses below.



<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>SEO 1.1</b>	Protect the following key sites and areas from use and development which would compromise their strategic economic potential through planning scheme provisions:  a. Hobart Port (including Macquarie and Princes Wharves)  b. Macquarie Point rail yards  c. Princes of Wales Bay marine industry precinct.	N/A, though the Port and Marine Zone at Kettering accommodates existing marine industrial type activities.
<b>SEO 1.2</b>	Include place specific provisions for the Sullivans Cove area in the planning scheme.	N/A
<b>SEO 1.3</b>	Recognise the regional economic importance of Southwood through specific planning provisions within the planning scheme that allow for its expansion and use by timber, mineral or other primary industries benefitting from its strategic location.	N/A

**Table 14: STRLUS Regional Policies – Productive Resources**

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>PR 1</b>	Support agricultural production on land identified as regionally significant by affording it the highest level of protection from fettering or conversion to non-agricultural uses.	See sub-clauses below.
<b>PR 1.1</b>	Utilise the 'Significant Agriculture Zone' to identify regionally significant agricultural land in planning schemes and manage that land consistently across the region.	Recognising and protecting land that is best used for agricultural purposes by allocating the Agriculture Zone and significantly limiting non-agricultural uses within this Zone.
<b>PR 1.2</b>	Avoid potential for further fettering from residential development by setting an acceptable solution buffer distance of 200 metres from the boundary of the Significant Agriculture Zone, within which planning schemes are to manage potential for land use conflict.	Buffering agricultural and residential uses (so that residential development will not fetter agricultural uses on neighbouring land) in accordance with the SPPs.

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>PR 1.3</b>	Allow for ancillary and/or subservient non-agricultural uses that assist in providing income to support ongoing agricultural production.	Allowing agricultural and resource development across a variety of other zones (particularly Rural and Rural Living zones) – in accordance with SPPs.
<b>PR 1.4</b>	Prevent further land fragmentation by restricting subdivision unless necessary to facilitate the use of the land for agriculture.	Restricting subdivision within the Agriculture Zone to that necessary to facilitate the use of the land for agriculture.
<b>PR 1.5</b>	Minimise the use of significant agricultural land for plantation forestry.	Zoning land accordingly and favouring the Rural Zone for land that may be used for forestry.
<b>PR 2</b>	Manage and protect the value of non-significant agricultural land in a manner that recognises sub-regional diversity in land and production characteristics.	See sub-clauses below.
<b>PR 2.1</b>	Tailor planning scheme standards, particularly the minimum lot size for subdivision, according to the designated subregion.	The SPPs define the standards in the scheme but the LPS has zoned land so that the respective minimum lot size matches the existing settlement pattern as closely as possible.
<b>PR 2.2</b>	Ensure the minimum lot size takes into account the optimum size for the predominating agricultural enterprise within that subregion.	Zoning of land within the LPS so that it is matching the existing land use as closely as possible, including the agricultural use of land in rural areas.
<b>PR 2.3</b>	Utilise the settlement strategy to assess conversion of rural land to residential land through rezoning, rather than the potential viability or otherwise of the land for particular agricultural enterprises.	Zoning land within the LPS consistent with the settlement strategy within the STRLUS (and as further interpreted within the Kingborough Land Use Strategy).
<b>PR 2.4</b>	Ensure opportunities for down-stream processing of agricultural products are supported in appropriate locations or 'on-farm' where appropriate supporting infrastructure exists and the use does not create off-site impacts.	Providing for down-stream processing of agricultural products 'on farm' as provided for within the SPPs – also providing for resource processing industries within the Rural Zone.
<b>PR 2.5</b>	Provide flexibility for commercial and tourism uses provided that long-term agricultural potential is not lost and it does not further fetter surrounding agricultural land.	This is a relevant consideration for the SPPs.

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>PR 2.6</b>	Ensure the introduction of sensitive uses not related to agricultural use, such as dwellings on small non-farming titles, are only allowed where it can be demonstrated the use will not fetter agricultural uses on neighbouring land.	This is a relevant consideration for the SPPs.
<b>PR 3</b>	Support and protect regionally significant extractive industries.	See sub-clauses below.
<b>PR 3.1</b>	Ensure existing regionally significant extractive industry sites are zoned either General Industry or Rural Resource and are protected by appropriate attenuation areas in which the establishment of new sensitive uses, such as dwellings, is restricted.	Zoning land appropriately in accordance with the SPPs and the application of the Attenuation Area overlay.
<b>PR 4</b>	Support the aquaculture industry.	See sub-clauses below.
<b>PR 4.1</b>	Ensure appropriately zoned land on the coast is provided in strategic locations, and in accordance with The Coast Regional Policies, for shore based aquaculture facilities necessary to support marine farming.	Zoning coastal land to support marine farming where appropriate – noting that this has focused on existing land uses.
<b>PR 4.2</b>	Identify key marine farming areas within planning scheme to assist in reducing potential land use conflicts from an increasingly industrialised industry.	As above.
<b>PR 5</b>	Support the forest industry.	See sub-clauses below.
<b>PR 5.1</b>	Ensure working forests, including State Forests and Private Timber Reserves (for commercial forestry), are zoned Rural Resource.	Zoning land being used for commercial forestry as Rural in the LPS.
<b>PR 5.2</b>	Recognise the Forest Practices System as appropriate to evaluate the clearance and conversion of native vegetation for commercial forestry purposes.	This is a relevant consideration for the SPPs and other legislation.
<b>PR 5.3</b>	Allow for plantations in the rural resource zone subject to setbacks from existing dwellings.	Zoning land being used for commercial forestry as Rural in the LPS.

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>PR 5.4</b>	Control the establishment of new dwellings in proximity to State Forests, Private Timber Reserves or plantations so as to eliminate the potential for land use conflict.	This is a relevant consideration for the SPPs.

**Table 15: STRLUS Regional Policies – Industrial Activity**

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>IA 1</b>	Identify, protect and manage the supply of well-sited industrial land that will meet regional need across the 5, 15 and 30 year horizons.	See sub-clauses below.
<b>IA 1.1</b>	Ensure industrial land is relatively flat and enables easy access to major transport routes, other physical infrastructure such as water, wastewater, electricity and telecommunications.	Specifically targeting industrial, commercial and business activities by appropriately zoning land used for these purposes and allowing for limited expansion.
<b>IA 1.2</b>	Locate new industrial areas away from sensitive land uses such as residentially zoned land.	Minimising and preventing land use conflicts through appropriate allocation of the industrial zones and the use of the Attenuation Code. There are no new industrial areas in the LPS, though this is an identified need that will require further investigation.
<b>IA 1.3</b>	Provide for a 30-year supply of industrial land, protecting such land from use and development that would preclude its future conversion to industrial land use – in accordance with the recommendations within the Southern Tasmania Industrial Land Strategy 2013.	As above. This Strategy identified some possible long term industrial sites within Kingborough but they require a great deal more investigation and a rezoning of such land within the LPS would be premature.
<b>IA 1.4</b>	Provide a 15-year supply of industrial land, zoned for industrial purposes within the new planning schemes – in accordance with the recommendations within the Southern Tasmania Industrial Land Strategy 2013.	As above.

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>IA 1.5</b>	Aim to ensure a minimum 5-year supply of subdivided and fully serviced industrial land.	Zoning Light Industrial land in the same way in the LPS as this will be sufficient to meet future industrial needs over the next 5 years.
<b>IA 1.6</b>	Take into account the impact on regional industrial land supply, using best available data, prior to rezoning existing industrial land to non-industrial purposes.	Zoning land in a way that is consistent with the STRLUS and the Southern Tasmania Industrial Land Strategy 2013 (and as further interpreted by the Kingborough Land Use Strategy).
<b>IA 2</b>	Protect and manage existing strategically located export orientated industries.	See sub-clauses below.
<b>IA 2.1</b>	Identify significant industrial sites through zoning and ensure that other industrial uses not related to its existing function do not diminish its strategic importance.	Zoning all existing industrial areas within Kingborough as Light Industrial – consistent with existing KIPS2015 zoning.
<b>IA 3</b>	Ensure industrial development occurs in a manner that minimises regional environmental impacts and protects environmental values.	See sub-clauses below.
<b>IA 3.1</b>	Take into account environmental values and the potential environmental impacts of future industrial use and the ability to manage these in the identification of future industrial land.	This is a relevant consideration for the SPPs.

**Table 16: STRLUS Regional Policies – Activity Centres**

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>AC 1</b>	Focus employment, retail and commercial uses, community services and opportunities for social interaction in well-planned, vibrant and accessible regional activity centres that are provided with a high level of amenity and with good transport links with residential areas.	See sub-clauses below.

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
AC 1.1	Implement the Activity Centre Network through the delivery of retail, commercial, business, administration, social and community and passenger transport facilities.	Applying the Central Business, General Business and Local Business zones in accordance with the STRLUS Activity Centre Network. Applies the Commercial Zone in accordance with the STRLUS Activity Centre Network.
AC 1.2	Utilise the Central Business, General Business, Local Business Zones to deliver the activity centre network through planning schemes, providing for a range of land uses in each zone appropriate to the role and function of that centre in the network.	As above – and as provided for within the SPPs.
AC 1.3	Discourage out-of-centre development by only providing for in-centre development within planning schemes.	Preventing major business and commercial uses and development in residential or rural areas in accordance with the SPPs.
AC 1.4	Promote a greater emphasis on the role of activity centres, particularly neighbourhood and local activity centres, in revitalising and strengthening the local community.	Zoning land within local activity centres appropriately – that is to match the local character and level of use while still allowing for further expansion so that additional services may be provided in the future.
AC 1.5	Ensure high quality urban design and pedestrian amenity through the respective development standards	This is a relevant consideration for the SPPs – noting that there are limited design standards in the SPPs. Where necessary SAPs could be used to provide for quality urban design and public amenity (enabling active streetscapes and to respect the local character of urban areas).
AC 1.6	Encourage an appropriate mix of uses in activity centres to create multi-functional activity in those centres.	This is a relevant consideration for the SPPs.
AC 1.7	Improve the integration of public transport with Activity Centre planning, particularly where it relates to higher order activity centres.	This is not an issue that can be addressed by the LPS.

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>AC 1.8</b>	Ensure that new development and redevelopment in established urban areas reinforce the strengths and individual character of the urban area in which the development occurs.	This is not an issue that can be addressed by the LPS unless a SAP is applied – which is the case within Kingston where the Kingston Park Specific Area Plan is to facilitate the development of this site and support the sustainable future of the Kingston CBD.
<b>AC 1.9</b>	Require active street frontage layouts instead of parking lot dominant retailing, with the exception of Specialist Activity Centres if the defined character or purpose requires otherwise.	This is not an issue that can be addressed by the LPS – unless specific design standards are included within a SAP for the activity centre.
<b>AC 1.10</b>	Activity centres should encourage local employment, although in most cases this will consist of small scale businesses servicing the local or district areas.	This is a relevant consideration for the SPPs – with the respective zones encouraging local employment.
<b>AC 1.11</b>	Ensure the Cambridge Park Specialist Activity Centre is consolidated by restricting commercial land to all that land bound by Tasman Highway and Kennedy Drive, and provide for a wide range of allowable uses, including, but not limited to, service industry, campus-style office complexes and bulky goods retailing.	N/A
<b>AC 1.12</b>	Provide for 10 – 15 years growth of existing activity centres through appropriate zoning within planning schemes.	Zoning land within local activity centres appropriately and allowing for further expansion within each activity centre so that additional services may be provided in the future.
<b>AC 2</b>	Reinforce the role and function of the Primary and Principal Activity Centres as providing for the key employment, shopping, entertainment, cultural and political needs for Southern Tasmania.	See sub-clauses below.
<b>AC 2.1</b>	Encourage the consolidation of cultural, political and tourism activity within the Primary Activity Centre.	N/A

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>AC 2.2</b>	Achieve high quality design for all new prominent buildings and public spaces in the Primary and Principal Activity Centres	This is a relevant consideration for the SPPs – although limited design standards are available, unless a SAP is included for the activity centre, which is the case in regard to Kingston Park SAP.
<b>AC 2.3</b>	Undertake master planning for the Primary and Principal Activity Centres taking into account this Strategy. These should examine issues of urban amenity, economic development, accessibility, urban design and pedestrian movement.	Referring to the STRLUS and the Kingborough Land Use Strategy as the basis for the master planning of Kingston, as well as the further planning required for Kingston Park and the associated SAP.
<b>AC 2.4</b>	Encourage structure and economic development planning for lower-level Activity Centres by local planning authorities.	Referring to the STRLUS and the Kingborough Land Use Strategy as the basis for the structure planning for all settlements in the municipality.
<b>AC 3</b>	Evolve Activity Centres focussing on people and their amenity and giving the highest priority to creation of pedestrian orientated environments.	See sub-clauses below.
<b>AC 3.1</b>	Actively encourage people to walk, cycle and use public transport to access Activity Centres.	Encouraging higher density living in urban areas that facilitate the provision of increased use of public transport and alternative modes of transport.
<b>AC 3.2</b>	Support high frequency public transport options into Principal and Primary Activity Centres	This is not an issue that can be addressed by the LPS (however all Metro buses operating in Kingborough do pass through the centre of Kingston).
<b>AC 3.3</b>	Ensure the minimum car parking requirements and associated 'discretion' in planning schemes for use and development in the Principal and Primary Activity Centres encourages the use of alternative modes of transport than private cars.	This is not an issue that can be addressed by the LPS. Car parking needs will be assessed on a case-by-case basis when assessing development applications and will seek to encourage other modes of transport.
<b>AC 3.4</b>	Provide for coordinated and consistent car parking approaches across the Principal and Primary Activity Centres that support improved use of public transport and alternative modes of transports, pedestrian amenity and urban environment.	As above.



<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>AC 3.5</b>	Allow flexibility in providing on-site car parking in the lower order Activity Centres subject to consideration of surrounding residential amenity.	As above.

**Table 17: STRLUS Regional Policies – Settlement and Residential Development**

<b>Strategy reference</b>	<b>Regional Policy</b>	<b>The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:</b>
<b>SRD 1</b>	Provide a sustainable and compact network of settlements with Greater Hobart at its core that is capable of meeting projected demand.	See sub-clauses below.
<b>SRD 1.1</b>	Implement the Regional Settlement Strategy and associated growth management strategies through planning schemes.	Ensuring that the amount of residentially zoned land is consistent with growth targets for that settlement identified in the STRLUS and as further interpreted by the Kingborough Land Use Strategy.
<b>SRD 1.2</b>	<p>Manage residential growth in District Centres, District Towns and Townships through a hierarchy of planning processes as follows:</p> <ol style="list-style-type: none"> <li>1. Strategy (regional function &amp; growth scenario)</li> <li>2. Settlement Structure Plans (including identification of settlement boundaries)</li> <li>3. Subdivision Permit</li> <li>4. Use and Development Permit.</li> </ol>	Zoning land within the LPS in a manner that is consistent with the regional STRLUS directions and the local structure plans within the Kingborough Land Use Strategy – including the provision of infill development and the staged release of greenfield residential precincts that can be adequately serviced by roads and reticulated infrastructure.
<b>SRD 1.3</b>	<p>Support the consolidation of existing settlements by restricting the application of rural living and environmental living zones to existing rural living and environmental living communities. Land not currently zoned for such use may only be zoned for such use where one or more of the following applies:</p> <ol style="list-style-type: none"> <li>a. Recognition of existing rural living or environmental living communities,</li> </ol>	Minimising rural residential growth outside of identified settlements to existing rural residential areas. Land is zoned on the basis that it is consistent with the existing land use and the settlement pattern (minimum lot sizes matched with existing parcel sizes as closely as possible consistent with STRLUS requirements). The LPS supports the consolidation of existing settlements and only applies the Rural Living Zone to existing communities of this type. Therefore, as required, only very limited rural subdivision potential is

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
	<p>regardless of current zoning. Where not currently explicitly zoned for such use, existing communities may be rezoned to rural living or environmental living provided:</p> <p>(i) the area of the community is either substantial in size or adjoins a settlement and will not be required for any other settlement purpose</p> <p>(ii) only limited subdivision potential is created by rezoning</p> <p>b. Replacing land currently zoned for rural living purposes but undeveloped and better suited for alternative purposes (such as intensive agricultural) with other land better suited for rural living purposes, in accordance with the following:</p> <p>(i) the total area rezoned for rural living use does not exceed that which is back-zoned to other use</p> <p>(ii) the land rezoned to rural living use is adjacent to an existing rural living community</p> <p>(iii) the land rezoned to rural living use is not designated as Significant Agriculture Land</p> <p>(iv) the land rezoned to rural living use is not adjacent to the Urban Growth Boundary for Greater Hobart or identified for future urban growth</p> <p>(v) the management of risks and values on the land rezoned to rural living use is consistent with the policies in this Strategy.</p> <p>c. Rezoning areas that provide for the infill or consolidation of existing rural living communities, in accordance with the following:</p> <p>(i) the land must predominantly share common boundaries with:</p> <ul style="list-style-type: none"> <li>• existing Rural Living zoned land; or</li> <li>• rural living communities which comply</li> </ul>	<p>created by the LPS.</p>

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
	<p>with SRD 1.3(a);</p> <p>(ii) the amount of land rezoned to rural living must not constitute a significant increase in the immediate locality;</p> <p>(iii) development and use of the land for rural living purposes will not increase the potential for land use conflict with other uses;</p> <p>(iv) such areas are able to be integrated with the adjacent existing rural living area by connections for pedestrian and vehicular movement. If any new roads are possible, a structure plan will be required to show how the new area will integrate with the established Rural Living zoned area;</p> <p>(v) the land rezoned to rural living use is not designated as Significant Agricultural Land;</p> <p>(vi) the land rezoned to rural living use is not adjacent to the Urban Growth Boundary for Greater Hobart or identified for future urban growth</p> <p>(vii) the management of risks and values on the land rezoned to rural living use is consistent with the policies in this Strategy.</p>	
<b>SRD 1.4</b>	Increase densities in existing rural living areas to an average of 1 dwelling per hectare, where site conditions allow.	Allocating the Rural Living A Zone to those areas that typically have an existing settlement pattern with a density of about one dwelling per hectare (but not exceeding one dwelling per two hectares). In many areas close to urban settlements this will enable the subdivision of larger lots and an increase in density that is consistent with what site conditions allow.
<b>SRD 1.5</b>	Ensure land zoned residential is developed at a minimum of 15 dwellings per hectare (net density).	Applying the General Residential Zone to existing serviced areas developed to suburban densities with the net density being provided for in the SPPs.

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
<b>SRD 1.6</b>	Utilise the low density residential zone only where it is necessary to manage land constraints in settlements or to acknowledge existing areas.	Applying the Low Density Residential Zone to rural unserviced settlements and in suburban settings where it is necessary to maintain existing residential density and character and to manage existing development hazards or constraints.
<b>SRD 2</b>	Manage residential growth for Greater Hobart on a whole of settlement basis and in a manner that balances the needs for greater sustainability, housing choice and affordability.	See sub-clauses below.
<b>SRD 2.1</b>	Ensure residential growth for Greater Hobart occurs through 50% infill development and 50% greenfield development.	Land is zoned in a manner that is consistent with achieving the desired results in SRD 2.7 below – which reflects Kingborough’s contribution to the 50% infill and 50% greenfield.
<b>SRD 2.2</b>	Manage greenfield growth through an Urban Growth Boundary, which sets a 20 year supply limit with associated growth limits on dormitory suburbs.	Confining land zoned for urban development within identified settlement boundaries – as per the STRLUS Urban Growth Boundary and/or the Kingborough Land Use Strategy (which identifies future growth areas over a 20 year timespan).
<b>SRD 2.3</b>	<p>Provide greenfield land for residential purposes across the following Greenfield Development Precincts:</p> <ul style="list-style-type: none"> <li>• Bridgewater North</li> <li>• Brighton South</li> <li>• Droughty Point Corridor</li> <li>• Gagebrook/Old Beach</li> <li>• Granton (Upper Hilton Road up to and including Black Snake Village)</li> <li>• Midway Point North</li> <li>• Risdon Vale to Geilston Bay</li> <li>• Sorell Township East</li> <li>• Spring Farm/Huntingfield South</li> </ul>	The Spring Farm/Huntingfield South precinct is within Kingborough. It has been rezoned in order to provide for greenfield development in accordance with this policy – and is now being rapidly developed. It should be fully built out by about the end of 2020.

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
<b>SRD 2.4</b>	Recognise that the Urban Growth Boundary includes vacant land suitable for land release as greenfield development through residential rezoning as well as land suitable for other urban purposes including commercial, industrial, public parks, sporting and recreational facilities, hospitals, schools, major infrastructure, etc.	Zoning land within the Urban Growth Boundary to accommodate a broad range of urban uses. This includes some land that is vacant and is suitable for future greenfield residential development. However this is diminishing fast within Kingborough and it will be necessary to amend the Urban Growth Boundary to accommodate some additional greenfield development at Margate and Snug.
<b>SRD 2.5</b>	<p>Implement a Residential Land Release Program that follows a land release hierarchy planning processes as follows:</p> <ol style="list-style-type: none"> <li>1. Strategy (greenfield targets within urban growth boundary)</li> <li>2. Conceptual Sequencing Plan</li> <li>3. Precinct Structure Plans (for each Greenfield Development Precinct)</li> <li>4. Subdivision Permit</li> <li>5. Use and Development Permit</li> </ol>	Zoning land as Inner Residential and Urban Mixed Use in areas along transit corridors or close to a Primary Activity Centre. This has been done within the Kingston Park precinct and alongside the by-passed Channel Highway within Kingston – and so encouraging higher density living in urban areas that facilitate the provision of increased use of public transport and alternative modes of transport.
<b>SRD 2.6</b>	<p>Increase densities to an average of at least 25 dwellings per hectare (net density)(i) within a distance of 400 to 800 metres of Integrated transit corridors and Principal and Primary Activity Centres, subject to heritage constraints.</p> <p>(i) It is recognised that within a defined suburb or precinct in the densification area that not every hectare will contain 25 dwellings. Indeed in some locations a consistent increase in density across a single hectare may be less desirable than the redevelopment of key sites at much higher densities to achieve an alternative measure of densification such as 250 dwellings per 10 hectares.</p>	Only limited infill growth for Kingborough is identified (much less than for other municipalities) with the emphasis being on greenfield development opportunities (such as in the Spring Farm/Huntingfield South area). This is also reflected in the proposed allocation of the Future Urban Zone at Huntingfield, Margate and Snug and the general mix of other residential zones within urban areas (which allows for increased densities in some parts and not others).

Strategy reference	Regional Policy	The Kingborough draft LPS and associated SPPs result in a scheme that is consistent with the regional policies and likely to further the outcomes by:
<b>SRD 2.7</b>	<p>Distribute residential infill growth across the existing urban areas for the 25 year planning period as follows:</p> <p>Glenorchy LGA 40% (5300 dwellings)</p> <p>Hobart LGA 25% (3312 dwellings)</p> <p>Clarence LGA 15% (1987 dwelling)</p> <p>Brighton LGA 15% (1987 dwellings)</p> <p>Kingborough LGA 5% (662 dwellings)</p>	<p>Zoning land as Inner Residential and Urban Mixed Use in areas along transit corridors or close to a Primary Activity Centre. This has been done within the Kingston Park precinct and alongside the by-passed Channel Highway within Kingston – and so encouraging higher density living in urban areas that facilitate the provision of increased use of public transport and alternative modes of transport.</p>
<b>SRD 2.8</b>	<p>Aim for the residential zone in planning schemes to encompass a 10 to 15 year supply of greenfield residential land when calculated on a whole of settlement basis for Greater Hobart.</p>	<p>Zoning land as Future Urban at Huntingfield, Margate and Snug to enable future greenfield residential development to occur once existing developed areas are taken up. Based on the current take-up rates at Spring Farm, these additional areas will be needed to cater for the next 15 years of demand for such land.</p>
<b>SRD 2.9</b>	<p>Encourage a greater mix of residential dwelling types across the area with a particular focus on dwelling types that will provide for demographic change including an ageing population.</p>	<p>Zoning land for higher density development within such areas as Kingston Park where it is in close proximity to services and high levels of amenity. Otherwise, the market will dictate the type of housing provided within the constraints provided by the SPPs.</p>
<b>SRD 2.10</b>	<p>Investigate the redevelopment to higher densities potential of rural residential areas close to the main urban extent of Greater Hobart.</p>	<p>Zoning land as Rural Living A and B on the outskirts of existing urban areas. This is a higher density than was previously available for the same zone in the KIPS 2015.</p>
<b>SRD 2.11</b>	<p>Increase the supply of affordable housing.</p>	<p>This is not an issue that can be addressed by the LPS, other than by ensuring that there is generally sufficient suitably zoned land available for future residential development.</p>

## 5 Zones

Guideline No. 1 was issued by the Commission under section 8A of LUPAA with the approval of the Minister for Planning and Local Government. Guideline No.1 provides detailed LPS application instructions for the SPP's zones and codes, and emphasises clause LP1.0, the transitional provisions under Schedule 6 of LUPAA, and any declarations made by the Minister in relation to SAPs, PPZs, SSQs and code-applying provisions under Schedule 6 of LUPAA.

Guideline No. 1 states that the primary objective in applying a zone should be to achieve the zone purpose to the greatest extent possible. This is consistent with the Schedule 1 Objectives of LUPAA. However, achieving the zone purpose should also be considered in conjunction with the allowance for overriding local provisions to be included in an LPS and the requirement to demonstrate that an LPS promotes sustainable use and development. Guideline No.1 contains 'should' statements for the zoning of land and in doing so, recognises that there will be circumstances whereby sustainable outcomes are not achieved without variations in zone types, or the inclusion of overriding local provisions. These variations and overriding local provisions are discussed in section 0 of this report. The application instructions found in clauses 5.0 and 6.0 of Guideline No.1 have been followed in the allocation of zones for the Kingborough draft LPS.

Clause LP1.0 includes mandatory requirements for zone mapping, particularly that each LPS must contain a map that provides for the spatial application of the zones to land in the municipal area. Additionally, clause LP1.0 stipulates that the zone map contained within each LPS must differentiate between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C and Rural Living Zone D. The zone maps for Kingborough draft LPS differentiate between the various Rural Living Zone areas.

The transitional provisions under Schedule 6 of LUPAA and declarations made by the Minister have been read and considered in the allocation of zones for the Kingborough draft LPS.

NOTE: Throughout the municipality many small parcels of land which are zoned Utilities in KIPS2015 have not been transitioned to Utilities in Kingborough draft LPS. Where land has not been zoned Utilities, the adjacent zoning has been used. The Department of State Growth has provided the data for the road easements (Utilities Zone) in the Kingborough draft LPS.

### 5.1 KIPS 2015 – SPPs zone conversion

For the most part, the Kingborough draft LPS carries through existing Interim Planning Scheme zonings, as these are correlated with the Zone Application Guidelines found in Guideline No.1. The associated changes in zone standards are generally minor and it is considered that the strategic intent underpinned by the STRLUS and local strategies (such as the Kingborough Land Use Strategy (May 2019)) is, in most cases, not compromised by the SPPs. A comparative analysis of zone content which informed the Kingborough draft LPS preparation is shown within Attachment A of this report.

In preparing the Kingborough draft LPS development, it has been determined that, despite the zone purpose and/or uses of the SPPs being the 'best fit' to achieve the primary objectives, some associated standards of the zone did not result in sustainable outcomes and/or have disadvantaged landowners. As a result, the Kingborough draft LPS contains SAPs and SSQs, which are discussed in section 0 of this report, as well as some translation to different zones as suggested by the Zone Application Guidelines.

The following sections describe the zone conversion for all SPP zones and how the application of the zones in Kingborough draft LPS meets the Zone Application Guidelines found in Guideline No.1.

### 5.1.1 General Residential Zone

The purpose of the land to which the General Residential Zone has been applied to in Kingborough draft LPS is to provide for residential use and/or development that accommodates a range of dwelling types where full infrastructure (reticulated services) is available or can be provided. The land also provides for the efficient utilisation of available social, transport and other service infrastructure.

**Table 18: Zone application compliance – General Residential Zone**

Reference	Kingborough draft LPS application compliance
<p><b>GRZ 1</b> The General Residential Zone should be applied to the main urban residential areas within each municipal area which:</p> <ul style="list-style-type: none"> <li>(a) are not targeted for higher densities (see Inner Residential Zone); and</li> <li>(b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system.</li> </ul>	<p>The land to which the General Residential Zone has been applied in the Kingborough draft LPS is located within the municipality's main urban residential areas.</p> <p>The General Residential Zone has not been applied to land that is targeted for higher densities. See section 5.1.2 of this report for Inner Residential Zone.</p> <p>The land to which the General Residential Zone has been applied in Kingborough draft LPS is connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system.</p> <p>Example: Kingston (see Figure 2)</p>



Reference	Kingborough draft LPS application compliance
<p><b>GRZ 2</b> 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:</p> <ul style="list-style-type: none"> <li>(a) within the General Residential Zone in an interim planning scheme;</li> <li>(b) within an equivalent zone under a section 29 planning scheme; or</li> <li>(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</li> <li>(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,</li> </ul>	<p>The General Residential Zone has been applied to the greenfield areas of Spring Farm and Whitewater in Kingston. These are both areas which are zoned General Residential in KIPS 2015 (see Figure 3).</p>
<p><b>GRZ 3</b> The General Residential Zone should not be applied to land that is highly constrained by hazards, natural values (i.e. threatened vegetation communities) or other impediments to developing the land consistent with the zone purpose of the General Residential Zone, except where those issues have been taken into account and appropriate management put into place during the rezoning process.</p>	<p>The General Residential Zone has not been applied to land that is highly constrained by hazards, natural values or other impediments.</p>

#### 5.1.1.1 *General Residential Zone to General Residential Zone*

All lots zoned General Residential in the Kingborough draft LPS are translations from the lots zoned General Residential in KIPS2015 (see table above for rationale). Some examples are found below.



Figure 2: General Residential Zone application – Kingston



Figure 3: General Residential Zone application – Spring Farm and Whitewater Farm

#### 5.1.1.2 Low Density Residential Zone to General Residential Zone

There are some instances where land is zoned Low Density Residential (Area C) in KIPS 2015 which is proposed to be zoned General Residential in the Kingborough draft LPS. The application of the General Residential Zone, as opposed to the Low Density Residential Zone, is warranted specifically in regard to the more central areas of Margate and Snug and an area of Electrona (see Figure 4 – Figure 6).

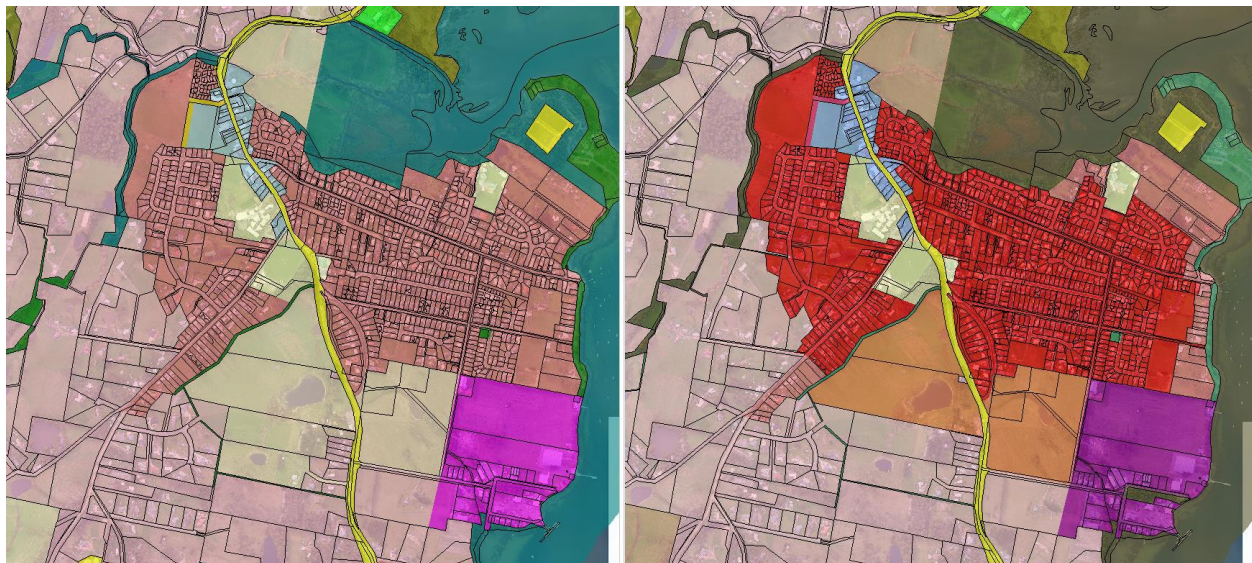
The General Residential Zone is proposed for these localities as the residential areas have already been developed at General Residential Zone densities or they contain larger lots which are suitably located for development to higher densities. These areas are also located within



the Urban Growth Boundary identified in the STRLUS. Retaining the Low Density Residential Zone with a larger minimum lot size (1,500m<sup>2</sup>) than exists for Low Density Residential in KIPS 2015 (1,000m<sup>2</sup>) would limit the potential of the area to provide for an efficient utilisation of available services.

The other factor at Margate and Snug is that these settlements are now connected to the new Blackmans Bay Wastewater Treatment Plant and this provides the reticulated sewerage capacity that was not available prior to 2019. When the KIPS2015 was approved there was a deliberate strategy to restrict development because of the very limited capacity in the local sewerage schemes. This is now no longer the case. The character of these settlements has also changed and the areas closest to their respective commercial centres are becoming more suburban in character.

More detailed descriptions of these zoning considerations are provided within the Kingborough Land Use Strategy (May 2019).



**Figure 4: Low Density Residential to General Residential – Margate**



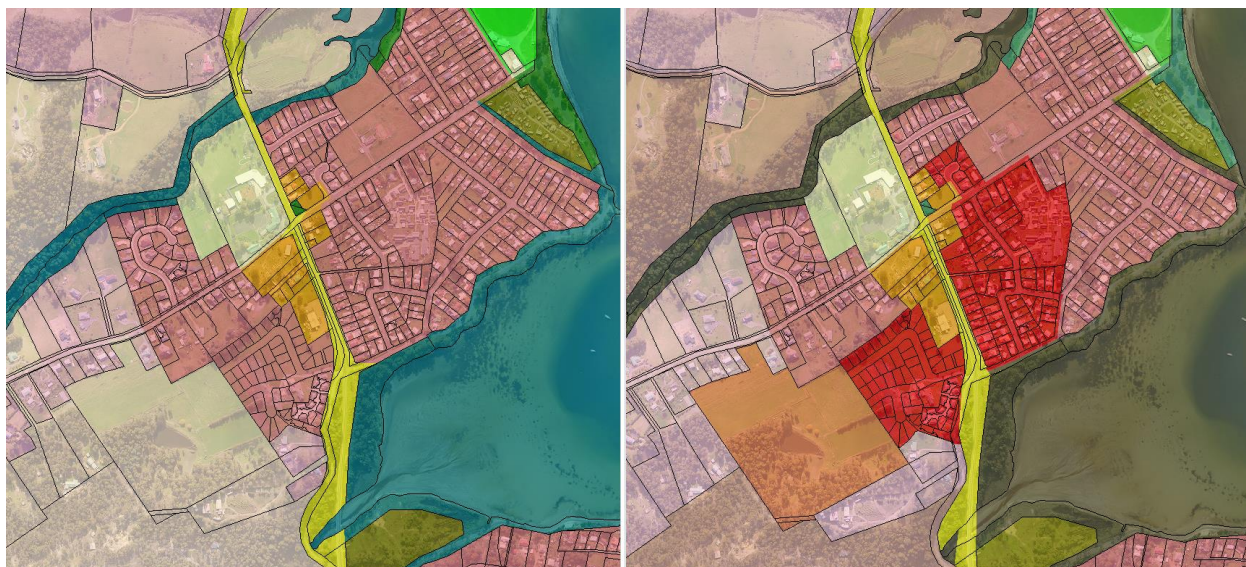


Figure 5: Low Density Residential to General Residential – Snug

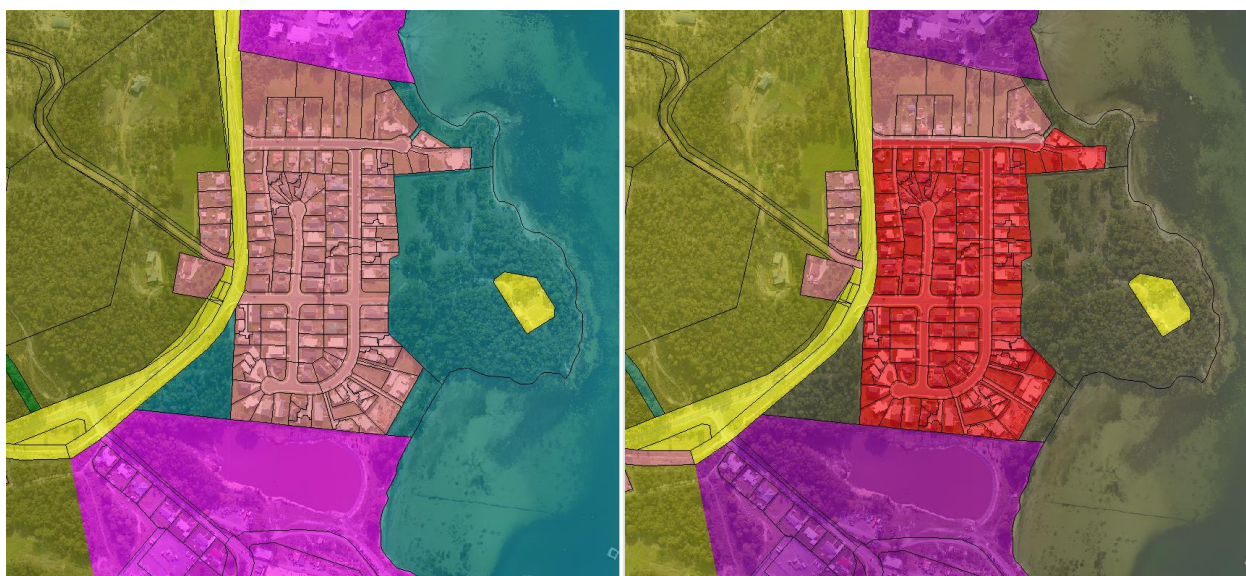


Figure 6: Low Density Residential to General Residential – Electra

### 5.1.2 Inner Residential Zone

The purpose of the land to which the Inner Residential Zone has been applied to in the Kingborough draft LPS is to provide for a variety of residential use and development that accommodates a range of dwelling types at higher densities. The land is also to provide for the efficient utilisation of available social, transport and other service infrastructure.

**Table 19: Zone application compliance – Inner Residential Zone**

Reference	Kingborough draft LPS application compliance
<p><b>IRZ 1</b> The Inner Residential Zone should be applied to urban residential areas that are connected to a reticulated water supply service, reticulated sewerage system, and a public stormwater system, and have been identified for higher density development where any of the following conditions exist:</p> <ul style="list-style-type: none"> <li>(a) characterised by higher dwelling density with greater presence of non-housing activity;</li> <li>(b) proximity to activity centres with a range of services and facilities; or</li> <li>(c) located along high frequency public transport corridors.</li> </ul>	<p>The Inner Residential Zone has been applied in the Kingborough draft LPS to land which is connected to a reticulated water supply service, reticulated sewerage system and a public stormwater system. In addition, the area to which the Inner Residential Zone has been applied is in close proximity to the Kingston CBD and is characterised by higher dwelling density with greater presence of non-housing activity (e.g. the Australian Antarctic Division, Kingston Town and Kingston CBD).</p> <p>The land to which the Inner Residential Zone has been applied is a designated infill area shown in the STRLUS.</p> <p>Example: Kingston (see Figure 7)</p>
<p><b>IRZ 2</b> The Inner 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:</p> <ul style="list-style-type: none"> <li>(a) within the Inner Residential Zone in an interim planning scheme; or</li> <li>(b) within an equivalent zone under a section 29 planning scheme.</li> </ul>	<p>The Inner Residential Zone has been applied in the Kingborough draft LPS to a green-field area identified for future urban residential use and development known as Spring Farm and Kingston Green. Spring Farm and Kingston Green is zoned Inner Residential in KIPS 2015.</p> <p>Example: Spring Farm and Kingston Green (see Figure 8 and Figure 9)</p> <p>The Inner Residential Zone has been applied in the Kingborough draft LPS to a brown-field area identified for future urban residential use and development known as Kingston Park.</p> <p>Example: Kingston Park (see Figure 10)</p>
<p><b>IRZ 3</b> The Inner Residential Zone should not be applied to land that is highly constrained by hazards, natural or cultural values or other impediments that will limit developing the land to higher densities.</p>	<p>The Inner Residential Zone has not been applied in Kingborough draft LPS to land that is highly constrained by hazards, natural values or other impediments.</p>



### 5.1.2.1 Inner Residential Zone to Inner Residential Zone

All lots zoned Inner Residential Zone in the Kingborough draft LPS are translations from the lots zoned Inner Residential Zone in KIPS2015 (see table above for rationale). Some examples are shown below. In the Kingston Green example, a significant area is to be rezoned as Environmental Management in accordance with existing conservation covenants that apply to this land.



Figure 7: Inner Residential Zone application – Kingston

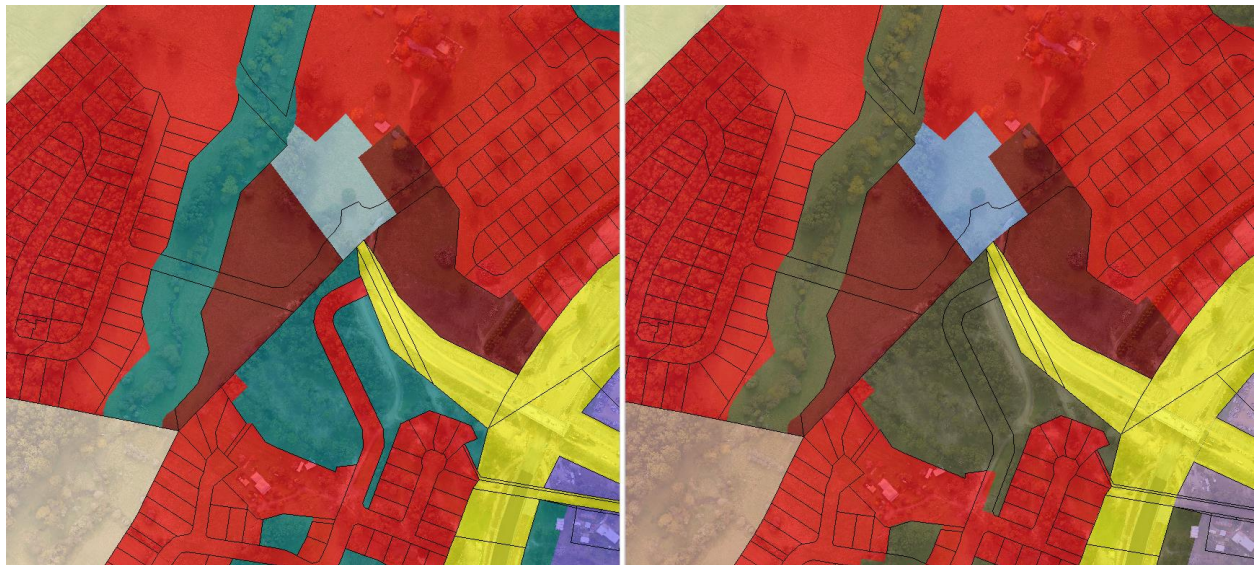


Figure 8: Inner Residential Zone application – Spring Farm





Figure 9: Inner Residential Zone application – Kingston Green

#### 5.1.2.2 Urban Mixed Use Zone to Inner Residential Zone

The application of the Inner Residential Zone within the Kingston Park site is consistent with the original site development plan for the former Kingston High School site (see Figure 10). The existing Specific Area Plan within the KIPS2015 is currently going through an amendment process in order to update the Former Kingston High School Site SAP – to be known as Kingston Park SAP. It is intended to translate this Kingston Park SAP into the Kingborough draft LPS. For further information regarding the Kingston Park SAP and the rationale for applying the Inner Residential Zone to a portion of this area, see section 0 of this report.



Figure 10: Inner Residential Zone application – Kingston Park

### 5.1.3 Low Density Residential Zone

The purpose of the land to which the Low Density Residential Zone has been applied to in the Kingborough draft LPS is to provide for residential use and development in residential areas where there are infrastructure and/or environmental constraints that limit the density, location and/or form of development.

