

An aerial photograph of a coastal region, likely Kingborough, showing a mix of green forests, brownish-yellow fields, and some built-up areas. In the background, a large body of water (likely a bay or estuary) is visible, surrounded by more land and distant hills under a clear blue sky.

# KINGBOROUGH LOCAL PROVISIONS SCHEDULE

Supporting Document  
(Version 2)

Kingborough

## DOCUMENT CONTROL

Date	Details	Version
November 2019	Submitted with the Kingborough Draft LPS to the Tasmanian Planning Commission in December 2019	Version 1
October 2024	Updated to reflect the changes to the Draft LPS as directed by the Tasmanian Planning Commission.	Version 2

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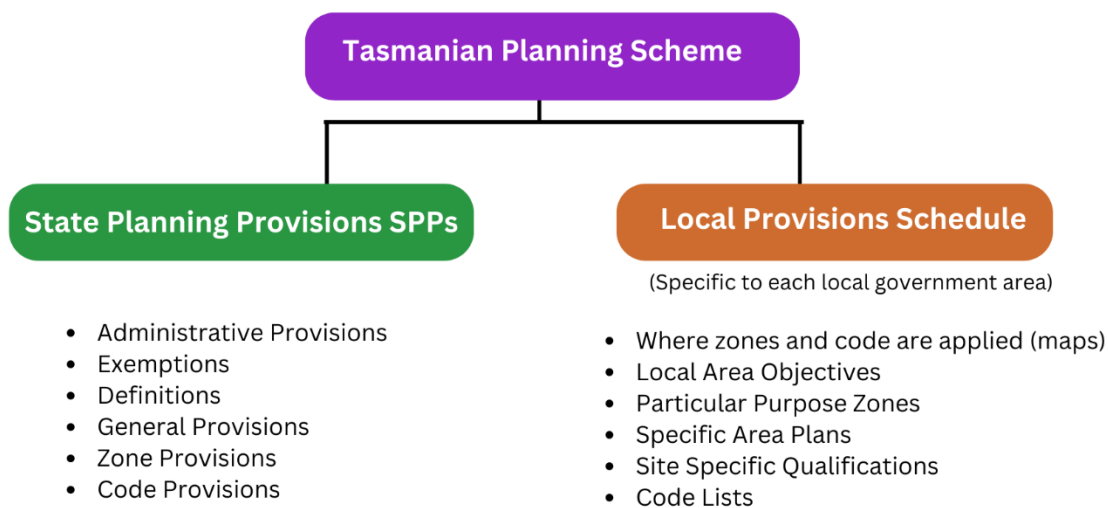
# CHAPTER 1 – OVERVIEW

## 1.1 INTRODUCTION

In 2015 the Tasmanian Government legislated to implement the Tasmanian Planning Scheme across all local government areas in the state. The Tasmanian Planning Scheme is made up of two parts, the State Planning Provisions (SPPs) and the Local Provisions Schedules (LPS).

1. The **State Planning Provisions**<sup>1</sup> provide a consistent set of planning provisions ('rules') for a series of standard zones and codes that can be applied across the state.
2. The **Kingborough Local Provisions Schedule** (Kingborough Draft LPS) indicates how the SPPs will apply in Kingborough, including:
  - the [written local provisions](#) ('the rules that are unique to Kingborough'); and
  - the [mapping](#) that shows where the provisions of the scheme apply.

Figure 1 – Components of the Tasmanian Planning Scheme



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<sup>1</sup> State Planning Provisions came into effect on 2 March 2017 as part of the Tasmanian Planning Scheme, but they have no practical effect until the Local Provisions Schedule of a council area comes into force. The KIPS2015 will continue to apply until the Tasmanian Planning Commission has approved the Kingborough LPS and a date has been announced that it comes into force in the municipality.



## 1.2 PURPOSE OF THIS DOCUMENT

The purpose of this document is to provide an overview of how the Tasmanian Planning Scheme will be implemented in Kingborough through the Draft LPS (Kingborough's component of the Tasmanian Planning Scheme).

The document also explains how the Kingborough Draft LPS meets the relevant statutory requirements and guidelines provided by the State Government, and it provides some guidance to residents as to what the key changes are between the current and proposed schemes.

## 1.3 THE PROCESS

### What has happened so far?

Kingborough Council submitted its first draft of the Kingborough LPS to the Tasmanian Planning Commission (TPC) in 2019.

Following submission of the draft, there were several post-lodgement conferences between Council and the TPC to work through several aspects of the draft. As with all other councils, there were adjustments to how the zoning and codes were initially applied and additional work in the Specific Area Plans. Those adjustments and additional work have led to the final draft that the TPC has requested proceed to public exhibition.

### What happens next?

#### 60-day public exhibition period

The Kingborough Draft LPS will be placed on public exhibition for 60 days, commencing 9 October and closing on 9 December 2024. For the duration of the exhibition period, people will be able make written representations to indicate support for or to raise objections to or concerns with any proposed planning changes. All submissions made during the exhibition period will be available (in full) to Council and the TPC. Representations received during the Draft LPS exhibition period and the TPC's hearings will be used to finalise the LPS.

#### Council meeting

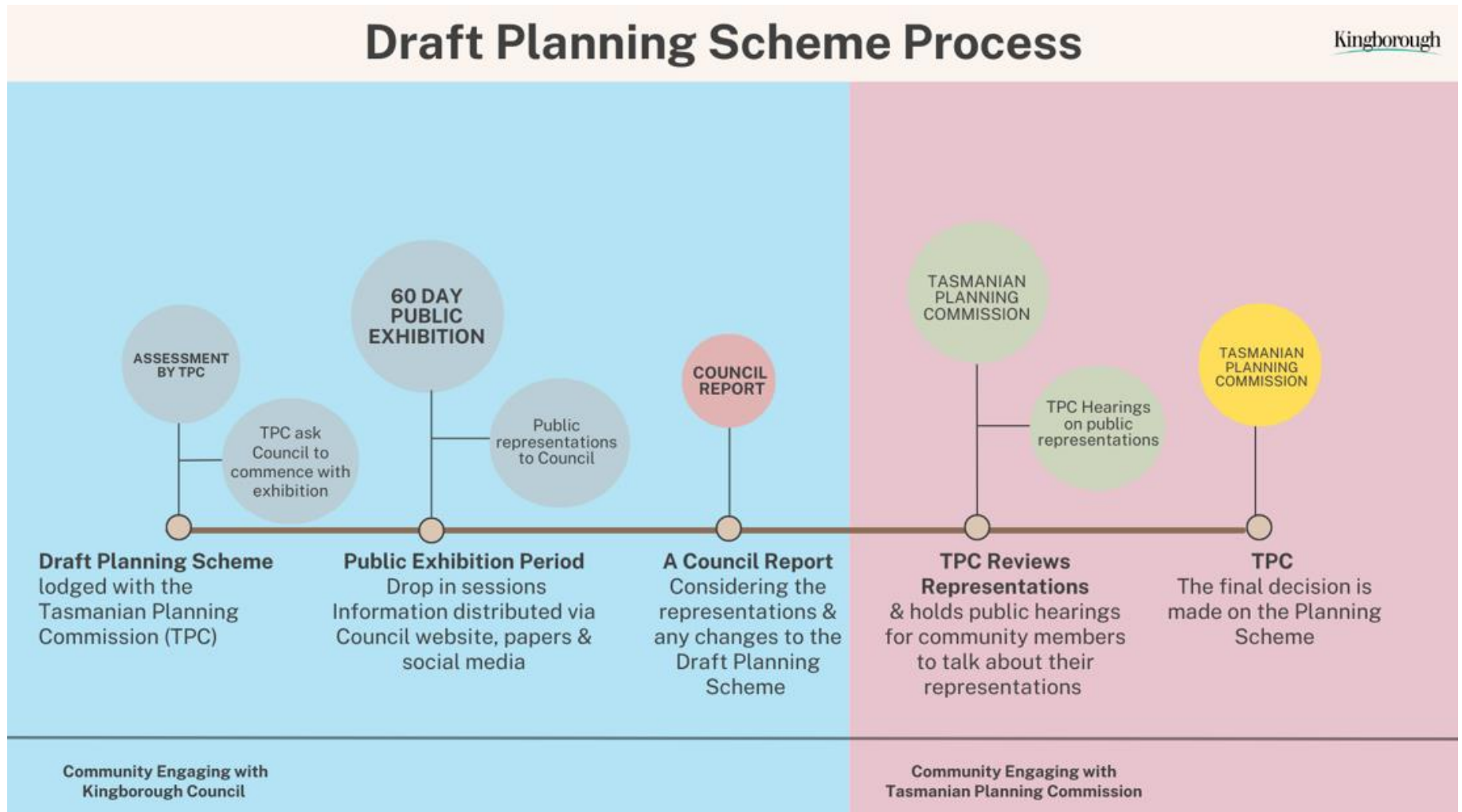
After the exhibition period, a report will be presented to Council to provide feedback on representations received. It will also include any recommendations for the TPC to consider altering the draft as a result of the content of the representations. Any recommendation for alterations to the draft must be considered within the limitations of the provisions of the Tasmanian Planning Scheme and LPS Guidelines.

#### Public hearings hosted before implementation

The TPC will hold public hearings allowing all representors to speak to their representations. The TPC will consider the written representations, public hearing submissions and the submissions or responses made by Council at the hearings before making a final decision on the final version of the Tasmanian Planning Scheme that will apply in Kingborough.

Figure 2 on the next page provides a detailed overview of the steps involved.

Figure 2 – Overview of the LPS process



## 1.4 DRAFTING OF THE LPS

The *Land Use Planning and Approval Act 1993* (LUPAA) provides the direction on how the LPS should be drafted. In addition to the requirements of the LUPAA, the State Government released a set of guidelines (LPS Guidelines) to assist councils in the application of zones, codes and other parts of the scheme such as Specific Areas Plans (SAPs), Particular Purpose Zones (PPZs) and Site-Specific Qualifications (SSQs).

In addition to the LPS Guidelines, LUPAA also requires that the LPS must comply with State Policies and the directions of the Regional Land Use Strategies (i.e. the *Southern Tasmanian Regional Land Use Strategy*) and, where appropriate, a council may use the Interim Planning Scheme, local plans and strategic considerations to draft their LPS.

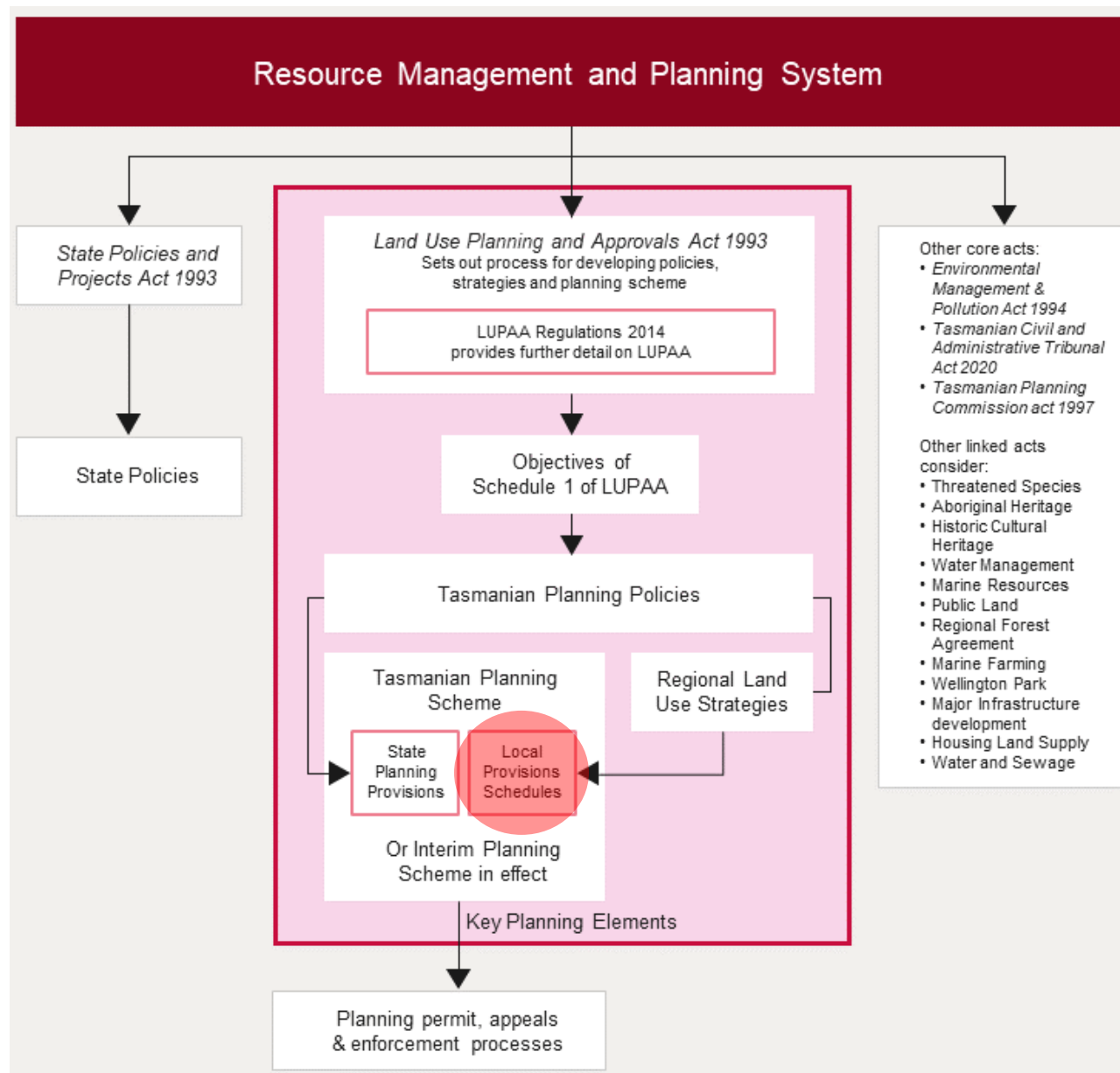
**Figure 3 – Matters influencing drafting of the LPS**



### 1.4.1 Statutory Requirements

This section provides an overview of the provisions of LUPAA that apply to the preparation of the Kingborough Draft LPS and how the Draft LPS meets these requirements. The Tasmanian Planning Scheme is one of many components in the Tasmanian Planning System, which is illustrated below.

**Figure 4 – State Government’s diagram indicating the components of the Tasmanian Planning System**



#### 1.4.1.1 Content of the LPS

[Section 34\(2\)](#) of LUPAA requires that an LPS –

- (a) contains all the provisions that the SPP specify must be contained in an LPS; and
- (b) is in accordance with section 32; and
- (c) furthers the objectives set out in Schedule 1; and



- (d) *is consistent with each State policy; and*
- (da) *satisfies the relevant criteria in relation to the TPPs; and*
- (e) *as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*
- (f) *has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates; and*
- (g) *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; and (h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.*

Kingborough's compliance with the above requirements is presented in [Table 1 of Attachment 1](#).

#### 1.4.1.2 Compliance with Objectives of LUPAA

[Schedule 1](#) of LUPAA outlines the Objectives of the Resource Management and Planning System in Tasmania (Part 1) and the Objectives of the Planning Process (Part 2). Together they are intended to facilitate sustainable development.

The Schedule defines sustainable development as:

*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 wellbeing 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.*

Kingborough's compliance with the above objectives is provided in [Table 2 of Attachment 1](#).

#### 1.4.1.3 Matters that may be regulated by the LPS

[Section 11](#) and [section 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 sections 11(2), 11(3) and 11(4) of LUPAA.
- With regard to section 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. Marine and Safety Tasmania has confirmed that the Kingborough municipality does not contain any proclaimed wharf areas and section 11(7) of LUPAA is not applicable.
- The Kingborough Draft LPS does not propose any provisions that refer to a code of practice and therefore has been prepared in accordance with section 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 the jurisdiction prescribed in sections 11 and 12 of LUPAA. It is also noted that the legal protection for existing uses informs decisions about the application of zones to land.

#### 1.4.1.4 Alignment with the State Planning Policies

[Section 34\(2\)\(d\)](#) of LUPAA requires that an LPS is consistent with each State Policy. State Policies are made under section 11 of the *State Policies and Projects Act 1993* (SPPA). Current policies created under the SPPA are:

- State Coastal Policy 1996
- State Policy on Water Quality Management 1997
- 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 the SPPA.

The Kingborough Draft LPS aligns with the abovementioned policies and a compliance statement is provided in [Attachment 2](#).

#### 1.4.1.5 Transitional Provisions

[Schedule 6 Savings and Transitional Provisions](#) of LUPAA enables existing local provisions to be converted into the LPS without the need for further justification under the LPS Criteria. There are two sets of provisions:

- Schedule 6 (8) deals with SAPs, PPZs and SSQs. These provisions can be transitioned if they were in force before the commencement day of the Interim Planning Scheme or if amended under Part 3 or subject to an urgent amendment under section 30IA of the former provisions of LUPAA. Further, Schedule 6 (8A) (1) gives the Minister the option to transition any new SAPs, PPZs and SSQs inserted into the Kingborough Interim Planning Scheme (KIPS2015) via an amendment.
- Schedule 6 (8D) deals with certain code-applying provisions – i.e. maps, overlays and lists.

The Minister for Planning issued a declaration in relation to the transitional arrangements, and the list of provisions that are carried over from KIPS2015 to the Kingborough Draft LPS is published on [Council's website](#).<sup>2</sup>

#### 1.4.1.6 Format and Structure of the LPS

[Clause LP1.0 of the State Planning Provisions](#) sets out the structure and format of the LPS and contains directions for application and wording of provisions. The Kingborough Draft LPS consists of:

- Zones – spatially defined on the zone map, and the standard controls of the Tasmanian Planning Scheme apply;
- Code Overlays – some are spatially defined overlay maps, and the standard controls of the State Planning Scheme will apply;
- Code Lists – spatially defined on overlay maps and described in the LPS written document;
- Local Area Objectives (LAOs) – identified in all zones and Specific Area Plans in the Kingborough Draft LPS written document;
- Specific Area Plans (SAPs) – spatially defined on an overlay map and the provisions relating to those are provided in the Kingborough Draft LPS written document; and

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<sup>2</sup> It should be noted that representations in relation to the transitional provisions cannot be considered as part of the LPS exhibition process. However, they may be used to inform future revisions of the Kingborough LPS.

- Site-Specific Qualifications (SSQs) – spatially defined on an overlay map and described in the Kingborough Draft LPS written document.

The structure of the Kingborough Draft LPS accords with the [LPS Guidelines and Practice Notes](#).

### 1.4.2 Strategic Considerations

The *Land Use Planning and Approvals Act 1993* (LUPAA) requires that an LPS aligns with the Regional Land Use Strategies and Council's Strategic Plans. The sections below explain how the Kingborough Draft LPS aligns with existing and broader strategic policy directions in those documents.

#### 1.4.2.1 Southern Tasmania Regional Land Use Strategy 2010-2035

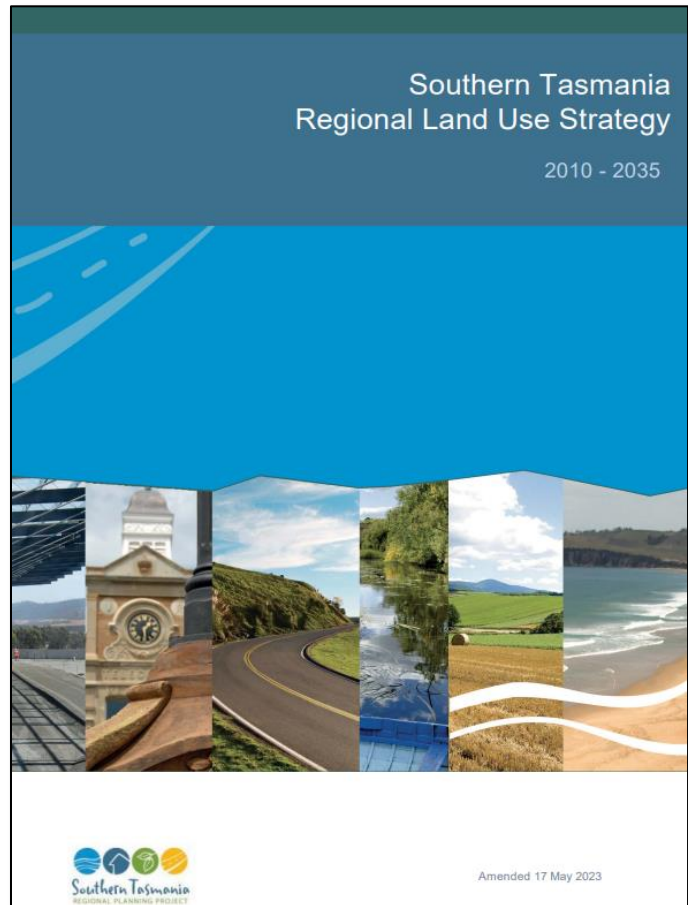
The [Southern Tasmania Regional Land Use Strategy](#) (STRLUS) is a policy document that facilitates and manages land use change, growth and development within Southern Tasmania. The strategy represents the agreed and approved strategic directions for the southern region and provides certainty to the broader community, infrastructure providers and governments for medium and long-term investment decisions.

In terms of its settlement strategies, the approach of the STRLUS is to encourage the efficient use of land and infrastructure through compact settlement strategies. The strategy stipulates that urban growth is to occur through a combination of infill and controlled greenfield development in the Urban Growth Boundary (UGB).

The UGB ensures that urban growth is directed to areas that are best able to be supplied with appropriate infrastructure and services. It will also continue to protect other valuable peri-urban and environmentally valuable land from urban development pressures.

The strategy identifies Kingston as a Principal Activity Centre in the Greater Hobart Area and its role is to provide for “a wide range of services and activities (including offices for business and government) to serve the sub-region, with a strong focus on the retail and commercial section.” Kingston and surrounding suburbs will continue to be the main residential growth areas for the municipality, and this will occur through a combination of infill development and new subdivisions like the Huntingfield Estate.

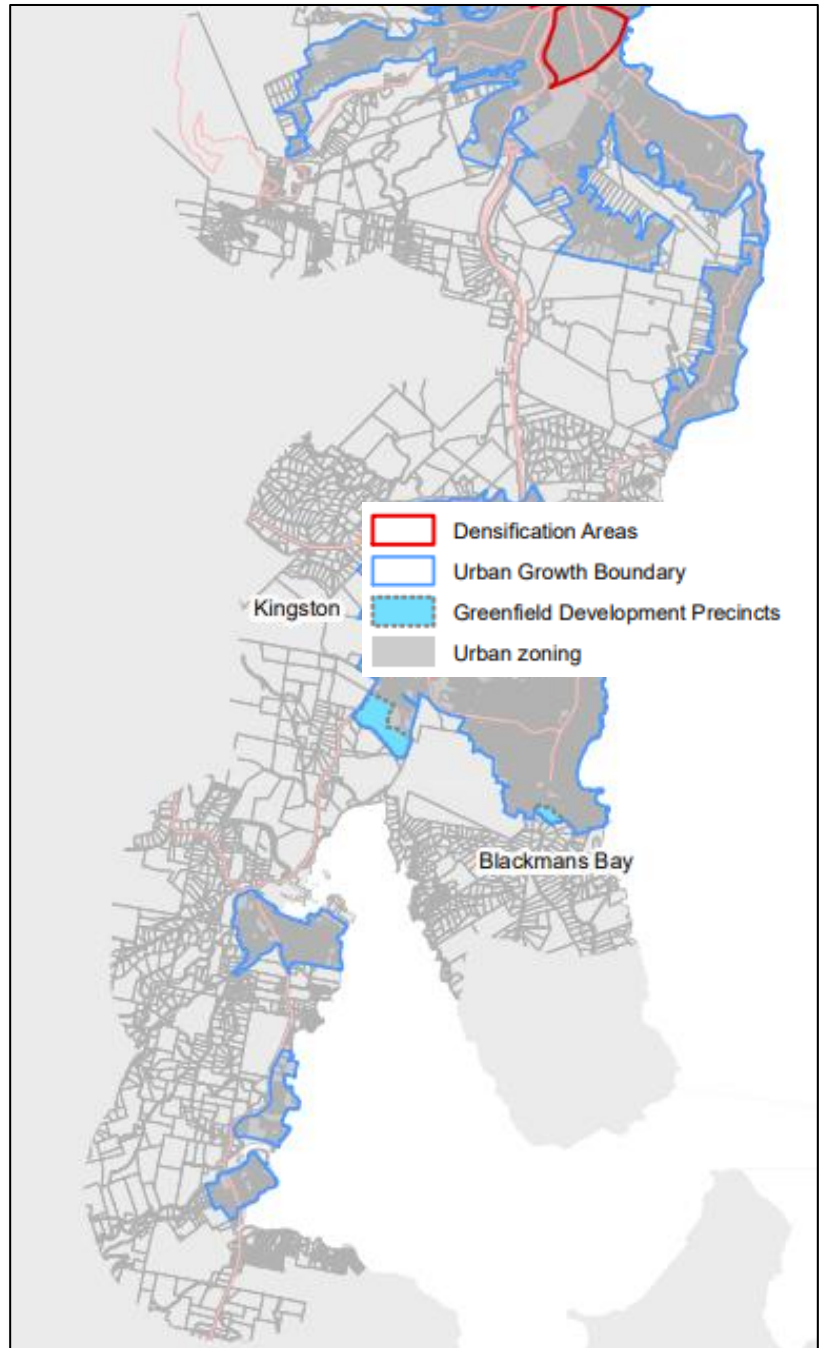
It is acknowledged that, at the time of writing this report, a review of STRLUS is currently underway. The review could potentially result in changes to the UGB that could pave the way for future iterations of the Kingborough LPS.



Margate and Snug are satellite centres, and their main purpose is to “serve daily needs of surrounding community and provide a focus for day-to-day life within a community”. They will also continue to provide residential growth opportunities mainly through infill development opportunities within the UGB. Further subdivision on the town fringes is currently restricted due to the location of the UGB; however, that may change as part of the review of the settlement strategies of STRLUS. That review is expected to be finalised in 2025.

Other settlements in the municipality will continue to provide limited growth opportunities due to infrastructure and service limitations.

The Kingborough Draft LPS complies with the policy directions of the STRLUS and a statement of compliance is provided in [Attachment 3](#) and discussed throughout this document.





#### 1.4.2.2 Kingborough Land Use Strategy 2019

The [Kingborough Land Use Strategy](#) was prepared to interpret the STRLUS, providing direction at a local level to provide the justification for the Kingborough Draft LPS that was submitted to the TPC in late 2019. The 2013 version of the strategy also provided similar strategic background to inform the KIPS2015.

Some guiding principles of the strategy are that:

- *the amenity and individual characteristics of the existing settlements should be protected and enhanced wherever possible;*
- *the local area's natural setting and cultural assets should be protected from inappropriate development; and*
- *compact urban centres are favoured over continued outward urban expansion to protect rural and coastal landscapes – and so the identity and separateness of existing settlements should be enhanced.*



As previously outlined, during the post-lodgement meetings, the TPC directed changes to the 2019 version of the Kingborough Draft LPS. Therefore, the revised version of the Draft LPS is not entirely consistent with the outcomes anticipated by the *Kingborough Land Use Strategy*; however, the objectives of the strategy are still relevant, and the broader strategic intentions have been used in a manner to inform the content of the revised Draft LPS.

#### 1.4.2.3 Kingborough Strategic Plan 2020–2025

The [Kingborough Strategic Plan](#) includes three key priorities, under which there are Strategic Outcomes that have relevance to the preparation of the Kingborough Draft LPS. The key priorities are to:

- encourage and support a safe, healthy and connected community;
- deliver quality infrastructure and services; and
- sustaining the natural environment whilst facilitating development for our future.

The Kingborough Draft LPS is consistent with the above and furthers the objectives of the *Kingborough Strategic Plan 2020–2025* and a compliance statement is provided in [Attachment 4](#).

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.

#### 1.4.2.4 30-Year Greater Hobart Plan

The [30-Year Greater Hobart Plan](#) was released in 2022 (after Kingborough's first draft LPS was submitted) and it applies to the urban metropolitan areas of the four central Hobart councils of Clarence, Glenorchy, Hobart and Kingborough. The Greater Hobart Plan seeks to:

- ensure growth complements the city's natural setting;
- implement a coordinated land release program that ensures sufficient land supply;
- promote and incentivise a more diverse and affordable housing mix;
- encourage urban renewal of underutilised land for residential development;
- support innovative design solutions to meet a diverse range of community needs;
- prioritise urban consolidation to create a more walkable and accessible compact city; and
- enable well designed medium-density developments within existing neighbourhoods and higher density dwellings in appropriate locations.



The plan encourages more infill development closer to transport corridors and within identified densification areas. Infill development is proposed to be primarily low-impact, medium density residential dwellings, while allowing for higher density dwellings in appropriate locations (for example business districts and along corridors with high frequency public transport services).

The plan describes the following advantages to infill residential development over greenfield development:

- *Reduced infrastructure and service provision costs for infill development.*
- *Shorter travel distances to employment, shops, schools, health services.*
- *Better access to more frequent public transport services.*
- *Increased residential densities can enhance economic viability of existing business zones and generate more local employment.*
- *A compact urban footprint has a reduced environmental impact including lower greenhouse gas emissions.*
- *More efficient use of underutilised land – an opportunity to improve local amenity, while still protecting heritage and character.*
- *Increased opportunities for social interaction, relationship building, community connections, personal security and 'living locally'.*

The Kingborough Draft LPS is consistent with the outcomes sought by the 30-year Greater Hobart Plan.

## 1.5 KEY DIFFERENCES BETWEEN THE CURRENT AND THE NEW PLANNING SCHEME

The Tasmanian Planning Scheme has a standard set of zones and codes<sup>3</sup>, and the main aim of the Local Provisions Schedule is to interpret how these standard zones and codes will be used in the municipality.

Even though some zones under the new planning scheme will have the same name as zones in the Kingborough Interim Planning Scheme (KIPS2015), the provisions that will apply under those zones will be different in the new scheme.

In addition to the above, the way the zones will operate with the codes (and their overlays) will also be different under the new scheme. For example, the Priority Vegetation Overlay will no longer apply to development in urban type zones.

The table<sup>4</sup> below lists the existing zones and codes under the KIPS2015 and those under the Tasmanian Planning Scheme. The conversion of the zones is predominantly informed by the [State Government's LPS Guidelines](#), and the general intention of the zoning conversion is to keep the outcomes that are available under KIPS2015 the same under the Tasmanian Planning Scheme.

<b>KIPS2015 Zones</b> <b>(existing planning scheme)</b>	<b>Tasmanian Planning Scheme Zones</b> <b>(proposed planning scheme)</b>
<a href="#">10.0 General Residential</a> <a href="#">11.0 Inner Residential</a> <a href="#">12.0 Low Density Residential</a> <a href="#">13.0 Rural Living</a> <a href="#">14.0 Environmental Living</a> <a href="#">15.0 Urban Mixed Use</a> <a href="#">16.0 Village</a> <a href="#">17.0 Community Purpose</a> <a href="#">18.0 Recreation</a> <a href="#">19.0 Open Space</a> <a href="#">20.0 Local Business</a> <a href="#">21.0 General Business</a> <a href="#">22.0 Central Business</a> <a href="#">23.0 Commercial</a> <a href="#">24.0 Light Industrial</a> <a href="#">25.0 General Industrial</a> <a href="#">26.0 Rural Resource</a> <a href="#">27.0 Significant Agricultural</a> <a href="#">28.0 Utilities</a> <a href="#">29.0 Environmental Management</a> <a href="#">30.0 Major Tourism</a> <a href="#">31.0 Port and Marine</a> <a href="#">32.0 Particular Purpose Zone 1 (Urban Growth Zone)</a> <a href="#">33.0 Particular Purpose Zone 2 (Future Road Corridor)</a>	<a href="#">8.0 General Residential</a> <a href="#">9.0 Inner Residential</a> <a href="#">10.0 Low Density Residential</a> <a href="#">11.0 Rural Living</a> <a href="#">12.0 Village</a> <a href="#">13.0 Urban Mixed Use</a> <a href="#">14.0 Local Business</a> <a href="#">15.0 General Business</a> <a href="#">16.0 Central Business</a> <a href="#">17.0 Commercial</a> <a href="#">18.0 Light Industrial</a> <a href="#">19.0 General Industrial</a> <a href="#">20.0 Rural</a> <a href="#">21.0 Agriculture</a> <a href="#">22.0 Landscape Conservation</a> <a href="#">23.0 Environmental Management</a> <a href="#">24.0 Major Tourism</a> <a href="#">25.0 Port and Marine</a> <a href="#">26.0 Utilities</a> <a href="#">27.0 Community Purpose</a> <a href="#">28.0 Recreation</a> <a href="#">29.0 Open Space</a> <a href="#">30.0 Future Urban</a>
<b>KIPS2015 Codes</b> <b>(existing planning scheme)</b>	<b>Tasmanian Planning Scheme Codes</b> <b>(proposed planning scheme)</b>
<a href="#">E1.0 Bushfire-Prone Areas</a> <a href="#">E2.0 Potentially Contaminated Land</a> <a href="#">E3.0 Landslide</a> <a href="#">E5.0 Road and Railway Assets</a> <a href="#">E6.0 Parking and Access</a> <a href="#">E7.0 Stormwater Management</a> <a href="#">E8.0 Electricity Transmission Infrastructure Protection</a>	<a href="#">C1.0 Signs</a> <a href="#">C2.0 Parking &amp; Sustainable Transport</a> <a href="#">C3.0 Road &amp; Railway Assets</a> <a href="#">C4.0 Electricity Transmission Infrastructure Protection</a> <a href="#">C5.0 Telecommunication</a> <a href="#">C6.0 Local Historic Heritage</a>

<sup>3</sup> A detailed overview of the zones and codes is provided in Chapter 2.

<sup>4</sup> The table provides links to the relevant controls ('rules') in planning scheme.

<a href="#">E9.0 Attenuation</a> <a href="#">E10.0 Biodiversity</a> <a href="#">E11.0 Waterway and Coastal Protection</a> <a href="#">E13.0 Historic Heritage</a> <a href="#">E14.0 Scenic Landscapes</a> <a href="#">E15.0 Inundation Prone Areas</a> <a href="#">E16.0 Coastal Erosion Hazard</a> <a href="#">E17.0 Signs</a> <a href="#">E18.0 Wind and Solar Energy</a> <a href="#">E19.0 Telecommunications</a> <a href="#">E20.0 Acid Sulfate Soils</a> <a href="#">E21.0 Dispersive Soils</a> <a href="#">E22.0 'Non-existent'</a> <a href="#">E23.0 On-Site-Wastewater Management</a> <a href="#">E24.0 Significant Trees</a> <a href="#">E25.0 Local Development Code</a>	<a href="#">C7.0 Natural Assets</a> <a href="#">C8.0 Scenic Protection</a> <a href="#">C9.0 Attenuation</a> <a href="#">C10.0 Coastal Erosion Hazard</a> <a href="#">C11.0 Coastal Inundation Hazard</a> <a href="#">C12.0 Flood Prone Areas Hazard</a> <a href="#">C13.0 Bushfire Prone Areas</a> <a href="#">C14.0 Potentially Contaminated Land</a> <a href="#">C15.0 Landslip Hazard</a> <a href="#">C16.0 Safeguarding of Airports</a>
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As illustrated in the tables above, some zones that currently exist under KIPS2015 are not be available in the Tasmanian Planning Scheme and as such a zone change is required. For example, the Environmental Living Zone and Rural Resource Zone are not available in the new planning scheme, so land within that zone must be allocated an appropriate alternative zoning. The table below provides an overview of the most suitable choices of zones for the Environmental Living Zone (ELZ) and Rural Resource Zone (RRZ) from the new zones available under the Tasmanian Planning Scheme.

The ELZ has been converted to :	The RRZ has been converted to :
Landscape Conservation Zone (1419 properties)	Rural Zone (855 properties)
Rural Living Zone (440 properties)	Rural Living Zone (279 properties)
Rural Zone (88 properties)	Agriculture Zone (119 properties)
Low Density Residential Zone (29 properties)	Landscape Conservation Zone (77 properties)
Other zones (4 properties)	Other zones (20 properties)

The Tasmanian Planning Scheme also introduces new zones such as the Rural Zone (RZ), Agriculture Zone (AZ) and Landscape Conservation Zone (LCZ) and as such the LPS Guidelines have also been used to select the most appropriate zoning to accommodate these new zones. The table below provides an overview of the relevant zoning choices for those zones no longer available. The number of properties corresponds with the zoning of those properties under the KIPS2015.

The RZ is made up of:	The AZ is made up of:	The LCZ is made up of:
Rural Resource (855 properties)	Rural Resource (119 properties)	Environmental Living (1419 properties)
Environmental Living (88 properties)	Rural Living (4 properties)	Rural Resource (77 properties)
Rural Living (6 properties)		Rural Living (2 properties)
Low Density Residential (2 properties)		Low Density Residential (6 properties)



Some of the codes that exist under the KIPS2015 will cease to exist under the Tasmanian Planning Scheme. For example, the Biodiversity Code, Acid Sulfate Soils Code, Dispersive Soils Code and Local Development Code will no longer exist under the Tasmanian Planning Scheme.

The Tasmanian Planning Scheme introduces new codes, for example the Natural Assets Code, Coastal Inundation Code and Flood Prone Code. Some codes will be similar to those in KIPS2015 whereas others will operate completely differently.


















The intention of the Tasmanian Planning Scheme is to provide a standard approach across the state; however, it is also acknowledged that the standard provisions may not be practical or appropriate everywhere. For this reason, the legislation also allows Local Provisions Schedules to introduce unique rules, for example: Specific Area Plans (SAPs), Particular Purpose Zones (PPZs) and Site-Specific Qualifications (SSQs) to address those challenges. The Kingborough Draft LPS introduces nine SAPs, three of which are carried over from the KIPS2015 and six of which are proposed, new SAPs. They are discussed in more detail in Chapter 3.

# CHAPTER 2 – ZONES AND CODES

This chapter provides an overview of the Tasmanian Planning Scheme Zones and Codes and explains how the Zones and Codes have been applied in the Kingborough Draft LPS.

## 2.1 ZONES

Each parcel of land in the municipality is assigned a zone, which are indicated on the Zone Maps. Each zone has a specific colour on the Zone Maps. The purpose of a zone is to indicate what the land can be used for and what type of development is appropriate for that zone. Each zoning has development 'rules' specific to that zone, for example building height restrictions, building setbacks, subdivision requirements etc. Council's interactive mapping tool provides the zoning for the Kingborough Draft LPS and each of the zones are discussed in more detail below.

 8.0 General Residential	 13.0 Urban Mixed Use	 20.0 Rural	 27.0 Community Purpose
 9.0 Inner Residential	 14.0 Local Business	 21.0 Agriculture	 28.0 Recreation
 10.0 Low Density Residential	 15.0 General Business	 22.0 Landscape Conservation	 29.0 Open Space
 11.0 Rural Living	 16.0 Central Business	 23.0 Environmental Management	 30.0 Future Urban
 12.0 Village	 17.0 Commercial	 25.0 Port and Marine	 PX.0 Particular Purpose
		 26.0 Utilities	

### 2.2.1 Clause 8.0 General Residential Zone (GRZ)

#### Purpose of the General Residential Zone

- To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.
- To provide for the efficient utilisation of available social, transport and other service infrastructure.
- To provide for non-residential use that:
  - (a) primarily serves the local community; and
  - (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off-site impacts.
- To provide for Visitor Accommodation that is compatible with residential character.