**Table 20: Zone application compliance – Low Density Residential Zone**

Reference	Kingborough draft LPS application compliance
<p><b>LDRZ 1</b> The Low Density Residential Zone should be applied to residential areas where one of the following conditions exist:</p> <ul style="list-style-type: none"> <li>(a) residential areas with large lots that cannot be developed to higher densities due to any of the following constraints: <ul style="list-style-type: none"> <li>(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</li> <li>(ii) environmental constraints that limit development (e.g. land hazards, topography or slope); or</li> </ul> </li> <li>(b) small, residential settlements without the full range of infrastructure services, or constrained by the capacity of existing or planned infrastructure services; or</li> <li>(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.</li> </ul>	<p>The Low Density Residential Zone has been applied in the Kingborough draft LPS to residential areas with large lots that cannot be developed to higher densities due to lack of availability/capacity of reticulated infrastructure services.</p> <p>Examples: Howden and Kettering (see Figure 11 and Figure 12)</p> <p>The Low Density Residential Zone has been applied in the Kingborough draft LPS to residential areas with large lots that cannot be developed to higher densities due to environmental constraints that limit development.</p> <p>Example: Taroona (see Figure 13)</p> <p>The Low Density Residential Zone has been applied in the Kingborough draft LPS to small, residential settlements without the full range of infrastructure services and/or constrained by the capacity of existing/planned infrastructure services.</p> <p>Examples: Woodbridge and Middleton (see Figure 14 and Figure 15)</p> <p>The Low Density Residential Zone has been applied in the Kingborough draft LPS to existing low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development.</p> <p>Examples: Coningham, Lower Snug and Blackmans Bay (see Figure 16 and Figure 19)</p>



Reference	Kingborough draft LPS application compliance
<b>LDRZ 2</b> 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>The Low Density Residential Zone has been applied to most of the areas which are zoned Low Density Residential in KIPS2015. In some instances the lots are smaller than the allowable minimum lot size for the zone, but are in existing residential areas and/or settlements that do not have reticulated infrastructure services.</p> <p>Examples: Adventure Bay and Alonnah (see Figure 17 – Figure 18)</p>
<b>LDRZ 3</b> The Low Density Residential Zone should not be applied for the purpose of protecting areas of important natural or landscape values.	<p>The Low Density Residential Zone has not been applied to land in the Kingborough draft LPS for the purpose of protecting areas of important natural and/or landscape values. Other zoning has been utilised for this purpose.</p>
<b>LDRZ 4</b> 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>The three areas identified in the STRLUS as future greenfield development precincts have been proposed to be zoned Future Urban (at Huntingfield, Margate and Snug), therefore LDRZ 4 is not applicable.</p>

#### 5.1.3.1 Low Density Residential Zone to Low Density Residential Zone

All lots zoned Low Density Residential Zone in the Kingborough draft LPS are translations from the lots zoned Low Density Residential Zone in KIPS2015 (see table above for rationale). Some examples are found below – on Figures 11 to 18.

In most cases, it has been necessary to make some small changes to correct any local anomalies and to ensure the increased growth potential of small rural towns or settlements (due to the reduced minimum lot size) does not contravene the STRLUS requirements – see Regional Settlement Strategy (Table 3 – Growth Management Strategies for Settlements). This is described more fully within the Kingborough Land Use Strategy (May 2019).

There are no changes for Alonnah. For Kettering, there are minor changes only with some infill lots to be zoned as Low Density Residential and one larger lot (that is over the hill and faces Trial Bay) to be zoned as Rural Living. For Taroonah, there are no changes and the Low Density Residential zoning has been retained because of local environmental values/constraints

(including landslip hazards). For Woodbridge, there is no reticulated sewerage capacity for additional subdivision within this Zone and the abovementioned STRLUS constraints and heritage values need to be considered. For Middleton, some larger lots are to be zoned as Rural Living (as will also be the case at Gordon where further subdivision without services or infrastructure would be inappropriate). There are no changes for Coningham, Adventure Bay or Alonnah.



Figure 11: Low Density Residential Zone application – Howden



Figure 12: Low Density Residential Zone application – Kettering



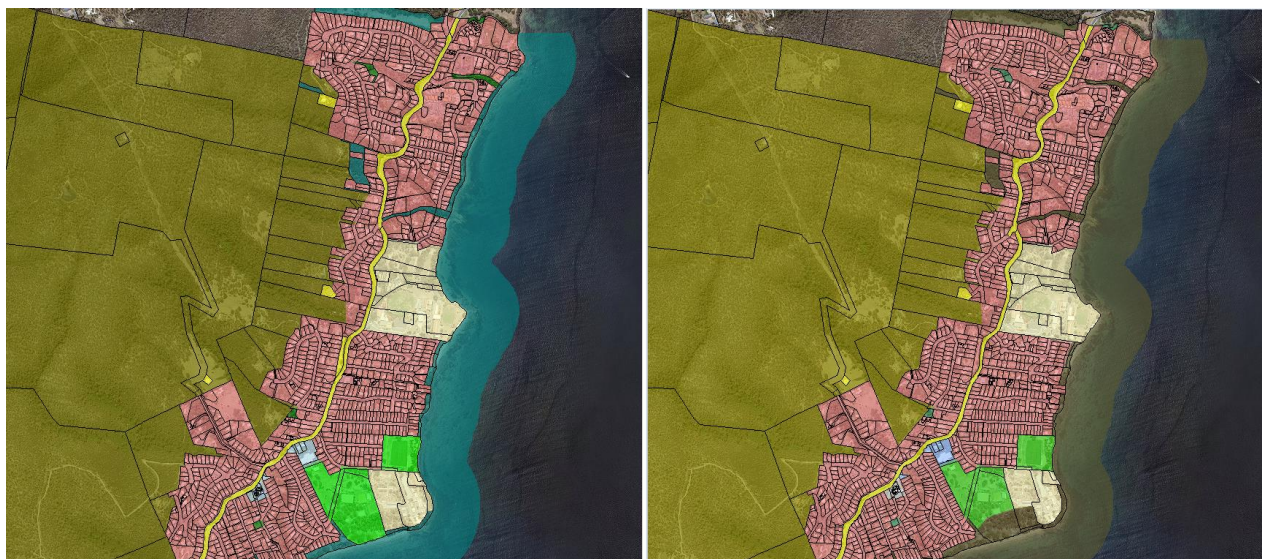


Figure 13: Low Density Residential Zone application – Taroona

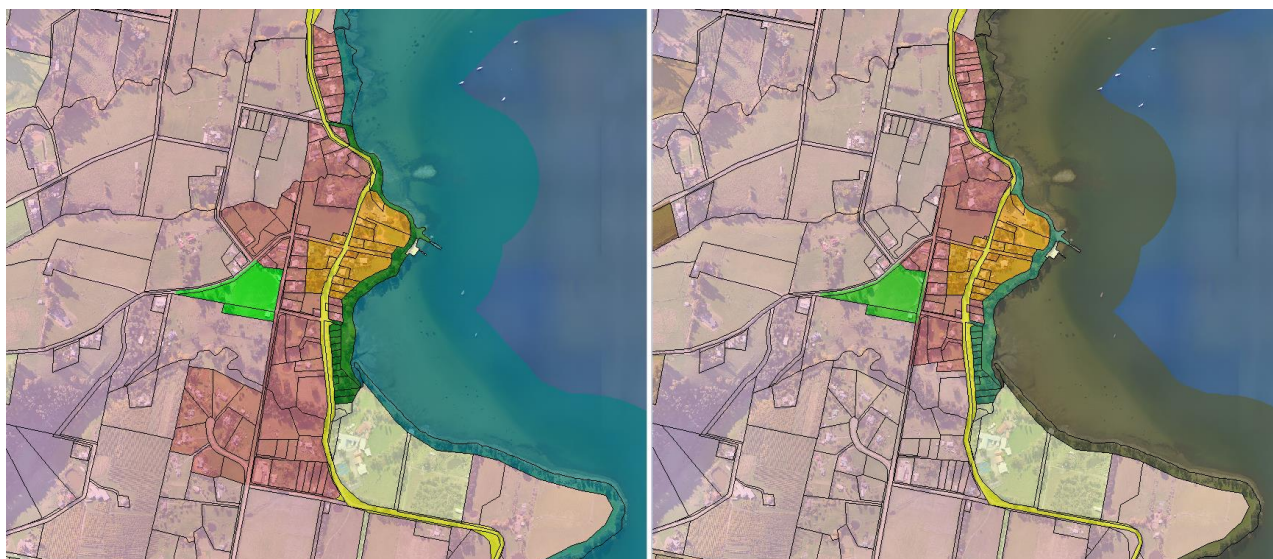


Figure 14: Low Density Residential Zone application – Woodbridge



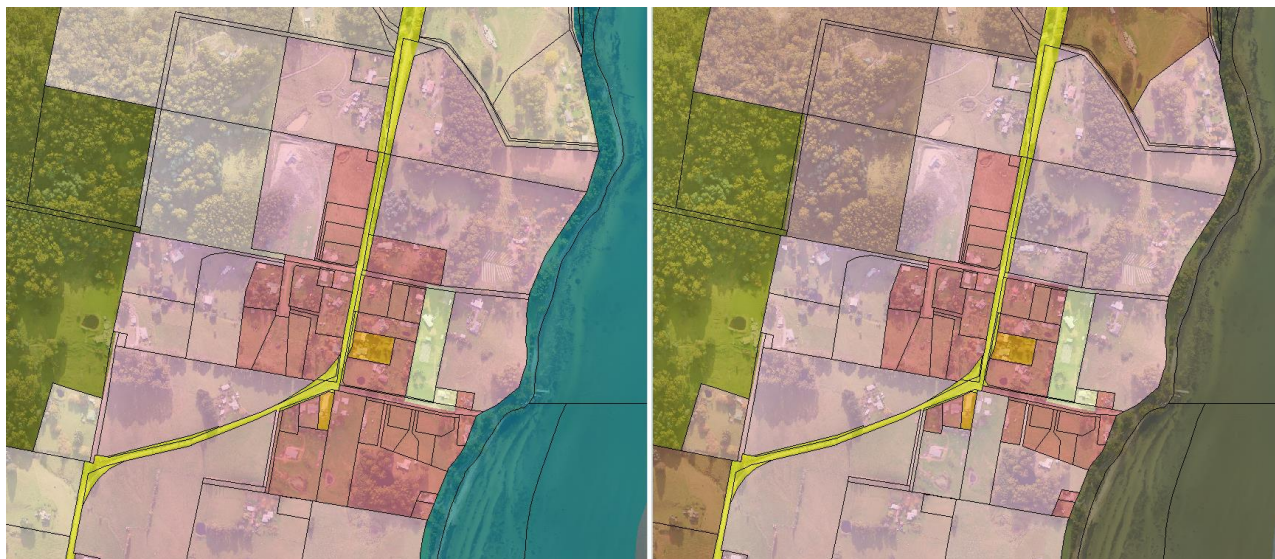


Figure 15: Low Density Residential Zone application – Middleton

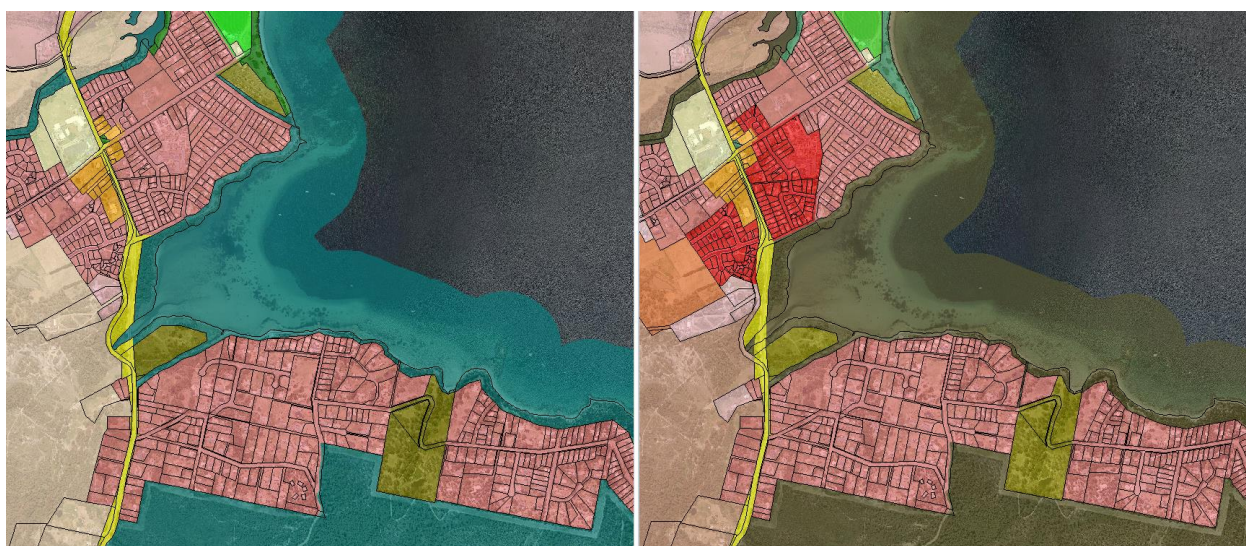


Figure 16: Low Density Residential Zone application – Coningham and Lower Snug





Figure 17: Low Density Residential Zone application – Adventure Bay



Figure 18: Low Density Residential Zone application – Alonnah

#### 5.1.3.2 General Residential Zone to Low Density Residential Zone

The General Residential Zone in the TPS permits a minimum lot size of not less than 450m<sup>2</sup>, which is seen as incompatible with the original intent of some areas zoned General Residential in KIPS2015. The Blackmans Bay Bluff area is an example of this incompatibility.

Strategic work has previously been undertaken to understand the community's desired character for the Blackmans Bay Bluff area. It is proposed to introduce a new SAP for the Blackmans Bay Bluff area which aims to retain the larger, vegetated blocks. Further rationale for this proposed zoning can be found in section 0 of this report.

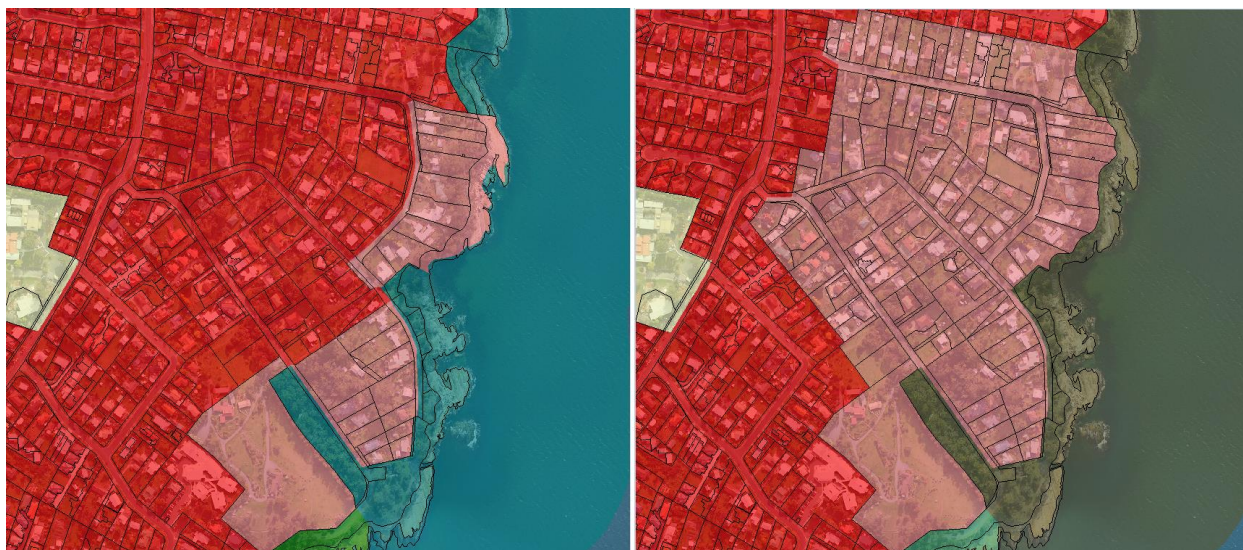


Figure 19: Low Density Residential Zone application – Blackmans Bay

#### 5.1.4 Rural Living Zone

The purpose of the land to which the Rural Living Zone has been applied to in the Kingborough draft LPS is to provide for residential use or development in a rural setting where services are limited or existing natural and landscape values are to be retained. The zone is also to provide for compatible uses and development that does not adversely impact on residential amenity, as well as for other uses and development that does not cause an unreasonable loss of amenity through noise, scale, intensity, traffic generation and movement, or other off site impacts.

Table 21: Zone application compliance – Rural Living Zone

Reference	Kingborough draft LPS application compliance
<p><b>RLZ 1</b> The Rural Living Zone should be applied to:</p> <ul style="list-style-type: none"> <li>(a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity; or</li> <li>(b) land that is currently a Rural Living Zone within an interim planning scheme or a section 29 planning scheme,</li> </ul> <p>unless RLZ 4 below applies.</p>	<p>The Rural Living Zone has been applied in Kingborough draft LPS to residential areas with larger lots and the intended use is a mix between residential and lower order rural activities.</p> <p>Examples: residential settlements outside of Kingston (Figure 20 to 35)</p> <p>The Rural Living Zone has been applied in Kingborough draft LPS to land that is currently zoned Rural Living in KIPS2015.</p> <p>Examples: west of Margate and Kettering (see section 0)</p>



Reference	Kingborough draft LPS application compliance
<p><b>RLZ 2</b> The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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.</li> </ul>	<p>The Rural Living Zone has been applied in the Kingborough draft LPS to land which is not currently zoned Rural Living in KIPS2015.</p> <p>Examples: areas outside of an 'existing urban area' identified in STRLUS and some residential areas on Bruny Island (see sections 5.1.4.2 and 5.1.4.3 of this report)</p> <p>The Rural Living Zone has been applied in the Kingborough draft LPS to land which is not currently zoned Rural Living in KIPS2015, but is currently zoned Environmental Living Zone in KIPS2015.</p> <p>Examples: west of Snug (see section 5.1.4.4 of this report)</p>
<p><b>RLZ 3</b> The differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on :</p> <ul style="list-style-type: none"> <li>(a) a reflection of the existing pattern and density of development within the rural living area; or</li> <li>(b) further strategic justification to support the chosen minimum lot sizes 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.</li> </ul>	<p>The land proposed to be zoned Rural Living has been differentiated through the application of Rural Living Zone A, Rural Living Zone B, Rural Living Zone C and Rural Living Zone D. The classification reflects the existing settlement pattern and development within the respective rural living areas as close as practicable.</p>

Reference	Kingborough draft LPS application compliance
<p><b>RLZ 4</b> The Rural Living Zone should not be applied to land that:</p> <ul style="list-style-type: none"> <li>(a) is suitable and targeted for future greenfield urban development;</li> <li>(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</li> <li>(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.</li> </ul>	<p>The Rural Living Zone has not been applied in the Kingborough draft LPS to land where it is suitable and targeted for future greenfield urban development.</p> <p>The Rural Living Zone has not been applied in Kingborough draft LPS to land where it contains important landscape values that are identified for protection and conservation.</p> <p>See section 5.1.15 of this report for the Landscape Conservation Zone.</p> <p>The Rural Living Zone has not been applied in Kingborough draft LPS to land where it is identified in the 'Land Potentially Suitable for Agriculture Zone', except where the Rural Living Zone has been justified.</p> <p>See section 6 of this report for the Agriculture Zone.</p>

#### **5.1.4.1 Rural Living Zone to Rural Living Zone**

Much of the land immediately surrounding residential areas in the Kingborough municipality is home to lower order rural activities (e.g. hobby farming). Therefore, the Rural Living Zone has been applied to land surrounding the more populated residential areas as a buffer between the Low Density Residential Zone and the Landscape Conservation and Rural zones.



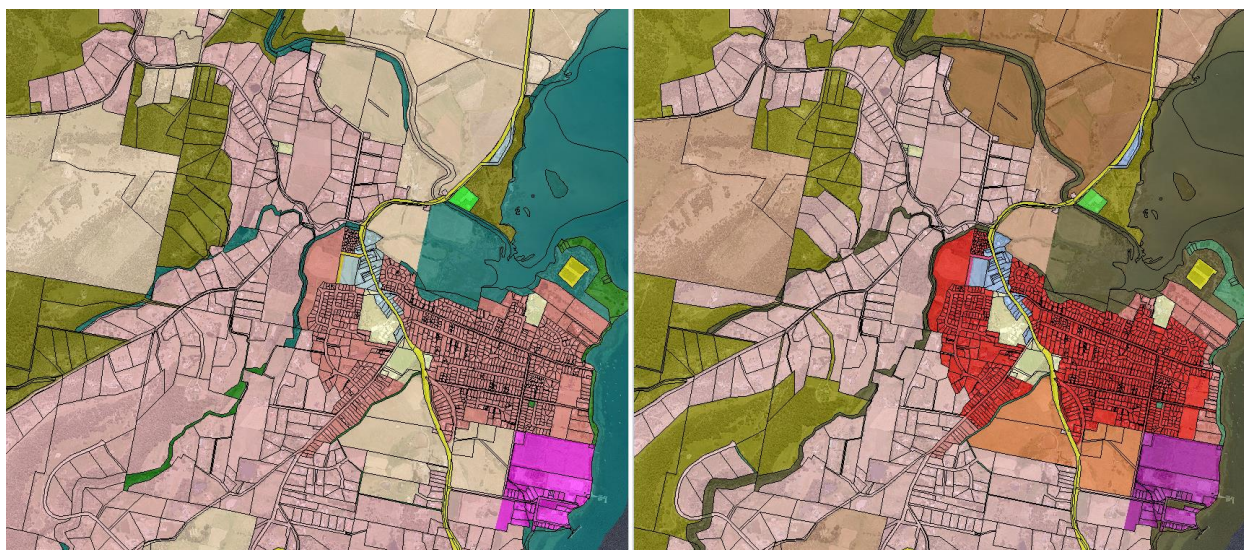


Figure 20: Rural Living Zone application – west of Margate



Figure 21: Rural Living Zone application – west of Kettering

#### 5.1.4.2 *Low Density Residential Zone to Rural Living Zone – areas outside of an ‘existing urban area’ identified in STRLUS*

Some localities within the municipality have been proposed to be zoned Rural Living, rather than Low Density Residential, as per the existing zoning in KIPS 2015. In particular, the areas outside of an ‘existing urban area’ identified in the STRLUS do not have the infrastructure or capacity to be subdivided to the level at which the Low Density Residential Zone would allow under the SPPs. Zoning these lots would be contrary to the STRLUS and the level of development which is permitted outside of the urban growth boundaries. Lots within these areas which meet the criteria to be zoned Low Density Residential have been zoned as such.



However, the remaining lots have been zoned Rural Living Zone. Examples of such areas include Woodbridge, Middleton, Gordon and one property at Kettering – see Figures 22 to 25 below.



Figure 22: Rural Living Zone application – Woodbridge

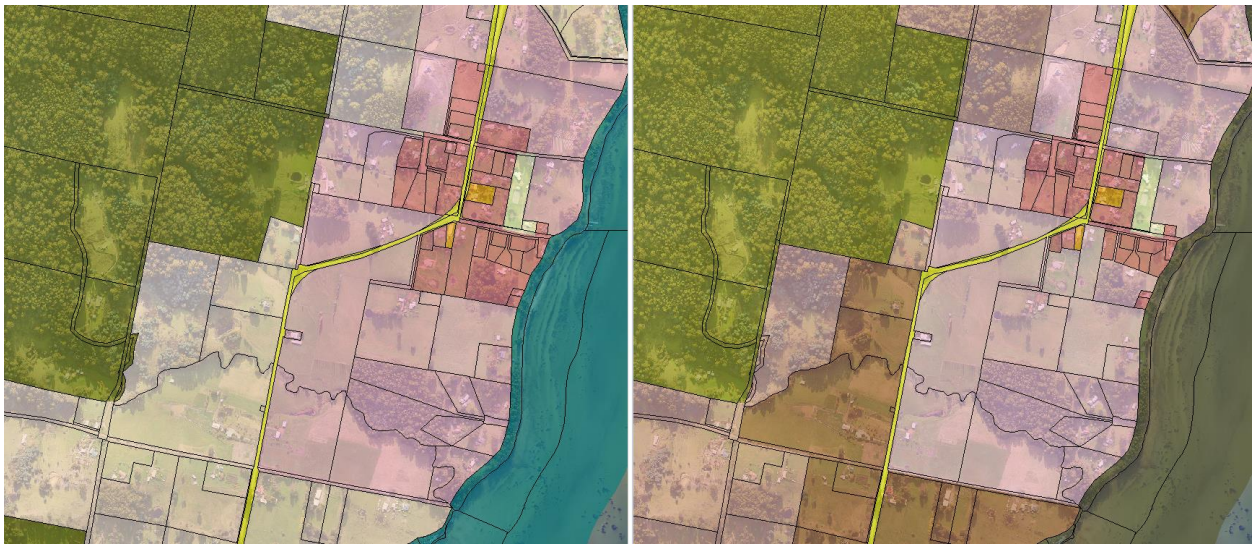


Figure 23: Rural Living Zone application – Middleton





Figure 24: Rural Living Zone application – Gordon



Figure 25: Rural Living Zone application – Kettering

#### 5.1.4.3 Low Density Residential Zone to Rural Living Zone – Bruny Island

There are some localities on Bruny Island where land that is zoned Low Density Residential in KIPS2015 is proposed to be zoned Rural Living in the Kingborough draft LPS. These localities are residential areas with larger lots and there exists a mix between residential and lower order rural activities – while acknowledging that priority is given to the protection of the existing residential amenity. Many of the localities have yet to be residentially developed and zoning the land as Rural Living, rather than Low Density Residential, will help in mitigating any future land use conflicts with the adjacent Landscape Conservation or Rural zones, plus it will conform to the STRLUS requirements for rural settlements. Importantly, these areas also do not have the



infrastructure (particularly in regard to local road conditions) or capacity to subdivide to the level at which the Low Density Residential Zone would allow through the SPPs.

These localities are also not suitable for future greenfield urban development, do not contain important landscape values, nor are identified in the 'Land Potentially Suitable for Agriculture Zone', and therefore RLZ 4 from Guideline No.1 does not apply.



Figure 26: Rural Living Zone application – Killora

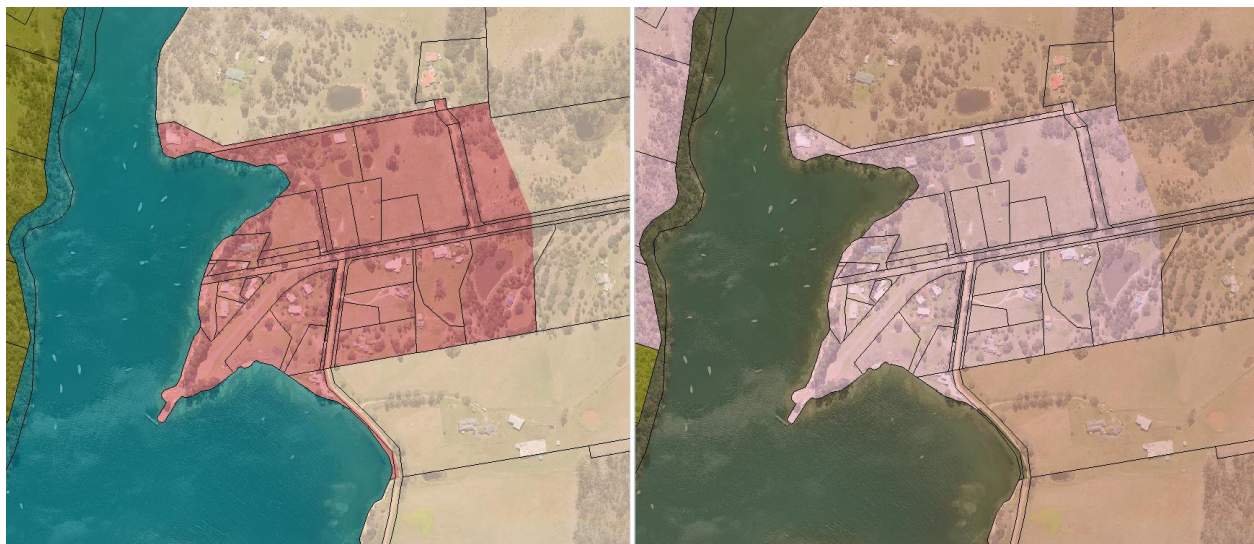


Figure 27: Rural Living Zone application – Barnes Bay





Figure 28: Rural Living Zone application – Great Bay

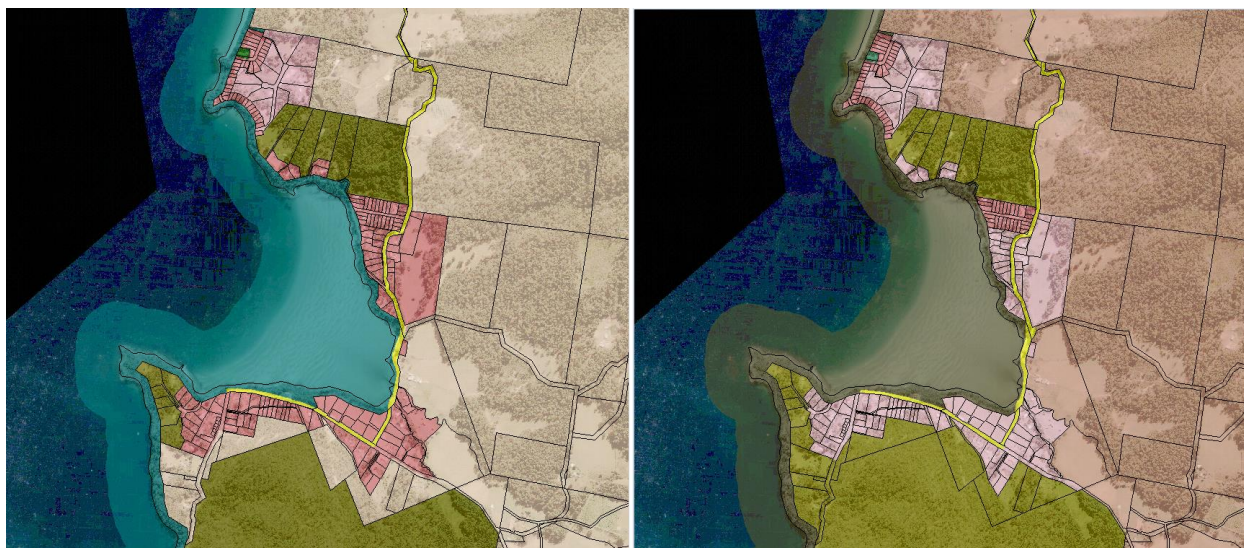


Figure 29: Rural Living Zone application – Lunawanna

#### 5.1.4.4 Rural Resource Zone to Rural Living Zone

Some localities within Kingborough contain lots that were zoned Rural Resource in KIPS2015, but are closer to a Rural Living Zone development pattern and use permitted by the SPPs. The Rural Resource Zone was often chosen in KIPS2015 to intentionally reduce the subdivision potential of rural land, rather than as an indication of a wholly agricultural or rural use. The new SPP categories of the Rural Living Zone provide an opportunity to correct this.

The application of the Rural Living Zone in the Kingborough draft LPS for areas like parts of Leslie Vale (and Nieka), Longley, Sandfly (Polverata Road), Margate and Oyster Cove, reflects the existing and expected land uses. See Figure 30 to 34 for these localities.



These areas are intended primarily for residential uses on land in a rural setting, located outside of urban settlements and where infrastructure services are limited or existing natural and landscape values are to be retained.



Figure 30: Rural Living Zone application – Leslie Vale and Nieka



Figure 31: Rural Living Zone application – Longley



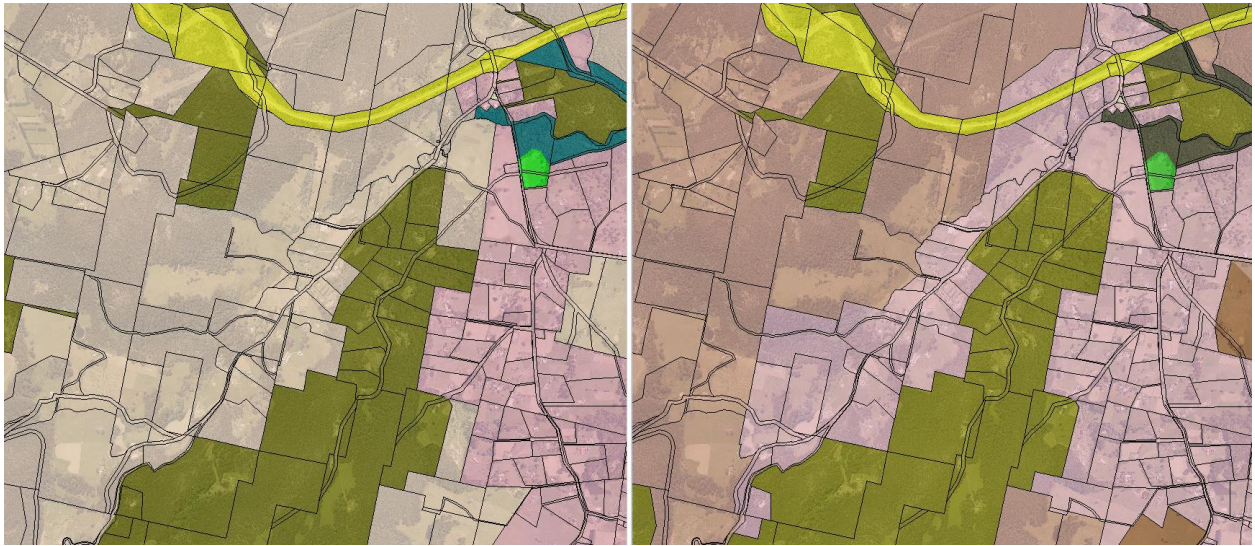


Figure 32: Rural Living Zone application – Sandfly



Figure 33: Rural Living Zone application – northwest of Margate





Figure 34: Rural Living Zone application – west of Oyster Cove

#### 5.1.4.5 *Environmental Living Zone to Rural Living Zone*

As per the Zone Application Guidelines, the Rural Living Zone's purpose is to provide for residential use or development in a rural setting where services are limited or existing natural and landscape values are to be retained. The Guidelines also indicate that this Zone should not be applied to land that is not currently zoned Rural Living within an interim scheme, unless the land is zoned Environmental Living in the interim 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. The land that is proposed to be transitioned from Environmental Living Zone to Rural Living Zone, which is sited west of Kingston, is intended to continue as a residential use within a rural setting. The appropriate Rural Living Zone Area is proposed to be applied to the lots so that they are consistent with the larger minimum allowable lot sizes.

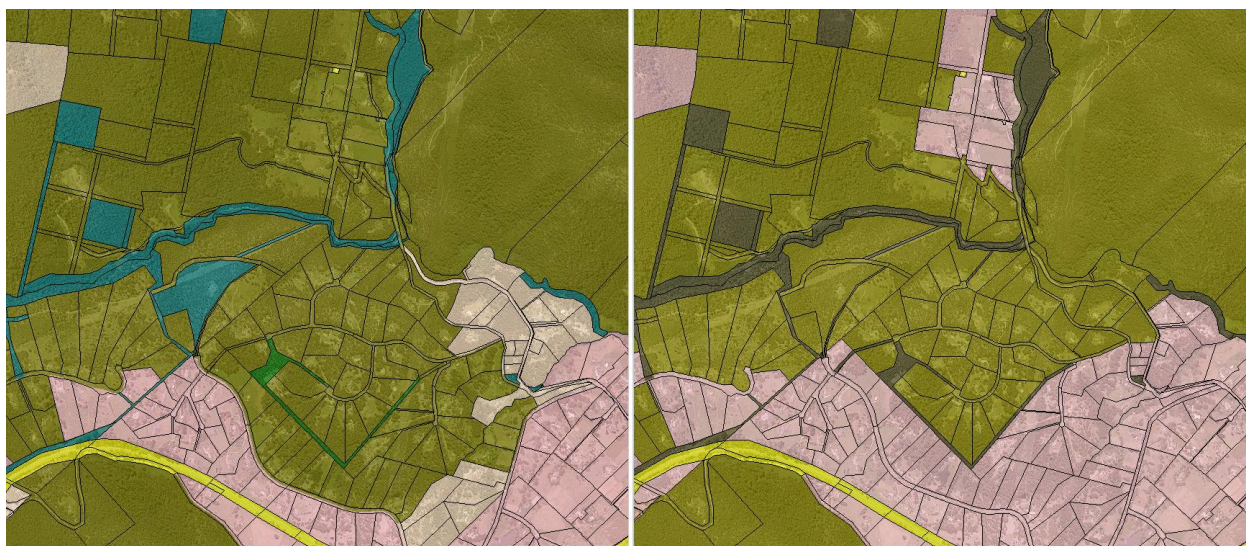


Figure 35: Rural Living Zone application – west of Kingston



### 5.1.5 Village Zone

The purpose of the land to which the Village Zone has been applied to in the Kingborough draft LPS is to provide amenity for residents appropriate to the mixed use characteristics of the area and the zone. It has only been applied where it is a direct translation from the KIPS2015.

**Table 22: Zone application compliance – Village Zone**

Reference		Kingborough draft LPS application compliance
<b>VZ 1</b>	The Village Zone should be applied to land within rural settlements where the Urban Mixed Use Zone is not suitable and there is an unstructured mix of residential, commercial activities and community services and there is a strategic intention to maintain this mix.	<p>The Village Zone has been applied in the Kingborough draft LPS to land within rural settlements where this is an unstructured mix of residential, commercial activities and community services.</p> <p>Further strategic work is required to justify the application of the Mixed Use Zone or business zones where the Village Zone has been proposed in Kingborough draft LPS.</p> <p>Examples: Snug and Woodbridge (see Figure 36 and Figure 37)</p>
<b>VZ 2</b>	The Village Zone may be applied to land where the full range of reticulated infrastructure services are or are not available.	The Village Zone has been applied in the Kingborough draft LPS to land where the full range of reticulated infrastructure services are and are not available.
<b>VZ 3</b>	<p>The Village Zone may cover either:</p> <p>(a) an entire settlement where the settlement is relatively small and no clear town centre exists or is intended to exist; or</p> <p>(b) part of a settlement where a high degree of use mix exists or is intended in the centre (otherwise refer to Local Business Zone) the remainder of the settlement may be zoned either General Residential or Low Density Residential depending on the characteristics of the settlement.</p>	The Village Zone has only been applied in the Kingborough draft LPS to parts of settlements near the centre of these settlements.
<b>VZ 4</b>	The Village Zone should not be applied to existing rural settlements where a mix of uses does not exist or where there is no strategic intention to provide a mix of uses.	The Village Zone has only been applied in the Kingborough draft LPS to existing rural settlements where a mix of uses exists.

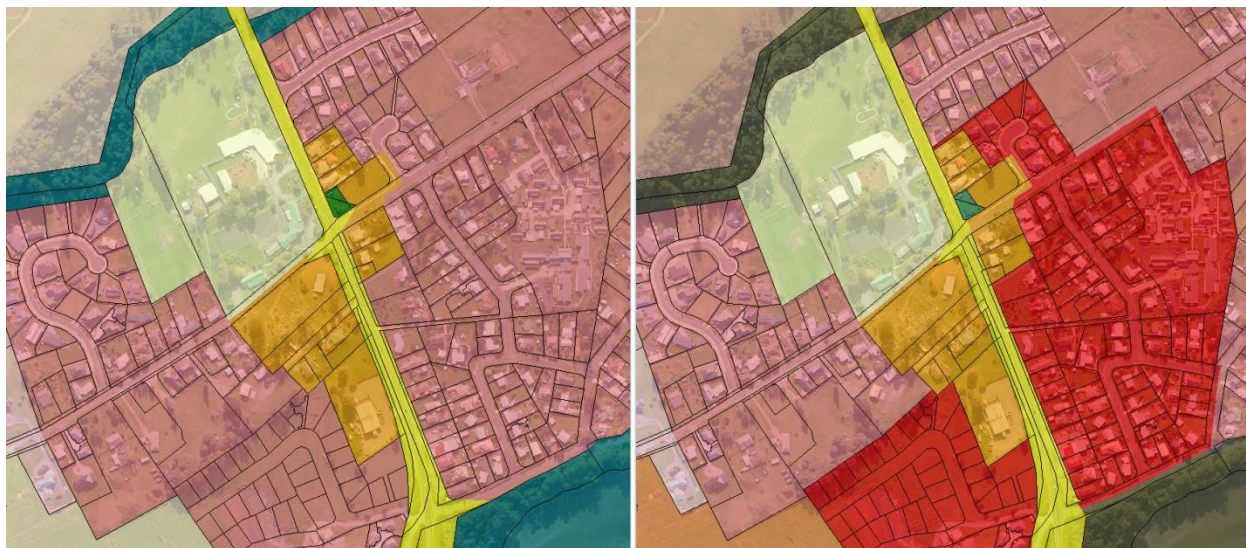


Figure 36: Village Zone application – Snug



Figure 37: Village Zone application – Woodbridge

### 5.1.6 Urban Mixed Use Zone

The purpose of the land to which the Urban Mixed Use Zone has been applied to in the Kingborough draft LPS is to provide for a mix of residential, retail, community services and commercial activities in urban locations. The Urban Mixed Use Zone has also been applied to provide for a diverse range of uses and development that are of a type and scale that support and do not compromise or distort the role of the surrounding centres.

**Table 23: Zone application compliance – Urban Mixed Use Zone**

Reference	Kingborough draft LPS application compliance
<p><b>UMUZ 1</b> The Urban Mixed Use Zone should be applied to land within urban settlements:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) where there is a strategic intention to create an area with a mix of uses where no particular use dominates.</li> </ul>	<p>The Urban Mixed Use Zone has been applied in the Kingborough draft LPS to land within urban settlements where there is a strategic intention to create an area with a mix of uses where no particular use dominates.</p> <p>Example: Kingston Park and Village Drive, Kingston (see Figure 38 and Figure 39)</p>
<p><b>UMUZ 2</b> The Urban Mixed Use Zone may be applied to urban areas:</p> <ul style="list-style-type: none"> <li>(a) along high frequency public transport corridors or key transport hubs such as bus interchanges; or</li> <li>(b) areas intended for commercial, retail and residential activity with good access to high frequency public transport services.</li> </ul>	<p>The Urban Mixed Use Zone has been applied in Kingborough draft LPS to land in urban areas along a high frequency public transport corridor (for Kingborough).</p> <p>Example: former Taroona hotel (see Figure 40)</p>
<p><b>UMUZ 3</b> The Urban Mixed Use Zone should not be applied to:</p> <ul style="list-style-type: none"> <li>(a) commercial strips where commercial and retail activity is intended as the dominant activity (see business zones);</li> <li>(b) residential areas where residential use is intended as the dominant use (see residential zones); or</li> <li>(c) smaller rural settlements (see Village Zone).</li> </ul>	<p>The Urban Mixed Use Zone has not been applied in Kingborough draft LPS to:</p> <ul style="list-style-type: none"> <li>(a) commercial strips where commercial and retail activity is intended as the dominant activity (see business zones);</li> <li>(b) residential areas where residential use is intended as the dominant use (see residential zones); or</li> <li>(c) smaller rural settlements (see Village Zone).</li> </ul>

The Urban Mixed Use Zone is used sparingly within the Kingborough draft LPS. There are relatively small areas at Kingston Park (which is to be rearranged and will cater for a mix of



commercial and residential uses within multi-storey developments) and at Village Drive, Kingston (the former recreational club site). These areas aim to encourage a mix of residential and relatively limited commercial/retail uses. One new site zoned as Urban Mixed Use will be the area around the former Taroona hotel.



Figure 38: Urban Mixed Use Zone application – Kingston Park

The lots proposed to be zoned Urban Mixed Use at Village Drive have long been identified as important in the provision of facilities to the Redwood Village locality. Future development is to not be solely residential and must make the necessary allowance for community, business and recreation facilities within this larger strata based precinct.



Figure 39: Urban Mixed Use Zone application – Village Drive, Kingston

While the development at the corner of Channel Highway and Jenkins Street, Tarooma was historically a non-residential use, it is now wholly residential. The proposed zoning of Urban Mixed Use Zone is most appropriate as it aims to reflect the existing use, but also allows for future non-residential uses to be on the site again. Transitioning to a Local Business Zone as currently exists within the KIPS2015 would not be either likely or necessarily appropriate as it would not be a true reflection of the existing use.



Figure 40: Urban Mixed Use Zone application – Tarooma



### 5.1.7 Local Business Zone

The purpose of the land to which the Local Business Zone has been applied to in the Kingborough draft LPS is to provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area. The zone is to also ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy found in the STRLUS. Importantly the zone is to encourage activity at pedestrian levels with active frontages and shop windows offering interesting engagement to shoppers and passers by.

**Table 24: Zone application compliance – Local Business Zone**

Reference	Kingborough draft LPS application compliance
<p><b>LBZ 1</b> 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:</p> <ul style="list-style-type: none"> <li>(a) local shopping strips; or</li> <li>(b) town centres for some smaller settlements.</li> </ul>	<p>The Local Business Zone has been applied in the Kingborough draft LPS to land within urban settlements which provides, or is intended to provide, for business, commercial and community functions within:</p> <ul style="list-style-type: none"> <li>(a) local shopping strips; or</li> <li>(b) town centres for some smaller settlements.</li> </ul> <p>Example of local shopping strips: Kingston Beach, Spring Farm</p> <p>Example of town centres for smaller settlements: Blackmans Bay, Margate</p>
<p><b>LBZ 2</b> The Local Business Zone may be applied to:</p> <ul style="list-style-type: none"> <li>(a) Local Centres and the lower order Minor or Neighbourhood Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;</li> <li>(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</li> <li>(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.</li> </ul>	<p>The Local Business Zone has been applied in the Kingborough draft LPS to land within a Neighbourhood Centre identified in the STRLUS.</p> <p>Example: Margate (see Figure 44)</p>

Reference	Kingborough draft LPS application compliance
<b>LBZ 3</b> 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.	<p>The Local Business Zone has been used for groups of local shops and business in existing residential areas where there is a strategic intent to maintain such uses.</p> <p>Examples: Kingston Beach, Blackmans Bay, Blackmans Bay Beach, Spring Farm (see Figure 41 – Figure 43).</p>
<b>LBZ 4</b> The Local Business Zone should not be used for individual, isolated local shops or businesses within residential areas, unless: <ul style="list-style-type: none"> <li>(a) they are a use, or are of a scale, that is more appropriate for the Local Business Zone and there is an intention to maintain the use; or</li> <li>(b) there is a strategic intention to expand the existing retail or business area in this locality 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.</li> </ul>	<p>The Local Business Zone has not been applied in the Kingborough draft LPS where there is an individual business within a residential area. It has been applied where there is a small cluster of shops and businesses where the use and scale is more appropriate for the Local Business Zone, and there is an intention to maintain this use.</p> <p>Example: Blackmans Bay Beach (see Figure 42)</p>

The Local Business Zone has been applied to land at Kingston Beach, Blackmans Bay, Spring Farm (a small, yet to be developed area) and Margate (including separate areas within the centre of the town, at the Margate Train and at the Margate Marina). The extent and location of the proposed zoning will not compromise or distort the activity centre hierarchy found in the STRLUS and is consistent with the existing Local Business zonings in the KIPS2015.



**Figure 41: Local Business Zone application – Kingston Beach**



**Figure 42: Local Business Zone application – Blackmans Bay and Blackmans Bay Beach**





Figure 43: Local Business Zone application – Spring Farm

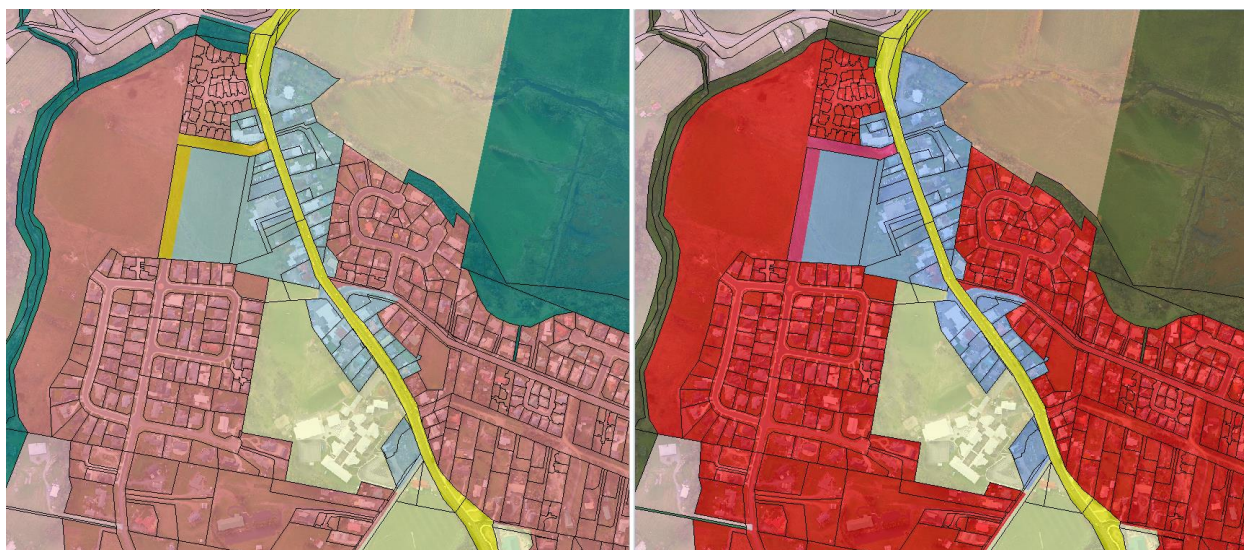


Figure 44: Local Business Zone application – Margate

### 5.1.8 General Business Zone

The purpose of the land to which the General Business Zone has been applied to in Kingborough draft LPS is to provide for business and retail functions, but also ensure that the type and scale of use and development does not compromise the activity centre hierarchy found in Kingston.

**Table 25: Zone application compliance – General Business Zone**

Reference	Kingborough draft LPS application compliance
<b>GBZ 1</b> The General Business Zone should be applied to land within urban settlements that provides, or is intended to provide, for the business, commercial and community functions within Tasmania's main suburban and rural town centres.	The General Business Zone has been applied in the Kingborough draft LPS to land within Kingston (a major urban settlement). The area where the General Business Zone has been applied provides, and is intended to provide, for the business and commercial functions of this area and immediate surrounds. This is consistent with the existing zonings in the KIPS2015.  Example: Westside Circle, Kingston and Kingston Town (see Figure 45).
<b>GBZ 2</b> The General Business Zone may be applied to:  (a) Major Activity Centres, Rural Service Centres and the higher order Minor or Neighbourhood Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;  (b) Suburban Activity Centres and District Service Centres in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and  (c) the main retail and business areas of District Activity Centres in the activity centres description in the Cradle Coast Regional Land Use Strategy.	The Kingborough municipality does not contain a Major Activity Centre or any Rural Services Centres as identified in the Activity Centre Network under the STRLUS.  The General Business Zone has not been applied in the Kingborough draft LPS to any land found in a Minor or Neighbourhood Centre as identified in the Activity Centre Network under the STRLUS.





Figure 45: General Business Zone application – Westside Circle, Kingston and Kingston Town

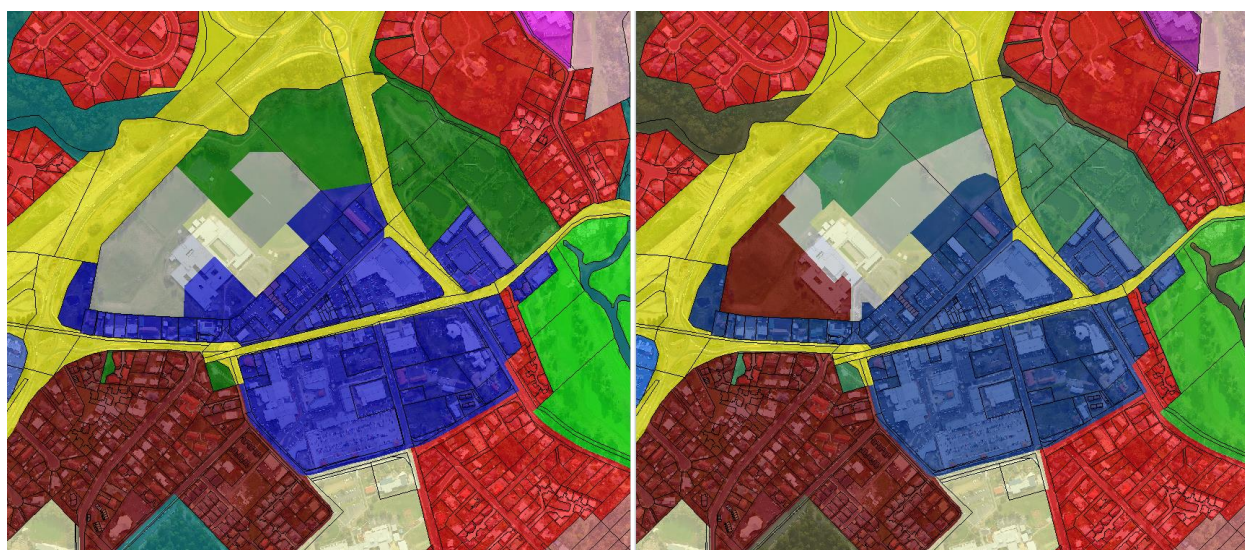
### 5.1.9 Central Business Zone

The purpose of the land to which the Central Business Zone has been applied in Kingborough draft LPS is to provide for the concentration of the higher order business, retail, administrative, professional, community, and entertainment functions within Kingston.

Table 26: Zone application compliance – Central Business Zone

Reference	Kingborough draft LPS application compliance
<p><b>CBZ 1</b> The Central Business Zone should be applied to land within urban settlements that provides, or is intended to provide, for the key concentration of the higher-order business, retail, administrative, professional, community, and entertainment functions, within Tasmania's primary activity centres that service the entire State, region or sub-region.</p>	<p>The Central Business Zone has been applied in the Kingborough draft LPS within Kingston which is identified as a Principle Activity Centre in the Activity Centre Network under the STRLUS.</p> <p>The role of a Principal Activity Centre is to provide for a wide range of services and facilities (including offices for business and government) to serve the surrounding sub-region, with a strong focus on the retail and commercial sector.</p> <p>Example: Kingston CBD (see Figure 46)</p>

Reference	Kingborough draft LPS application compliance
<p><b>CBZ 2</b> The Central Business Zone may be applied to:</p> <ul style="list-style-type: none"> <li>(a) the Primary Activity Centre and the Principal Activity Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;</li> <li>(b) the Principal Activity Centre in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and</li> <li>(c) the main retail and business areas of Regional Activity Centres in the activity centres description in the Cradle Coast Regional Land Use Strategy.</li> </ul>	<p>The Central Business Zone has been applied in the Kingborough draft LPS within Kingston which is identified as a Principle Activity Centre in the Activity Centre Network under the STRLUS.</p>



**Figure 46: Central Business Zone application – Kingston CBD**

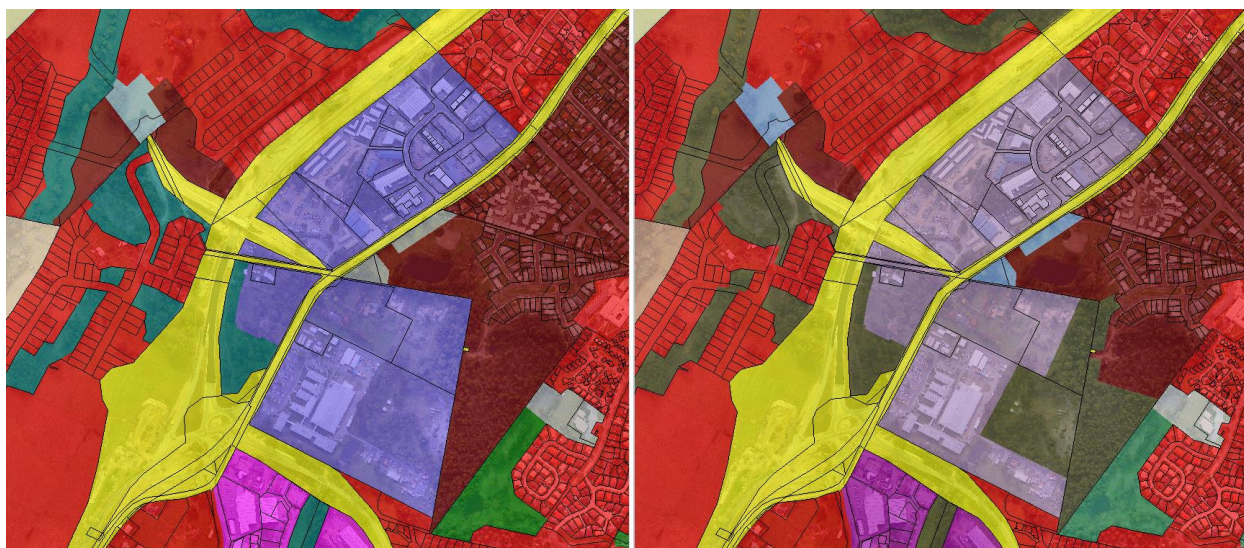
### 5.1.10 Commercial Zone

The purpose of the land to which the Commercial Zone has been applied to in the Kingborough draft LPS is to provide for retailing, service industries, storage and warehousing that require large floor or outdoor areas for sale of goods or operational requirements, and high levels of vehicle access and parking for customers.

**Table 27: Zone application compliance – Commercial Zone**

Reference	Kingborough draft LPS application compliance
<p><b>CZ 1</b> 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:</p> <ul style="list-style-type: none"> <li>(a) large floor or outdoor areas; and</li> <li>(b) high levels of vehicle access and car parking for customers.</li> </ul>	<p>The Commercial Zone has been applied in the Kingborough draft LPS to land that provides, or is intended to provide, for large floor area retailing, service industry, low impact storage and warehousing, and other commercial use needs of the community that demand both large floor/outdoor areas and high levels of vehicle access.</p> <p>The Commercial Zone has been applied to land zoned Commercial in KIPS 2015, specifically the Mertonvale estate, Australian Antarctic Division, Council's depot and Bunnings properties – all located within an area on the southern edge of Kingston.</p> <p>Example: south of Kingston CBD (see Figure 47)</p>
<p><b>CZ 2</b> The spatial application of the Commercial Zone must ensure that it does not compromise the viability of the other retail and business centres located within the three business zones.</p>	<p>The Commercial Zone has been applied in the Kingborough draft LPS to a relatively spatially small area in Kingston which does not compromise the viability of other retail and business centres, but rather complements the other centres' purposes.</p>
<p><b>CZ 3</b> The Commercial Zone should not be applied to land:</p> <ul style="list-style-type: none"> <li>(a) where the primary purpose is to provide for industrial purposes (see industrial zones); or</li> <li>(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).</li> </ul>	<p>The Commercial Zone has not been applied in the Kingborough draft LPS to land where the primary purpose is to provide for industrial purposes or General Retail and Hire uses.</p>





**Figure 47: Commercial Zone application – Kingston**

An area of land currently zoned as Commercial to the rear of the AAD (see Figure 47 above) within the KIPS2015 is proposed to be zoned as Environmental Management. The rationale for this is twofold.

The first is that this area contains approximately 4 hectares of *Eucalyptus ovata* forest - a threatened vegetation community listed as endangered under State Legislation, critically endangered under Commonwealth legislation and providing habitat for a critically endangered species (the swift parrot). This vegetation is part of a larger patch of threatened vegetation over 10 hectares in size and extending into Kingston Green to the east. The vegetation at Kingston Green is largely protected in perpetuity for conservation under a Part 5 Agreement, with the vegetation within the Inner Residential Zone afforded protection under the Specific Area Plan for Kingston Green. Under the Code Application Guidelines, the Priority Vegetation Provisions in the Natural Assets Code are unable to apply in the Commercial Zone. This is a significant departure from the protection afforded to this vegetation under both KIPS2015 and KPS2000. Existing use rights to this land would continue to be used as per existing approvals and existing lawful uses, but the split zoning would ensure the significant natural values on the site are afforded protection. To leave this area zoned Commercial would result in the loss of over 4 hectares of some of the highest priority remnant vegetation in Kingston and would be totally inconsistent with both current requirements and requirements on the adjacent Kingston Green site.

The second reason for split zoning is to ensure retention of the vegetation as a buffer between existing and future uses on the Commercial zoned land and the adjacent residential development. Retention of this vegetation avoids land use conflict between residential and commercial uses, particularly in relation to noise and light issues.

### 5.1.11 Light Industrial Zone

The purpose of the land to which the Light Industrial Zone has been applied to in the Kingborough draft LPS is to provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict with, or unreasonable loss of amenity to, any other uses.

**Table 28: Zone application compliance – Light Industrial Zone**

Reference	Kingborough draft LPS application compliance
<b>LIZ 1</b> The Light Industrial Zone should be applied to land where there are likely to be minimal off site impacts.	<p>The Light Industrial Zone has been applied in the Kingborough draft LPS to land which has historically been zoned Light Industrial. There is likely to be minimal off site impacts from existing and future uses.</p> <p>As identified in the STRLUS, existing industrial land is significantly constrained, and therefore the Light Industrial Zone has been applied to land zoned Light Industrial in KIPS2015, specifically at Browns Road, Huntingfield, south of Margate, Barretta and Electrona. This prevents further erosion of an already constrained land use.</p>
<b>LIZ 2</b> The Light Industrial Zone should not be applied to individual, isolated industrial uses, unless:  (a) they are a use, or are of a scale, that is more appropriate for the Light Industrial Zone and there is a strategic intention to maintain the use; or  (b) there is a strategic intention to expand the existing industrial area in this locality 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.	The Light Industrial Zone has not been applied to an individual, isolated industrial use.

Reference	Kingborough draft LPS application compliance
<p><b>LIZ 3</b> The Light Industrial Zone should not be applied to areas that primarily accommodate, or are strategically intended to accommodate, large-scale, medium or high impact manufacturing, processing, storage, or transport activities (see General Industrial Zone).</p>	<p>There are no areas in the Kingborough municipality which primarily accommodate, or are strategically intended to accommodate, large-scale, medium or high impact manufacturing, processing, storage, or transport activities. Therefore LIZ 3 is not applicable.</p>
<p><b>LIZ 4</b> The Light Industrial Zone may be applied to land seaward of the high water mark where it includes existing, or is intended for, light industrial activities.</p>	<p>The Light Industrial Zone has been applied to land in the Kingborough draft LPS which is seaward of the high water mark in only a few instances and consistent with the KIPS2015 existing zone.</p> <p>See Figure 48 to 50. The dark blue line in the figures indicates the high water mark.</p>



Figure 48: Light Industrial Zone application – land seaward of high water mark – Tinderbox – Tasmanian Ports Corporation, CT 128712/1 (PID 5764405)





Figure 49: Light Industrial Zone application – land seaward of high water mark – Margate – CT 153762/7 (PID 2851239) and CT 153762/1 (PID 2851191)



Figure 50: Light Industrial Zone application – land seaward of high water mark – Electra – CT 174247/12 (PID 3598706)

### 5.1.12 General Industrial Zone

The General Industrial Zone has not been applied to any land within Kingborough draft LPS.

### 5.1.13 Rural Zone

The purpose of the land to which the Rural Zone has been applied to in the Kingborough draft LPS is to provide for a range of uses and development in a rural location, especially where agricultural use is limited or marginal due to constraints, requires a rural location for operational reasons, is compatible with agricultural uses if occurring on agricultural land, and/or minimises impacts on surrounding areas. The zone is also to minimise the conversion of agricultural land for non-agricultural uses, and is to ensure that use and development is of a scale and intensity appropriate for a rural location and does not compromise the functions of surrounding settlements.

**Table 29: Zone application compliance – Rural Zone**

Reference	Kingborough draft LPS application compliance
<b>RZ 1</b> 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.	The Rural Zone has been applied in the Kingborough draft LPS to land which is in non-urban areas with limited or no potential for agriculture.  Where land is more appropriately included within the Landscape Conservation Zone or Environmental Management Zone, it has been proposed to be zoned as such.  Example: west of Kettering (see Figure 51)
<b>RZ 2</b> The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.	The Rural Zone has only been applied after considering the suitability of the land with regard to the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST and subsequent more nuanced research.  See section 5.2 of this report.



Reference	Kingborough draft LPS application compliance
<p><b>RZ 3</b> The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;</li> <li>(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;</li> <li>(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</li> <li>(e) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.</li> </ul>	<p>The Rural Zone has been applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer where it meets all of the criteria set in the Guidelines.</p>

This is a new zone and has been applied to rural land, previously zoned as Rural Resource and which is not better suited to the Agriculture Zone, Rural Living or Landscape Conservation zones. The particular development constraints within each of these alternative zones have resulted in this zone being applied more than might normally have been expected.

It has been most extensively applied on areas west of Kingston (and then further out in the Pelverata and Longley areas) that are being used for a variety of rural uses, but which are on well vegetated hilly terrain. The extent of clearing means this land is not suited to be zoned as Landscape Conservation, the poor land capability means it is not suited to the Agriculture Zone and the large relatively remote land parcels means that the Rural Living Zone is also not appropriate. In the lower Channel area (west of Kettering, Woodbridge and Gordon), this zone has been applied for similar reasons – because of lower land capability, hilly terrain and that they are substantially cleared on larger more remote lots.

On Bruny Island, the previous Rural Resource zoned land was not considered suitable to be zoned as Agriculture because of the very high conservation values (on the northern end Bruny Island in particular) that need to be protected under the Natural Assets Code. On southern end of Bruny Island, this zone has primarily been applied to the State Forest area – assuming that

forestry is still a possibility in the future (the alternative would be Environmental Management if this land was placed in a conservation reserve).



Figure 51: Rural Zone application – west of Kettering

#### 5.1.14 Agriculture Zone

Limited land within the Kingborough municipality has been included within the Agriculture Zone for a variety of reasons. This is primarily because errors in the mapping have been detected (e.g. where identified land has very low land capability or high natural hazard potential), the need to split zone larger parcels for the better agricultural land, the local strategic analysis has established a more appropriate alternative zone, there are priority vegetation areas defined in the Natural Assets Code that need to be protected, residential amenity is a higher priority and it has been demonstrated that the land has limited or no potential for agricultural use.

Further information regarding the application of the Agricultural Zone can be found in section 6 of this report.

### 5.1.15 Landscape Conservation Zone

The purpose of the land to which the Landscape Conservation Zone has been applied to in the Kingborough draft LPS is to provide for the protection, conservation and management of landscape values.

**Table 30: Zone application compliance – Landscape Conservation Zone**

Reference	Kingborough draft LPS application compliance
<b>LCZ 1</b> The Landscape Conservation Zone should be applied to land with landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values, where some small scale use or development may be appropriate.	The Landscape Conservation Zone has been applied to land with landscape values that are identified for protection and conservation. The land to which the Landscape Conservation Zone has been applied is affected by either the Natural Assets Code or the Scenic Protection Code. These codes demonstrate the ecological and scenic values of the land.
<b>LCZ 2</b> The Landscape Conservation Zone may be applied to: <ul style="list-style-type: none"> <li>(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;</li> <li>(b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or</li> <li>(c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.</li> </ul>	The Landscape Conservation Zone has been applied to: <ul style="list-style-type: none"> <li>(a) large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contain threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation;</li> <li>(b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; and</li> <li>(c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.</li> </ul>
<b>LCZ 3</b> 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.	The Landscape Conservation Zone has not been applied to isolated titles less than the allowable minimum lot size for the zone which have landscape values. The Landscape Conservation Zone has however been applied to groups of titles with landscape values that are less than the allowable minimum lot size for the zone.



Reference	Kingborough draft LPS application compliance
<p><b>LCZ 4</b> 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);</p> <p>or</p> <p>(b) State-reserved land (see Environmental Management Zone).</p>	<p>The Landscape Conservation Zone has not been applied to land where the priority is for residential use and development, nor to State-reserved land.</p>

#### **5.1.15.1 Environmental Living Zone to Landscape Conservation Zone**

The Landscape Conservation Zone has been applied to most land that is zoned Environmental Living in KIPS2015, except for areas which are better suited to one of the lower density categories of the Rural Living Zone (see section 5.1.4) or lots with more than 50 per cent of land cleared (unless remaining vegetation creates habitat corridors).

Areas where the transition from the Environmental Living Zone to the Landscape Conservation Zone has most extensively occurred are the well vegetated areas west of Taroona, north of Kingston, at Tinderbox, west of Snug, in the hills behind Kettering, Middleton and Gordon, at Simpsons Bay and south of Lunawanna (see examples of the zone application at Figure 52 to 55 – where an Environmental Living Zone is transitioning to the Landscape Conservation Zone).



**Figure 52: Landscape Conservation Zone application – Taroona**



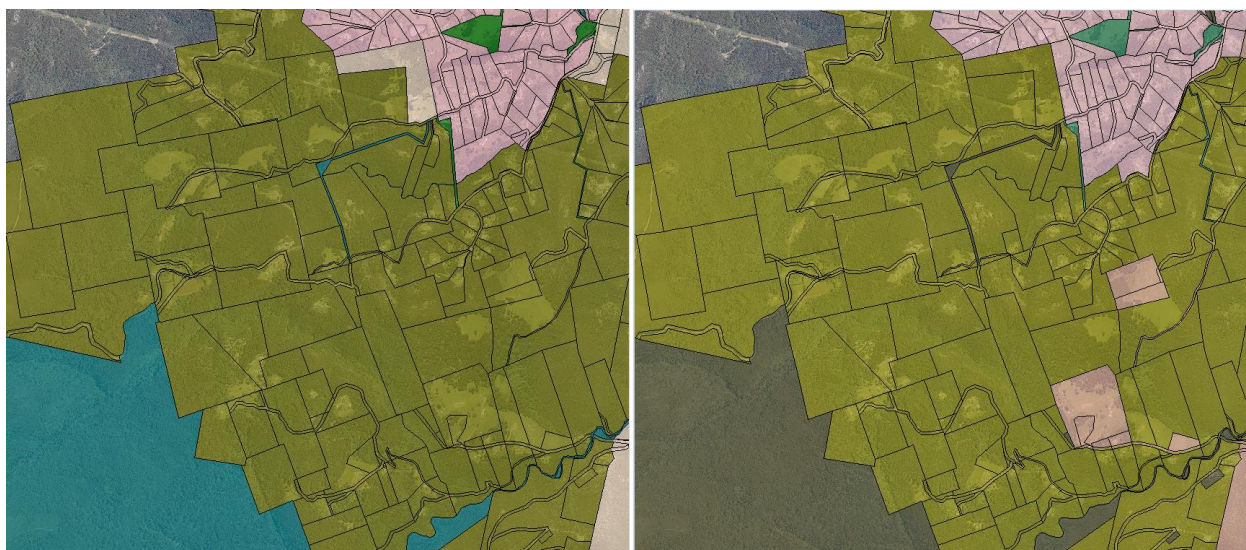


Figure 53: Landscape Conservation Zone application – west of Snug

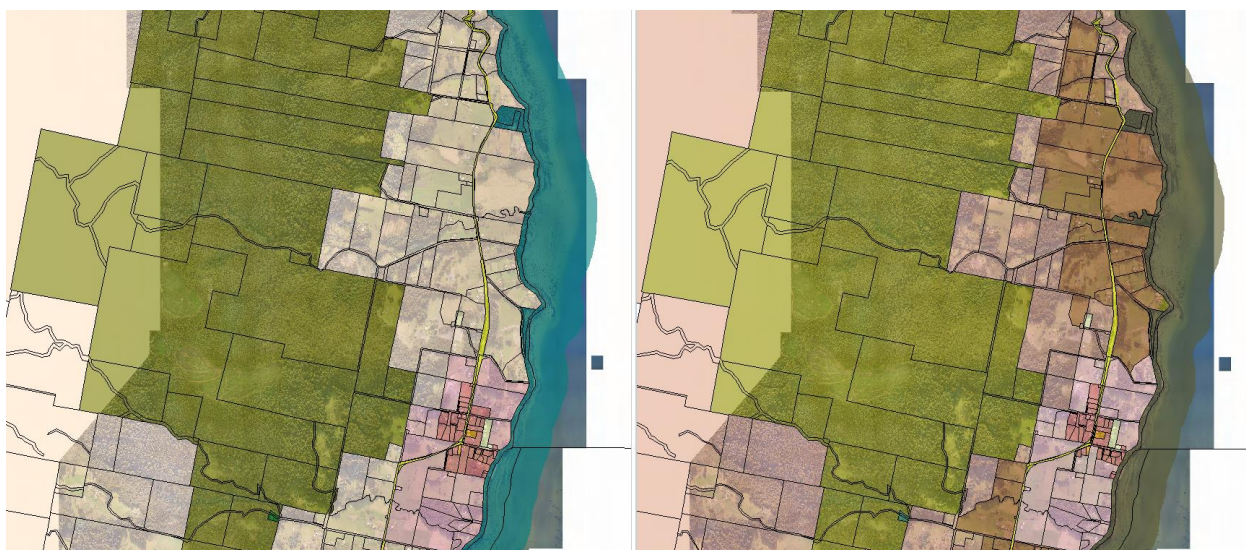


Figure 54: Landscape Conservation Zone application – west of Middleton



Figure 55: Landscape Conservation Zone application – Simpsons Bay, Bruny Island

#### 5.1.15.2 Low Density Residential Zone to Landscape Conservation Zone

The area around Tyndall Road in Bonnet Hill has been proposed to be zoned as Landscape Conservation. The lots are largely covered by threatened vegetation, which also contains significant habitat for the critically endangered Swift Parrot.

Under KIPS2015 the minimum lot size is 5,000m<sup>2</sup> and the vegetation is listed as a high priority under Code E10.0 *Biodiversity Code*. Under the SPPs, the minimum lot size is to be reduced for Low Density Residential to 1,500m<sup>2</sup> and impacts on the priority vegetation are only considered in the case of subdivision. No consideration is given to development of the lots for multi-unit housing (which is permitted under the SPPs within the Low Density Residential Zone), visitor accommodation or other development types.

In the earlier Kingborough Planning Scheme 2000, the same land was zoned as Environmental Management (Isolated Settlement). Additional dwellings are not desired within this area because of road and access constraints (including narrow roads with no roadside parking and poor accesses on to the Channel Highway), impact on views from Kingston Beach and other natural hazards (eg slope, bushfire). The Landscape Conservation Zone (and its associated development controls) is most similar to previous planning regimes in KIPS2015 and KPS2000.

Collectively, these lots represent a large area of native vegetation which is not otherwise reserved, but contains threatened species and regionally important native vegetation. Therefore the proposed zoning meets the requirements of Guideline No.1 to zone as Landscape Conservation.





Figure 56: Landscape Conservation Zone application – Tyndal Road, Bonnet Hill

#### 5.1.15.3 Rural Living Zone to Landscape Conservation Zone

The Landscape Conservation Zone has been applied to some land that is zoned Rural Living Zone in KIPS2015, where the land has extensive vegetation coverage (including large areas of important native vegetation and areas of important scenic values) and has an important role in providing habitat corridors. The lots that are being proposed to be zoned as Landscape Conservation still retain some potential for small scale use or development, therefore existing use rights have not been removed.

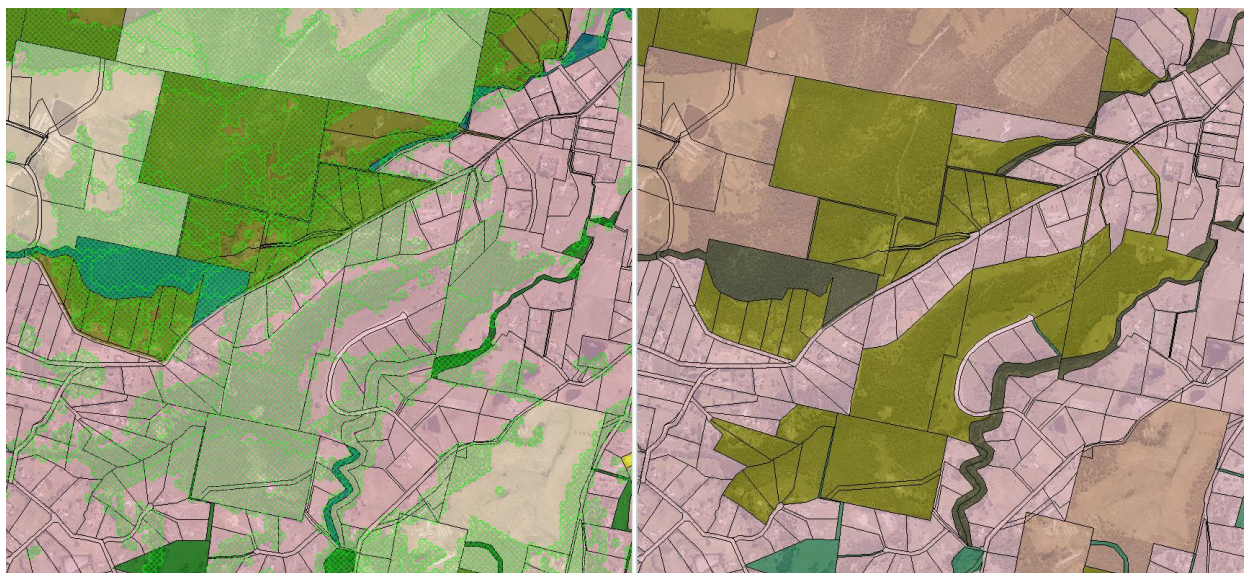


Figure 57: Landscape Conservation Zone application – west of Margate



#### 5.1.15.4 Rural Resource Zone to Landscape Conservation Zone

Similar to the above, there is land in Kingborough which has landscape values and has significant constraints on development due to the application of the Natural Assets Code and that it is essentially covered by native vegetation. Specifically, there are some land parcels which are zoned Rural Resource Zone in KIPS2015, but where it is not appropriate to zone as Rural or Agriculture in the Kingborough draft LPS. This is because it does not meet the criteria, but it is also not appropriate to be zoned as Rural Living because of the landscape values and the need for environmental protection. See Figures 58 and 59 below.



Figure 58: Landscape Conservation Zone application – west of Oyster Cove



Figure 59: Landscape Conservation Zone application – Nicholls Rivulet Road area, Oyster Cove



### 5.1.16 Environmental Management Zone

The purpose of the land to which the Environmental Management Zone has been applied to in the Kingborough draft LPS is to provide for the protection, conservation and management of land with significant ecological, scientific, cultural and/or scenic values.

**Table 31: Zone application compliance – Environmental Management Zone**

Reference	Kingborough draft LPS application compliance
<b>EMZ 1</b> The Environmental Management Zone should be applied to land with significant ecological, scientific, cultural or scenic values, such as:  (a) land reserved under the <i>Nature Conservation Act 2002</i> ; (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.	The Environmental Management Zone has been applied in the Kingborough draft LPS to land with significant ecological, scientific, cultural and/or scenic values.
<b>EMZ 2</b> The Environmental Management Zone should be applied to land seaward of the high water mark unless contrary intention applies, such as land with existing, or intended for:  (a) passive recreation opportunities (see Open Space Zone); (b) recreational facilities (see Recreation Zone); (c) large scale port and marine activities or facilities (see Port and Marine Zone); (d) industrial activities or facilities (see industrial zones); or (e) major utilities infrastructure (see Utilities Zone).	The Environmental Management Zone has been applied in the Kingborough draft LPS to land which is seaward of the high water mark, except in instances where the contrary intention applies.  See Open Space Zone, Port and Marine Zone, Light Industrial Zone and Utilities Zone sections of this report for examples.

Reference	Kingborough draft LPS application compliance
<b>EMZ 3</b> The Environmental Management Zone may be applied to land for water storage facilities directly associated with major utilities infrastructure, such as dams.	The Environmental Management Zone has not been applied in the Kingborough draft LPS to land for water storage facilities directly associated with major utilities infrastructure.

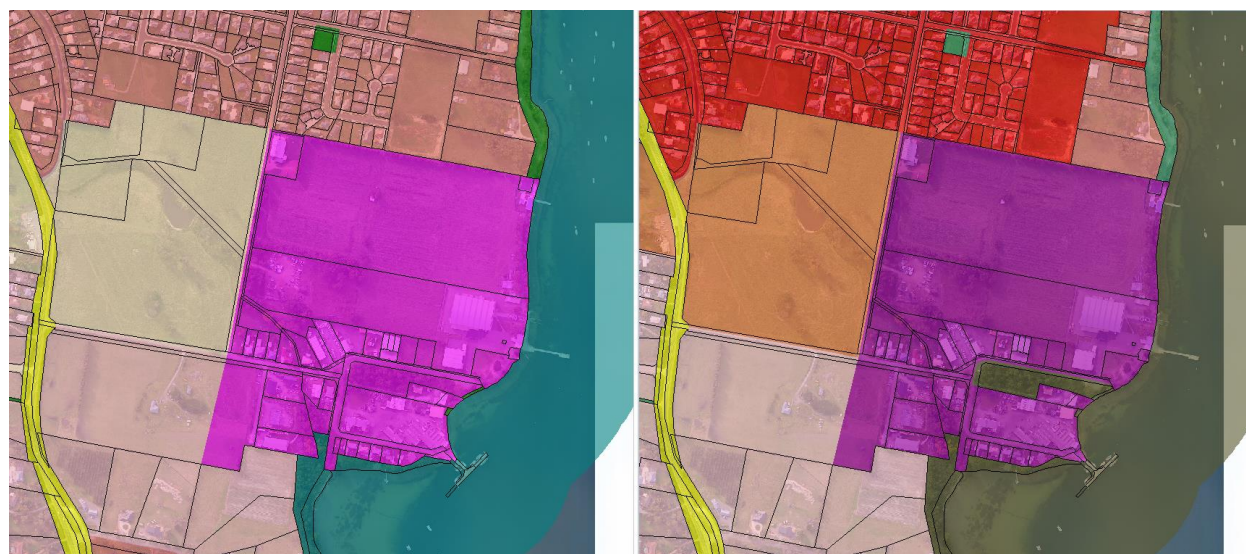
The following parcels of land which have been zoned as Environmental Management in Kingborough draft LPS were not previously zoned Environmental Management in KIPS 2015. Justification is given for the proposed non-transitioning zoning.

#### **5.1.16.1 Light Industrial Zone to Environmental Management Zone**

The land at PID 5784748 is land owned by DPIPWE (Crown Land Services) and is classified as a recreation reserve.

The current zoning of Light Industrial in KIPS2015 is inappropriate as the land is not intended for industrial activities. The land's purpose is to provide protection, conservation and management of the land, aligning with the purpose of the Environmental Management Zone. In KIPS2015, the land is protected by the Biodiversity Protection Area overlay (demonstrating the land's ecological values) but this would not be the case in the LPS.

The land parcel meets criterion EMZ 1 from Guideline No.1 to be zoned as Environmental Management due to it being public land where the primary purpose is for the protection and conservation of the significant ecological values.



**Figure 60: Environmental Management Zone application - Margate (PID 5784748)**

#### **5.1.16.2 Environmental Living Zone to Environmental Management Zone**

Three land parcels have been proposed to be zoned Environmental Management in the Tinderbox area which are private lands containing significant environmental values:

- 441 Tinderbox Road, Tinderbox TAS 7054 (CT – 139168/1; PID 7438654) (a portion of the land);
- 290 Tinderbox Road, Tinderbox TAS 7054 (CT – 48551/1; PID 7691887) (a portion of the land); and
- 207 Tinderbox Road, Tinderbox TAS 7054 (CT – 244683/1; PID 7426397).

Several land parcels in the area are owned by Parks and Wildlife Services and Kingborough Council, and are zoned Environmental Management in KIPS2015 and are intended to be zoned Environmental Management in Kingborough draft LPS. Most land within the Tinderbox peninsular is known to provide important habitat for threatened vegetation and fauna. It is a highly regarded biodiversity corridor that connects through to north Bruny.

The land's purpose is to provide protection, conservation and management of the land, aligning with the purpose of the Environmental Management Zone. In KIPS2015, the land is affected by multiple relevant environmental overlays, demonstrating the important ecological and scenic values:

- Scenic Landscape Area;
- Biodiversity Protection Area; and
- Waterway and Coastal Protection Area.

The land parcels not currently zoned Environmental Management meet criterion EMZ 1 from Guideline No.1 to be zoned as Environmental Management, due to them being private land containing significant values identified for protection/conservation and where the intention is to limit use and development.

An SSQ is proposed for the lot (207 Tinderbox Road) which has a conservation covenant under the *Nature Conservation Act 2002*. The covenant identifies a building envelope for a residential purpose, but the land is to be otherwise managed as a reserve. The SSQ will ensure that there is no loss of existing land use rights as it will allow for the construction of a single dwelling.



**Figure 61: Environmental Management Zone application – Tinderbox**



### 5.1.16.3 Council-owned land to Environmental Management Zone

There are several small parcels of Council-owned land which are proposed to be zoned Environmental Management in the Kingborough draft LPS. These parcels are heavily vegetated with priority vegetation and many of these parcels act as connectors to larger conservation areas. Zoning these parcels of land as Environmental Management will ensure they continue to function as habitat corridors and flora refuge areas.

The current zoning of these lots (often Rural Living) is inappropriate as the land is not intended for intensive use or development. The lands' purpose is to provide protection, conservation and management of the land, aligning with the purpose of the Environmental Management Zone. In KIPS2015, all of the parcels of land are affected by at least one of the two relevant environmental overlays below, demonstrating the land's ecological values:

- Waterway and Coastal Protection Area; and
- Biodiversity Protection Area.

These parcels meet criterion EMZ 1 from Guideline No.1 to be zoned as Environmental Management due to being public land where the primary purpose is for the protection and conservation of the significant ecological values.

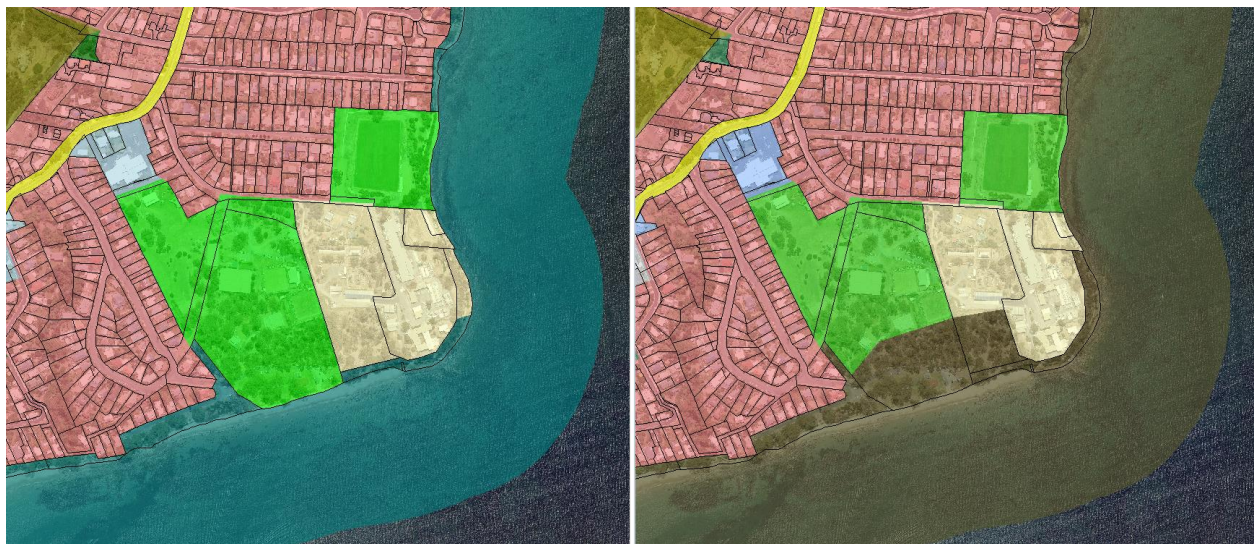
Examples are included below.

The land at CT – 173336/3 (PID 3533267) is land which was transferred to Kingborough Council as part of a subdivision application (DAS-2015-52). The two parcels of land immediately adjacent are zoned Environmental Management in KIPS2015, and proposed to be zoned Environmental Management in Kingborough draft LPS. They are owned by DPIPWE (Crown Land Services) (CT – 51775/11 and CT – 52120/100). These lands are classified as public reserves.



Figure 62: Environmental Management Zone application – Kingston (PID 3533267)

The public land at Taroona Beach and off Nubeena Crescent is of high conservation value. This is a coastal strip that is well-vegetated and quite steeply sloping in parts. The ecological values are significant at both a Tasmanian and national level. The land contains a patch of dry Blue Gum (*Eucalyptus globulus*) dominated forest on the main slope. The forest is generally open in nature with native grass understorey. The site also contains Black Gum (*Eucalyptus ovata*) and White Gum (*Eucalyptus viminalis*). Blue Gum, and to a less extent Black Gum, are key foraging resources for the critically endangered Swift Parrot (*Lathamus discolor*), which utilises the coastal forests and hills of Taroona for foraging. The site has a mix of large foraging trees and potential nesting habitat in the older hollow-bearing trees. This vegetation is classified as significant habitat for the Swift Parrot, giving the vegetation a high priority biodiversity value under KIPS2015. This includes the parcel of land that was recently transferred from UTAS to the Council in order to protect the identified environmental values.



**Figure 63: Environmental Management Zone application – Nubeena Crescent, Taroona**

South-west of Margate and south of Blackmans Bay, there are thin strips of Council owned properties that provide local biodiversity corridors. Some of these have been zoned as Environmental Management in KIPS2015 and it is proposed to continue this zoning through to some other similar parcels. See Figures 64 and 65 below.





Figure 64: Environmental Management Zone application – southwest of Margate



Figure 65: Environmental Management Zone application – Blackmans Bay/Tinderbox



### 5.1.17 Major Tourism Zone

The Major Tourism Zone has not been applied to any land within Kingborough draft LPS.

### 5.1.18 Port and Marine Zone

The purpose of the land to which the Port and Marine Zone has been applied to in the Kingborough draft LPS is to provide for major port and marine activities, including associated transport facilities and supply and storage.

**Table 32: Zone application compliance – Port and Marine Zone**

Reference	Kingborough draft LPS application compliance
<b>PMZ 1</b> The Port and Marine Zone should be applied to land that is used for large scale port and marine activity, including proclaimed wharf areas as described under section 11(7) of the <i>Land Use Planning and Approvals Act 1993</i> .	The Kingborough municipality does not contain any proclaimed wharf areas, therefore PMZ 1 is not applicable.
<b>PMZ 2</b> The Port and Marine Zone may be applied to land seaward of the high water mark where it includes existing, or is intended for, large scale port and marine activities or facilities.	The Port and Marine Zone has been applied in the Kingborough draft LPS to land seaward of the high water. This relates to the existing use at Kettering Marina.
<b>PMZ 3</b> The Port and Marine Zone should not be applied to land only intended for small scale or minor port and marine facilities, such as boat ramps, or small scale marinas or jetties.	<p>The Port and Marine Zone has not been applied in Kingborough draft LPS to land that is only intended for small scale or minor port and marine facilities.</p> <p>The Port and Marine Zone has only been applied to land at the Kettering Marina and the Crown land foreshore areas that are used for maritime industry and the Bruny Ferry terminal (see Figure 66).</p>



**Figure 66: Port and Marine Zone application – Kettering Marina**

It is proposed to include a Specific Area Plan for the area to be zoned Port and Marine. See section 8.1 of this report.

### 5.1.19 Utilities Zone

The purpose of the land to which the Utilities Zone has been applied to in Kingborough draft LPS is to provide land for major utilities installations and corridors.