#### General Residential Zone application in the Kingborough Draft LPS

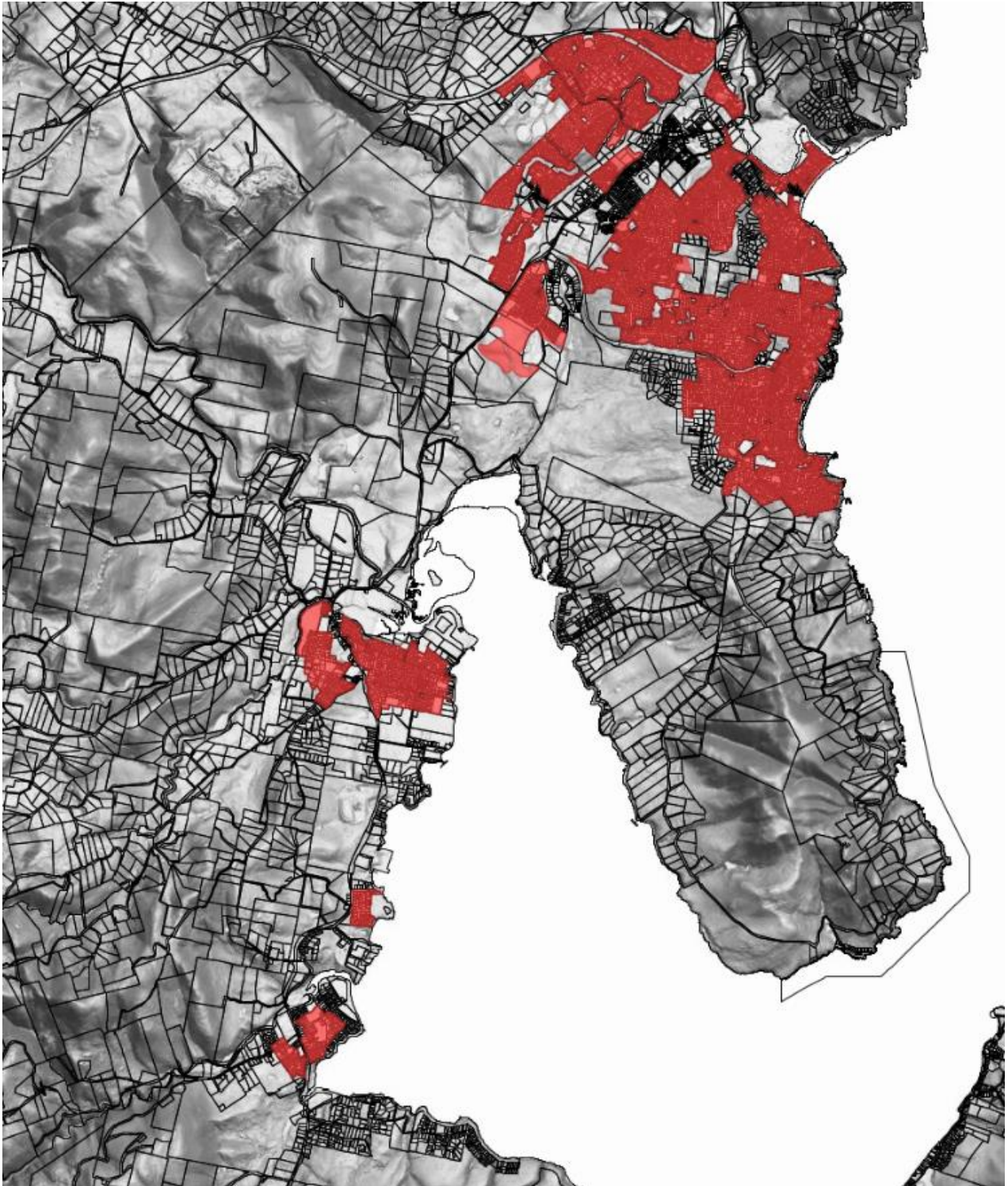
The [General Residential Zone of the Tasmanian Planning Scheme](#) is similar to the [General Residential Zone of the KIPS2015](#) and for that reason most of the land zoned General Residential under the KIPS2015 is proposed to be zoned General Residential under the Kingborough Draft LPS.

The General Residential Zone is prevalent in the main urban residential areas in the municipality, for example Kingston, Kingston Beach and Blackmans Bay, which are close to public transport and other supporting services.

The General Residential Zone has been increased in Margate and Snug, which are currently zoned Low Density Residential under the KIPS2015. The reason for the zoning change is because of the increase in service capacity afforded by the recent upgrade of the Blackmans Bay Wastewater Treatment Plant.

The application of the General Residential Zone in the Kingborough Draft LPS is consistent with the LPS Guidelines and a statement of compliance is provided in [Table 20 of Attachment 5](#).

Figure 5 – General Residential Zone in Kingston, Margate, Electrona and Snug





### 2.2.2 Clause 9.0 Inner Residential Zone (IRZ)

#### Purpose of the Inner Residential Zone

- To provide for a variety of residential use or development that accommodates a range of dwelling types at higher densities.
- To provide for the efficient utilisation of available social, transport and other service infrastructure.
- To provide for non-residential use that: (a) primarily serves the local community; and (b) does not cause an unreasonable loss of amenity, through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off-site impacts.
- To provide for Visitor Accommodation that is compatible with residential character.

#### Inner Residential Zone application in the Kingborough Draft LPS

The [Inner Residential Zone of the Tasmanian Planning Scheme](#) is similar to the [Inner Residential Zone of the KIPS2015](#).

Except for a parcel of land located at 41 Alfreds Garden, Kingston Green Estate, all land zoned Inner Residential under the KIPS2015 is proposed to be zoned Inner Residential under the Kingborough Draft LPS.

The application of the Inner Residential Zone in the Draft LPS is consistent with the LPS Guidelines and a statement of compliance is provided in [Table 21 of Attachment 5](#).

**Figure 6 – Inner Residential Zone in Kingston, Spring Farm and Huntingfield**



### 2.2.3 Clause 10.0 Low Density Residential Zone (LDRZ)

#### Purpose of the Low Density Residential Zone:

- To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location or form of development.
- To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off-site impacts.
- To provide for Visitor Accommodation that is compatible with residential character.

## Low Density Residential Zone application in Kingborough Draft LPS

The provisions of the Low Density Residential Zone provide for larger residential blocks in both urban and semi-urban areas of Kingborough. The Low Density Residential Zone in the urban areas of Kingston provides for larger lots that are not suitable for smaller lot size due to topography, vegetation cover, access etc. Examples include the outer areas of Kingston and Blackmans Bay, Margate and Snug.

The Low Density Residential Zone is also present in smaller residential settlements like Coningham, Woodbridge, Middleton, Gordon, Alonnah, Adventure Bay and Dennes Point where it provides for residential blocks that are constrained because of limited infrastructure services or environmental constraints.

The [Low Density Residential Zone of the Tasmanian Planning Scheme](#) is similar to the [Low Density Residential Zone of the KIPS2015](#). However, a key difference is the minimum lot size requirements (the rules that apply to subdivision).

- The current scheme has three subcategories within the Low Density Zone with varying minimum lot sizes: Area A – 2,500sqm, Area B – 5,000sqm, and Area C – 1,000sqm. Multiple dwellings are only possible in Area C.
- Under the Tasmanian Planning Scheme, the Low Density Residential Zone will not have subcategories and a minimum lot size of 1,500sqm will apply across the zone. The exception will be in areas where a Specific Area Plan will apply which may have its own minimum lot size requirements.

Additionally, the Low Density Residential Zone of the Tasmanian Planning Scheme permits Multi Dwelling Development in any part of the Low Density Residential Zone, whereas in KIPS2015 it was only allowed in some parts of the municipality.

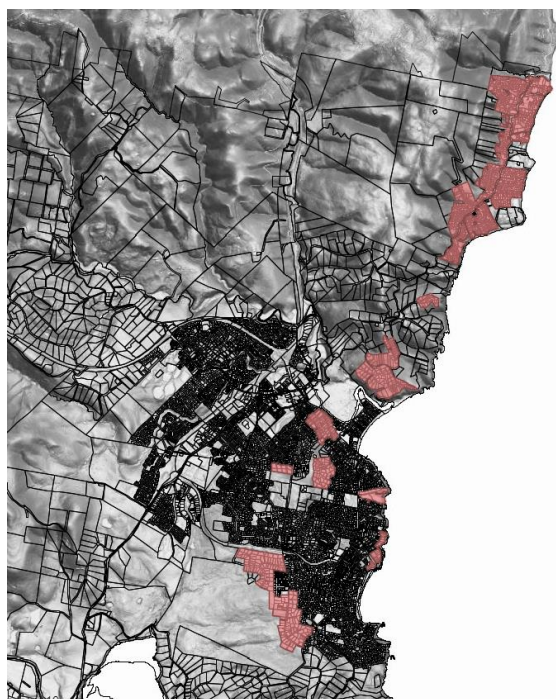
Most of the land zoned Low Density Residential under the KIPS2015 is proposed to be zoned Low Density Residential under the Kingborough Draft LPS.

Parts of Margate and Snug that are currently zoned Inner Residential under KIPS2015 will be zoned General Residential to accommodate additional development opportunities because of increased serviced capacity.

There are a few properties that are currently zoned Low Density Residential under KIPS2015 that will be zoned Rural Living and a range of other zones, to be more reflective of the zoning in the surrounding area or due to the characteristics of the broader subdivision pattern in the area.

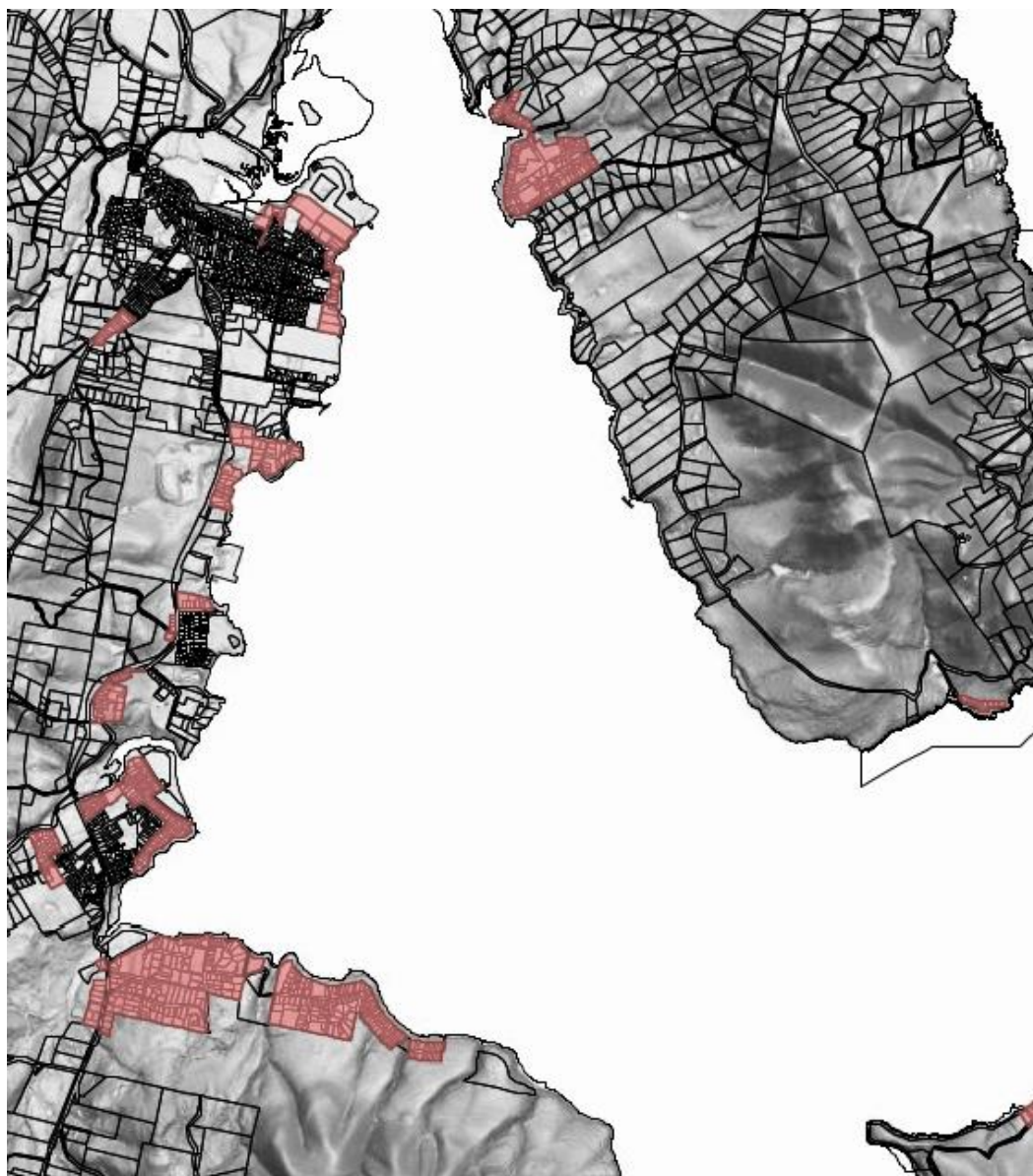
The application of the Low Density Residential Zone in the Draft LPS is consistent with the LPS Guidelines, and a statement of compliance is provided in [Table 22 of Attachment 5](#).

**Figure 7 – Low Density Residential Zone in Taroona, Bonnet Hill, Kingston and Blackmans Bay**

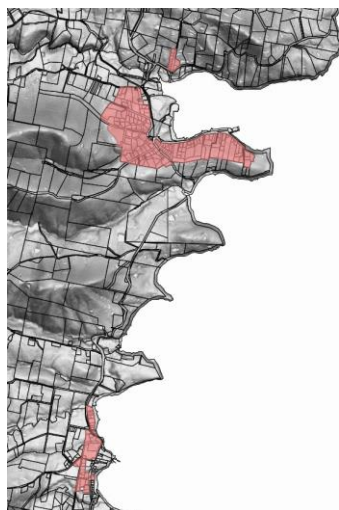




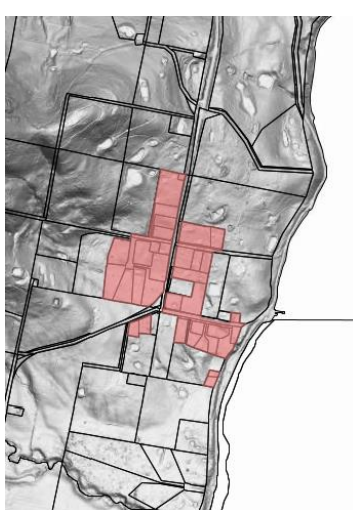
**Figure 8 – Low Density Residential Zone in Howden, Tinderbox, Margate, Electrona, Snug and Coningham**



**Figure 9 – LDRZ in Kettering & Woodbridge**



**Figure 10 – LDRZ in Middleton**



**Figure 11 – LDRZ in Gordon**

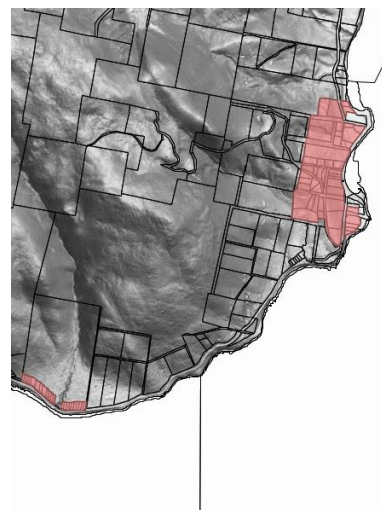


Figure 12 – LDRZ in Great Bay

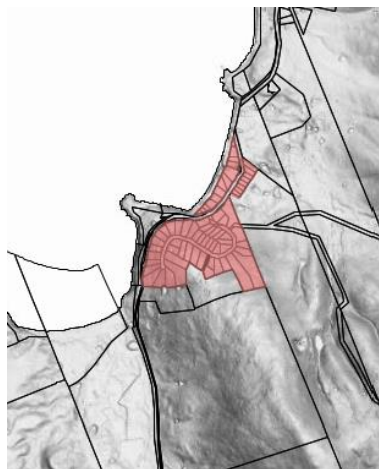


Figure 13 – LDRZ in Alonnah



Figure 14 – LRRZ in Lunawanna

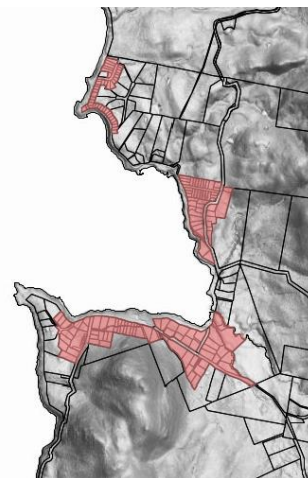


Figure 15 – LDRZ in Adventure Bay

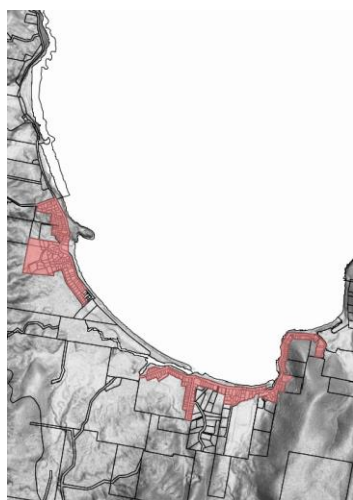
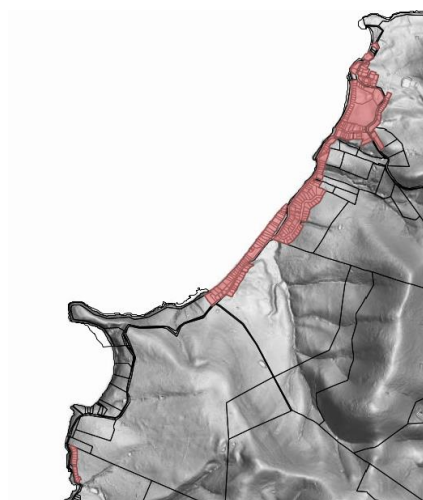


Figure 16 – LDRZ in Dennes Point



## 2.2.4 Clause 11.0 Rural Living Zone (RLZ)

### Purpose of the Rural Living Zone:

- To provide for residential use or development in a rural setting where:
  - (a) services are limited; or
  - (b) existing natural and landscape values are to be retained.
- To provide for compatible agricultural use and development that does not adversely impact on residential amenity.
- To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off-site impacts.
- To provide for Visitor Accommodation that is compatible with residential character.

### Rural Living Zone application in Kingborough Draft LPS

The Rural Living Zone facilitates residential use or development on spacious lots within a rural environment. The zone is prevalent in areas such as Leslie Vale, Sandfly, Allens Rivulet, outer areas of Margate, Kettering, Woodbridge, Middleton, Gordon and a couple of smaller coastal settlements on Bruny Island.

Even though there are similarities between the [Rural Living Zone of the Tasmanian Planning Scheme](#) and the [Rural Living Zone of the KIPS2015](#), there are development controls in the zone that will differ such as setback requirements and the provisions relating to subdivision. In addition to residential uses, the Rural Living Zone will continue to allow for land uses such as general retail and hire, resource development and processing,



manufacturing and processing, vehicle fuel sales and service, visitor accommodation, veterinary centres, places of worship, art and craft centres, domestic animal breeding, boarding or training, childcare centres and emergency services.

In terms of subdivision potential, the Rural Living Zone will continue to provide a variety of lot sizes to accommodate a range of different situations. Similar to the Rural Living Zone of the KIPS2015, the Rural Living Zone of the Tasmanian Planning Scheme will have subcategories within the zone which will determine the minimum lot size requirement for a property based on the average lot size in an area (refer to table below).

Min lot size requirement under the KIPS2015 (existing planning scheme)		Min lot size requirement under the Tasmanian Planning Scheme (proposed planning scheme)	
Rural Living Zone A	2.5ha	Rural Living Zone A	1ha
Rural Living Zone B	5ha	Rural Living Zone B	2ha
		Rural Living Zone C	5ha
		Rural Living Zone D	10ha

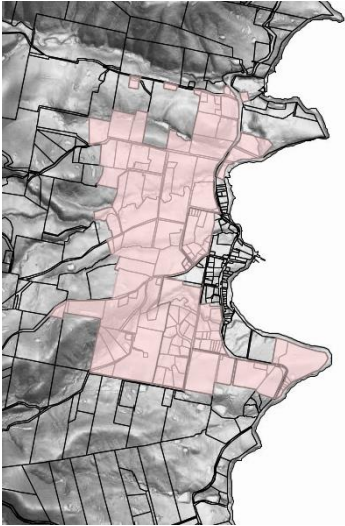
The Rural Living Zone has been applied to most of the land currently zoned Rural Living under KIPS2015. Because the Environmental Living Zone of the KIPS2015 will cease to exist under the Tasmanian Planning Scheme, many of the properties in that zone (approximately 440) will be zoned Rural Living.

The application of the Rural Living Zone in the Kingborough Draft LPS is consistent with the LPS Guidelines, and a statement of compliance is provided in [Table 23 of Attachment 5](#).

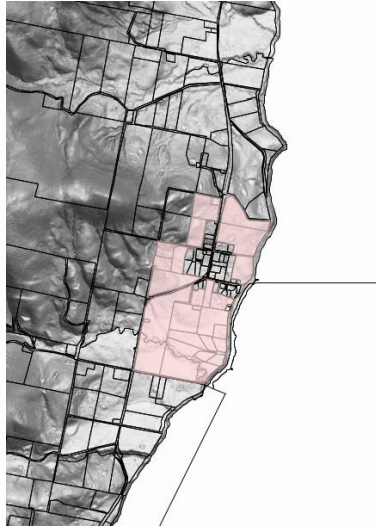
**Figure 17 – Rural Living Zone in areas around Kingston, Bonnet Hill, Leslie Vale, Sandfly, Howden, Tinderbox, Margate, Snug, Kettering and North Bruny**



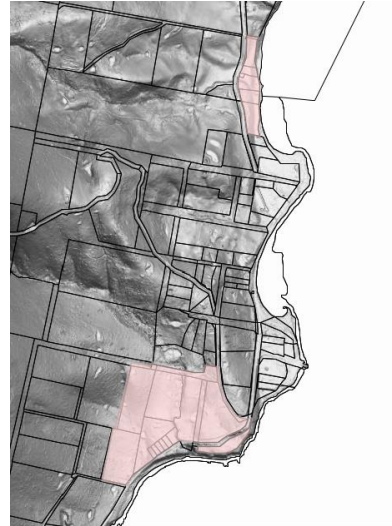
**Figure 18 – RLZ at Woodbridge**



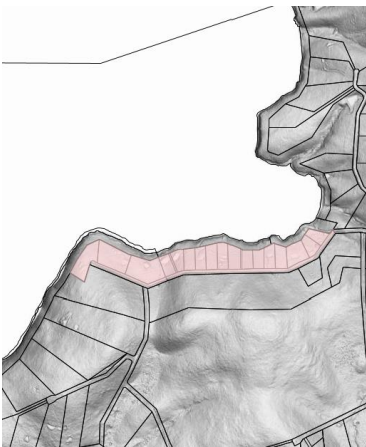
**Figure 19 – RLZ at Middleton**



**Figure 20 – RLZ at Gordon**



**Figure 21 – RLZ at Apollo Bay**



**Figure 22 – RLZ at Alonnah**



**Figure 23 – RLZ at Lunawanna**



**Figure 24 – RLZ at Adventure Bay**





### 2.2.5 Clause 12.0 Village Zone (VZ)

#### Purpose of the Village Zone:

- To provide for small rural centres with a mix of residential, community services and commercial activities.
- To provide amenity for residents appropriate to the mixed use characteristics of the zone.
- The provisions of the Village Zone of the Tasmanian Planning Scheme are similar to the provisions of the Village Zone of the KIPS2015.

#### Village Zone application in the Kingborough Draft LPS

The [Village Zone of the Tasmanian Planning Scheme](#) is similar to the [Village Zone of the KIPS2015](#). The Village Zone has therefore only been applied to areas in the municipality where it is a translation from the KIPS2015.

The application of the Village Zone in the Draft LPS is consistent with the LPS Guidelines, and a statement of compliance is provided in [Table 24 of Attachment 5](#).

Figure 25 – VZ in Snug

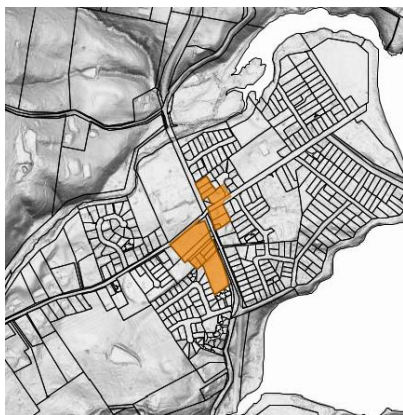


Figure 26 – VZ in Kettering



Figure 27 – VZ in Woodbridge

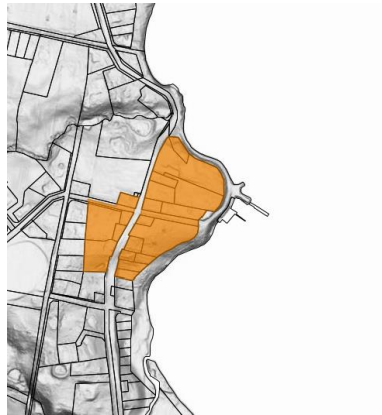


Figure 28 – VZ in Middleton

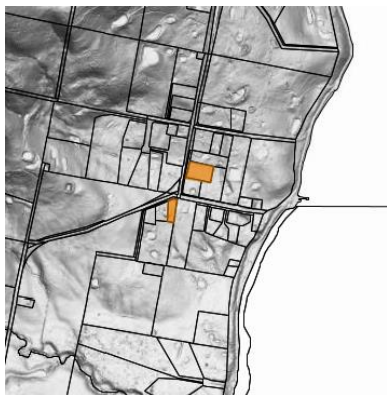


Figure 29 – VZ in Adventure Bay



Figure 30 – VZ in Alonnah



### 2.2.6 Clause 13.0 Urban Mixed Use Zone (UMZ)

#### Purpose of the Urban Mixed Use Zone:

- To provide for a mix of residential, retail, community services and commercial activities in urban locations.
- To provide for a diverse range of use or development that are of a type and scale that support and do not compromise or distort the role of surrounding activity centres in the activity centre hierarchy.

#### Urban Mixed Use Zone application in the Kingborough Draft LPS

The Urban Mixed Use Zone is a flexible zone that is often used in areas that are close to urban centres to provide a mix between residential, retail and community uses to contribute to the vibrancy of an area. The [Urban Mixed Use Zone of the Tasmanian Planning Scheme](#) is similar to the [Urban Mixed Zone of the KIPS2015](#). Consequently, most of the land that is currently zoned Urban Mixed Use under KIPS2015 will also be zoned Urban Mixed Use under the Tasmanian Planning Scheme.

A large parcel of land at 41 Alfreds Garden, Kingston Green Estate that is currently zoned Inner Residential Zone under KIPS2015 is proposed to be zoned Urban Mixed Use Zone to provide a greater level of flexibility for future uses on the site in a manner that is considered compatible with the existing mix of uses in the area.

The application of the Urban Mixed Use Zone in the Draft LPS is consistent with the LPS Guidelines, and a statement of compliance is provided in [Table 25 of Attachment 5](#).

**Figure 31 – Urban Mixed Use Zone at Kingston Park, Kingston Green Estate and Village Drive, Kingston**





## 2.2.7 Clause 14.0 Local Business Zone (LBZ)

### Purpose of the Local Business Zone:

- To provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area.
- To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.
- To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.
- To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

### Local Business Zone application in Kingborough Draft LPS

The Local Business Zone is intended to provide business, retail and administrative uses in smaller centres or in neighbourhood nodes. The [Local Business Zone of the Tasmanian Planning Scheme](#) is similar to the [Local Business Zone of the KIPS2015](#). Consequently, the Local Business Zone has been applied to areas generally consistent with the zone application under the KIPS2015. The application of the Local Business Zone in the Draft LPS is consistent with the LPS Guidelines, and a statement of compliance is provided in [Table 26 of Attachment 5](#).

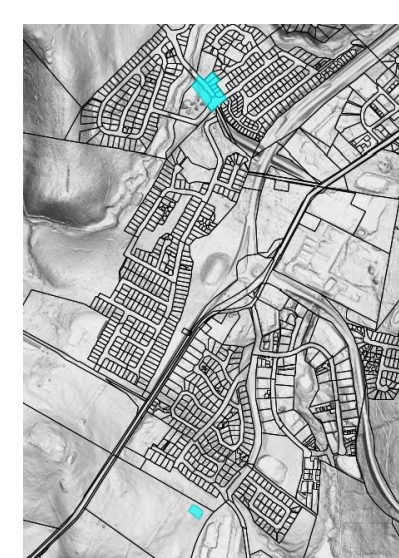
Figure 32 – LBZ in Taroona



Figure 33 – LBZ in Kingston Beach & Blackmans Bay



Figure 34 – LBZ in Margate and Electrona





### 2.2.8 Clause 15.0 General Business Zone (GBZ)

#### Purpose of the General Business Zone:

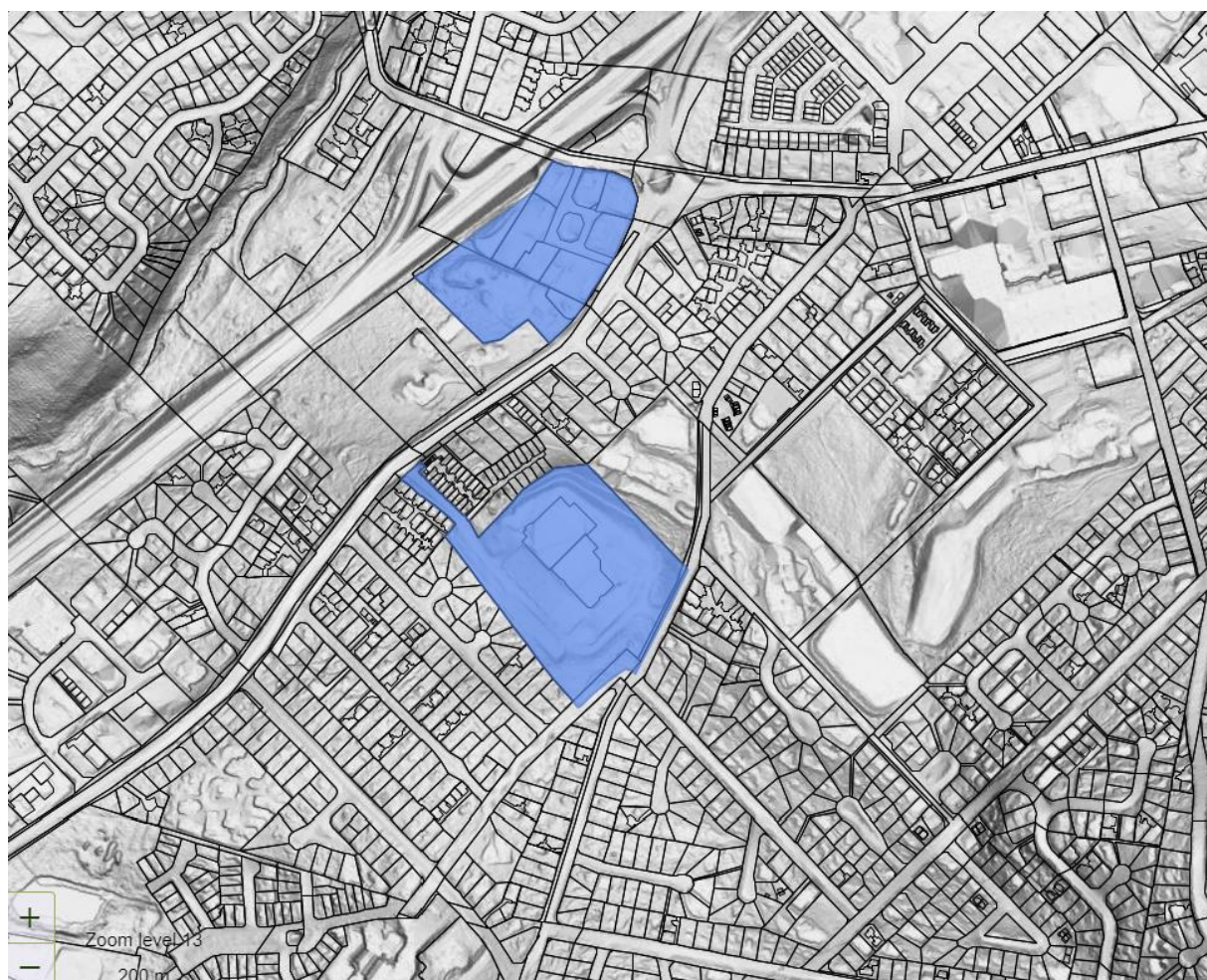
- To provide for business, retail, administrative, professional, community, and entertainment functions within Tasmania's main suburban and rural centres.
- To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.
- To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.
- To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

#### General Business Zone application in the Kingborough Draft LPS

The General Business Zone is generally intended for larger business and retail sites. The [General Business Zone of the Tasmanian Planning Scheme](#) is similar to the [General Business Zone of the KIPS2015](#) and as such it has only been applied to Westside Circle, Kingston and Kingston Town, which is a direct translation from the KIPS2015.

The application of the General Business Zone in the Draft LPS is consistent with the LPS Guidelines, and a statement of compliance is provided in [Table 27 of Attachment 5](#).

**Figure 36 – General Business Zone at Westside Circle, Kingston and Kingston Town**



### 2.2.9 Clause 16.0 Central Business Zone (CBZ)

#### Purpose of the Central Business Zone:

- To provide for business, retail, administrative, professional, community, and entertainment functions within Tasmania's main suburban and rural centres.



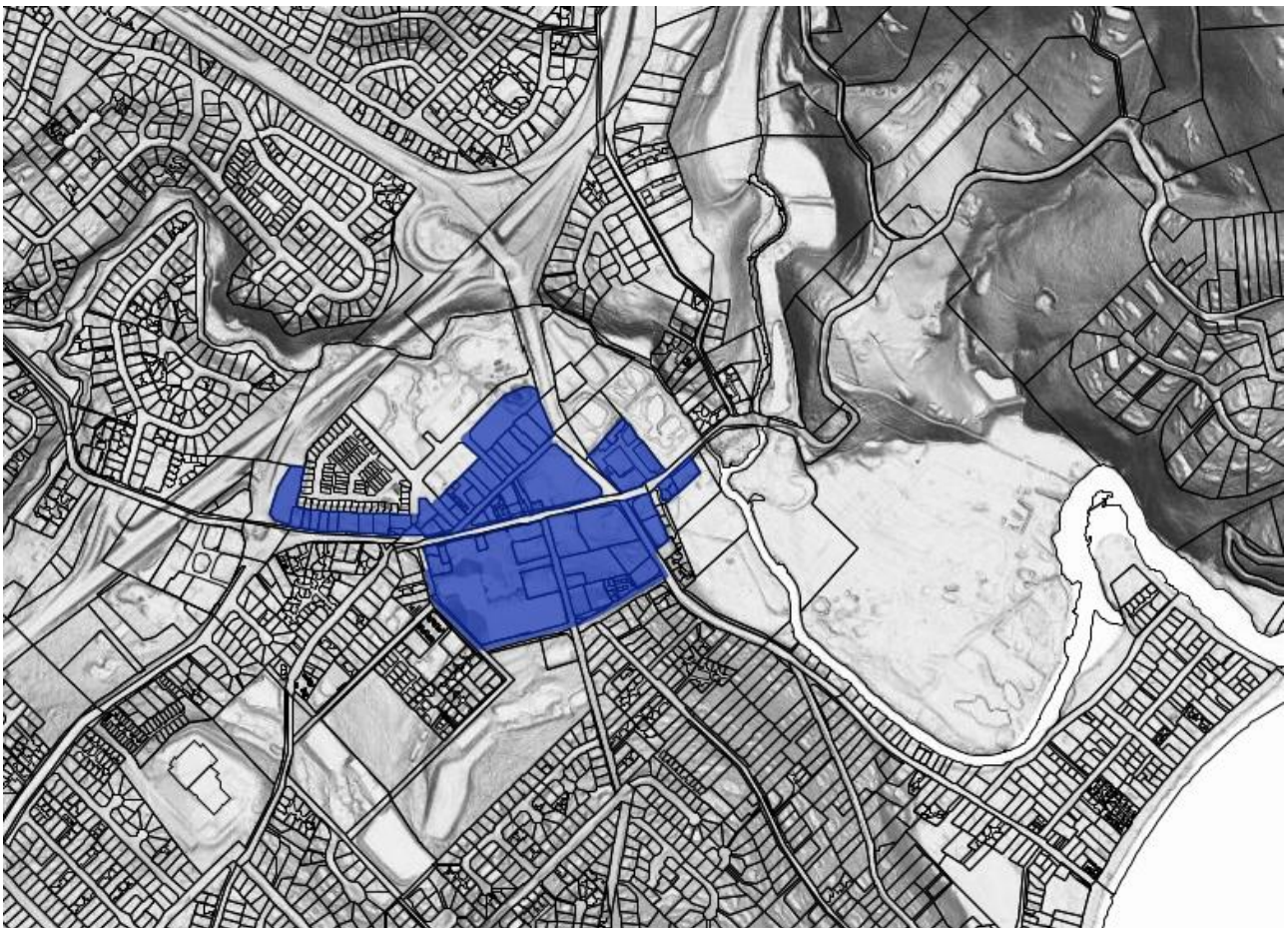
- To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.
- To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.
- To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

#### Central Business Zone application in the Kingborough Draft LPS

The Central Business Zone is intended for the central business areas of activity nodes and provides a range of uses that reinforces the purpose of the centres. The [Central Business Zone of the Tasmanian Planning Scheme](#) is similar to the [Central Business Zone of the KIPS2015](#) and has only been applied to Kingston's Central Business District, which is a direct translation from the KIPS2015.

The application of the Central Business Zone in the Draft LPS is consistent with the LPS Guidelines, and a statement of compliance is provided in [Table 28 of Attachment 5](#).

**Figure 37 – Central Business Zone in Kingston**



#### 2.2.10 Clause 17.0 Commercial Zone (CZ)

##### Purpose of the Commercial Zone:

- To provide for retailing, service industries, storage and warehousing that require: (a) large floor or outdoor areas for the sale of goods or operational requirements; and (b) high levels of vehicle access and parking for customers.
- To provide for a mix of use and development that supports and does not compromise or distort the role of other activity centres in the activity centre hierarchy.



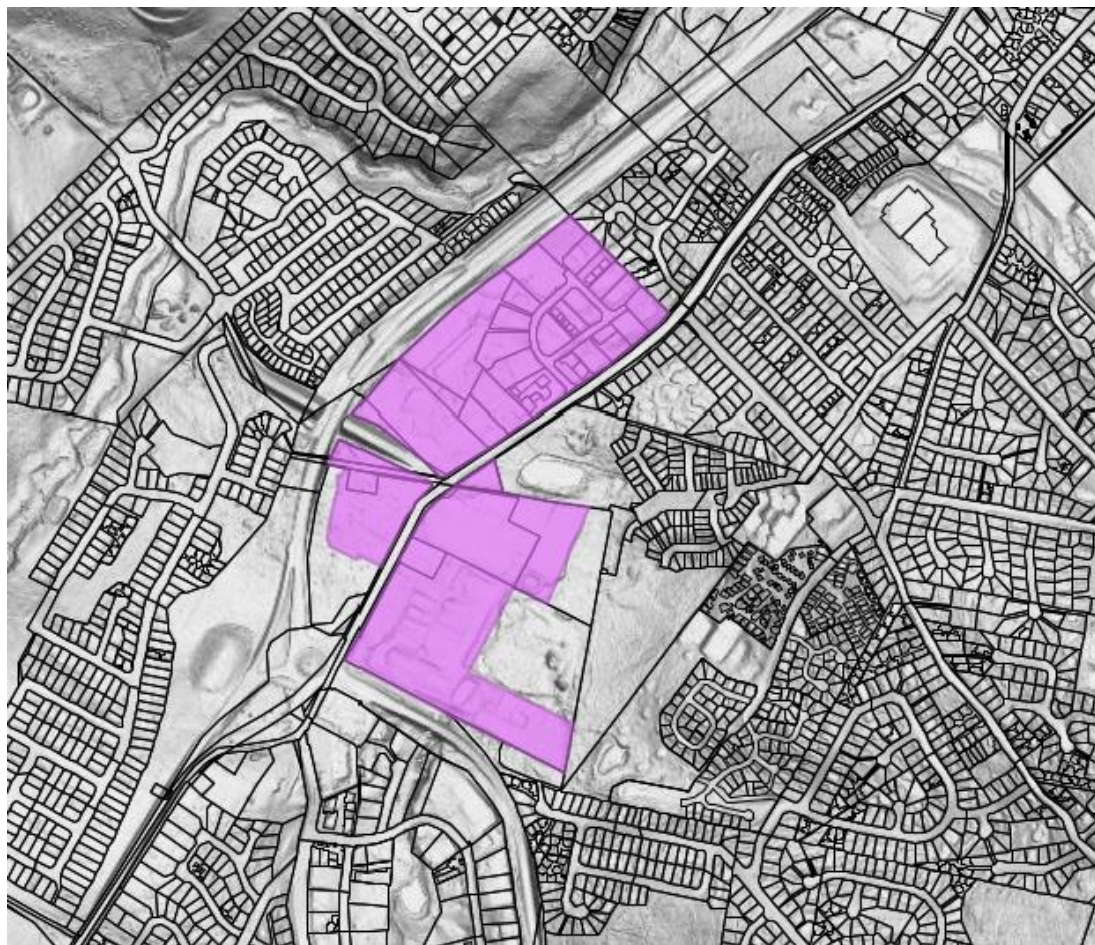
## Commercial Zone application in Kingborough Draft LPS

The [Commercial Zone of the Tasmanian Planning Scheme](#) is similar to the [Commercial Zone of the KIPS2015](#). Consequently, the Commercial Zone has been applied to areas generally consistent with the zone application under the KIPS2015.