**Table 33: Zone application compliance – Utilities Zone**

Reference	Kingborough draft LPS application compliance
<p><b>UZ 1</b> The Utilities Zone should be applied to land that is used, or intended to be used, for major utilities infrastructure, including:</p> <ul style="list-style-type: none"> <li>(a) category 1, 2, 3, 4 and 5 roads as defined in the Tasmanian State Road Hierarchy published by the Tasmanian Department of State Growth;</li> <li>(b) any listed major local roads;</li> <li>(c) future road corridors for major local and all State roads;</li> <li>(d) energy production facilities, such as power stations, and major electricity substation facilities;</li> <li>(e) waste water treatment plants; or</li> <li>(f) rail corridors.</li> </ul>	<p>The Utilities Zone has been applied in the Kingborough draft LPS to land that is used, or intended to be used, for major utilities infrastructure.</p>

Reference	Kingborough draft LPS application compliance
<b>UZ 2</b> The application of the Utilities Zone to category 1, 2, 3, 4 or 5 roads as defined in the <i>Tasmanian State Road Hierarchy</i> should be based on the 'State Road Casement' layer published on the LIST.	The Utilities Zone has been applied in Kingborough draft LPS to land that is categorised as 1, 2, 3, 4 and 5 roads as defined in the <i>Tasmanian State Road Hierarchy</i> , as per the 'State Road Casement' layer published on the LIST.  Example of zoning: Ferry Road, Kettering – including the ferry marshalling area (see Figure 67).
<b>UZ 3</b> The Utilities Zone may be applied to land that provides, or is intended to provide, for major waste transfer stations, recycling depots or refuse disposal sites.	The Utilities Zone has been applied in the Kingborough draft LPS to land that provides for major waste transfer stations, recycling depots and refuse disposal sites.  Example of zoning: Barretta Waste Management Facility (see Figure 68).
<b>UZ 4</b> The Utilities Zone may be applied to land for water storage facilities for the purposes of water supply directly associated with major utilities infrastructure, such as dams or reservoirs.	The Utilities Zone has been applied in Kingborough draft LPS to land for water storage facilities for the purpose of water supply directly associated with major utilities infrastructure.
<b>UZ 5</b> The Utilities Zone may be applied to land seaward of the high water mark where it includes existing, or is intended for, port and marine activities or facilities.	The Utilities Zone has been applied in the Kingborough draft LPS to land seaward of the high water mark in two instances: Channel Highway over Snug Creek and Flights Creek. These are existing land uses and are specific land areas that are categorised as 1, 2, 3, 4 and 5 roads as defined in the <i>Tasmanian State Road Hierarchy</i> , as per the 'State Road Casement' layer published on the LIST. However, these areas are not port and marine activities or facilities.  See Figure 69 and Figure 70. The dark blue line in the figures indicates the high water mark.
<b>UZ 6</b> The Utilities Zone should not be used for minor utilities or underground utilities as these are more appropriately contained with the surrounding zone to which it is located.	The Utilities Zone has not been applied in Kingborough draft LPS to land that is used for minor utilities or underground utilities.



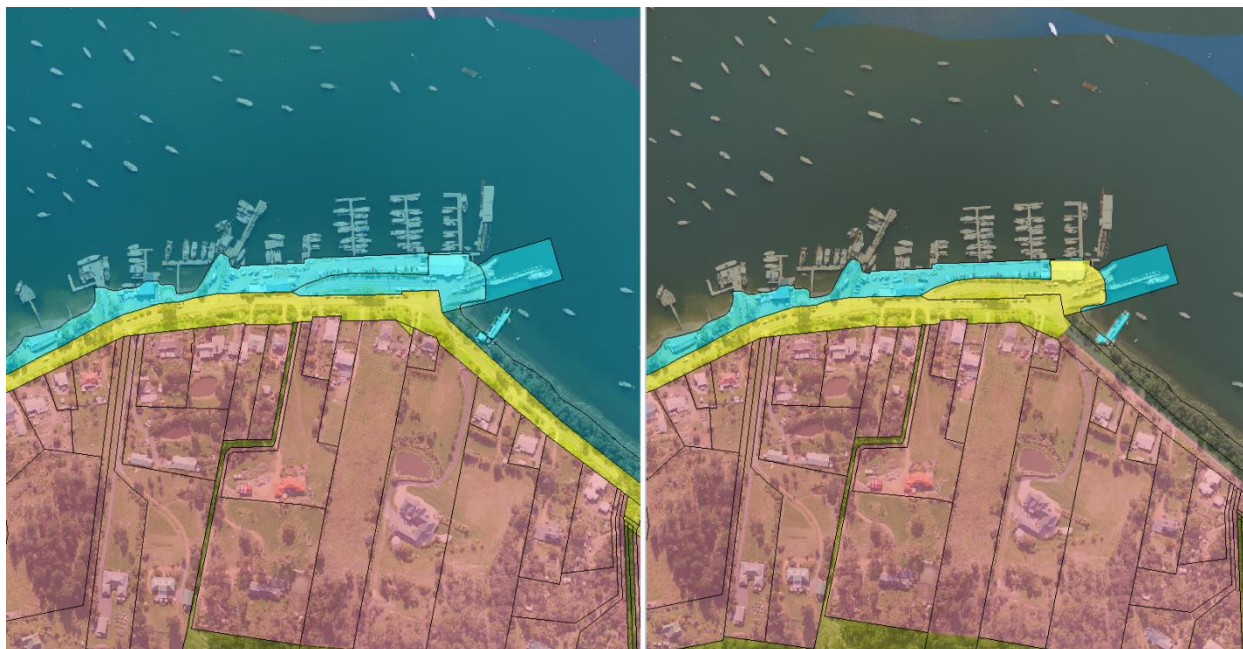


Figure 67: Utilities Zone application – Ferry Road, Kingston

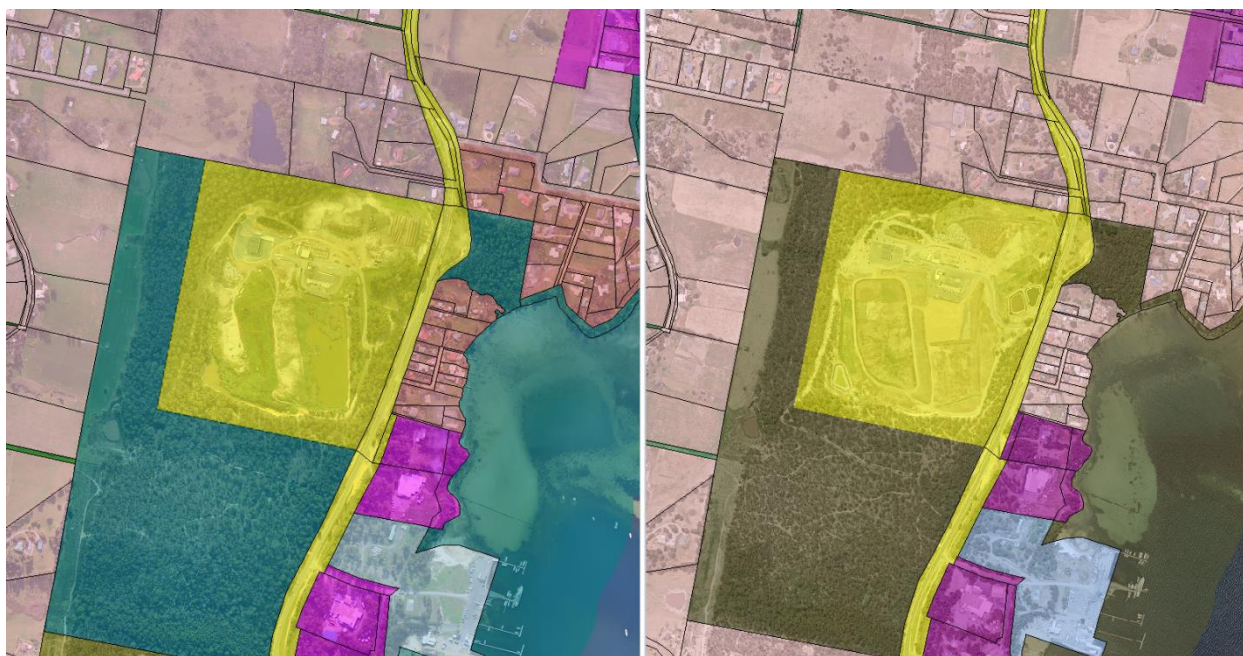


Figure 68: Utilities Zone application – Barretta Waste Management Facility



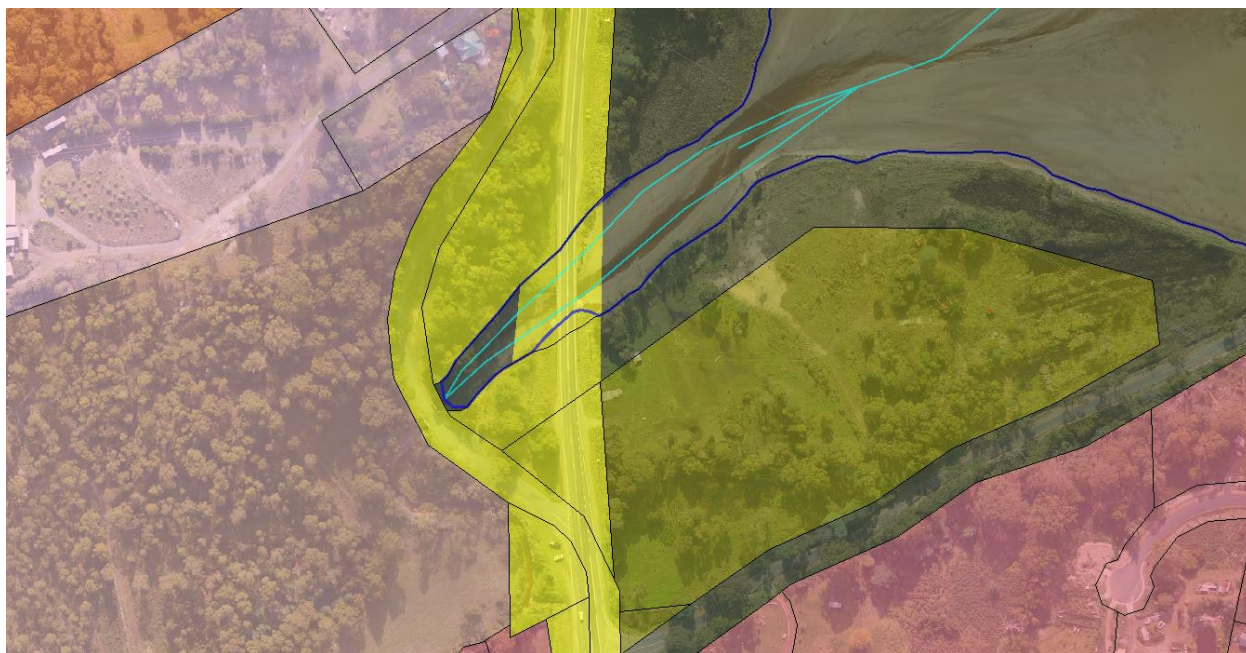


Figure 69: Utilities Zone application – land seaward of high water mark –Channel Highway over Snug Creek

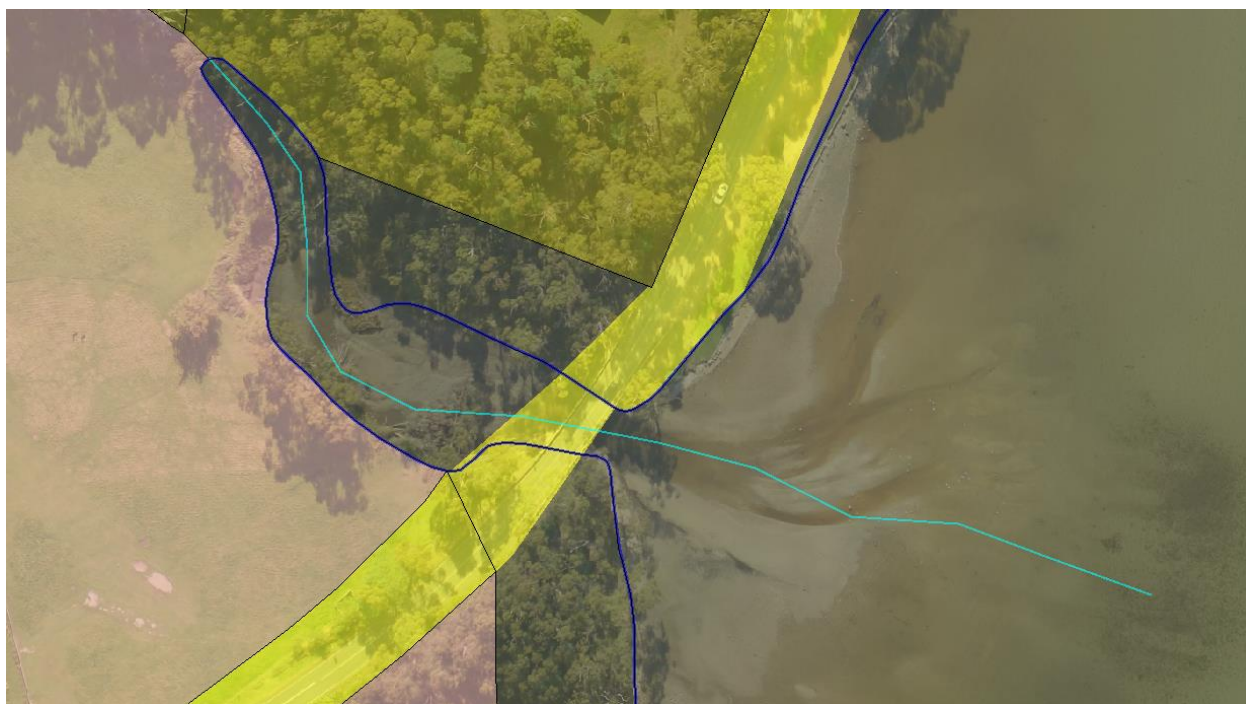


Figure 70: Utilities Zone application – land seaward of high water mark –Channel Highway over Flights Creek

### 5.1.20 Community Purpose Zone

The purpose of the land to which the Community Purpose Zone has been applied to in the Kingborough draft LPS is to provide for key community facilities and services, as well as encourage multi-purpose, flexible and adaptable social infrastructure.

**Table 34: Zone application compliance – Community Purpose Zone**

Reference	Kingborough draft LPS application compliance
<p><b>CPZ 1</b> The Community Purpose Zone should be applied to land that provides, or is intended to provide, for key community facilities and services, including:</p> <ul style="list-style-type: none"> <li>(a) schools, tertiary institutions or other education facilities;</li> <li>(b) medical centres, hospital services or other care-based facilities;</li> <li>(c) emergency services facilities; or</li> <li>(d) large community halls, places of worship or other key community or cultural facilities.</li> </ul>	<p>The Community Purpose Zone has been applied to land in the Kingborough draft LPS that provides, or is intended to provide, for key community facilities and services.</p> <p>There are no instances where the Community Purpose Zone has been applied in Kingborough draft LPS to land that is not zoned Community Purpose in KIPS2015.</p>
<p><b>CPZ 2</b> 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.</p>	<p>Community facilities that are zoned Community Purpose in KIPS2015 have been zoned Community Purpose in the Kingborough draft LPS, as the Community Purpose Zone is the most appropriate.</p> <p>Example of zoning: Kingston Beach Sailing Club (see Figure 71).</p>



**Figure 71: Community Purpose Zone application – Kingston Beach Sailing Club**



### 5.1.21 Recreation Zone

The purpose of the land to which the Recreation Zone has been applied to in the Kingborough draft LPS is to provide for active and organised recreation use and development.

**Table 35: Zone application compliance – Recreation Zone**

Reference	Kingborough draft LPS application compliance
<b>RecZ 1</b> The Recreation Zone should be applied to land that is, or is intended to be, used for active or organised recreational purposes, including:  (a) sporting grounds and facilities; (b) golf courses; (c) racecourses; and (d) major sporting facilities.	The Recreation Zone has been applied to land in the Kingborough draft LPS that is, or is intended to be, used for active or organised recreational purposes.  Example of zoning: Kingborough Sports Centre precinct in Kingston (see Figure 72).
<b>RecZ 2</b> The Recreation Zone may be applied to either public or privately owned land.	The Recreation Zone has been applied to public and privately owned land.
<b>RecZ 3</b> The Recreation Zone may be applied to land seaward of the high water mark where it includes existing, or is intended for, recreational facilities.	The Recreation Zone has not been applied in the Kingborough draft LPS to land seaward of the high water mark, therefore RecZ 3 is not applicable.
<b>RecZ 4</b> The Recreation Zone should not be used for open space areas or land predominantly intended for passive recreation.	No land in Kingborough draft LPS has been zoned Recreation where its sole intended use is for passive recreation.

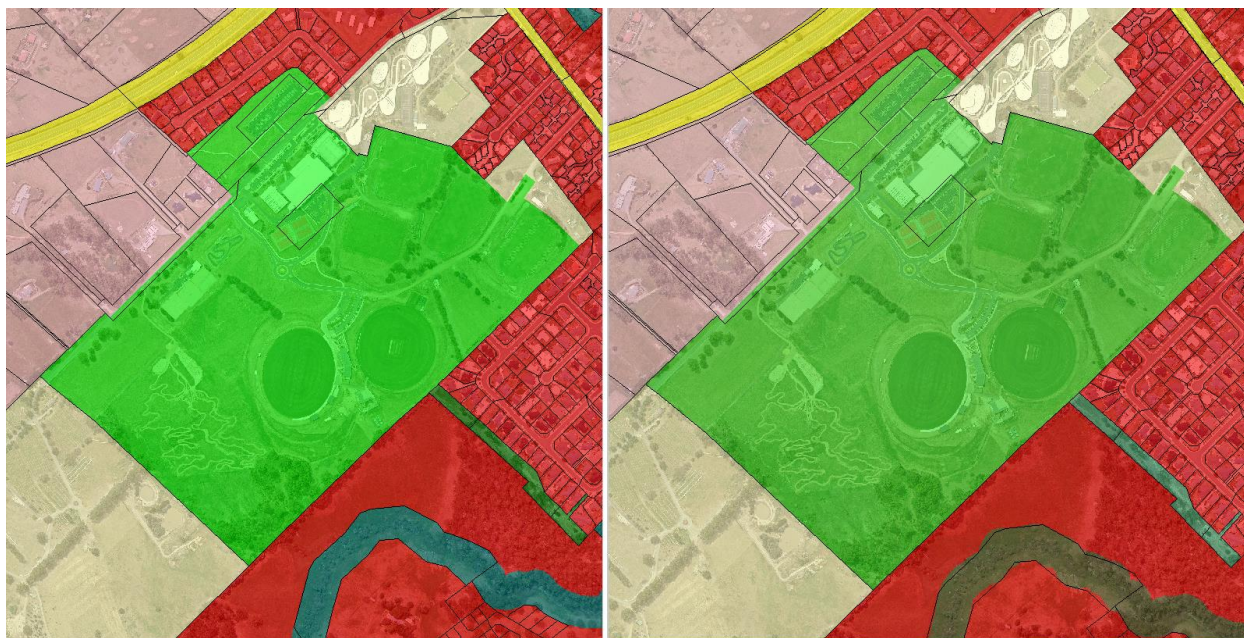


Figure 72: Recreation Zone application – Kingborough Sports Centre Precinct

### 5.1.22 Open Space Zone

The purpose of the land to which the Open Space Zone has been applied to in Kingborough draft LPS is to provide for passive recreation and natural or landscape amenity.

Table 36: Zone application compliance – Open Space Zone

Reference	Kingborough draft LPS application compliance
<p><b>OSZ 1</b> The Open Space Zone should be applied to land that provides, or is intended to provide, for the open space needs of the community, including land identified for:</p> <ul style="list-style-type: none"> <li>(a) passive recreational opportunities; or</li> <li>(b) natural or landscape amenity within an urban setting.</li> </ul>	<p>The Open Space Zone has been applied to land in the Kingborough draft LPS that provides, or is intended to provide, for the open space needs of the community, specifically passive recreational opportunities.</p> <p>Example: Public open space in Kingston Beach (PID 7339672) (see Figure 73)</p>

Reference	Kingborough draft LPS application compliance
<b>OSZ 2</b> The Open Space Zone may be applied to land seaward of the high water mark where it includes existing, or is intended for, passive recreational opportunities.	<p>The Open Space Zone has been applied in the Kingborough draft LPS to land seaward of the high water mark at Kingston Beach, Blackmans Bay Beach, and Dru Point Bicentennial Park. These three instances are existing passive recreational land uses.</p> <p>See Figure 74 to 76. The dark blue line in the figures indicates high water mark.</p>
<b>OSZ 3</b> The Open Space Zone should generally only be applied to public land, but may be applied to privately owned land if it has been strategically identified for open space purposes.	<p>The Open Space zone has been applied to public land and private land in the Kingborough draft LPS. The privately owned lands that have been zoned Open Space are part of the open space network within the municipality.</p>
<p><b>OSZ 4</b> The Open Space Zone should not be applied to land:</p> <ul style="list-style-type: none"> <li>(a) with significant natural values; or</li> <li>(b) with, or intended for, formal recreational facilities, such as sporting grounds, golf courses, racecourses or major sporting facilities.</li> </ul>	<p>No land in the Kingborough draft LPS has been zoned Open Space where the land has been identified as having significant natural values.</p> <p>No land in Kingborough draft LPS has been zoned Open Space where its sole intended use is for formal recreation.</p>



Figure 73: Open Space Zone application – Kingston Beach (PID 7339672)



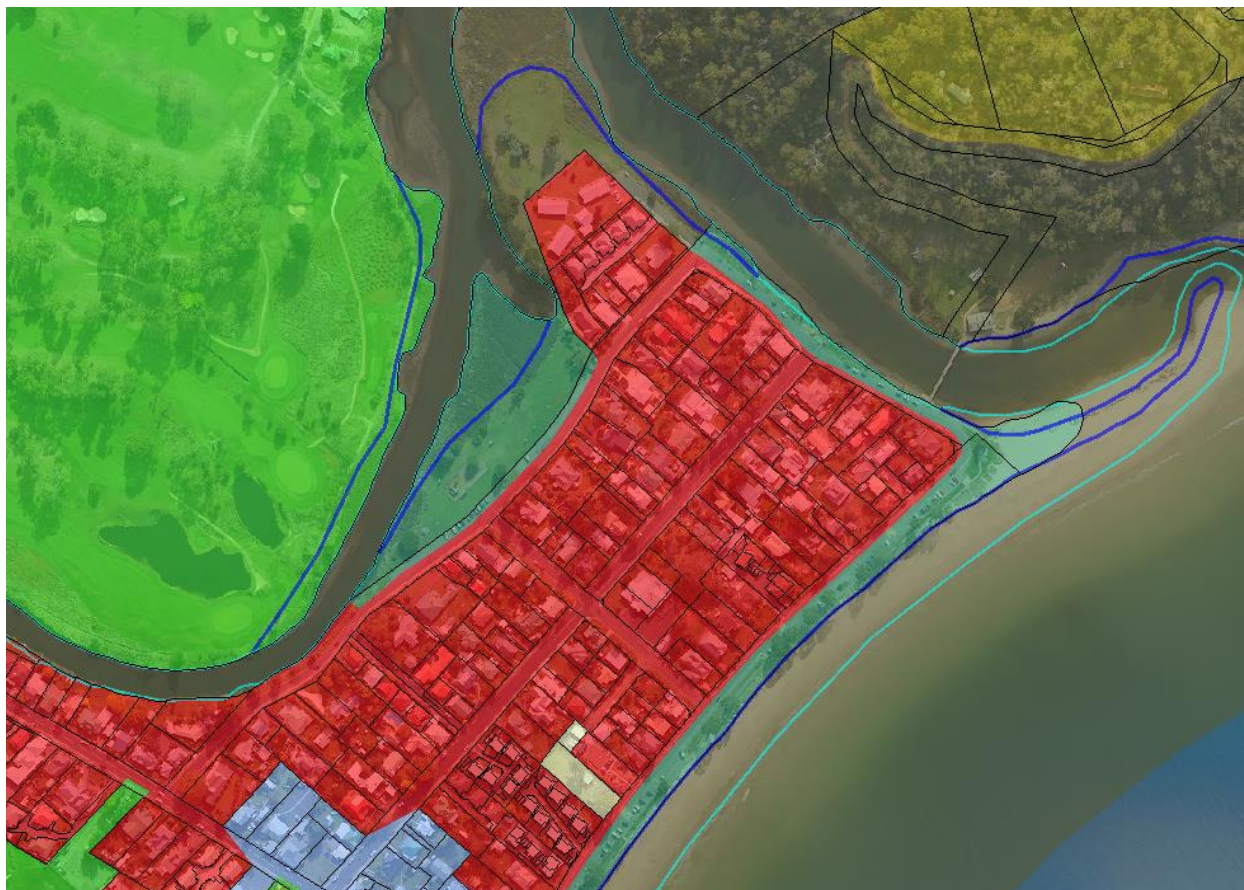


Figure 74: Open Space Zone application – land seaward of high water mark – Kingston Beach

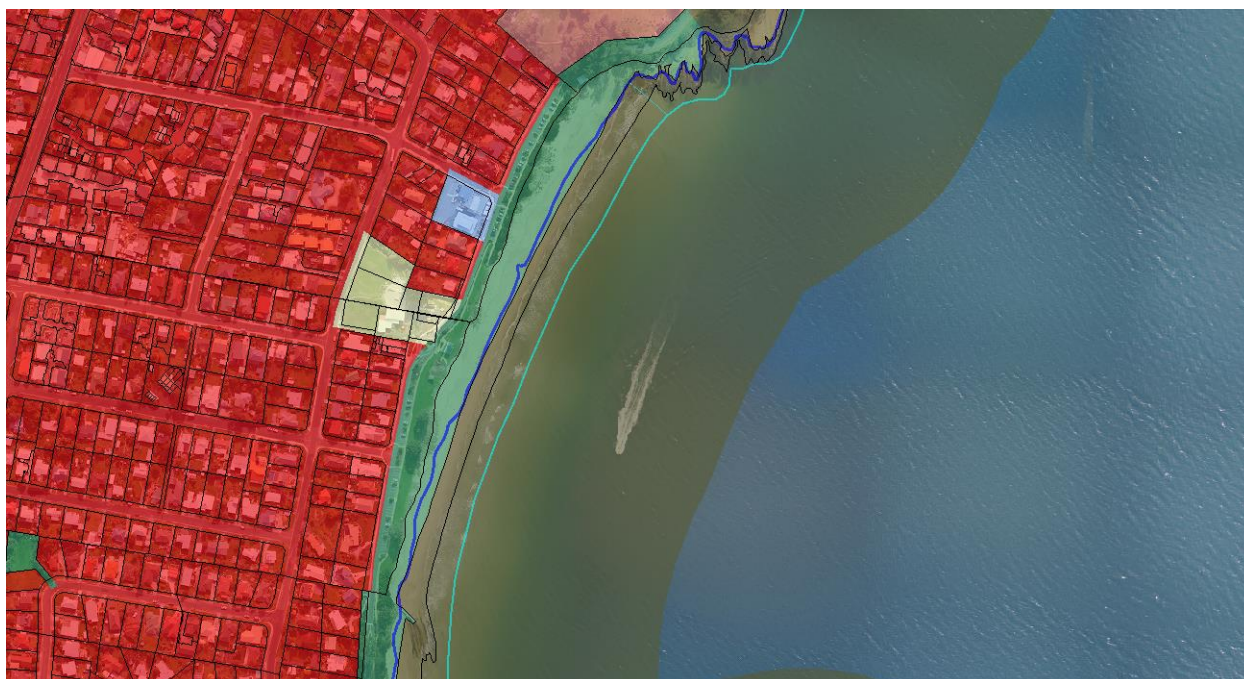


Figure 75: Open Space Zone application – land seaward of high water mark – Blackmans Bay Beach



Figure 76: Open Space Zone application – land seaward of high water mark – Dru Point Bicentennial Park

### 5.1.23 Future Urban Zone

The purpose of the land to which the Open Space Zone has been applied to in the Kingborough draft LPS is to identify land intended for future urban use and development (south of Huntingfield), and to ensure that development does not compromise the potential for future urban use and development of the land (parts of Margate and Snug).

Table 37: Zone application compliance – Future Urban Zone

Reference	Kingborough draft LPS application compliance
<b>FUZ 1</b> 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.	<p>The Future Urban Zone has been applied in the Kingborough draft LPS to the previously identified growth area in Huntingfield and to potential growth areas south of Margate and Snug (see Figure 77 to 79).</p> <p>The application of the Future Urban Zone at Margate and Snug is a result of increased wastewater treatment capacity and a high demand for new residential areas within the municipality.</p>



Reference	Kingborough draft LPS application compliance
<b>FUZ 2</b> 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.	<p>The Future Urban Zone has been applied in the Kingborough draft LPS to land identified in 32.0 <i>Particular Purpose Zone 1 – Urban Growth Zone</i> in KIPS 2015.</p> <p>Example: Huntingfield (see Figure 77).</p>
<b>FUZ 3</b> 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	KIPS 2015 does not identify any land as future urban land within a code or specific area plan overlay. Therefore FUZ 3 is not applicable.
<b>FUZ 4</b> The Future Urban Zone may be applied to sites or areas that require further structure or master planning before its release for urban development.	<p>The Future Urban Zone has been applied to potential growth areas south of Margate and Snug, which require structure/master planning before potential release for urban development. Both potential growth area localities may contain significant portions of non-residential land due to site constraints. Structure and/or master planning will identify these potential constraints and how the land is to be subsequently zoned.</p>

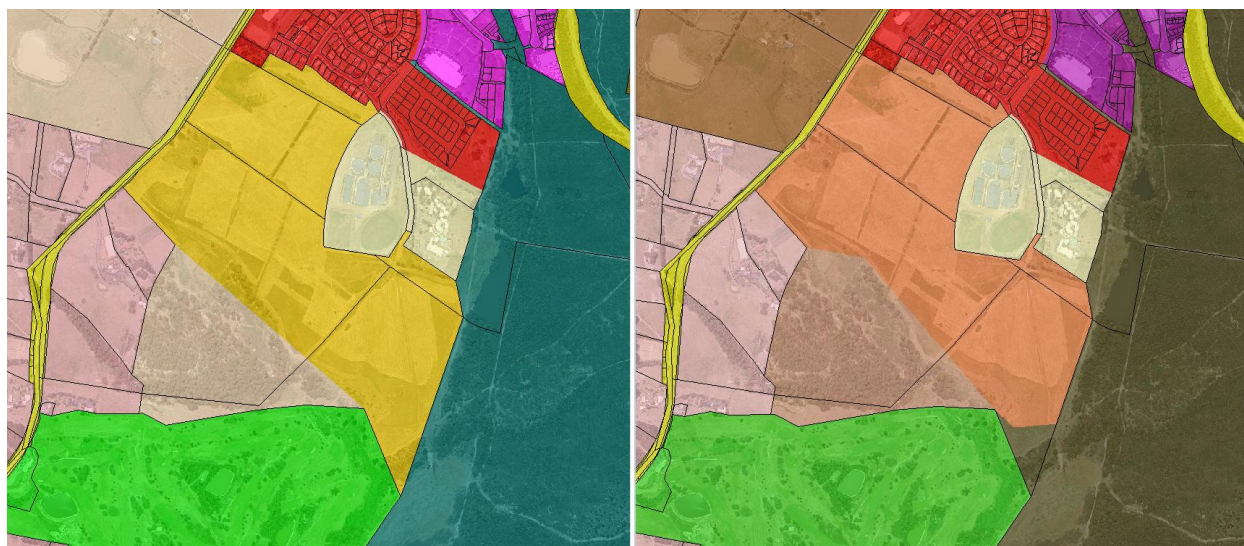


Figure 77: Future Urban Zone application – Huntingfield



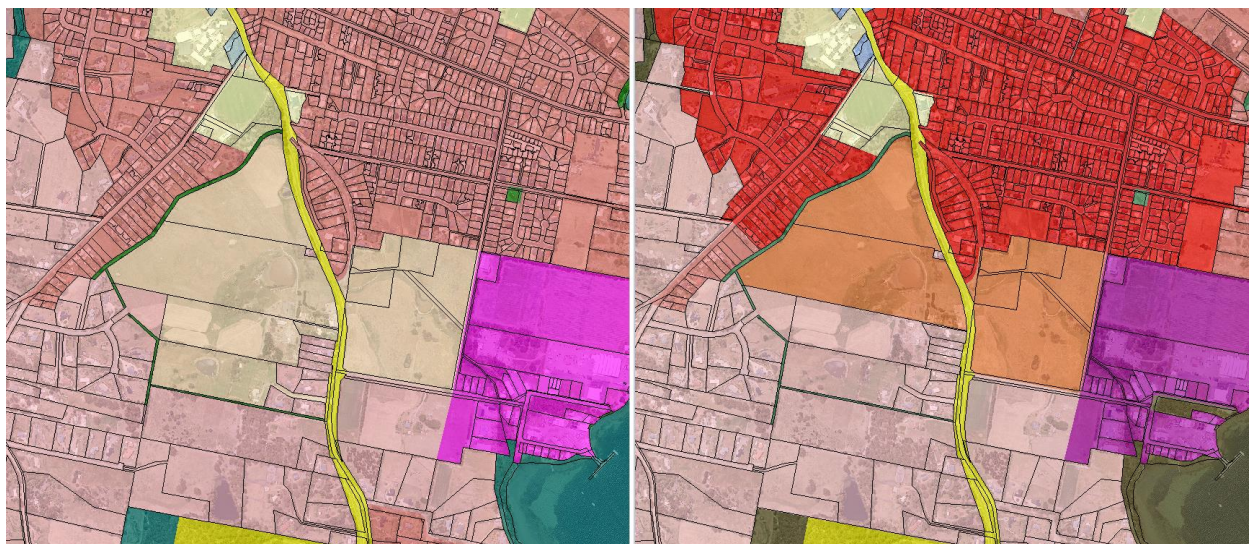


Figure 78: Future Urban Zone application – Margate

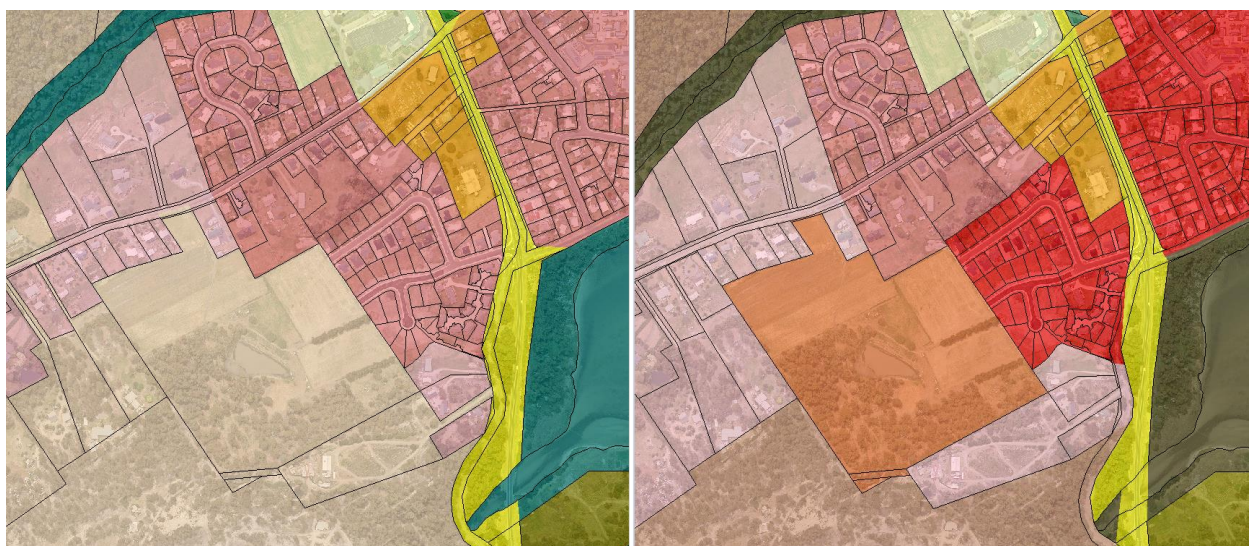


Figure 79: Future Urban Zone application – Snug

### 5.1.24 Particular Purpose Zone

Table 38: Zone application compliance – Particular Purpose Zone

Reference	Kingborough draft LPS application compliance
<b>PPZ 1</b> A Particular Purpose Zone (PPZ) may be applied to a particular area of land where the intended planning outcomes cannot be achieved through the application of one or more State Planning Provision zones. It may be applied to land that provides major facilities or sites which require a unique or tailored approach to both use and development standards, such as a university campus, or major hospital site.	The land to which the Particular Purpose Zone has been applied is related to land that the PPU audit declared is subject to the transitional provisions under schedule 6, clause 8(1) of LUPAA.  See section 0 of this report for further information.

## 6 State-wide Agricultural Land Mapping

### 6.1 Background

The Kingborough draft LPS is required to zone rural land that is currently under the Rural Resource Zone into the Rural Zone and the Agriculture Zone. These zones were created to recalibrate the Rural Resource Zone and the Significant Agriculture Zone which were inconsistently used and applied in interim schemes across the State.

The State Government commissioned a State-wide Agricultural Land Mapping Project (the Project) with the primary aim of identifying Tasmania's existing and potential agricultural land, and to provide guidance to local planning authorities on the spatial application of the Agriculture Zone within their municipal areas.

The Project identified that the Rural Resource Zone and the Significant Agriculture Zone were not fit for purpose. The Significant Agriculture Zone was too narrow in its scope in that it was limited to 'land for higher productivity value agriculture dependent on soils as a growth medium'. The Rural Resource Zone then had to capture all other agricultural land that was not deemed as having 'higher productivity value'.

The new Agriculture Zone is intended to provide a much broader scope for the identification and protection of agricultural land in Tasmania, with priority given to agricultural uses.

The Rural Zone provides for the remaining rural land where there is limited or no potential for agriculture. The Rural Zone provides for all agricultural uses to occur in conjunction with a range of rural businesses and industries.

It should be noted that the Project excluded certain land uses such as forestry in their analysis, which was better suited to the Rural Zone as a strategically important naturally occurring resource.

### 6.2 Mapping

The Project produced two mapping layers that were made available on the LIST website, which included:

- Potential Agricultural Land Initial Analysis (Layer 1); and
- Land Potentially Suitable for Agriculture (Layer 2).

Layer 2 included a constraints analysis and indicates land that is:

- Unconstrained agricultural land;
- Potentially constrained agricultural land (Criteria 2A);
- Potentially constrained agricultural land (Criteria 2B); and
- Potentially constrained agricultural land (Criteria 3).

The constraints analysis is based on the table below:



**Table 39: Constraints analysis - agricultural land mapping**

<b>Unconstrained</b>	<b>Potentially constrained (Criteria 2A)</b>	<b>Potentially constrained (Criteria 2B)</b>	<b>Potentially constrained (Criteria 3)</b>
<ul style="list-style-type: none"> <li>- an area greater than the Criteria 1 size thresholds; or</li> <li>- an area less than the Criteria 1 thresholds, but adjoining another title with an area greater than the Criteria 1 size thresholds and a capital value of less than \$50,000/ha.</li> </ul>	<ul style="list-style-type: none"> <li>- an area less than the Criteria 1 size thresholds;</li> <li>- a capital value of greater than \$50,000/ha; and</li> <li>- not adjoining a residential zone.</li> </ul>	<ul style="list-style-type: none"> <li>- an area less than the Criteria 1 size thresholds;</li> <li>- a capital value of greater than \$50,000/ha; and</li> <li>- not adjoining a title with an area greater than the Criteria 1 size thresholds; and</li> <li>- not adjoining a residential zone.</li> </ul>	<ul style="list-style-type: none"> <li>- an area less than the Criteria 1 size thresholds;</li> <li>- a capital value of greater than \$50,000/ha, or not adjoining a title with an area greater than the Criteria 1 size thresholds; and</li> <li>- adjoining a residential zone.</li> </ul>

### 6.3 Zone application

The Guidelines require the application of the Agriculture Zone to be based on the land identified in Layer 2, but provide for any analysis at the local level that:

- incorporates more recent or detailed analysis or mapping;
- better aligns with on-ground features; or
- addresses any anomalies or inaccuracies in the layer.

The Southern Region Technical Working Group, supported by the Southern Tasmanian Councils Authority, engaged AK Consulting to assist with the Agriculture Zone application. The first output was the *Guidelines for Identifying Areas of Interest* which assisted councils in filtering the anomalies of the Project. This work provides guidance on selecting areas for further review (or areas of interest).

The second output was the *Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones* which provided a tool for councils to undertake further analysis of the areas of interest.

As a final step in the process, Council identified many 'areas of interest' that still required further analysis from the consultants on what the most suitable zoning would be for the land. AK Consulting provided feedback on all the areas of interest which was used to determine the final mapping.

It should be noted that the decision not to allow the priority vegetation area overlay to be applied to the Agriculture Zone is particularly problematic in allocating the Agriculture Zone. The Guidelines provide very little guidance of how this important issue should be dealt with and

there is no explanation about why this decision was made and why both agriculture and protection of priority vegetation cannot co-exist. It is also a failure of the SPP Natural Assets Code to not require priority vegetation to be allocated a low, medium or high rating to help make informed decisions about prioritising native vegetation.

The feedback from AK Consulting in a number of instances is that the clearing of priority vegetation will still be covered under the Forest Practices Code. However, the Forest Practices Code does not consider vegetation clearing that is ancillary to agriculture, such as Visitor Accommodation, Tourist Operation, etc. Because of this, split zoning with the Rural Zone and Landscape Conservation Zone has been applied to a number of parcels to allow for the priority vegetation area overlay to be applied. Generally, this has occurred where there are large areas of continuous vegetation, on steeper slopes with poor land capability.

As a consequence there have been several instances of proposed split zoning to allow for the protection of priority vegetation on agricultural land.

The table below demonstrates compliance with the application of the Agriculture Zone in the Kingborough draft LPS.

**Table 40: Zone application compliance – Agriculture Zone**

Reference	Kingborough draft LPS application compliance
<p><b>AZ 1</b> The spatial application of the Agriculture Zone should be based on the land identified in the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST, while also having regard to:</p> <ul style="list-style-type: none"> <li>(a) any agricultural land analysis or mapping undertaken at a local or regional level for part of the municipal area which: <ul style="list-style-type: none"> <li>(i) incorporates more recent or detailed analysis or mapping;</li> <li>(ii) better aligns with on-ground features; or</li> <li>(iii) addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer, and</li> </ul> </li> </ul> <p>where appropriate, may be demonstrated in a report by a suitably qualified person, and is 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;</p> <ul style="list-style-type: none"> <li>(b) any other relevant data sets; and</li> <li>(c) any other strategic planning undertaken at a local or regional level 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.</li> </ul>	<p>The Agriculture Zone has been applied in the Kingborough draft LPS to land based on the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.</p> <p>However, AK Consulting was engaged to undertake more local land analysis and as a result some land identified as land potentially suitable for Agriculture Zone has been proposed to not be zoned Agriculture.</p> <p>See section 6.3.2 for examples.</p>
<p><b>AZ 2</b> Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.</p>	<p>No land is zoned Significant Agriculture Zone in Kingborough Interim Planning Scheme 2015, therefore AZ 2 is not applicable.</p>



Reference	Kingborough draft LPS application compliance
<p><b>AZ 3</b> Titles highlighted as Potentially Constrained Criteria 2A, 2B or 3 in the 'Land Potentially Suitable for Agriculture Zone' layer may require further investigation as to their suitability for inclusion within the Agriculture Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) existing land uses on the title and surrounding land;</li> <li>(b) whether the title is isolated from other agricultural land;</li> <li>(c) current ownership and whether the land is utilised in conjunction with other agricultural land;</li> <li>(d) the agricultural potential of the land; and</li> <li>(e) any analysis or mapping undertaken at a local or regional level 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.</li> </ul>	<p>AK Consulting has undertaken further land analysis for those titles highlighted as Potentially Constrained Criteria 2A, 2B or 3 in the 'Land Potentially Suitable for Agriculture Zone' layer.</p> <p>As a result, some land has been zoned Agriculture where land has been identified as Potentially Constrained Criteria, however, surrounding lots have not been zoned Agriculture due to constraints.</p> <p>See section 6.3.1.1.</p>
<p><b>AZ 4</b> The 'Potential Agricultural Land Initial Analysis' layer may assist in making judgements on the spatial application of Agriculture Zone, including, but not limited to:</p> <ul style="list-style-type: none"> <li>(a) any titles that have or have not been included in the 'Land Potential Suitable for the Agriculture Zone' layer, including titles that are surrounded by land mapped as part of the LIST layer;</li> <li>(b) any titles highlighted as Potentially Constrained Criteria 2A, 2B or 3;</li> <li>(c) outlying titles that are either included or excluded within the 'Land Potential Suitable for the Agriculture Zone' layer; and</li> <li>(d) larger titles or those with extensive areas of native vegetation cover.</li> </ul>	<p>The 'Potential Agricultural Land Initial Analysis' layer has been used in making judgements on the spatial application of the Agriculture Zone in the Kingborough draft LPS.</p>

Reference	Kingborough draft LPS application compliance
<b>AZ 5</b> Titles may be split-zoned to align with areas potentially suitable for agriculture, and areas on the same title where agriculture is constrained. This may be appropriate for some larger titles.	Split-zoning has been proposed for some titles where some of the land is suitable for agriculture, and where some areas on the same title contain constraints.
<b>AZ 6</b> Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if: <ul style="list-style-type: none"> <li>(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;</li> <li>(b) for the identification and protection of a strategically important naturally occurring resource which requires an alternate zoning;</li> <li>(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;</li> <li>(d) for the identification, provision or protection of strategically important uses that require an alternate zone; or</li> <li>(e) it can be demonstrated that:               <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) there are significant constraints to agricultural use occurring on the land; or</li> <li>(iii) the Agriculture Zone is otherwise not appropriate for the land.</li> </ul> </li> </ul>	AK Consulting has undertaken further land analysis for those titles highlighted as in the 'Land Potentially Suitable for Agriculture Zone' layer.  As a result, some land has been alternatively zoned due to localised constraints.  See section 6.3.2.