There are parcels of land to the rear of Bunnings and the Antarctic Division Headquarters in Kingston that are currently zoned Commercial under KIPS2015 that are proposed to be rezoned Environmental Management. The reason for this zoning change is discussed in more detail under section 2.2.16.

The application of the Commercial Zone in the Draft LPS is consistent with the LPS Guidelines, and a statement of compliance is provided in [Table 29 of Attachment 5](#).

**Figure 38 – Commercial Zone in Kingston**



### 2.2.11 Clause 18.0 Light Industrial Zone (LIZ)

#### Purpose of the Light Industrial Zone:

- *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.*
- *To provide for use or development that supports and does not adversely impact on industrial activity.*

#### Light Industrial Zone application in the Kingborough Draft LPS

The [Light Industrial Zone of the Tasmanian Planning Scheme](#) is similar to the [Light Industrial Zone of the KIPS2015](#) and it has only been applied to areas in the municipality where it is a direct translation from the KIPS2015. Examples of the Light Industrial Zone are at Browns Road, Huntingfield, land south of Margate, Barretta and Electrona.

The application of the Light Industrial Zone in the Draft LPS is consistent with the LPS Guidelines, and a statement of compliance is provided in [Table 30 of Attachment 5](#).

Figure 39 – Light Industrial Zone in Kingston



Figure 40 – LIZ in Margate, Baretta and Electrona



### 2.2.12 Clause 19.0 General Industrial Zone (GIZ)

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

### 2.2.13 Clause 20.0 Rural Zone (RZ)

#### Purpose of the Rural Zone:

- To provide for a range of use or development in a rural location:
  - where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;
  - that requires a rural location for operational reasons;
  - is compatible with agricultural use if occurring on agricultural land;
  - minimises adverse impacts on surrounding uses.
- To minimise conversion of agricultural land for non-agricultural use.
- To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.

#### Rural Zone application in the Kingborough Draft LPS

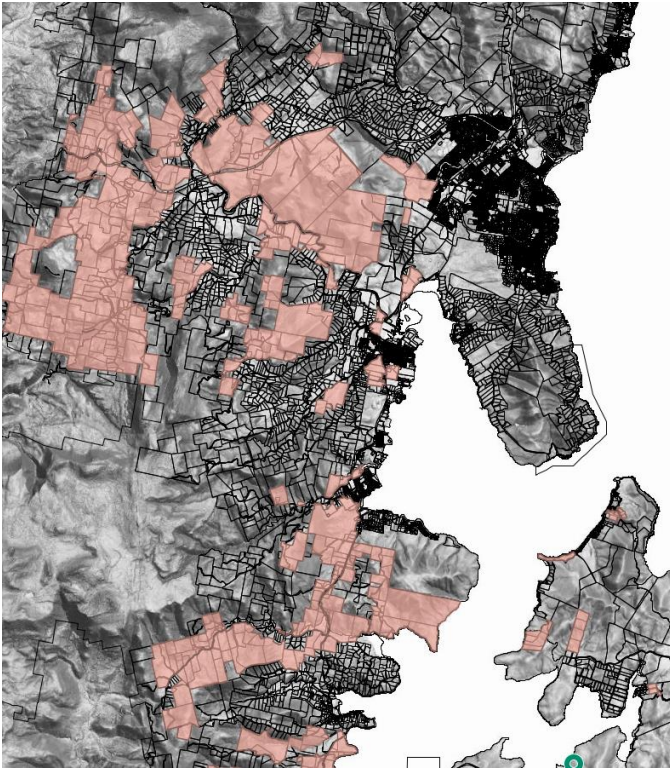
The [Rural Zone](#) is a new zone under the Tasmanian Planning Scheme but it is similar to the [Rural Resource Zone of the KIPS2015](#). It provides for a range of other uses, in addition to agricultural uses, that may require a rural location for operation purposes. These include Domestic Animal Breeding, Boarding and Training, Extractive Industry, Resource Processing and a limited range of Manufacturing and Processing, Storage and other uses that are associated with agricultural uses or Resource Processing. The Rural Zone also provides for the protection of agricultural land and agricultural uses by ensuring that discretionary uses, including residential use, minimise the conversion of agricultural land and are compatible with agricultural use.

The Rural Zone has been applied in the Kingborough Draft LPS in a manner that acknowledges the significant rural areas in the municipality and to acknowledge that the municipality's rural areas provide a variety of other activities beyond agriculture.

The application of the Rural Zone in the Draft LPS is consistent with the LPS Guidelines, and a statement of compliance is provided in [Table 31 of Attachment 5](#).



**Figure 41 – Rural Zone in Kingborough**



**Figure 42 – Rural Zone in Kingborough**

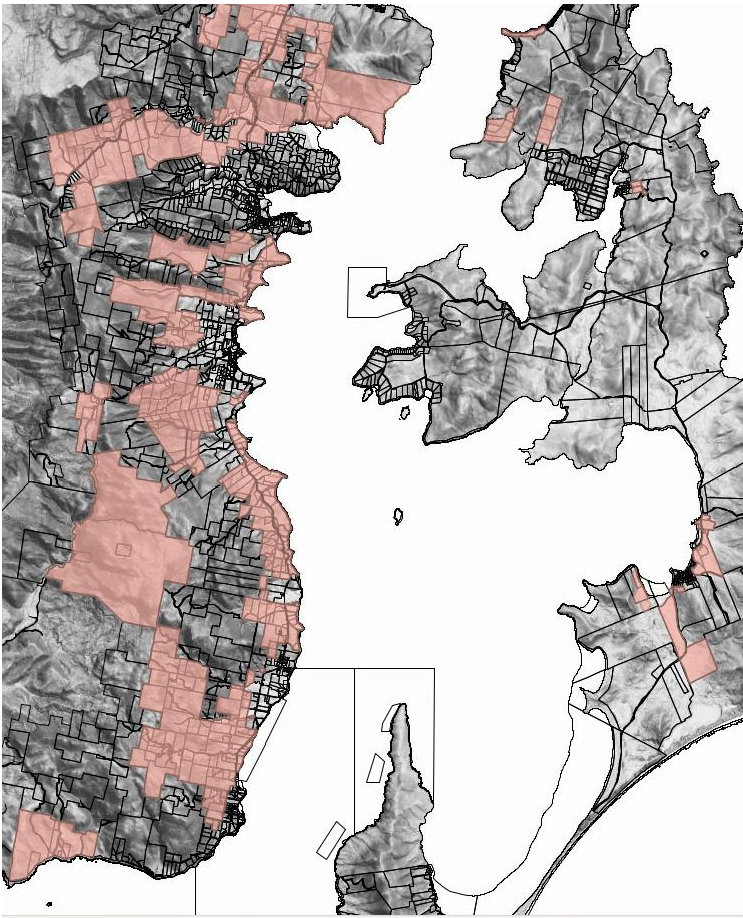
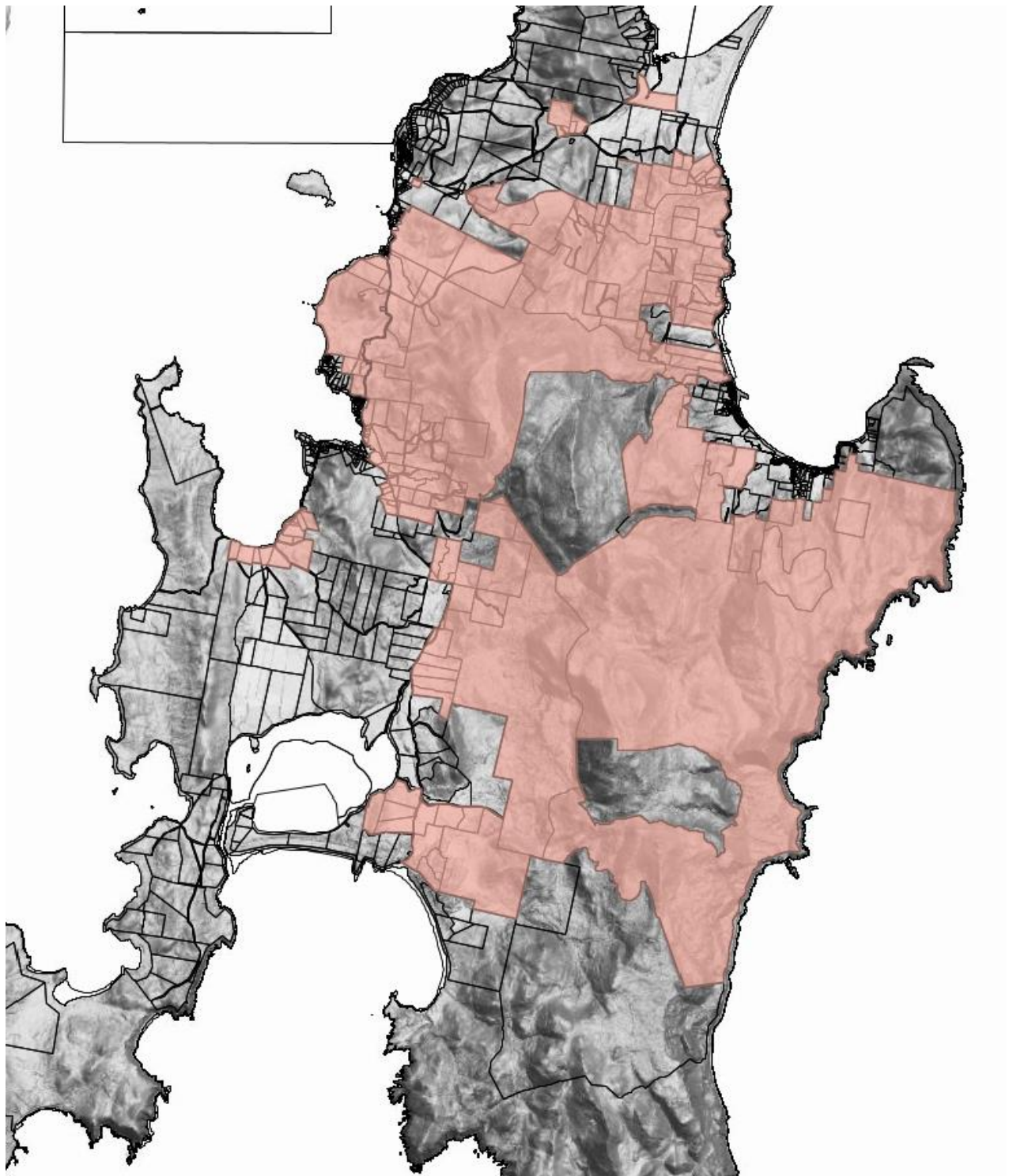


Figure 43 – Rural Zone in Kingborough



## 2.2.14 Clause 21.0 Agriculture Zone (AZ)

### Purpose of the Agriculture Zone:

- *To provide for the use or development of land for agricultural use.*
- *To protect land for the use or development of agricultural use by minimising: (a) conflict with or interference from non-agricultural uses; (b) non-agricultural use or development that precludes the return of the land to agricultural use; and (c) use of land for non-agricultural use in irrigation districts.*
- *To provide for use or development that supports the use of the land for agricultural use.*

### Agricultural Zone application in the Kingborough Draft LPS

The [Agriculture Zone](#) is a new zone under the Tasmanian Planning Scheme and its equivalent, the [Significant Agricultural Zone in the KIPS2015](#), has not been used in the municipality before. The Agriculture Zone has been mainly applied to rural land, previously zoned as Rural Resource, where it has been identified as land that is already used for agricultural activities or has the capability of being used for such purposes. The LPS Guidelines require that all land suitable for agriculture must be zoned Agriculture, based on the land identified in the Land Potentially Suitable for Agriculture Zone layer on LISTmap while also providing for analysis at a local level. Given the complexity involved with the mapping of the Agriculture Zone in the Kingborough Draft LPS, a brief overview of the matters that were considered in applying the zone are provided below.

### Land Capability Classification

[Land capability classification](#) is an internationally accepted method of ranking the ability of land to support a range of broad acre agricultural activities on a sustainable basis. In Tasmania (through the Department of Natural Resources and Environment Tasmania), the system comprises seven classes ranked in order of agricultural versatility. For example, Class 1 is the best land and Class 7 the poorest. Class 4 is considered marginal for cropping activities. In the descriptions, limitations refer to physical factors or constraints which affect the versatility of the land and determine its capability for long-term sustainable agricultural production. Limitations include erosion hazard, slope, climate, flooding, poor drainage, stoniness, salinity, topographic fragmentation and poor soil structure.

### State Government's Agricultural Land Mapping

The State Government commissioned a statewide Agricultural Land Mapping 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 area. The Project produced two mapping layers that were made available on the LISTmap website, namely 'Potential Agricultural Land Initial Analysis' and 'Land Potentially Suitable for Agriculture Zone'. The Land Potentially Suitable for Agriculture Zone layer includes a constraints analysis and shows land that is Unconstrained, Potentially Constrained (Criterion 2A), Potentially Constrained (Criterion 2B) or Potentially Constrained (Criterion 3).

The LPS Guidelines recognise that the abovementioned mapping process has produced some inaccuracies. Consequently, AK Consultants (a consultancy specialising in this field) were engaged through the Southern Tasmanian Councils Association (STCA) to provide a methodology to assist councils in the zoning conversions. The *Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones* methodology prepared by AK Consultants in 2018 included a set of criteria to filter the mapping, taking into account a number of matters, such as existing land use, (agriculture, forestry activities, extractive industries, resource processing), land capability, irrigation resources, native vegetation, public reserves and private reserves.

The extent of land identified as being suitable in the statewide mapping was not particularly helpful for Kingborough, as it essentially only covered the land which is zoned as Rural Resource. This results in large parcels shown as 'unconstrained' by the mapping, but which is extensively covered in native vegetation and/or has significant topographical constraints, resulting in such land being categorised as Class 5 land capability or higher. Application of the *Decision Tree and Guidelines* developed by AK Consulting resulted in similar challenges and still required significant interpretation and site by site assessment in Kingborough.



## Kingborough Agricultural Profile and field verification to map the Agriculture Zone

To assist with the Agriculture Zone application in Kingborough, RMCG Tasmania (a private consultancy specialising in agricultural and environmental services) was engaged by Council to prepare an Agricultural Profile for the municipality. The report provides an overview of the agricultural characteristics of the municipality as a basis to inform the application of the Agriculture Zone in the municipality. While the *Land Potentially Suitable for Agriculture* and the *Decision Tree and Guidelines* were used, the methodology was further refined to have regard to the Kingborough Agricultural Profile by RMCG and to:

- reflect more recent detailed analysis of the intersection between the *Land Potentially Suitable for Agriculture* layer, natural values data and the extent of the agricultural land use, including field verification;
- better align with on-ground features identified as part of the field verification and the nature of agriculture uses in Kingborough (which are often mixed enterprises on small parcels being undertaken in conjunction with other compatible uses such as tourism or residential uses). These multi-functional land use patterns are recognised in the *Kingborough Land Use Strategy 2019*; and
- address anomalies and inaccuracies in the Land Potentially Suitable for Agriculture Zone layer, including inaccuracies in the potential suitability of the land for agricultural uses given site constraints such as slope, hazards and natural values.

Given that the Agriculture Zone has not been used in Kingborough before, feedback received during the public exhibition period will be used to finalise the application of the zone in Kingborough having regard to the LPS Guidelines as discussed in [Table 32 of Attachment 5](#) as well as other matters considered appropriate by the Tasmanian Planning Commission as part of the public hearing process.

**Figure 44 – Agriculture Zone in Kingborough**

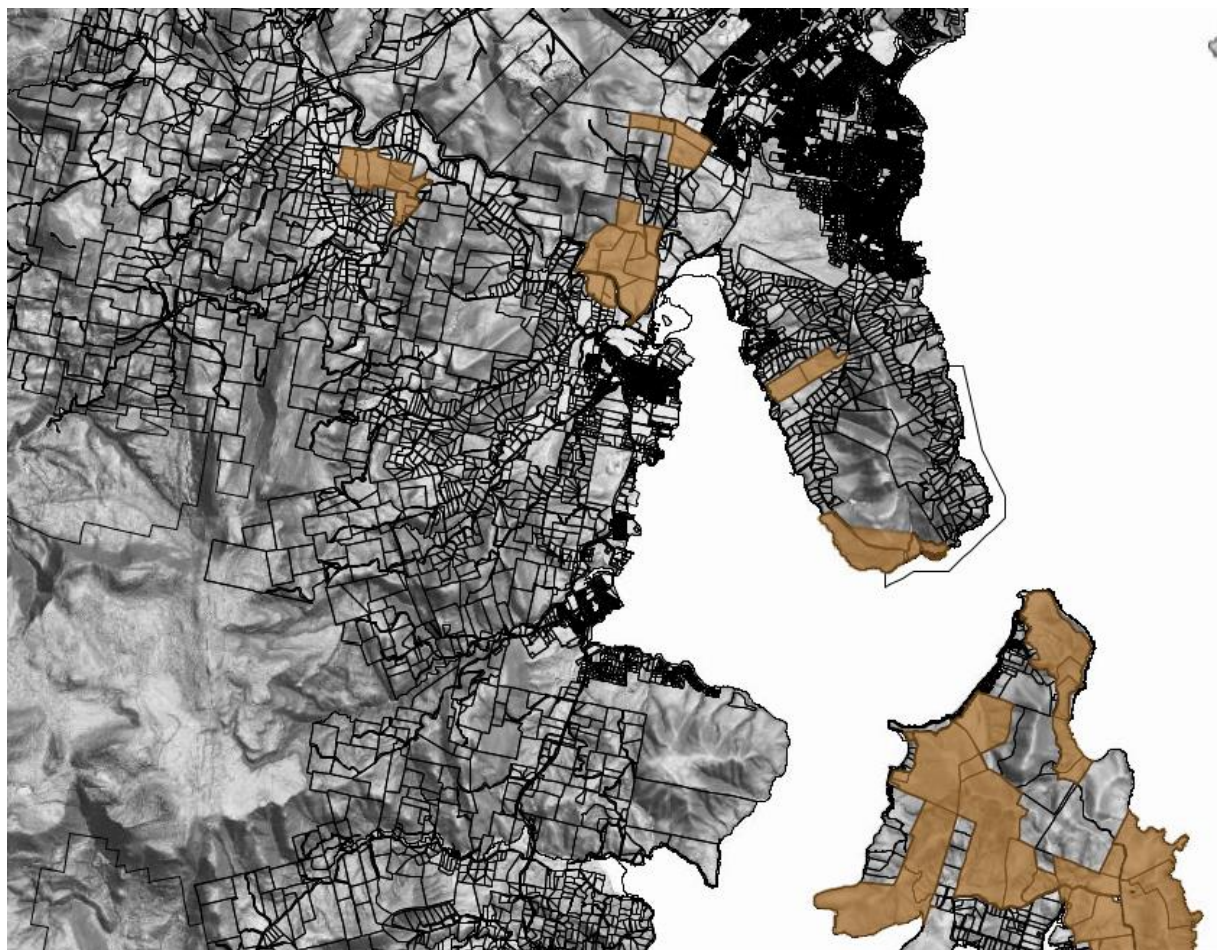
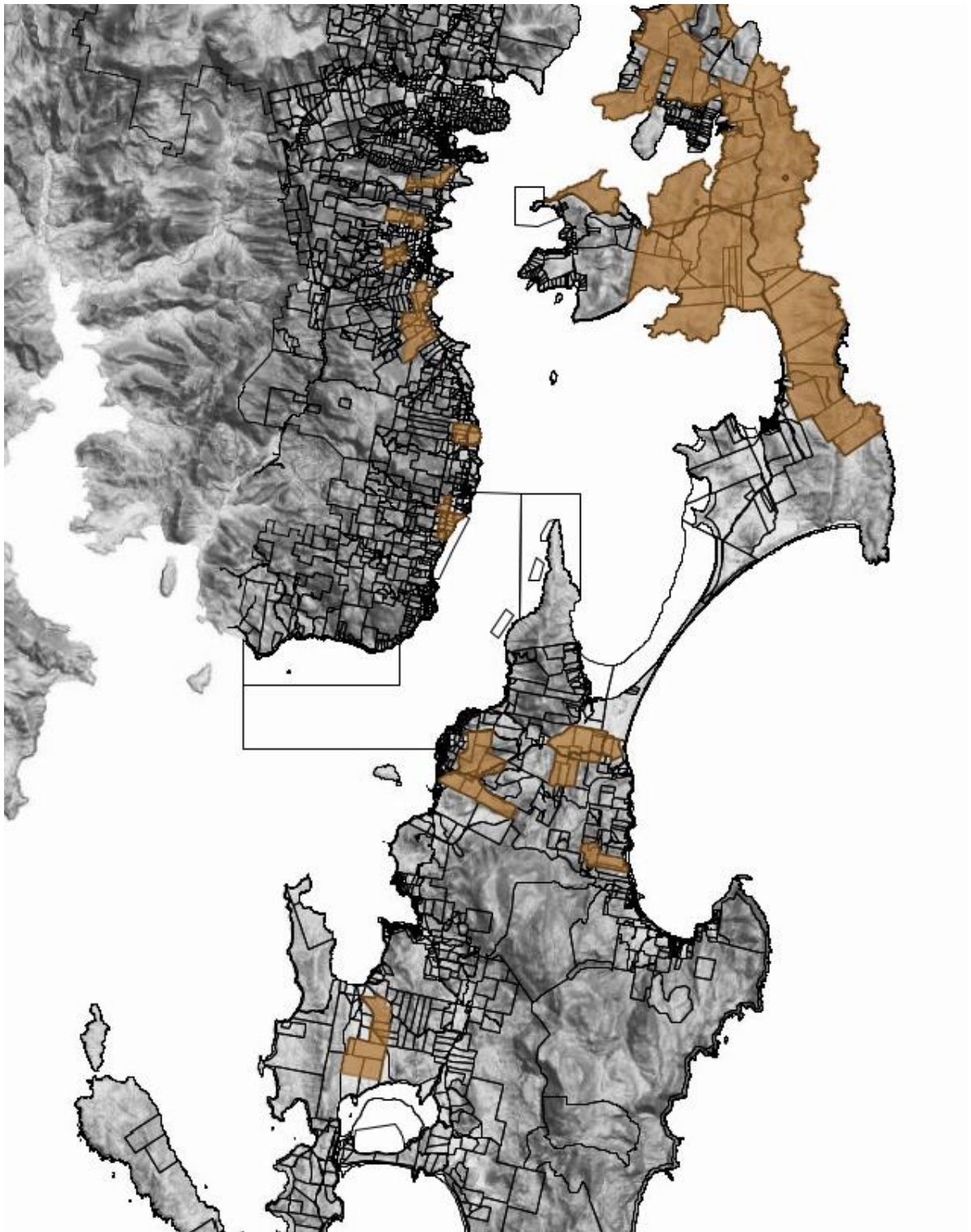


Figure 45 – Agricultural Zone in Kingborough



### 2.2.15 Clause 22.0 Landscape Conservation Zone (LCZ)

#### The purpose of the zone is:

- *To provide for the protection, conservation and management of landscape values.*
- *To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.*

#### Landscape Conservation Zone application in the Kingborough Draft LPS

The [Landscape Conservation Zone](#) is a new zone and is proposed to be predominantly applied to areas in Kingborough where landscape values require protection and/or conservation, such as elevated bushland areas or areas of important scenic value. The rationale for the application of the Landscape Conservation Zone in Kingborough is to maintain the land use and development outcomes in the rural or bush area parts of Kingborough as close as possible to the current KIPS2015. The zone is balancing the desire for living in a bush setting and protecting the visual landscape, such as viewing the properties collectively to maintain the valued characteristics of the Kingborough area which include well-vegetated headlands and ridgelines. Given the complexity involved with the mapping of the Landscape Conservation Zone, a brief overview of the matters that were considered in applying the zone is provided below.

#### Protection of landscape values in the past and under the new Tasmanian Planning Scheme

Historically, the Kingborough Planning Scheme 2000 protected important landscape values through the widespread use of the Environmental Management Zone. That zone was closely aligned to the more heavily vegetated areas, which also included ridgelines and coastal and riparian corridors. The KIPS2015 has a Scenic Landscapes Code, and all land with an elevation greater than 100m is subject to the code. Unlike the 2000 planning scheme, the zoning of land was not specifically used in the interim planning scheme as a means of protecting landscape or visual values. However, the Environmental Living Zone (a zone that will cease to exist under the Tasmanian Planning Scheme) made a significant contribution to the protection of the landscape values, particularly in rural parts of Kingborough. Under the Tasmanian Planning Scheme, landscape values will mainly be protected through the Scenic Protection Code and Landscape Conservation Zone.

#### Methodology used in the mapping of the Landscape Conservation Zone in Kingborough

LPS Guidelines provide for a range of circumstances in which the Landscape Conservation Zone may be applied. They may be summarised as:

- land with landscape values identified for protection and conservation, such as bushland areas;
- large areas of native vegetation;
- areas of important scenic values;
- large areas of bushland or native vegetation, not otherwise reserved, which contain threatened native vegetation communities or threatened species;
- areas of locally or regionally important native vegetation;
- land with significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; and
- land within an interim planning scheme in the Environmental Living Zone where the primary intention is for the protection and conservation of landscape values.

There is no clear definition for 'landscape values' in the Tasmanian Planning Scheme; however, the Macquarie Dictionary provides a broad definition for 'landscape' which includes "a view or prospect of rural scenery, more or less extensive, such as is comprehended within the scope or range of vision from a single point of view" and "an area of land with distinguishing features or landforms: a wooded landscape, a hilly landscape". Importantly, these distinguishing features or landforms can exist even when they can't be seen from a public vantage point such as a road.

Kingborough has significant landscape values, and those values relate to the extensive areas of bushland providing a backdrop from the coast, up the slopes to and including the ridgelines. These landscape values set Kingborough apart from other municipalities in the state and are appreciated by residents and visitors when viewed from either their homes, roads, public places, elevated areas or nearby waters. It is appreciated that what may be visually attractive and valuable to one person may not be the same for another. In addition to this, the landscape values of one area will be different from another. For example, the landscape values associated with prominent hillsides of Bonnet Hill, Albion Heights, Tinderbox Peninsula and Oyster Cove relate to the elevated



bushland areas that are appreciated by residents or visitors when viewed from either their homes, roads, other elevated areas or nearby waters. In other places, the landscapes need to be protected because of their connections with the national park, popular walking trails, or other important heritage settings. Examples of areas with significant landscape values in the municipality are illustrated below.

**Figure 46 – Bonnet Hill Albion Heights (viewed from Roslyn Avenue, Kingston Beach)**



**Figure 47 – Tinderbox Peninsula (viewed from Dennes Point, Bruny Island)**



**Figure 48 – Oyster Cove (viewed from Kettering)**





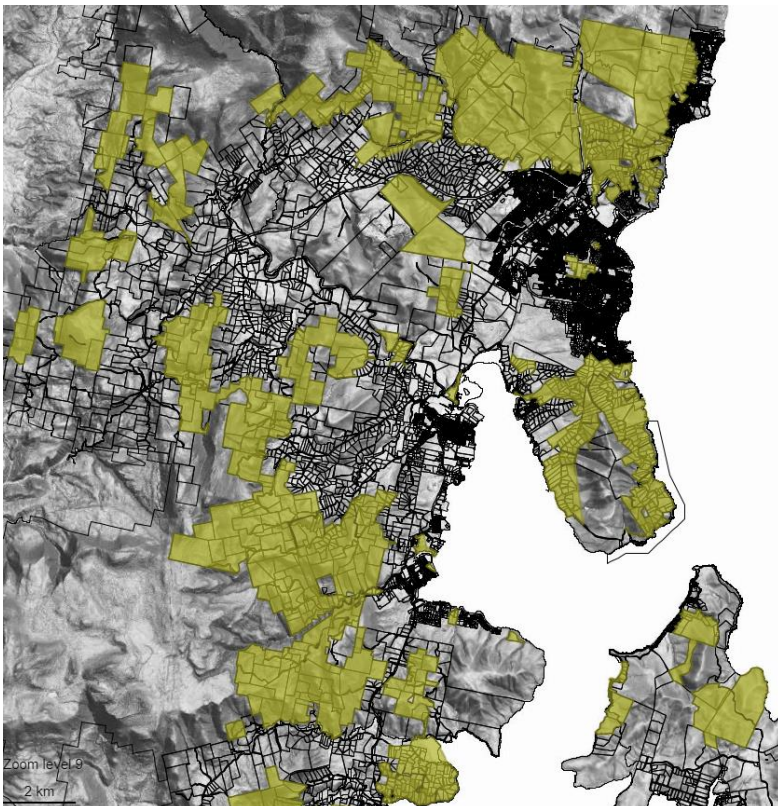
**Figure 49 – Elevated areas as a backdrop to Kettering**



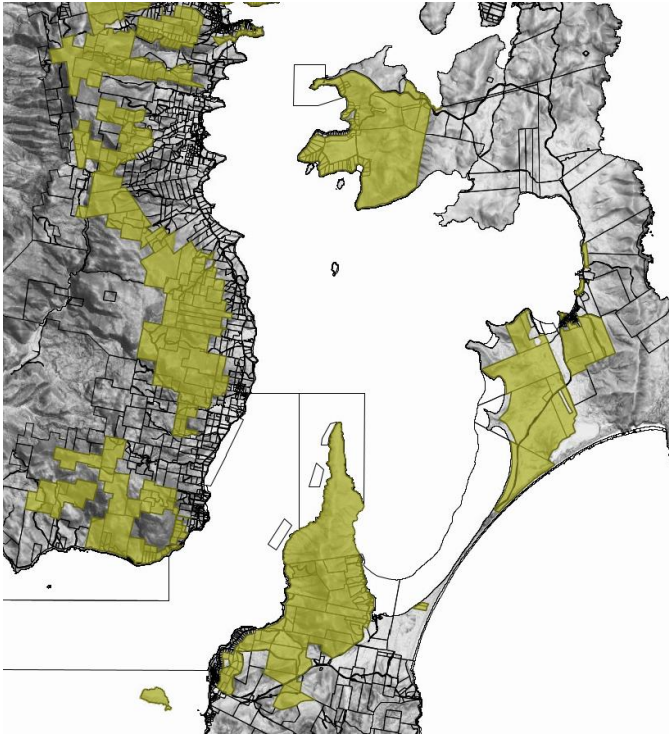
As per the LPS Guidelines, the Landscape Conservation Zone may be applied to large parcels of land that contain landscape values, but it can also be applied to a grouping of lots that together contribute to the landscape values in an area. As a general principle, the intention is to avoid spot-zoning, in favour of applying the Landscape Conservation Zone to land in a consistent pattern. While in some exceptional cases a spot-zone may be appropriate, a strategic approach to the application of the zone is preferred. Similarly, the intention is to avoid split-zoning on lots. However, in some circumstances the characteristics of the land and/or the use of the land on a site will indicate that the universal application of a zone to a cadastral parcel is not logical or appropriate.

Given that the Landscape Conservation Zone is a new zone under the Tasmanian Planning Scheme, feedback received during the public exhibition period will be used to finalise the application of the zone in Kingborough having regard to the LPS Guidelines (refer to [Table 33 of Attachment 5](#)), as well as any other matter considered appropriate by the Tasmanian Planning Commission as part of the public hearing process.

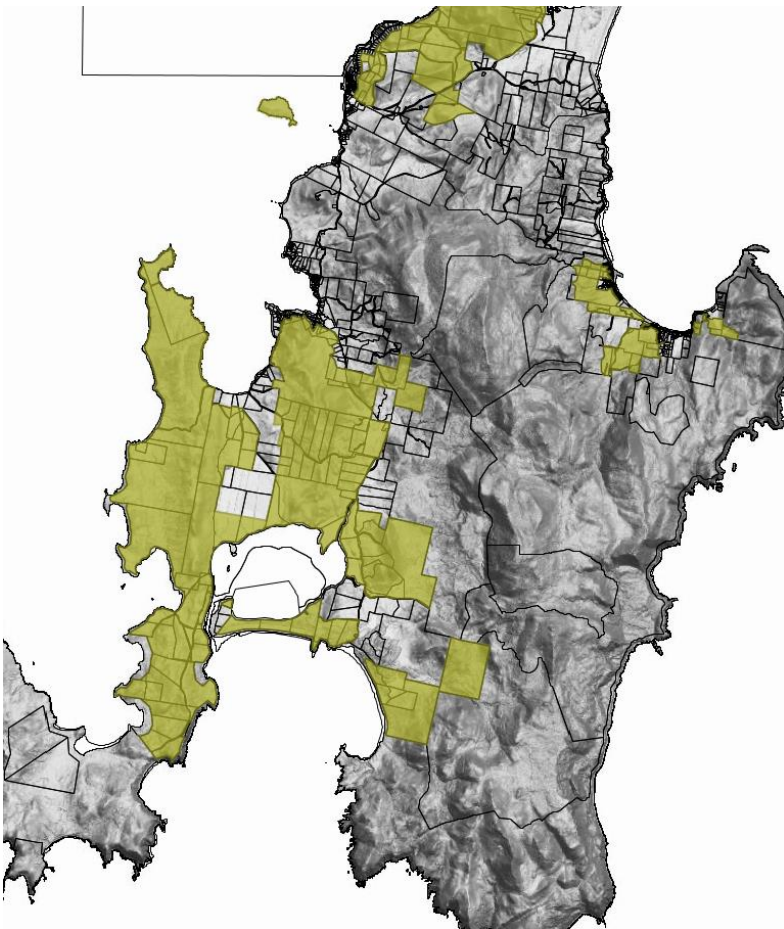
**Figure 50 – Landscape Conservation Zone in Kingborough**



**Figure 51 – Landscape Conservation Zone in Kingborough**



**Figure 52 – Landscape Conservation Zone in Kingborough**





## 2.2.16 Clause 23.0 Environmental Management Zone (EMZ)

### Purpose of the Environmental Management Zone:

- *To provide for the protection, conservation and management of land with significant ecological, scientific, cultural or scenic value.*
- *To allow for compatible use or development where it is consistent with:*
  - (a) *the protection, conservation and management of the values of the land; and*
  - (b) *applicable reserved land management objectives and objectives of reserve management plans.*

### Environmental Management Zone application in Kingborough Draft LPS

The [Environmental Management Zone of the Tasmanian Planning Scheme](#) is similar to the [Environmental Management Zone of the KIPS2015](#).

The Environmental Management has been applied to areas in the municipality where it is a direct translation from the KIPS2015. In addition, there are several strategic sites in the municipality that are also proposed to be zoned Environmental Management and these are discussed in more detail below.

### Examples of the Environmental Management Zone application where it is not a direct translation from KIPS2015

- The land at PID 5784748, Margate, is land owned by DPIW (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 under the Tasmanian Planning Scheme. The land parcel meets criterion EMZ 1 of the LPS Guidelines 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.

- 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 Service 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 peninsula is known to provide important habitat for threatened vegetation and fauna. It is an important biodiversity corridor that connects through to north Bruny Island. 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 of the LPS Guideline 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 area of land to the rear of the Australian Antarctic Division is proposed to be zoned as Environmental Management. The 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 inconsistent with both current requirements and requirements on the adjacent Kingston Green site. It should be noted that the land will also be subject to the proposed Kingston Southern Gateway Specific Area Plan that will continue to provide the ability to undertake research and development activities associated with the Antarctic Division.

The application of the Environmental Management Zone in the Draft LPS is consistent with the LPS Guidelines, and a statement of compliance is provided in [Table 34 of Attachment 5](#).

**Figure 53 – Environmental Management Zone in Kingborough**





Figure 54 – Environmental Management Zone in Kingborough

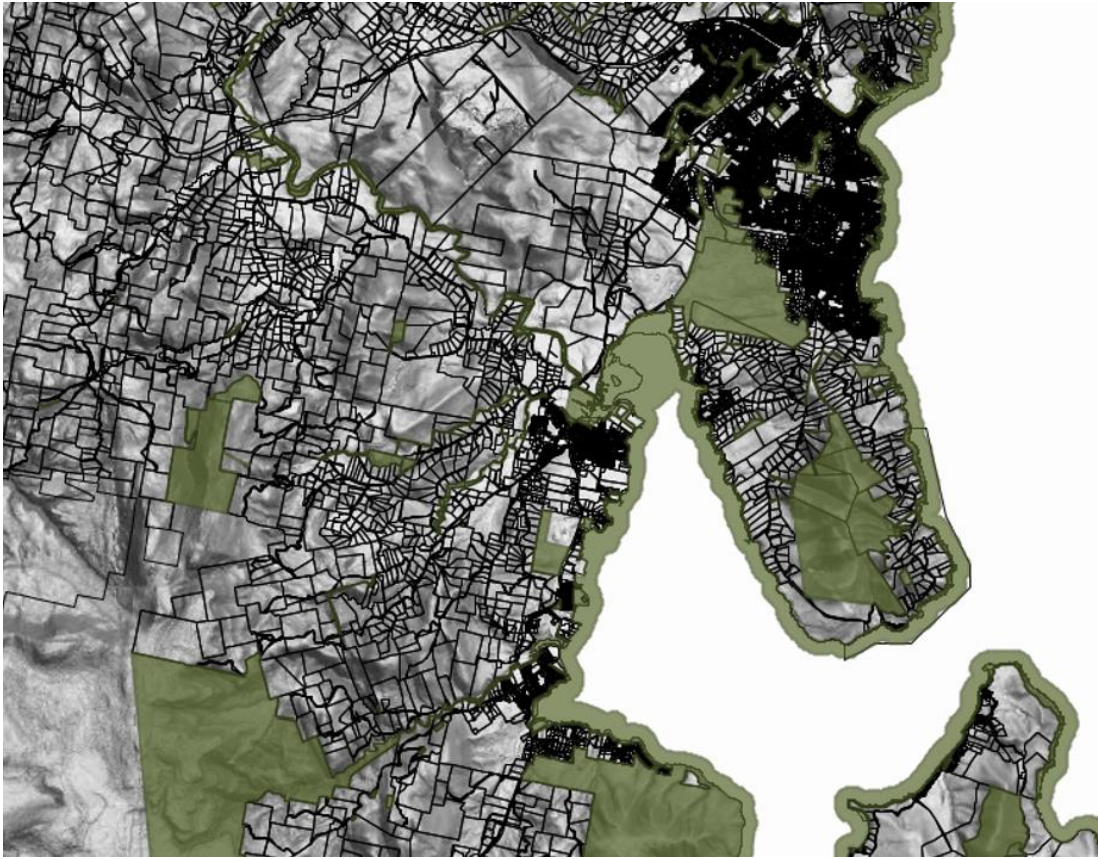
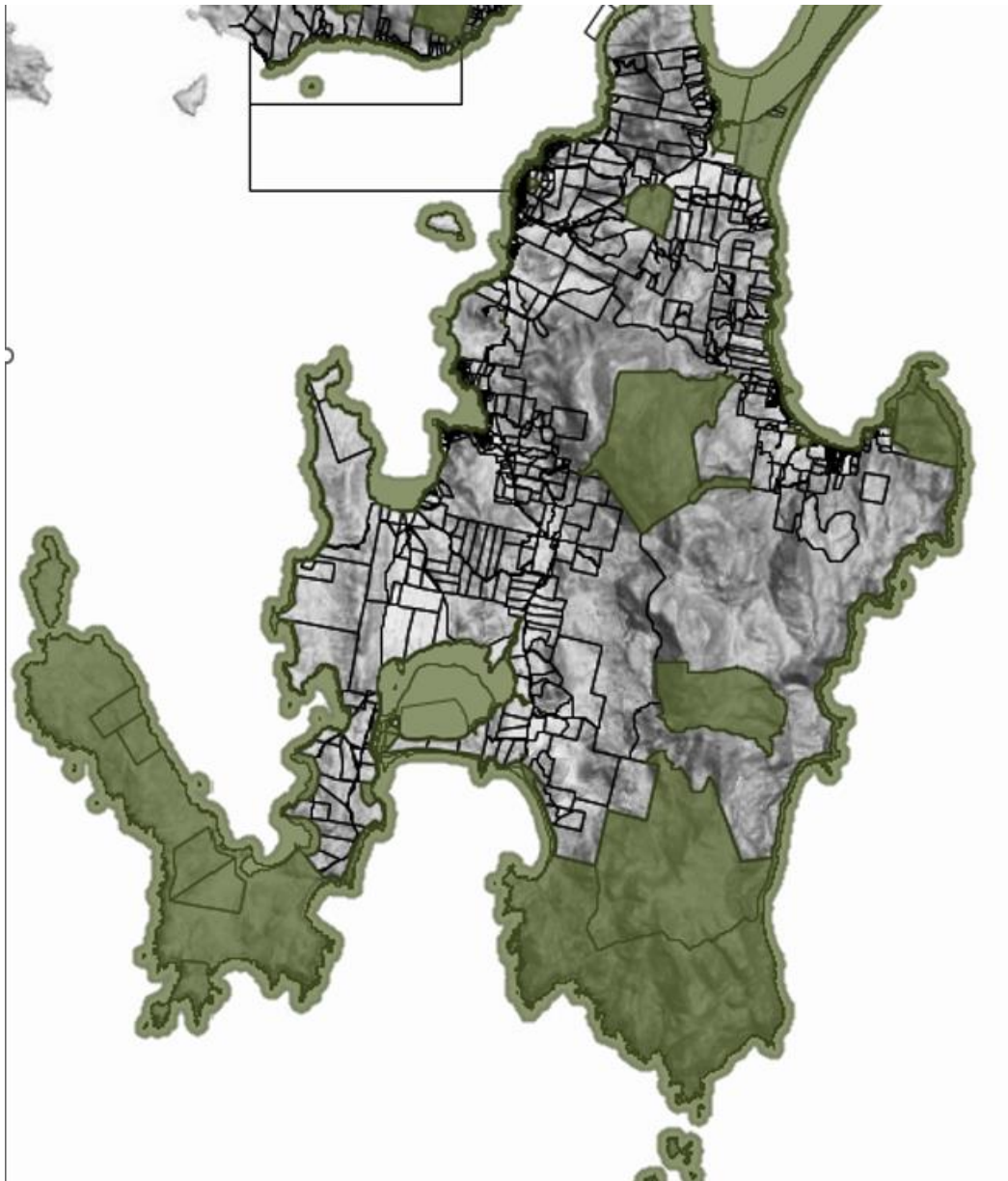


Figure 55 – Environmental Management Zone in Kingborough



Figure 56 – Environmental Management Zone in Kingborough





### 2.2.17 Clause 24.0 Major Tourism Zone (MTZ)

#### Purpose of the Major Tourism Zone

- To provide for large scale tourist facilities which include a range of use and development.
- To provide for compatible use and development that complements or enhances the tourist facilities on the site.
- To provide for development that does not unreasonably impact on surrounding areas.
- To ensure that any commercial uses support the tourist purpose of the site and do not compromise or distort the role of existing activity centres.

#### Major Tourism Zone application in Kingborough Draft LPS

The [Major Tourism Zone](#) has not been used in Kingborough before and will be applied to Pennicott Wilderness Journeys site at Adventure Bay, Bruny Island, consistent with the LPS Guidelines (see [Table 35 of Attachment 5](#)).

Figure 57 – Major Tourism Zone in Adventure Bay, Bruny Island



### 2.2.18 Clause 25.0 Port and Marine Zone (PMZ)

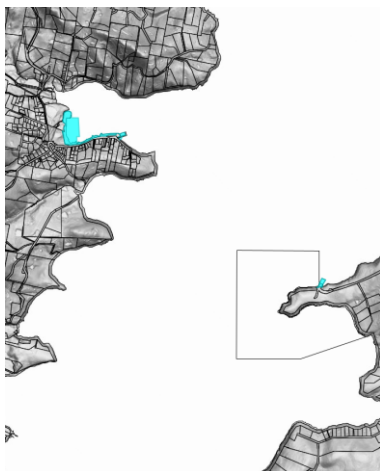
#### Purpose of the Port and Marine Zone

- To provide for major port and marine activity related to shipping and other associated transport facilities and supply and storage.
- To provide for use or development that supports and does not adversely impact on port and marine activities.

#### Port and Marine Zone application in Kingborough Draft LPS

The [Port and Marine Zone of the Tasmanian Planning Scheme](#) is similar to the [Port and Marine Zone of the KIPS2015](#). The Port and Marine Zone has been applied to areas in the municipality where it is a direct translation from the KIPS2015, consistent with the LPS Guidelines (see [Table 36 of Attachment 5](#)).

Figure 58 – Port and Marine Zone in Kettering and North Bruny Island



### 2.2.19 Clause 26.0 Utilities Zone (UZ)

#### Purpose of the Utilities Zone

- To provide land for major utilities installations and corridors.
- To provide for other compatible uses where they do not adversely impact on the utility.

#### Utilities Zone application in Kingborough Draft LPS

The [Utilities Zone of the Tasmanian Planning Scheme](#) is similar to the [Utilities Zone of the KIPS2015](#). The Utilities Zone has been applied to areas in the municipality where it is a direct translation from the KIPS2015 or to land that has been identified as containing public utilities consistent with the LPS Guidelines (see [Table 37 of Attachment 5](#)). Given that the Utilities Zone is spread out over the municipality and difficult to view in this document, the zone application is best viewed on [Council's interactive online mapping tool](#).

### 2.2.20 Clause 27.0 Community Purpose Zone (CPZ)

#### Purpose of the Community Purpose Zone

- To provide for key community facilities and services including health, educational, government, cultural and social facilities.
- To encourage multi-purpose, flexible and adaptable social infrastructure.

#### Community Purpose Zone application in Kingborough Draft LPS

The [Community Purpose Zone of the Tasmanian Planning Scheme](#) is similar to the [Community Purpose Zone of the KIPS2015](#). The Community Purpose Zone has been applied to areas in the municipality where it is a direct translation from the KIPS2015 consistent with the LPS Guidelines. A statement of compliance is provided in [Table 38 of Attachment 5](#).

Figure 59 – CPZ in Kingston and surrounds



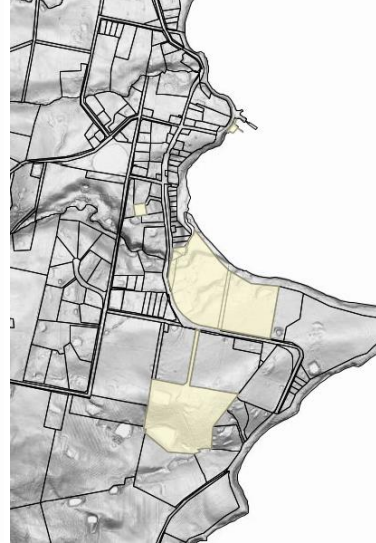
Figure 60 – CPZ in Taroona and Albion Heights



**Figure 61 – CPZ in Kettering**



**Figure 62 – CPZ in Margate & Snug** **Figure 63 – CPZ in Woodbridge**



**Figure 64 – CPZ in Alonnah**



**Figure 65 – CPZ in Middleton**



**Figure 66 – CPZ in Adventure Bay**



**Figure 67 – CPZ in Dennes Point**





### 2.2.21 Clause 28.0 Recreation Zone (RecZ)

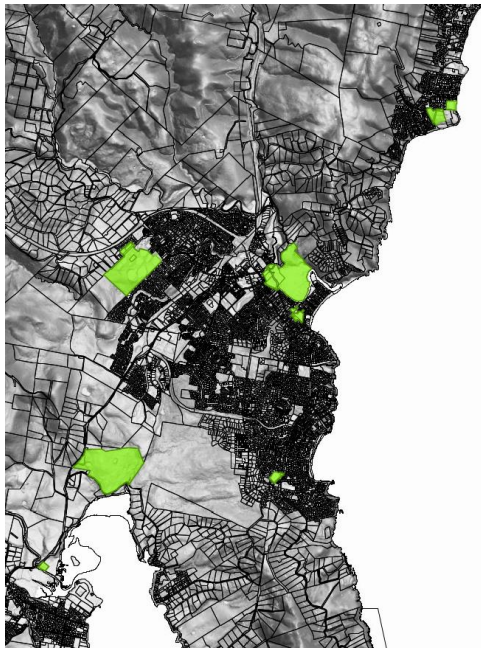
#### Purpose of the Recreation Zone

- To provide for active and organised recreational use and development ranging from small community facilities to major sporting facilities.
- To provide for complementary uses that do not impact adversely on the recreational use of the land.
- To ensure that new major sporting facilities do not cause unreasonable impacts on adjacent sensitive uses.

#### Recreation Zone application in Kingborough Daft LPS

The [Recreation Zone of the Tasmanian Planning Scheme](#) is similar to the [Recreation Zone of the KIPS2015](#). The Recreation Zone has been applied to areas in the municipality where it is a direct translation from the KIPS2015 consistent with the LPS Guidelines. A statement of compliance is provided in [Table 39 of Attachment 5](#).

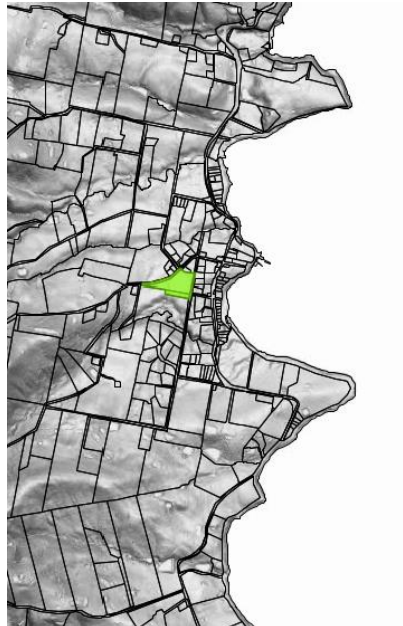
**Figure 68 – Recreation Zone in Taroona, Kingston, Blackmans Bay and Margate**



**Figure 69 – Recreation Zone in Snug**



**Figure 70 – Recreation Zone in Woodbridge**



### 2.2.22 Clause 29.0 Open Space Zone (OSZ)

#### Purpose of the Open Space Zone

- To provide land for open space purposes including for passive recreation and natural or landscape amenity.
- To provide for use and development that supports the use of the land for open space purposes or for other compatible uses.
- The provisions of the Open Space Zone of the Tasmanian Planning Scheme is similar to the provisions of the Open Space Zone of the KIPS2015 but will have a greater level of flexibility.

#### Open Space Zone application in Kingborough Draft LPS

The [Open Space Zone of the Tasmanian Planning Scheme](#) is similar to the [Open Space Zone of the KIPS2015](#).

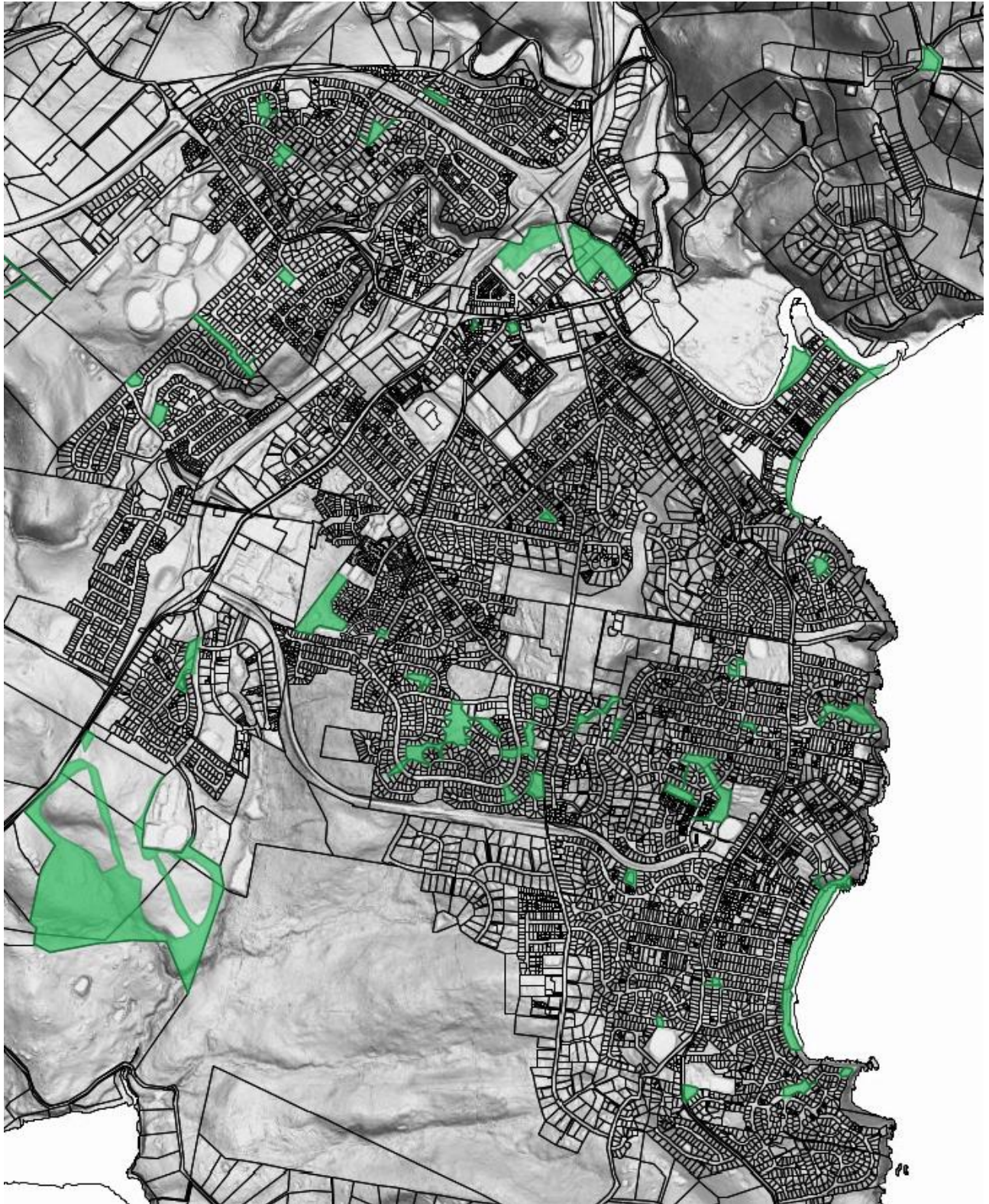
The Open Space Zone has been applied to areas in the municipality where it is a direct translation from the KIPS2015 or to land that has been identified for passive recreational activities consistent with the LPS Guidelines. A statement of compliance is provided in [Table 40 of Attachment 5](#).

Figure 71 – Open Space Zone in Tarroona and Bonnet Hill



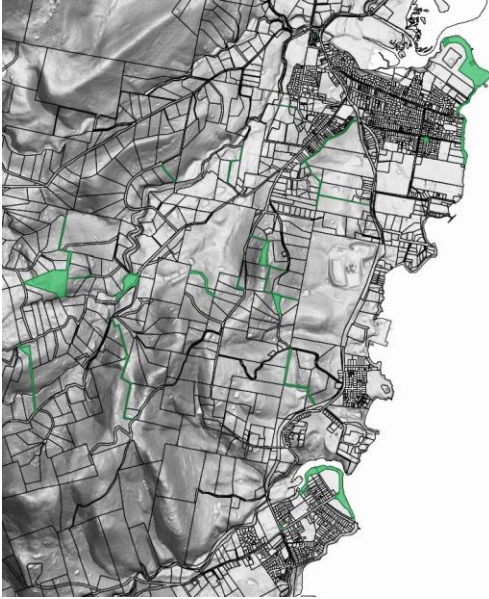


Figure 72 – Open Space Zone in Taroona, in and around Kingston, Kingston Beach and Blackmans Bay

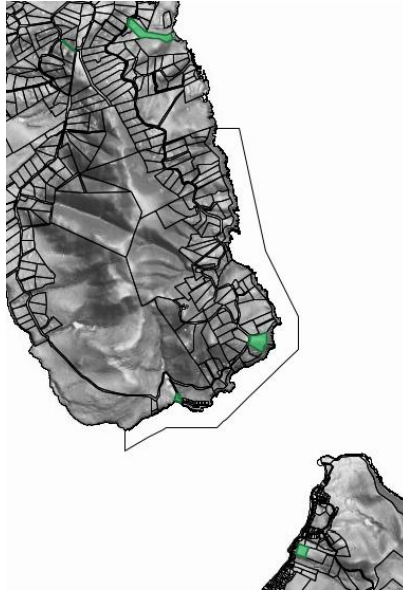




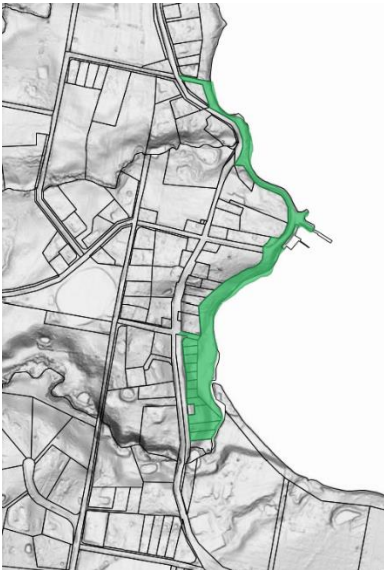
**Figure 73 – OSZ in Margate and Snug**



**Figure 74 – OSZ in Tinderbox and Dennes Point**



**Figure 75 – OSZ in Woodbridge**



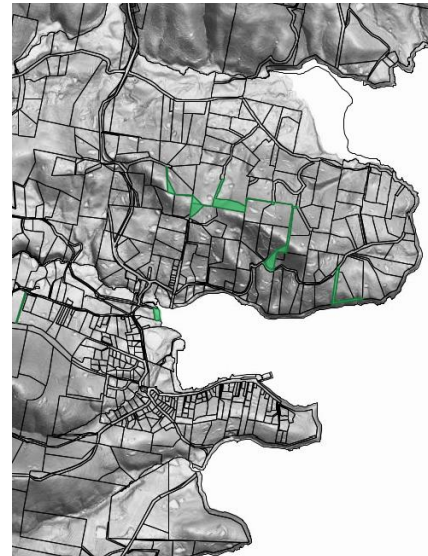
**Figure 76 – OSZ in Middleton**



**Figure 77 – OSZ in Lunawanna**



**Figure 78 – OSZ in Kettering**



### 2.2.23 Clause 30.0 Future Urban Zone (FUZ)

The Future Urban Zone has not been applied to any land within Kingborough Draft LPS.

### 2.2.24 Clause 31.0 Particular Purpose Zone (PPZ)

**The purpose of the Particular Purpose Zone** is to achieve an outcome to a particular area of land where the intended planning outcomes cannot be achieved through the application of one or more Tasmanian Planning Scheme zones.

#### **Particular Purpose Zone application in the Kingborough Draft LPS**

The Particular Purpose Zone (Future Road Corridor) of the Kingborough LPS is a carryover of the Particular Purpose Zone (Future Road Corridor) of the KIPS2015. In Kingborough, the Particular Purpose Zone (Future Road Corridor) provides for a road corridor at Margate (to the back of the Margate Shopping Centre). Also see [Section 3.2](#).

## 2.3 CODES AND OVERLAYS

The Tasmanian Planning Scheme includes codes to set out how to manage certain areas, planning values or issues.

For example, codes may address areas of land at risk from natural hazards such as coastal inundation or landslide. These features can be mapped in an overlay with specific standards provided within the relevant code to manage use and development relating to that value or issue.

This is to mitigate risks to people or property, or to avoid further exacerbating the specific risk. For example, the Priority Vegetation Overlay within the Natural Assets Code provides use and development standards that seek to protect natural values within the overlay areas. Similarly, the Historic Heritage Code provides a list of heritage listed places and it is mapped on the Historic Heritage Overlay. Some codes do not require a mapped overlay, such as the Signs Code or the Parking and Sustainable Transport Code. Where there is a conflict between a provision in a code and a provision in a zone, the code provision prevails.

Section LP1.7 of the State Planning Provisions (SPPs) specifies the requirements for the application of codes, with additional guidance provided by the LPS Guidelines. The following sections explain how the codes and overlays will be applied in the Kingborough Draft LPS.

### 2.3.1 Clause C1.0 – Signs Code

#### Purpose of the Signs Code

- *To provide for appropriate advertising and display of information for business and community activity.*
- *To provide for well-designed signs that are compatible with the visual amenity of the surrounding area.*
- *To ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.*

#### Signs Code application in the Kingborough Draft LPS

The provisions within the Signs Code of the Tasmanian Planning Scheme have similarities with the Signs Code of the KIPS2015. The code does not operate with an overlay (i.e. there is no statutory map that shows where the code applies).

### 2.3.2 Clause C2.0 – Parking and Sustainable Transport Code

#### Purpose of the Parking and Sustainable Transport Code

- *To ensure that an appropriate level of parking facilities is provided to service use and development.*
- *To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.*
- *To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.*
- *To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.*
- *To ensure that parking spaces and accesses meet appropriate standards.*
- *To provide for parking precincts and pedestrian priority streets.*

#### Parking and Sustainable Transport Code application in the Kingborough Draft LPS

The [Parking and Sustainable Transport Code](#) is a new code under the Tasmanian Planning Scheme and is similar to the [Parking and Access Code of the KIPS2015](#).

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. Consequently, a pedestrian priority street overlay is proposed for Channel Highway at Kingston, Beach Road and Osborne Esplanade at Kingston Beach, and Channel Highway at Margate, Snug and Woodbridge. The overlay will identify the areas of land that will apply to the code and the code will work in conjunction with the provisions of the zone. There will be no immediate changes to those roads, but it is something that would be considered as part of future development applications in those areas. The application of the Parking and Sustainable Transport Code in the Draft LPS is consistent with the LPS Guidelines. A statement of compliance is provided in [Table 41 of Attachment 6](#).



### 2.3.3 Clause C3.0 – Roads and Railway Assets Code

#### Purpose of the Road and Railway Assets Code

- *To protect the safety and efficiency of the road and railway networks; and*
- *To reduce conflicts between sensitive uses and major roads and the rail network.*

#### Roads and Railway Assets Code application in Kingborough Draft LPS

The [Road and Railway Assets Code of the Tasmanian Planning Scheme](#) is similar to the [Road and Railway Assets Code of the KIPS2015](#). In Kingborough, the code will operate with an overlay. The Roads and Railway Assets overlay of the KIPS2015 has been carried forward to the Kingborough Draft LPS. The application of the Road and Railway Assets Code in the Draft LPS is consistent with the LPS Guidelines. A statement of compliance is provided in [Table 42 of Attachment 5](#).

### 2.3.4 Clause C4.0 – Electricity Transmission Infrastructure Protection Code

#### Purpose of the Electricity Transmission Infrastructure Protection Code

- *To protect use and development against hazards associated with proximity to electricity transmission infrastructure.*
- *To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure.*
- *To maintain future opportunities for electricity transmission infrastructure.*

#### Electricity Transmission Infrastructure Protection Code application in the Kingborough Draft LPS

The [Electricity Transmission Infrastructure Protection Code of the Tasmanian Planning Scheme](#) is similar to the [Electricity Transmission Infrastructure Protection Code of the KIPS2015](#). In Kingborough, the code will operate with an overlay (i.e. a statutory map that shows where the code applies). The overlay map of the KIPS2015 has been carried forward to the Kingborough Draft LPS. The application of the Electricity Transmission Infrastructure Protection Code in the Draft LPS is consistent with the LPS Guidelines. A statement of compliance is provided in [Table 43 of Attachment 6](#).

### 2.3.5 Clause C5.0 – Telecommunications Code

#### Purpose of the Telecommunications Code

- *To provide for telecommunication networks as a service for the community.*
- *To ensure that facilities are co-located where practicable.*
- *To ensure that facilities use mitigation measures to avoid an unreasonable loss of visual amenity.*

#### Telecommunications Code application in the Kingborough Draft LPS

The [Telecommunications Code](#) is a new code in the Tasmanian Planning Scheme. The code does not operate with an overlay.

### 2.3.6 Clause C6.0 – Local Historic Heritage Code

#### Purpose of the Local Historic Heritage Code

- *To recognise and protect:*
  - *the local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential; and*
  - *significant trees.*
- *This code does not apply to Aboriginal heritage values.*

#### Local Historic Heritage Code application in the Kingborough Draft LPS

The provisions within the [Local Historic Heritage Code of the Tasmanian Planning Scheme](#) have similarities with the [Historic Heritage Code of the KIPS2015](#).

The heritage listings (described in more detail below) are all carried over from the KIPS2015<sup>5</sup>.

- The Local Heritage Places are listed in [Table C6.1 of the written part of the Kingborough Draft LPS](#) and are depicted on the Local Historic Heritage overlay.
- The Local Heritage Precincts are listed in [Table C6.2 in the written part of the Kingborough Draft LPS](#) and are depicted on the Local Historic Heritage overlay.
- The Places of Archaeological Potential are listed in [Table C6.4 in the written part of the Kingborough Draft LPS](#) and are depicted of the Local Historic Heritage overlay.

There are no new listings proposed under the Draft LPS. The Kingborough Significant Trees list that is currently listed under the Significant Tree Code of KIPS2015 has been carried over to the Local Historic Heritage Code and listed in [Table C6.5 of the written part of the Kingborough Draft LPS](#).

The listed significant trees are not mapped on an overlay; however it is intended to provide an overlay to this effect in the planning scheme in future. The application of the Local Historic Heritage Code in the Draft LPS is consistent with the LPS Guidelines. A statement of compliance is provided in [Table 44 of Attachment 6](#).

### 2.3.7 Clause C7.0 – Natural Assets Code

#### Purpose of the Natural Assets Code

- *To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.*
- *To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.*
- *To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.*
- *To minimise impacts on identified priority vegetation.*
- *To manage impacts on threatened fauna species by minimising clearance of significant habitat.*

#### Natural Assets Code application in the Kingborough Draft LPS

The [Natural Assets Code](#) is a new code in the Tasmanian Planning Scheme and the main purpose is to protect natural values. The code essentially replaces the [Biodiversity Code](#) and [Waterway and Coastal Protection Code](#) of the KIPS2015. The code provides guidance in relation to the assessment of development applications within identified waterways and coastal protection areas, future coastal refugia areas and priority vegetation areas that are mapped on the Natural Assets overlay.

- The 'waterway and coastal protection area' applies to land in proximity to Class 1-4 watercourses and wetlands and includes the State's coastal areas.
- The 'future coastal refugia area' provides for the protection of land for the landward retreat of coastal habitats that have been identified at risk from predicted sea level rise. These areas specifically aim to address outcomes of the:
  - *State Coastal Policy 1996*, namely the management and protection of the natural assets and processes associated with coastal areas; and
  - *The State Policy on Water Quality Management 1997*, namely the protection of water quality through control of point source stormwater discharges.
- The 'priority vegetation area' provides for the protection of:
  - threatened native vegetation communities listed under the *Nature Conservation Act 2002*;
  - threatened flora species;
  - significant habitat for threatened fauna species; and
  - other locally important native vegetation, in conjunction with other State legislation such as the *Nature Conservation Act 2002*, *Threatened Species Protection Act 1995* and the *Forest Practices Act 1985*.

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<sup>5</sup> The Minister for Planning issued a declaration in relation to the transitional arrangements, and the list of provisions that are carried over from KIPS2015 to the Kingborough Draft LPS is published on Council's website. It should be noted that representations in relation to the transitional provisions cannot be considered as part of the LPS exhibition process. However, they may be used to inform future revisions of the Kingborough LPS.

The Natural Assets Code differs from the Interim Planning Schemes in that it intentionally limits the application of 'priority vegetation areas' to certain zones to avoid undermining the purpose of those zones intended for more intensive development. The priority vegetation area only applies within the following zones:

- (i) Rural Living Zone;
- (ii) Rural Zone;
- (iii) Landscape Conservation Zone;
- (iv) Environmental Management Zone;
- (v) Major Tourism Zone;
- (vi) Utilities Zone;
- (vii) Community Purpose Zone;
- (viii) Recreation Zone;
- (ix) Open Space Zone;
- (x) Future Urban Zone;
- (xi) Particular Purpose Zone; or
- (xii) General Residential Zone or Low Density Residential Zone, only if an application for subdivision.

It should be noted that while the code may not apply to certain zones, the requirements under other State legislation remain applicable, such as the need to have a forest practices plan certified for the clearance of vegetation under the *Forest Practices Act 1985*.

A statement of compliance is provided in [Table 45 of Attachment 6](#).

### **2.3.8 Clause C8.0 – Scenic Protection Code**

#### **Purpose of the Scenic Protection Code**

- *To recognise and protect landscapes that are identified as important for their scenic values.*

#### **Scenic Protection Code application in the Kingborough Draft LPS**

The [Scenic Protection Code of the Tasmanian Planning Scheme](#) is similar to the [Scenic Landscapes Code of the KIPS](#). However, this code only applies to development on land within a scenic protection area or scenic road corridor and only if within the following zones:

- (a) Rural Living Zone;
- (b) Rural Zone;
- (c) Agriculture Zone;
- (d) Landscape Conservation Zone;
- (e) Environmental Management Zone; or
- (f) Open Space Zone.

The Scenic Protection Areas are listed in [Table C8.1 of the written part of the Draft LPS](#).

The Scenic Landscapes Area overlay in KIPS2015 has been carried over to the Kingborough Scenic Protection Overlay<sup>6</sup> excluding any land that it may not apply to. The Kingborough Scenic Protection Overlay should be read with the Table C8.1 and the mapping of an area in the planning scheme does not automatically 'deem' as an area as being of scenic significance. It merely serves as a tool in the planning scheme to consider if an assessment under the Scenic Protection Code is required. The new code is more flexible than the KIPS2015 and provides a list of exemptions.

The application of the Scenic Protection Code in the Draft LPS is consistent with the LPS Guidelines. A statement of compliance is provided in [Table 46 of Attachment 6](#).

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<sup>6</sup> The Minister for Planning issued a declaration in relation to the transitional arrangements and the list of provisions that are carried over from KIPS2015 to the Kingborough Draft LPS is published on Council's website. It should be noted that representations in relation to the transitional provisions cannot be considered as part of the LPS exhibition process. However, they may be used to inform future revisions of the Kingborough LPS.



### 2.3.9 Clause C9.0 – Attenuation Code

#### Purpose of the Attenuation Code

- *To minimise adverse impacts on the health, safety and amenity of sensitive use from activities which have the potential to cause emissions.*
- *To minimise the likelihood for sensitive use to conflict with, interfere with, or constrain, activities which have the potential to cause emissions.*

#### Attenuation Code application in the Kingborough Draft LPS

The [Attenuation Code of the Tasmanian Planning Scheme](#) is similar to the [Attenuation Code of the KIPS2015](#).

In Kingborough, the code will not operate with an overlay. The application of the Attenuation Code in the Draft LPS is consistent with the LPS Guidelines. A statement of compliance is provided in [Table 47 of Attachment 6](#).

### 2.3.10 Clause C10.0 – Coastal Erosion Hazard Code

#### Purpose of the Coastal Erosion Hazard Code

- *To ensure that use or development subject to risk from coastal erosion is appropriately located and managed, so that:*
  - *people, property and infrastructure are not exposed to an unacceptable level of risk;*
  - *future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised;*
  - *it does not increase the risk from coastal erosion to other land or public infrastructure; and*
  - *works to protect land from coastal erosion are undertaken in a way that provides appropriate protection without increasing risks to other land.*
- *To provide for appropriate use or development that relies upon a coastal location to fulfil its purpose.*

#### Coastal Erosion Hazard Code application in the Kingborough Draft LPS

The [Coastal Erosion Hazard Code of the Tasmanian Planning Scheme](#) is similar to the [Coastal Erosion Hazard Code of the KIPS2015](#).

Kingborough 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:

- coastal erosion hazard areas; and
- coastal erosion investigation areas.

The application of the Coastal Erosion Hazard Code in the Draft LPS is consistent with the LPS Guidelines. A statement of compliance is provided in [Table 48 of Attachment 6](#).

### 2.3.11 Clause C11.0 – Coastal Inundation Hazard Code

#### Purpose of the Coastal Inundation Hazard Code

- *To ensure that use or development subject to risk from coastal inundation is appropriately located and managed so that:*
  - *people, property and infrastructure are not exposed to an unacceptable level of risk;*
  - *future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised;*
  - *it does not increase the risk from coastal inundation to other land or public infrastructure; and*
  - *works to protect land from coastal inundation are undertaken in a way that provides appropriate protection without increasing risks to other land.*
- *To provide for appropriate use or development that relies upon a coastal location to fulfil its purpose.*

#### Coastal Inundation Hazard Code application in the Kingborough Draft LPS

The [Coastal Inundation Hazard Code](#) is a new code under the Tasmanian Planning Scheme but is similar to the [Inundation Prone Areas Code of the KIPS2015](#).

Kingborough Draft LPS contains an overlay map for the application of the Coastal Inundation Hazard Code, as produced by the Department of Premier and Cabinet, showing:

- coastal inundation hazard areas; and

- coastal inundation investigation areas.

The application of the Coastal Inundation Hazard Code in the Draft LPS is consistent with the LPS Guidelines. A statement of compliance is provided in [Table 49 of Attachment 6](#).

### 2.3.12 Clause C12.0 – Flood-Prone Areas Hazard Code

#### Purpose of the Flood-Prone Areas Hazard Code

- *To ensure that use or development subject to risk from flood is appropriately located and managed, so that:*
  - *people, property and infrastructure are not exposed to an unacceptable level of risk;*
  - *future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; and*
  - *it does not increase the risk from flood to other land or public infrastructure.*
- *To preclude development on land that will unreasonably affect flood flow or be affected by permanent or periodic flood.*

#### Flood-Prone Areas Hazard Code application in the Kingborough Draft LPS

The [Flood-Prone Areas Hazard Code](#) is a new code under the Tasmanian Planning Scheme but is similar to the [Inundation Prone Areas Code of the KIPS2015](#). The Flood-Prone Areas overlay includes flood mapping based on Council endorsed flood studies for Snug, Tramway Creek, Adventure Bay, Margate and Kingston Beach that are listed on [Council's webpage](#). The application of the Flood-Prone Areas Hazard Code in the Draft LPS is consistent with the LPS Guidelines. A statement of compliance is provided in [Table 50 of Attachment 6](#).

### 2.3.13 Clause C13.0 – Bushfire-Prone Areas Code

#### Purpose of the Bushfire-Prone Areas Code

- *To ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.*

#### Bushfire-Prone Areas Code application in the Kingborough Draft LPS

The [Bushfire-Prone Areas Code of the Tasmanian Planning Scheme](#) is similar to the [Bushfire Prone Areas Code of the KIPS2015](#). The Kingborough Draft LPS applies the Bushfire-Prone Areas overlay provided by the Tasmania Fire Service and complies with the LPS Guidelines (see [Table 51 of Attachment 6](#)).

### 2.3.14 Clause C14.0 – Potentially Contaminated Land Code

#### Purpose of the Potentially Contaminated Land Code

- *To ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.*

The [Potentially Contaminated Land Code of the Tasmanian Planning Scheme](#) is similar to the [Potentially Contaminated Land Code of the KIPS2015](#). The 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. The Potentially Contaminated Land Code application in the Kingborough Draft LPS complies with the LPS Guidelines (see [Table 52 of Attachment 6](#)).

### 2.3.15 Clause C15.0 – Landslip Hazard Code

#### Purpose of the Landslip Hazard Code

- *To ensure that a tolerable risk can be achieved and maintained for the type, scale and intensity and intended life of use or development on land within a landslip hazard area.*

#### Landslip Hazard Code application in the Kingborough Draft LPS

The [Landslip Hazard Code of the Tasmanian Planning Scheme](#) is similar to the [Landslide Code of the KIPS2015](#). The 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. The overlay map contained in

Kingborough Draft LPS has been modified for an area in Taroona. The Landslip Hazard Code application in the Kingborough Draft LPS complies with the LPS Guidelines (see [Table 53 of Attachment 6](#)).

### **2.3.16 Clause C16.0 – Safeguarding of Airports Code**

#### **Purpose of the Safeguarding of Airports Code**

- *To safeguard the operation of airports from incompatible use or development.*
- *To provide for use and development that is compatible with the operation of airports in accordance with the appropriate future airport noise exposure patterns and with safe air navigation for aircraft approaching and departing an airport.*

#### **Safeguarding of Airports Code application in the Kingborough Draft LPS**

The [Safeguarding of Airports Code](#) is a new code in the Tasmanian Planning Scheme. The LPS Guidelines (see [Table 54 of Attachment 6](#)) allow for the code to include mapping that shows airport noise exposure areas and obstacle limitation surfaces. However, the Great Bay Airstrip on Bruny Island does not have a master plan or other relevant, adopted document that identifies airport noise exposure areas or Obstacle Limitation Surfaces and Procedures for Airport Services. The Kingborough Draft LPS therefore does not contain an overlay map showing these areas.



# CHAPTER 3 – LOCAL PROVISIONS

## 3.1 SPECIFIC AREA PLANS (SAPs)

A Specific Area Plan (SAP) provides unique planning provisions for an area. Those provisions either substitute or are in addition to the standard rules (the State Planning Provisions that apply to the Tasmanian Planning Scheme) that would normally apply to a zone. Kingborough Draft LPS contains a total of nine SAPs. These SAPs comprise the three existing SAPs that are carried over from KIPS2015 and six new SAPs.

The provisions ('rules') that will apply to the SAPs are provided in the [written part of the LPS](#).

### 3.1.1 Transitioning SAPs

The following existing SAPs will be carried over to the Kingborough Draft LPS under the Transitional Provisions<sup>7</sup> of Schedule 6, clause 8(1) of LUPAA. They have been modified to the extent necessary to ensure consistency with the prescribed SPPs format and drafting instructions of the Tasmanian Planning Scheme.

<b>SAPs in the KIPS2015 (existing planning scheme)</b>	<b>SAPs in the Kingborough Draft LPS (proposed planning scheme)</b>
F2.0 Margate Marina SAP	KIN-S2.0 Margate Marina SAP
F3.0 Kingston Park SAP	KIN-S3.0 Kingston Park SAP
F5.0 Huntingfield Housing Supply Order SAP	KIN-S9.0 Huntingfield Housing Supply Order SAP

### 3.1.2 Proposed new SAPs

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

- 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*
- 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.*

There has been significant consideration as to what areas in the municipality may need a SAP and creating provisions very specific to the area. The Kingborough Draft LPS proposes six new SAPs, and feedback received during the public exhibition period will be used to finalise the SAPs having regard to the abovementioned statutory requirements, strategic intent of the SAPs and any other matters considered appropriate by the Tasmanian Planning Commission as part of the public hearing process. The proposed SAPs are:

- KIN-S1.0 Kingston Southern Gateway SAP
- KIN-S4.0 Kingborough Coastal Settlement SAP
- KIN-S5.0 Burwood Drive SAP
- KIN-S6.0 Bruny Island SAP
- KIN-S7.0 Blackmans Bay Bluff and Bonnet Hill SAP
- KIN-S8.0 Barretta SAP.

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<sup>7</sup> The Minister for Planning issued a declaration in relation to the transitional arrangements and the list of provisions that are carried over from KIPS2015 to the Kingborough Draft LPS is published on Council's website. It should be noted that representations in relation to the transitional provisions cannot be considered as part of the LPS exhibition process. However, they may be used to inform future revisions of the Kingborough LPS.

### 3.1.2.1 KIN-S1.0 Kingston Southern Gateway SAP

The Kingston Southern Gateway is located to the south of the Kingston Central Business District (CBD) and provides for a mix of uses that complements the Kingston CBD. This area is heavily vegetated with mature native trees, particularly within the less developed areas and along Coffee Creek. The trees have a dominant presence in the landscape and form the backdrop on either side of Channel Highway and Spring Farm Road at the southern entrance to Kingston CBD off the Algona Road Roundabout. The area also includes a master planned residential area i.e. the Kingston Green Estate that has capacity to expand, even though there are some limitations due to existing Part 5 Agreements on the land to preserve vegetation.

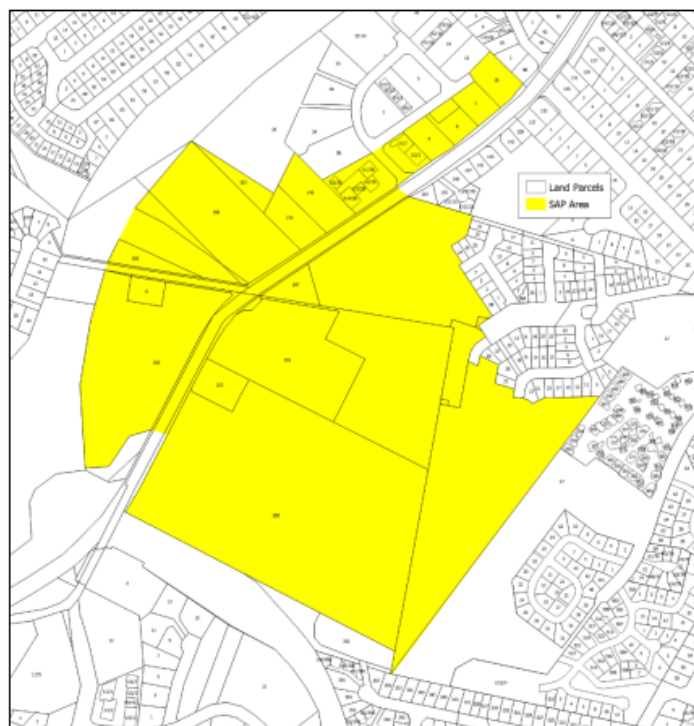
#### Purpose of the SAP

- *To provide for a range of uses and developments that service Kingston and surrounds and provide a gateway to the Kingston Activity Centre.*
- *To increase the flexibility and development potential of the remaining parts of the Kingston Green Estate next to Channel Highway.*
- *To encourage attractive streetscapes that are functional for the types of uses and development in the area and emerging character of the gateway to the Kingston Activity Centre through landscaping; retention and management of prominent trees; and protection, conservation, and management of environmental values within the Kingston Southern Gateway Vegetation Linkage.*
- *To provide for development that minimises the collision risk to threatened bird species.*

#### SAP Boundaries

The SAP area is depicted in Figure 79 below and covers areas in the Inner Residential Zone, Urban Mixed Use Zone, Commercial Zone, Utilities Zone and Environmental Management Zone.