Reference	Kingborough draft LPS application compliance
<p><b>AZ 7</b> Land not identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for inclusion within the Agriculture Zone if:</p> <ul style="list-style-type: none"> <li>(a) local or regional strategic analysis has identified the land as appropriate for the Agriculture Zone 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;</li> <li>(b) the land has similar characteristics to land mapped as suitable for the Agriculture Zone or forms part of a larger area of land used in conjunction with land mapped as suitable for the Agriculture Zone;</li> <li>(c) it can be demonstrated that the Agriculture Zone is appropriate for the land based on its significance for agricultural use; or</li> <li>(d) it addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer, and</li> </ul> <p>having regard to the extent of the land identified in the 'Potential Agricultural Land Initial Analysis' layer.</p>	<p>No land not identified in the 'Land Potentially Suitable for Agriculture Zone' layer has been proposed in the Kingborough draft LPS for inclusion within the Agriculture Zone, therefore AZ 7 is not applicable.</p>

### 6.3.1 Land proposed as Agriculture Zone

#### 6.3.1.1 Potentially constrained agriculture land

Some areas around the Lower Longley community hall, Woodbridge and Middleton have been identified in the 'Potential Agricultural Land Initial Analysis' layer. However, the land is identified in the 'Land Potentially Suitable for Agriculture Land' as Potentially Constrained Criteria 2A and 2B, and some instances 3.

Following more detailed analysis, it is considered that some of the land should be zoned Agriculture due to its current use, future potential use and lack of physical constraints. Some split zoning has been required to protect important vegetation. Surrounding land is proposed to be zoned Rural as the land meets Criteria RZ 1 – RZ 3.





Figure 80: Agriculture Zone application – Lower Longley



Figure 81: Agriculture Zone application – south of Woodbridge





Figure 82: Agriculture Zone application – north of Middleton

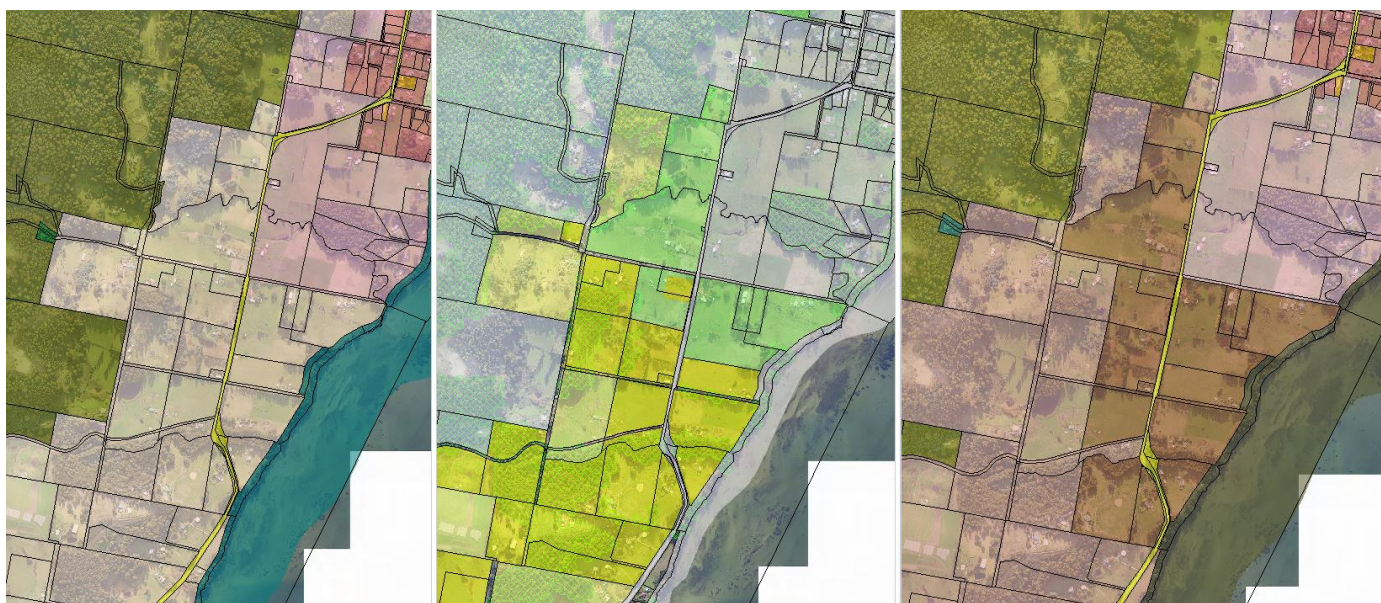


Figure 83: Agriculture Zone application – south of Middleton

### 6.3.1.2 *Potentially unconstrained constrained agriculture land*

Several areas in the Kingborough municipality have been identified in the 'Land Potentially Suitable for Agriculture Land' as Potentially Unconstrained. Many of these areas are mapped as a Biodiversity Protection Area.

Following more detailed analysis, it is considered that some of the land be zoned Agriculture due to its current use, future potential use and lack of physical constraints. Some split zoning



has been required to protect important vegetation. Surrounding land is mostly proposed to be zoned Rural as the land meets Criteria RZ 1 – RZ 3 or, where there are large swathes of vegetation then the land is proposed to be zoned Landscape Conservation as the land meets Criteria LCZ 1 – LCZ 4.

Figures 68 – 74 demonstrate where it is proposed to zone land as Agriculture in the Kingborough draft LPS.



Figure 84: Agriculture Zone application – Sandfly

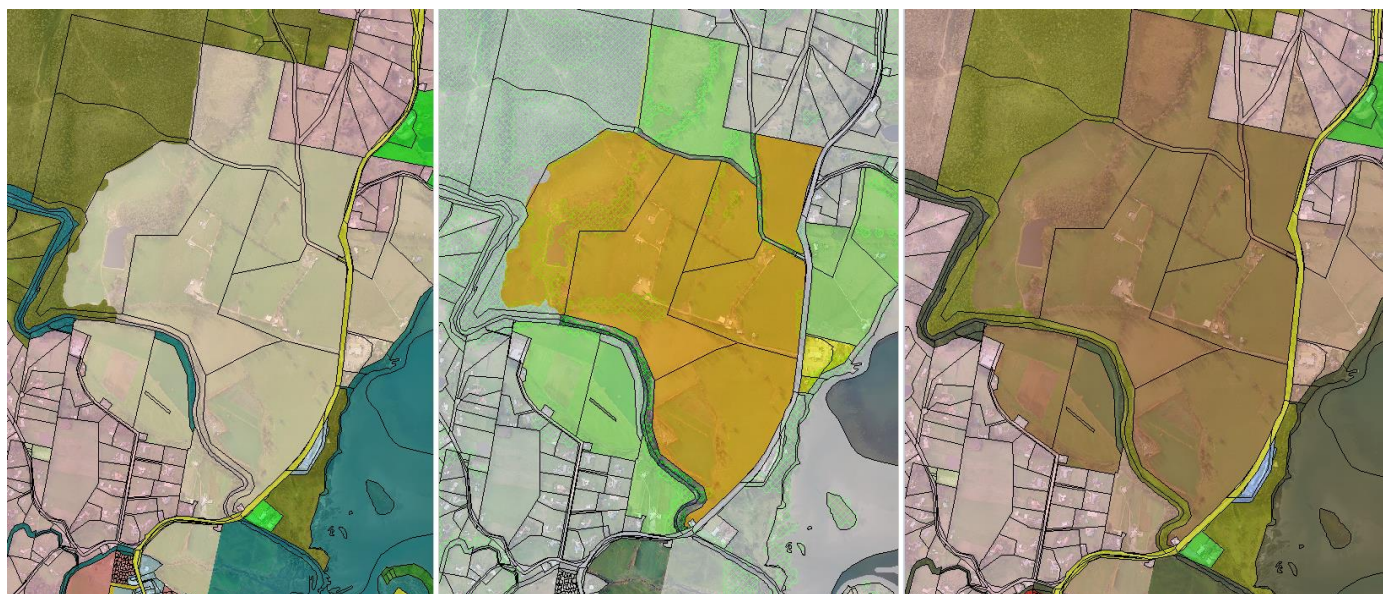


Figure 85: Agriculture Zone application – Margate





Figure 86: Agriculture Zone application – Howden



Figure 87: Agriculture Zone application – west of Woodbridge

### 6.3.2 Land not proposed as Agriculture Zone

It is noted that land capability mapping is only one aspect in assessing whether land has agricultural potential. Nevertheless, land capability mapping is useful in terms of identifying biophysical factors and physical limitations that may constrain the agricultural use of the land. It is considered these factors and limitations have been omitted from the State-wide Agricultural Land Mapping Project. This has resulted in extensive areas of land mapped as 'Unconstrained Agricultural Land' that has a land capability of Class 5 and above in the Kingborough municipality. Class 5 land has significant agricultural limitations and requires appropriate soil conservation measures and land management practices. Of greater concern is the inclusion of extensive areas of Class 6 land, which is marginally suitable for grazing because of severe limitations, has low productivity, high risk of erosion, low natural fertility or other limitations that severely restrict agricultural use and should be retained under its natural vegetation cover.

The examples below illustrate how the mapping in some areas is misleading and where land is not proposed to be zoned Agriculture. The examples below are not meant to capture all of the land which has been identified as having agricultural potential, but the same issues apply to the other lands within the municipality which have not been zoned Agriculture Zone.

#### 6.3.2.1 Oyster Cove

According to the State-wide Agricultural Land Mapping Project, several properties in Figure 75 are 'Unconstrained Agricultural Land' (orange colouring in the middle map of the figure below), with relatively large areas suitable for perennial horticulture, vegetable production and dairy. However, in reviewing the land capability, it is clear that much of the property has limitations in terms of having a land capability of Class 6. The land is also subject to low-medium landslide hazard and most of the vegetation is mapped as threatened according to the Threatened Native Vegetation Communities dataset in addition to being mapped as a Biodiversity Protection Area. Additionally, a Forty-Spotted Pardalote colony has recently been discovered on these lots, and therefore the significance of the priority vegetation has been elevated. In summary, the land is both constrained for agriculture and large sections of the area are identified for the protection of strategically important naturally occurring value/resource. Therefore it is proposed to be zoned Rural in Kingborough draft LPS (right map in figure), as the land meets Criteria RZ 1 – RZ 3.





Figure 88: Rural Zone application – Oyster Cove

### 6.3.2.2 Gordon

According to the State-wide Agricultural Land Mapping Project, several properties in Figure 89 are 'Unconstrained Agricultural Land' (orange colouring in the middle map of the figure below). However, in reviewing land capability, it is clear that these properties have limitations in that they have a land capability of Class 5 and 6. The land is also subject to low landslide hazard and all vegetation is mapped as a Biodiversity Protection Area. In summary, the land is both constrained for agriculture and large parts are identified for the protection of strategically important naturally occurring values. Therefore this area is proposed to be zoned Rural in the Kingborough draft LPS (right map in figure), as the land meets Criteria RZ 1 – RZ 3.

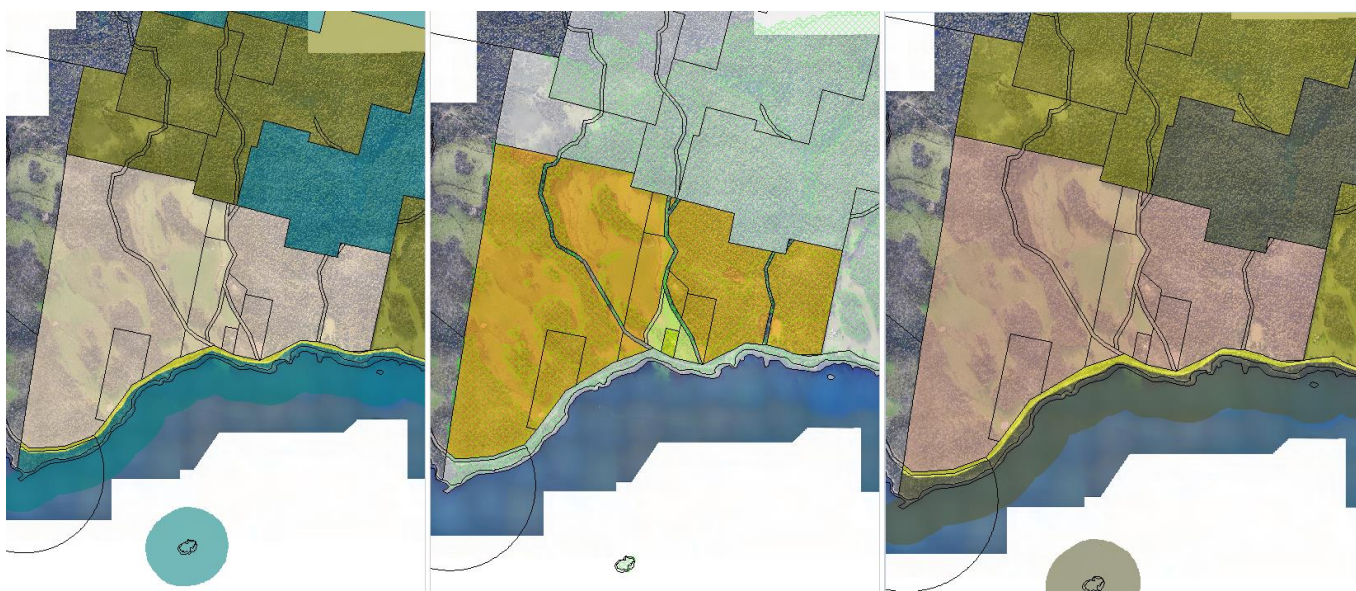


Figure 89: Rural Zone application – Gordon



### 6.3.2.3 West of Kettering

According to the State-wide Agricultural Land Mapping Project, several properties in Figure 90 are 'Unconstrained Agricultural Land' (orange colouring in the middle map of the figure below). However, in reviewing the land capability, it is clear that most of these properties have limitations in that they have a land capability of Class 5 and 6. The land is also subject to medium landslide hazard, all of the vegetation is mapped as a Biodiversity Protection Area, and the area is considered a scenic landscape area. In summary, the land is both constrained for agriculture and large sections of the area are identified for the protection of strategically important naturally occurring values. Therefore this area is proposed to be zoned Rural in the Kingborough draft LPS (right map in figure), as the land meets Criteria RZ 1 – RZ 3 to be zoned Rural for larger lots and meets Criteria RLZ 4 to be zoned Rural Living for the smaller lots.

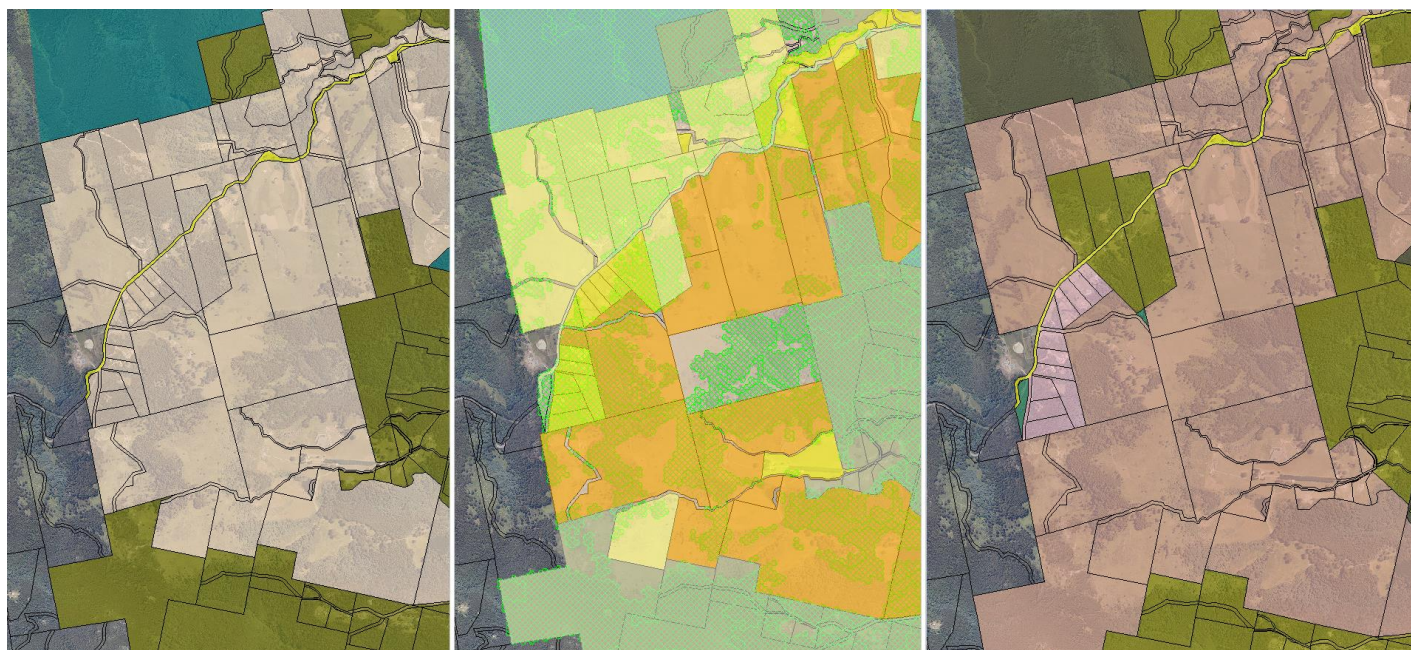


Figure 90: Rural Zone application – west of Kettering

### 6.3.2.4 Bruny Island

According to the State-wide Agricultural Land Mapping Project, several properties on Bruny Island (see Figures 78 and 79 as examples) are 'Unconstrained Agricultural Land' (orange colouring in the middle map of the figure below). However, in reviewing the land capability, it is clear that most of these properties have limitations in that they have a land capability of Class 5 and 6. Much of the land is also subject to low landslide hazard, and large areas of the vegetation are mapped as threatened, according to the Threatened Native Vegetation Communities dataset, in addition to being mapped as a Biodiversity Protection Area. In summary, the land is both constrained for agriculture and large sections of the area are identified for the protection of strategically important naturally occurring values. Therefore it is



proposed to be zoned Rural in the Kingborough draft LPS (right map in figure), as the land meets Criteria RZ 1 – RZ 3.

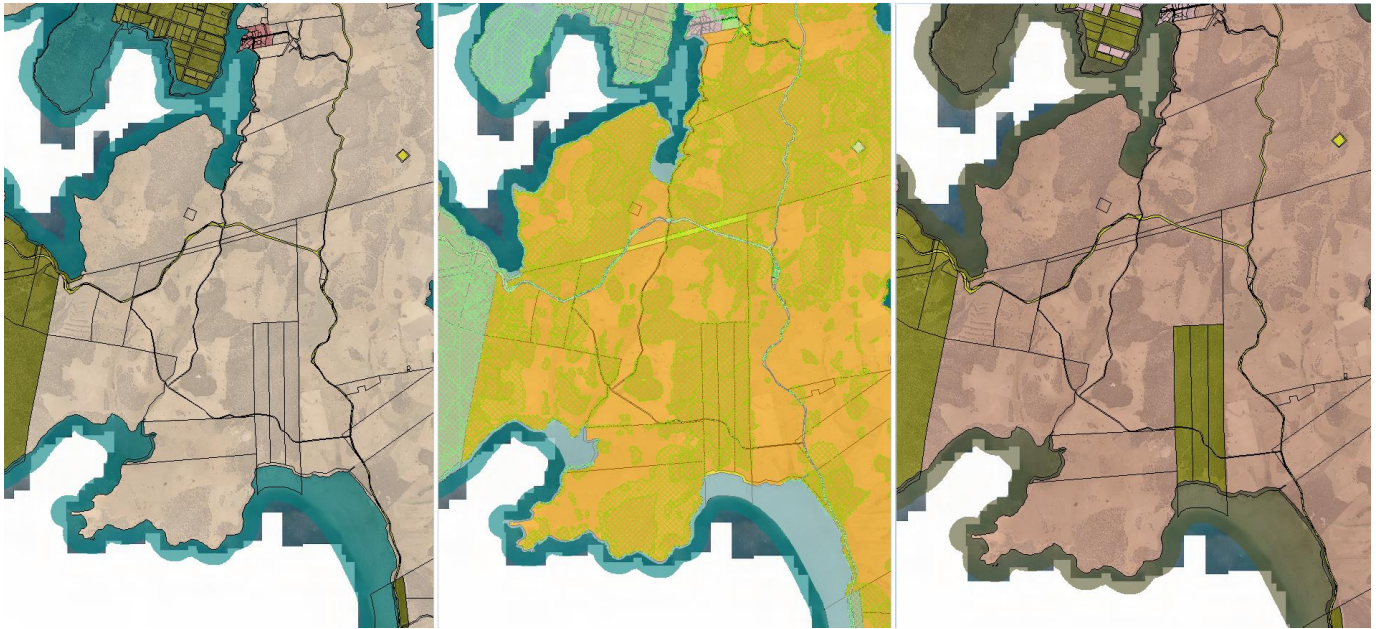


Figure 91: Rural Zone application – North Bruny



Figure 92: Rural Zone application – North Bruny near Dennes Point

## 7 Codes

Section LP1.7 of the SPPs specifies the requirements for the application of codes, with additional guidance provided by Guideline No.1. While not all of the available codes have been utilised in the Kingborough draft LPS, those that have been applied are consistent with Section 1.7 of the SPPs and Guideline No.1 and are discussed below.

Section LP1.8 of the SPPS provides the requirements for where code lists in tables are to be populated.

### 7.1 Signs Code

This Code does not require or allow LPS input or modification.

### 7.2 Parking and Sustainable Transport Code

**Table 41: Code application compliance – Parking and Sustainable Transport Code**

Reference	Kingborough draft LPS application compliance
<b>LP1.7.1(a)</b> If the planning authority has: <ul style="list-style-type: none"> <li>(i) a pedestrian priority street for; or</li> <li>(ii) parking precinct plan within,</li> </ul> its municipal area, the LPS must contain an overlay map showing that plan, or that street, for the purposes of the application of the Parking and Sustainable Transport Code.	<p>The Kingborough municipality has several identified pedestrian priority streets, therefore the Kingborough draft LPS contains an overlay map showing those streets for the purposes of the application of the Parking and Sustainable Transport Code.</p> <p>It is considered that the Kingborough municipality has the equivalent of a parking precinct plan and therefore the Kingborough draft LPS does contain an overlay map showing locations of the parking precinct plan.</p>
<i>Parking Precinct Plan overlay</i>	
<b>PSTC 1</b> A parking precinct plan overlay may be applied to an area where the intention is to reduce the amount of on-site car parking. This may apply to a specific area such as a main activity centre (e.g. parts of a CBD) or to key development sites (e.g. hospitals).	<p>A parking precinct plan overlay has been applied to the Central Kingston area. Central Kingston has been identified in previous strategic documents as an area which should ensure parking does not detract from the streetscape of the area and a need to minimise the amount of on-site parking in order to not detract from the amenity of the area.</p> <p>Further rationale for the application of the parking precinct plan overlay is provided below.</p>
<i>Pedestrian Priority Street overlay</i>	
<b>PSTC 2</b> A pedestrian priority street overlay may be applied to a road where pedestrian movement and activity are to take	<p>A pedestrian priority street overlay has been applied to roads in the Kingborough municipality where pedestrian movement and activity are to</p>



Reference	Kingborough draft LPS application compliance
priority over siting of vehicle parking and access to facilitate active street frontages. These may apply to a specific area such as key streets within the main business or retail areas.	take priority over the siting of vehicle parking and access to facilitate active street frontages. Specifically, key streets within main business and retail areas within the municipality have been identified.  Further rationale for the application of the pedestrian priority street overlay is below.

### 7.2.1 Parking precinct plan

The Parking and Sustainable Transport Code allows for a parking precinct plan overlay which can be applied to land where the intention is to reduce the amount of on-site parking spaces, as well as ensure parking does not detract from the streetscape of an area. Clause C2.5.1 A1(b) and clause C2.7.1 of the SPPs apply in relation to a parking precinct plan that is defined by an overlay map. Parking precinct plans provide for circumstances where the objective is 'to minimise the amount of on-site parking spaces within an area defined by a parking precinct plan, and that parking does not detract from the streetscape of the area'.

In August 2014, Council endorsed a proposal to prepare a parking strategy for central Kingston and then adopted the Central Kingston Parking Strategy in June 2016 (see Attachment E2). This strategy was developed to further stimulate the redevelopment of the central business district and reverse the past trend for each individual development having to provide its own parking needs. The Central Kingston Parking Strategy identifies an area to which the strategy applies, contains an implementation plan and is grounded on collected data and peer-reviewed research. Particularly relevant is one key suggestion from the strategy that Council consider the requirements of section E6.6.1 *Number of Car Parking Spaces* of KIPS2015 and assess the available alternatives when reviewing new developments rather than mandating the provision of parking spaces based on the set land use requirements. This strategy is to be considered a parking plan for the Central Kingston area for the purpose of identifying an area within Kingston subject to a parking precinct plan overlay (see Figure 93 below).

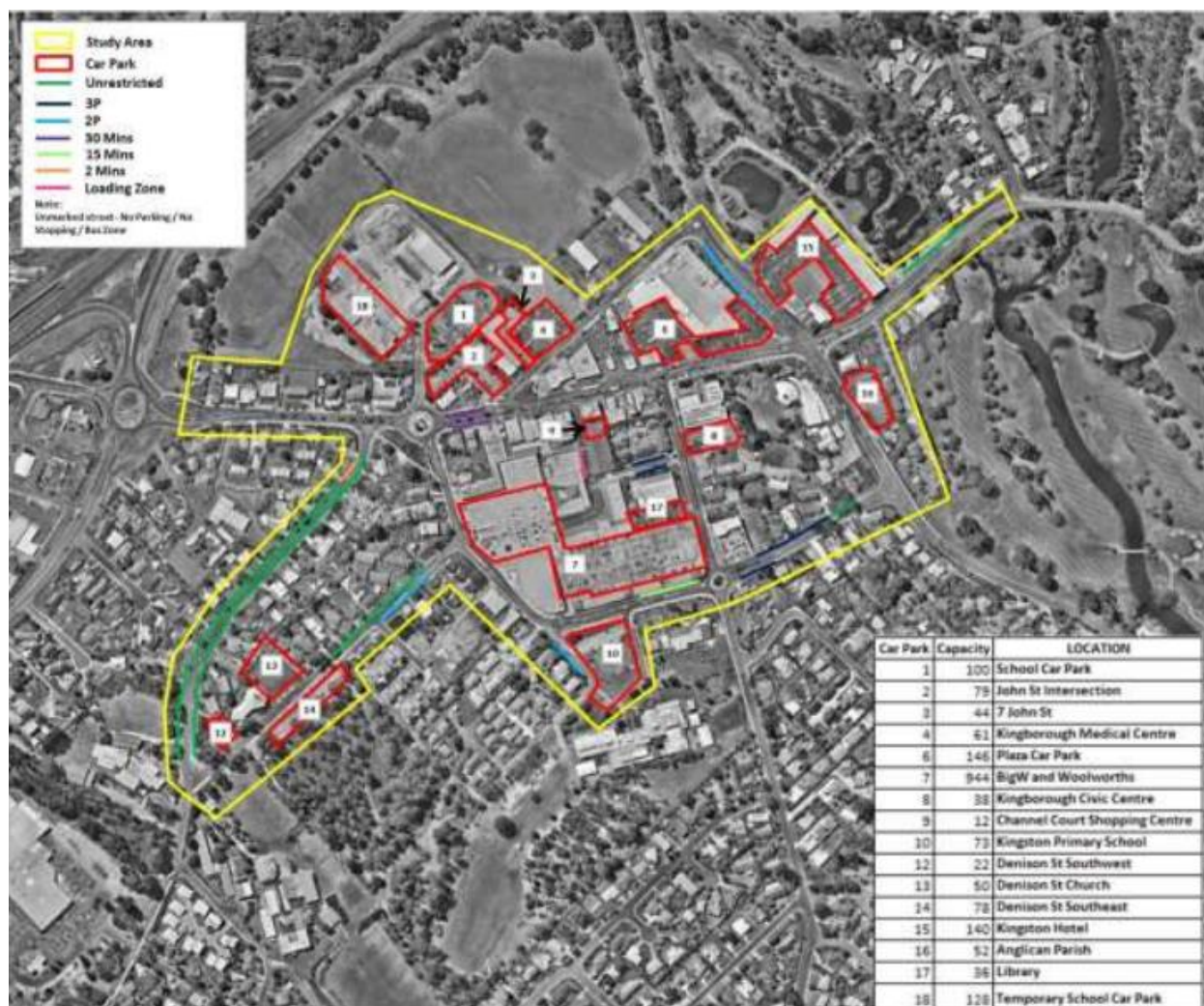


Figure 93: Central Kingston Parking Strategy area (source: Figure 2, Page 4 of Central Kingston Parking Strategy)

Under clause 2.5.1A1(a) of LUPAA, a parking plan for an area adopted by council, may provide for parking spaces or cash-in-lieu as an alternative to the number of on-site car parking spaces in Table C2.1. Kingborough Council has adopted a cash-in-lieu of parking policy (Policy No.3.19). This policy applies to the entire municipality, but recognises that commercial centres and more heavily built up areas of the municipality will benefit from the provision of concentrated public parking and reducing the need for on-site parking.

Applying a parking precinct overlay to the above area will allow Kingborough Council to actively implement the Central Kingston Parking Strategy and apply Policy No.3.19 *Cash-in-lieu of parking*, both adopted documents by Kingborough Council.

## 7.2.2 Pedestrian priority streets

The Parking and Sustainable Transport Code allows for a pedestrian priority street overlay to be applied to a road where pedestrian movement and activity are to take priority over siting of vehicle parking and access to facilitate active street frontages. This overlay may apply to a specific area such as key streets within the main business or retail areas.

While KIPS2015 does not contain an active frontage overlay, significant strategic planning has been undertaken at the local level to justify the inclusion of a pedestrian priority street overlay within the Kingborough draft LPS and the introduction of active frontages.

The Parking and Sustainable Transport Code and, in particular a pedestrian priority street overlay, has been utilised in the Kingborough draft LPS to facilitate good urban design and good public amenity which are articulated in the Kingborough Land Use Strategy (May 2019) and other strategic documents. For example, the STRLUS describes the Greater Hobart Residential Strategy. This strategy identifies integrated transit corridors and Principal and Primary Activity Centres for increased density to at least 25 dwellings per hectare (net density). The STRLUS recognises that the success of the Greater Hobart Residential Strategy will require provision of high quality open spaces and urban environments to support the amenity of higher density living. A pedestrian priority street overlay will help achieve this. Additionally, the Kingston Land Use Strategy (May 2019) states *it is intended that the design of all urban areas should encourage walking as much as possible and maximise the amenity and enjoyment of pedestrians*. A pedestrian priority street overlay, which ultimately will facilitate development with active frontages, can encourage walking and increase pedestrian amenity and enjoyment.

The below table provides a summary of the rationale for the application of the pedestrian priority street overlay to particular streets in the municipality.

Streets to apply code	Locality	Zone	KIPS 2015	Strategic plans / master plans	Summary of rationale
<b>Channel Highway</b> - north side between Beach Road and Hutchins Street - between Hutchins Street and Freeman Street - north side between Freeman Street and roundabout	Kingston	Central Business Zone	<b>Clause 22.1.3 Desired Future Character Statements – Kingston</b> (c) Car parking needs are to be met in a manner that allows for active streetscape functions, pedestrian safety and convenient locations.  <b>Clause 22.1.3 Desired Future Character Statements – Implementation Strategy – Kingston</b> (c) Car parking areas are	<b>Kingborough Land Use Strategy</b> Identifies there must be a strong emphasis on pedestrian amenity throughout the CBD.  Identifies the central part of the existing Channel Highway is to be a slow-moving, pedestrian-based and active commercial street.	KIPS2015 and several existing and adopted strategic plans contain provisions and text which encourage and allow for active streetscape functions and pedestrian safety.  The zoning and existing and potential future land uses are able to facilitate active street



at the intersection of the Channel Highway and Summerleas Road			not to face immediately onto streets within central Kingston and should be designed so that common areas are provided behind, under or above buildings facing the street.	<b>Kingston Central Area Master Plan Review</b>  Identifies the following sections of the Channel Highway should incorporate 'active frontages':  - north side between Beach Road and Hutchins Street; - between Hutchins Street and Freeman Street; and - north side between Freeman Street and roundabout at the intersection of the Channel Highway and Summerleas Road.	frontages.
<b>Beach Road</b>  - north and south sides full extent of Local Business Zone	Kingston Beach	Local Business Zone	<b>Clause 20.1.2 Local Area Objectives – Kingston Beach</b>  (a) Key site redevelopment should occur to enhance the commercial viability and appeal of Kingston Beach as a place to visit and participate in a range of outdoor, cultural and shopping experiences.  <b>Clause 20.1.3 2 Desired Future Character Statements – Implementation Strategy – Kingston Beach</b>  (a) New development or extensions to existing buildings is to be generally consistent with the height of other buildings in this zone and should be zoned to enhance local streetscape amenity.	<b>Draft Kingston Beach Master Plan</b>  Identifies reducing speed limit along Beach Road to increase pedestrian safety.	KIPS 2015 and the draft Kingston Beach Master Plan contain provisions and text which encourage enhanced local streetscape amenity. Amenity can be directly improved with active street frontages.  The zoning and existing and potential future land uses are able to facilitate active street frontages.
<b>Osborne Esplanade</b>  - west side full extent of Local Business Zone					

<b>Channel Highway</b> <ul style="list-style-type: none"> <li>- west side full extent of Local Business Zone</li> <li>- east side full extent of Local Business Zone</li> </ul>	Margate	Local Business Zone	<b>Clause 20.1.2 Local Area Objectives – Implementation Strategy – Margate</b> <p>(a) The Margate main street is to be redeveloped in order to provide improved shopping services, access and parking, community facilities and an appealing general appearance.</p> <b>Clause 20.1.3 Desired Future Character Statements – Margate</b> <p>(a) Margate’s central business area should be further developed in a manner that provides for improved public amenity, convenience, functionality, safety and social or recreational opportunities.</p> <b>Clause 20.1.3 Desired Future Character Statements – Implementation Strategy – Margate</b> <p>(a) Key site redevelopments and main street improvements are required to improve the streetscape, pedestrian movement, traffic management and the standard of private development.</p>	<b>STRLUS</b> <p>Identifies Margate as being within the Urban Growth Boundary for Hobart.</p> <p>Identifies Margate as a Major Satellite of Greater Hobart.</p>	<p>KIPS 2015 contains provisions and text which encourage enhanced local streetscape amenity and improved pedestrian movement. Amenity and pedestrian movement can be directly improved with active street frontages.</p> <p>The zoning and existing and potential future land uses are able to facilitate active street frontages.</p>
<b>Channel Highway</b> <ul style="list-style-type: none"> <li>- east side full extent of Village Zone</li> <li>- west side full extent of Village Zone</li> </ul>	Snug	Village Zone	<b>Clause 16.1.3 Desired Future Character Statements – Snug</b> <p>(a) Snug’s village centre or local business precinct should be further developed to enhance public amenity and convenience, and its general appearance.</p> <b>Clause 16.1.3 – Desired Future Character Statements – Implementation Strategy – Snug</b>	<b>STRLUS</b> <p>Identifies Snug as being within the Urban Growth Boundary for Hobart.</p> <p>Identifies Snug as a Major Satellite of Greater Hobart.</p>	<p>KIPS 2015 contains provisions and text which encourage enhanced local streetscape amenity. Amenity can be directly improved with active street frontages.</p> <p>The zoning and existing and potential future</p>

			(a) Streetscape improvements are to be encouraged, together with improved local parking and pedestrian infrastructure.		land uses are able to facilitate active street frontages.
<b>Channel Highway</b>	Woodbridge	Village Zone	<b>Clause 16.1.2 Local Area Objectives – Implementation Strategy – Woodbridge</b>  (a) Future development shall respect Woodbridge's streetscape, while still providing for additional and enhanced tourism attractions and local community services.  <b>Clause 16.1.3 Desired Future Character Statements – Implementation Strategy – Woodbridge</b>  (a) Future development is to enhance the streetscape of the central area of the village and should, where it is appropriate, improve pedestrian access, parking access and public amenity.	STRLUS  Identifies Woodbridge as being a Village.	KIPS 2015 contains provisions and text which encourage enhanced local streetscape amenity. Amenity can be directly improved with active street frontages.  The zoning and existing and potential future land uses are able to facilitate active street frontages.
<ul style="list-style-type: none"> <li>- east side full extent of Village Zone</li> <li>- west side full extent of Village Zone</li> </ul>					

## 7.3 Roads and Railway Assets Code

**Table 42: Code application compliance – Roads and Railway Assets Code**

Reference	Kingborough draft LPS application compliance	
<b>LP1.7.2(a)</b>	Where part of the municipal area is reserved or allocated for the purpose of: <ul style="list-style-type: none"> <li>(i) a future major road; or</li> <li>(ii) a future railway,</li> </ul> the planning authority must contain in the LPS an overlay map showing the reservation or application for the purposes of the application of the Road and Railway Assets Code.	In discussion with the Department of State Growth, the Kingborough municipality does not have any planned areas for future major roads, and therefore the Department of State Growth does not require the use of a future major road overlay.  The Kingborough municipality does not contain any future railways, and therefore the Kingborough draft LPS does not contain an overlay map.
<b>LP1.7.2(b)</b>	Each LPS may contain an overlay map showing a road or railway attenuation	The Kingborough draft LPS does not contain an overlay map showing a road railway attenuation



Reference	Kingborough draft LPS application compliance
area for the application of the Road and Railway Assets Code.	<p>area for the application of the Road and Railway Assets Code.</p> <p>In discussions with the Department of State Growth, State Roads does not require the road and railway attenuation area overlay in the Kingborough draft LPS for any existing road. State Road's preferred position is that the attenuation area is applied based upon the land within 50m of the boundary of:</p> <ul style="list-style-type: none"> <li>- a major road with a speed limit of 60km/h;</li> <li>- the rail network;</li> <li>- a future major road; or</li> <li>- a future railway</li> </ul> <p>without the depiction of the attenuation area as an overlay layer for existing roads.</p> <p>The Roads and Railway Assets Code will however apply through the attenuation distances specified in the SPP ordinance.</p>
<p><b>RRAC 1</b> A road or railway attenuation area overlay may be applied to provide appropriate buffers around existing major roads or railways or future major roads or railways as an alternative to the 50m attenuation area specified in the definition to take account of local circumstances, such as:</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the road or railway;</li> <li>(b) the topography of the surrounding area;</li> <li>(c) the surrounding use or development; or</li> <li>(d) any existing attenuation measures or buffers.</li> </ul>	<p>The Kingborough draft LPS does not contain an overlay map showing a road railway attenuation area for the application of the Road and Railway Assets Code.</p> <p>In discussions with the Department of State Growth, State Roads does not require the road and railway attenuation area overlay in the Kingborough draft LPS for any existing road. State Road's preferred position is that the attenuation area is applied based upon the land within 50m of the boundary of:</p> <ul style="list-style-type: none"> <li>- a major road with a speed limit of 60km/h;</li> <li>- the rail network;</li> <li>- a future major road; or</li> <li>- a future railway</li> </ul> <p>without the depiction of the attenuation area as an overlay layer for existing roads.</p> <p>The Roads and Railway Assets Code will however apply through the attenuation distances specified in the SPP ordinance.</p>
<p><b>RRAC 2</b> A future major road overlay or a future railway overlay must be applied to land intended for such purposes.</p>	<p>In discussion with the Department of State Growth, the Kingborough municipality does not have any planned areas for future major roads, and therefore the Department of State Growth does not require the use of the future major road</p>

Reference	Kingborough draft LPS application compliance
	overlay or a future railway overlay.

## 7.4 Electricity Transmission Infrastructure Protection Code

**Table 43: Code application compliance – Electricity Transmission Infrastructure Protection Code**

Reference	Kingborough draft LPS application compliance
<p><b>LP1.7.3(a)</b> Each LPS must contain an overlay map for the application of the Electricity Transmission Infrastructure Protection Code, produced by TasNetworks, showing:</p> <ul style="list-style-type: none"> <li>(i) a communications station buffer area;</li> <li>(ii) an electricity transmission corridor;</li> <li>(iii) an inner protection area;</li> <li>(iv) a substation facility; and</li> <li>(v) a substation facility buffer area,</li> </ul> <p>unless modified by the planning authority for part of the municipal area. If modified, the modified map must be shown.</p>	<p>Kingston draft LPS contains an overlay map for the application of the Electricity Transmission Infrastructure Protection Code, as produced by TasNetworks.</p>
<p><b>ETIPC 1</b> The following overlays must be included for the application of the Electricity Transmission Infrastructure Protection Code in accordance with the overlay maps produced by TasNetworks:</p> <ul style="list-style-type: none"> <li>(a) communications station buffer area overlay;</li> <li>(b) electricity transmission corridor overlay;</li> <li>(c) inner protection area overlay;</li> <li>(d) substation facility overlay; and</li> <li>(e) substation facility buffer area overlay,</li> </ul> <p>unless modified to address any anomalies or inaccuracies.</p>	<p>Kingston draft LPS includes the following overlay maps produced by TasNetworks:</p> <ul style="list-style-type: none"> <li>(a) communications station buffer area overlay;</li> <li>(b) electricity transmission corridor overlay;</li> <li>(c) inner protection area overlay;</li> <li>(d) substation facility overlay; and</li> <li>(e) substation facility buffer area overlay.</li> </ul> <p>No modifications have been made.</p>

## 7.5 Telecommunications Code

Code does not require or allow LPS input of modification.

## 7.6 Local Historic Heritage Code

**Table 42: Code application compliance – Local Historic Heritage Code**

Reference	Kingborough draft LPS application compliance
<p><b>LP1.7.4(a)</b> If the planning authority has:</p> <ul style="list-style-type: none"> <li>(i) local heritage landscape precincts;</li> <li>(ii) local heritage precincts; or</li> <li>(iii) places or precincts of archaeological potential,</li> </ul> <p>within its municipal area, the LPS must include an overlay map showing the place or precinct for the application of the Local Historic Heritage Code.</p>	<p>Kingborough municipality contains local heritage precincts and places of archaeological potential, found in KIPS 2015. Kingborough municipality does not contain any local heritage landscape precincts.</p> <p>Therefore Kingborough draft LPS contains an overlay map showing the local heritage precincts and places of archaeological potential for the application of the Local Historic Heritage Code.</p> <p>NOTE: The PPU identified the Heritage Precincts overlay and Table E13.2 in KIPS 2015 are subject to the transitional provisions under Schedule 6, Clause 8D(2) of LUPAA for application through the LPS as the Local Heritage Precincts overlay and Local Heritage Precincts list for the SPP Local Historic Heritage Code.</p> <p>NOTE: The PPU identified the Place of Archaeological Potential overlay and Table E13.4 in KIPS 2015 is subject to the transitional provisions under Schedule 6, Clause 8D(2) of LUPAA for application through the LPS as the Places or Precincts of Archaeological Potential overlay and the Places or Precincts of Archaeological Potential list for the SPP Local Historic Heritage Code.</p>
<p><b>LP1.7.4(b)</b> Each LPS may contain an overlay map showing local heritage places for the application of the Local Historic Heritage Code.</p>	<p>Kingborough draft LPS contains an overlay map showing local heritage places for the application of the Local Historic Heritage Code.</p> <p>NOTE: The PPU identified Table E13.1 in KIPS 2015 is subject to the transitional provisions under Schedule 6, Clause 8D(2) of LUPAA for application through the LPS as the Local Heritage Place list for the SPP Local Historic Heritage Code, excluding any places inserted or removed by amendment after the commencement day.</p> <p>NOTE: Minor clarifications regarding addresses have been made. See section 0 below.</p>
<p><b>LP1.7.4(c)</b> Each LPS may contain an overlay map showing significant trees in the relevant Local Provisions Schedule, for the application of the Local Historic Heritage Code.</p>	<p>Kingborough draft LPS contains an overlay map showing significant trees for the application of the Local Historic Heritage Code.</p> <p>Table E24.1 in KIPS 2015 is subject to the transitional provisions under Schedule 6, Clause</p>



Reference	Kingborough draft LPS application compliance
<b>LHHC 1</b> THR places may be listed as local heritage places in the Code list (Table C6.1).	<p>8D(2) of LUPAA for application of the Local Historic Heritage Code.</p> <p>NOTE: Clarifications regarding deletion and inclusion of trees have been made. See section 0 below.</p> <p>Kingborough draft LPS contains THR listed places in the local heritage places in the code list (Table C6.1).</p> <p>NOTE: Inclusion of THR places in the LPS local heritage places list provides for the automatic application of the Local Historic Heritage Code to such places if they are de-listed from the THR in the future. The Local Historic Heritage Code will not apply to any THR places if they are included on the LPS code list while they remain listed on the THR, unless for the lopping, pruning, removal or destruction of a significant tree as defined in the code.</p>
<b>LHHC 2</b> If the planning authority has local heritage 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.	<p>Kingborough municipality contains local heritage precincts and places of archaeological potential.</p> <p>Therefore Kingborough draft LPS contains an overlay map showing the local heritage precincts and places of archaeological potential for the application of the Local Historic Heritage Code.</p>
<b>LHHC 3</b> Each LPS may contain an overlay map showing local heritage places for the application of the Local Historic Heritage Code.	<p>Kingborough draft LPS contains an overlay map showing local heritage places for the application of the Local Historic Heritage Code.</p> <p>NOTE: The PPU identified Table E13.1 in KIPS 2015 is subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act for application through the LPS as the Local Heritage Place list for the SPP Local Historic Heritage Code, excluding any places inserted or removed by amendment after the commencement day.</p>
<b>LHHC 4</b> Each LPS may contain an overlay map showing significant trees, for the application of the Local Historic Heritage Code.	<p>Kingborough draft LPS contains an overlay map showing significant trees for the application of the Local Historic Heritage Code.</p> <p>Table E24.1 in KIPS 2015 is subject to the transitional provisions under Schedule 6, Clause 8D(2) of LUPAA for application of the Local Historic Heritage Code.</p>
<b>LHHC 5</b> If including a statement of significance in Table C6.1, C6.2 or C6.3 the information included in the right hand column (titled	In accordance with the Minister's Advisory Statement – Transitional Arrangements for Existing Provisions, 23 June 2017, a Statement

Reference	Kingborough draft LPS application compliance
<p>'Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage 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.</p> <p>The statement of local historic heritage significance must incorporate the historic heritage values of the place.</p> <p>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.</p>	<p>of Local Historic Heritage Significance and Historic Heritage Values is not required for the local historic heritage places list in the Kingborough draft LPS.</p> <p>As such, the right hand column of Table C6.1 will not be completed for submission of the LPS. This section will be completed at a later date via an amendment to ensure statements of significance are appropriate.</p>

### 7.6.1 Clarifications of local heritage places

Table E13.1 *Heritage Places* in KIPS2015 contains heritage places which are also found on the Tasmanian Heritage Register. These heritage places have not been transitioned to Table C6.1 as local heritage places. However, they have been included in Table C6.1 as permitted by LHHC 5, and have been identified as being on the Tasmanian Heritage Register. The table below indicates which places existed in Table E13.1 *Heritage Places* and the Tasmanian Heritage Register.