Figure 79 – Kingston Southern Gateway SAP



#### SAP Provisions ('rules')

- A limitation on the range of land uses in the Environmental Management Zone, reflective of the existing Part 5 Agreements in the precinct and in a manner that will also support the ongoing research and development activities of the Antarctic Division;
- Increased building height limit in the Urban Mixed Use Zone from 10m to 20m. The provisions include design parameters to ensure appropriate height transition compatible with neighbouring buildings and roads;

- Privacy controls to improve amenity outcomes for residents in the precinct as well as the adjoining established residential areas;
- Solar access requirements for Multiple Dwelling Development in the Urban Mixed Use Zone;
- Landscaping requirements in the Inner Residential Zone, Urban Mixed Use Zone and Commercial Zone, consistent with the emerging and preferred character of the southern approach to the Kingston CBD, which is considered to be the Southern Gateway to the Kingston area. The landscaping provisions encourage retention of prominent trees in the landscaping design to improve streetscape, where practical;
- Development and subdivision controls to avoid, minimise and mitigate impacts on environmental values (including prominent trees) in the mapped Kingston Southern Gateway Vegetation Linkage; and
- Design parameters to reduce collision risk to threatened bird species that are known to the area.

## Justification

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics of an area 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. The Kingston Southern Gateway SAP meets the above requirements of the Act, and this is outlined in more detail in the justification that is provided in [Attachment 7](#).

### 3.2.2.2 KIN-S4.0 Kingborough Coastal Settlement SAP

Kingborough has diverse and scenic landscapes, including highly valued coastal, upland and rural areas. Kingborough is renowned for its coastal scenery and local character. There is a clear distinction between coastal development north of Lower Snug and those that are located south of Snug. The areas north of Lower Snug are within 30km radius of the Hobart Central Business Area and have more 'urbanised' characteristics. The coastal settlements south of Snug are historical shack areas, hamlets or villages with extensive coastal view scapes to and from the waters of the D'Entrecasteaux Channel. Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon all have very distinct characteristics that set them apart from other coastal settlements in Kingborough.

Lower Snug and Coningham have a very distinct, large 'bush block' coastal character and due to the extensive vegetation and low-key nature of existing development on properties in the locality, very little of the settlement can be seen from surrounding areas.

Kettering is a picturesque fishing village that is set in Little Oyster Cove. It has long been recognised as one of the most scenic areas for cruising and boat docking in Tasmania and the D'Entrecasteaux Channel. It is also the gateway to Bruny Island with high visitation.

Woodbridge is a heritage village and characterised for its picturesque rural and coastal setting.

Middleton and Gordon are former coastal shack areas and the development that exists today reflects a similar low-key rural character set against the picturesque D'Entrecasteaux Channel.

The characteristics of the abovementioned coastal settlements are directly associated with Kingborough's heritage and are most susceptible to inappropriate development pressure under the Tasmanian Planning Scheme. Specific attention is required in the planning scheme to ensure that appropriate longer-term strategies and safeguards are in place to protect the qualities associated with these smaller coastal settlements, while not stifling appropriate development.

These settlements have development constraints due to limited infrastructure and services. Therefore lot sizes and development design need to be capable of onsite stormwater and wastewater management. The SAP is therefore required to manage growth in these locations having regard to an appropriate density and form of development consistent with the available capacity or design elements to make development self-sufficient in that regard. Future development should be complementary to the valued characteristics of these coastal settlements, such as spacious development, established vegetation including large trees, and use of material and colours that do not distract or detract from the landscape.



## Purpose of the SAP

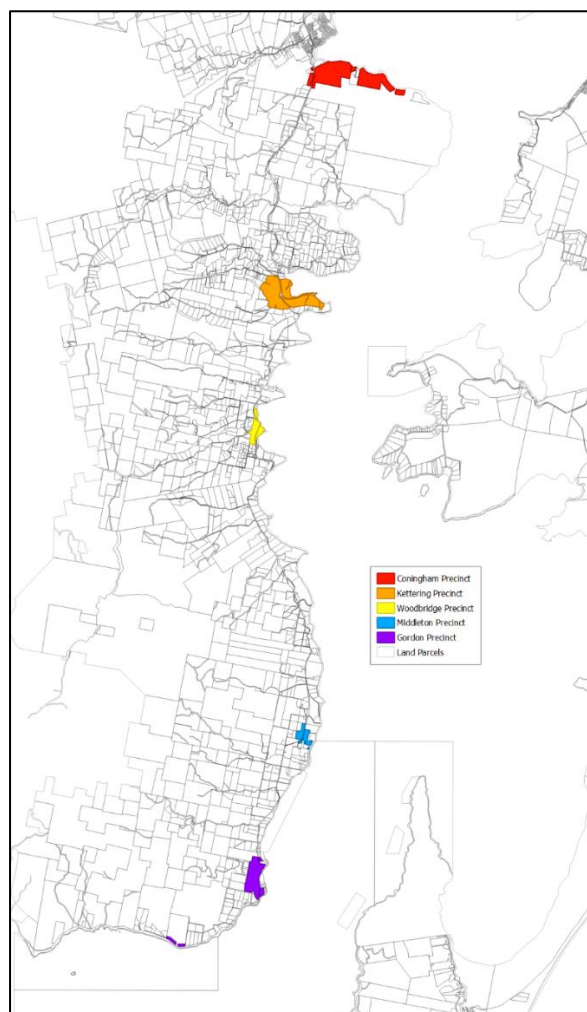
- To encourage use and development that protects and enhances the local character of the coastal settlements of Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon that makes them distinctly different from other more urbanised coastal settlements in Kingborough.
- To provide for use and development in a manner that balances development with landscape character that exists in the coastal settlements and does not cause an unreasonable loss of amenity.
- To provide use and development at a density that can be accommodated by the limited infrastructure and services available in the area.
- To ensure where on-site waste management is required, lots have sufficient land available for on-site waste management.
- To manage stormwater quality and quantity to protect natural assets, infrastructure and property.
- To encourage the retention of native vegetation that adds to the local character of the coastal settlements of Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon and provides unique spatial and environmental qualities.
- To minimise the collision risk to threatened bird species through the appropriate design of new development.

## SAP Boundaries

The Specific Area Plan will apply to land depicted in Figure 80 and is divided into the following precincts:

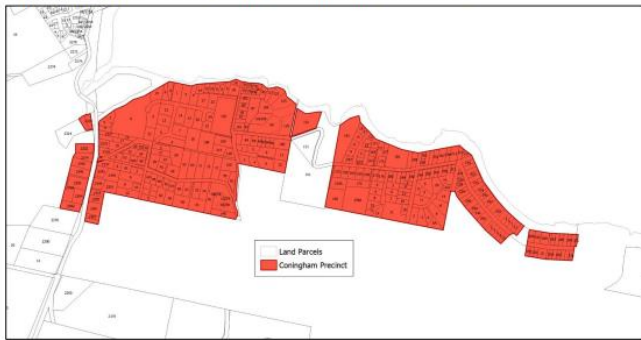
- Lower Snug and Coningham Precinct;
- Kettering Precinct;
- Woodbridge Precinct;
- Middleton Precinct; and
- Gordon Precinct.

**Figure 80 – Kingborough Coastal Settlement SAP**

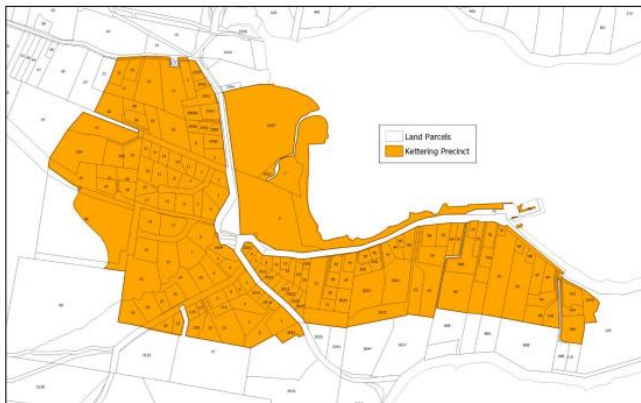


The SAP will only apply to properties in the Low Density Residential Zone, Village Zone, and Port and Marine Zone.

**Figure KIN-S4.1.1 - Lower Snug and Conningham Precinct**



**Figure KIN-S4.1.2 - Kettering Precinct**



**Figure KIN-S4.1.3 – Woodbridge Precinct**



**Figure KIN-S4.1.4 - Middleton Precinct**



**Figure KIN-S4.1.5 - Gordon Precinct**



### **SAP Provisions ('rules')**

The SAP will provide for the following:

- Additional wastewater management considerations for change, expansion or intensification of residential or non-residential use;
- Additional design provisions, including:
  - Reduced height restriction of 5m for buildings in coastal proximity;
  - Requirements for external finishes to reduce light reflectivity;
  - Requirements to reduce extensive site excavation and fill;
  - Requirements for onsite wastewater treatment and stormwater management; and
  - Requirements to encourage the retention of vegetation.
- Increased permitted minimum lot size requirement of 2,500m<sup>2</sup> in the Low Density Residential Zone;
- Increased permitted site area of 2,500m<sup>2</sup> per dwelling for Multiple Dwellings in the Low Density Residential Zone;
- Vegetation management to encourage development design that is compatible with the character of the Coastal Settlement Areas and maintain significant environmental values; and
- Collision risk provisions to minimise the risk of bird mortality from collision with buildings and structures.

The above provisions will provide for outcomes similar to those that are afforded under the KIPS2015.

### **Justification**

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics of an area 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. The Kingborough Coastal Settlement SAP meets the above requirements of the Act, and this is outlined in the justification provided in [Attachment 8](#).



### 3.2.2.3 KIN-S5.0 Burwood Drive SAP

Blackmans Bay is located within a bowl-shaped area facing the coast. There are elevated areas to the north, west (the Burwood Drive area) and the south. The vegetated skyline to the west is an important visual element for Blackmans Bay. The precinct is also located adjoining the Peter Murrell Reserve and is characterised by much larger lots that are heavily vegetated. This neighbourhood is unique, differing from other neighbourhoods in Kingborough because of the scenic amenity it provides as a backdrop to Blackmans Bay and the fact that the subdivision character of the area has not drastically changed in the last 20 years as it has in other residential neighbourhoods of Kingborough. Because of its location and the significant vegetation that exists, the area is also considered a high bushfire risk area and requires a different approach than other areas in the municipality to reduce the risk associated with the bushfire hazard.

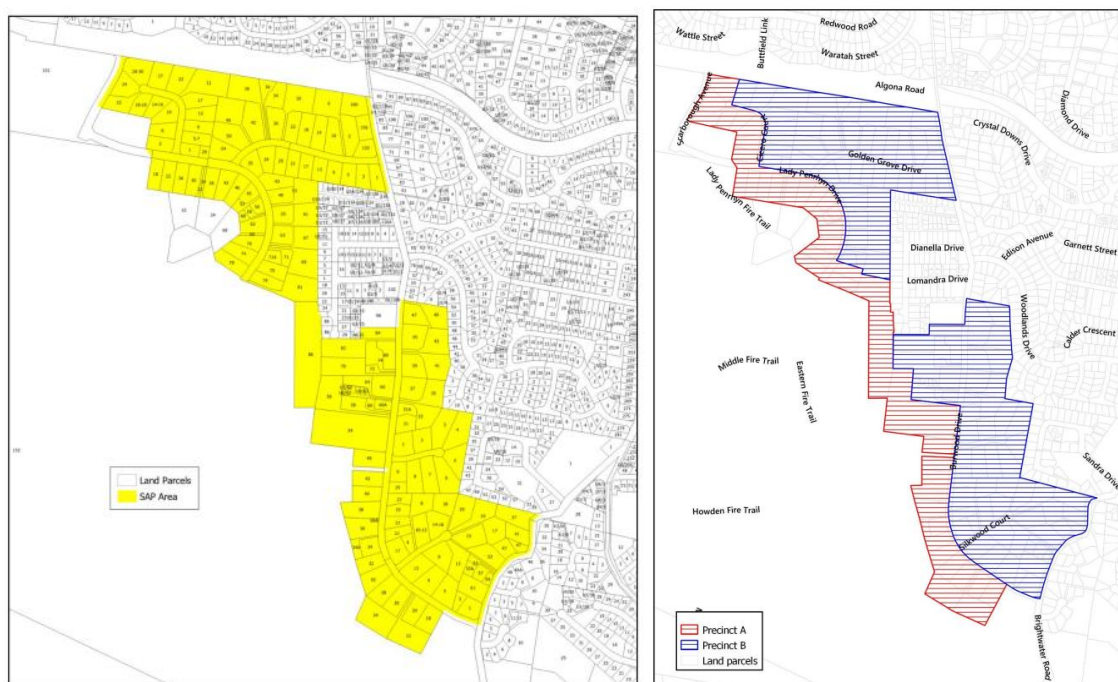
#### Purpose of the SAP

- To provide for use and development that is compatible with the low-density residential character of the area.
- To promote a residential character with dwellings set on large allotments incorporating native vegetation and landscaped garden areas.
- To provide uses and development compatible with the management of native vegetation cover and to maintain a buffer to Peter Murrell Reserve.
- To allow residential uses at a density that is compatible with the bushfire risk associated with the area.

#### SAP Boundaries

The SAP area is depicted in Figure 81 below and only covers areas within the Low Density Residential Zone.

Figure 81 – Burwood Drive SAP and precincts



#### SAP Provisions ('rules')

- A minimum site area of 5,000m<sup>2</sup> per dwelling for Multiple Dwellings for properties next to the Peter Murrell Reserve (Precinct A).
- A minimum lot size requirement of 5,000m<sup>2</sup> for properties next to the Peter Murrell Reserve (in Precinct A) consistent with the existing subdivision pattern in the precinct and compatible with the bushfire risk associated with the area.
- Vegetation management to encourage development design that is compatible with the character of the residential area adjacent to Peter Murrell Reserve and to maintain significant environmental values.

## Justification

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics of an area 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. The Burwood Drive SAP meets the above requirements of the Act, and this is outlined in the justification provided in [Attachment 9](#).

### 3.2.2.4 KIN-S6.0 Bruny Island SAP

Bruny Island is unique for its mix of natural values, agricultural and aquaculture production, recreational destination, cultural significance and a relatively small population all contained within a land mass of approximately 362 square kilometres. The permanent resident population is currently around 600 and likely to remain small, with only about a third of the dwellings being permanently occupied; this is due to the island's isolation and limited accessibility. Shack ownership on the island has always been high, meaning that the higher population has peak times over summer. The shift from people using shacks for family use only to the more recent trend of making them available for rent and visitor accommodation throughout the year has significantly changed the use of the area and visitation times/duration.

This places pressures and demands on a relatively small island community that, while they are not unique, must be managed to avoid congestion, unacceptable impacts on the island's natural values, and public safety and amenity issues during peak periods.

Bruny Island is one of the most visited tourism destinations in Tasmania. It has received national and international media exposure for the quality of its tourism product, productive agriculture and water-based resources (i.e. oysters and fishing) in addition to its picturesque and unique natural values. Local, interstate and international visitors come to the island to experience its many attractions, including but not limited to the Neck Lookout/Truganini Memorial, Fairy Penguins, Get Shucked, Bruny Island Cheese & Beer, the Honey Pot, Bruny Island Wilderness Cruises, Bruny Island Chocolate Company, Inala Nature Museum and Jurassic Gardens, Cape Bruny Lighthouse and Dennes Point Heritage Trail.

The *Bruny Island Tourism Strategy* provides a framework for future growth of tourism on Bruny Island, including forming the basis for a sustainable and competitive tourism industry. The strategy identifies a need to manage tourism activity on Bruny Island within the capacity of the Island's infrastructure, its natural values and the desires of both the Island's resident community and visitors.

The strategy identifies some inherent social and economic sustainability issues for Bruny Island, such as limited opportunities to develop sufficient economic activity that can produce employment and encourage younger people to remain on the island. The main opportunities relate to tourism, plus some agriculture, aquaculture and value-added food production activities, building on the growing recognition of Bruny Island's natural produce and gourmet food and drink reputation.

Given the standardisation of the planning rules in the state through the statewide planning scheme, a unique approach is required for Bruny Island to ensure that appropriate longer-term strategies and safeguards are in place to support tourism activities that exist on the island and to ensure that the type of development occurring can be accommodated within the island's limitations. Specific attention is also required to protect the unique character and natural attributes that exist on Bruny Island and its surrounding nearshore marine environment, particularly along the coastline which is appreciated by its residents and visitors.

## Purpose of the SAP

- *To encourage use and development that protects and enhances the character of Bruny Island, which is unique for its mix of natural values, agricultural and aquacultural production, recreational destination, cultural significance, and a limited population contained within a relatively small island.*
- *To provide for use and development consistent with the purpose of the underlying zone in a manner that that complements the character and maintains and protects the significant natural values of Bruny Island.*
- *To encourage use and development that supports Bruny Island as a low-key tourism destination.*
- *To provide for uses and development at a density that can be accommodated by the limited infrastructure and services available in the area.*

- *To provide the ability to subdivide land, at a density appropriate to the natural values, infrastructure and service constraints that exist in the area.*
- *To ensure that where on-site waste management is required, lots have sufficient land available for on-site waste management.*
- *To manage stormwater quality and quantity to protect natural values, infrastructure and property.*
- *To minimise the collision risk to threatened bird species through the appropriate design of development.*

## **SAP Boundaries**

The SAP will apply to the entire island and the SAP provisions will apply to all zones on the island.

## **SAP Provisions ('rules')**

The SAP will provide for the following:

- The ability to establish Artisan Food and Drink Premises in the Low Density Residential Zone, Rural Living Zone, Village Zone, Rural Zone, Agriculture Zone and Landscape Conservation Zone.
- The ability to establish Tourism Operations in the Residential Zone and Rural Living Zone.
- Additional design provisions, including:
  - Reduced height restriction of 5m for buildings in coastal proximity;
  - Requirements for external finishes to reduce light reflectivity;
  - Requirements for onsite wastewater treatment;
  - Requirement to ensure that potable water is provided for residential and non-residential uses;
  - Requirements to reduce extensive site excavation and fill;
  - Requirements to encourage the retention, management and protection of natural values.
- Increased minimum lot size requirement of 2,500m<sup>2</sup> in the Low Density Residential Zone;
- Increased site area 2,500m<sup>2</sup> per dwelling for Multiple Dwellings in the Low Density Residential Zone; and
- Requirements to manage and retain important natural values on Bruny Island, including threatened and locally significant species and their habitat, and threatened and locally significant native vegetation.

## **Justification**

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics of an area 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. The justification for the Bruny Island SAP is provided in [Attachment 10](#).

It should be noted that the Tasmanian Planning Commission indicated that there are a number of elements of the proposed SAP that require to be resolved. Those matters will be addressed in a response to the TPC as part of Council's section 35F report (a report to the TPC that will provide a response to any representations received and any outstanding matters) and via the TPC's public hearings process.

### **3.2.2.5 KIN-S7.0 Blackmans Bay Bluff and Bonnet Hill SAP**

Blackmans Bay Bluff is located at the northern end of Blackmans Bay Beach and is an elevated headland with some significant cliffs that display the qualities of a bluff. A small blowhole is located in the reserve at the end of Talone Road. The Bluff area is heavily vegetated and serves as an iconic backdrop to Blackmans Bay Beach. The Blackmans Bay Bluff neighbourhood has a rich heritage that was well established prior to 1958, with most residences having been used as 'shacks' or holiday homes in those early days. By the 1990s, most of the surrounding areas had become well established to a higher density and constructed to a typical suburban character.

This neighbourhood is unique, differing from other neighbourhoods in Kingborough because of its scenic amenity and the fact that there are only a few remaining larger lots in the precinct that can provide the opportunity to further subdivide or to develop with units. The majority of the remaining 'undeveloped' lots in the precinct contain older houses and vegetation reflective of the historical character of the area.



**Figure 82 – Blackmans Bay Bluff**



Bonnet Hill is an elevated heavily vegetated headland and serves as an iconic backdrop to Kingston Beach. This neighbourhood is unique, differing from other neighbourhoods in Kingborough because of its scenic amenity and because it has not been developed to the extent to which other areas with such scenic attributes and environmental qualities have been developed.

Most of the Bonnet Hill residential area has been zoned as Low Density Residential in the KIPS2015. However, due to the fact that the future Natural Assets and Scenic Protection Codes won't apply to the Low Density Residential Zone, a SAP is required to support development, but in a manner that will maintain the unique scenic attributes and environmental qualities of the area.

**Figure 83 – Bonnet Hill Precinct**



### **Purpose of the SAP**

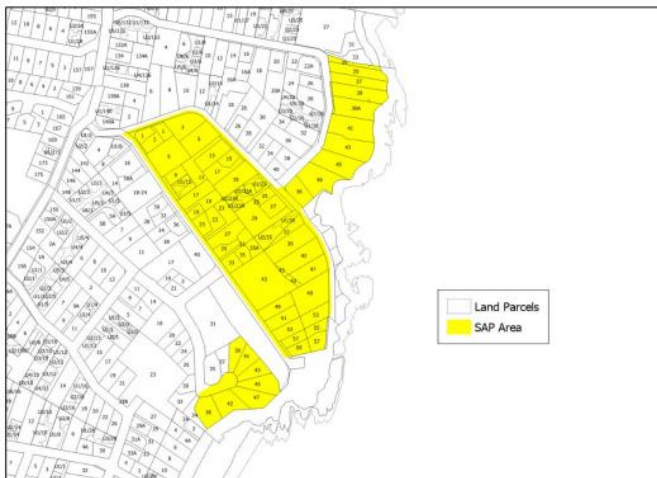
- To maintain the visual amenity that Blackmans Bay Bluff Precinct provides to Blackmans Bay Beach.
- To maintain the visual amenity that Bonnet Hill Precinct provides to Kingston and Kingston Beach.
- To maintain the local character and amenity of the two precincts that is defined by dwellings nestled within a mix of vegetation including native and non-native species.
- To provide for use that is compatible with the low density residential character of Blackmans Bay and Bonnet Hill that is defined by building mass and bulk located to the centre of sites with generous provision of native and non-native landscaping.

- To minimise the collision risk to threatened bird species through the appropriate design of new development.
- To ensure that, where on-site waste water management is required, lots have sufficient land available for on-site waste water management (this will only apply to parts of Bonnet Hill).

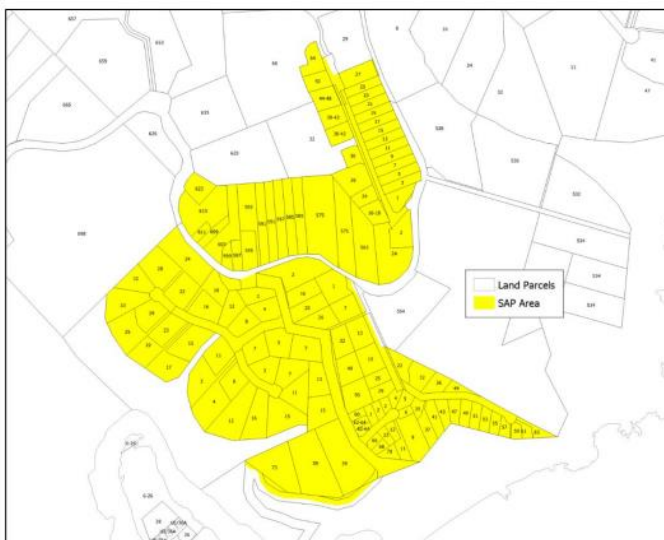
### SAP Boundaries

The SAP area is depicted in Figure 84 and Figure 85 and covers areas in the General Residential and Low Density Residential Zone in Blackmans Bay Bluff and the Low Density Residential Zone in Bonnet Hill.

**Figure 84 – Blackmans Bay Bluff Precinct**



**Figure 85 – Bonnet Hill Precinct**



### SAP Provisions ('rules')

The SAP will provide for the following:

- Reduced height restriction of 5m for buildings in coastal proximity;
- Increased front setbacks to ensure sufficient areas for landscaping and to maintain existing streetscapes;
- Design criteria for Multiple Dwellings to ensure it is compatible with the existing character of the area;
- Landscaping requirements for Multiple Dwellings;
- Provisions to encourage the retention of existing vegetation and incorporation in landscaping design;
- Provisions to minimise the collision risk to threatened bird species through the appropriate design of new development;
- Provisions to ensure where onsite waste management is required, lots have sufficient land available for onsite waste management; and
- Minimum lot size requirements in Bonnet Hill for areas in coastal proximity to maintain the landscape character.

## Justification

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics of an area 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. The Blackmans Bay Bluff and Bonnet Hill SAP meets the above requirements of the Act, and this is outlined in the justification provided in [Attachment 11](#).

### 3.2.2.6 KIN-S8.0 Barretta SAP

Barretta is constrained in terms of development potential due to limited infrastructure (there is no access to reticulated sewer and existing stormwater infrastructure is lacking). The need to only allow development that is capable of being supported by public infrastructure must be reflected in the planning scheme provisions.

The SAP is therefore required to manage growth in this location having regard to an appropriate density and form of development consistent with the available capacity or design elements to make development self-sufficient in that regard.

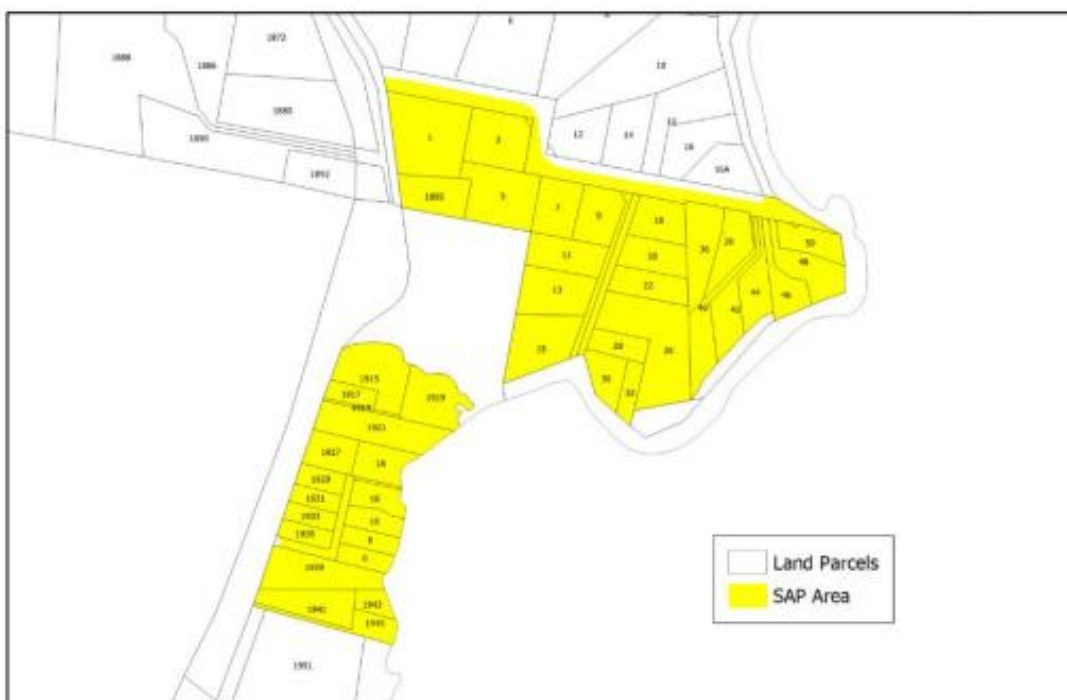
## Purpose of the SAP

- To provide for use at a density that can be accommodated by the limited infrastructure and services available in the area.
- To provide the ability to subdivide land, but at a density appropriate to the infrastructure and service constraints that exist in the area.
- To ensure where on-site waste water management is required, lots have sufficient land available for on-site waste water management.
- To manage stormwater quality and quantity to protect natural assets, infrastructure and property.
- To encourage the retention of native vegetation as part of landscape design.
- To minimise the collision risk to threatened bird species through the appropriate design of new development.

## SAP Boundaries

The boundaries of the SAP area are depicted in Figure 86 and the SAP only applies to the Low Density Residential Zone.

**Figure 86 – Barretta SAP**





## SAP Provisions ('rules')

The SAP will provide for the following:

- Additional wastewater management considerations for change, expansion or intensification of residential or non-residential use;
- Additional design provisions, including:
  - requirements for onsite wastewater treatment and stormwater management;
  - requirements to encourage the retention of vegetation.
- Increased permitted minimum lot size requirement of 2,500m<sup>2</sup> in the Low Density Residential Zone;
- Increased permitted site area of 2,500m<sup>2</sup> per dwelling for Multiple Dwellings in the Low Density Residential Zone;
- Vegetation management to encourage development design that is compatible with the character of the Coastal Settlement Areas and maintain significant environmental values; and
- Collision risk provisions to minimise the risk of bird mortality from collision with buildings and structures.

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics of an area 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. The Barretta SAP meets the above requirements of the Act, and this is outlined in the justification provided in [Attachment 12](#).

## 3.2 PARTICULAR PURPOSE ZONE (PPZs)

The SPPs contain 23 generic zones. However, the LPS may also include Particular Purpose Zones (PPZs) for unique circumstances. The Kingborough Draft LPS proposes only one PPZ, a Future Road Corridor Zone. No new PPZs have been included in Kingborough Draft LPS.

PPZ in KIPS 2015 (existing planning scheme)	Application in Kingborough Draft LPS (proposed)	Rationale
33.0 Particular Purpose Zone – Future Road Corridor	KIN-P1.0 Particular Purpose Zone – Future Road Corridor	The PPZ is subject to the transitional provisions <sup>8</sup> under Schedule 6, clause 8(1) of LUPAA.

Figure 87 – Particular Purpose Zone – Future Road Corridor – Margate



<sup>8</sup> The Minister for Planning issued a declaration in relation to the transitional arrangements and the list of provisions that are carried over from KIPS2015 to the Kingborough Draft LPS is published on Council's website. It should be noted that representations in relation to the transitional provisions cannot be considered as part of the LPS exhibition process. However, they may be used to inform future revisions of the Kingborough LPS.

### 3.3 SITE-SPECIFIC QUALIFICATIONS (SSQs)

A Site-Specific Qualification (SSQ) provides the means to substitute or include an additional use or use standard for a zone, code or particular site. For example, an SSQ might allow for a specific business to operate out of a home in the General Residential Zone or for a specific General Retail and Hire business on a property in the Rural Zone as a permitted use. Similarly, an SSQ might provide specific subdivision or other development standards on a site that might not otherwise be allowed under the relevant zones or codes.

#### Transitioning SSQs<sup>9</sup>

The following SSQs can be transitioned from the KIPS2015 to the Kingborough Draft LPS. It is proposed that they be transitioned.

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant clause in State Planning Provisions
<b>KIN-23.2</b>	81 Channel Highway, Taroona	198412/1	An additional Discretionary Use Class for the site is Residential with the qualification: "If not listed as Permitted and if for bushfire hazard management directly associated with and subservient to a Residential use on land known as 83 Channel Highway, Taroona (folio of the Register 201948/1)."	Environmental Management Zone – clause 23.2 Use Table
<b>KIN-28.1</b>	1393 Channel Highway, Margate	150926/1	An additional qualification for the Discretionary Use Class Visitor Accommodation for this site is: "If located at 1393 Channel Highway, Margate."	Recreation Zone – clause 28.2 Use Table

There are existing SSQs within the KIPS2015 that are not transitioned and that is because the standard provisions under the Tasmanian Planning Scheme accommodates the outcomes sought by the SSQs.

<sup>9</sup> The Minister for Planning issued a declaration in relation to the transitional arrangements and the list of provisions that are carried over from KIPS2015 to the Kingborough Draft LPS is published on Council's website. It should be noted that representations in relation to the transitional provisions cannot be considered as part of the LPS exhibition process. However, they may be used to inform future revisions of the Kingborough LPS.

## New SSQs

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> .	Not applicable	An additional standard for the Environmental Management Zone is: Notwithstanding any other provision of this planning scheme, use or development of land in Wellington Park must be in accordance with the provisions of the management plan approved under section 23 of the <i>Wellington Park Act 1993</i> .	Environmental Management Zone – clause 23.0
<b>KIN-23.4</b>	207 Tinderbox Road, Tinderbox	CT 244683/1	Residential is a discretionary use in addition to the State Planning Provisions.	Environmental Management Zone – clause 23.1 Use Table
<b>KIN-27.2</b>	Part 31 Nubeena Crescent, Tarooma	part 171435/2	An additional Discretionary Use Class for this site is:  Resource Development with the qualification  <i>If for aquaculture where integral to research and development activities undertaken by the University of Tasmania Institute for Marine and Antarctic Studies, and is for a pilot plant tropical rock lobster hatchery. An additional defined term for the purposes of this use qualification is: pilot plant means a small scale research and development experimental plant in which processes planned for full-scale operation are tested and developed.</i>	Community Purpose Zone – clause 27.2 Use Table
<b>KIN-27.3</b>	41, 47, and part 31 Nubeena Crescent, Tarooma	175969/1, 171411A/2, part 171435/2	a. An additional Discretionary Use Class for this site is: Research and Development. b. An additional Acceptable Solution and Performance Criterion for this site	Community Purpose Zone – clause 27.2 Use Table and clause 27.3.1 Non residential use



			<p>is: A5 No Acceptable Solution.</p> <p>P5</p> <p>A use listed as Discretionary must not cause an unreasonable loss of amenity for residential and recreational uses within 300m of the site boundary, having regard to:</p> <ul style="list-style-type: none"> <li>a) the characteristics of the site;</li> <li>b) the nature of any emissions from the proposed use;</li> <li>c) the size and scale of the proposed use; and measures to minimise or mitigate impacts.</li> </ul>	
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### 3.4 LOCAL AREA OBJECTIVES (LAOs)

Local Area Objectives (LAOs) have been proposed to be included in the Kingborough Draft LPS. LAOs have limited function in the way the Tasmanian Planning Scheme operates but are particularly important when considering discretionary uses.

The Kingborough Draft LPS includes Local Area Objectives for some of the proposed SAPs and the following two Local Area Objectives that will apply to specific zones:

#### KIN-16.0 Central Business Zone Local Area Objectives

Reference Number	Area Description	Local Area Objectives
KIN-16.1	Kingston Activity Centre, shown on an overlay map as KIN-16.1	<ul style="list-style-type: none"> <li>(a) To encourage uses and development that contribute to the activation of the Kingston Activity Centre.</li> <li>(b) To increase the number and diversity of retail operators, job opportunities, social and other supporting services in the Kingston Activity Centre.</li> <li>(c) To facilitate a mix use type development that includes housing close to job opportunities, local and public services, including public transport options.</li> </ul>

#### KIN-27.0 Community Purpose Zone Local Area Objectives

Reference Number	Area Description	Local Area Objectives
KIN-27.1	41, 47, and part 31 Nubeena Crescent, Taroona, shown on an overlay map as KIN-27.1	<ul style="list-style-type: none"> <li>(a) That the land is used and developed for education and research that is compatible with surrounding residential and recreation uses; and</li> </ul>

		<p>(b) That use is to:</p> <ul style="list-style-type: none"> <li>(i) recognise the existing use of the land as a tertiary education and research facility;</li> <li>(ii) facilitate the integration of uses reliant on the coastal location;</li> <li>(iii) recognise and provide for emerging use and development associated with research undertaken in the area; and</li> <li>(iv) protect neighbouring land from unreasonable loss of residential and recreational amenity.</li> </ul>
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## Attachment 1– Compliance with Statutory Requirements

**Table 1: Compliance with section 32 of LUPAA – Contents of LPS**

Criteria under LUPAA	Compliance with requirements	Section of supporting report or statement
32(2)(a)	Yes	The Kingborough Draft LPS only applies to the municipal area.
32(2)(b)	Yes	The mandatory requirements are adopted in full.
32(2)(c)	Yes	The Kingborough Draft LPS is prepared in accordance with the application and drafting instructions included in the SPPs and in Guideline No. 1 (LPS Guidelines). Further clarification of how the Zones and Codes have been applied is provided in Chapter 1 and Chapter 2.
32(2)(d)-(f))	Yes	<p>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.</p> <p>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 confirmed with Marine and Safety Tasmania, Kingborough municipality contains no proclaimed wharf areas and clause 11(7) of LUPAA is not applicable.</p> <p>The Kingborough Draft LPS does not propose any provisions that refer to a code of practice and therefore has been prepared in accordance with clause 11(6) of LUPAA.</p> <p>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.</p> <p>The Kingborough Draft LPS does not seek to regulate matters outside the jurisdiction prescribed in sections 11 and 12 of LUPAA. It is noted that the legal protection for existing uses informs decisions about the application of zones to land.</p> <p>The Kingborough Draft LPS applies to the SPPs via zones and overlays consistent with the LPS Guidelines.</p>
32(2)(g))	Yes	The Kingborough Draft LPS does not expressly reserve land for public purposes.
32(2)(h)	Yes	The Kingborough Draft LPS applies to the SPPs via zones and overlays consistent with the LPS Guidelines.



Criteria under LUPAA	Compliance with requirements	Section of supporting report or statement
32(2)(i)	Yes	<p>The Kingborough Draft LPS contains overriding provisions via the SSQs and SAPs which override some provisions of the SPPs where those provisions modify or are in substitution for the SPPs (refer to Chapter 3).</p> <p>Most overriding provisions are protected under transitional arrangements in which the SSQs and SAPs that existed in KIPS2015 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 maximise consistency with the SPPs and only includes overriding provisions where LUPAA requirements for compliance with Schedule 1 Objectives or the STRLUS cannot be met without local provisions.</p>
32(2)(j)	Yes	<p>The Kingborough 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 the LPS Guidelines.</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 Chapter 3 of this document.</p>
32(2)(k)	Yes	<p>The provisions at section 32(2)(k) and (l) require an 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(3)(a) to (c)	Yes	<p>The LPS may include PPZs, SAPs and SSQs.</p> <p><u>PPZs</u></p> <p>KIN-P1.0 Future Road Corridor at Margate is an existing PPZ in the KIPS2015 that is protected by transitional arrangements.</p>

Criteria under LUPAA	Compliance with requirements	Section of supporting report or statement
		<p><u>SAPs</u></p> <p>Several SAPs are proposed. Three of these are contained in the KIPS2015 and are protected via transitional arrangements (KIN-S2.0 Margate Marina SAP, KIN-S3.0 Kingston Park SAP and KIN-S9.0 Huntingfield Housing Order SAP).</p> <p>The Draft LPS introduces six new SAPs (KIN-S7.0 Blackmans Bay and Bonnet Hill Bluff SAP, KIN-S1.0 Kingston Southern Gateway SAP, KIN-S4.0 Kingborough Coastal Settlement SAP, KIN-S5.0 Burwood Drive SAP, KIN-S6.0 Bruny Island SAP and KIN-S8.0 Barretta SAP).</p> <p><u>SSQs</u></p> <p>There are two existing SSQs in the KIPS2015 that are being transferred across into the Kingborough Draft LPS under the transitional arrangements:</p> <ul style="list-style-type: none"> <li>• KIN-23.2 81 Channel Highway, Taroona; and</li> <li>• KIN-28-1 1392, Channel Highway.</li> </ul> <p>There are four new SSQs in the Draft LPS:</p> <ul style="list-style-type: none"> <li>• KIN-23.1 Wellington Park;</li> <li>• KIN-23.4 207 Tinderbox Road, Tinderbox;</li> <li>• KIN-27.2 Part 31 Nubeena Crescent, Taroona;</li> <li>• KIN-27.3 41, 47 and part 31 Nubeena Crescent, Taroona.</li> </ul> <p>Also see responses at 32(2)(a) – 32(2)(l) above.</p>
34(4)	Yes	<p>An LPS may only include provisions referred to under s34(3) if:</p> <p><i>(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</i></p> <p><i>(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.</i></p>

Criteria under LUPAA	Compliance with requirements	Section of supporting report or statement
		It is considered that the Kingborough Draft LPS is compliant with these requirements, and the justification is provided in Chapter 3 of this document as well as in Attachments 7 to 12.
34(5)	Yes	The Kingborough Draft LPS is in accordance with the SPP template.
34(6)	Yes	The Kingborough Draft LPS is consistent with this provision.
34(7)	Yes	Not applicable



**Table 2: Compliance with Objectives of LUPAA**

Schedule 1, Part 1 – Objectives	Compliance statement
(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity	<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 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) to provide for the fair, orderly and sustainable use and development of air, land and water	<p>The way 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 STRLUS.</p> <p>The Draft LPS has also been developed in a manner that is consistent with an accurate conversion of the current KIPS2015 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 landowners.</p>
(c) to encourage public involvement in resource management and planning	<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. Representors can also express their views at the public hearings held by the Commission.</p>

<p>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</p>	<p>This has been mainly achieved following the strategic review of economic opportunities carried out with both the STRLUS and the <i>Kingborough Land Use Strategy</i>. The latter specifically identified local areas that are best suited for further development, and several key sites have been assessed. Economic development is facilitated by the way land is zoned in the Draft LPS. In a general sense, the Draft LPS gives priority for economic activity through the allocation of zones which 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 Kingborough Draft LPS also introduces a SAP to enhance commercial areas to attract more investment and growth, namely the Kingston Gateway SAP. In addition, the Bruny Island SAP encourages/allows additional commercial uses that would otherwise be limited by the primary zoning, as the economic benefits are recognised in that highly visited area.</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 different 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>
<p>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State</p>	<p>This objective is primarily provided through legislative processes. Contributions to the preparation of the LPS and a new planning scheme are provided by all the community. Within southern Tasmania, the local government Technical Reference Group has been an effective cooperative forum where 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.</p>
<p><b>Schedule 1, Part 2 – Objectives</b></p>	<p><b>Compliance statement</b></p>
<p>(a) to require sound strategic planning and co-ordinated action by State and local government</p>	<p>A sound coordinated and strategic approach has been applied in preparing the new scheme and this has been underpinned by the STRLUS. The mandatory SPPs ensure there is consistency between all the planning schemes within the state (the Tasmanian Planning Scheme).</p>

(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land	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 to meet this objective.
(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	<p>The LPS provides a spatial zoning framework that considers the environmental, social and economic effects. The preparation of the LPS has accounted for past public consultation and considered the impact of land use and development on the Kingborough community (primarily by way of the STRLUS).</p> <p>The way 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 broader social, economic and environmental conditions are assessed and managed to avoid deleterious impact.</p>
(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	The LPS has been drafted to be 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. Broadly, it is 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.
(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	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. This Kingborough Draft LPS has been prepared in accordance with applicable legislation and guidelines 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 congruent with prescribed regulatory relationships under other legislation.
(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a	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

pleasant, efficient and safe environment for working, living and recreation	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 fundamentally important that new land use and development proposals should be designed to minimise future adverse impacts. The LPS primarily facilitates this through the appropriate zoning of land.
(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value	The 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 Code. Aboriginal Heritage is regulated under separate legislation.
(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	<p>The SPPs include several 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. The Attenuation Code deals with potential conflicts with other sensitive uses. The LPS (by way of the SPPs and under the guidance of the STRLUS) will also result in increased urban densities which in turn facilitates a more efficient use of existing infrastructure.</p> <p>The STRLUS identifies the need to recognise and protect major infrastructure corridors and assets, which includes land- and water-based transport corridors.</p>
(i) to provide a planning framework which fully considers land capability	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 of further development and will be assessed against the various development standards within the scheme (particularly within the relevant codes).