**Table 45: Heritage places not transitioning as local heritage places**

Place name as per Tasmanian Heritage Register	KIPS 2015, Table E13.1 <i>Heritage Places</i> reference no.	Tasmanian Heritage Register ID	Table C6.1 reference no.
St Aloysius Catholic Church and Cemetery	7	3621	KIN-C6.1.50
Red House	8	3622	KIN-C6.1.51
St Clements Anglican Church	9	3625	KIN-C6.1.53
St Clements Rectory	10	3623	KIN-C6.1.52
Australian Antarctic Division Headquarters	11	7486	KIN-C6.1.81
Setters Park Cemetery	12	8065	KIN-C6.1.84

<b>Place name as per Tasmanian Heritage Register</b>	<b>KIPS 2015, Table E13.1 <i>Heritage Places</i> reference no.</b>	<b>Tasmanian Heritage Register ID</b>	<b>Table C6.1 reference no.</b>
<b>Huntingfield</b>	13	3624	KIN-C6.1.53
<b>Sunnyside</b>	14	3626	KIN-C6.1.55 & KIN- C6.1.56
<b>Former Kingston Primary School</b>	16	10888	KIN-C6.1.100
<b>Boronia</b>	19	8309	KIN-C6.1.88
<b>Summerleas</b>	20	3627	KIN-C6.1.57
<b>Wharncliffe and Wharncliffe Cottage</b>	23	3628	KIN-C6.1.59
<b>Wharncliffe and Wharncliffe Cottage</b>	24	3628	KIN-C6.1.58
<b>Brookfield Seed Drying Shed</b>	25	10890	KIN-C6.1.102
<b>The Old School House</b>	27	3631	KIN-C6.1.62
<b>High Peak</b>	28	3630	KIN-C6.1.60 & KIN- C6.1.61
<b>Browns River Probation Station</b>	31	10978	KIN-C6.1.135 – KIN- C6.1.155
<b>Stone Trough</b>	36	3632	KIN-C6.1.63
<b>Pius X Catholic Church</b>	37	7502	KIN-C6.1.83
<b>Shot Tower</b>	39	3635	KIN-C6.1.67 – KIN- C6.1.69
<b>Acton</b>	40	3636	KIN-C6.1.70
<b>Hillgrove</b>	41	3634	KIN-C6.1.66
<b>Winmarleigh Residence &amp; Lodge</b>	42	3633	KIN-C6.1.65
<b>Winmarleigh</b>	43	3633	KIN-C6.1.64



Place name as per Tasmanian Heritage Register	KIPS 2015, Table E13.1 <i>Heritage Places</i> reference no.	Tasmanian Heritage Register ID	Table C6.1 reference no.
<b>Residence &amp; Lodge</b>			
<b>Shot Tower</b>	46	3635	KIN-C6.1.67
<b>Batchelor's Grave</b>	48	3638	KIN-C6.1.71
<b>Taroona House</b>	49	8069	KIN-C6.1.85
<b>Tinderbox Farm</b>	50	3640	KIN-C6.1.73
<b>Mount Louis Signal Station</b>	51	10889	KIN-C6.1.101
<b>Fort Pierson / Oxley Lookout</b>	52	8310	KIN-C6.1.89
<b>Pilot House</b>	53	3639	KIN-C6.1.72
<b>St Simon's and St Jude's Church</b>	54	3641	KIN-C6.1.74
<b>Two Tree Point</b>	67	10914	KIN-C6.1.118
<b>Bruny Island Council Chambers</b>	68	10909	KIN-C6.1.114
<b>Alonnah Jetty Pontoon</b>	72	10910	KIN-C6.1.115
<b>Bruny Island Quarantine Station</b>	74	8219	KIN-C6.1.86
<b>Cape Bruny Light Station and Jetty</b>	79	5865	KIN-C6.1.75 & KIN-C6.1.76
<b>Woodlands Park</b>	81	10911	KIN-C6.1.116
<b>Variety Bay Historic Site</b>	87	7078	KIN-C6.1.77 & KIN-C6.1.78

### 7.6.2 Clarifications of significant trees

Table E24.1 *Significant Tree Register* in KIPS2015 contains one error and Table E13.1 *Heritage Places* contains a heritage place which is listed in the Tasmanian Heritage Register and

includes two significant trees. These have been clarified in the transition to Table C6.5 *Significant Trees*, and are detailed below.

**Table 46: Significant Tree Register clarifications**

KIPS 2015 reference no.	Table C6.5 reference no.	Comment
<b>2012–26 – Table E24.1 <i>Significant Tree Register</i></b>	N/A	Tree has been removed, therefore not transitioned to Kingborough draft LPS.
<b>66 – Table E13.1 <i>Heritage Places</i></b>	KIN-C6.5.24	Two mature blue gums ( <i>Eucalyptus globulus</i> ) are listed as a local heritage place ('Two Tree Point, near Resolution Creek') in KIPS2015. However, the heritage place is also listed in the Tasmanian Heritage Register, and therefore the Local Historic Heritage Code does not apply. The significance of the local heritage place listing is the two mature trees, and therefore it is suggested the two trees be included in Table E24.1 <i>Significant Tree Register</i> to ensure the trees continue to be recognised as significant and worthy of conservation in their own right. It is considered that the original process undertaken to list the trees as a local heritage place constitutes as meeting the requirements and procedures of entering a tree onto the Significant Tree Register, as per Kingborough Council's Significant Tree Register Policy.

## 7.7 Natural Assets Code

**Table 47: Code application compliance – Natural Assets Code**

Reference	Kingborough draft LPS application compliance
<b>LP1.7.5(a)</b> If a planning authority has areas identified for: (i) future coastal refugia; or (ii) waterway and coastal protection, in its municipal area, the LPS must contain an overlay map showing those areas for the application of the Natural Assets Code.	Kingborough municipality contains areas identified for future coastal refugia and waterway and coastal protection, and therefore the Kingborough draft LPS contains an overlay map showing these areas for the application of the Natural Assets Code.

Reference	Kingborough draft LPS application compliance
<b>LP1.7.5(b)</b> Each LPS must contain an overlay map showing priority vegetation areas, produced in accordance with sub-clauses LP1.7.5(c) and (d), for the application of the Natural Assets Code.	Kingborough draft LPS contains an overlay map showing priority vegetation areas, which have been produced in accordance with sub-clauses LP1.7.5(c) and (d), for the application of the Natural Assets Code.  See discussion below.
<b>LP1.7.5(c)</b> The priority vegetation area must: <ul style="list-style-type: none"> <li>(i) include threatened native vegetation communities as identified on TASVEG Version 3 mapping, as published on the Department of Primary Industries, Parks, Water and the Environment's website and available on the Land Information System Tasmania;</li> <li>(ii) be derived from threatened flora data from the Natural Values Atlas, as published on the Department of Primary Industries, Parks, Water and the Environment's website and available on the Land Information System Tasmania; and</li> <li>(iii) be derived from threatened fauna data from the Natural Values Atlas, as published on the Department of Primary Industries, Parks, Water and the Environment's website for the identification of significant habitat for threatened fauna species; and</li> </ul>	The priority vegetation overlay map in Kingborough draft LPS: <ul style="list-style-type: none"> <li>(i) includes threatened native vegetation communities as identified on TASVEG Version 3 mapping, as published on the Department of Primary Industries, Parks, Water and the Environment's website and available on the Land Information System Tasmania;</li> <li>(ii) is derived from threatened flora data from the Natural Values Atlas, as published on the Department of Primary Industries, Parks, Water and the Environment's website and available on the Land Information System Tasmania; and</li> <li>(iii) is derived from threatened fauna data from the Natural Values Atlas, as published on the Department of Primary Industries, Parks, Water and the Environment's website for the identification of significant habitat for threatened fauna species.</li> </ul>
<b>LP1.7.5(d)</b> the planning authority may modify the priority vegetation area derived under clause LP1.7.5(c) based on field verification, analysis or mapping undertaken by, the planning authority or a suitably qualified person on behalf of the planning authority, at a local or regional level, which: <ul style="list-style-type: none"> <li>(i) addresses any anomalies or inaccuracies in the mapping and data in sub-clause LP1.7.5(c);</li> <li>(ii) provides more recent or detailed local assessment of the mapping and data in subclause LP1.7.5(c); or</li> <li>(iii) identifies native vegetation of local importance, including habitat for native fauna of local importance.</li> </ul>	The priority vegetation area derived under clause LP1.7.5(c) has been modified.  The rationale and methodology for the modification can be found below – NAC 7-13.



Reference	Kingborough draft LPS application compliance	
Waterway and Coastal Protection Area overlay		
NAC 1	The waterway and coastal protection area overlay should be derived from the guidance map.	The waterway and coastal protection area overlay contained in the Kingborough draft LPS has been derived from the guidance map.  Modifications have been made, see discussion below.
NAC 2	To assist with the interpretation of the Natural Assets Code, the waterway and coastal protection area overlay metadata may indicate whether it relates to a watercourse, along with the class of watercourse, or a wetland, along with the type of wetland, as per the definition of 'waterway and coastal protection area' in the code. This can be derived from the guidance map by measurement of the buffers applied in the guidance map and cross referencing with the distances specified in Table 1 in the definition of 'waterway and coastal protection area' in the Natural Assets Code for the relevant watercourse or wetland.	Metadata has been included to identify the following attributes:  (a) a description of the buffer width as per Clause C7.3.1; (b) the class of watercourse or feature; and (c) a description of the class or feature.
NAC 3	The waterway and coastal protection area overlay may include modifications to the areas depicted on the guidance map to:  (a) address any anomalies or inaccuracies in the guidance map; (b) identify a larger area if demonstrated as necessary to protect identified natural assets associated with the waterway and coastal protection area; (c) make any adjustments to align with the definition of 'waterway and coastal protection area' in the Natural Assets Code, such as removing piped watercourses or piped drainage lines; (d) remove areas of existing development, particularly within urban areas; or (e) to include Ramsar wetlands within the overlay area.	The waterway and coastal protection area guidance map was modified to:  (d) address the following anomalies: (i) exclusion of watercourses which originated in the adjacent LGA; (ii) disconnection of watercourses which are continuous; (iii) missing watercourses identified in the LIST Hydrographic Lines layer and present on the ground but not included in the guidance map; (e) identify a larger area adjacent to the coast to ensure the 40m buffer extended into tidal waters and the relevant development standards could apply for dredging and reclamation; and (f) removal of piped watercourses and drainage lines.
Future Coastal Refugia Area overlay		

Reference	Kingborough draft LPS application compliance
<b>NAC 4</b>	<p>The future coastal refugia area overlay may include modifications to the areas depicted in the guidance map to:</p> <ul style="list-style-type: none"> <li>(a) address any anomalies or inaccuracies in the guidance map, particularly areas that are located within an area with no LiDAR coverage;</li> <li>(b) identify a larger area if demonstrated as necessary to protect identified future coastal refugia areas, such as mobile and other sensitive coastal habitats and existing saltmarshes and tidal wetlands; or</li> <li>(c) remove an area if it is demonstrated that the application of the future coastal refugia area will constrain the future use and development of existing habitable buildings, major infrastructure, key community facilities and services and the like.</li> </ul>
<b>NAC 5</b>	<p>The future coastal refugia area guidance map was modified as follows:</p> <ul style="list-style-type: none"> <li>(a) to address anomalies where there is an existing barrier between the saltmarsh and the subject land, creating a barrier to migration</li> <li>(c) to exclude the following: <ul style="list-style-type: none"> <li>(i) areas approved for reclamation and DA has substantial commencement;</li> <li>(ii) areas approved for reclamation and reclamation is complete;</li> <li>(iii) areas where application of the future coastal refugia area will significantly impact on or constrain existing development;</li> <li>(iv) that part of the object within the existing road corridor.</li> </ul> </li> </ul>
<p>The future coastal refugia area overlay may include modifications to the areas depicted in the guidance map to:</p> <p>The accuracy of the areas with no LiDAR coverage that are mapped in the guidance map is uncertain. These areas may be expanded or reduced to reflect the extent of potential future saltmarshes and tidal wetlands.</p>	See above.

Reference	Kingborough draft LPS application compliance
<b>NAC 6</b>	<p>The future coastal refugia area guidance map was modified as follows:</p> <ul style="list-style-type: none"> <li>(a) land within incompatible zones is excluded except where either an alternative zoning is proposed or the land is intended for open space purposes and LiDAR coverage was available;</li> <li>(b) land within special consideration zones was included where it is intended to apply a compatible zone and was excluded where application of the overlay will significantly impact on existing development;</li> <li>(c) land within a case-by-case consideration zone is included where the application of the overlay is consistent with the zone, retaining the overlay will not impact on the existing or future development and the overlay is critical to enabling migration of the saltmarsh. Otherwise the land was excluded as per NAC 4 (c).</li> </ul>
<p>The future coastal refugia area overlay should be derived from the guidance map, with the following considerations:</p> <ul style="list-style-type: none"> <li>(a) the future coastal refugia area overlay should not be applied to land that is currently within an incompatible zone, unless: <ul style="list-style-type: none"> <li>(i) it is intended to provide an alternate zoning for the land in order to protect the future coastal refugia area; or</li> <li>(ii) the land is intended for open space purposes within that zone.</li> </ul> </li> <li>(b) the future coastal refugia area overlay may be applied to land that is currently within a special consideration zone if: <ul style="list-style-type: none"> <li>(i) it is intended to apply the Landscape Conservation Zone, Rural Living C Zone, Rural Living D Zone, or any other zone that is compatible with the overlay; or</li> <li>(ii) it is demonstrated that the application of the future coastal refugia area will not constrain the future use and development of existing habitable buildings, major infrastructure, key community facilities and services and the like.</li> </ul> </li> <li>(c) the future coastal refugia area overlay may be applied to land that is currently within a case-by-case consideration zone if: <ul style="list-style-type: none"> <li>(i) the application of the future coastal refugia area overlay is compatible with the purpose of the zone; or</li> <li>(ii) the application of the future coastal refugia area overlay will not significantly impact on the existing development on the land.</li> </ul> </li> <li>(d) the future coastal refugia area overlay should be applied to land that is currently within a compatible zone if it is demonstrated that the application of the future coastal refugia area will not constrain the future use and development of existing habitable buildings, major infrastructure, key community facilities and services and the like.</li> </ul>	



Reference	Kingborough draft LPS application compliance	
Priority Vegetation Area overlay		
NAC 7	The priority vegetation area overlay must include threatened native vegetation communities as identified in TASVEG Version 3 mapping, as published on the Department of Primary Industries, Parks, Water and the Environment's (DPIPWE) website and available on the LIST.	The priority vegetation area overlay contained in the Kingborough draft LPS includes threatened native communities as identified in TASVEG Version 3 mapping, as published on the Department of Primary Industries, Parks, Water and the Environment's (DPIPWE) website and available on the LIST, except where identified in mapping undertaken by or on behalf of Kingborough Council in accordance with NAC 11.
NAC 8	For the purposes of applying the priority vegetation area overlay to land containing threatened flora species, any areas mapped within the overlay should be derived from or based on the threatened flora data from the Natural Values Atlas as published DPIPWE's website and available on the LIST.	The priority vegetation area overlay contained in the Kingborough draft LPS has been based on the threatened flora data from the Natural Values Atlas as published on DPIPWE's website, where this data is of sufficient accuracy and currency.
NAC 9	In applying the priority vegetation area overlay for threatened flora species, the overlay map may include an area around recorded occurrences of threatened flora species to identify areas of potential occurrence based on field verification, analysis or mapping undertaken by, or on behalf of, the planning authority.	The priority vegetation area does include areas around recorded flora occurrences in accordance with species rules developed by Natural Resource Planning (NRP) Pty Ltd as part of the Regional Ecosystem Model (REM) undertaken on behalf of the planning authority.
NAC 10	For the purposes of applying the priority vegetation area overlay to land containing significant habitat for threatened fauna species, any areas identified as significant habitat should be based on the threatened fauna data from the Natural Values Atlas, as published on DPIPWE's website.	The priority vegetation area overlay contained in the Kingborough draft LPS has been based on the threatened fauna data from the Natural Values Atlas as published on DPIPWE's website, where this data is of sufficient accuracy and currency.

Reference	Kingborough draft LPS application compliance
<p><b>NAC 11</b> The priority vegetation area overlay may be based on field verification, analysis or mapping undertaken by, or on behalf of, the planning authority to:</p> <ul style="list-style-type: none"> <li>(a) address any anomalies or inaccuracies in the mapping and data in clauses NAC 7, NAC 8 and NAC 10 above; or</li> <li>(b) provide more recent or detailed local assessment of the mapping and data in clauses NAC 7, NAC 8 and NAC 10 above.</li> </ul>	<p>The priority vegetation area overlay is predominantly based on field verification (where available), analysis and mapping undertaken on behalf of the planning authority to:</p> <ul style="list-style-type: none"> <li>(a) address any anomalies or inaccuracies in the mapping and data in clauses NAC 7, NAC 8 and NAC 10 above; or</li> <li>(b) provide more recent or detailed local assessment of the mapping and data in clauses NAC 7, NAC 8 and NAC 10 above.</li> </ul> <p>The mapping and analysis was undertaken by NRP Pty Ltd using the REM methodology and was based on the most current data available, including field-verified and modelled data.</p> <p>Further verification was undertaken by Council using field verification and aerial imagery to address anomalies in this mapping as follows:</p> <ul style="list-style-type: none"> <li>(a) exclusion of areas included on the REM which were incorrectly attributed due to: <ul style="list-style-type: none"> <li>(i) vegetation mapping issues including where the vegetation has been incorrectly attributed, has since been cleared or was erroneously included;</li> <li>(ii) REM model corrections where the habitat is unlikely for the species due to the poor condition of the vegetation, erroneous attribution of the species or the species is present but has now been delisted; and</li> </ul> </li> <li>(b) Inclusion of areas not included in the REM on the basis of: <ul style="list-style-type: none"> <li>(i) vegetation mapping issues including where the vegetation has been incorrectly attributed; the polygon does not capture the priority vegetation, the polygon is not reflective of the true extent of the priority vegetation, the vegetation not being identified as but forming an integral part of priority vegetation, habitat being present but being erroneously not included or recent NVA records not included in the model.</li> </ul> </li> </ul>

Reference	Kingborough draft LPS application compliance
<b>NAC 12</b>	<p>The priority vegetation area overlay may include areas of native vegetation which have been identified as being of local importance based on field verification, analysis or mapping undertaken by, or on behalf of, the planning authority. Identification of these areas may be assisted by datasets or spatial products identified by DPIWE.</p> <p>The priority vegetation overlay includes areas of native vegetation identified as being of local importance based on the REM, including:</p> <ul style="list-style-type: none"> <li>(a) fauna species listed under the <i>Threatened Species Protection Act (Tas) 1995</i> or the <i>Environment Protection and Biodiversity Conservation Act 1999</i> and classified as Landscape Dependent Fauna;</li> <li>(b) native vegetation community &lt;30% reserved in bioregion;</li> <li>(c) native vegetation community &lt;2,000 ha extent in bioregion;</li> <li>(d) native vegetation patches &lt;200ha contiguous extent and on land components &gt;70% cleared of native vegetation.</li> </ul>
<b>NAC 13</b>	<p>A priority vegetation area should not be shown on the overlay map for land that is within the:</p> <ul style="list-style-type: none"> <li>(a) Inner Residential Zone;</li> <li>(b) Village Zone;</li> <li>(c) Urban Mixed Use Zone;</li> <li>(d) Local Business Zone;</li> <li>(e) General Business Zone;</li> <li>(f) Central Business Zone;</li> <li>(g) Commercial Zone;</li> <li>(h) Light Industrial Zone;</li> <li>(i) General Industrial Zone;</li> <li>(j) Agriculture Zone; or</li> <li>(k) Port and Marine Zone.</li> </ul> <p>Priority vegetation areas have been shown on the overlay map for land that is outside the zones listed for this criterion as it is important for the presence of the priority vegetation to be identifiable for the purposes of any rezoning application.</p>

## 7.8 Scenic Protection Code

**Table 48: Code application compliance – Scenic Protection Code**

Reference	Kingborough draft LPS application compliance
<b>LP1.7.6(a)</b>	<p>If the planning authority has:</p> <ul style="list-style-type: none"> <li>(i) a scenic protection area; or</li> <li>(ii) a scenic road corridor,</li> </ul> <p>within its municipal area, the LPS must contain an overlay map showing the area or road for the application of the Scenic Protection Code.</p> <p>Kingborough municipality contains mapped scenic protections areas, as identified in KIPS2015. Therefore the Kingborough draft LPS contains an overlay map showing the area for the application of the Scenic Protection Code.</p>



Reference	Kingborough draft LPS application compliance
<p><b>SPC 1</b> The scenic protection area overlay and the scenic road corridor overlay may be applied to land identified at the local or regional level as important for the protection of scenic values.</p> <p>These may include areas:</p> <ul style="list-style-type: none"> <li>(a) containing significant native vegetation or bushland areas with important scenic values (such as skyline areas); or</li> <li>(b) identified for their significant scenic views.</li> </ul>	<p>Kingborough draft LPS contains the scenic protection area overlay.</p> <p>NOTE: The PPU identified that the Scenic Landscapes Area overlay in KIPS2015 is subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act for application through the LPS as the Scenic Protection Area overlay for the SPP Scenic Protection Code, excluding any land that is not in a zone listed in clause C8.2.1 of the SPPs.</p>
<p><b>SPC 2</b> The scenic protection area overlay and the scenic road corridor overlay should be justified as having significant scenic values requiring protection from inappropriate development that would or may diminish those values.</p>	<p>The PPU identified that the Scenic Landscapes Area overlay in KIPS2015 is subject to the transitional provisions under Schedule 6, Clause 8D(2) of LUPAA for application through the LPS as the Scenic Protection Area overlay for the SPP Scenic Protection Code, excluding any land that is not in a zone listed in clause C8.2.1 of the SPPs.</p>
<p><b>SPC 3</b> The scenic protection area and the scenic road corridor may only be shown on the overlay map for the following zones:</p> <ul style="list-style-type: none"> <li>(a) Rural Living Zone;</li> <li>(b) Rural Zone;</li> <li>(c) Agriculture Zone;</li> <li>(d) Landscape Conservation Zone;</li> <li>(e) Environmental Management Zone; or</li> <li>(f) Open Space Zone.</li> </ul>	<p>The scenic protection area overlay map has only been applied in the Kingborough draft LPS for the following zones:</p> <ul style="list-style-type: none"> <li>(a) Rural Living Zone;</li> <li>(b) Rural Zone;</li> <li>(c) Agriculture Zone;</li> <li>(d) Landscape Conservation Zone;</li> <li>(e) Environmental Management Zone; or</li> <li>(f) Open Space Zone.</li> </ul>

## 7.9 Attenuation Code

**Table 49: Code application compliance – Attenuation Code**

Reference	Kingborough draft LPS application compliance
<p><b>LP1.7.7(a)</b> Each LPS may contain an overlay map showing attenuation areas for the spatial application of the Attenuation Code.</p>	<p>Kingborough draft LPS does not contain an overlay map showing attenuation areas. The Attenuation Code will however apply through the attenuation distances specified in the SPP ordinance. An overlay map can be prepared but there is a concern that frequent changes</p>

will need to be made over time.

<b>AC 1</b>	<p>An attenuation area overlay may be applied to an existing activity listed in Tables C9.1 or C9.2 of the Attenuation Code as a variation to the generic attenuation distances to take account of local circumstances, such as:</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the activity;</li> <li>(b) the topography of the surrounding area;</li> <li>(c) the surrounding land uses or zones; or</li> <li>(d) any existing attenuation measures or buffers.</li> </ul>	N/A – see above
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<b>AC 2</b>	<p>Any new attenuation area overlay for an existing activity listed in Tables C9.1 or C9.2, which does not align with an equivalent overlay contained in an interim planning scheme or section 29 planning scheme, must be justified by a suitably qualified person. The attenuation area overlay may apply to an area larger or smaller than the generic attenuation distances specified for the relevant activity.</p>	N/A – see above
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## 7.10 Coastal Erosion Hazard Code

**Table 50: Code application compliance – Coastal Erosion Hazard Code**

Reference	Kingborough draft LPS application compliance	
<b>LP1.7.8(a)</b>	<p>Each LPS must contain an overlay map produced by the Department of Premier and Cabinet, showing:</p> <ul style="list-style-type: none"> <li>(i) coastal erosion hazard areas; and</li> <li>(ii) coastal erosion investigation areas,</li> </ul> <p>for the application of the Coastal Erosion Hazard Code, unless modified by the planning authority for part of the municipal area. If modified, the modified map must be shown.</p>	<p>Kingston draft LPS contains an overlay map for the application of the Coastal Erosion Hazard Code, as produced by the Department of Premier and Cabinet, showing:</p> <ul style="list-style-type: none"> <li>(i) coastal inundation hazard areas; and</li> <li>(ii) coastal inundation investigation areas.</li> </ul> <p>No modifications to the overlay map have been made.</p>
<b>CEHC 1</b>	<p>The coastal erosion hazard area overlay must include the three coastal erosion hazard bands and the coastal erosion investigation area as depicted in the 'Coastal Erosion Hazard Area Bands 20161201' layer</p>	<p>The coastal erosion hazard area overlay contained in the Kingborough draft LPS includes the three coastal inundation hazard bands and the coastal erosion investigation area as depicted in the 'Coastal Erosion</p>

Reference	Kingborough draft LPS application compliance										
<p>published on the LIST, unless modified:</p> <p>(a) to reflect the coastal erosion hazard bands or coastal erosion investigation area as depicted in an equivalent overlay contained in the interim planning scheme for that municipal area, if consistent with the thresholds specified in Table CEHC 1 below; or</p> <p>(b) in accordance with a report prepared by a suitably qualified person which justifies a change to these areas to meet the thresholds specified in Table CEHC 1 below.</p> <p>Table CEHC 1: Coastal erosion hazard area overlay thresholds</p> <table border="1"> <thead> <tr> <th>Hazard area</th><th>Thresholds</th></tr> </thead> <tbody> <tr> <td>Low hazard band</td><td>Recession to 2100 (incorporating the State sea level rise allowance)</td></tr> <tr> <td>Medium hazard band</td><td>Recession to 2050 (incorporating the State sea level rise allowance)</td></tr> <tr> <td>High hazard band</td><td>Vulnerable to two back to back 1% AEP erosion events now.</td></tr> <tr> <td>Investigation area</td><td>Area with no investigation undertaken.</td></tr> </tbody> </table>	Hazard area	Thresholds	Low hazard band	Recession to 2100 (incorporating the State sea level rise allowance)	Medium hazard band	Recession to 2050 (incorporating the State sea level rise allowance)	High hazard band	Vulnerable to two back to back 1% AEP erosion events now.	Investigation area	Area with no investigation undertaken.	<p>Hazard Area Bands 20161201' layer published on the LIST.</p> <p>No modifications have been made.</p>
Hazard area	Thresholds										
Low hazard band	Recession to 2100 (incorporating the State sea level rise allowance)										
Medium hazard band	Recession to 2050 (incorporating the State sea level rise allowance)										
High hazard band	Vulnerable to two back to back 1% AEP erosion events now.										
Investigation area	Area with no investigation undertaken.										

## 7.11 Coastal Inundation Hazard Code

**Table 51: Code application compliance – Coastal Inundation Hazard Code**

Reference	Kingborough draft LPS application compliance
<p><b>LP1.7.9(a)</b> Each LPS must contain an overlay map produced by the Department of Premier and Cabinet, showing:</p> <p>(i) coastal inundation hazard areas; and</p> <p>(ii) coastal inundation investigation areas,</p> <p>for the application of the Coastal Inundation Hazard Code, unless modified by the planning authority for part of the</p>	<p>Kingston draft LPS contains an overlay map for the application of the Coastal Inundation Hazard Code, as produced by the Department of Premier and Cabinet,</p>



Reference	Kingborough draft LPS application compliance	
municipal area. If modified, the modified map must be shown.	showing: (i) coastal inundation hazard areas; and (ii) coastal inundation investigation areas.  No modifications to the overlay map have been made.	
<b>CIHC 1</b>	<p>The coastal inundation hazard area overlay must include the three coastal inundation hazard bands and the coastal inundation investigation area as depicted in the 'Coastal Inundation Hazard Area Bands 20161201' layer published on the LIST, unless modified:</p> <p>(a) to reflect the coastal inundation hazard bands or coastal inundation investigation area as depicted in an equivalent overlay contained in the interim planning scheme for that municipal area, if consistent with the thresholds specified in Table CIHC 1 below; or</p> <p>(b) in accordance with a report prepared by a suitably qualified person which justifies a change to these areas to meet the thresholds specified in Table CIHC 1 below.</p>	<p>The coastal inundation hazard area overlay contained in the Kingborough draft LPS includes the three coastal inundation hazard bands and the coastal inundation investigation area as depicted in the 'Coastal Inundation Hazard Area Bands 20161201' layer published on the LIST.</p> <p>No modifications have been made.</p>
<b>CIHC 2</b>	<p>The LPSs must include the AHD levels for the coastal inundation hazard bands and the defined flood level for the relevant localities as a list for the Coastal Inundation Hazard Code in accordance with the AHD levels published on the DPAC website (<a href="http://www.dpac.tas.gov.au/divisions/osem/coastal_hazards_in_tasmania">http://www.dpac.tas.gov.au/divisions/osem/coastal_hazards_in_tasmania</a>), unless modified:</p> <p>(a) to reflect the AHD levels for a coastal inundation investigation area as included in an equivalent code in the interim planning scheme for that municipal area if consistent with the thresholds specified in Table CIHC 1 below; or</p> <p>(b) in accordance with a report prepared by a suitably qualified person which justifies a change to these areas to meet the thresholds specified in Table CIHC 1 below.</p>	<p>Kingborough draft LPS includes the AHD levels for the coastal inundation hazard bands and the defined flood level for the relevant localities as a list for the Coastal Inundation Hazard Code in accordance with the AHD levels published on the DPAC website.</p> <p>No modifications have been made.</p>
Table CIHC 1: Coastal inundation hazard area overlay thresholds		
Hazard area	Thresholds	
Low hazard band	1% in 2100 rounded up to the nearest 0.1m plus 0.3m in free board	
Medium hazard	1% in 2050 rounded up to the	

Reference			Kingborough draft LPS application compliance
	band	nearest 0.1m plus 0.3m in free board	
	High hazard band	Mean high tide plus sea level rise in 2050, rounded up to the nearest 0.1m	
	Investigation area	The area less than 1km from the mean high–water mark and below the 10m contour in which no detailed investigation has been undertaken.	

## 7.12 Flood-Prone Areas Hazard Code

Table 52: Code application compliance – Flood Prone Areas Hazard Code

Reference		Kingborough draft LPS application compliance
<b>LP1.7.10(a)</b>	If a planning authority has Flood-Prone areas in its municipal area, the LPS must contain an overlay showing the areas for the application of the Flood-Prone Areas Hazard Code.	Kingborough municipality contains Flood-Prone areas, and therefore Kingborough draft LPS contains an overlay showing the areas for application of the Flood-Prone Areas Hazard Code.
<b>FPHAZ 1</b>	The Flood-Prone hazard area overlay should be applied to areas known to be prone to flooding, particularly areas known to be within the 1 per cent annual exceedance probability (AEP) level.	The Flood-Prone hazard overlay contained in Kingborough draft LPS has been applied to areas known to be prone to flooding, specifically the flood envelope for 1 per cent annual exceedance probability level for years 2010 and 2100.
<b>FPHAZ 2</b>	In determining the extent of the Flood-Prone hazard area overlay, planning authorities may utilise their own data, including any equivalent overlay contained in an interim planning scheme or section 29 planning scheme for that municipal area, or data from other sources.	See discussion below.

### 7.12.1 Kingston Beach Flood-Prone Area

A flood study was undertaken to provide a detailed flood assessment of the Kingston Beach catchment (see Attachment E3). This study was a comprehensive investigation of flood behaviour within the catchment. It now provides detailed information about the nature of flood risk including the distribution, extent, depths, levels and velocity of floodwaters for a range of storm events, including a 100 year flood.

In completing the flood study, the following activities were undertaken:

- collection and compilation of available historical and recent climate change data and flood data related to the study area;
- development of flood models through a comprehensive 2D computer model using available data;
- simple validation of the models using current best available data and sensitivity tests;
- production of a range of design flood maps (peak flood level, depth, velocity and hazard) including 1%, 5% and 20% AEP events for catchment (fluvial) derived flooding with future climate change; 1%, 5% and 20% AEP events for derived storm surges level with future sea level rise and coincident floods in 9-hour peak storm events;
- preliminary investigation of potential flood mitigation measures; and
- a technical peer review of the final report and modelling results.

Catchment flooding and oceanic inundation can occur due to the same storm cell and therefore design flood levels in a lower coastal waterway will be influenced by a combination of these sources. If oceanic inundation (storm surge) or catchment flooding is examined in isolation the resultant estimated flood risk is unlikely to be fit for purpose.

This study followed Queensland and NSW State Government guidelines that provide guidance on simplified methods to allow for such coincident flooding. Current practice typically includes an analysis of two boundary cases to obtain the 1% AEP flood level, which might typically combine:

- 1% AEP river discharge with a downstream (tidal) level at mean high sea level; and
- 5% AEP freshwater inflow with a 1% AEP downstream (tidal) level.

The results indicate that most of the Kingston Beach residential and commercial areas are subject to between 2.6m AHD to 3.3m AHD water levels during the peak 1% AEP coincident flood in the Year 2100. The resultant flood risk varies across the study area with lower lying areas backing onto Browns River being exposed to relatively high velocities and flood depths compared to the higher ground adjacent to Osborne Esplanade, i.e. the flood risk decreases across Kingston Beach from Browns River to the beach.

The results further indicate that for the designed coincident flood event, the catchment (fluvial) flood is the dominant factor affecting flood risk in Kingston Beach, compared with coastal storm surge. The influence of catchment flooding on coincident flood risk in Kingston Beach increases in scenarios that incorporate a lower than design storm tide. The availability of this information means that it must be used in the assessment of future uses and development in the affected area.

The Flood-Prone hazard area overlay contained in Kingborough draft LPS is based on the Kingston Beach Flood Study, and meets the criteria for inclusion of a Flood-Prone hazard area overlay.



## 7.13 Bushfire-Prone Areas Code

Table 53: Code application compliance – Bushfire-Prone Areas Code

Reference	Kingborough draft LPS application compliance
<b>LP1.1.7.11(a)</b> Each LPS may contain an overlay map showing Bushfire-Prone areas for the application of the Bushfire-Prone Areas Code.	Kingston draft LPS contains a Bushfire-Prone area overlay.
<b>BPAC 1</b> The Bushfire-Prone area overlay should be applied in accordance with any overlay map approved by the Tasmania Fire Service for the relevant municipal area. Any modification to an overlay map approved by the Tasmania Fire Service should be made in consultation with the Tasmania Fire Service.	Kingston draft LPS applies the Bushfire-Prone area overlay provided by the Tasmanian Fire Service. No modifications have been made.

## 7.14 Potentially Contaminated Land Code

Table 54: Code application compliance – Potentially Contaminated Land Code

Reference	Kingborough draft LPS application compliance
<b>LP1.7.13(a)</b> Each LPS may contain an overlay map showing potentially contaminated land for the purposes of the application of the Potentially Contaminated Land Code.	Kingborough draft LPS does not contain an overlay map showing potentially contaminated land. The Potentially Contaminated Land Code will however apply through the attenuation distances specified in the SPP ordinance.
<b>PCLC 1</b> The potentially contaminated land overlay: may be applied to delineate land that has been potentially contaminated by a potentially contaminating activity. The overlay may be based on:  (a) field verification, analysis or mapping undertaken by, or on behalf of, the planning authority or the Environment Protection Authority; or  (b) any other relevant information or mapping held by the planning authority or Environment Protection Authority.	N/A – see above

## 7.15 Landslip Hazard Code

**Table 55: Code application compliance – Landslip Hazard Code**

Reference	Kingborough draft LPS application compliance						
<p><b>LP1.7.12(a)</b> Each LPS must contain an overlay map produced by the Department of Premier and Cabinet, showing landslip hazard areas for the application of the Landslip Hazard Code, unless modified by the planning authority for part of the municipal area. If modified, the modified map must be shown.</p>	<p>Kingborough draft LPS contains an overlay map as produced by the Department of Premier and Cabinet, showing landslip hazard areas for the application of the Landslip Hazard Code.</p> <p>The overlay map contained in Kingborough draft LPS has been modified for an area in Tarooma. Details and rationale of the map modification are below.</p>						
<p><b>LHC 1</b> The landslip hazard area overlay must include the four landslip hazard bands as depicted in the 'Landslide Planning Map – Hazard Bands 20131022' layer published on the LIST, unless modified:</p> <p>(a) (a) to reflect the landslip hazard bands as depicted in an equivalent overlay contained in the interim planning scheme for that municipal area, if consistent with the thresholds specified in Table LHC 1 below; or</p> <p>(b) in accordance with a report prepared by a suitably qualified person which justifies a change to these areas to meet the thresholds specified in Table LHC 1 below.</p>	<p>The landslip hazard area overlay includes the four landslip hazard bands as depicted in the 'Landslide Planning Map – Hazard Bands 20131022' layer published on the LIST.</p>						
<p>Table LHC 1: Landslip hazard area overlay thresholds</p>							
<table border="1"> <thead> <tr> <th>Hazard area</th><th>Thresholds</th></tr> </thead> <tbody> <tr> <td>Low hazard band</td><td>This area has no known landslides; however it has been identified as being susceptible to landslide by Mineral Resources Tasmania (MRT).</td></tr> <tr> <td>Medium hazard band</td><td>The area has known landslide features, or is within a landslide susceptibility zone, or has legislated controls</td></tr> </tbody> </table>	Hazard area	Thresholds	Low hazard band	This area has no known landslides; however it has been identified as being susceptible to landslide by Mineral Resources Tasmania (MRT).	Medium hazard band	The area has known landslide features, or is within a landslide susceptibility zone, or has legislated controls	
Hazard area	Thresholds						
Low hazard band	This area has no known landslides; however it has been identified as being susceptible to landslide by Mineral Resources Tasmania (MRT).						
Medium hazard band	The area has known landslide features, or is within a landslide susceptibility zone, or has legislated controls						

Reference		Kingborough draft LPS application compliance	
		to limit disturbance of adjacent unstable areas.	
	Medium–active hazard band	The land is on an active landslip.	
	High hazard band	The component is within a declared “Landslip A” under the <i>Mineral Resources Development Act 2001</i> .	

### 7.15.1 Tarooma landslide area

The Kingborough draft LPS contains an overlay map, as produced by the Department of Premier and Cabinet (DPAC), showing landslip hazard areas for the application of the Landslip Hazard Code. However, the overlay map contained in the Kingborough draft LPS has been modified for the Tarooma Landslide Area consistent with the findings of a project managed by Kingborough Council (in conjunction with Mineral Resources Tasmania) with funding from the Natural Disaster Resilience Programme.

A major investigation was undertaken in 2012–2014 to better understand the landslide and surrounds (in the vicinity of the Tarooma Primary and High schools) in order for informed risk management plans to be developed for the major stakeholders, including residents, the schools, Council and infrastructure providers. Three reports by consultant GHD, with contributions and technical assistance from Mineral Resources Tasmania (MRT), were created. The summary report is found at Attachment E4.

The Tarooma Landslide is identified by DPAC as one of Tasmania’s most significant landslide risks. It is known to be affecting the Channel Highway, multiple houses and the two schools.

While the Kingborough draft LPS relies predominantly on the overlay available on the List and the map produced by DPAC, the importance of this landslide requires a more detailed and locally-specific modification.

Criteria LHC 1 in Guideline No.1 requires that the landslip hazard area overlay must include the four landslip hazard bands as depicted in the ‘Landslide Planning Map – Hazard bands 20131022’ layer published on the List, unless modified in accordance with a report prepared by a suitably qualified person. The GHD reports meet this requirement.

To create the modifications to the overlay map, Kingborough Council has overlaid the hazard areas from the List and the hazard areas identified from the GHD report and applied the higher hazard rating to a specific area where dissimilar, taking a precautionary approach. This methodology has been agreed upon by MRT, DSG and DPAC. The changes to the mapping meet the criteria to amend hazard maps provided by DPAC.

Below is a visual summary of the methodology.



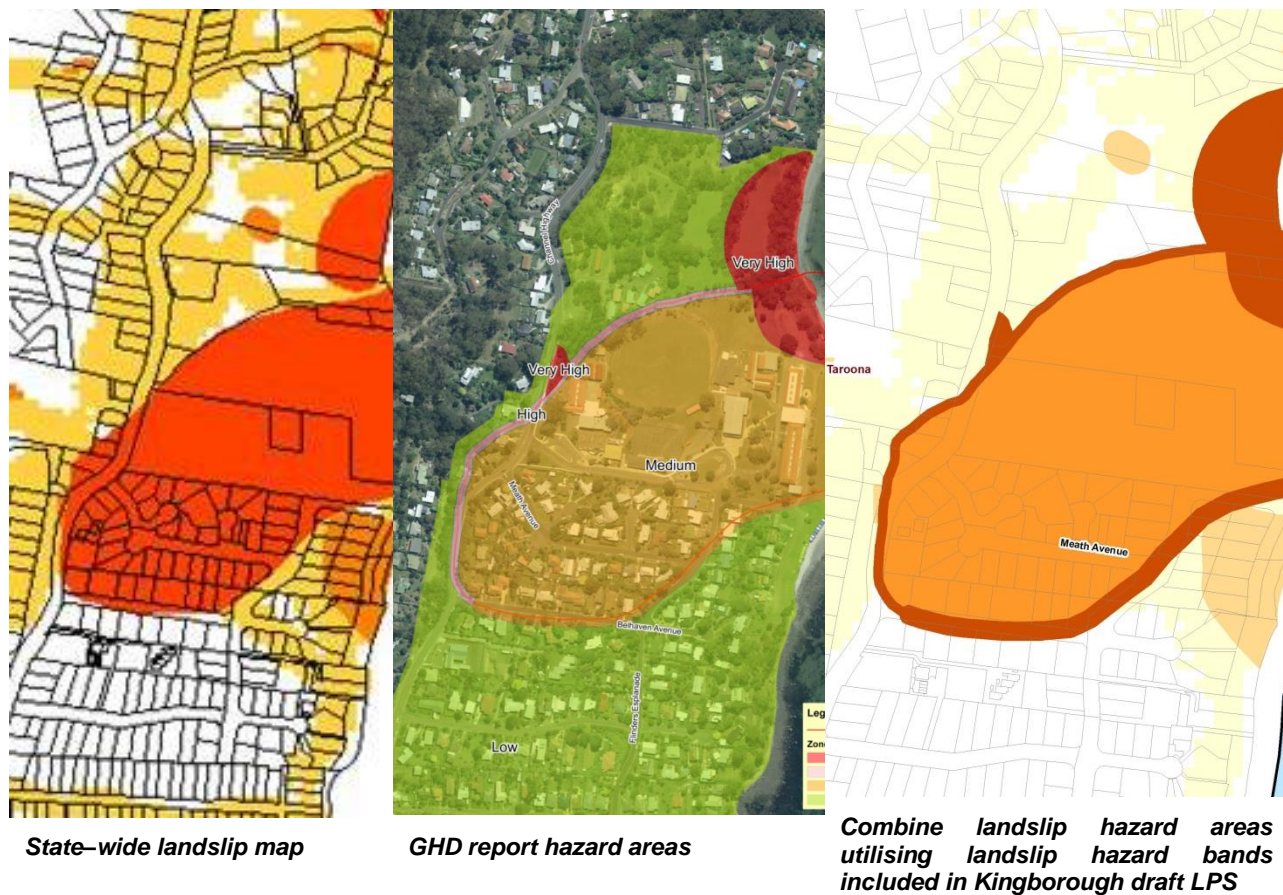


Figure 94: Landslip hazard area overlay map modification

## 7.16 Safeguarding of Airports Code

Table 56: Code application compliance – Safeguarding of Airports Code

Reference	Kingborough draft LPS application compliance
<p><b>LP1.7.14(a)</b> If a planning authority has:</p> <ul style="list-style-type: none"> <li>(i) airport noise exposure areas based on airport noise contours contained in an airport master plan or otherwise adopted for the relevant airport; and</li> <li>(ii) airport obstacle limitation area based on the Obstacle Limitation Surfaces and Procedures for Air Navigation Services – Aircraft Operations for the relevant airport,</li> </ul> <p>in its municipal area, the LPS must contain an overlay map showing those</p>	<p>The Great Bay Airstrip on Bruny Island does not have a master plan or other relevant, adopted document that identified airport noise exposure areas.</p> <p>The Great Bay Airstrip does not have an Obstacle Limitation Surfaces and Procedures for Airport Services – Aircraft Operations.</p> <p>The Kingborough draft LPS therefore does not contain an overlay map showing these areas.</p>

Reference	Kingborough draft LPS application compliance	
	areas for the application of the Safeguarding of Airports Code	
Airport Noise Exposure Area overlay		
SAC 1	The airport noise exposure area overlay should be based on the relevant airport noise contours contained in the airport master plan or those otherwise adopted by the relevant airport owner or operator for the relevant airport in accordance with any accepted guidelines.	N/A – see above
SAC 2	The airport noise exposure area overlay should at least include the land within the 20 Australian Noise Exposure Forecast (ANEF) contour and all land within higher ANEF contours.	N/A – see above
SAC 3	The airport noise exposure area overlay may also take account of the N contours contained in the airport master plan or those otherwise adopted for the relevant airport.	N/A – see above
Airport Obstacle Limitation Area overlay		
SAC 4	The airport obstacle limitation area overlay should be based on the Obstacle Limitation Surfaces (OLS) and Procedures for Air Navigation Services – Aircraft Operations (PANS–OPS) contained in the airport master plan or those otherwise adopted by the relevant airport owner or operator for the relevant airport in accordance with any accepted guidelines.	N/A – see above
SAC 5	The airport obstacle limitation area overlay must identify the specified height limit on the land within the overlay by reference to AHD. The specific height limit should be identified as the lower of the OLS or the PANS–OPS for the applicable airport if the two surfaces overlap. The overlay may address any anomalies in the OLS or PANS–OPS height limitations provided they are endorsed by the relevant airport operator.	N/A – see above

## 8 Local Overriding Provisions

### 8.1 Specific Area Plans

The SPPs outline the content requirements for any Specific Area Plans (SAPs) at LP1.5. All transitioning, post 17 December 2015 and new SAPs found in Kingborough draft LPS meet these requirements.