## Attachment 2 – Compliance with State Policies

### 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.

Three main principles which 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.

It should be noted that there is currently a process underway to review this policy, and preliminary outcomes of the review suggest that the Draft LPS will be consistent with the policy.

### 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 abovementioned 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 are 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 STRLUS 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 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 the Zones and Codes sections of this report. Any future changes to the *State Coastal Policy* will be considered in future reviews of the STRLUS, the *Kingborough Land Use Strategy*, and the *Kingborough Council Strategic Plan*.

## STATE POLICY ON WATER QUALITY MANAGEMENT 1997

The *State Policy on Water Quality Management 1997* (SPWQM) 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 SPWQM 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 SPWQM 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 KIPS2015, the SPWQM is implemented through the incorporation of:

- the Stormwater Management Code, which provides 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 onsite 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 SPWQM 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.

## 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:

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

The 11 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 LISTmap. 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:

- incorporates more recent or detailed analysis or mapping;
- better aligns with on-ground features; or
- 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 Chapter 2 of this report.

In summary, the Kingborough Draft LPS is consistent with the *State Policy on the Protection of Agricultural Land 2009*.

## 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 *National Environment Protection Council Act 1994* (Cth). 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 contents of each NEPM. NEPMs are not directly implemented through planning schemes, with some matters being outside the jurisdiction prescribed by LUPAA (see Table 3 below). 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 3: Summary of implementation of NEPMs in Tasmania**

NEPM	Summary of implementation framework in Tasmania	Summary of implementation issues arising
Air Toxics NEPM	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.
Ambient Air Quality NEPM	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.
Assessment of Site Contamination NEPM	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.
Diesel Vehicle Emissions NEPM	The Department of State Growth uses the 'ten second rule' to target smoky motor vehicles.	No specific issues were reported.
Movement of Controlled Waste between States and Territories NEPM	Implemented under the <i>Environmental Management and Pollution Control Act 1994</i> .	No issues reported.
National Pollutant Inventory NEPM	Implemented through the <i>Environmental Management and Pollution Control Act 1993</i> .	Not available.
Used Packaging Materials NEPM	Implemented through the <i>Environmental Management and Pollution Control Act 1993</i> .	No issues reported.



## Attachment 3 – Compliance with STRLUS

**Table 4: STRLUS Regional Policies – Biodiversity and Geodiversity**

It is acknowledged that at the time of writing this report, a review of STRLUS is currently underway. The LPS is based on the current version of the STRLUS.

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</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. Significant native vegetation is managed through the priority vegetation overlay and SAP provisions.
<b>BNV 1.2</b>	Recognise and protect biodiversity values deemed significant at the local level and ensure that planning schemes:  Specify the spatial area in which biodiversity values are to be recognised and protected (either by textural description or map overlay); and  Implement an 'avoid, minimise, mitigate' hierarchy of actions with respect to development that may impact on recognised and protected biodiversity values.	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:  Are to be used only as a 'last resort'.  Should provide for a net conservation benefit and security of the offset in perpetuity.  Are to be based upon 'like for like' wherever possible.	Utilising the biodiversity offset provisions in the SPPs Natural Assets Code 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	Utilising the regional biodiversity mapping that forms the basis for the priority vegetation overlay for the

	development in a manner that is generally consistent across the region but allowing for variances in local values.	Natural Assets Code (accommodating any local variations), and utilising SAPs where it is necessary to protect important local values in accordance with this Policy.
<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:  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  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 some 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 a criterion 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.

<b>BNV 4</b>	<b>Recognise the importance of non-land use planning based organisations and their strategies and policies in managing, protecting and enhancing natural values.</b>	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 relation 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 5: STRLUS Regional Policies – Water 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>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>WR 1.1</b>	Ensure use and development is undertaken in accordance with the State Policy on Water Quality Management.	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>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. It should also be noted that the Bruny Island SAP has additional controls consistent with the outcome sought under this provision.
<b>WR 3.1</b>	Reduce barriers in the planning system for the use of rainwater tanks in residential areas.	The Bruny Island SAP has additional controls consistent with the outcome sought under this provision.

**Table 6: 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). Many of the proposed SAPs have controls consistent with the outcomes sought under this provision.
<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 (based on structure plans within the <i>Kingborough Land Use Strategy</i> ). The Kingborough Coastal Settlement SAP is providing controls consistent with the outcome sought by this provision.
<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 (e.g. 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 <i>Kingborough Land Use Strategy</i> 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 <i>Kingborough Land Use Strategy</i> and consistent with the STRLUS – and accounting for 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 7: 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. In addition, the Burwood Drive SAP proposes controls consistent with the outcome sought by this provision.
<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 a matter 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>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 Taroona.
<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 considered by the SPPs and will be addressed during the building approval process.
<b>MRH 5.2</b>	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 considered by the SPPs and will be addressed during the building approval process.

**Table 8: STRLUS Regional Policies – Cultural Values**

<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>CV 1</b>	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.
<b>CV 1.1</b>	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 a matter that can be addressed by the LPS.



<b>CV 1.2</b>	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 a matter that can be addressed by the LPS.
<b>CV 1.3</b>	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.
<b>CV 1.4</b>	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 a matter that can be addressed by the LPS.
<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 a matter 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> <ul style="list-style-type: none"> <li>a. places of local significance are to be listed within Heritage Codes contained within planning schemes, as determined by the local Council</li> <li>b. places of state significance are to be listed within the Tasmanian Heritage Register, as determined by the Tasmanian Heritage Council.</li> <li>c. places of national or international significance are listed through national mechanisms as determined by the Australian Government.</li> </ul>	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> <ul style="list-style-type: none"> <li>a. Heritage places of local significance: by the local Council acting as a Planning Authority</li> <li>b. Heritage places of state significance: by the Tasmanian Heritage Council on</li> </ul>	Applying the Local Historic Heritage Code and the inclusion of the local heritage list within the LPS.

	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.	
<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 several 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.  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).  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 have been transitioned from the 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.
<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	Applying the Scenic Protection Code to significant landscapes – noting that southern councils are adopting a common methodology in this regard.

	important landscapes and key landscape values.	
<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 9: STRLUS Regional Policies – Recreation & Open Space**

<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</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>	Adopt an open space hierarchy consistent with the Tasmanian Open Space Policy and Planning Framework 2010, as follows: a. Local	Council has an open space strategy which adopts the hierarchy.  The LPS has zoned land consistent with this hierarchy.

	<ul style="list-style-type: none"> <li>b. District</li> <li>c. Sub-regional</li> <li>d. Regional</li> <li>e. State</li> <li>f. National</li> </ul>	
<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 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 a matter that can be addressed by the LPS.</p>
<b>ROS 1.4</b>	<p>Undertake local open space planning projects through processes consistent with those outlined in the Tasmanian Open Space Policy and Planning Framework 2010.</p>	<p>Implementation of these policies will also require further investigations and studies that may result in future changes to the planning scheme.</p> <p>Council has an open space strategy for the municipality.</p>
<b>ROS 1.5</b>	<p>Ensure residential areas, open spaces and other community destinations are well connected with a network of high-quality walking and cycling routes.</p>	<p>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.</p>
<b>ROS 1.6</b>	<p>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'.</p>	<p>As above.</p>
<b>ROS 2</b>	<p>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.</p>	<p>See sub-clauses below.</p>



<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.
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**Table 10: 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>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 a matter 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 <i>Kingborough Land Use Strategy</i> .
<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>SI 1.10</b>	Recognise the role of the building approvals processes in providing access for people with disabilities.	This is not a matter 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 SPPs (in that they do not prevent social housing).

**Table 11: 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.

<b>PI 2.1</b>	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 near 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.
<b>PI 2.2</b>	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 <i>Kingborough Land Use Strategy</i> .
<b>PI 2.3</b>	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.
<b>PI 2.4</b>	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.	Current information in STRLUS is outdated. Any changes to STRLUS as part of its review will be considered in future changes to the Kingborough LPS.
<b>PI 2.5</b>	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.	This is not a matter 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).  Proactive action is required at a State/regional level regarding this policy.
<b>PI 2.6</b>	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 12: STRLUS Regional Policies – Land Use and Transport Integration**

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</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 <i>Kingborough Land Use Strategy</i> ).
<b>LUTI 1.2</b>	Allow higher density residential and mixed use developments within 400, and possibly up to 800 metres (subject to 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.
<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 SPPs (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.
<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.
<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 a matter 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 13: STRLUS Regional Policies – Tourism**

<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</b>	Provide for innovative and sustainable tourism for the region.	See sub-clauses below.
<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. The Kingborough Draft LPS proposes a number of SAPs that introduce controls consistent with the outcome sought by this provision.
<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. The Bruny Island SAP proposes controls consistent with the outcome sought by this provision.
<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).

**Table14: 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>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 15: STRLUS Regional Policies – Productive 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>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>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. The Bruny Island SAP also proposes controls consistent with the outcome sought by this provision.
<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 what is 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 <i>Kingborough Land Use Strategy</i> ).
<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 downstream 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>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>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 16: 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 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>IA 1.5</b>	Aim to ensure a minimum 5-year supply of subdivided and fully serviced industrial land.	The Light Industrial Zone has been applied consistent with the Light Industrial Zone in the KIPS2015.
<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.	The State Government has commenced development of an Industrial Land Strategy, and the outcome of that strategy will be considered in future as part of periodic changes to the Kingborough LPS to accommodate growth and needs of our community.
<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 17: 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.

<b>AC 1.1</b>	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. Applying the Commercial Zone in accordance with the STRLUS Activity Centre Network.
<b>AC 1.2</b>	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.
<b>AC 1.3</b>	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.
<b>AC 1.4</b>	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 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.
<b>AC 1.5</b>	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). The proposed Kingston Southern Gateway SAP proposes controls consistent with the outcome sought by this provision.
<b>AC 1.6</b>	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.
<b>AC 1.7</b>	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>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 a matter that can be addressed by the LPS unless a SAP is applied.
<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 a matter 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>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 <i>Kingborough Land Use Strategy</i> as the basis for the master planning of Kingston, as well as the further planning requirements 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 <i>Kingborough Land Use Strategy</i> 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 a matter 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 a matter 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>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 18: 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 <i>Kingborough Land Use Strategy</i> .
<b>SRD 1.2</b>	Manage residential growth in District Centres, District Towns and Townships through a hierarchy of planning processes as follows: 1. Strategy (regional function & growth scenario) 2. Settlement Structure Plans (including identification of settlement boundaries) 3. Subdivision Permit 4. Use and Development Permit.	Zoning land within the LPS in a manner that is consistent with the regional STRLUS directions and the local structure plans within the <i>Kingborough Land Use Strategy</i> – including the provision of infill development and the staged release of greenfield residential precincts that can be adequately serviced by roads and reticulated infrastructure.

<p><b>SRD 1.3</b></p>	<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> <p>a. Recognition of existing rural living or environmental living communities, 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> </ul>	<p>Minimising rural residential growth outside identified settlements in 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 created by the LPS.</p>
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	<ul style="list-style-type: none"> <li>• rural living communities which comply with SRD 1.3(a);</li> </ul> <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.
<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 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 <i>Kingborough Land Use Strategy</i> .
<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 Huntingfield developments are within Kingborough. Huntingfield has been rezoned to provide for greenfield development in accordance with this policy.
<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 suitable for future greenfield residential development. However, this is diminishing quickly within Kingborough and it will be necessary to amend the Urban Growth Boundary to accommodate some additional greenfield development at Margate and Snug. This will be considered as part of the STRLUS review that is currently underway.
<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 in the Kingston Park precinct and alongside the bypassed Channel Highway in Kingston – 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>	The Draft LPS provides for higher density zones within the Activity Centre.
<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)  Hobart LGA 25% (3312 dwellings)  Clarence LGA 15% (1987 dwelling)  Brighton LGA 15% (1987 dwellings)  Kingborough LGA 5% (662 dwellings)</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 in the Kingston Park precinct and alongside the bypassed Channel Highway in Kingston – 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 2.8</b>	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.	The STRLUS review is currently underway and the outcome of that review may result in changes to the Kingborough LPS to meet this requirement.
<b>SRD 2.9</b>	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.	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.
<b>SRD 2.10</b>	Investigate the redevelopment to higher densities potential of rural residential areas close to the main urban extent of Greater Hobart.	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.
<b>SRD 2.11</b>	Increase the supply of affordable housing.	This is not a matter that can be addressed by the LPS, other than by ensuring that there is generally sufficient suitably zoned land available for future residential development.

## Attachment 4 – Compliance with Kingborough Strategic Plan

**Table 19: Compliance with Kingborough Strategic Plan**

Kingborough Strategic Plan	Kingborough Draft LPS consistency
<p><b>Encourage and support a safe, healthy and connected community</b></p> <ul style="list-style-type: none"> <li>• A Council that engages with and enables its community.</li> <li>• An inclusive community that has a strong sense of pride and local identity.</li> <li>• A resilient community with the capacity to flourish.</li> <li>• A Council that acknowledges the existence of climate change and a biodiversity emergency and has in place strategies to respond.</li> <li>• An active and healthy community, with vibrant, clean local areas that provide social, recreational and economic opportunities.</li> </ul>	<p>Strategic Outcome 1.1 aims to support increased public participation, and the Kingborough Draft LPS will be exhibited for public comment. Council is promoting the exhibition period through various means and will be offering information sessions and in-person appointments to answer any questions.</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). The LPS public exhibition process will be used to see if there is community support to proceed with the proposed SAPs.</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, but in a manner that is aligned with the Regional Land Use Strategy.</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.</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>Deliver quality infrastructure and services</b></p> <ul style="list-style-type: none"> <li>• Service provision meets the current and future requirements of residents and visitors.</li> <li>• Infrastructure development and service delivery are underpinned by strategic planning to cater for the needs of a growing population.</li> <li>• Community facilities are safe, accessible and meet contemporary standards.</li> <li>• The organisation has a corporate culture that delivers quality customer service, encourages innovation and has high standards of accountability.</li> <li>• Council is a desirable place to work, attracting committed and engaged staff through progressive human resource practices and a positive work environment.</li> </ul>	<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 while having regard to the outcomes sought by STRLUS.</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 the 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 future.</p>

Kingborough Strategic Plan	Kingborough Draft LPS consistency
	<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>Sustaining the natural environment whilst facilitating development for our future</b></p> <ul style="list-style-type: none"> <li>• A Council that values and prioritises its natural environment, whilst encouraging investment and economic growth.</li> <li>• A community that has a well-developed sense of natural and cultural heritage.</li> <li>• Council is able to demonstrate strong environmental stewardship and leadership.</li> <li>• Best practice land use planning systems are in place to manage the current and future impacts of development.</li> <li>• Management of environmental assets is based on professional advice and strategic planning.</li> </ul>	<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 and proposed SAPs.</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 of land with the 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 SAPs.</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>

## Attachment 5 – Zone compliance

**Table 20: Zone compliance – General Residential Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>GRZ 1</b>	<p>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 General Residential Zone has been applied to land that is within the main urban residential areas, for example Kingston, Kingston Beach and Blackmans Bay.</p> <p>Land intended for higher densities is zoned Inner Residential, such as in parts of Kingston.</p> <p>The General Residential Zone has been applied to land that connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system.</p>
<b>GRZ 2</b>	<p>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 majority of land zoned General Residential under the KIPS2015.</p> <p>The General Residential Zone has also been applied to land at Margate and Snug currently zoned Low Density Residential under the KIPS2015. The reason for the zoning change is because of the increase in service capacity from the upgrade of the Blackmans Bay Wastewater Treatment Plant. It is also to be more reflective of the existing subdivision pattern in those localities.</p> <p>In addition to the above, there are parcels of land in the Low Density Zone of the KIPS2015 that are proposed to be zoned General Residential to reflect the existing use and/or subdivision pattern.</p> <p>The General Residential Zone has been applied to all land that is currently connected, or where the intention is for the future lots to be connected, to a reticulated water supply service and a reticulated sewerage system.</p>
<b>GRZ 3</b>	<p>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>



**Table 21: Zone compliance – Inner Residential Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>IRZ 1</b>	<p>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 to land that is characterised or intended for higher dwelling density. For example, King's Quarters at Kingston Park, land along the Channel Highway, land east of Spring Farm Road and on both sides of Java Head Link at Spring Farm.</p> <p>Except for land at Huntingfield, the Inner Residential Zone has been applied to land in proximity to the Kingston Activity Centre.</p> <p>The Inner Residential Zone has been applied to land that is connected to a reticulated water supply service, reticulated sewerage system and a public stormwater system.</p> <p>The Inner Residential Zone is in proximity of public transport options.</p>
<b>IRZ 2</b>	<p>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 maintained through the State Government's Housing Supply Order that came into effect in 2020.</p>
<b>IRZ 3</b>	<p>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 to land that is highly constrained by hazards, natural values or other impediments.</p>

**Table 22: Zone compliance – Low Density Residential Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>LDRZ 1</b>	<p>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:</li> <li>(b) lack of availability or capacity of reticulated</li> </ul>	<p>The Low Density Residential Zone has been applied 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 have limited capacity to allow densification as they are not connected to a reticulated sewer network.</p> <p>The Low Density Residential Zone has been applied to residential areas with large lots that cannot be</p>

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
	<p>infrastructure services, unless the constraint is intended to be resolved prior to development of the land; and</p> <p>(c) environmental constraints that limit development (e.g. land hazards, topography or slope); or</p> <p>(d) small, residential settlements without the full range of infrastructure services, or constrained by the capacity of existing or planned infrastructure services; or</p> <p>(e) existing low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development, and where there is justification for a strategic intention not to support development at higher densities.</p>	<p>developed to higher densities due to environmental constraints that limit development.</p> <p>Example: Tarooma is impacted by landslide and parts of Snug are impacted by flooding.</p> <p>The Low Density Residential Zone has been applied 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.</p> <p>The Low Density Residential Zone has been applied to existing low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development<sup>10</sup>.</p> <p>Examples: Coningham, Lower Snug and the areas around Burwood Drive, Blackmans Bay.</p>
<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.	Existing lot sizes have been considered in the application of the Low Density Residential Zone. An example is the lots at the most southern end of Gordon, next to Channel Highway, that are currently zoned Environmental Living under KIPS2015 which are proposed to be zoned Low Density Residential to be more reflective of the lot sizes one would find in that zone.
<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.	The Low Density Residential Zone has not been applied to land where the primary purpose is for the protection of important natural and/or landscape values.
<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.	The Low Density Residential Zone has not been applied to land that is intended for greenfield development or higher densities.

**Table 23: Zone compliance – Rural Living Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>RLZ 1</b>	<p>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 to residential areas with larger lots and the intended and predominant land use is a mix between residential and lower order rural activities.</p> <p>The Rural Living Zone has been applied to land that is currently zoned Rural Living.</p>
<b>RLZ 2</b>	<p>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 to most of the land currently zoned Rural Living under KIPS2015.</p> <p>Because the Environmental Living Zone of the KIPS2015 will cease to exist under the Tasmanian Planning Scheme, many of the properties in that zone (approximately 440) will be zoned Rural Living.</p> <p>The STRLUS is not supportive of new Rural Residential Settlements; however, it is supportive of the consolidation of existing Rural Residential Settlements. Consequently, the Rural Living Zone has only been applied in a manner that it is reflective of the existing settlement pattern or will result in the consolidation of those settlements. This approach is also consistent with the recommendations of the <i>Kingborough Land Use Strategy</i>.</p>
<b>RLZ 3</b>	<p>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</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>

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
	endorsed by the relevant council.	
<b>RLZ 4</b>	<p>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 to land where it is suitable and targeted for future greenfield urban development.</p> <p>The Rural Living Zone has not been applied to land where it contains important landscape values that are identified for protection and conservation, unless the values can be appropriately managed through the operation of the relevant codes<sup>11</sup>.</p> <p>The Rural Living Zone has not been applied in the 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>

**Table 24: Zone compliance – Village Zone**

Section 8A criteria (LPS Guidelines)		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.	The Village Zone has been applied to existing Village zoned land within rural settlements where this is an unstructured mix of residential, commercial activities and community services. Examples of where the Village Zone exists include land at Snug, Kettering, Woodbridge, Middleton and Alonnah.
<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 to land where the full range of reticulated infrastructure services are and are not available.

<sup>11</sup> There are areas in the municipality where the broader landscape qualities of an area are considered significant and where it should be protected through the application of the Landscape Conservation Zone. More information on the Landscape Conservation Zone is provided under Section 6.15 of this report.



Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>VZ 3</b>	<p>The Village Zone may cover either:</p> <ul style="list-style-type: none"> <li>(a) an entire settlement where the settlement is relatively small and no clear town centre exists or is intended to exist; or</li> <li>(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.</li> </ul>	The Village Zone has only been applied to existing Village zoned land in parts of 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 to existing rural settlements where a mix of uses exists.

**Table 25: Zone compliance – Urban Mixed Use Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>UMUZ 1</b>	<p>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>	The Urban Mixed Use Zone has been applied 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 (for example Kingston Park).
<b>UMUZ 2</b>	<p>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>	The Urban Mixed Use Zone has been applied to land in urban areas along a high frequency public transport corridor (for example land at Kingston Green Estate).

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>UMUZ 3</b>	<p>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 to:</p> <ul style="list-style-type: none"> <li>• commercial strips where commercial and retail activity is intended as the dominant activity (see business zones);</li> <li>• residential areas where residential use is intended as the dominant use (see residential zones); or</li> <li>• smaller rural settlements.</li> </ul>

**Table 26: Zone compliance – Local Business Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>LBZ 1</b>	<p>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 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>• local shopping strips; or</li> <li>• town centres for some smaller settlements.</li> </ul>
<b>LBZ 2</b>	<p>The Local Business Zone may be applied to:</p> <p>Local Centres and the lower order Minor or Neighbourhood Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;</p> <p>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</p> <p>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.</p>	<p>The Local Business Zone has been applied to land within a Neighbourhood Centre identified in the STRLUS.</p>
<b>LBZ 3</b>	<p>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</p>	<p>The Local Business Zone has been applied to land that is used for groups of local shops and businesses in existing residential areas where there is a strategic intent to maintain such uses.</p>

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
	maintain such uses, and the provisions of the surrounding residential zone are not appropriate.	
<b>LBZ 4</b>	<p>The Local Business Zone should not be used for individual, isolated local shops or businesses within residential areas, unless:</p> <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>	The Local Business Zone has not been applied to land 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 are more appropriate for the Local Business Zone, and there is an intention to maintain this use.

**Table 27: Zone compliance – General Business Zone**

Section 8A criteria (LPS Guidelines)		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 to land within Kingston. 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. Examples of the existing General Business Zone include land at Westside Circle, Kingston and Kingston Town.
<b>GBZ 2</b>	<p>The General Business Zone may be applied to:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) Suburban Activity Centres and District Service Centres in the Regional Activity Centre</li> </ul>	<p>The Kingborough municipality does not contain a Major Activity Centre or any Rural Service Centres as identified in the Activity Centre Network under the STRLUS.</p> <p>The General Business Zone has not been applied to any land found in a Minor or Neighbourhood Centre as identified in the Activity Centre Network under the STRLUS.</p>

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
	<p>Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and</p> <p>(c) the main retail and business areas of District Activity Centres in the activity centres description in the Cradle Coast Regional Land Use Strategy.</p>	

**Table 28: Zone compliance – Central Business Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>CBZ 1</b>	<p>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 to land in Kingston that is identified as a Principal 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>
<b>CBZ 2</b>	<p>The Central Business Zone may be applied to:</p> <p>(a) the Primary Activity Centre and the Principal Activity Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;</p> <p>(b) the Principal Activity Centre in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and</p> <p>(c) the main retail and business areas of Regional Activity Centres in the activity centres description in the Cradle Coast Regional Land Use Strategy.</p>	<p>The Central Business Zone has been applied to land in Kingston that is identified as a Principal Activity Centre in the Activity Centre Network under the STRLUS.</p>



**Table 29: Zone compliance – Commercial Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<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:  large floor or outdoor areas; and  high levels of vehicle access and car parking for customers.	The Commercial Zone has been applied 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.  Examples of the Commercial Zone include land at Mertonvale Estate, Australian Antarctic Division, Council's depot and Bunnings properties – all located within an area on the southern edge of Kingston near Algonia Road Roundabout.
<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.	The Commercial Zone has been applied to a relatively small area in Kingston which does not compromise the viability of other retail and business centres, but rather complements the other centres' purposes.
<b>CZ 3</b>	The Commercial Zone should not be applied to land:  (a) where the primary purpose is to provide for industrial purposes (see industrial zones); or  (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).	The Commercial Zone has not been applied to land where the primary purpose is to provide for industrial purposes or General Retail and Hire uses.

**Table 30: Zone compliance – Light Industrial Zone**

Section 8A criteria (LPS Guidelines)		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.	The Light Industrial Zone has been applied in the Kingborough Draft LPS to land which has historically been zoned Light Industrial. There are likely to be minimal offsite impacts from existing and future uses.  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.
<b>LIZ 2</b>	The Light Industrial Zone should not be applied to individual, isolated industrial uses, unless:	The Light Industrial Zone has not been applied to an individual, isolated industrial use.

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
	<p>(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</p> <p>(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.</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).	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.
<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.	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.

**Table 31: Zone compliance – Rural Zone**

Section 8A criteria (LPS Guidelines)		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.	<p>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.</p> <p>Where land is more appropriately included within the Landscape Conservation Zone or Environmental Management Zone, it has been proposed to be zoned as such.</p>
<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 LISTmap and subsequent, more detailed research.
<b>RZ 3</b>	The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:	The Rural Zone has been applied to land identified in the 'Land Potentially Suitable for Agriculture Zone'

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
	<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>	layer where it meets all the criteria set in the LPS Guidelines.

**Table 32: Zone compliance – Agriculture Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>AZ 1</b>	<p>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>○ incorporates more recent or detailed analysis or mapping;</li> <li>○ better aligns with on-ground features; or</li> <li>○ addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer, and where appropriate, may be demonstrated in a</li> </ul> </li> </ul>	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 LISTmap.

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
	<p>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> <p>(b) any other relevant data sets; and</p> <p>(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.</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.	No land is zoned Significant Agriculture Zone in KIPS2015; therefore AZ 2 is not applicable.
<b>AZ 3</b>	<p>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> <p>(a) existing land uses on the title and surrounding land;</p> <p>(b) whether the title is isolated from other agricultural land;</p> <p>(c) current ownership and whether the land is utilised in conjunction with other agricultural land;</p> <p>(d) the agricultural potential of the land; and</p> <p>(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.</p>	A more detailed land analysis for titles highlighted as Potentially Constrained Criteria 2A, 2B or 3 in the 'Land Potentially Suitable for Agriculture Zone' layer was undertaken, and as a result, some land has been zoned Agriculture with surrounding lots not being zoned Agriculture due to constraints.
<b>AZ 4</b>	The 'Potential Agricultural Land Initial Analysis' layer may assist in making	The 'Potential Agricultural Land Initial Analysis' layer has been used in making judgements on the

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
	<p>judgements on the spatial application of Agriculture Zone, including, but not limited to:</p> <ul style="list-style-type: none"> <li>(a) outlying titles that are either included or excluded within the 'Land Potential Suitable for the Agriculture Zone' layer; and</li> <li>(b) larger titles or those with extensive areas of native vegetation cover.</li> </ul>	<p>spatial application of the Agriculture Zone in the Kingborough Draft LPS.</p>
<b>AZ 5</b>	<p>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.</p>	<p>Where appropriate, 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.</p>
<b>AZ 6</b>	<p>Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if:</p> <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:</li> <li>(f) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm</li> </ul>	<p>A more detailed analysis was completed for titles highlighted as in the 'Land Potentially Suitable for Agriculture Zone' layer.</p> <p>As a result, some land has been alternatively zoned due to localised constraints.</p>



Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
	<p>holding that will be within the Agriculture Zone;</p> <p>(g) there are significant constraints to agricultural use occurring on the land; or</p> <p>(h) the Agriculture Zone is otherwise not appropriate for the land.</p>	
<b>AZ 7</b>	<p>Land not identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for inclusion within the Agriculture Zone if:</p> <p>(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;</p> <p>(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;</p> <p>(c) it can be demonstrated that the Agriculture Zone is appropriate for the land based on its significance for agricultural use; or</p> <p>(d) it addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer, and 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>

**Table 33: Zone compliance – Landscape Conservation Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>LCZ 1</b>	<p>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</p>	<p>The Landscape Conservation Zone has been applied to land with landscape values. Those values relate to the extensive areas of bushland providing a backdrop from the coast, up the slopes to the ridgelines, and are appreciated by residents</p>

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance														
	vegetation, or areas of important scenic values, where some small-scale use or development may be appropriate.	<p>or visitors when viewed from either their homes, roads, other elevated areas or nearby waters.</p> <p>Parts of the municipality proposed to be zoned Landscape Conservation also contain some small-scale use and development (mostly residential in nature that is allowed in the LCZ) and this use and development sits within the context of the broader landscape.</p>														
LCZ 2	<p>The Landscape Conservation Zone may be applied to:</p> <p>(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;</p> <p>(b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or</p> <p>(c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.</p>	<p>The Landscape Conservation Zone has been applied to 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.</p> <p>The Landscape Conservation Zone has been applied to land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code. In some parts of the municipality, the application of the Rural Living Zone in conjunction with the Natural Assets Code and/or Scenic Code has been considered. However, once the codes are applied, development in these areas will be generally limited to a single dwelling and associated outbuildings, with little to no opportunities for other lower order rural activities.</p> <p>The Landscape Conservation Zone has been applied to land zoned Environmental Living in the Kingborough Interim Planning Scheme, and the zoning has been applied to land where the primary intention is for the protection and conservation of landscape values.</p> <p>It should be noted that the Environmental Living Zone has also been converted to several other zones under the Tasmanian Planning Scheme. The table below illustrates the distribution of properties currently in the Environmental Living Zone to the available zones under the Tasmanian Planning Scheme.</p> <table><tr><td>8.0 General Residential Zone</td><td>1</td></tr><tr><td>10.0 Low Density Residential Zone</td><td>28</td></tr><tr><td>11.0 Rural Living Zone</td><td>440</td></tr><tr><td>20.0 Rural Zone</td><td>88</td></tr><tr><td>22.0 Landscape Conservation Zone</td><td>1419</td></tr><tr><td>23.0 Environmental Management Zone</td><td>22</td></tr><tr><td>24.0 Major Tourism Zone</td><td>1</td></tr></table>	8.0 General Residential Zone	1	10.0 Low Density Residential Zone	28	11.0 Rural Living Zone	440	20.0 Rural Zone	88	22.0 Landscape Conservation Zone	1419	23.0 Environmental Management Zone	22	24.0 Major Tourism Zone	1
8.0 General Residential Zone	1															
10.0 Low Density Residential Zone	28															
11.0 Rural Living Zone	440															
20.0 Rural Zone	88															
22.0 Landscape Conservation Zone	1419															
23.0 Environmental Management Zone	22															
24.0 Major Tourism Zone	1															

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance	
		29.0 Open Space Zone	2
<b>LCZ 3</b>	<p>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.</p>	<p>In Kingborough, the Landscape Conservation Zone is deliberately proposed to be applied to groupings of titles with landscape values that are less than the allowable minimum lot size for the zone, to assist with the preservation of the broader landscape values.</p> <p>It is acknowledged that the lot sizes in some localities are considerably smaller than the allowable minimum lot size for the zone. The rationale for this approach is that the small lot size afforded by other residential zones (for example the Rural Living or Low Density Residential Zone) would result in the erosion of these landscape values over time.</p>	
<b>LCZ 4</b>	<p>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><i>Note:</i></p> <p><i>The Landscape Conservation Zone is not a replacement zone for the Environmental Living Zone in interim planning schemes. There are key policy differences between the two zones. The Landscape Conservation Zone is not a large lot residential zone, in areas characterised by native vegetation cover and other landscape values. Instead, the Landscape Conservation Zone provides a clear priority for the protection of landscape values and for complementary use or development, with residential use largely being discretionary. Together the Landscape Conservation Zone and the Environmental Management Zone, provide a suite of environmental zones to manage use and development in natural areas.</i></p>	<p>The Landscape Conservation Zone has been applied to land that has characteristics that could be similar to areas where residential communities exist. The primary intention for the application of the Landscape Conservation Zone in these localities is to prioritise the protection and conservation of landscape values as these localities form part of some of the most scenic and prominent bushland areas in the municipality. The residential uses and development that have already established in these areas will continue to exist under the Landscape Conservation Zone.</p> <p>The land uses that can be accommodated in the Landscape Conservation Zone are not significantly different from those uses that are currently available under the Interim Planning Scheme. However, if an alternative zone (for example the Rural Living Zone) is applied, there is a risk that the predominant land use pattern and characteristics of the area will change through the introduction of a range of additional uses that are not prevalent or have not historically been allowed. The Rural Living Zone, for example, will allow for additional uses that may not necessarily be conducive to the character and amenity of those locations and could also have detrimental impacts on the landscape values that exist. Additional land uses provided by the Rural Living Zone are:</p> <ul style="list-style-type: none"> <li>• Grazing</li> <li>• General Retail and Hire</li> <li>• Resource Processing</li> <li>• Vehicle Fuel Sales and Service</li> </ul> <p>The Environmental Management Zone has been applied to State-reserved land.</p>	

**Table 34: Zone compliance – Environmental Management Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>EMZ 1</b>	<p>The Environmental Management Zone should be applied to land with significant ecological, scientific, cultural or scenic values, such as:</p> <ul style="list-style-type: none"> <li>(a) land reserved under the Nature Conservation Act 2002;</li> <li>(b) land within the Tasmanian Wilderness World Heritage Area;</li> <li>(c) riparian, littoral or coastal reserves;</li> <li>(d) Ramsar sites;</li> <li>(e) any other public land where the primary purpose is for the protection and conservation of such values; or</li> <li>(f) any private land containing significant values identified for protection or conservation and where the intention is to limit use and development.</li> </ul>	<p>The Environmental Management Zone has been applied to land with significant ecological, scientific, cultural and/or scenic values.</p>
<b>EMZ 2</b>	<p>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:</p> <ul style="list-style-type: none"> <li>(a) passive recreation opportunities (see Open Space Zone);</li> <li>(b) recreational facilities (see Recreation Zone);</li> <li>(c) large scale port and marine activities or facilities (see Port and Marine Zone);</li> <li>(d) industrial activities or facilities (see industrial zones); or</li> <li>(e) major utilities infrastructure (see Utilities Zone).</li> </ul>	<p>The Environmental Management Zone has been applied to land that is seaward of the high-water mark, except in instances where the contrary intention applies.</p> <p>See Open Space Zone, Port and Marine Zone, Light Industrial Zone and Utilities Zone sections of this report for examples.</p>
<b>EMZ 3</b>	<p>The Environmental Management Zone may be applied to land for water storage facilities directly associated with major utilities infrastructure, such as dams.</p>	<p>The Environmental Management Zone has not been applied to land for water storage facilities directly associated with major utilities infrastructure.</p>

**Table 35: Zone compliance – Major Tourism Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>MTZ 1</b>	The Major Tourism Zone should be applied to land that is, or intended, for major tourism developments with a range of facilities which, due to their scale and complexity, are best managed through a specific tourism zoning.	The Major Tourism Zone has been applied to the Pennicott Wilderness Journeys site at Adventure Bay, Bruny Island.
<b>MTZ 2</b>	<p>The Major Tourism Zone should only be applied to land if:</p> <ul style="list-style-type: none"> <li>(a) it is within the Major Tourism Zone in an interim planning scheme and the strategic intention for the site is consistent with the zone purpose; or</li> <li>(b) justification has been provided for the 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> </ul>	<p>The Tasmanian Planning Commission provided direction for the application of the Major Tourism Zone at the Pennicott Wilderness Journeys site at Adventure Bay, Bruny Island. The site is in the Environmental Living Zone of the KIPS2015.</p> <p>The proposed zone application is not considered inconsistent with the policy directions of the STRLUS.</p>
<b>MTZ 3</b>	<p>The Major Tourism Zone should not be applied to land that is:</p> <ul style="list-style-type: none"> <li>(a) only intended for a single use (e.g. Visitor Accommodation); or</li> <li>(b) only intended as small-scale sites that can be more appropriately managed through an alternate zoning.</li> </ul>	The land to which the Major Tourism Zone is applied is not intended for a single use and not considered a small-scale use.

**Table 36: Zone compliance – Port and Marine Zone**

Section 8A criteria (LPS Guidelines)		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 to land seaward of the high-water mark. This relates to the existing use at Kettering Marina.



Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<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 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.</p>

**Table 37: Zone compliance – Utilities Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>UZ 1</b>	<p>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>(c) category 1, 2, 3, 4 and 5 roads as defined in the <i>Tasmanian State Road Hierarchy</i> published by the Tasmanian Department of State Growth;</li> <li>(d) any listed major local roads;</li> <li>(e) future road corridors for major local and all State roads;</li> <li>(f) energy production facilities, such as power stations, and major electricity substation facilities;</li> <li>(g) waste water treatment plants; or</li> <li>(h) rail corridors.</li> </ul>	<p>The Utilities Zone has been applied to land that is used, or intended to be used, for major utilities infrastructure.</p>
<b>UZ 2</b>	<p>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.</p>	<p>The Utilities Zone has been applied 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.</p> <p>Example of zoning: Ferry Road, Kettering – including the ferry marshalling area.</p>
<b>UZ 3</b>	<p>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.</p>	<p>The Utilities Zone has been applied to land that provides for major waste transfer stations, recycling depots and refuse disposal sites.</p> <p>Example of zoning: Barretta Waste Management Facility.</p>

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<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 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 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.
<b>UZ 6</b>	The Utilities Zone should not be used for minor utilities or underground utilities as these are more appropriately contained within the surrounding zone to which it is located.	The Utilities Zone has not been applied to land that is used for minor utilities or underground utilities.

**Table 38: Zone compliance – Community Purpose Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>CPZ 1</b>	<p>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>	The Community Purpose Zone has been applied to land that provides, or is intended to provide, for key community facilities and services.
<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>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, Kingston Community Hub.</p>

**Table 39: Zone compliance – Recreational Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>RecZ 1</b>	<p>The Recreation Zone should be applied to land that is, or is intended to be, used for active or organised recreational purposes, including:</p> <ul style="list-style-type: none"> <li>(a) sporting grounds and facilities;</li> <li>(b) golf courses;</li> <li>(c) racecourses; and</li> <li>(d) major sporting facilities.</li> </ul>	<p>The Recreation Zone has been applied to land that is, or is intended to be, used for active or organised recreational purposes.</p> <p>Example of zoning: Kingborough Sports Centre precinct in Kingston, Kingston Beach Golf Course and North West Bay Golf Course.</p>
<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 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 has been zoned Recreation where its sole intended use is for passive recreation.

**Table 40: Zone compliance – Open Space Zone**

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
<b>OSZ 1</b>	<p>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>	The Open Space Zone has been applied to land that provides, or is intended to provide, for the open space needs of the community, specifically passive recreational opportunities.
<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.	The Open Space Zone has been applied 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.
<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.	The Open Space Zone has been applied to public land and private land. The privately owned lands that have been zoned Open Space are part of the open space network within the municipality.
<b>OSZ 4</b>	<p>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</li> </ul>	No land has been zoned Open Space where the land has been identified as having significant natural values.

Section 8A criteria (LPS Guidelines)		Draft LPS application compliance
	recreational facilities, such as sporting grounds, golf courses, racecourses or major sporting facilities.	No land has been zoned Open Space where its sole intended use is for formal recreation.

## Attachment 6 – Code and Overlay compliance

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

SPP and Section 8A criteria (LPS Guidelines)		Kingborough Draft LPS application compliance
<b>LP1.7.1(a)</b>	If the planning authority has: (i) a pedestrian priority street for; or (ii) parking precinct plan within, 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.	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.
<b>PSTC</b>	A pedestrian priority street overlay may 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. These may apply to a specific area such as key streets within the main business or retail areas.	A pedestrian priority street overlay has been applied to roads in the Kingborough municipality where pedestrian movement and activity are to 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.

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

SPP and Section 8A criteria (LPS Guidelines)		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: a future major road; or a future railway, 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.	As confirmed by 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 area for the application of the Road and Railway Assets Code.	<p>The Kingborough Draft LPS does not contain an overlay map showing a road or railway attenuation area for the application of the Road and Railway Assets Code.</p> <p>As confirmed by the Department of State Growth, State Roads do not require the road and railway attenuation area overlay in the Kingborough Draft LPS for any existing road.</p> <p>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>
<b>RRAC 1</b>	<p>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 or railway attenuation area for the application of the Road and Railway Assets Code.</p> <p>As confirmed by the Department of State Growth, State Roads do not require the road and railway attenuation area overlay in the Kingborough Draft LPS for any existing road.</p> <p>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>
<b>RRAC 2</b>	A future major road overlay or a future railway overlay must be applied to land intended for such purposes.	As confirmed by 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.

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

<b>SPP and Section 8A criteria (LPS Guidelines)</b>		<b>Kingborough Draft LPS application compliance</b>
<b>LP1.7.3(a)</b>	<p>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>
<b>ETIPC 1</b>	<p>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>(c) communications station buffer area overlay;</li> <li>(d) electricity transmission corridor overlay;</li> <li>(e) inner protection area overlay;</li> <li>(f) substation facility overlay; and</li> <li>(g) 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>

**Table 44: Code compliance – Local Historic Heritage Code**

<b>SPP and Section 8A criteria (LPS Guidelines)</b>		<b>Kingborough Draft LPS application compliance</b>
<b>LP1.7.4(a)</b>	<p>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 the KIPS2015. 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>The Heritage Precincts overlay and Table E13.2 in KIPS2015 are subject to the transitional provisions.</p> <p>The Places of Archaeological Potential overlay and Table E13.4 in KIPS2015 is subject to the transitional provisions.</p>
<b>LP1.7.4(b)</b>	<p>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>Table E13.1 in KIPS2015 is subject to the transitional provisions.</p>
<b>LP1.7.4(c)</b>	<p>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 does not contain an overlay map showing significant trees. However, that information is available on Council's website and the intention is to update the LPS mapping in future.</p> <p>Table E24.1 in KIPS2015 is subject to the transitional provisions.</p>
<b>LHHC 1</b>	<p>THR places may be listed as local heritage places in the Code list (Table C6.1).</p>	<p>Kingborough Draft LPS contains Tasmanian Heritage Register (THR) listed places (similar to those in the KIPS2015) in the local heritage places in the code list (Table C6.1).</p>
<b>LHHC 2</b>	<p>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>	<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.	Kingborough Draft LPS contains an overlay map showing local heritage places for the application of the Local Historic Heritage Code.  Table E13.1 in KIPS2015 is subject to the transitional provisions.
<b>LHHC 4</b>	Each LPS may contain an overlay map showing significant trees, for the application of the Local Historic Heritage Code.	Kingborough Draft LPS does not contain an overlay map showing significant trees for the application of the Local Historic Heritage Code.  Table E24.1 in KIPS2015 is subject to the transitional provisions under Schedule 6, clause 8D(2) of LUPAA for application of the Local Historic Heritage Code.
<b>LHHC 5</b>	<p>If including a statement of significance in Table C6.1, C6.2 or C6.3 the information included in the right hand column (titled 'Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage 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>In accordance with the Minister's Advisory Statement – Transitional Arrangements for Existing Provisions, 23 June 2017, a Statement 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 later via an amendment to ensure statements of significance are appropriate.</p>

<b>LHHC 5</b>	<p>If including a statement of significance in Table C6.1, C6.2 or C6.3 the information included in the right hand column (titled 'Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage 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>In accordance with the Minister's Advisory Statement – Transitional Arrangements for Existing Provisions, 23 June 2017, a Statement 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 later via an amendment to ensure statements of significance are appropriate.</p>
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**Table 45: Code compliance – Natural Assets Code**

<b>SPP and Section 8A criteria (LPS Guidelines)</b>		<b>Kingborough Draft LPS application compliance</b>
<b>LP1.7.5(a)</b>	<p>If a planning authority has areas identified for:</p> <p>future coastal refugia; or</p> <p>waterway and coastal protection,</p> <p>in its municipal area, the LPS must contain an overlay map showing those areas for the application of the Natural Assets Code.</p>	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.
<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>	<p>The priority vegetation area must:</p> <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</li> </ul>	<p>The priority vegetation overlay map in Kingborough Draft LPS:</p> <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> </ul>



	<p>the Department of Primary Industries, Parks, Water and the Environment's website and available on the Land Information System Tasmania; and</p> <p>(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</p>	<p>(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.</p>
<b>LP1.7.5(d)</b>	<p>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:</p> <p>(i) addresses any anomalies or inaccuracies in the mapping and data in sub-clause LP1.7.5(c);</p> <p>(ii) provides more recent or detailed local assessment of the mapping and data in subclause LP1.7.5(c); or</p> <p>(iii) identifies native vegetation of local importance, including habitat for native fauna of local importance.</p>	<p>The priority vegetation area derived under clause LP1.7.5(c) has been modified.</p> <p>The rationale and methodology for the modification can be found below – NAC 7-13.</p>
<b>Waterway and Coastal Protection Area overlay</b>		
<b>NAC 1</b>	<p>The waterway and coastal protection area overlay should be derived from the guidance map.</p>	<p>The waterway and coastal protection area overlay contained in the Kingborough Draft LPS has been derived from the guidance map.</p> <p>Modifications have been made, see discussion below.</p>
<b>NAC 2</b>	<p>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</p>	<p>Metadata has been included to identify the following attributes:</p> <p>(a) a description of the buffer width as per clause C7.3.1;</p> <p>(b) the class of watercourse or feature; and</p> <p>(c) a description of the class or feature.</p>

	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.	
<b>NAC 3</b>	<p>The waterway and coastal protection area overlay may include modifications to the areas depicted on the guidance map to:</p> <ul style="list-style-type: none"> <li>(a) address any anomalies or inaccuracies in the guidance map;</li> <li>(b) identify a larger area if demonstrated as necessary to protect identified natural assets associated with the waterway and coastal protection area;</li> <li>(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;</li> <li>(d) remove areas of existing development, particularly within urban areas; or</li> </ul> <p>to include Ramsar wetlands within the overlay area.</p>	<p>The waterway and coastal protection area guidance map was modified to:</p> <ul style="list-style-type: none"> <li>(a) address the following anomalies: <ul style="list-style-type: none"> <li>(i) exclusion of watercourses which originated in the adjacent LGA;</li> <li>(ii) disconnection of watercourses which are continuous;</li> <li>(iii) missing watercourses identified in the LIST Hydrographic Lines layer and present on the ground but not included in the guidance map;</li> </ul> </li> <li>(b) 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;</li> <li>(c) remove piped watercourses and drainage lines; and</li> <li>(d) remove areas of existing development.</li> </ul>
<b>Future Coastal Refugia Area overlay</b>		
<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</li> </ul>	<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>(b) 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; and</li> <li>(iii) areas where application of the future coastal refugia area will significantly impact on or constrain existing development.</li> </ul> </li> </ul>

	facilities and services and the like.	
<b>NAC 5</b>	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.	See above.
<b>NAC 6</b>	<p>The future coastal refugia area overlay should be derived from the guidance map, with the following considerations:</p> <p>(a) the future coastal refugia area overlay should not be applied to land that is currently within an incompatible zone, unless: (i) it is intended to provide an alternate zoning for the land in order to protect the future coastal refugia area; or (ii) the land is intended for open space purposes within that zone.</p> <p>(b) the future coastal refugia area overlay may be applied to land that is currently within a special consideration zone if: (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 (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.</p> <p>(c) the future coastal refugia area overlay may be applied to land that is currently within a case-by-case consideration zone if (i) the application of the future coastal refugia area overlay is compatible with the purpose of the zone; or (ii) the application of the future coastal refugia area overlay will not significantly impact on the existing development on the land.</p> <p>(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</p>	<p>The future coastal refugia area guidance map was modified as follows:</p> <p>(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;</p> <p>(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;</p> <p>(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).</p>

	habitable buildings, major infrastructure, key community facilities and services and the like.	
<b>Priority Vegetation Area overlay</b>		
<b>NAC 7</b>	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.
<b>NAC 8</b>	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.
<b>NAC 9</b>	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.
<b>NAC 10</b>	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.
<b>NAC 11</b>	<p>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> <p>(a) address any anomalies or inaccuracies in the mapping and data in clauses NAC 7, NAC 8 and NAC 10 above; or</p> <p>provide more recent or detailed local assessment of the mapping</p>	<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> <p>(a) address any anomalies or inaccuracies in the mapping and data in clauses NAC 7, NAC 8 and NAC 10 above; or</p> <p>(b) provide more recent or detailed local assessment of the mapping and data in clauses NAC 7, NAC 8 and NAC 10 above.</p> <p>The mapping and analysis were undertaken by NRP Pty Ltd using the REM methodology and were based</p>

	<p>and data in clauses NAC 7, NAC 8 and NAC 10 above.</p>	<p>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:</li> </ul> <p>Vegetation mapping issues including where the vegetation has been incorrectly attributed;</p> <ul style="list-style-type: none"> <li>(i) the polygon does not capture the priority vegetation,</li> <li>(ii) the polygon is not reflective of the true extent of the priority vegetation,</li> <li>(iii) the vegetation not being identified as but forming an integral part of priority vegetation,</li> <li>(iv) habitat being present but being erroneously not included or recent NVA records not included in the model.</li> </ul>
<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.</p> <p>Identification of these areas may be assisted by datasets or spatial products identified by DPIPWE.</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 1995</i> (Tas) 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>	Priority vegetation areas are shown on the overlay map consistent with this requirement.
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**Table 46: Code compliance – Scenic Protection Code**

<b>SPP and Section 8A criteria (LPS Guidelines)</b>		<b>Kingborough Draft LPS application compliance</b>
<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>	Kingborough municipality contains mapped scenic protection 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.
<b>SPC 1</b>	<p>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> </ul> <p>identified for their significant scenic views.</p>	<p>The Kingborough Draft LPS contains the scenic protection area overlay.</p> <p>The Scenic Landscapes Area overlay in KIPS2015 is subject to the transitional provisions, excluding any land that is not in a zone listed in clause C8.2.1 of the SPPs.</p>
<b>SPC 2</b>	<p>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 Scenic Landscapes Area overlay in KIPS2015 is subject to the transitional provisions, excluding any land that is not in a zone listed in clause C8.2.1 of the SPPs.</p>
<b>SPC 3</b>	<p>The scenic protection area and the scenic road corridor may only be</p>	<p>The scenic protection area overlay map has only been applied in the Kingborough Draft LPS for the following</p>

	<p>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>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; and</li> <li>(f) Open Space Zone.</li> </ul>
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**Table 47: Code compliance – Attenuation Code**

<b>SPP and Section 8A criteria (LPS Guidelines)</b>		<b>Kingborough Draft LPS application compliance</b>
<b>LP1.7.7(a)</b>	Each LPS may contain an overlay map showing attenuation areas for the spatial application of the Attenuation Code.	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 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> </ul> <p>any existing attenuation measures or buffers.</p>	N/A – see above
<b>AC 2</b>	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.	N/A – see above

**Table 48: Code compliance – Coastal Erosion Hazard Code**

SPP and Section 8A criteria (LPS Guidelines)		Kingborough Draft LPS application compliance						
LP1.7.8(a)	<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 erosion hazard areas; and</li><li>(ii) coastal erosion investigation areas.</li></ul> <p>No modifications to the overlay map have been made.</p>						
CEHC 1	<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 published on the LIST, unless modified:</p> <ul style="list-style-type: none"><li>(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</li><li>(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.</li></ul> <p><b>Table CEHC 1: Coastal erosion hazard area overlay thresholds</b></p> <table><tr><th>Hazard area</th><th>Thresholds</th></tr><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></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)	<p>The coastal erosion hazard area overlay contained in the Kingborough Draft LPS includes the three coastal erosion hazard bands and the coastal erosion investigation area as depicted in the ‘Coastal Erosion 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.	

**Table 49: Code compliance – Coastal Inundation Hazard Code**

<b>SPP and Section 8A criteria (LPS Guidelines)</b>		<b>Kingborough Draft LPS application compliance</b>
<b>LP1.7.9(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 inundation hazard areas; and</li> <li>(ii) coastal inundation investigation areas,</li> </ul> <p>for the application of the Coastal Inundation 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 Inundation Hazard Code, as produced by the Department of Premier and Cabinet, showing:</p> <ul style="list-style-type: none"> <li>(iii) coastal inundation hazard areas; and</li> <li>(iv) coastal inundation investigation areas.</li> </ul> <p>No modifications to the overlay map have been made.</p>
<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> <ul style="list-style-type: none"> <li>(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</li> <li>(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.</li> </ul>	<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>





**Table 50: Code compliance – Flood Prone Areas Hazard Code**

SPP and 8A criteria (LPS Guidelines)		Kingborough Draft LPS application compliance
LP1.7.10(a)	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.
FPHAZ 1	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.
FPHAZ 2	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.	The Flood-Prone hazard overlay is based on Council endorsed flood studies that are also listed on <a href="#">Council's webpage</a> .

**Table 51: Code compliance – Bushfire-Prone Areas Code**

SPP and Section 8A criteria (LPS Guidelines)		Kingborough Draft LPS application compliance
LP1.1.7.11(a)	Each LPS may contain an overlay map showing Bushfire-Prone areas for the application of the Bushfire-Prone Areas Code.	The Kingborough Draft LPS contains a Bushfire-Prone area overlay.
BPAC 1	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.	The Kingborough Draft LPS applies the Bushfire-Prone area overlay provided by the Tasmania Fire Service.  No modifications have been made.

**Table 52: Code compliance – Potentially Contaminated Land Code**

SPP and Section 8A criteria (LPS Guidelines)		Kingborough Draft LPS application compliance
LP1.7.13(a)	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>	<p>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:</p> <ul style="list-style-type: none"> <li>(a) field verification, analysis or mapping undertaken by, or on behalf of, the planning authority or the Environment Protection Authority; or</li> <li>(b) any other relevant information or mapping held by the planning authority or Environment Protection Authority.</li> </ul>	N/A – see above
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**Table 53: Code compliance – Landslip Hazard Code**

SPP and Section 8A criteria (LPS Guidelines)		Kingborough Draft LPS application compliance
LP1.7.12(a)	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.	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.  The overlay map contained in Kingborough Draft LPS has been modified for an area in Tarooma.
LHC 1	<p>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>Table LHC 1: Landslip hazard area overlay thresholds.</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.
	Hazard area Thresholds	Hazard area Thresholds

	Low hazard band	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 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 Mineral Resources Development Act 2001.	

**Table 54: Code compliance – Safeguarding of Airports Code**

SPP and Section 8A criteria (LPS Guidelines)		Kingborough Draft LPS application compliance
<b>LP1.7.14(a)</b>	<p>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 identifies 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>

	areas for the application of the Safeguarding of Airports Code	
<b>SAC 1</b>	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
<b>SAC 2</b>	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
<b>SAC 3</b>	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
<b>SAC 4</b>	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
<b>SAC 5</b>	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

## Attachment 7 – Kingston Southern Gateway SAP Justification

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics of an area 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. The Kingston Southern Gateway SAP meets the above requirements of the Act, and this is outlined in the justification below.

The Kingston Southern Gateway is located to the south of the Kingston Central Business District (CBD) and provides for a mix of uses that complements the Kingston CBD. This area is heavily vegetated with mature native trees, particularly within the less developed areas and along Coffee Creek. The trees have a dominant presence in the landscape and form the backdrop on either side of Channel Highway and Spring Farm Road at the southern entrance to Kingston CBD off the Algona Road Roundabout. The area also includes a master planned residential area i.e. the Kingston Green Estate that has capacity to expand, even though there are some limitations due to existing Part 5 Agreements on the land to preserve vegetation.

A significant proportion of this area is already developed or subject to existing approvals, but there are parcels of land that are either vacant, underdeveloped or anticipated to be redeveloped over time. The area comprises large bulky good premises, storage facilities, larger retailers like Bunnings as well as the Australian Antarctic Division Head Quarters.

### Increased development potential

Parts of Kingston Green residential estate also form part of the SAP. The existing Kingston Green SAP and associated Part 5 Agreement with a master plan and design guide is not reflective of the subdivision that occurred over the years, and the intention is to remove the application of the master plan and design guide for the remaining parts of the development to optimise the development potential, particularly along Channel Highway. It is for this reason the zoning is proposed for change from Inner Residential to Urban Mixed Use, to allow flexibility to accommodate a range of land uses that are compatible with the existing uses in the area (noting there is a mix of commercial and residential uses in the immediate areas), but also reflective of the emerging character of the southern approach to the Kingston CBD. The degree of flexibility in the Urban Mixed Use Zone is also provided through an increase in the height restriction to 20m. Given the nature of the surrounding uses and existing urban form, an increase in height restriction is considered appropriate for the area, and it will be supported with unique controls that will provide:

- appropriate height transition compatible with neighbouring buildings and roads;
- improved privacy outcomes for residents in the precinct as well as adjoining residential areas; and
- solar access design considerations for Multiple Dwelling development.

The above controls are not provided in the SPPs and are considered appropriate in this location to ensure improved liability outcomes for the site, and in a manner that will be compatible with adjoining uses and development in the area.

### Development design incorporating existing vegetation

Existing development in the precinct is also set amongst vegetated areas and interspersed with bands of vegetation and a treed skyline. Aside from the environmental values, which are discussed, the value of the vegetation is recognised for its positive contribution to the streetscape, broader area and as part of the urban environment. The retention of vegetation and encouragement of landscaping in appropriate locations on the site contribute to good urban design which in turn increases the value of the area and encourages further investment by developers and businesses to be within that. This particular area has been recognised as the Southern Gateway to Kingston, and its physical presentation is important to strengthen the character and good urban design.

This vegetation has unique spatial qualities in that it provides a functional linkage connecting existing public and private reserves to the east and south (Boronia Hill, Hawthorn Drive, Algona Reserve, Peter Murrell Reserve, Kingston Green and Celery Top) with reserves and extensive areas of vegetation to the west and north (Whitewater Park and Creek and the rural landscape beyond). The SAP area is a unique urban area



containing high concentrations of environmental qualities immediately adjacent to and embedded within existing development. These environmental qualities are shown in Figure 88 and include:

- 11.35 hectares of native vegetation listed as a threatened native vegetation community under the *Nature Conservation Act 2002*, including 5.38 hectares of *Eucalyptus amygdalina* forest and woodland on sandstone (DAS) and 5.97 hectares of *Eucalyptus ovata* forest and woodland (DOV). DOV is also an endangered ecological community under the *Environment Protection and Biodiversity Conservation Act 1999*;
- 6.1 hectares of medium-high density swift parrot breeding habitat and 6.81 hectares of high density swift parrot foraging habitat. Importantly, this habitat is located within a Swift Parrot Important Breeding Area (SPIBA) (Hobart);
- 5.38 hectares of *Chaostola* skipper habitat, an endangered species with a very limited and highly fragmented distribution and reliant on maintenance of landscape connectivity; and
- 5.17 hectares of masked owl breeding habitat, with over 39 trees with a diameter at breast height of more than 100cm, some with visible hollows) across the SAP area.

While the majority of this vegetation is proposed to be zoned Environmental Management, provisions are required in the planning scheme to ensure the unique spatial and environmental qualities of this vegetation are appropriately managed and maintained into the future. Without these controls in place, there is a likelihood that links to the broader environmental corridors will be lost. The SAP will encourage and facilitate the retention of vegetation in this linkage area in a manner that will be complementary to the urban environment. The SAP will therefore allow for development to occur consistent with the underlying zoning while encouraging and facilitating the retention of the broader environmental corridor.

**Figure 88 – Kingston Southern Gateway Vegetation Linkage**



The presence of these values has been independently verified by North Barker Ecosystem Services through field-based assessments as part of development proposals (2014-2020) and by NRP Pty Ltd through field-based assessments undertaken on behalf of Council. NRP Pty Ltd has also identified the vegetation in this area as having the highest level of concern for management and conservation due to its biological significance (NRP, 2012). The vegetation in the area is currently afforded a level of protection through a combination of IPS zone standards and the application of the IPS Biodiversity Code. Several parcels within the SAP area are also encumbered by Part 5 Agreements that require the protection of the vegetation in perpetuity. Additional development standards are required to enable development within the urban type zones in a manner consistent with the underlying zone while ensuring the remaining values within the Environmental Management Zone are retained and appropriately managed. In addition, the inclusion of the proposed collision risk

provisions in this SAP will ensure the design of buildings and structures has adequate regard to and minimises collision risk to the critically endangered swift parrot.

As demonstrated above, there are unique spatial and environmental qualities that substantiate the need for a SAP. Accordingly, the Kingston Southern Gateway SAP is considered to meet the requirements of section 32(4)(b) of LUPAA.

## Attachment 8 – Kingborough Coastal Settlement Justification

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics of an area 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. The Kingborough Coastal Settlement SAP meets the above requirements of the Act and this is outlined in the justification below.

Kingborough has diverse and scenic landscapes, including highly valued coastal, upland and rural areas. Kingborough is renowned for its coastal scenery and local character. There is a clear distinction between coastal development north of Lower Snug and those that are located south of Snug. The areas north of Lower Snug are within 30 km radius of the Hobart Central Business Area and have more 'urbanised' characteristics. The coastal settlements south of Snug are historical shack areas, hamlets or villages with extensive coastal view scapes to and from the waters of the D'Entrecasteaux Channel. Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon all have very distinct characteristics that set them apart from other coastal settlements in Kingborough.

Lower Snug and Coningham have a very distinct, large 'bush block' coastal character and due to the extensive vegetation and low-key nature of development that exists on properties in the locality, very little of the settlement can be seen from surrounding areas.

Kettering is a picturesque fishing village that is set in Little Oyster Cove. It has long been recognised as one of the most scenic areas for cruising and boat docking in Tasmania and the D'Entrecasteaux Channel. It is also the gateway to Bruny Island with high visitation.

Woodbridge is a heritage village and characterised for its picturesque rural and coastal setting.

Middleton and Gordon are former coastal shack areas and the development that exists today reflects a similar low-key rural character set against the picturesque D'Entrecasteaux Channel.

### Protecting character through subdivision design

The 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 for (Area A) of the Low Density Residential Zone is 2,500m<sup>2</sup>; the Low Density Residential Zone (Area A) also does not allow Multiple Dwellings. The minimum lot size requirement will not be retained under the Low Density Residential Zone for the SPPs and will reduce to a minimum lot size requirement of 1,500m<sup>2</sup> under the Acceptable Solutions and 1,200m<sup>2</sup> under the Performance Criteria. Multiple Dwellings will be possible under the SPPs. Given the size of the lots in the precinct, the SPPs will create the opportunity for approximately another 461 lots or Multiple Dwellings.

Regardless of the minimum lot size discrepancy, Low Density Residential Zone most accurately describes the existing use and development within the SAP area. The larger lots and extensive vegetation cover make a significant contribution to the visual amenity and character of this settlement. An increase to the densities as can be provided by the SPPs will significantly alter the unique characteristics of the coastal settlements in a way that was not anticipated.

In light of the spatial qualities and subdivision potential under the SPPs, the SAP proposes a permitted minimum lot size requirement of 2,500m<sup>2</sup> for the Low Density Residential Zone. This is reflective of the existing subdivision pattern and consistent with the KIPS2015 subdivision provisions. The proposed lot size requirement will enable sufficient land within a lot's boundary to effectively manage the local drainage and absorption issues. The site area requirement for Multiple Dwellings is aligned with the proposed new lot size requirement. The larger lot size and limitation on infill development is an essential requirement to address infrastructure constraints, but it will also contribute to the character of the coastal settlement and align with the spatial qualities of the area.

Figure 89 – Lower Snug and Coningham Precinct viewed from Snug



Figure 90 – Spatial qualities for the Low Density Residential Zone in the Lower Snug and Coningham Precinct

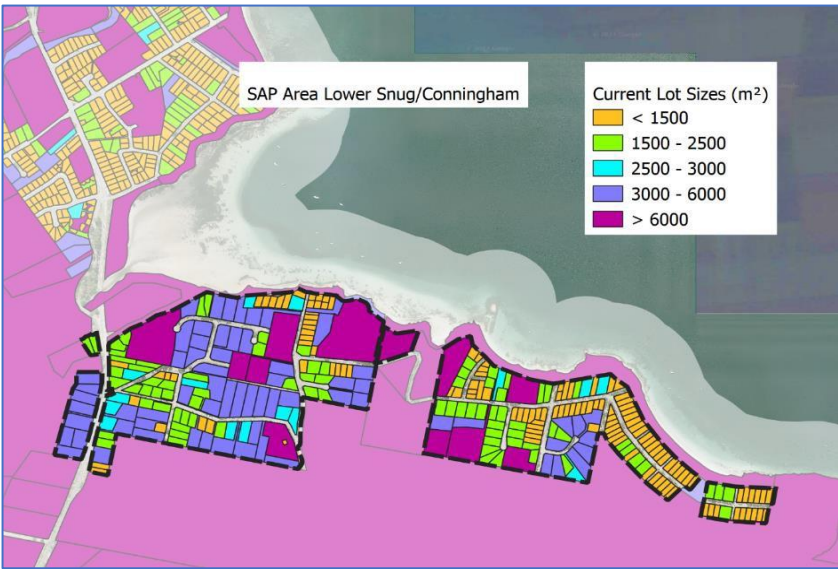


Figure 91 – Kettering Precinct viewed from the Cricket Oval off Channel Highway





Figure 92 – Spatial qualities for the Low Density Residential Zone in the Kettering Precinct

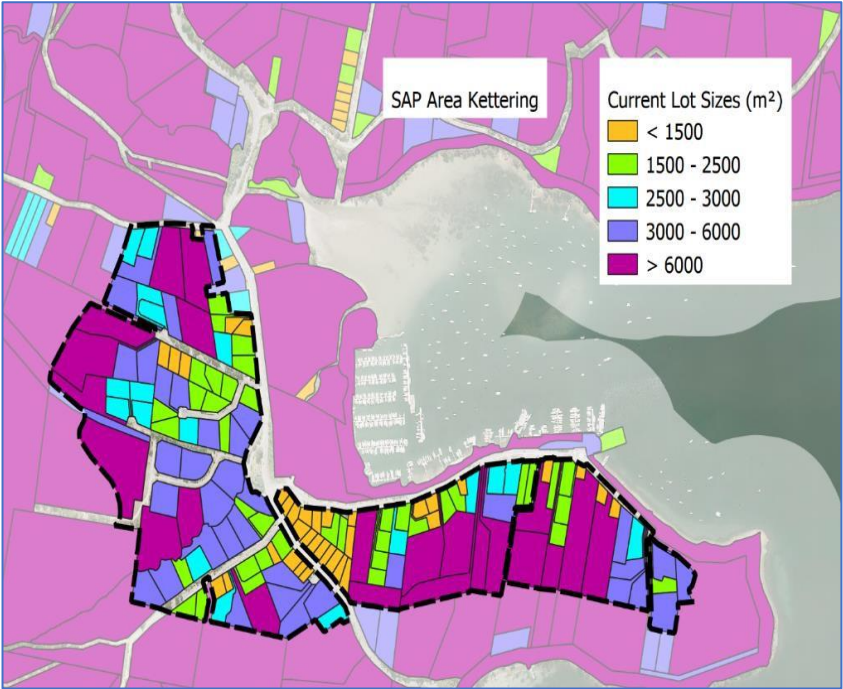
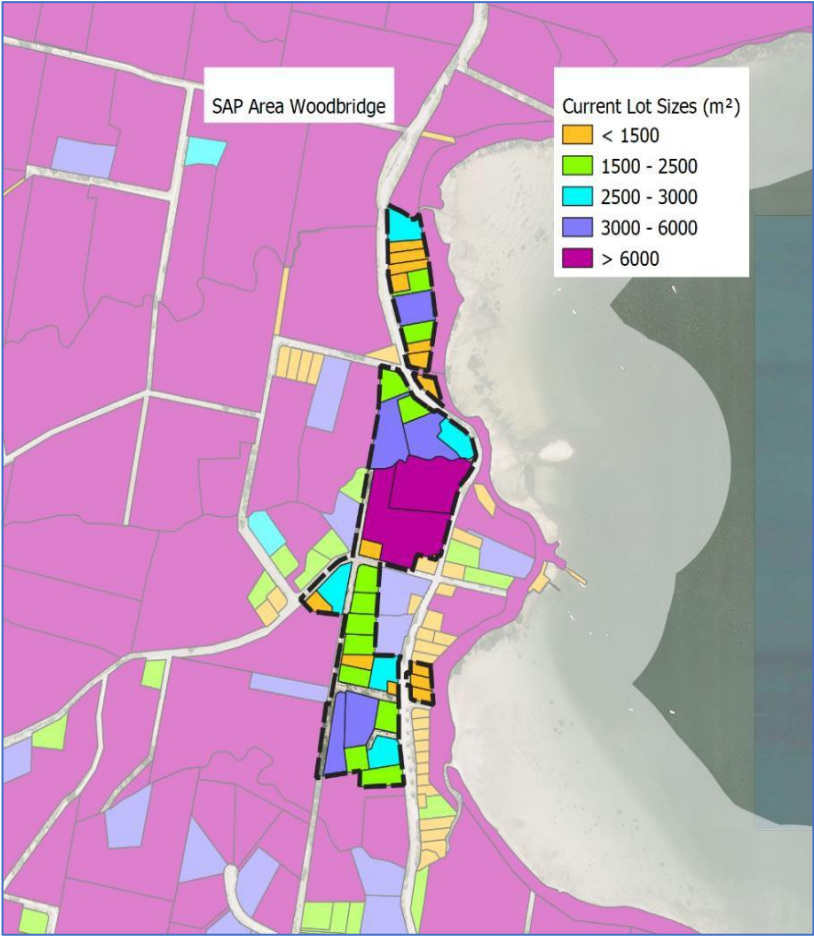


Figure 93 – Woodbridge Low Density Residential area viewed from Channel Highway





**Figure 94 – Spatial qualities for the Low Density Residential Zone in the Woodbridge Precinct**



**Figure 95 – Middleton Precinct viewed from Channel Highway**



Figure 96 – Spatial qualities for the Low Density Residential Zone in the Middleton Precinct

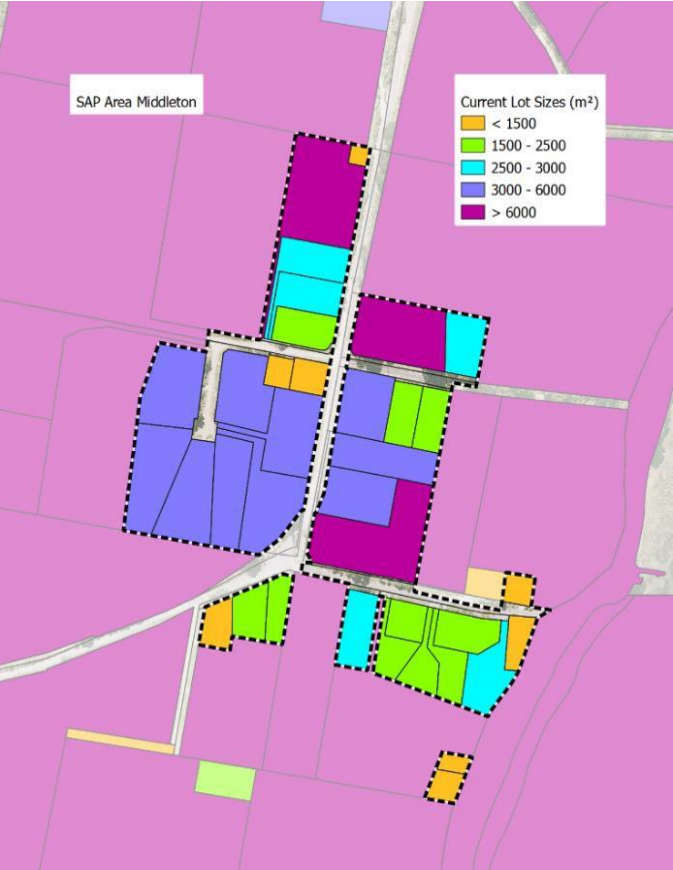
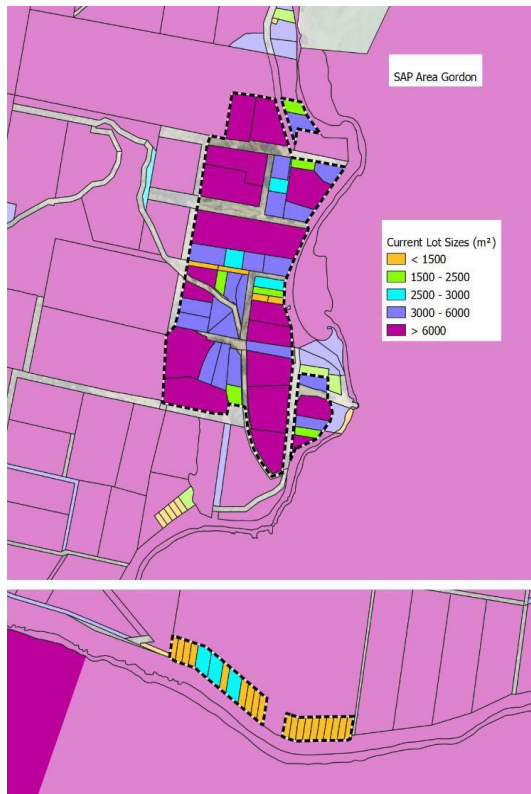


Figure 97 – Gordon Precinct viewed from Channel Highway



**Figure 98 – Spatial qualities for the Low Density Residential Zone in the Gordon Precinct**



A reduction in the minimum lot size requirement and potential for infill development as afforded by the SPPs not only change the character of the coastal settlements in a manner that will be irreversible, but it will also result in a settlement pattern that is inconsistent with the STRLUS. The STRLUS has a clear goal to increase infill development within urban areas (with “a greater proportion of the population living in proximity to services and employment opportunities”). The Urban Growth Boundary (UGB) is clearly defined, and only limited residential development opportunities should exist outside that growth boundary. The STRLUS also makes it very clear that the success of this infill policy will require the “control of low density, rural and environmental living opportunities outside of the Urban Growth Boundary”. Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon are located outside the UGB and are all earmarked for low growth scenarios. An increase in subdivision potential (by way of a lowered minimum lot size under the SPPs) and potential for Multiple Dwellings will exceed the low growth scenarios anticipated these localities and result in a clear inconsistency with the settlement strategies for STRLUS.

### Enhancing social qualities

As explained above, Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon all have very distinct characteristics that set them apart from other more urbanised coastal settlements in Kingborough. Even though each settlement is different from the other, they have some shared characteristics, such as:

- large and often vegetated lots;
- adjoining less developed land, usually rural land or the D'Entrecasteaux Channel;
- areas that are all considered scenic and can be viewed from the waters of the D'Entrecasteaux Channel; and
- limited services, particularly in relation to sewage treatment and stormwater management.

The larger lot sizes, together with the uses allowable in the Low Density Residential Zone, is a combination that meets the expectations of residents. Prior planning scheme consultation has indicated that the majority of people living in the area value the settlement's character. They also value the surrounding residential environment that provides a high level of residential amenity. This character has been established in most cases over the last 30+ years and reflects the social values of the residents. In

addition to the density and lot size requirements, the SAP introduces a reduced height restriction for buildings in coastal proximity, introduces cut and fill provisions and encourages exterior building surfaces with a reduced light reflectance value. The SAP also proposes vegetation management provisions that, together with the above provisions, encourage development outcomes that will protect and also enhance the unique characteristics of these settlements. These provisions are not available under SPPs and without them the features that set these settlements apart from other more urbanised coastal settlements may be lost.

### Improving wastewater treatment

The treatment and disposal of wastewater has been the most significant environmental health issue in recent years when assessing development proposals for new dwellings and land subdivisions in unsewered areas. Problems occur where an area has reticulated water resulting in increased water usage but there not being sufficient land to disperse the wastewater. The areas covered by the Kingborough Coastal Settlement SAP have some particularly challenging unsewered areas with significant site limitations for wastewater. There are a number of unresolved cases where systems have failed and there are disputes between the landowner and the installer. Such examples will be an ongoing challenge, and the prevention of these issues from occurring through appropriate development control in the future is critical. Most of the relevant zones do include a wastewater development standard for subdivision, identifying that each new lot “must be capable of accommodating an on-site wastewater treatment system”. However, there are no onsite wastewater provisions in the development standards under any of the zones in the SPPs. This could lead to situations where a dwelling (or addition) or commercial development is approved, only to later discover (at the Plumbing Permit stage) that it cannot proceed due to onsite wastewater constraints. Early consideration is required to protect public health and prevent offsite pollution and nuisances to neighbours. Appropriate wastewater standards within the planning scheme provide a pathway for an efficient approval process for landowners and developers.

It is very difficult to appropriately manage wastewater on site for a typical dwelling with outbuildings on a 1,500m<sup>2</sup> area as proposed by the SPPs. The higher the concentration of wastewater systems, the higher the degree of risk of pollutants. The substitution of the 1,500m<sup>2</sup> lot size for 2,500m<sup>2</sup> in the Low Density Residential Zone reflects the known physical incapability of the SPP lot size to accommodate onsite wastewater treatment and stormwater management and replaces it with an appropriate lot size requirement. Similar issues pertain in the Village Zone, and provisions for onsite treatment as afforded by the SAP are considered appropriate, as they are not available under the SPPs.

### Improving stormwater management

Stormwater management is also a major issue in the Kingborough Coastal Settlement Areas. Development activities usually result in a redirection of stormwater flow and an intensification of that flow (due to the increased hard surfaces). As a result, stormwater management plans are required to describe how these adverse impacts will be mitigated. A common solution is the use of water sensitive urban design techniques that aim to slow down, filter and disperse the stormwater flows. The SPPs have no provisions to deal with stormwater management, and consequently the SAP introduces provisions to improve environmental outcomes consistent with the management of stormwater quality and quantity targets identified by the *State Stormwater Strategy 2010*.