Kingborough draft LPS contains ten SAPs. These SAPs comprise the conversion of two existing SAPs, one revised SAP from KIPS2015 which is to be submitted as a new SAP, and seven new SAPs.

#### 8.1.1 Transitioning SAPs

The Planning Policy Unit audit of the SAPs found in KIPS 2015 identified the following existing SAPs to be transitioned to the Kingborough draft LPS under Schedule 6, Clause 8(1) of LUPAA:

KIPS 2015	Kingborough draft LPS
<b>F1.0 Kingston Green Specific Area Plan</b>	KIN-S1.0 Kingston Green Specific Area Plan
<b>F2.0 Margate Marina Specific Area Plan</b>	KIN-S2.0 Margate Marina Specific Area Plan

The transitioning SAPs have been modified to the extent necessary to ensure consistency with the prescribed SPPs format and drafting instructions.

One major obstacle in transitioning these SAPs was the ability to retain the controls on vegetation removal to be in accordance with KIPS 2015. Whilst controls existed under the existing SAPs, the rules and regulations on how and where the Natural Assets Code can be applied under the SPPs have changed the ability to protect the vegetation for these two SAPs.

It is acknowledged that a policy change is not allowable with the transitioning of SAPs and in this instance this is not what is being proposed. The vegetation/biodiversity provisions have been added to these two SAPs in order to achieve consistency with the former SAPs under KIPS2015. Without the inclusion of such provisions, the policy intent of providing for the appropriate development of the sites in accordance with the SAP, while still taking into consideration impacts on priority biodiversity values, is clearly compromised.

These are therefore regarded as 'permitted alterations' to these two SAPs, as defined under Schedule 6, Clause 8C(3) of LUPAA.

#### 8.1.2 Revised transitioning SAP

In addition to the above transitioning SAPs, the PPU audit identified that the *F3.0 Former Kingston High School Specific Area Plan* from KIPS2015 is subject to transitional provisions under Schedule 6, Clause 8(1) of LUPAA. However, Council has chosen to not transition this SAP as originally reviewed by the PPU.



The section below provides a further discussion regarding this revised SAP. This SAP, to be known as the Kingston Park SAP, is currently going through the amendment process to bring it more in line with development and changes that have occurred in the last few years. The intention is to transition the revised and amended SAP into the Kingborough draft LPS.

#### **8.1.2.1 Kingston Park SAP**

Much work has been undertaken in the development of the Kingston Park site, since the *Former Kingston High School Specific Area Plan* was written in 2014. As discussed above, a revised/updated SAP has been drafted, and is currently going through the amendment process available under section 34 of the former provisions of LUPAA. This new SAP will be inserted within KIPS2015 and has been drafted for that purpose. The updated Kingston Park SAP that is included within the Kingborough draft LPS is very similar but has been drafted in accordance with the SPP requirements. Both versions are a reflection of the revised vision for the site and will facilitate the future development of the site by accommodating Council's plans and the agreed private development proposals.

More detailed information about the updated SAP can be found in the background report prepared by Council. See Attachment E5.

#### **8.1.3 New SAPs**

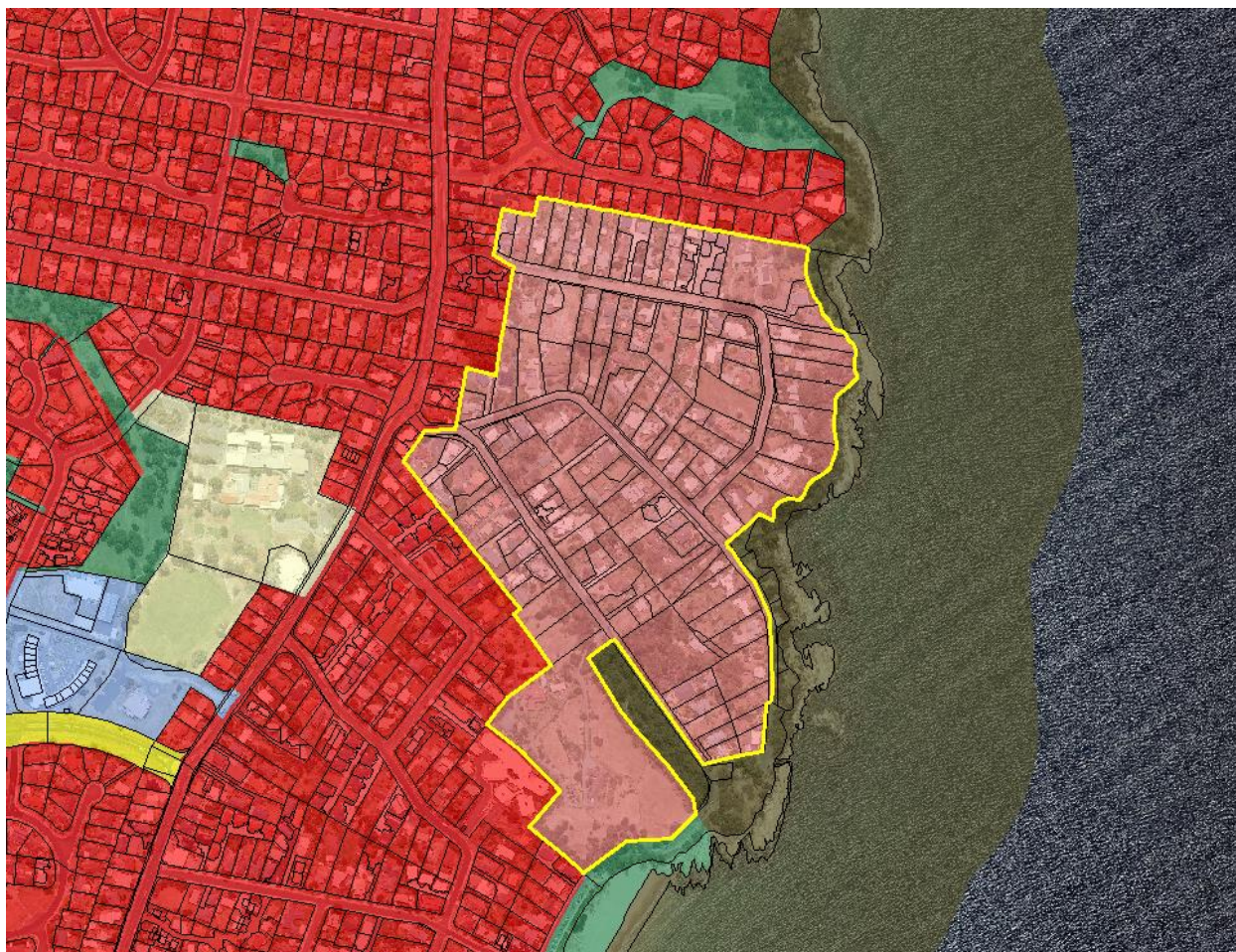
Under section 32(4) of LUPAA, a mechanism exists to include a SAP in relation to an area of land if:

- (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.*

Any new SAP proposed as part of the Kingborough Local Provisions Schedules will need to demonstrate how the legislative requirements are met. This is discussed in greater detail in each of the sections below.

##### **8.1.3.1 Blackmans Bay Bluff SAP**

Following public consultation for KIPS2015, a significant number of representations were received from the community in relation to the slowly eroding low density residential character of the Talone, Powell and Blowhole Roads in the Blackmans Bay area. A strong community commitment and expectation was voiced at the time into the need to maintain the existing pattern of development. For the purposes of definitively identifying the locality, the area is mapped as the Blackmans Bay Bluff Specific Area Plan (see Figure 95).



**Figure 95: Extent of Blackmans Bay Bluff SAP area**

A neighbourhood character study and public survey was undertaken as a result of these earlier representations. Full details of the outcome of the survey are included within the attached Neighbourhood Character Study Report (see Attachment E6). The character assessment demonstrated that, as identified by the local community, there are some very marked differences between this area compared to other residential areas within Blackmans Bay and particularly the adjoining residential areas. These identifiable differences include:

- larger lot sizes than those typically expected of a residential area
- lack of formal road and footpath infrastructure
- large setbacks
- lack of outbuildings in front of dwellings
- limited examples of front fencing
- a predominance of native vegetation and large areas of green garden space
- vegetated backdrop to beach providing visual amenity
- an abundance of off-street carparking.

It is a quite distinct residential precinct within Blackmans Bay where the views of the residents should be respected. Because of this area's unique and identifiable differences, a SAP has been proposed that provides an opportunity for additional provisions to be included in the Kingborough draft Local Provisions Schedule to protect this existing character, based on the following qualities.

### Social qualities

The larger lot sizes and the extensive vegetation within the SAP area reflect the way that existing residents want to maintain this area and, following previous community consultation, this has been embedded within the planning scheme in the form of the way land is zoned and in the desired future character statements. Following the more recent public survey, future zoning options were investigated in order to protect the existing character and stay true to the provisions in the KIPS2015 and KPS2000 – see Local area Objective and Desired Future Character Statement within 9.1.3.2.3 below. It is apparent that the application of the General Residential Zone in this locality would offer no protection and result in a further degradation of the existing character of this Blackmans Bay Bluff area.

As an alternative, the Low Density Residential Zone is proposed for the entire area within the SAP boundaries in order to address some of the concerns, such as restricting small lot subdivision. However the provisions of the Low Density Residential Zone do not go far enough in providing the required level of protection and the SAP is required to best meet community expectations.

### Spatial qualities

This area does have a distinct heritage in that it was well established prior to 1958 with most residences having been used as 'shacks' or holiday homes. By the 1990s, the most of the surrounding areas had become well established to a higher density and constructed to a typical suburban character. Despite this, the Bluff area remained relatively well intact and retained most of its original character. This has continued into the present and various features (as previously listed) set it apart from other residential areas. However there are a few examples of recent out of character developments which have triggered concern within the community.

The informal road structure, such as the narrow roads and lack of footpaths, act as a traffic calming mechanism and slow vehicles down in this locality. Through traffic within this precinct should be discouraged. The existing pattern of large lots and green leafy gardens contributes to the spatial qualities that differentiate this Bluff precinct from other residential areas. The General Residential Zone in this locality would result in an influx of unit development and small lot subdivision that would completely change this area and impose unacceptable traffic, parking, visual and amenity impacts.

### Environmental qualities

The Blackmans Bay Bluff contains mature *Eucalyptus globulus* (Blue Gum) and *Eucalyptus ovata* (Black Gum) trees, which provide important foraging habitat for the critically endangered Swift Parrot (*Lathamus discolor*). There are also areas of remnant native vegetation on the larger lots which contain *Eucalyptus ovata* (Black Gum) forest and woodland, which is a



threatened native vegetation community under the *Nature Conservation Act 2002* and has been recently listed as a critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999*. There is also the potential habitat for the Chaostola skipper (*Antipodia chaostola*) and Eastern Barred bandicoot (*Perameles gunnii*) associated with this vegetation. Under KIPS2015, potential impacts on this vegetation are addressed through zone standards relating to high conservation values trees and application of the Biodiversity Code (E10.0).

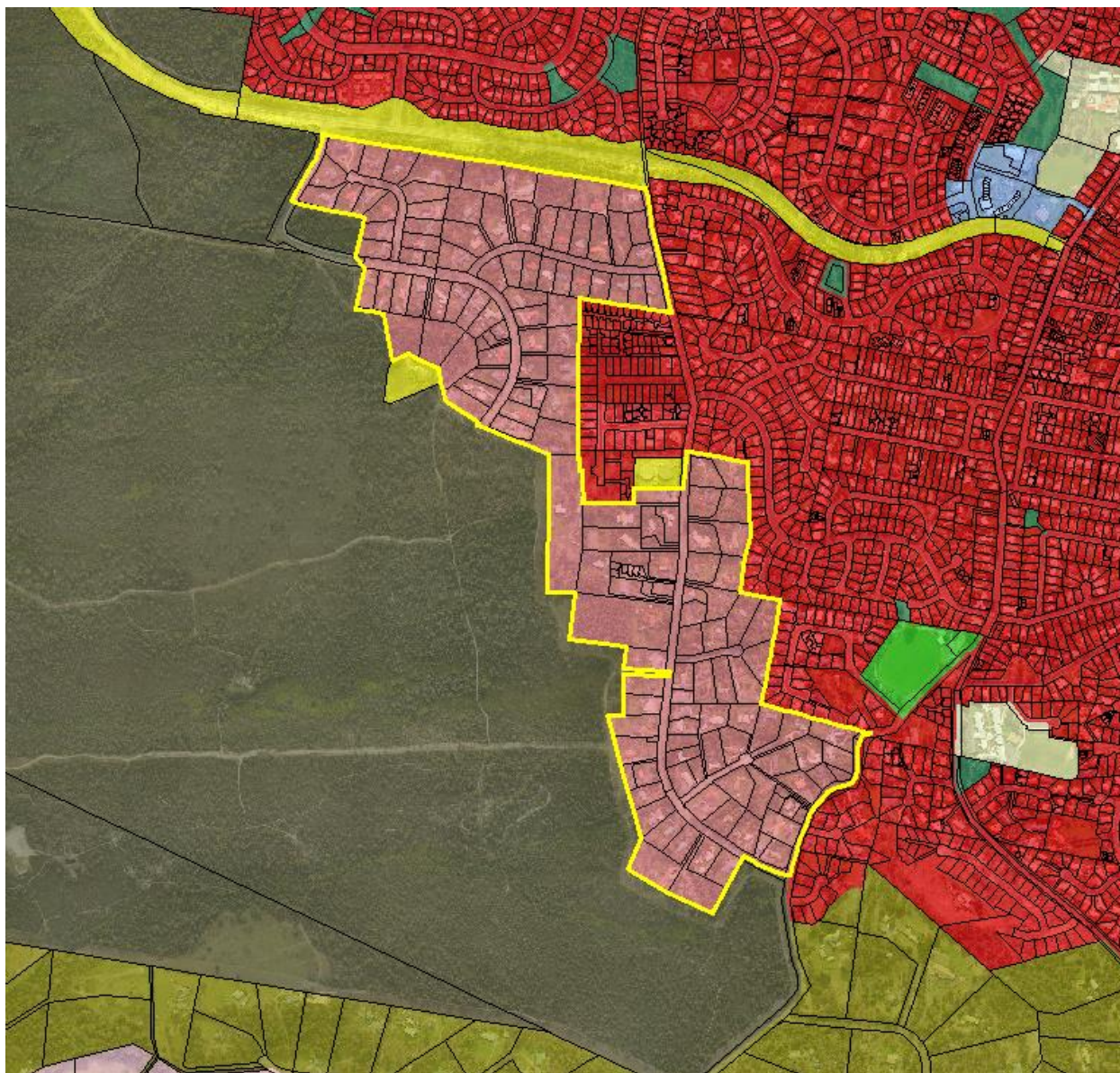
The Blackmans Bay Bluff SAP is included in the Kingborough draft LPS so that provisions are included that allow for the native vegetation to be retained and protected. At the same time the provisions will protect residential amenity by ensuring there is sufficient separation between dwellings and which enables the retention of larger areas of garden space.

The inclusion of additional development standards relating to vegetation controls within the SAP are necessary as the Low Density Residential Zone does not allow for the Natural Assets Code to apply in the zone. The native vegetation is present and, as demonstrated above, is worthy of protection. Without these controls in place, there is the likelihood that all such vegetation would be removed and the desired character (as outlined within the Neighbourhood Character Study) would be lost.

As demonstrated above and in the associated Neighbourhood Character Study (Attachment E6), there are environmental, social and spatial qualities that substantiate the need for a SAP. Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics described above to be protected by way of a SAP where it is demonstrated that there are particular environmental, economic, social or spatial qualities associated with the land proposed within the Blackmans Bay Bluff SAP. Accordingly, the Blackmans Bay Bluff SAP is proposed to mitigate against the loss of the area's existing character and is considered to meet the requirements of section 32(4) of LUPAA.

#### **8.1.3.2 Burwood Drive SAP**

The Burwood Drive SAP area comprises of an extensive area of land to the south of Algona Road and alongside (primarily to the west) of Burwood Drive, Blackmans Bay and is delineated through the zoning as Low Density Residential (see Figure 96). This is consistent with the existing zoning under KIPS2015. As can be seen by the figure below, it is characterised by much larger lots and borders the Peter Murrell Reserve to the west.



**Figure 96: Extent of Burwood Drive SAP area**

The location of the subject land adjacent to Peter Murrell Reserve also serves as a buffer between the higher density residential character to the north and east where the land is zoned as General Residential. The importance of retaining this buffer is to ensure that any encroachment onto the Peter Murrell Reserve is minimised and by reducing the need for vegetation clearance to address bushfire hazard management requirements.

Although no change to the current zoning is proposed, the relevant provisions relating to the Low Density Residential Zone under the SPPs have changed significantly from those of the KIPS2015. Under the KIPS2015, the minimum lot size allowable for the Low Density Residential Zone (Area B) is 5,000m<sup>2</sup>, whereas it is to be reduced to 1,500m<sup>2</sup> across all areas zoned Low Density Residential for the SPPs. This would result in significant changes to an area that is well established as a low density residential area. Most lots would be subdivided and the

whole area developed to a much higher density. The significant vegetation coverage within this area on a crest overlooking Blackmans Bay is an important characteristic that complements the valuable environmental values of the Peter Murrell Reserve.

### Social qualities

The pattern of larger lot sizes within this area has been well established and has been contained within this specific area for an extended period of time. This has been enforced to date on most lots by a restriction on the Certificate of Title which prohibits the further subdivision of the land. This in turn protects the local residential amenity and provides an up-front assumption for landowners that the larger lot sizes will remain into perpetuity. They have bought into this area on that basis and provide a certain level of certainty to the landowners that the existing settlement pattern will remain.

Additional development constraints are able to be provided through the SAP provisions, beyond those of the Low Density Residential Zone. In particular the Low Density Residential minimum lot size of 1,500m<sup>2</sup> would completely alter the existing residential amenity through the resulting subdivision and reduced distances between the dwellings. The proposed minimum lot size of 5,000m<sup>2</sup> under the SAP enables the existing lot size expectations to be retained.

The potential for future unit development to a density of 1,200m<sup>2</sup> under the SSP performance criteria of the Low Density Residential zone will also have profound effects on the character of the area, particularly through the loss of vegetation. The SAP proposes a minimum density allowable under the performance criteria of 4,500m<sup>2</sup>, rather than this 1,200m<sup>2</sup>.

This area is located along a ridgeline that overlooks Blackmans Bay suburban area. Blackmans Bay is essentially located within a bowl shaped area facing the coast. There are elevated areas to the north, west (the Burwood Road area) and the south). The vegetated skyline to the west is an important visual element for all of those who live in Blackmans Bay.

### Environmental qualities

The Burwood Drive area is characterised by mature *Eucalyptus amygdalina* (black peppermint) trees, which provide important potential habitat for hollow dwelling species as well as help define the character of the area. There are also areas of remnant native vegetation on the larger lots which contain *Eucalyptus amygdalina* (black peppermint) forest and woodland on sandstone, which is a threatened native vegetation community under the *Nature Conservation Act 2002*. There is also the potential habitat for the Chaostola skipper (*Antipodia chaostola*) and Eastern Barred bandicoot (*Perameles gunnii*) associated with this vegetation, as well as the potential for a number of threatened flora species, notably orchids. Under KIPS2015, potential impacts on this vegetation are addressed through Zone standards relating to high conservation value trees, application of the Biodiversity Code (E10.0) and the retention of larger lot sizes which enable these values to co-exist with residential development. The Burwood Drive area also adjoins Peter Murrell Reserve, providing an important buffer between higher density residential development and the reserve. Larger lot sizes in this area are also critical to ensuring impacts associated with development are contained within lot boundaries and do not encroach directly or indirectly into the Peter Murrell Reserve.



The existing vegetation coverage contributes to the requirement of a SAP. Although future subdivision under the Low Density Residential Zone is capable of triggering the Natural Assets Code, future development is not. This is quite different from the KIPS2015 which has maintained the existing character and vegetation along this ridgeline. The Burwood Drive SAP includes a provision that avoids or mitigates against the loss of vegetation from development of the subdivided lot. The retention of vegetation through future subdivision is also addressed through a requirement for new lots to demonstrate that sufficient area is being provided that will not require the excessive clearing of vegetation.

### Spatial qualities

The area is serviced by full reticulated services (water, sewerage, stormwater, electricity) and therefore the ability to zone the land as Rural Living is not considered an option. This locality is not a typical “rural setting” and was not zoned Rural Living under the KIPS2015. RLZ 2 of the Guidelines stipulates that the Rural Living Zone should not be applied to land that is not currently zoned as Rural Living within an interim planning scheme, unless it is consistent with the relevant regional land use strategy, or supported by a more detailed local strategic analysis. In this case, the provision of full reticulated services and a location close to land zoned General Residential would not enable it to be zoned Rural Living.

As described above, the larger lot sizes, existing vegetation and location adjacent to Peter Murrell Reserve contribute significantly to the character of the locality. The retention of these characteristics is also a result of prior community consultation and expectations. The KIPS2015 contained a specific and relevant Local Area Objective and Desired Future Character Statement in this regard as follows:

<b>Local Area Objectives</b>	<b>Implementation Strategy</b>
<b>Blackmans Bay</b>	
<i>(a) Areas within Blackmans Bay that are zoned Low Density Residential are to be developed so that both visual landscape and natural environmental values are protected.</i>	<i>(a) Existing larger lot sizes are to be retained in order that there is sufficient land to accommodate substantial vegetation on site and provide for the desired landscape and natural amenity.</i>

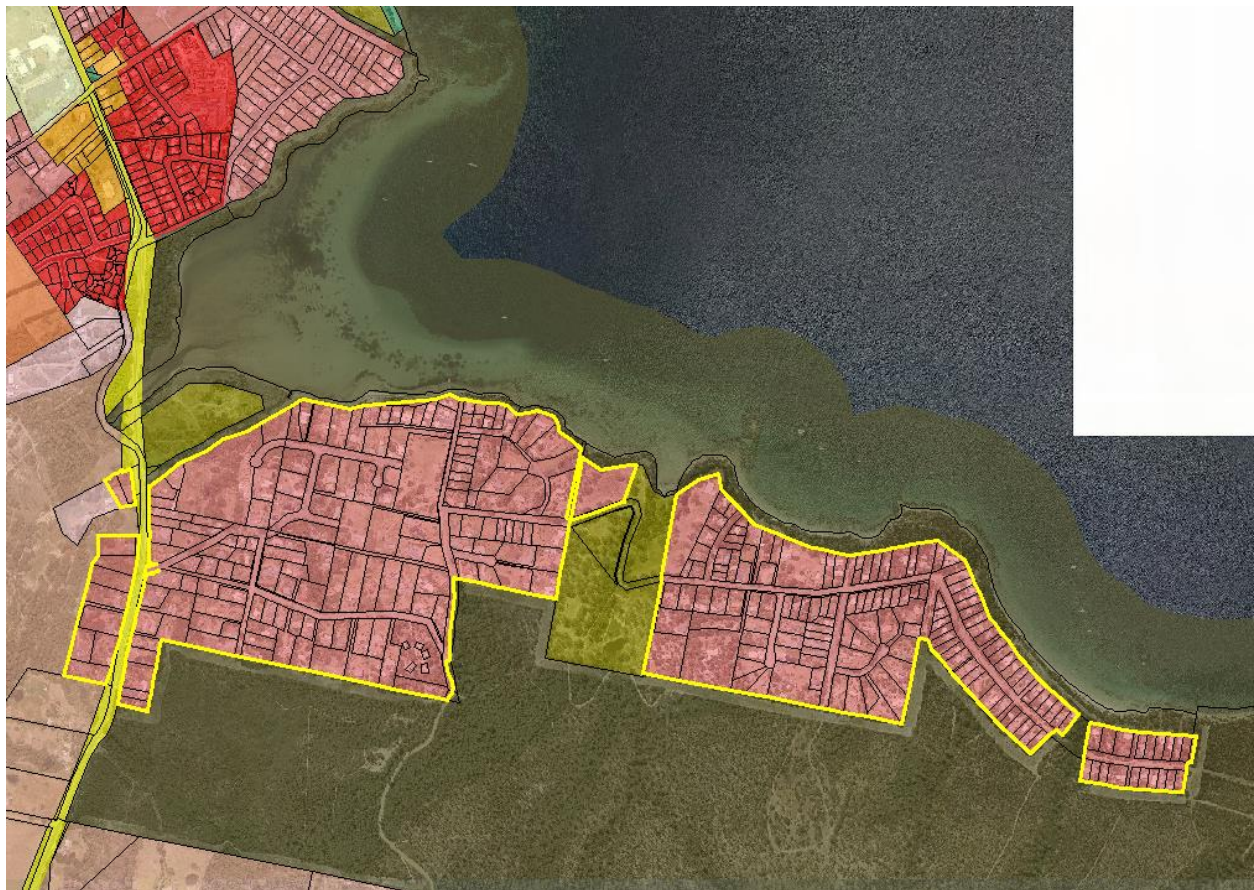
<b>Desired Future Character Statements</b>	<b>Implementation Strategy</b>
<b>Blackmans Bay</b>	
<i>(a) The existing neighbourhood character that is associated with the area’s landscape and environmental values should be protected.</i>	<i>(a) The visual amenity of hillsides and skylines is retained by providing for larger lots that are able to retain sufficient native vegetation. In some cases these areas also provide a buffer or transition between more closely settled urban areas and other areas with high natural values.</i>

This situation relating to the Burwood Drive locality has not changed and the retention of larger lot sizes and vegetation is still a priority. The provisions of the SPPs do not support this through the allowance for smaller lot sizes and there being no protection by way of the Natural Assets Code for development. Therefore, the Burwood Drive Specific Area Plan is a necessary component of the Kingborough draft LPS to ensure appropriate provisions are implemented.

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics described above to be protected by way of a SAP where it is demonstrated that there are significant qualities associated with the land proposed within the Burwood Drive SAP. For this reason, the Burwood Drive SAP is proposed to ensure that the existing character is maintained. As demonstrated above, there are particular environmental, social and spatial qualities that justify the need for a SAP for this locality and therefore the Burwood Drive SAP is considered to meet the requirements of section 32(4) of LUPAA.

#### **8.1.3.3 Coningham and Lower Snug SAP**

The Coningham and Lower Snug SAP area is located to the south of Snug and includes the coastal residential areas of Lower Snug and the adjoining Coningham, both of which are to be zoned as Low Density Residential. This is consistent with the existing Low Density Residential zoning within the KIPS2015. The extent of this area is shown in Figure 97 below.



**Figure 97: Extent of Coningham and Lower Snug SAP area**

Under the KIPS2015, the minimum lot size for (Area A) of the Low Density Residential Zone is 2,500m<sup>2</sup>. This lot size will not be retained under the Low Density Residential Zone for the SPPs and will reduce to a minimum of 1,500m<sup>2</sup>. Regardless of the minimum lot size discrepancy, the zoning of Low Density Residential most accurately describes the existing use and development within the specified area. This locality is characterised by larger lots, with lots mainly ranging from about 2,000m<sup>2</sup> to 7,000m<sup>2</sup>. This is an area that is well known for soils that are poorly suited to on-site wastewater systems and larger land parcels have normally been necessary – particularly for larger residences that are now more likely to be permanently occupied (it was historically a shack-based community).

The adjoining land to the south is Crown land and consists of the Coningham Nature Recreation Area managed by the Parks and Wildlife Service. It is a very large area of native vegetation. The lower density residential development provides a sensible buffer alongside this reserve, bearing in mind the potential bushfire hazard and the need to manage conservation values. This land has a number of other qualities that makes it different to areas zoned Low Density Residential and these are outlined below.

#### Social qualities

The existing pattern of larger lot sizes and greater distances between dwellings provides a local character appreciated by local residents. This is reflected in the following Local Area Objectives and Desired Future Character Statements within KIPS2015 that were obtained from past public consultation:

<b>Local Area Objectives</b>	<b>Implementation Strategy</b>
<b>Coningham and Lower Snug</b>	
(a) <i>Coningham and Lower Snug should be maintained as rural or coastal settlements within natural settings.</i>	(a) <i>Future development should occur at a lower density in order to protect spatial separation and the area's native vegetation.</i>

<b>Desired Future Character Statements</b>	<b>Implementation Strategy</b>
<b>Coningham and Lower Snug</b>	
(a) <i>Coningham and Lower Snug have environmental, road access and servicing limitations that will constrain further residential development.</i>	(a) <i>Further significant subdivision of land will be discouraged in order to protect coastal values, road safety and local amenity.</i>

A reduction in the minimum lot size to 1,500m<sup>2</sup>, from the existing 2,500m<sup>2</sup>, will provide opportunities for subdivision that are entirely inconsistent with the above statements and implementation strategies. This would have adverse consequences that have not been anticipated for this locality.



As an alternative to the Low Density Residential Zone, the Rural Living Zone under the SPPs was considered for this location. The smallest lot size under the Rural Living Zone is 1 hectare which would be quite inconsistent with the existing pattern of lot sizes. The area is well established as a low density residential area and, as such, a number of the potentially allowable uses under the Rural Living Zone would certainly conflict with the existing type of residential occupation – such as Domestic Animal Breeding, Boarding and Training; Manufacturing and Processing and Resource Processing. These would create unacceptable social impacts on the community. It is also noted that there is no use standard contained within the Rural Living Zone against which these uses might be assessed.

Such 'rural' uses would result in a loss of residential and social amenity and would conflict with the current expectations of the residents within the area. It is also the case that a more intensive form of residential development would also be inappropriate. This area does not have any local shop or any other local community services and is not suited for unit development. Consequently a Use Table, that replaces some allowable uses under the Low Density Residential Zone, is proposed in this SAP which prohibits multiple dwellings. This type of development would contribute to an increased density that is not in accordance with the existing character. The inclusion of the new Use Table best achieves the purpose of the SAP.

### Spatial qualities

The area of land contained within this SAP is subject to wastewater and stormwater drainage issues which has been recognised as a significant problem to Council for many years. They are not easily resolved because of soil limitations, slope and the existing settlement pattern. A reduction in the minimum lot size to 1,500m<sup>2</sup> will not be sustainable within this area. The current minimum lot size of 2,500m<sup>2</sup> under the KIPS2015 was quite deliberately chosen for an area like this. It enables sufficient land within a lot's boundary to effectively manage the local drainage and absorption issues.

As outlined below, the area also contains a significant cover of native vegetation and this assists in addressing these wastewater absorption and stormwater disposal issues. The larger lot size is an essential requirement in this regard. As well as this, there are significant visual landscape values associated with the SAP area due to its coastal location and the popular recreational use of the general area (eg Coningham Beach and foreshore). Any increase in living density is likely to have an adverse impact on the views to Coningham in particular, but also for the whole area from within. The whole area has a very distinct curtilage and character and is not suited to any significant infill development or outward expansion.

It is also important to note that under the STRLUS, Coningham and Lower Snug are considered as having an "Other Small Settlements or Locality" function with a projected growth strategy of "very low" and a growth scenario of "consolidation". Some "growth" has already occurred since the gazettal of the STRLUS and any increase in subdivision potential (by way of a lowered minimum lot size) would certainly exceed the very low growth strategy and result in a clear inconsistency with the STRLUS.

## Environmental qualities

The Coningham and Lower Snug area has important natural values, with some areas containing threatened native vegetation communities including *Eucalyptus amygdalina* forest and woodland on sandstone or *Eucalyptus viminalis*-*Eucalyptus globulus* coastal forest and woodland. There are also important habitats for threatened species associated with this vegetation, including the critically endangered swift parrot (*Lathamus discolor*), the endangered forty-spotted pardalote (*Pardalotus quadragintus*), the chaostola skipper (*Antipodia chaostola*), the Tasmanian devil (*Sarcophilus harrisii*) and Eastern barred bandicoot (*Perameles gunnii*) and Eastern quoll (*Dasyurus viverrinus*). There is also the potential for a number of threatened flora species to occur within this vegetation, including orchids, sedges and shrubs. Under KIPS2015, the potential impacts on these values are addressed through Zone standards relating to high conservation value trees and the application of the Biodiversity Code (E10.0).

The proposed SAP includes a provision in substitution of the SPP clause 10.6.1 in order to ensure that minimum lot sizes and the retention of vegetation is maintained, consistent with the area's existing character. Coningham adjoins the Coningham Nature Recreation Area and the larger lots sizes in this area are critical in ensuring that impacts associated with a residential use are contained within the lot boundaries and do not encroach directly or indirectly into the nature reserve.

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics described above to be protected by way of a SAP where it is demonstrated that there are significant qualities associated with the land proposed within the Coningham and Lower Snug SAP.

As demonstrated above, there are significant qualities that substantiate the need for a SAP for this locality and therefore the Coningham and Lower Snug SAP is considered to meet the requirements of section 32(4) of LUPAA.

### 8.1.3.4 Kettering SAP

The township of Kettering is generally delineated within the area of land to be zoned as Low Density Residential (together with the Village, Recreation and Port and Marine Zones). This is also consistent with the existing Low Density Residential (Area A) zoning under the current KIPS2015. This area of land forms the extent of the Kettering Specific Area Plan (see Figure 98).



**Figure 98: Extent of Kettering SAP area**

Under the KIPS2015, the minimum lot size for (Area A) of the Low Density Residential Zone is 2,500m<sup>2</sup>. This lot size will not be retained under the Low Density Residential Zone for the SPPs and will reduce to a minimum of 1,500m<sup>2</sup>. The Low Density Residential zoning of this land most accurately describes the current use and development of the land.

Whilst vegetation coverage within this SAP area is sporadic, there are pockets of vegetation that are worthy of protection. In addition to this, the SAP area has high significance due to its visual landscape characteristics. It is anticipated that future development of the land contained within the SAP should reflect the existing local character and be sympathetic to the natural constraints associated with the area.

Of most significance is the fact that, within the STRLUS, Kettering is considered as having a “Village” function with a projected growth strategy of “low” and a growth scenario of “mixed” (both infill and outward growth). There has been a recent planning scheme amendment to KIPS2015 that has increased the outward extent of the Low Density Residential Zone and there have also been internal subdivisions. These have effectively already met the STRLUS projected growth strategy and it is not anticipated that any further significant growth is appropriate in the near future. Any increase in subdivision potential (by way of a lowered minimum lot size to 1,500m<sup>2</sup>) would certainly exceed the low growth strategy and result in a clear inconsistency with the STRLUS.

The Kettering township is nestled below a scenic vegetated backdrop comprising the hills surrounding the SAP area. This vegetated backdrop surrounding the Little Oyster Cove contributes significantly to the significant landscape values associated with Kettering. There are a number of specific qualities associated with Kettering as described below.



## Social qualities

The existing pattern of larger lot sizes and greater distances between dwellings provides a local character appreciated by local residents. This is reflected in the following Local Area Objectives and Desired Future Character Statements within KIPS2015 that were obtained from past public consultation:

<b>Local Area Objectives</b>	<b>Implementation Strategy</b>
<b>Kettering</b>	
(a) <i>Kettering's natural values should be protected – including water views, foreshore access and vegetated visual surrounds.</i>	(a) <i>Future development will strive to protect water quality, native vegetation, views and public access.</i>

<b>Desired Future Character Statements</b>	<b>Implementation Strategy</b>
<b>Kettering</b>	
(a) <i>Kettering is to remain a relatively small, low-density coastal village.</i>	(a) <i>Future development is constrained by the absence of reticulated water and sewer and future suburban type development is to be avoided.</i>

A reduction in the minimum lot size to 1,500m<sup>2</sup>, from the existing 2,500m<sup>2</sup>, will provide opportunities for subdivision that are entirely inconsistent with the above statements and implementation strategies. This would have adverse consequences that have not been anticipated for this locality. Kettering does have a very distinct character and this is greatly appreciated by the local resident community and any significant and expansion of the township would be quite contrary to the views previously expressed by that community.

As an alternative to the Low Density Residential Zone, the Rural Living Zone under the SPPs was considered for this location. The smallest lot size under the Rural Living Zone is 1 hectare which would be quite inconsistent with the existing pattern of lot sizes. Lots in Kettering are highly variable in size, but much smaller than 1 hectare. It is also considered inappropriate for such a township to be zoned Rural Living as this does not reflect the existing use. Allowable uses in the Rural Living Zone would certainly conflict with the existing type of residential occupation and result in a loss of residential and social amenity. They would create unacceptable social impacts on the community. It is also noted that there is no use standard contained within the Rural Living Zone against which these uses might be assessed.

It is also the case that a more intensive form of residential development would also be inappropriate. Consequently a Use Table, that replaces some allowable uses under the Low Density Residential Zone, is proposed in this SAP which prohibits multiple dwellings. This type of development would contribute to an increased density that is not in accordance with the existing character or the STRLUS. The inclusion of the new Use Table best achieves the purpose of the SAP.

## Spatial qualities

The Kettering residential area is un-serviced and is subject to wastewater and stormwater drainage issues which have been long recognised as a significant problem. The existing small lots along Ferry Road have been particularly challenging in regard to sewerage treatment and disposal. A reduction in the minimum lot size to 1,500m<sup>2</sup> will only exacerbate this problem. The current minimum lot size of 2,500m<sup>2</sup> under the KIPS2015 was established to provide sufficient land within a lot's boundary to manage the local area's drainage and absorption issues. Larger lots also enable more vegetation that also assists in addressing the local wastewater absorption and stormwater disposal issues.

Further to the above, there are significant visual landscape values associated with the SAP area due to Kettering's unique coastal setting. An increased density of residential development may have an adverse impact on views into Kettering from without and from within. The Kettering township plays an important role as a transport link between the mainland and Bruny Island. The Channel Highway and Ferry Road each carry a significant amount of tourist traffic. The scenic values associated with Kettering are therefore important. This increase in local traffic also imposes other constraints in regard to safety considerations for any new residential development (eg new road access proposals).

## Environmental qualities

The Kettering area contains mature *Eucalyptus ovata* (black gum) trees along the foreshore and areas of remnant *Eucalyptus ovata* (black gum) forest and woodland on the slopes. *E. ovata* forest and woodland is a threatened native vegetation community under the *Nature Conservation Act 2002* and has been recently listed as a critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999*. This vegetation also provides habitat for critically endangered swift parrot (*Lathamus discolor*) as well as the spotted-tail quoll (*Dasyurus maculatus maculatus*), Eastern quoll (*Dasyurus viverrinus*), Tasmanian devil (*Sarcophilus harrisii*) and Eastern Barred bandicoot (*Perameles gunnii*). Under KIPS2015, potential impacts on this vegetation are addressed through Zone standards relating to high conservation values trees and application of the Biodiversity Code (E10.0).

The proposed SAP includes a provision in substitution of the SPP clause 10.6.1 to ensure that minimum lot sizes and the retention of vegetation are maintained in accordance with the existing character. Without these requirements within a SAP, the township would experience a significant change in character.

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics described above to be protected by way of a SAP where it is demonstrated that there are significant qualities associated with the land proposed within the Kettering Specific Area Plan.

As demonstrated above, there are environmental, social and spatial qualities that substantiate the need for a SAP for this locality (as well as STRLUS requirements) and therefore the Kettering Specific Area Plan is considered to meet the requirements of section 32(4) of LUPAA.

#### 8.1.3.5 Dennes Point SAP

The township of Dennes Point is delineated by the area of land that is to be zoned Low Density Residential. This is the same as the existing Low Density Residential (Area A) zoning under the current KIPS2015. This area of land forms the extent of the Dennes Point Specific Area Plan.

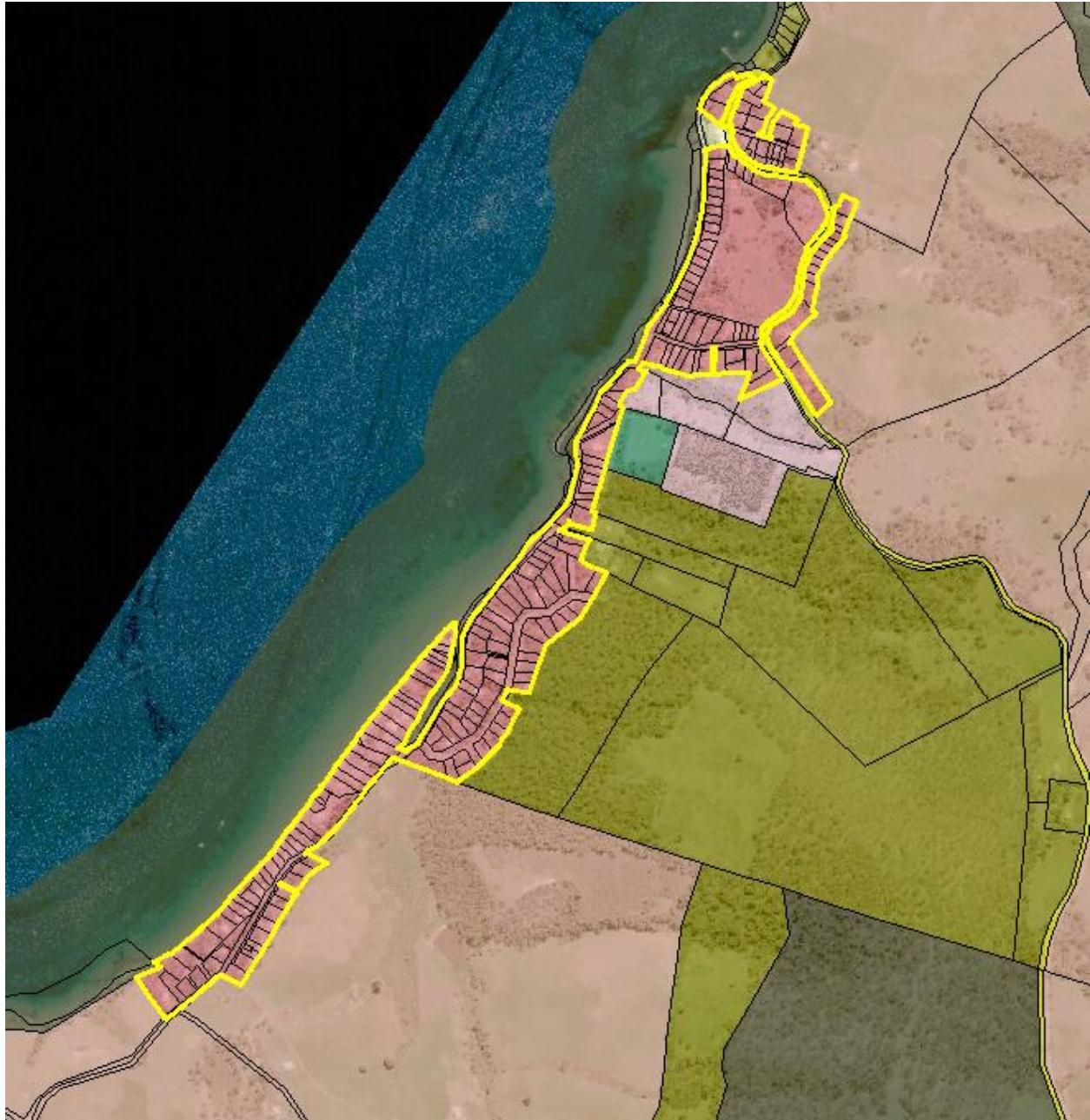


Figure 99: Extent of Dennes Point SAP area

Under the KIPS2015, the minimum lot size for (Area A) of the Low Density Residential Zone is 2,500m<sup>2</sup>. This lot size will not be retained under the Low Density Residential Zone for the SPPs and will be reduce to a minimum of 1,500m<sup>2</sup>.