### Incorporating existing vegetation in development design

Kingborough is recognised as containing a very high proportion of significant biodiversity values relative to many other local government areas, particularly threatened vegetation communities and threatened species habitat. Due largely to the scale of past development and the correlation between the location of significant values and urban growth, the remaining natural areas possess a need for future protection and in many cases consist of critical remnants that should be retained to protect rare or threatened species and threatened vegetation communities. An example of the environmental qualities at Lower Snug and Conningham and Kettering is provided below:

The Lower Snug and Conningham precinct contains the following environmental qualities:

- over 14 hectares of native vegetation listed as a threatened native vegetation community under the *Nature Conservation Act 2002*, including over 13 hectares of *Eucalyptus amygdalina* forest and woodland on sandstone (DAS) and over 1 hectare of *Eucalyptus viminalis* – *Eucalyptus globulus* coastal forest and woodland (DVC);



- 35 hectares of *Chaostola* skipper habitat adjacent to known records. The *Chaostola* skipper is an endangered species with a very limited and highly fragmented distribution and reliant on maintenance of landscape connectivity;
- 3.5 hectares of forty-spotted pardalote habitat in an area known to contain the forty-spotted pardalote; and
- 3.6 hectares of hollow dwelling habitat, which provides nesting habitat for the swift parrot and masked owl.

This vegetation is adjacent to Coningham Nature Recreation Area or the coastal reserve or provides a linkage between these reserves and is part of a pattern of vegetation containing equivalent values. Management of this vegetation is included to ensure maintenance of threatened native vegetation communities and threatened species at the landscape scale.

The Kettering precinct contains the following environmental qualities along the slopes, coast and riparian areas including:

- patches of *Eucalyptus ovata* forest and woodland (DOV), a threatened native vegetation community under the *Nature Conservation Act 2002* and an endangered ecological community under the *Environment Protection and Biodiversity Conservation Act 1999*;
- remnant mature *E. ovata* trees located within a Swift Parrot Important Breeding Area (SPIBA) (Channel) and providing foraging habitat for this critically endangered species; and
- populations of the threatened flora species, *Epacris virgata* (subsp. Kettering) (pretty heath).

This vegetation is part of a broader pattern of vegetation containing equivalent values and is connected to areas of *Eucalyptus ovata* adjacent to the SAP area and predominantly proposed to be zoned Landscape Conservation, subject to priority vegetation provisions under the Natural Assets Code. The presence of these values has been independently verified by independent consultants as part of a project to ground truth vegetation mapping in Kingborough undertaken in 2008 and as part of Natural Values Assessments for individual developments. NRP Pty Ltd has also identified some of the vegetation in this area as having the highest level of concern for management and conservation due to its biological significance and some of the vegetation as important for connectivity (NRP, 2012). Under the SPPs there will be limited capacity to protect these values. The SAP does not introduce elements of the Natural Assets Code; however, it provides design guidance that will complement the character of the coastal settlements in a manner that will also contribute to the preservation of environmental corridors, without unreasonably impacting on the development potential of land.

All coastal settlements are located within Swift Parrot Important Breeding Areas and are situated between foraging habitat along the coast and foraging and nesting habitat in the hills behind. There is currently no mechanism for requiring collision risk to be considered as part of the design of buildings and structures. Inclusion of the proposed collision risk provisions in this SAP will ensure the design of buildings and structures has adequate regard to and minimises collision risk to this critically endangered species.

As demonstrated above, there are spatial, social and environmental qualities that substantiate the need for a SAP. Accordingly, the Kingborough Coastal Settlement SAP is considered to meet the requirements of section 32(4)(b) of LUPAA.



## Attachment 9 – Burwood Drive SAP Justification

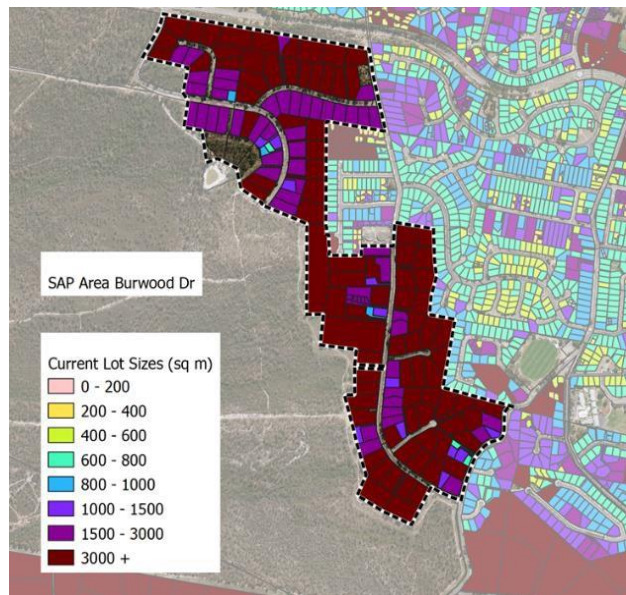
Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics of an area to be protected by way of a SAP where it is demonstrated that there are particular environmental, economic, social or spatial qualities associated with the land. The Burwood Drive SAP meets the above requirements of the Act and this is outlined in the justification below.

Blackmans Bay is located within a bowl-shaped area facing the coast. There are elevated areas to the north, west (the Burwood Drive area) and the south. The vegetated skyline to the west is an important visual element for Blackmans Bay. The precinct is also located adjoining the Peter Murrell Reserve and is characterised by much larger lots that are heavily vegetated. This neighbourhood is unique and different from other neighbourhoods in Kingborough because of the scenic amenity it provides as a backdrop to Blackmans Bay and the fact that the subdivision character of the area has not drastically changed in the last 20 years as it has in other residential neighbourhoods of Kingborough. Because of its location and the significant vegetation that exists, the area is also considered a high bushfire risk area and requires a different approach than other areas in the municipality to reduce the risk associated with the bushfire hazard.

### Creating a buffer to the Peter Murrell Reserve

This SAP is applicable to land in the Low Density Residential Zone. The 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. Multiple Dwellings were prohibited in the Low Density Residential Zone (Area C) of the KIPS2015, and under the SPPs the minimum site area for Multiple Dwellings will be 1,500m<sup>2</sup>. Given the spatial qualities of the area, the SPPs will create the opportunity for approximately another 140 lots or Multiple Dwellings in the area.

**Figure 99 – Burwood Drive SAP spatial qualities**



Regardless of the minimum lot size discrepancy, Low Density Residential Zone most accurately describes the existing use and development within the neighbourhood. The zone provides a transition between the more densely populated areas and the bushland.

The vegetation within the Burwood Drive SAP area also has unique spatial qualities in that it is part of a pattern of vegetation connecting with Peter Murrell Reserve. Maintaining the pattern of native vegetation in this area and the associated connectivity is identified as a priority by NRP Pty Ltd (NRP, 2012). Additional provisions are included to ensure the unique spatial and environmental qualities of this vegetation are appropriately managed and maintained into the future (noting the unique environmental qualities are described below) as part of individual developments. The SAP will allow for development to

occur consistent with the underlying zoning while encouraging and facilitating the retention of this functional linkage.

In addition to the above, a significant increase in the density will increase the risk associated with property and human life in the event of a fire, especially given the road network with numerous cul-de-sacs and internal lots in this area and the proximity to Peter Murrell Reserve. Any densification of this area would also increase the number of habitable buildings directly adjacent to Peter Murrell Reserve with limited opportunity to implement best practice design to mitigate risk in densifying this area, such as a perimeter road as is proposed for the high-density development adjacent to Peter Murrell Reserve at Huntingfield. Applying density controls, particularly within 150m of Peter Murrell Reserve, to minimise bushfire risk is supported by Tasmania Fire Service (TFS). Please see the attached correspondence. The TFS supports the proposed SAP as it provides the opportunity to be more proactive and strategic in minimising the bushfire risk in this locality.

In light of the above, the SAP is proposed for properties directly next to the reserve (defined as precinct A in the SAP); a minimum lot size requirement of 5,000 m<sup>2</sup> and Multiple Dwellings will have a site area of 5,000m<sup>2</sup> per dwelling to allow development where appropriate. The larger lot size and limitation on infill development is an essential requirement to contribute to the character of the neighbourhood and its interface with the Peter Murrell Reserve. The importance of larger lots next to the Peter Murrell Reserve is to ensure that the land can be developed consistent with the underlying zoning (Low Density Residential Zone) without a need to significantly clear vegetation which adds to the amenity and visual character of the area and maintains a buffer and transition area between the reserve and adjacent higher density development. In addition, the large lots and restriction on infill development will assist in reducing the bushfire risk that exists in the area.

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 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. As mentioned before, the density provisions provided by the SAP will also assist in reducing the bushfire risk in the locality and minimise community reliance on emergency services that are currently heavily constrained in Kingborough.

### **Incorporating existing vegetation in development design**

The SAP area and adjoining Peter Murrell Reserve are 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 forty-spotted pardalote (*Pardalotus quadragintus*), 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. The presence of these values has been independently verified by independent consultants as part of a project to ground truth vegetation mapping in Kingborough undertaken in 2008 and as part of Natural Values Assessments for individual developments. NRP Pty Ltd has also identified some of the vegetation in this area as having the highest level of concern for management and conservation due to its biological significance and some of the vegetation as important for connectivity (NRP, 2012). The significant vegetation coverage within this area on a crest overlooking Blackmans Bay is also an important characteristic that complements the valuable environmental values of the Peter Murrell Reserve.

Under the SPPs there will be limited capacity to protect these values. The SAP does not introduce elements of the Natural Assets Code; however, it provides design guidance that will complement the character of the area in a manner that will also contribute to the preservation of significant environmental qualities while minimising hazards and enabling the land to be utilised in a manner consistent with the zone purpose. The SAP will allow for development to occur consistent with the underlying zoning while encouraging and facilitating the retention of vegetation that complements the valuable environmental values that exist in the Peter Murrell Reserve.

As demonstrated above, there are spatial, social and environmental qualities that substantiate the need for a SAP. Accordingly, the Burwood Drive SAP is considered to meet the requirements of section 32(4)(b) of LUPAA.

## Attachment 10 – Bruny Island SAP Justification

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics of an area 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.

Bruny Island is unique for its mix of natural values, agricultural and aquaculture production, recreational destination, cultural significance and a relatively small population all contained within a land mass of approximately 362 square kilometres. The permanent resident population is currently around 600 and likely to remain small, with only about a third of the dwellings being permanently occupied; this is due to the island's isolation and limited accessibility. Shack ownership on the island has always been high, meaning that the higher population has peak times over summer. The shift from people using shacks for family use only to the more recent trend of making them available for rent and visitor accommodation throughout the year has significantly changed the use of the area and visitation times/duration.

This pressures and demands on a relatively small island community that, while they are not unique, must be managed to avoid congestion, unacceptable impacts on the island's natural values and public safety and amenity issues during peak periods.

Bruny Island is one of the most visited tourism destinations in Tasmania. It has received national and international media exposure for the quality of its tourism product, productive agriculture and water-based resources (i.e. oysters and fishing) in addition to its picturesque and unique natural values. Local, interstate and international visitors come to the island to experience its many attractions, including but not limited to the Neck Lookout/Truganini Memorial, Fairy Penguins, Get Shucked, Bruny Island Cheese & Beer, the Honey Pot, Bruny Island Wilderness Cruises, Bruny Island Chocolate Company, Inala Nature Museum and Jurassic Gardens, Cape Bruny Lighthouse and Dennes Point Heritage Trail.

Given the standardisation of the planning rules in the state through the statewide planning scheme, a unique approach is required for Bruny Island to ensure that appropriate longer-term strategies and safeguards are in place to support tourism related activities that exist on the island and to ensure that the type of development occurring on Bruny Island can be accommodated within the island's limitations. Specific attention is also required to protect the unique character and natural attributes that exist on Bruny Island and its surrounding nearshore marine environment, particularly along the coastline which is appreciated by its residents and visitors.

### Stimulation of economic activity

Bruny Island is a very popular tourism destination in Tasmania that has received national and international media exposure for the quality of its tourism product. There are some inherent social and economic sustainability issues for Bruny Island that are exacerbated by the limited opportunities to develop sufficient economic activity that can support employment opportunities. The main economic opportunities that are available on the island relate to tourism and value-added food production activities that build on the growing recognition of Bruny Island's natural produce and gourmet food reputation. It is proposed to introduce an Artisan Food and Drink Premises as a discretionary use in Low Density Residential Zone, Rural Living Zone and Village Zone. Tourism Operations are also introduced as a discretionary use in the Low Density Zone and Rural Living Zone. This is not afforded under the standard provisions of the Tasmanian Planning Scheme.

### Protecting the character of existing settlements through subdivision design

The SAP areas contain land in the Low Density Residential Zone. Under the KIPS2015, the minimum lot size for (Area A of) the Low Density Residential Zone is 2,500m<sup>2</sup>. The Low Density Residential Zone (Area A) also does not allow Multiple Dwellings. The minimum lot size requirement will not be retained under the Low Density Residential Zone for the SPPs and will reduce to a minimum lot size requirement of 1,500m<sup>2</sup> under the Acceptable Solutions and 1,200m<sup>2</sup> under the Performance Criteria. Multiple Dwellings will be possible under the SPPs. Given the spatial qualities of the Low Density Residential Settlements, the SPPs would create the opportunity for approximately another 155 lots or Multiple Dwellings over and above the current provisions of KIPS2015.

The minimum lot size of 2,500m<sup>2</sup> as proposed by the SAP enables sufficient land within a lot's boundary to effectively manage the local drainage and absorption requirements. The Low Density Residential Zone on Bruny Island is also of a different nature to other parts of the municipality and the state in that it simply has limited access to supporting services and basic infrastructure. The need to limit development capable of being supported by public infrastructure must be reflected in the planning scheme provisions. Future development needs to be properly sequenced so that existing infrastructure is optimised (e.g. infill development) and instances of 'leapfrogging' (where infrastructure must be provided across undeveloped land) are minimised. Similarly, Multiple Dwellings increases density that is not appropriate where infrastructure and service provision are constrained. Regardless of the minimum lot size discrepancy, the Low Density Residential Zone most accurately describes the existing use and development in Dennes Point, Alonnah, Adventure Bay and Lunawanna. Those settlements are characterised by larger residential lots. The larger lots and extensive vegetation cover make a significant contribution to the visual amenity and natural character of Bruny Island.

A reduction in the minimum lot size requirement and potential for infill development as afforded by the SPPs would not only change the character of the coastal settlements on Bruny Island in a manner that will be irreversible, but would also result in a settlement pattern that is inconsistent with the STRLUS. The STRLUS has a clear goal to increase infill development within urban areas (with "a greater proportion of the population living in proximity to services and employment opportunities"). All the Bruny Island settlements are earmarked for low growth scenarios. An increase in subdivision potential (by way of a lowered minimum lot size under the SPPs) and potential for Multiple Dwellings will exceed the low growth scenarios anticipated at these localities and result in a clear inconsistency with the settlement strategies of STRLUS. The larger lot size and limitation on infill development is an essential requirement to address infrastructure constraints, but it will also contribute to the natural character of Bruny Island. The provisions are similar to those that exist under KIPS2015 and will be consistent with the settlement strategies of STRLUS.

**Figure 100 – Spatial qualities for Dennes Point**

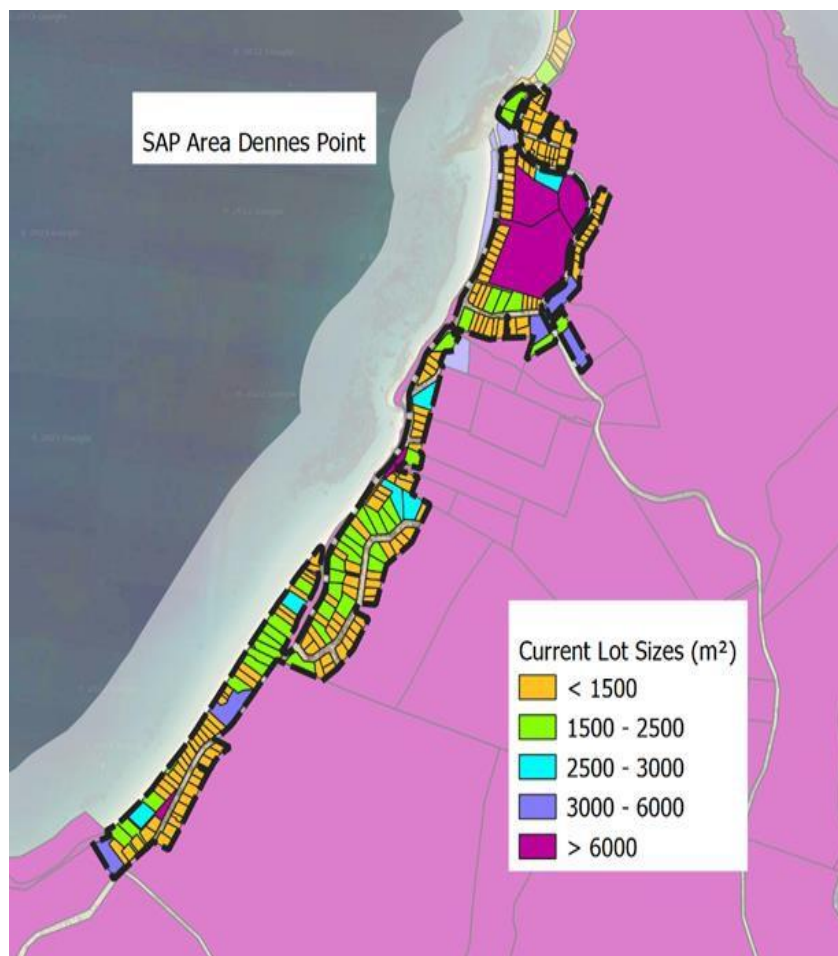




Figure 101 – Spatial qualities for Alonnah

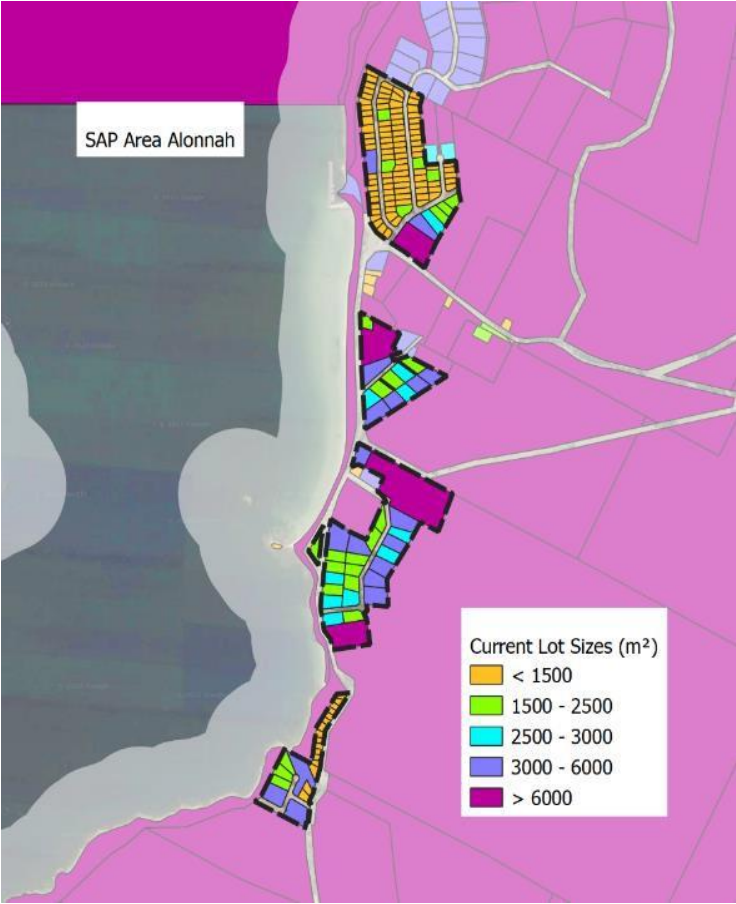


Figure 102 – Spatial qualities for Adventure Bay



**Figure 103 – Spatial qualities for Lunawanna**



### Protecting unique spatial qualities of habitat on Bruny Island

Bruny Island is home to many threatened and other globally significant species. The mosaic of vegetation across the island provides for linkages between vegetation communities and critical habitat for a number of species. Bruny Island is recognised globally and nationally for its natural values. It is listed as a global Key Biodiversity Area and a priority place for threatened species under the Commonwealth's *Threatened Species Action Plan (2022-2032)*. Bruny Island is significant globally as it contains:

- the largest population of the endemic forty-spotted pardalote, including 76 widely-distributed colonies of forty-spotted pardalotes scattered across the whole island, often on private land, including farmland; and
- critical breeding (nesting and foraging) habitat for the swift parrot scattered across much of the forest, and up to a third of the population of swift parrots in a given year, subject to seasonal flowering conditions (Commonwealth of Australia, 2021).

The population of forty-spotted pardalotes on Bruny Island is considered the stronghold for the species on private land (Bryant, S.L. (2010)). The Key Biodiversity Areas Partnership also recommends that farmland, residential blocks, private forest and state forest supporting forty-spotted pardalotes be managed specifically for this endangered species which is dependent on white gums for feeding and large hollow-bearing trees for nesting. Current conservation advice for the forty-spotted pardalote recommends that known colonies are protected and managed, and the loss of white gums, including single trees, is avoided in areas containing known habitat for the species (Threatened Species Section, 2012). While the most current available data estimates there is over 18,370 hectares of forty-spotted pardalote habitat on Bruny Island, known habitat for the species includes all white gums on Bruny Island as well as adjacent hollow-bearing habitat. Encroachment and fragmentation of this habitat by development (including residential development), subdivision and increased human usage are all identified as known threats to the forty-spotted pardalote on Bruny Island. Without the introduction of additional controls via a SAP, there are very limited mechanisms to ensure this habitat is managed and retained, and critical populations of this species would be at risk.

Similarly, both North and South Bruny Island are identified as Swift Parrot Important Breeding Areas (SPIBA), with 80% of the SPIBA on North Bruny Island and 38% of the SPIBA on South Bruny being on private land (Forest Practices Authority, November 2010). According to the Natural Values Atlas, there

are over 433 known nest records on Bruny Island, representing more than 37% of all known nest records for the species and over 90% of nest records in Kingborough. In addition, all mature habitat on Bruny Island, estimated at over 8,800 hectares with 65% of this on private land based on Forest Practices Authority mature habitat mapping, has the potential to provide breeding habitat for the species. Given the absence of the sugar glider on Bruny Island, which is a known threat to the swift parrot, breeding and foraging habitat on Bruny Island is particularly important for the species, as it provides a safe haven from predation.

Using zoning and code application to maintain and manage habitat for these species is not feasible, as this habitat does not follow cadastral or administrative boundaries but rather occurs across all zones, connecting the hills and slopes with the coast, and non-protected areas connecting protected areas. Therefore, a SAP, providing consistent provisions in substitution for the priority vegetation provisions in the Natural Assets Code, is proposed to ensure the survival and recovery of these species, while enabling complementary development consistent with the underlying zone purpose. It is proposed that these provisions are applied broadly via a statutory map, as significant habitat for the forty-spotted pardalote can include very small trees and saplings which are not captured by imagery or modelling, and habitat availability for both species changes over time.

As Bruny Island contains extensive areas of foraging and nesting habitat for the swift parrot, swift parrots move between these patches and habitat on adjacent mainland Tasmania during the breeding season. Inclusion of the proposed collision risk provisions in this SAP will ensure the design of buildings and structures has adequate regard to and minimises collision risk to this critically endangered species.

### Improving waste water treatment

The treatment and disposal of wastewater has been the most significant environmental health issue in recent years when assessing development proposals for new dwellings and land subdivisions in unsewered areas. Particular problems occur where an area has reticulated water resulting in increased water usage but there not being sufficient land to disperse the wastewater. Bruny Island has some particularly challenging unsewered areas with significant site limitations for wastewater. There are a number of unresolved cases where systems have failed and there are disputes between the landowner and the installer. Such examples will be an ongoing challenge, and the prevention of these issues from occurring through appropriate development control in the future is critical.

Most of the relevant zones do include a wastewater development standard for subdivision, identifying that each new lot “must be capable of accommodating an on-site wastewater treatment system”. However, there are no onsite wastewater provisions in the development standards under any of the zones in the SPPs. This could lead to situations where a dwelling (or addition) or commercial development is approved, only to later discover (at the Plumbing Permit stage) that it cannot proceed due to onsite wastewater constraints. Early consideration is needed in order to protect public health and prevent offsite pollution and nuisances to neighbours. Appropriate wastewater standards within the planning scheme provide a pathway for an efficient approval process for landowners and developers.

It is very difficult to appropriately manage wastewater on site for a typical dwelling with outbuildings on a 1,500m<sup>2</sup> area as proposed by the SPPs. The higher the concentration of wastewater systems, the higher the degree of risk of pollutants. The substitution of the 1,500m<sup>2</sup> lot size for 2,500m<sup>2</sup> in the Low Density Residential Zone reflects the known physical incapability of the SPP lot size to accommodate onsite wastewater treatment and stormwater management and replaces it with an appropriate lot size requirement. Similar issues consist in the Village Zone, and provisions for onsite treatment as afforded by the SAP are considered appropriate as they are not available under the SPPs.

### Potable water supply

When a household, commercial or community premises is unable to access drinking water from a drinking water service provider, as in the case for Bruny Island, they will need to rely on an alternative source of drinking water. The standard controls in the SPPs do not provide any guidance to this effect, and as such the Bruny Island SAP introduces controls to ensure that potable water supply is considered when new uses and developments are proposed.

## Protection of environmental values

One of the most important and significant groupings of environmental values within Kingborough relates to biodiversity and the associated management of native vegetation. In addition to being critical for the survival of the critically endangered swift parrot and endangered forty-spotted pardalote, Bruny Island is also important for other threatened and locally significant fauna species, with:

- an estimated 2,618 hectares of preferred habitat for the wedge-tailed eagle and 39 known wedge-tailed eagle nest records;
- 27 known white-bellied sea eagle nest records;
- over 12,000 hectares of eastern quoll habitat (one third of the island); and
- important seabird populations including penguins and shearwaters.

Bruny Island also provides a unique opportunity for the maintenance and protection of threatened and non-threatened avifauna and small mammals, as there is an active feral cat management program and requirements for cat containment. As a result, there is a meaningful opportunity to remove this threat and create a stronghold for significant species. In addition to providing core habitat critical for the survival of these species, Bruny Island also contains extensive areas of threatened native vegetation across all zones, with Council vegetation mapping<sup>12</sup> identifying more than:

- 240 hectares of *Eucalyptus amygdalina* forest and woodland on sandstone, 98% of which is on private land;
- 1,526 hectares of *Eucalyptus globulus* dry forest and woodland, 91% of which is on private land;
- 393 hectares of *Eucalyptus ovata* forest and woodland, 93% of which is on private land; and
- 923 hectares of *Eucalyptus tenuiramis* forest and woodland on sandstone, 44% of which is on private land.

South Bruny Island also lies within the Southern Ranges Bioregion and contains additional native vegetation communities which are threatened at the bioregional scale as a result of their limited distribution or extent. These communities include:

- 90 hectares of *Eucalyptus nitida* dry forest and woodland;
- 41 hectares of *Eucalyptus tenuiramis* forest and woodland on dolerite;
- 25 hectares of *Eucalyptus viminalis* grassy forest and woodland;
- 16 hectares of *Allocasuarina verticillata* forest;
- 25 hectares of *Acacia longifolia* coastal scrub; and
- <1,000 hectares of coastal scrub.

Bruny Island also has a host of listed geoconservation sites from coastal karst to dune fields and dolerite cliffs. While most of or part of these geological features are protected within the reserve estate, some features occur across both the environmental and rural resource zones, including Variety Bay coastal karst and The Neck tombolo and dunefield.

Under the SPPs, there will be limited capacity to protect these values in a consistent manner across all zones, noting these values are present across Bruny Island including settlement areas and on farmland. The SAP is intended to provide consistent provisions which substitute the priority vegetation provisions in the Natural Assets Code and will ensure the significant and unique natural values of Bruny Island are maintained while enabling complementary development consistent with the underlying zone purpose. It is proposed that these provisions are applied to natural values within the defined Bruny Island Natural Values Area. In most instances, this area will be defined via a statutory Bruny Island Natural Values Overlay. However, due to inaccuracies in vegetation mapping and habitat modelling at the property scale, the definition of the Bruny Island Natural Values Area also includes land identified in a report, that is lodged with an application or required in response to a request under section 54 of the Act, as containing

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<sup>12</sup> While there are accuracy issues with this mapping, it represents the best available information on the distribution of vegetation communities in Kingborough.

natural values. This approach is consistent with how natural hazard and waterway and coastal protection areas are defined and identified in the SPPs.

The Tasmanian Planning Commission has issued an outstanding notice in relation to this proposed SAP and those matters will be resolved prior to the public hearings. The SAP is exhibited alongside the rest of the Draft LPS to provide the community with an opportunity to provide feedback on the proposed SAP.

## **Attachment 11 – Blackmans Bay Bluff and Bonnet Hill SAP Justification**

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics of an area 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. The Blackmans Bay Bluff and Bonnet Hill SAP meets the above requirements of the Act and this is outlined in the justification below.

Blackmans Bay Bluff is located at the northern end of Blackmans Bay Beach and is an elevated headland with some significant cliffs that display the qualities of a bluff. A small blowhole is located in the reserve at the end of Talone Road. The Bluff area is heavily vegetated and serves as an iconic backdrop to Blackmans Bay Beach. The Blackmans Bay Bluff neighbourhood has a rich heritage that was well established prior to 1958, with most residences having been used as 'shacks' or holiday homes in those early days. By the 1990s, most of the surrounding areas had become well established to a higher density and constructed to a typical suburban character.

This neighbourhood is unique, differing from other neighbourhoods in Kingborough because of its scenic amenity and the fact that there are only a few remaining larger lots in the precinct that can provide the opportunity to further subdivide or to develop with units. The majority of the remaining 'undeveloped' lots in the precinct contain older houses and vegetation reflective of the historical character of the area.

Bonnet Hill is an elevated, heavily vegetated headland and serves as an iconic backdrop to Kingston Beach. This neighbourhood is unique, differing from other neighbourhoods in Kingborough because of its scenic amenity and because it has not been developed to the extent to which other areas with such scenic attributes and environmental qualities have been developed.

Most of the Bonnet Hill residential area has been zoned as Low Density Residential in the KIPS2015. However, due to the fact that the future Natural Assets and Scenic Protection Codes won't apply to the Low Density Residential Zone, a SAP is required to support development, but in a manner that will maintain the unique scenic attributes and environmental qualities of the area.

### **Protecting the existing character through design of future development**

The existing characteristics of the Blackman Bay Bluff and Bonnet Hill are worthy of protection and as such a Specific Area Plan is considered warranted. This is due to the fact that the SPPs for the General Residential or Low Density Residential zones are not comprehensive enough to protect the unique scenic amenity and residential characteristics of the area. The provisions relating to the Low Density Residential Zone under the SPPs have changed significantly from those of the KIPS2015. The minimum lot size requirement will not be retained under the Low Density Residential Zone for the SPPs and will reduce to a minimum lot size requirement of 1,500m<sup>2</sup> under the Acceptable Solutions and 1,200m<sup>2</sup> under the Performance Criteria. Multiple Dwellings will be possible under the SPPs.

The larger lots, particularly those at the southern end of Bonnet Hill, contain extensive vegetation cover which makes a significant contribution to the unique backdrop of Kingston Beach. The new subdivision provisions for the Low Density Residential Zone could significantly change the landscape, particularly for those larger lots within coastal proximity. In light of the spatial qualities and subdivision potential under the SPPs, the SAP proposes a permitted minimum lot size requirement of 5,000m<sup>2</sup> for the Low Density Residential Zone within coastal proximity in Bonnet Hill. This provision is likely to apply to only three large lots. The larger lot size is an essential requirement to protect the unique landscape qualities that exist in the area.

The SAP will encourage good design outcomes that are compatible with the existing characteristics of the area. The proposed height restriction, landscaping requirements and vegetation management provisions



are all essential to protect and enhance the existing amenity and characteristics of the neighbourhood. The proposed provisions are unlikely to have any impact on the STRLUS settlement strategy, as the SAP does not propose to limit subdivision or exclude development potential for Multiple Dwelling Development, but merely aims to encourage good design outcomes reflective of the existing characteristics of the area. Without these provisions, the spatial elements and characteristics that set this area apart from other urban areas will be lost.

### **Incorporating existing vegetation in design of future development**

The Blackmans Bay Bluff area contains significant natural values. These values include areas of threatened native vegetation communities (*Eucalyptus ovata* forest and woodland and *Eucalyptus globulus* dry forest and woodland), habitat for threatened species including foraging habitat for the swift parrot and potential habitat for the forty-spotted pardalote, Chasotola skipper and eastern barred bandicoot. The presence of these values has been verified through Natural Values Assessments submitted as part of the development approval process. These values occur in patches of remnant vegetation across the larger lots as well as in the form of individual trees of high conservation value across lots of various sizes. The inclusion of vegetation management provisions is proposed to encourage good design outcomes, but also to ensure that the removal of vegetation is minimised.

Bonnet Hill also contains significant natural values, including:

- over 20 hectares of threatened native vegetation communities, including 14.8 hectares of *Eucalyptus globulus* dry forest and over 6.6 hectares of *Eucalyptus ovata* forest and woodland;
- known threatened species populations (e.g. double jointed speargrass); and
- over 20 hectares of foraging habitat for the swift parrot and potential habitat for threatened hollow-dwelling species, the Chaostola skipper, the Tasmanian devil, the eastern barred bandicoot habitat and the forty-spotted pardalote.

These values occur in patches of remnant vegetation across the larger lots and in the form of individual trees of high conservation across lots of various sizes. Additional provisions are proposed to ensure the unique spatial qualities of this vegetation are appropriately managed and maintained into the future (noting the unique environmental qualities are described below) as part of individual developments. Without these additional controls in place, there is the risk the pattern of remnant vegetation across lots will be incrementally eroded. The SAP will allow for development to occur consistent with the underlying zoning while encouraging and facilitating the retention of the overall pattern of vegetation. Blackmans Bay Bluff and Bonnet Hill are also within a Swift Parrot Important Breeding Area and development areas are situated between foraging habitat along the coast and foraging habitat on the ridgeline. There is currently no mechanism for requiring collision risk to be considered as part of the design of buildings and structures. Inclusion of the proposed collision risk provisions in this SAP will ensure the design of buildings and structures has adequate regard to and minimises collision risk to this critically endangered species.

### **Improving waste water treatment**

The treatment and disposal of wastewater has been the most significant environmental health issue in recent years when assessing development proposals for new dwellings and land subdivisions in unsewered areas. There are a number of properties in Bonnet Hill that are unsewered. There are no onsite wastewater provisions in the development standards under any of the zones in the TPS. This could lead to situations where a dwelling (or addition) or commercial development is approved, only to later discover (at the Plumbing Permit stage) that it cannot proceed due to onsite wastewater constraints. Early consideration is needed in order to protect public health and prevent offsite pollution and nuisances to neighbours. Appropriate wastewater standards within the planning scheme provide a pathway for an efficient approval process for landowners and developers. The proposed SAP is providing a means to consider the area required to provide onsite treatment facilities where land is not connected to a reticulated system.

As demonstrated above there are spatial, social and environmental qualities that substantiate the need for a SAP. Accordingly, the Blackmans Bay Bluff and Bonnet Hill 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)(b) of LUPAA.

## Attachment 12 – Barretta SAP Justification

Section 32(4)(b) of LUPAA provides an opportunity for the existing characteristics of an area 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. The Barretta SAP meets the above requirements of the Act and this is outlined in the justification below.

Barretta is constrained in terms of development potential due to limited infrastructure (there is no access to reticulated sewer and existing stormwater infrastructure is lacking). The need to only allow development that is capable of being supported by public infrastructure must be reflected in the planning scheme provisions.

The SAP is therefore required to manage growth in this location having regard to an appropriate density and form of development consistent with the available capacity or design elements to make development self-sufficient in that regard.

Barretta has a very distinct, large 'bush block' coastal character due to the extensive vegetation and low-key nature of development that exist on properties in the locality. The size of lots within the precinct varies between 1,000m<sup>2</sup> and 7,000m<sup>2</sup>. The 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 for (Area A of) the Low Density Residential Zone is 2,500m<sup>2</sup>. The Low Density Residential Zone (Area A) also does not allow Multiple Dwellings under KIPS2015.

This minimum lot size requirement will not be retained under the Low Density Residential Zone for the SPPs and will reduce to a minimum lot size requirement of 1,500m<sup>2</sup> under the Acceptable Solutions and 1,200m<sup>2</sup> under the Performance Criteria. Multiple Dwellings will be possible under the SPPs. Given the size of the lots in the precinct, the SPPs will create the opportunity for approximately another 20 lots or Multiple Dwellings. Regardless of the minimum lot size discrepancy, Low Density Residential Zone most accurately describes the existing use and development within the SAP precinct. The larger lots and extensive vegetation cover make a significant contribution to the visual amenity and character of this settlement.

An increase to the densities as can be provided by the SPPs will significantly alter the unique characteristics of the area in a way that was not anticipated. A reduction in the minimum lot size requirement and potential for infill development as afforded by the SPPs may change the character of the settlements in a manner that will be irreversible but will also result in a settlement pattern that is inconsistent with the STRLUS.

The STRLUS has a clear goal to increase infill development within urban areas (with "a greater proportion of the population living in proximity to services and employment opportunities"). The Urban Growth Boundary (UGB) is clearly defined, and only limited residential development opportunities should exist outside that growth boundary. The STRLUS also makes it very clear that the success of this infill policy will require the "control of low density, rural and environmental living opportunities outside of the Urban Growth Boundary". Barretta is located outside the UGB and is earmarked for low growth scenario. An increase in subdivision potential (by way of a lowered minimum lot size under the SPPs) and potential for Multiple Dwellings will exceed the low growth scenarios anticipated for these localities and result in a clear inconsistency with the settlement strategies for STRLUS.

In addition to the above, the vegetation on the lots has unique spatial qualities in that it forms part of and contributes to a Swift Parrot Important Breeding Area (SPIBA). This vegetation includes mature blue gum and ovata trees, which provide important foraging habitat for the swift parrot. The spatial location of these trees relative to breeding habitat in the Channel and on Bruny Island makes retention of these trees in the landscape important for the protection and recovery of this species.

Additional provisions are included to ensure the unique spatial and environmental qualities of this vegetation are appropriately managed and maintained into the future as part of individual developments.

Without these additional controls in place, there is the risk the pattern of remnant vegetation across lots will be incrementally eroded. The SAP will allow for development to occur consistent with the underlying zoning while encouraging and facilitating the retention of this functional linkage.

### Improving waste water treatment

The treatment and disposal of wastewater has been the most significant environmental health issue in recent years when assessing development proposals for new dwellings and land subdivisions in unsewered areas. Particular problems occur where an area has reticulated water resulting in increased water usage but there not being sufficient land to disperse the wastewater. Barretta is unsewered with significant site limitations for wastewater. There are a number of unresolved cases where systems have failed and there are disputes between the landowner and the installer. Such examples will be an ongoing challenge, and the prevention of these issues from occurring through appropriate development control in the future is critical.

The Low Density Residential Zone includes a wastewater development standard for subdivision, identifying that each new lot “must be capable of accommodating an on-site wastewater treatment system”. However, there are no onsite wastewater provisions in the development standards under any of the zones in the SPPs. This could lead to situations where a dwelling (or addition) or commercial development is approved, only to later discover (at the Plumbing Permit stage) that it cannot proceed due to onsite wastewater constraints. Early consideration is needed in order to protect public health and prevent offsite pollution and nuisances to neighbours. Appropriate wastewater standards within the planning scheme provide a pathway for an efficient approval process for landowners and developers.

It is very difficult to appropriately manage wastewater on site for a typical dwelling with outbuildings on a 1,500m<sup>2</sup> area as proposed by the SPPs. The higher the concentration of wastewater systems, the higher the degree of risk of pollutants. The substitution of the 1,500m<sup>2</sup> lot size for 2,500m<sup>2</sup> in the Low Density Residential Zone reflects the known physical incapability of the SPP lot size to accommodate onsite wastewater treatment and stormwater management and replaces it with an appropriate lot size requirement.

### Improving stormwater management

Stormwater management is also a major issue in Barretta, and development activities usually result in a redirection of stormwater flow and an intensification of that flow (due to the increased hard surfaces). As a result, stormwater management plans are required to describe how these adverse impacts will be mitigated. A common solution is the use of water sensitive urban design techniques that aim to slow down, filter and disperse the stormwater flows. The SPPs have no provisions to deal with stormwater management, and consequently the SAP introduces provisions to improve environmental outcomes consistent with the management of stormwater quality and quantity targets identified by the *State Stormwater Strategy 2010*.

### Incorporating existing vegetation in future development design

In addition to forming part of a pattern of vegetation providing important foraging habitat for the critically endangered swift parrot, mature eucalypt trees within the Barretta Mapped Vegetation Area provide potential hollow-dwelling habitat for threatened and non-threatened species, including the masked owl and swift parrot. These values warrant assessment and consideration as part of any development within this area.

As demonstrated above, there are spatial and environmental qualities that substantiate the need for a SAP. Accordingly, the Barretta Settlement SAP is considered to meet the requirements of section 32(4)(b) of LUPAA.