The Dennes Point locality includes significant native vegetation that is worthy of protection. In addition to this, the SAP area has high landscape significance due to its coastal location at the northern tip of Bruny Island. It is considered that any future development of the land contained within this SAP should reflect the existing character and be sympathetic to the natural constraints associated with the site.

The Low Density Residential zoning of this land most accurately describes the current use and development of the land. There are a number of specific qualities associated with Dennes Point as described below.

### Social qualities

Dennes Point is characterised by some larger residential lots, in addition to many smaller lots of a size that might normally be found in a suburban setting that is quite out of character for this relatively remote location. These smaller lots were designed for 'shacks' or holiday homes that were only occasionally occupied. This is now increasingly not the case with the area now experiencing an increased permanent resident population and a much more regular tourist use. The smaller lots have become increasingly unsustainable under such circumstances.

A settlement pattern of larger lot sizes and greater distances between dwellings enables an improved lifestyle and is the preferred approach for Dennes Point. The smaller residential lots are a result of historic development patterns that are not supported for Dennes Point. This has been an expectation of the community for quite some time and is reflected in the Local Area Objectives and Desired Future Character Statements within KIPS2015 as follows:

<b>Dennes Point</b>	
<i>(a) Dennes Point is to be maintained as a small seaside settlement for residents, shack owners and visitors using short-term holiday accommodation in and around the village precinct.</i>	<i>(a) Future developments and buildings in Dennes Point are to be designed to reflect the existing low key character of the location.</i>

<b>Desired Future Character Statements</b>	<b>Implementation Strategy</b>
<b>Dennes Point</b>	
<i>(a) Future development within Dennes Point should maintain residential amenity and encourage high quality accommodation.</i>	<i>(a) Residential amenity is to be maintained through sensitive and contemporary building design, larger lots and vegetated screening.</i>

A reduction in the minimum lot size to 1,500m<sup>2</sup> from the current 2,500m<sup>2</sup> will provide an opportunity for subdivision which is entirely inconsistent with the above statements and implementation strategies. This would have adverse consequences that have not been anticipated for this locality. Dennes Point does have a very distinct character and this is greatly appreciated by the local community. Any future expansion of the township is unlikely due to the existing natural constraints.

There is an opportunity under the SPPs for the Low Density Residential Zone to allow unit developments to a similar density as the minimum lot size. Dennes Point has no reticulated services and the physical constraints (including wastewater disposal) and the existing settlement pattern makes unit development unsustainable. A Use Table in substitution for the allowable uses under the Low Density Residential Zone is proposed within the SAP which prohibits multiple dwellings. An allowance of multiple dwellings also contributes to an increased density that is inconsistent with the existing character of Dennes Point and the inclusion of the new Use Table best achieves the purpose of the SAP.

### Spatial qualities

The area of land contained within this SAP is un-serviced and is subject to wastewater and drainage issues which have been recognised as a significant problem for some time. A reduction in the minimum lot size to 1,500m<sup>2</sup> will only exacerbate this problem. The current minimum lot size of 2,500m<sup>2</sup> under the KIPS2015 was established to provide sufficient land within a lot's boundary to manage the local area's drainage and absorption issues. Larger lots also enable more vegetation that also assists in addressing the local wastewater absorption and stormwater disposal issues.

In addition, this coastal area has significant visual landscape values with the residential areas providing an important backdrop to the public foreshore and with the timbered hills above. There would be a detrimental impact on views from both without and within if there was an increased density of development (through an increased level of subdivision) on the larger lots. The Dennes Point township also has an important tourism and accommodation function and scenic values on Bruny Island are considered to be of great importance. A very distinct character currently exists and an expansion or significant infill development within the township would be quite out of character.

### Environmental qualities

Parts of Dennes Point contain *Eucalyptus amygdalina* forest and woodland on sandstone, which is listed as threatened under the *Nature Conservation Act 2002*. Within this vegetation type, *Eucalyptus viminalis* (white gum) is co-dominant and provides habitat for the endangered forty-spotted pardalote. Other areas contain *Eucalyptus viminalis* grassy forest and woodland or individual *E. viminalis* (white gum) trees, which are also important habitat for the forty-spotted pardalote. Current conservation advice for the forty-spotted pardalote is that even the loss of individual white gum trees in this area can have a significant impact on the survival of the species. Mature habitat is also present and provides potential breeding or nesting habitat for hollow-dwelling species, including the swift parrot (*Lathamus discolor*), forty-spotted pardalote (*Pardalotus quadrigintus*) and masked owl (*Tyto novaehollandiae*). There is also habitat for other threatened species associated with this vegetation, including the chaostola skipper (*Antipodia chaostola*) and Eastern quoll (*Dasyurus viverrinus*). Under KIPS2015, potential impacts on these values are addressed through Zone standards relating to high conservation values trees and application of the Biodiversity Code (E10.0).

The whole of the most northern part of Bruny Island is very highly regarded for its conservation values. The proposed SAP includes a provision in substitution of the SPP clause 10.6.1 to

ensure that minimum lot sizes and the retention of vegetation are maintained in accordance with the existing character. Without these requirements within a SAP, the township would experience a significant change in character

It is also important to note that under the *STRLUS*, Dennes Point is considered as having an “Other small settlements or locality” function with a projected growth strategy of “very low” and a growth scenario of “consolidation”. As such, it is not anticipated that any further significant growth is appropriate in the near future. Any increase in subdivision potential (by way of a lowered minimum lot size to 1,500m<sup>2</sup>) would certainly exceed the very low growth strategy and result in a clear inconsistency with the *STRLUS*.

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics described above to be protected by way of a SAP where it is demonstrated that there are significant qualities associated with the land proposed within the Dennes Point Specific Area Plan.

As demonstrated above, there are environmental, social and spatial qualities that substantiate the need for a SAP for this locality (as well as *STRLUS* requirements) and therefore the Dennes Point Specific Area Plan is considered to meet the requirements of section 32(4) of LUPAA.

#### **8.1.3.6 Kettering Marina SAP**

The Kettering Marina Specific Area Plan is delineated by the area of land zoned Port & Marine which is located along the waterfront at Kettering (see Figure 100 below). The existing commercial activities located adjacent to Ferry Road have been operating for many years as small “marine type” businesses or as a large marina.



**Figure 100: Extent of Kettering Marina SAP area**



Kettering is the only Port & Marine zoned area in the Kingborough municipality and aims to consolidate, encourage and maintain the businesses contained therein. This area is an integral part of the Kettering township. There are a number of specific qualities associated with the Kettering Marina area as described below.

### Social qualities

Activities conducted in the Port & Marine zoned land have been functioning in close proximity to residential uses along Ferry Road for a long period of time. The scale of development has been minimised accordingly – in order to limit the impact on residential amenity. There is a strong community expectation that this should be allowed to continue. Under the existing KIPS2015, there are local area objectives, desired future character statements and implementation strategies to ensure that the existing land use pattern can continue. The future intention is to continue with the status quo.

<b>Local Area Objectives</b>	<b>Implementation Strategy</b>
<b>Kettering</b>	
(a) <i>The foreshore area north of Ferry Road at Kettering will continue to serve as a working port with a mix of commercial and recreational uses.</i>	(a) <i>Future activities must complement the existing marine based uses along this waterfront. Residential or visitor accommodation uses are inappropriate as they unduly fetter commercial and recreation uses.</i>

<b>Desired Future Character Statements</b>	<b>Implementation Strategy</b>
<b>Kettering</b>	
(a) <i>The Kettering foreshore areas will continue to provide for a range of commercial functions with public access provided to the maximum extent possible.</i> (b) <i>The height, scale and bulk of development within this part of Kettering must be consistent with the surrounding development and not be too obtrusive when viewed from Ferry Road or the waterway.</i>	(a) <i>Waterfront and foreshore development must be sensitively designed to allow for public access, complement neighbouring development, be accessible and be of a scale that suits Kettering's rural village character.</i> (b) <i>Waterfront and foreshore development must be designed so that its height and scale is in keeping with other neighbouring buildings and structure.</i>

The Kettering Marina SAP proposes that existing uses be allowed to continue, however this will require some restrictions that protect the existing character of this local area. The SPP Port & Marine Zone provisions do not include use standards that assist in addressing any impacts on the nearby residential development from activities emanating from within the Zone. Therefore, the SAP is essential in setting the allowable use standards for the locality in order to maintain existing amenity.

The Local Business Zone was considered as an alternative option, however it didn't provide a neat fit in accommodating the allowable uses and the appropriate use and development standards for the existing marine related activities. The Port & Marine Zone includes a use

table that is more relevant to the site and only minimal changes are required to that addressed the primary concern for residents – which entails the need to prohibit visitor accommodation along the foreshore (within what is essentially an industrial precinct) and to limit the height of future development.

It is important that the SAP acknowledges the existing port & marine uses and clearly articulates support for these uses to continue. The existing uses contribute to the township and character of Kettering and the local community has an expectation that they will continue.

### **Spatial qualities**

Kettering Marina is considered as Kingborough's only "port" (albeit at a somewhat small scale). The allocation of this Port & Marine zone identifies an ongoing intention for the existing activities to continue and to be secure within the certainty that this Zone provides. Both Council and the local community wishes to see this locality managed in future in the same way that it currently is under the KIPS2015. It is however necessary to consider the fact that the provisions of the Port & Marine Zone are geared toward a higher intensity of activity, such as that associated with larger ports. For Kettering, these provisions will require some modification in order to fit with the existing and desired scale of development.

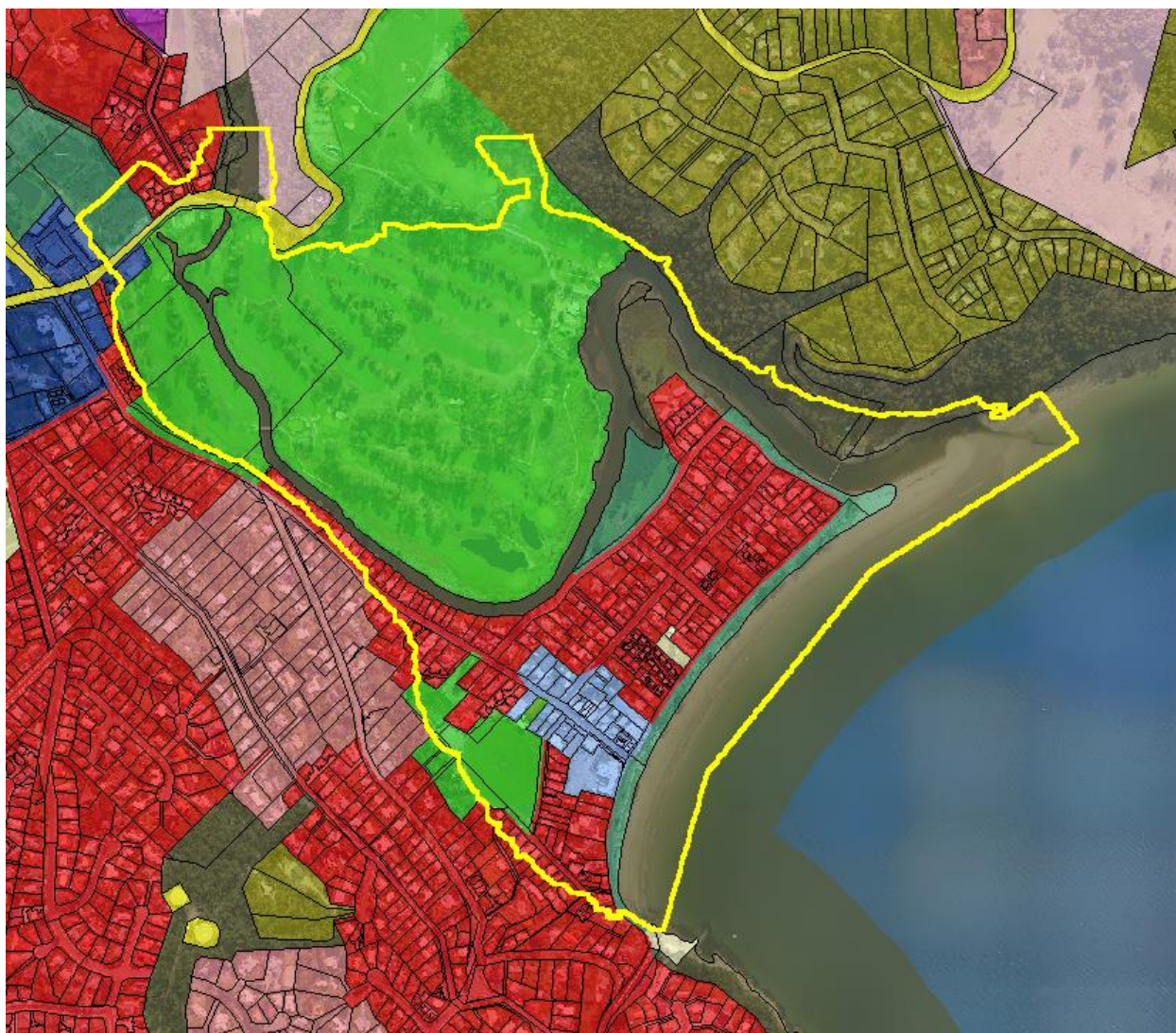
In implementing a SAP for the Kettering Marina area, there will need to be provisions included that substitute for the height requirements within the Port & Marine Zone. Whilst the Port and Marine Zone has an acceptable solution height of 20 metres, this is not acceptable along Ferry Road (opposite residents that look out on to the waterway). A more appropriate height of 7 metres is therefore proposed under the SAP as it best reflects existing conditions while still allowing for substantial future redevelopments.

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics described above to be protected by way of a SAP where it is demonstrated that there are significant qualities associated with the land proposed within the Kettering Marina SAP.

As demonstrated above, there are social and spatial qualities that justify the need for a SAP for this locality (as well as STRLUS requirements) and therefore the Kettering Marina Specific Area Plan is considered to meet the requirements of section 32(4) of LUPAA.

#### **8.1.3.7 Kingston Beach SAP**

Kingston Beach is one of the older residential areas within Kingborough and includes a residential area between Kingston Beach and Browns River. This area is low and flat and is approximately 1m–3m AHD. This area is highly vulnerable to the risk of flooding from the Browns River catchment and from coastal storm surge events. Due to an existing sea wall along the Kingston Beach frontage, the greater risk is likely to result from high rainfall in the Brown's River catchment. The area defined as being within the Kingston Beach Specific Area Plan is delineated (by the yellow line) on Figure 101 below.



**Figure 101: Extent of Kingston Beach SAP area**

Council is well aware of the risks associated with climate change and in response has undertaken flood modelling and mapping investigations to better understand these current and future risks at Kingston Beach. These investigations focused in particular on the coincident flooding risks for Kingston Beach (where coastal and riverine inundation occurs concurrently) rather than the normal approach which considers coastal and riverine flooding risks separately. This required a great deal more sensitive analysis than is usual and has resulted in the need for this Specific Area Plan.

This information will provide an opportunity for development to be designed to mitigate against the risks associated with future rainfall, storm and flood events that will be different to past experience. Given that the area is well established with residential, community and commercial land uses, Council is obligated to ensure that future development properly considers the information that is now available within the Kingston Beach Flood Study and therefore the real risks to such development that might be carried out in the future. A description of the spatial and environmental qualities that occur within the Kingston Beach SAP area is as follows.



## Spatial qualities

The Kingston Beach locality, as one of the older areas residential areas within the Kingborough municipality, is also within a Heritage Precinct. The area was historically established as a holiday beach-side location that has since grown into a very sought after residential area. Whilst the ongoing sympathetic development of the area should continue, there is an obligation and need for future development to be managed in a way that accounts for future flood and inundation risks.

The severity of risk is increased dramatically by the extent of residential development that is located between Browns River and the Beach. This is further exacerbated by the low land levels described earlier. A number of future management alternatives have been explored in order to reduce the risk to an acceptable level, whilst taking into account the current and future level of development.

Most of the area contained within the SAP is also within the Coastal Inundation Hazard Area Overlay and the Flood Prone Areas Hazard Overlay. There are a number of relevant standards contained within these codes that deal with the potential for flooding and inundation. Whilst the standards contained within both of these codes are relatively similar, the provisions of the Flood Prone Hazard Areas Code are better placed to deal with changes of use from non-habitable rooms to habitable rooms and are marginally better than the buildings and works clause in the Coastal Inundation Hazard Area Zone.

Clause C12.2.5 of the Flood Prone Areas Hazard Code *states “This code does not apply to land subject to the Coastal Inundation Hazard Code”*, and so this code does not apply where the subject land is contained within both the Coastal Inundation Hazard Areas Overlay and the Flood Prone Areas Hazard Overlay. The importance of retaining priority for the Coastal Inundation Hazard Code relates to other legislation, such as the *Building Act 2016*. Reference to this Act forms part of the exemptions from the Code under clause C11.4.1 and the associated Coastal Inundation Hazards Area Overlay provides the information to ascertain whether use or development is exempt.

To overcome this issue, the Kingston Beach SAP identifies the area within Kingston Beach where additional provisions are required to address the specific issue of coincidental flooding. The SAP is also considered necessary to navigate around the issue of the Coastal Inundation Hazard Code overriding the Flood Prone Areas Hazard Code. The provisions proposed are relatively similar to those of the Flood Prone Areas Hazard Code and do not introduce a range of new provisions over and above what is considered appropriate for flood prone areas. Its main objective is to ensure that future development applications properly consider the best information available on flooding risks that are relevant to this area.

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics described above to be protected by way of a SAP where it is demonstrated that there are significant qualities associated with the land proposed within the Kingston Beach SAP.

As demonstrated above, there are social and spatial qualities that substantiate the need for a SAP for this locality and therefore the Kingston Beach SAP is considered to satisfy the requirements of section 32(4) of LUPAA.

## 8.2 Particular Purpose Zones

The Planning Policy Unit audit of the existing PPZs in Kingborough Interim Planning Scheme 2015 identified that one of the two PPZs is able to be transitioned to the Kingborough draft LPS (see Table 43).

**Table 43: Transition of Particular Purpose Zones from KIPS 2015 to Kingborough draft LPS**

PPZ in KIPS 2015	Application in Kingborough draft LPS	Rationale
<b>32.0 Particular Purpose Zone – Urban Growth Zone</b>	N/A	This PPZ is provided by the SPP Future Urban Zone.
<b>33.0 Particular Purpose Zone – Future Road Corridor</b>	KIN-P1.0 Particular Purpose Zone – Future Road Corridor	PPU audit declared PPZ is subject to the transitional provisions under schedule 6, clause 8(1) of LUPAA.

No new PPZs have been included in Kingborough draft LPS.



**Figure 102: Particular Purpose Zone – Future Road Corridor – Margate**

## 8.3 Site Specific Qualifications

### 8.3.1 Transitioning SSQs

The Planning Policy Unit audit of the existing SSQs in Kingborough Interim Planning Scheme 2015 identified that many of the SSQs are able to be transitioned to the Kingborough draft LPS. These SSQs below are proposed to be transitioned (see Table 58).

**Table 58: Site Specific Qualifications to be transitioned to draft LPS**

<b>Reference Number</b>	<b>Site reference</b>	<b>Folio of the Register</b>	<b>Description (modification, substitution or addition)</b>	<b>Relevant Clause in State Planning Provisions</b>
<b>KIN-22.1</b>	1005 Adventure Bay Road, Adventure Bay	143862/10	<p>Food Services is a discretionary use in addition to the State Planning Provisions, subject to the following qualification:</p> <p>If for a restaurant or café associated with a tourist use or a visitor accommodation use.</p> <p>Tourist Operation is a discretionary use in addition to the State Planning Provisions, subject to the following qualification:</p> <p>If for a booking office or visitor centre.</p>	Landscape Conservation Zone – Clause 22.2 Use Table
<b>KIN-22.2</b>	1565 Channel Highway, Margate	134382/1	<p>Food Services is a discretionary use in addition to the State Planning Provisions, subject to the following qualification:</p> <p>If associated with a tourist use.</p> <p>Tourist Operation is a discretionary use in addition to the State Planning Provisions.</p>	Landscape Conservation Zone – Clause 22.2 Use Table
<b>KIN-23.2</b>	81 Channel Highway, Tarooma	198412/1	<p>Residential is a discretionary use in addition to the State Planning Provisions, subject to the following qualification:</p> <p>If for bushfire hazard</p>	Environmental Management Zone – Clause 23.2



			management and directly associated with and subservient to a Residential use on land known as 83 Channel Highway, Tarooma (201948/1).	
<b>KIN-27.1</b>	31–47 Nubeena Crescent, Tarooma	171435/2 175969/1	Research and Development is a discretionary use in addition to the State Planning Provisions.	Community Purpose Zone – Clause 27.2
<b>KIN-28.1</b>	1393 Channel Highway, Margate	150926/1	Visitor Accommodation is a discretionary use in addition to the State Planning Provisions.	Recreation Zone – Clause 28.2 Use Table
<b>KIN-C11.1</b>	141 Cemetery Road, Lunawanna	201948/1	Development is exempt from the Coastal Inundation Hazard Code as a modification of the State Planning Provisions.	Coastal Inundation Hazard Code – Clause 11.4

There are two existing SSQs within the KIPS2015 that are not transitioned.

One is the provision for 38-42 Lynden Road, Bonnet Hill that allows a minimum lot size of 2,000m<sup>2</sup> within the Low Density Residential Zone, where surrounding properties have a minimum lot size of 5,000m<sup>2</sup>. This particular SSQ does not need to be transitioned as the retention of this Low Density Residential Zone (in accordance with the SPPs) will allow a minimum lot size of 1500m<sup>2</sup>, which is not of sufficient difference to warrant a transfer of the SSQ.

The second relates to the Use Table for the Low Density Residential Zone. The KIPS2015 shows a Residential use as being No Permit Required for a single dwelling. If not NPR, then a Residential use (that is, a multi-unit development) would be permitted, except in Area C of this Zone (1,000m<sup>2</sup> minimum lot size). This is essentially within those areas of Tarooma and Margate that are zoned Low Density Residential – meaning that unit development is effectively prohibited in those settlements. This provision is not proposed to be carried through into the LPS. There will not be separate categories (based on minimum lot sizes) for this Zone within the LPS and multi-unit development will be allowed (in accordance with the SPPs).

### 8.3.2 New SSQ – Wellington Park SSQ

KIPS 2015 contains *F4.0 Wellington Park Specific Area Plan*. This purpose of the SAP is to ensure that use and development in Wellington Park is undertaken in accordance with the Wellington Park Management Plan.

The PPU audit determined that *F4.0 Wellington Park Specific Area Plan* found in KIPS 2018 did not fit the structure required for a SAP under clause 1.5 of the SPPs, and that *F4.0 Wellington Park Specific Area Plan* required further review. It is therefore proposed to create a new SSQ to ensure that development in Wellington Park is undertaken in accordance with the Wellington Park Management Plan.

Wellington Park, at 18,250 hectares, is one of the largest areas of reserved land outside of the Tasmanian World Heritage Area, and offers diverse challenges to its land managers due to its existence in the urban and semi-rural environment. Wellington Park has unique natural and cultural qualities and includes the icons of Mount Wellington, forming the backdrop to Tasmania's capital city; Sleeping Beauty, visible from the Huon Valley; and Collins Cap, viewed from the Derwent Valley. Wellington Park is the source of high quality drinking water for many communities (including within Kingborough) and is a key visitor destination. Wellington Park also comprises a variety of land tenure, and numerous management agencies. The full extent of the environmental, economic, social and spatial qualities that are unique to Wellington Park can be found in the Wellington Park Management Plan 2013.

While Wellington Park is zoned Environmental Management in the Kingborough draft LPS, due to the complexities and uniqueness of Wellington Park described above, it is believed that the intended use and development cannot be provided for under the provisions of the SPPs, and this is why special provisions are required.

The SSQ for Wellington Park has been drafted as per clause LP1.0 and Appendix A of the SPPs, and is consistent with Hobart City Council's application of the Wellington Park Plan in the LPS.

**Table 59: New Site Specific Qualifications**

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
<b>KIN-23.1</b>	Wellington Park as defined in the <i>Wellington Park Act 1993</i> <sup>1</sup> .  <sup>1</sup> Wellington Park means:  (a) the area of land indicated as bounded by a heavy black line	N/A	An additional standard for the Environmental Zone is:  Notwithstanding any other provision of this planning scheme, any use or development of land in Wellington Park must be undertaken in	Environmental Management Zone – Clause 23.0

on Plan No. 2789 in the Central Plan Register, a reduced copy of which is set out, by way of illustration only, in Schedule 1 (*Wellington Park Act 1993*); or

(b) that area of land as varied pursuant to sections 6, 7 and 8 of the *Wellington Park Act 1993*.

accordance with the provisions of the Wellington Park Management Plan 2013<sup>2</sup>.

<sup>2</sup>Management Plan means any management plan approved under section 23 of the *Wellington Park Act 1993* and for the time being in force in respect of Wellington Park.

### 8.3.3 New SSQ – Environmental Management Zone

Additionally, one SSQ has been introduced which coincide with proposed zonings and issues of Part 5 agreements and permitted land uses. See section 5.1.16.2 for further information.

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
KIN-23.4	207 Tinderbox Road, Tinderbox	CT 244683/1	Residential is a discretionary use in addition to the State Planning Provisions:  If for a single dwelling.	Environmental Management Zone – Clause 23.1 Use Table

## 9 Local Area Objectives

Local Area Objectives (LAOs) have been proposed to be included in the Kingborough draft LPS. The LAOs are conversions of the LAOs and Desired Future Character Statements (DFCSs) that exist in KIPS 2015. Changes have been made to improve clarity and operation. The table below provides a summary of the applicable zones and the areas proposed to contain LAOs.



Table 60: Zones with Local Area Objectives

Zone	Areas with LAOs
<b>General Residential Zone</b>	Kingston Kingston Beach Blackmans Bay
<b>Inner Residential Zone</b>	Kingston
<b>Low Density Residential Zone</b>	Kingston Taroona Kingston Beach Margate Bonnet Hill Snug Woodbridge Middleton Alonnah
<b>Village Zone</b>	Snug Kettering Woodbridge Alonnah Adventure Bay
<b>Local Business Zone</b>	Taroona Kingston Beach Blackmans Bay Margate
<b>General Business Zone</b>	Kingston
<b>Commercial Business Zone</b>	Kingston
<b>Recreation Zone</b>	Kingborough Sports Centre Precinct

## 10 Consistency and coordination with adjacent municipal areas

Section 34(2)(g) of LUPAA requires that the planning scheme

*“as far as practicable, is consistent with and coordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates”.*

Kingborough Council shares borders with Hobart, Huon Valley, Glenorchy and Clarence and Tasman Councils. It is noted that Clarence and Tasman Councils do not share land borders, as they are separated by the Derwent River.

At the time of writing, the adjoining municipalities, by land, have not yet advanced their LPS to a stage where they can provide Kingborough with a copy for review. It is known that there was a good zoning match as part of the respective Interim Planning Schemes. A copy of the Kingborough draft LPS zoning maps has been provided to these two councils.

For the Huon Valley, it is expected that there will be a good match-up of the Rural, Landscape Conservation and Environmental Management zones. For the City of Hobart, it is expected that there will be a good match-up of the Landscape Conservation, Environment Management (Mt Wellington Park) and the Low Density Residential (at the northern boundary of Taroona) zones. For Glenorchy, it is expected there will be a good match-up of the Environment Management (Mt Wellington Park) zone.

For the Code overlays, consistency will be delivered for the mapped overlays for watercourses, coastal refugia, natural hazards and priority vegetation due to the common approaches adopted by southern Tasmanian councils.

In addition to this, there is a strong likelihood that there should be no inconsistencies, nor will be in the future, for the following reasons:

- the strategic direction for each Council is reflected in the STRLUS and assessment of each of their reflective LPSs will need to demonstrate consistency with it;
- each of the Councils are required to prepare LPSs that are consistent with the Guidelines;
- the respective Interim Planning Schemes have demonstrated the required level of coordination and it is anticipated that, far as is practicable, the existing zone and code provisions will be translated on a “like for like” basis as;
- many of the codes rely on mapping produced by the same source, which include the State, TasNetworks and the Regional Ecosystem Model feeding into the Natural Assets Code; and
- there has been consistent communication between all Southern Tasmania councils as part of the coordinated drafting of the LPS through the Technical Working Group.

## 11 Schedule 1 Objectives

Section 34(2)(c) of LUPAA requires that an LPS furthers the objectives set out in Schedule 1 of LUPAA. Schedule 1 of LUPAA prescribes the objectives of the resource management and planning system of Tasmania (Part 1) and the objectives of the planning process established by LUPAA (Part 2). The objectives listed in Part 2 directly support the objectives set out in Part 1.

Schedule 1 clarifies that reference to ‘sustainable development’ means

*“managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while –*

- (a) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) avoiding, remedying or mitigating any adverse effects of activities on the environment”.*

LUPAA contains competing obligations in that an LPS is required to spatially apply the SPPs through the zoning of land and the application of codes, along with associated operative provisions, yet it must also demonstrate that it promotes sustainable use and development in accordance with the Schedule 1 Objectives. In some cases localised provisions (PPZs, SAPs and SSQs) are required to ensure that the Kingborough draft LPS meets these requirements.

Table 61 and Table 62 provide an analysis of the Kingborough draft LPS against the Schedule 1 Objectives, highlighting those areas where the SPPs and the objectives are conflicting. A detailed discussion of the proposed PPZs, SAPs and SSQs against the criteria of section 32(4) is provided in section 0 of this report.



Table 61: Schedule 1, Part 1 – Objectives

Objective	Comment
<b>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity</b>	<p>The Kingborough draft LPS promotes sustainable development through the application of appropriate zones and codes and, where necessary, the inclusion of SAPs.</p> <p>The Kingborough draft LPS will provide for increased environmental protection in targeted areas through the spatial application of the Environmental Management Zone, the Landscape Conservation Zone and the overlays associated with the Natural Assets Code.</p> <p>In some areas the level of environmental protection may be reduced, especially where land has been strategically identified for intensive development, such as in the urban zones or the Agriculture Zone. These zones have only been applied where the objective can still be achieved.</p> <p>The new scheme contains codes that seek to achieve this broad objective and critical areas of land and water have been identified by the associated overlays. These codes include the Natural Assets Code, Scenic Protection Code, Bushfire Prone Areas Code, Landslip Hazard Code, Flood Prone Hazard Code, Coastal Inundation Hazard Code and Coastal Erosion Hazard Code.</p>
<b>(b) to provide for the fair, orderly and sustainable use and development of air, land and water</b>	<p>The manner in which land has been zoned will provide for an orderly and equitable opportunity for the sustainable use or development of land in accordance with strategic need and land capability. The planning scheme has a sound strategic basis as it will be consistent with and will implement the policy directions espoused within the Southern Tasmania Regional Land Use Strategy and the Kingborough Land Use Strategy.</p> <p>The LPS has also been developed in a manner that is consistent with an accurate conversion of the current Kingborough Interim Planning Scheme 2015 which, in turn, was a translation of the earlier Kingborough Planning Scheme 2000. Therefore there has been an orderly progression over time of land use and development controls that is both publicly understandable and inherently fair to all affected land owners.</p>

Objective	Comment
<b>(c) to encourage public involvement in resource management and planning</b>	<p>The LPS must be publicly exhibited for 60 days prior to it being approved. This provides an opportunity for public comment to be made and for this to be reviewed by the planning authority and the Planning Commission. Such representors also have the opportunity to present their views at the public hearings held by the Commission.</p> <p>Prior to the preparation of the LPS, the Kingborough Council has facilitated a long program of public engagement that extends back to the preparation of KIPS 2015. This occurred during 2012–2014 and included a total of 20 public meetings, resulting in about 450 submissions during this period. There is a good awareness of planning related issues within the Kingborough community and Council has continued to encourage public input more recently. This has contributed to the preparation of the LPS.</p>
<b>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c)</b>	<p>This has been mainly achieved following the strategic review of economic opportunities carried out with both the Southern Tasmania Regional Land Use Strategy and the Kingborough Land Use Strategy. The latter specifically identified local areas that are best suited for further development and a number of key sites have been assessed. Economic development is facilitated by the way that land has been zoned. The LPS gives priority for economic activity through the allocation of zones that enable the development of rural resources, commerce and retail, industrial activity, personal and professional services, manufacturing and processing, transport and storage, plus a variety of residential type uses.</p> <p>The LPS intends to deliver an increased degree of certainty by making it clearer to the community and prospective developers the type of use or development that is most appropriate in certain areas. People are more likely to develop or invest in their property if they understand the planning controls. This enables an increased economic return, while still protecting the local area's important environmental and social values.</p>

Objective	Comment
<b>(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</b>	This objective is primarily provided through legislative processes. Contributions to the preparation of the LPS and a new planning scheme are provided by all of the community. Within southern Tasmania, the local government Technical Reference Group has been an effective cooperative forum whereby all the councils have supported each other in preparing their respective LPSs. Implementation of the eventual planning scheme involves referrals to relevant agencies and statutory public consultation processes.

**Table 62: Schedule 1, Part 2 – Objectives**

Objective	Comment
<b>(a) to require sound strategic planning and co-ordinated action by State and local government</b>	A sound coordinated and strategic approach has been applied in preparing the new scheme and this has been underpinned by the Southern Tasmania Regional Land Use Strategy and the Kingborough Land Use Strategy. The mandatory SPPs ensure there is consistency between all of the planning schemes within the state (the Tasmanian Planning Scheme).
<b>(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</b>	The SPPs provide the underlying framework for all planning schemes in the state and they are complemented by the three regional land use strategies and the subsequent preparation of this LPS. This system of planning instruments is established by legislation in order to meet this objective.
<b>(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</b>	<p>The LPS provides a spatial zoning framework that considers the environmental, social and economic effects. The preparation of the LPS has taken into account past public consultation and considered the impact of land use and development on the Kingborough community (primarily by way of the Southern Tasmania Regional Land Use Strategy and the Kingborough Land Use Strategy).</p> <p>The manner in which land has been zoned also mitigates the potential for adverse impacts and facilitates access to community and recreational facilities, public open space and business services. Social needs are accommodated and community expectations are being met. Development control standards and other scheme provisions seek to ensure that the immediate, cumulative and long term effects of use and development on the</p>



Objective	Comment
<b>(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</b>	broader social, economic and environmental conditions are assessed and managed to avoid deleterious impact.  The LPS has been drafted so that it is consistent with the related regional and local land use strategies. The LPS does not duplicate, but supports and complements the provisions in other legislation, regulations, policies and procedures as applied at State, regional or local levels. It is essentially a conversion of the existing Kingborough planning scheme into a format required by legislation and its integration and consistency with existing policies has therefore been accommodated.
<b>(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</b>	The Tasmanian Planning Scheme has been incorporated within legislation in a manner that complements and supports other statutory approval processes that relate to land use and development. The LPS has a particular role to play in this regard and this is also defined by legislation. This Kingborough draft LPS has been prepared in accordance with this and includes the necessary provisions that, together with the SPPs, will make up a complete planning scheme for the Kingborough municipal area. The Kingborough draft LPS is cognisant of the prescribed regulatory relationships under other legislation.
<b>(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</b>	The LPS achieves this objective by zoning land in the most appropriate manner so that the controls within the SPPs are applied where they are most relevant. The land use and development standards within the SPPs should result in protecting the local amenity and pleasant living conditions that exist (or enhancing them where necessary). For example, the standards deal with such matters as environmental impact, privacy, local character, vehicle activity, landscape protection, private open space, solar orientation, etc. (albeit some indirectly). It is a fundamentally important that new land use and development proposals should be designed to minimise future adverse impacts. The LPS primarily facilitates this through the optimum zoning of land.
<b>(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value</b>	The Local Historic Heritage Code will apply to places, heritage precincts, heritage landscape precincts and places of archaeological potential that are listed in the Code. It provides the necessary protective mechanism to meet this objective, together with the Scenic Protection

Objective	Comment
	Code. Aboriginal Heritage is regulated under separate legislation.
<b>(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</b>	<p>The SPPs includes a number of zones and codes that ensure existing and future infrastructure needs are accommodated. The Utilities Zone is utilised for most of the larger infrastructure facilities. The relevant Codes regulate use and development from an infrastructure perspective – these being the Road and Railway Assets Code, Parking and Sustainable Transport Code, Signs Code, Electricity Transmission Infrastructure Protection Code and Telecommunications Code. The Attenuation Code is able to deal with potential conflicts with other sensitive uses. The LPS (by way of the SPPs and under the guidance of the Southern Tasmania Regional Land Use Strategy) will also result in increased urban densities which in turn facilitates a more efficient use of existing infrastructure.</p> <p>The Southern Tasmania Regional Land Use Strategy identifies the need to recognise and protect major infrastructure corridors and assets, which includes land- and water-based transport corridors.</p>
<b>(i) to provide a planning framework which fully considers land capability</b>	<p>Land capability is primarily accommodated by the way that the land has been zoned. The mapping approach in the LPS has been relatively conservative and is based on existing land uses and settlement patterns. It has been assumed that significant change will need to be justified by appropriate future site investigations. These will establish whether the land is capable for further development and will be assessed against the various development standards within the scheme (particularly within the relevant codes).</p>

## 12 Other

### 12.1 Consistency with Kingborough Strategic Plan 2015–2025

Section 34(2)(f) requires an LPS to be consistent with the local 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 Kingborough Strategic Plan 2020-2025 (approved by Council on 9 September 2019) includes three main Key Priority Areas, under which there are Strategic Outcomes that have relevance to the preparation of Kingborough draft LPS.

This section of the supporting report demonstrates how Kingborough draft LPS is consistent with the relevant sections of Kingborough Strategic Plan 2020–2025.

**Table 63: Consistency with Kingborough Strategic Plan 2015–2025**

<b>Kingborough Strategic Plan 2020–25</b>	<b>Kingborough draft LPS consistency</b>
<p><b>1.0 Encourage and support a safe, healthy and connected community</b></p> <p>1.1 A Council that engages with and enables its community</p> <p>1.2 An inclusive community that has a strong sense of pride and local identity</p> <p>1.3 A resilient community with the capacity to flourish</p> <p>1.4 A Council that acknowledges the existence of climate change and a biodiversity emergency and has in place strategies to respond</p> <p>1.5 An active and healthy community, with vibrant, clean local areas that provide social, recreational and economic opportunities</p>	<p>Strategic Outcome 1.1 aims to support increased public participation and the Kingborough draft LPS achieves this through the application of the normal statutory advertisement of development proposals as appropriate.</p> <p>Strategic Outcome 1.2 aims to generate a greater sense of local ownership within the community and the Kingborough draft LPS achieves this by enabling and requiring a high quality of development that protects local values (in some cases by way of Specific Area Plans).</p> <p>Strategic Outcome 1.3 aims to support greater capacity within local communities to prosper and the Kingborough draft LPS achieves this by providing local development opportunities that best suit the needs of local areas.</p> <p>Strategic Outcome 1.4 aims to prepare the local community for future climate change and the loss of local biodiversity and the Kingborough draft LPS achieves this through the appropriate use of the relevant codes, plus the application of zones and other use and development provisions (such as within Specific Area Plans).</p> <p>Strategic Outcome 1.5 aims to provide welcoming and attractive public spaces for the community and the Kingborough draft LPS achieves this through the appropriate zoning of land for community and recreational purposes.</p>
<p><b>2.0 Deliver quality infrastructure and services</b></p> <p>2.1 Service provision meets the current and future requirements of residents and visitors</p> <p>2.2 Infrastructure development and service delivery are underpinned by strategic planning to cater for the needs of a growing population</p> <p>2.3 Community facilities are safe, accessible and meet contemporary standards</p> <p>2.4 The organisation has a corporate culture that delivers</p>	<p>Strategic Outcome 2.1 aims to ensure that Council provides the necessary services to meet local community needs and the Kingborough draft LPS achieves this through the appropriate zoning of land.</p> <p>Strategic Outcome 2.2 aims to support the necessary forward planning to ensure suitable public infrastructure is provided for future needs and the Kingborough draft LPS achieves this through the appropriate zoning of land and application of codes that can accommodate this public infrastructure.</p> <p>Strategic Outcome 2.3 aims to ensure that appropriate community facilities are provided and the Kingborough draft LPS achieves this through the zoning of land that can accommodate these facilities, both now and in the</p>

Kingborough Strategic Plan 2020–25	Kingborough draft LPS consistency
<p>quality customer service, encourages innovation and has high standards of accountability</p> <p>2.5 Council is a desirable place to work, attracting committed and engaged staff through progressive human resource practices and a positive work environment</p>	<p>future.</p> <p>Strategic Outcome 2.4 is not relevant to the Kingborough draft LPS.</p> <p>Strategic Outcome 2.5 is not relevant to the Kingborough draft LPS.</p>
<p><b>3.0 Sustaining the natural environment whilst facilitating development for our future</b></p> <p>3.1 A Council that values and prioritises its natural environment, whilst encouraging investment and economic growth</p> <p>3.2 A community that has a well-developed sense of natural and cultural heritage</p> <p>3.3 Council is able to demonstrate strong environmental stewardship and leadership</p> <p>3.4 Best practice land use planning systems are in place to manage the current and future impacts of development</p> <p>3.5 Management of environmental assets is based on professional advice and strategic planning</p>	<p>Strategic Outcome 3.1 aims to ensure that there is an appropriate balance between environmental and development needs and the Kingborough draft LPS achieves this through the appropriate zoning of land and the application of the codes.</p> <p>Strategic Outcome 3.2 aims to protect local heritage and encourage local cultural activities and the Kingborough draft LPS achieves this through the application of the Local Historic Heritage Code and the provision of local community spaces.</p> <p>Strategic Outcome 3.3 aims to identify and improve the condition of natural environments (waterways, biodiversity, coasts) and the Kingborough draft LPS achieves this through the appropriate zoning land with the particular support of the Natural Assets Code.</p> <p>Strategic Outcome 3.4 aims to ensure that there is an efficient approval system in place for sustainable development within Kingborough and the Kingborough draft LPS achieves this through its role within the Tasmanian Planning Scheme and its inclusion of local information in the form of zoning maps, code overlays and Specific Area Plans.</p> <p>Strategic Outcome 3.5 aims to ensure that the environmental quality of local areas is protected through the best information available and the Kingborough draft LPS has the capacity to ensure this occurs together with the State Planning Provisions' requirements for sufficient information to conduct planning and environmental assessments.</p>

As is evident from the above, the Kingborough draft LPS is consistent with and furthers the objectives of the Kingborough Strategic Plan 2015–2025. It is noted that there are many strategies within Council's Strategic Plan that rely on sound strategic land use planning. This is



a result of the fact that Kingborough is a developing municipality and that the application of the planning scheme is vitally important to its sustainable future.

## 12.2 Regard to Gas Pipelines Act 2000

Section 34(2)(h) of LUPAA requires that an LPS has regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*. These standards are identified as AS 2885 Pipelines – Gas and liquid petroleum, published by the Standards Association of Australia.

Further to this, Section 70(B) of the *Gas Pipelines Act 2000* grants the Minister the power to declare a planning corridor in respect to a proposed or existing pipeline.

As per discussions with the Department of State Growth and Tas Gas, no pipeline corridors are required for existing or future gas pipelines within the Kingborough municipal area, therefore this criterion is not applicable to the Kingborough draft LPS.

## 12.3 Land reserved for public purposes

The Kingborough draft LPS does reserve land for existing and future public purposes through the application of the Open Space Zone, Community Purpose Zone, and in some cases the Environmental Management Zone (e.g. Wellington Park). These zones limit the use of land for public benefit.

## 12.4 Sections 11 & 12 of LUPAA

Sections 11 and 12 of LUPAA outline the matters that a planning scheme may, or may not, regulate.

The Kingborough draft LPS has been prepared in a manner consistent with the scope of powers provided at clauses 11(2), 11(3) and 11(4) of LUPAA.

With regards to clause 11(7) of LUPAA, a planning scheme or the Tasmanian Planning Scheme is not to prohibit or require a discretionary permit for the use or development of a proclaimed wharf area for port or shipping purposes. As per discussions with Marine & Safety Tasmania, Kingborough municipality contains no proclaimed wharf areas and clause 11(7) of LUPAA is not applicable.

The Kingborough draft LPS does not propose any provisions that refer to a code of practice, and is therefore has been prepared in accordance with clause 11(6) of LUPAA.

Section 12 recognises the continuing use and development rights for those uses and developments that were in existence before any new planning scheme provisions take effect, or that have been granted a permit but have not yet been completed.

The Kingborough draft LPS does not seek to regulate matters outside of the jurisdiction prescribed in sections 11 and 12 of LUPAA. It is noted that the legal protections for existing uses informs decisions about the application of zones to land.